

STATE OF NEVADA



BOARD OF VETERINARY MEDICAL EXAMINERS

Thursday, April 23, 2020 at 9:00AM
at the following conference number:
1-857-799-9907

PER THE NEVADA GOVERNOR'S DECLARATION OF EMERGENCY DIRECTIVE 006, WHICH REMAINS IN EFFECT THROUGH APRIL 30, 2020, PHYSICAL LOCATIONS FOR PUBLIC MEETINGS ARE SUSPENDED. PLEASE MAKE ARRANGEMENTS TO PARTICIPATE THROUGH THE CONFERENCE CALL NUMBER ABOVE. POSTING OF THE PHYSICAL AGENDA MAY ALSO BE AFFECTED BY THE CLOSURE OF STATE OF NEVADA OFFICES AND LIBRARIES.

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Board Members Present

Steve Damonte, DVM, President
Ronald Sandoval, DVM, Vice President
John Bullard, DVM
James Hengels, RN, BSN
James O'Dea, DVM
Betsy Phillips, DVM
Sharon Gorman, DVM
Melissa Schalles, LVT

Board Staff Present

Jennifer Pedigo, Executive Director
Christina Johnson, LVT, Hospital Inspector
Louis Ling, Esq., Board Counsel
Laura Leautier, DVM, Board Investigator
John Crumley, DVM, Board Investigator
Louis Ling, Esq., Board Counsel

Dr. Damonte called the meeting to order at 9:10 a.m. He took roll call of Board members and staff; all members were present.

Public Comment:

None

CONSENT AGENDA

1. Approval of Consent Agenda for Possible Action

- A. 12-2019DVM-103
- B. 12-2019DVM-104; 12-2019FAC-105
- C. 12-2019DVM-106; 12-2019DVM-107; 12-2019DVM-108
- D. 01-2020DVM-05
- E. 01-2020DVM-06; 01-2020DVM-07

Discussion: Items A-E were reviewed and discussed as a single vote.

Motion: Dr. O’Dea moved to accept the review panels recommendations for dismissal **items A -E;**

Second: Ms. Schalles

Passed: Unanimous; Mr. Hengels abstained from item A; Dr. O’Dea abstained from item B; Dr. Phillips abstained from items C-E.

No public comment was given.

2. Approval of Board Minutes for Possible Action

- A. January 16, 2020 Board Meeting minutes

Discussion: No changes required.

Motion: Dr. Sandoval

Second: Ms. Schalles

Passed: Unanimous.

REGULAR AGENDA

3. Review & Determination of Complaints/Disciplinary Action & Disciplinary Hearings for Possible

Action: The Board may convene in closed session to consider the character, alleged misconduct, professional competence or physical or mental health of a person. (NRS 241.030)

- A. 06-2019LVT-46: Rachele Turner, LVT (LVT1061): Settlement Agreement or Board decision for Administrative Hearing.

Discussion: Mr. Ling reviewed the case and provided the Board with an overview of the proposed Settlement Agreement.

Motion: Dr. Gorman moved to accept the Settlement Agreement.

Second: Dr. O’Dea

Passed: Unanimous; Ms. Schalles abstained.

No public comment.

- B. 07-2019DVM-54: Amanda Schuman, DVM (2683) Settlement Agreement or Board decision for Administrative Hearing.

Discussion: Mr. Ling reviewed the case and provided the Board with an overview of the proposed Settlement Agreement.

Motion: Dr. Sandoval moved to accept the Settlement Agreement.

Second: Ms. Schalles

Passed: Unanimous; Dr. Phillips abstained.

No public comment.

C. 08-2019DVM-66: Michael Knehr, DVM (0972): Settlement Agreement or Board decision for Administrative Hearing.

Discussion: Mr. Ling reviewed the case and provided the Board with an overview of the proposed Settlement Agreement.

Motion: Dr. Gorman moved to accept the Settlement Agreement.

Second: Mr. Hengels

Passed: Unanimous; Dr. Bullard and Dr. Sandoval abstained.

No public comment.

D. 09-2019DVM-79; 11-2019DVM-98; 12-2019DVM-101: Terry Muratore, DVM (0551): Consent Order or Board decision for Administrative Hearing.

Discussion: Mr. Ling reviewed the case and provided the Board with an overview of the proposed Consent Order.

Motion: Dr. Gorman moved to accept the Consent Order.

