

TENNESSEE BOARD OF VETERINARY MEDICAL EXAMINERS

MINUTES

Date: August 8, 2023

Time: 9:00 a.m., CST

Location: Office of Health-Related Boards
Iris Room
665 Mainstream Dr
Nashville, TN 37243

Board Members Present: Montgomery McInturff, DVM
Leslie Wereszczak, LVMT, Board Vice Chair
Mark Garrett, DVM
Samantha Beaty, DVM, State Veterinarian, ex officio member
Angela Zinkus, DVM
Cathryn Youmans, DVM
Sarah Spidel, DVM

Board Members Absent:

Staff Present: Kimberly Wallace, Regulatory Board Administrative Director II
Lyndsey Boone, Regulatory Board Administrative Director I
Tim Peters, Senior Associate Counsel

Call to Order

Ms. Wereszczak called the meeting to order at 9:02 AM CST. A roll call of the Board Members and Board staff present was initiated by Ms. Boone, Unit 3 Director I. Ms. Boone introduced and welcomed the new Board members, Dr. Angela Zinkus, Dr. Cathryn Youmans, and Dr. Sarah Spidel.

Discuss and consider approval of Meeting Minutes, April 12, 2023, Board Meeting

Dr. McInturff made a motion to approve the Board meeting Minutes from April 12, 2023, with a second by Dr. Garrett. There was no discussion.

The motion passed unanimously.

Receive Reports and/or Requests from the Office of Investigations

Barbara Granum, Intake Coordinator from the Office of Investigations gave the investigative report to the Board. There was no discussion on the report.

PERIOD: 2023 Calendar Year To-Date

COMPLAINTS

New Complaints	Veterinarian	Vet Tech	Euthanasia Tech	Facility	CACA
Substance Abuse	0	0	0	0	0
Sexual Misconduct	0	0	0	0	0
Malpractice/Negligence	13	0	0	0	0
Unlicensed Practice	3	0	0	1	0
Unprofessional Conduct	30	0	0	3	3
Outside of INV scope	0	0	0	0	1
Medical Records Request	1	0	0	0	0
Lapsed License	0	2	1	4	1
CE Violation	2	1	0	0	0
Criminal Conviction	0	0	0		
Total # New Complaints	49	3	0	8	5
Closed Complaints					
Closed - Insufficient	10	0	0	3	3
Complaint Closed BIV	7	2	1	3	0
Complaint Closed	17	0	0	4	0
Closed – Letter of Concern	3	0	0	0	0
Closed – Warning Letter	2	0	0	2	1
Total # Closed Complaints	39	2	1	12	4

Total # Currently Open Complaints	31	1	0	3	4
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Receive Reports and/or Requests from the Division of Health Licensure and Regulation

No action to be taken.

Discuss and take action as necessary regarding Legislation

Graysen Carter, Legislative Liaison, gave the 2023 legislative summary to the Board.

Public Chapter No. 55—SB680/HB895—Reeves/Hurt

This law clarifies that the Medical Assistance Act of 1968 does not require a vendor, healthcare provider, or telehealth provider group that provides healthcare services exclusively via telehealth to have a physical address or site in this state in order to be eligible to enroll as a vendor, provider, or provider group for that program. This law defines telehealth provider as two or more healthcare providers that share a common employer and provide healthcare services exclusively via telehealth. This law was effective on March 21, 2023.

Public Chapter No. 188—SB277/HB325—Johnson/Lamberth

This law extends legislation enacted in 2018 to preserve opioid prescription limitations for acute care. In addition, this law exempts individuals who had recent cancer treatment from this prescription limitation. “Recent cancer treatment” is defined as six months following the end of an active cancer treatment. This law creates an exception for informed consent where a healthcare practitioner who issued the initial prescription does not have to obtain and document informed consent, if the subsequent prescription is for the same opioid and for the same episode of treatment. Outside of this exception, informed consent must be updated periodically. This law also requires the Commissioner of the Department of Health to provide a letter, in consultation with the health-related boards, no to certain elected officials that includes information on the impact and the effects of this legislation in each even-numbered year. This law was effective on April 24, 2023. This law was a Department of Health legislative initiative.

Public Chapter No. 194—SB451/HB165—Lowe/Butler

This law authorizes employees of a public accommodation to ask for certain information about a guide dog in training. A person who utilizes a guide dog is subject to the same liability for damages as a person whose pet causes damage to a place of public accommodation. Fraudulently representing that an animal is a service animal or service animal in training to an employee of a public accommodation is a Class B misdemeanor. A misrepresentation of service animal is a Class B misdemeanor and requires 100 community service hours to be served. This law is effective on July 1, 2023.

