

BOARD OF VETERINARY MEDICAL EXAMINERS

Minutes

Date: April 9 – 10, 2014

Time: 9:00 a.m., C.S.T.

Location: Iris Room
665 Mainstream Drive
Nashville, TN 37243

Members Present: Charles R. Halford, D.V.M., President
R. A. Tai Federico, D.V.M.
Stephen S. Galloway, D.V.M., Secretary
Forrest W. Reynolds, D.V.M., Vice-President
Kim D. Johnson, D.V.M.
Karen S. Walsh, L.V.M.T.

Members Absent: B. Ann Strong, Public Member
Charles Hatcher, D.V.M., State Veterinarian, Ex-officio Member

Staff Present: Rita Buckner-Shelton, Board Administrator
Keith D. Hodges, Board Attorney
Lisa Lampley, Board Director

Upon the determination of a quorum being present, the Board meeting was called to order by Dr. Halford at 9:20 a.m.

Applicant Interviews

Julie A. Bullock, D.V.M.

The Board reviewed an application for licensure by reciprocity as a veterinarian submitted by **Julie A. Bullock, DVM**. Dr. Bullock answered “yes” to the question on the application regarding conviction of a felony or misdemeanor other than a minor traffic offense and answered “no” to the question on the application regarding any disciplinary action in another state. Dr. Bullock was present to answer any questions from members of the Board regarding a 2010 Driving Under the Influence conviction and a 1996 Consent Order issued by the Virginia Board of Veterinary Medicine. Dr. Bullock’s veterinary hospital was not registered with the Virginia Veterinary Board when an advertisement for the facility was published. Dr. Galloway recused

himself. After discussion and review of the documentation, Dr. Reynolds made a motion, seconded by Ms. Walsh, to approve the application. The motion carried.

Amanda D. Dykstra, D.V. M.

The Board reviewed an application for licensure by reciprocity as a veterinarian submitted by **Amanda Dykstra**. Dr. Dykstra answered “yes” to the question on the application regarding conviction of a felony or misdemeanor other than a minor traffic offense. Dr. Dykstra was present to answer any questions from members of the Board regarding a 2004 DWI. After discussion and review of the documentation provided by the applicant, Dr. Johnson made a motion, seconded by Dr. Reynolds, to approve the application. The motion carried.

Sonya L. Hunt

The Board reviewed an application for licensure as a veterinarian submitted by **Sonya L. Hunt**. Ms. Hunt is currently a student at the University of Tennessee College of Veterinary Medicine with an expected graduation date of May, 2014. Ms. Hunt answered “no” to the question on the application regarding conviction of a felony or misdemeanor other than a minor traffic offense. Ms. Hunt was present to answer any questions from members of the board regarding a 2011 Reckless Driving conviction. After discussion and review of the documentation provided by the applicant, Dr. Federico made a motion, seconded by Dr. Reynolds, to grant the license contingent upon completion of the file. The motion carried.

Jeffrey B. Maxwell, D.V.M.

The Board reviewed an application for licensure by reciprocity as a veterinarian submitted by **Jeffrey B. Maxwell, DVM**. Dr. Maxwell was present to answer any questions from members of the board. Dr. Maxwell has not practiced continuously for the previous five (5) years and is requesting a waiver of the required continuing education hours. Dr. Maxwell submitted proof of completion of fifty-two (52) of the required one hundred (100) continuing education hours. Dr. Maxwell is currently licensed in Florida. After discussion and review, Dr. Federico made a motion, seconded by Dr. Reynolds, to approve the application. The motion carried.

David S. Redwine, D.V.M.

The Board reviewed an application for reinstatement of an expired license to practice veterinary medicine submitted by **David S. Redwine, DVM**. Dr. Redwine answered “yes” to the question on the application regarding disciplinary action in another state. Dr. Redwine was present to answer any questions from members of the board. Dr. Redwine was disciplined by the Virginia Board of Veterinary Medicine in 2001 for facility inspection deficiencies; in 2002 for a standard of care issue; in 2004 for practicing on an expired license, practicing on an expired facility permit, and inspection deficiencies; and in 2006 for inspection deficiencies and failure to include expiration date on repackaged controlled substances. Dr. Redwine stated there had been no inspection deficiencies since 2006. After discussion and review, Dr. Federico made a motion, seconded by Dr. Reynolds, to approve the file. The motion carried.