Second: Ms. Schalles

Passed: Unanimous; Dr. O’Dea, Dr. Phillips, Dr. Sandoval abstained.

Public comment given.

E. 09-2019DVM-90: Kendra Grantz, DVM (1466): Settlement Agreement or Board decision for Administrative Hearing.

Discussion: Mr. Ling reviewed the case and provided the Board with an overview of the proposed Settlement Agreement.

Motion: Dr. Gorman moved to accept the Settlement Agreement.

Second: Dr. Sandoval

Passed: Unanimous; Mr. Hengels abstained.

No public comment given.

F. 11-2019DVM-98: Brandon Dever, DVM (2672): Settlement Agreement or Board decision for Administrative Hearing.

Discussion: Mr. Ling reviewed the case and provided the Board with an overview of the proposed Settlement Agreement.

Motion: Dr. O’Dea moved to accept the Settlement Agreement.

Second: Dr. Phillips
Passed: Unanimous; Dr. Sandoval abstained.

No public comment given.

G. 10-2019DVM-89

Discussion: After presentation and discussion of the complaint assessment with the review panel, the Board voted to initiate disciplinary action against the licensee.

Motion: Ms. Schalles moved to have staff and Mr. Ling initiate disciplinary action against the licensee.

Second: Dr. Damonte

Passed: Unanimous; Dr. Sandoval abstained.

No public comment given.

H. 12-2019DVM-102; 03-2020LVT-17

Item not presented. Tabled for the next scheduled meeting.

I. 06-2019DVM-52; 01-2020FAC-01

Discussion: After presentation and discussion of the complaint assessment with the review panel, the Board voted to initiate disciplinary action against the facility **(01-2020FAC-01)** and dismiss the complaint against the licensee **(06-2019DVM-52)** due to insufficient evidence.

Motion: Dr. Sandoval moved to have staff and Mr. Ling initiate disciplinary action against the facility **(01-2020FAC-01)**.

Second: Dr. O'Dea

Passed: Unanimous; Dr. Phillips abstained; Dr. Gorman recused herself.

Motion: Dr. Sandoval moved to dismiss the complaint **(06-2019DVM-52)** due to insufficient evidence.

Second: Dr. O'Dea

Passed: Unanimous; Dr. Phillips abstained; Dr. Gorman recused herself for prior knowledge.

No public comment given.

J. 01-2020DVM-03; 01-2020LVT-04

Discussion: After discussion of the complaint assessment with the review panel, the Board had dismissed the complaint against the licensee because there was not sufficient evidence to believe that the licensee committed an act which constitutes a cause for disciplinary action.

Motion: Dr. O'Dea moved to dismiss the complaint against the licensee.

Second: Dr. Gorman

Passed: Aye- Dr. O'Dea, Dr. Gorman, Dr. Phillips, Dr. Damonte, Mr. Hengels, Dr. Bullard; Nay- Ms. Schalles. Dr. Sandoval abstained.

Public comment was given.

Discussion: After further discussion, Ms. Schalles moved to vacate the previous motion and reconsider the matter.

Motion: Ms. Schalles moved to vacate the previous motion.

Second: Mr. Hengels

Passed: Aye- Dr. Damonte, Ms. Schalles, Mr. Hengels, Dr. Phillips, Dr. Bullard, Dr. Gorman; Nay- Dr. O’Dea. Dr. Sandoval abstained.

Discussion: After further discussion by the Board, Ms. Schalles moved to table the complaint for further investigation.

Motion: Ms. Schalles moved to table the complaint for further investigation.

Second: Dr. Gorman

Passed: Unanimous; Dr. Sandoval abstained.

No further public comment was given.

K. 02-2020DVM-08

Discussion: After discussion of the complaint assessment with the review panel, the Board had dismissed the complaint against the licensee because there was not sufficient evidence to believe that the licensees committed an act which constitutes a cause for disciplinary action.

Motion: Ms. Schalles moved to dismiss the complaint against the licensee.

Second: Dr. Gorman

Passed: Unanimous; Dr. Sandoval abstained.

No public comment was given.

L. 02-2020FAC-10; 02-2020DVM-11; 02-2020DVM-12

Discussion: After discussion of the complaint assessment with the review panel, the Board had dismissed the complaint against the licensee because there was not sufficient evidence to believe that the licensees committed an act which constitutes a cause for disciplinary action.