Public Chapter No. 300—SB551/HB448—Lowe/Davis

This law requires governmental entities to provide a period of public comment for public meetings but authorizes the governmental entities to place reasonable restrictions on the period for public comment. This does not apply to a meeting of a governing body, or a portion thereof, where the governing body is conducting a disciplinary hearing or a meeting for which there are no actionable items on the agenda. This takes effect July 1, 2023.

Public Chapter No. 316—SB1426/HB1004—Roberts/Darby

This law requires an appointed member of a governing body for a state entity to serve in such capacity until the member's successor is duly appointed and qualified. Under this, an appointed member of a board, commission, or other governing body for a state governmental entity may be removed by the member's appointing authority with or without cause. A vacancy created by the removal of a member must be filled by the appointing authority in the same manner as the original appointment. This law also creates an advisory council on state procurement. This law was effective on April 28, 2023.

Public Chapter No. 335—SB3195/HB472—Lundberg/Crawford

This law establishes standards for shelters that must be provided specifically to dogs under animal cruelty laws. This law takes effect on July 1, 2023.

Public Chapter No. 412—SB1398/HB1242—Reeves/Powers

This law makes it a Class A misdemeanor to knowingly possess xylazine and makes it a Class C felony to knowingly manufacture, deliver, or sell xylazine, or to knowingly possess xylazine with intent to manufacture, deliver, or sell xylazine. This law exempts veterinarians. This law is effective July 1, 2023.

Public Chapter No. 426—SB0458/HB0496—Watson/Martin

This law requires certain health related boards to either render a decision on the application or inform the applicant of the need to appear before such board within 60 days from the date the respective board receives a completed application for licensure from either an initial applicant or

an applicant who is licensed in another state or territory of the United States or in the District of Columbia. This law was effective on May 11, 2023, and applies to applications submitted on or after that date.

Please note that these are high-level overviews of each public chapter. They do not include every detail or provide all bill information. Please review the text of the bill in its entirety at your own discretion. If you have any questions or need further clarity, please reach out to your attorney.

The discussion on the report is as follows: Dr. Garrett made a comment on Public Chapter #412 and spoke about the limitations of Certified Animal Control Agencies and Certified Animal Euthanasia Technicians with their limit to xylazine. He spoke about a potential federal bill to have non-humane use excluded but had not heard any updates on it at that time. There was no further discussion.

Receive Reports and/or Requests from the Board Administrative Office

Ms. Boone presented the Administrator’s report, as follows:

PERIOD: Active Licensees as of August 2, 2023:

Total # Veterinarians	3,115
Total # Veterinary Technicians	1,169
Total # Veterinary Facilities	833
Certified Animal Euthanasia Technician	299
Certified Animal Control Agencies	69
Certified Animal Chemical Capture Technicians	1
Animal Chemical Capture Certification	1

LICENSE STATUS

PERIOD: April 5, 2023 – August 2, 2023

	DVM	LVMT	Vet Facility	CAET	CACA	CCT
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New Licenses/Certificated Issued	190	46	76	27	3	0
Renewals - Total	440	151	106	28	14	0
<i>Number of Paper Renewals</i>	119	30	102	13	14	0
<i>Number of Online Electronic Renewals</i>	321	121	4	15	0	0
Retired Licenses	4	1	0	1	0	0
Expired	41	20	19	22	1	0
Closed Files	0	0	0	0	0	0
Probation	2	0	0	0	0	0
Revoked	0	0	0	0	0	0
Facilities Closed	N/A	N/A	61	N/A	0	N/A

Ms. Boone also presented the upcoming Board Meeting dates, as follows:

- December 13, 2023
- April 10, 2024
- August 14, 2024
- December 4, 2024

The discussion on the report is as follows: Dr. Garrett inquired why there were so many veterinary facilities that were closed. Ms. Boone informed the Board that a corporation was switching the ownership of many of these veterinary facilities from a sole individual to the corporation itself which required numerous new applications for premises permits and the closure of the old premises permits. There was no further discussion on the report.

Receive Reports and/or Requests from the Office of General Counsel

Mr. Timothy Peters presented the OGC report as follows:

Conflict of Interest Statement

If you have a personal or financial interest in the outcome of any issue or matter before this board which may suggest a bias on your part, you are asked to state that interest on the record so that a determination can be made as to whether there exists a need for recusal. You are reminded that it is the duty of this board to protect the health, safety, and welfare of the citizens of Tennessee and that the administration of this solemn responsibility is dependent upon avoiding even the appearance of impropriety.

Litigation:

There are fifteen (15) open cases with the OGC. There are no cases set for contested hearings and there are four (4) consent orders for Board approval.