Petrina A. York, D.V.M.

The Board reviewed an application for licensure as a veterinarian submitted by **Petrina York, DVM**. Dr. York was present to answer any questions from members of the board. Dr. York has not worked an average of thirty (30) hours per week for the previous five (5) years. Dr. York holds a current license in Arkansas. After discussion and review, Ms. Walsh made a motion, seconded by Dr. Johnson, to approve the application. The motion carried.

Order of Compliance – L. Richard Smith, D.V.M.

Mr. Keith Hodges, Board Attorney, presented the Order of Compliance to the Board. Dr. Roland Gray, Tennessee Medical Foundation, was present and spoke on behalf of Dr. Smith. Upon review, Ms. Walsh made a motion, seconded by Dr. Federico, to approve the Order of Compliance. The motion carried.

Contested Case Hearing – Todd Patrick Murphy, D.V.M.

Dr. Todd Murphy, DVM, was present and was represented by Edward U. Babb, Esq. Mr. Keith Hodges, Assistant General Counsel, represented the State. The proceedings were presided over by Administrative Law Judge Joyce Grimes Safley. Dr. Kim Johnson recused herself from the hearing. Dr. Murphy was charged with failing to disclose disciplinary action by the Texas State Board of Veterinary Medical Examiners. Dr. Murphy's license to practice veterinary medicine in the state of Texas was revoked on December 13, 2010. Dr. Murphy was charged, while employed as a veterinary surgeon at Blue Pearl Veterinary Partners from January 2010 to January 2011, with performing unnecessary surgeries, performing numerous surgeries incorrectly, misdiagnosing patients on multiple occasions or otherwise providing care below the applicable standard of care for veterinary medicine in the state of Tennessee, failing to maintain accurate patient records, and falsifying patient records to indicate he had performed certain procedures he in fact had not performed.

Following opening statements from both sides, the state presented expert testimony from Dr. Joseph Desch, DVM, ACVS and Dr. Leann Blackford, DVM, ACVS regarding their review of nine (9) animal records that were treated by Dr. Murphy. The Board heard testimony on two (2) of the nine (9) animal records to be introduced into evidence.

Drs. Desch and Blackford individually testified that it was their respective expert opinion that the veterinary services provided by Dr. Murphy were below the standard of care, that unnecessary surgeries were performed, animals were misdiagnosed, records were falsified, and that animals endured unnecessary suffering. Expert testimony was provided on behalf of the Respondent by Ronald Douglas Montgomery, DVM, ACVS and by the Respondent himself, Todd Patrick Murphy, DVM, ACVS. Drs. Montgomery and Murphy individually testified that it was their respective expert opinion that the veterinary services provided by Dr. Murphy did not deviate from nor fall below the acceptable standard of care in Tennessee. The hearing was continued until the following day due to the length of testimony to be presented.

The Board recessed at 6:30 p.m.

April 10, 2014

Board members absent from the meeting: Beverly Ann Strong, Consumer Member and Dr. Charles Hatcher, State Veterinarian

Dr. Halford called the meeting to order at 9:00 a.m.

Contested Case Hearing – Todd Patrick Murphy, D.V.M.

The hearing resumed with testimony provided by the same expert witnesses from the previous day on three (3) more animal records. Due to the length of testimony to be presented, the hearing was continued until the next board meeting scheduled for August 26 – 27, 2014. The hearing was recessed at 5:07 p.m. at which time the Board conducted regular board business.

Approval of Minutes

Dr. Federico made a motion, seconded by Dr. Galloway, to approve the December 11, 2013 minutes. The motion carried.

Discussion - 2014 American Association of Veterinary State Boards (AAVSB) Annual Meeting

Upon discussion, the Board voted to send Dr. Galloway and Ms. Lampley to the 2014 AAVSB Annual Conference scheduled to be held September 11 – 13, 2014 in St. Petersburg, Florida.

Office of General Counsel (OGC) Report

Mr. Keith Hodges, Board Attorney, reported there are three Consent Orders to be presented to the Board at this meeting and one contested case.