Motion: Dr. O’Dea moved to dismiss the complaint against the licensee.

Second: Dr. Gorman

Passed: Unanimous; Dr. Bullard abstained.

No public comment was given.

4. Requests for License/Extensions/Education Approval/Reinstatement for Possible Action

A. Myla Nunn, VTIT Extension

Discussion: The Board reviewed all documentation presented. Ms. Nunn was not present.

Motion: Ms. Schalles moved to deny Ms. Nunn’s request for a VTIT extension.

Second: Dr. Gorman

Passed: Aye- Ms. Schalles, Dr. Phillips, Dr. Gorman, Dr. Bullard, Mr. Hengels; Nay- Dr. O’Dea, Dr. Sandoval.

B. Erika Parks, VTIT Extension

Discussion: The Board reviewed all documentation presented. Ms. Parks was present on the call.

Motion: Dr. O’Dea moved to grant Ms. Parks’s request for a VTIT extension for 6 months.

Second: Dr. Gorman

Passed: Unanimous.

C. Courtney Jones, LVT Education Approval

Discussion: The Board reviewed all documentation presented. Ms. Jones was not present.

Motion: Ms. Schalles moved to grant Ms. Siegel’s request for approval.

Second: Dr. Gorman

Passed: Unanimous

D. Nichole Ecret, VTIT Extension

Discussion: The Board reviewed all documentation presented. Ms. Ecret was not present.

Motion: Dr. Sandoval moved to deny Ms. Ecret’s request for a VTIT extension.

Second: Ms. Schalles

Passed: Aye- Dr. Sandoval, Ms. Schalles, Mr. Hengels, Dr. Gorman, Dr. Phillips, Dr. Damonte;

Nay- Dr. O’Dea. Dr. Bullard abstained.

5. Discussion of Comments for Regulation Changes Received During February 18, 2020 Workshop for Possible Action

Proposed language for NAC 638:

- change the definitions of intern/extern to more accurately reflect their use and scope of practice
- add language to allow for temporary licensure for veterinarians in the State of Nevada.
- establish the use and requirements of telemedicine in the State of Nevada
- amend language for veterinary applicants to sit for the Species-Specific Examinations.

This item was not presented. It is tabled for the next scheduled meeting.

6. Discussion and Determination for Possible Action

A. Discussion of potential statutory changes for the 2021 Legislative Session

Discussion: Ms. Pedigo reviewed proposed changes to current language that conflicts with in the NAC and NRS, the proposed CBD bill, and practice ownership disclosure requirement to be added.

Motion: Ms. Schalles moved to accept the proposed changes and CBD bill.

Second: Dr. O’Dea

Passed: Unanimous.

B. AB319 Policy and Discussion

Discussion: Ms. Pedigo reviewed AB319 with the Board and the proposed policy for staff to process applications for applicants who wish to have criminal backgrounds reviewed prior to applying for licensure, explaining what this means for new applicants with criminal backgrounds.

Motion: Dr. Gorman moved to accept the policy guidelines required by AB319.

Second: Dr. O’Dea

Passed: Unanimous.

C. Discussion of Proposal for Governor’s COVID-19 Medical Advisory Team from Board of Health

Discussion: Dr. Jon Pennell reviewed the medical corps for emergency response and the proposal include veterinarians and licensed veterinary technicians in the medical corps in the ongoing COVID response.

Motion: Dr. O’Dea moved to approve the submission of the proposal to the Medical Advisory Team for review.

Second: Dr. Sandoval

Passed: Unanimous.

D. Consider Policy Change for 2020 CE Requirement Due to COVID-19 State of Emergency

Discussion: Ms. Pedigo reviewed the current CE requirement for live CE hours and the challenge of obtaining live hours under current conditions.

Motion: Ms. Schalles moved to waive the live hour requirement for 2020.

Second: Dr. O’Dea

Passed: Unanimous.

7. Staff Reports for Possible Action

A. Administrative Report- Christina Johnson, LVT

Item not presented.

B. Hospital Inspection Report-Christina Johnson, LVT

Item not presented.

C. Legal Report, Louis Ling, Esq

Item not presented.

D. Legislative Report

Item not presented.

8. Agenda items for next meeting

None

9. Public Comment:

None

10. Adjournment for Possible Action

Motion: Ms. Schalles motioned to adjourn the meeting at 2:58pm.

Second: Dr. Gorman

Passed: Unanimous