The proposed rule amendments have been initially reviewed by the Attorney General's office and the Office of General Counsel is working on corrections. The proposed rule amendments should be filed with the Secretary of State's office before the next board meeting.

Consent Order – Julie Adams, D.V.M.

Dr. Julia Adams was not present and was not represented by counsel. Mr. Keith Hodges, Assistant General Counsel, presented the Consent Order to the Board for ratification. Dr. Adams performed a spay surgery on a dog. Complications developed and the dog suffered a pressure necrosis wound as a result of a belly band being put on too tightly, left on too long, and not adequately monitored. Dr. Adams agreed to a reprimand of her license and agreed to pay a civil

penalty in the amount of \$500.00 plus costs of the proceedings. Ms. Walsh made a motion, seconded by Dr. Galloway, to accept the Consent Order. The motion carried.

Consent Order – Stacy R. Smith, D.V.M.

Dr. Stacy Smith was not present and was not represented by counsel. Mr. Keith Hodges, Assistant General Counsel, presented the Consent Order to the Board for ratification. During the course of an investigation conducted by the Tennessee Dept. of Agriculture, it was revealed that, in addition to obtaining some hogs from illegal sources, Dr. Smith had also moved hogs and failed to disclose certain hogs he owned in violation of a quarantine order and Tennessee statutes. Dr. Smith pled guilty to ten (10) counts of Illegal Possession of Wildlife, a Class B misdemeanor; one (1) count of Conspiracy to Acquire and Possess Illegal Wildlife, a Class C misdemeanor; two (2) counts of Failure to Use an Approved Source (i.e. acquiring wildlife from an illegal source), a Class A misdemeanor; two (2) counts of Failure to Maintain Acquisition Records, a Class A misdemeanor; and one (1) count of violating a quarantine order issued by the State Veterinarian. Dr. Smith agreed to the probation of his license for a period of five (5) years with lifting of the probation conditional on the following: shall personally appear before the Board at its regularly scheduled December meeting during each year of the probationary period; in addition to the twenty (20) continuing education hours required annually, he must obtain two (2) hours of Board-approved continuing education hours in the area of veterinary ethics for 2014, 2015, and 2016; and he must pay a civil penalty in the amount of \$500.00 plus costs of the proceedings. Dr. Galloway made a motion, seconded by Ms. Walsh, to accept the Consent Order. The motion carried.

Investigations and Disciplinary Report

There are currently thirty-three (33) open complaints in the Office of Investigations.

Inspection Status Report

A total of one hundred fifty-four (154) inspections were conducted during the period of December, 2013 – March, 2014.

Director's Report

Ms. Lampley expressed her appreciation to the Tennessee Veterinary Medical Association (TVMA) for the opportunity to participate in the Music City Veterinary Conference held February 28 – March 2, 2014 in Murfreesboro, TN.

Ms. Lampley spoke to the graduating students of the veterinary technology program at Chattanooga State Community College on March 31, 2014 about the licensure process and will be speaking to the students at Columbia State Community College on April 22, 2014.

Members of the board were informed that the National Board of Veterinary Medical Examiners (NBVME) provides an opportunity for licensing board members to view a form of the North

American Veterinary Licensing Examination (NAVLE). Board members can view the NAVLE at a Prometric Testing Center during the fall administration dates.

Report of Total Active Licensees as of February 28, 2014:

Veterinarians:	2,126
Veterinary Medical Technicians:	527
Veterinary Facilities:	780
Certified Animal Euthanasia Technicians:	280
Certified Animal Control Agencies:	66

Continuing Education Course Approval

The following requests for approval of continuing education hours were reviewed:

A request from **Benchmark Leadership Training** for approval of forty-eight (48) continuing education hours (4 hours per month) for the course entitled **“Bullet Proof Manager”** to be held over a 12-month period in three Tennessee locations (Nashville, Knoxville, and Chattanooga).

A request from **BluePearl Veterinary Partners** for approval of continuing education hours for the following presentations to be held in 2014 in various locations:

“CPCR-Cardiopulmonary Cerebral Resuscitation for Veterinary Technicians” – April 15th
- 1 hr. – Brentwood, TN

“Basic Neonatal Care for Veterinary Technicians” – August 19th – 1 hr. – Brentwood, TN

“IV Catheter Placement 101” - 1 hr. (Lunch and Learn)

“Hyperthyroidism” – 1 hr. (Lunch and Learn)

“Importance of Home Monitoring for Diabetes” – 1 hr. (Lunch and Learn)

“Cushing’s Disease” - 1 hr. (Lunch and Learn)

A request from **Boehringer-Ingelheim** for approval of two (2) continuing education hours for a presentation entitled **“Canine Infectious Respiratory Disease Complex (Kennel Cough): The Most Effective Methods to Control It”** held January 28, 2014 in.

A request from **Boehringer-Ingelheim** for approval of two (2) continuing education hours for a presentation entitled: **“Lyme Disease: Practical Risk Assessment, Prevention and Treatment”** held March 27, 2014 in Johnson City, TN.

A request from **Merial** for approval of two (2) continuing education hours for a presentation entitled: **“Introducing NexGard: The First Oral Flea and Tick* Treatment for Dogs”** to be held on the following dates:

March 4th – Nashville, TN

March 11th – Knoxville, TN

A request from **Novartis** for approval of one and one-half (1.5) continuing education hours for a presentation on **“Broad Spectrum Parasite Prevention”** held March 11, 2013 in Chattanooga, TN.

A request from **Phoenix Landing Foundation** for approval of twelve (12) continuing education hours for an avian medical conference entitled **“Wellness Retreat, The Wisdom of Parrots”** to be held Mary 3 – 4, 2014 in Asheville, North Carolina.

A request from **Rutherford County Pet Adoption and Welfare Services (RC PAWS)** for approval of three (3) continuing education hours for an event entitled **“Animal Abuse and Effective Responses: Addressing a Public Safety Issue”** held March 7, 2014 in Smyrna, TN.

A request from **Zoetis** for approval of one (1) continuing education hour for a presentation on **“Itch Cycle/Cytokines”** held November 26, 2013 in Cleveland, TN.

A request from **Zoetis** for approval of one (1) continuing education hour for a presentation entitled **“A Pathophysiology of Itch”** held December 17, 2013 in Rogersville, TN and December 19, 2013 in Bristol, TN.

A request from **Zoetis** for approval of two (2) continuing education hours for a presentation entitled **“Canine Pruritus in Your Practice”** held February 4th, 5th, 6th and 7th in Memphis, TN.

A request from **Zoetis** for approval of continuing education hours for a presentation on **“Apoquel”** held on the following dates:

March 19th – Franklin, TN – 2 hrs. (Dinner meeting)
March 20th – Nashville, TN – 1 hr. (Lunch presentation)
March 20th – Franklin, TN – 2 hrs. (Dinner meeting)

A request from **Zoetis** for approval of two (2) continuing education hours for a presentation on the topic **“Derm Protocols”** held on the following dates:

March 19th – Wetlab at Cumberland Animal Hospital in Lebanon, TN
March 20th – Hendersonville, TN (Dinner meeting)

A request from **Zoetis** for approval of four (4) continuing education hours for a presentation entitled **“Pricing to Value”** to be held September 25, 2014 in Atlanta, GA.

A request from **Zoetis** for approval of two (2) continuing education hours for a program entitled **“Oclacitinib Maleate, A Novel Janus Kinase Inhibitor”**; **“Cevofecin Pharmacokinetics and Pharmacodynamics”**; **“Injectable Moxidectin, A New View on Heartworm Compliance”** held March 26-27, 2014 in Knoxville and Johnson City, TN.

A request from **Becky DeBolt, DVM** for approval of twenty (20) continuing education hours for the **Koret Shelter Medicine Program** held August 26 – 30, 2013 in Madison, Wisconsin.

A request from **Barbara Hodges, DVM** for approval of fifteen and one-half (15.5) continuing education hours for the **“Learning “DOG” Conference”** held January 19-20, 2014 in Raleigh, NC.

A motion was made by Ms. Walsh, seconded by Dr. Reynolds, to approve all courses. The motion carried.

Continuing Education Waiver Request

The Board reviewed a request for a waiver of continuing education hours for calendar year 2014 submitted by **Christa Roberts, LVMT**. Ms. Roberts requested that she be allowed to obtain the twelve (12) required continuing education hours via multi-media format due to her work with her music ministry. Dr. Federico made a motion, seconded by Dr. Reynolds, to deny the request. The motion carried.

Ratifications

A motion was made by Dr. Galloway, seconded by Dr. Federico, to approve the presented list of newly licensed/certified or reinstated veterinarians, veterinary medical technicians, veterinary facilities, certified animal euthanasia technicians, and certified animal control agencies. The motion carried.

Veterinarians – Newly Licensed

Russell Landon Baxley, DVM
Keith Edward Blum, DVM
Heather Kathryn Byrnes, DVM
Janessa Leian Caldwell, DVM
Ashton Brooke Conner, DVM
Michael Jason Greenberg, DVM
James Peyton Hassinger, DVM
Jennie Marie-Ellen Jankovsky, DVM
Kelly Raine Johnstone, DVM
Jennifer-Lynn Jubenville, DVM

Susan Jean Konecny, DVM
Judi Bonner Leake, DVM
Gillian Martha Penn, DVM
Katie Smithson, DVM
Jessica Vaughn Taylor, DVM
Nicholas Loyal Weldon, DVM
Jill Erin Westerholm, DVM
Thomas Lee Windham, DVM
Nicole Paige Worshum, DVM
Eric Niles Zuniga, DVM

Veterinarians – Reinstated

Timothy L. Agee, DVM
Artist Derrell Elkins, DVM
Mitchell Todd McKee, DVM
Angela Dionn Middleton, DVM

Yvette Mignon Naylor, DVM
Robert Miles Richie, DVM
Rachel Leah Tapp, DVM
Tyson Wayne Wallis, DVM

Veterinary Medical Technicians– Newly Licensed

John Richard Beachey, LVMT
Abril OSmara Bernal, LVMT
Amanda Sue Bush, LVMT
Stephanie Diann Doss, LVMT
Brittany Lauren Dyce, LVMT
Caroline Easley Farrington, LVMT
Rebekah Anne Foster, LVMT

Elizabeth Diane Hileman, LVMT
Eric Michael Hilton, LVMT
Emily Michelle Keef, LVMT
Jessica Elaine Lord, LVMT
Anna Kate Morgan, LVMT
Douglas Lamar Phillips, LVMT
Miranda Ray Potter, LVMT

Veterinary Medical Technicians – Reinstated

Casey Nichole Daniel, LVMT
Erin Nicole Franks, LVMT

Courtney Anne Waterbury, LVMT

Veterinary Facilities

Admiral Veterinary Hospital
Elizabethton Veterinary Clinic
Humane Society of Putnam Co.
Parker’s Paws Animal Hospital
Pawsplus – Oak Ridge

Robinson Animal Hospital
Rowland Veterinary Services, Inc.
The Pet Care Center of Jackson
Washington Pike Veterinary Hosp.
Wheeler Veterinary Clinic

Certified Animal Euthanasia Technicians – Newly Licensed

James Edward Brawner, CAET
Austin Douglas Carrigan, CAET
Jessie Lynn Ellison, CAET
Catherine Guyer, CAET
LaDonna Dawn Hamlin, CAET
Erica Dawn Hudak, CAET
Opal Denise Isbell, CAET
Karen Ruth League, CAET
Thomas W. McCosh, CAET

Crystal Storme Myers, CAET
Amanda Victoria Neff, CAET
Charles Byron Rafford, CAET
Jose A. Rojas, CAET
Kristin M. Stanford, CAET
Thomas Levon Thacker, Jr., CAET
Darrell Alan Webb, CAET
Janessa Jeanell Wegner, CAET

Certified Animal Euthanasia Technicians – Reinstated

Colleen Mary Hicks, CAET

Certified Animal Control Agencies

City of Hohenwald
Elizabethton/Carter Co. Animal Shelter

Humane Society of Lincoln County

2015 Board Meeting Dates

The Board confirmed the following meeting dates for calendar year 2015:

April 8 – 9

August 12 – 13

December 9 – 10

Adjournment

There being no further business, the Board moved to adjourn at 6:10 p.m.

These minutes were ratified at the meeting held on July 29, 2014.