Rules:

These rules are pending review:

1730-01 – Biennial Renewal Fee and Application Fee Reductions

1730-02 -- Veterinary Facility Inspections to Obtain a Premises Permit; Premises Permit Fee Reductions

1730-03 – Biennial License Renewal Fees; Composition and Method of Attainment of CE Hours

1730-04 – Certified Animal Control Agency Fee Reductions

1730-05 – Certificate of Completion from Euthanasia Course; Euthanasia Methods; CAET Fee Reductions

1730-06 – Chemical Capture Fee Reductions

Summary: This report provides the total number of licensees currently being monitored for discipline.

The total number of Veterinarians being monitored for discipline is 16.

The total number of Veterinarians on reprimand is 0 with terms.

The total number on probation is 7 with terms.

The total number on suspension is 0.

The total number revoked/surrendered is 4

The total number of Vet. Techs being monitored for discipline is 0.

The total number of CAET's being monitored for discipline is 0.

The total number of Veterinarian Facilities being monitored for discipline is 5 (5 reprimanded and one on probation with terms.

Presentation of Orders, Agreed Citations, and Other Disciplinary Items

Consent Orders

Equine Services, LLC #1215

Respondent has been at all times pertinent hereto licensed by the Board as a veterinary facility in the State of Tennessee, having been granted license/permit number 1215 on 11/02/2007, which expired on 11/30/2021.

At all times pertinent hereto Respondent facility was located in Shelbyville, Tennessee.

On or about November 30, 2021, Respondent's premises permit expired. Between November 30, 2021, and February 25, 2023, the practice of veterinary medicine occurred at Respondent's facility and/or a licensed veterinarian was practicing veterinary medicine at Respondent's facility when Respondent's permit was expired.

For the purpose of avoiding further administrative actions with respect to this cause, Respondent agrees to the following:

Respondent agrees to pay a CIVIL PENALTY in the amount of nine hundred dollars (\$900.00), which represents \$100.00 for each of nine (9) months that the facility engaged in the practice of veterinary medicine, beyond the six (6) month grace period, on an expired license/permit.

Respondent understands the ratification of this Consent Order is a formal disciplinary action and will be reported to the National Practitioner Data Bank (N.P.D.B.) and/or similar agency, as a Civil Penalty. Respondent further understands that a failure to comply with the terms of this order shall constitute grounds for disciplinary action.

Dr. McInturff made a motion to accept the Consent order, with a second from Dr. Garrett. There was no discussion.

The motion passed unanimously.

Trenton Animal Clinic #1256

Respondent has been at all times pertinent hereto licensed by the Board as a veterinary facility in the State of Tennessee, having been granted license/permit number 1256 on 06/27/2008, which currently has an expiration date of 06/30/2022.

At all times pertinent hereto Respondent facility was located in Trenton, Tennessee.

On or about 6/30/22, Respondent's premises permit expired. Respondent's premises permit had not been renewed as of 5/26/23. Between 6/30/22 and 5/26/23, the practice of veterinary medicine occurred at Respondent's facility and/or a licensed veterinarian was practicing veterinary medicine when Respondent's permit was expired.

For the purpose of avoiding further administrative actions with respect to this cause, Respondent agrees to the following:

Respondent agrees to pay a CIVIL PENALTY in the amount of five hundred dollars (\$500.00), which represents \$100.00 for each of five (5) months that the facility engaged in the practice of veterinary medicine, beyond the six (6) month grace period, on an expired license/permit.

Respondent understands the ratification of this Consent Order is a formal disciplinary action and will be reported to the National Practitioner Data Bank (N.P.D.B.) and/or similar agency, as a Civil Penalty. Respondent further understands that a failure to comply with the terms of this order shall constitute grounds for disciplinary action.

Dr. McInturff made a motion made to accept the Consent order, with a second from Dr. Zinkus. There was no discussion.

The motion passed unanimously.

Julio Castillo, DVM #7213

Respondent has been at all times pertinent hereto licensed by the Board as a veterinarian in the State of Tennessee, having been granted license number 7213 on 02/27/2020, which currently has an expiration date of 05/31/2025.

At all times pertinent hereto Respondent was working as a veterinarian in Smyrna, Tennessee.

On or about 3/10/22, a dog named Ozzie was taken to a veterinary clinic in Smyrna, Tennessee ("Clinic") where Respondent was employed and working as a veterinarian. Ozzie had injured her left eye the night before she was brought into the Clinic. Respondent diagnosed Ozzie as having a corneal ulcer and prescribed Optimmune ophthalmic ointment to be administered every eight hours until the ulcer was gone. On or about 3/12/22, Ozzie was brought back to the clinic because Ozzie's

eye began to turn a grayish-blue color. Ozzie continued to be seen at the Clinic until 3/26/22. When Ozzie's eye condition did not improve and appeared to look worse, Ozzie was brought to a different veterinary clinic in Franklin, Tennessee and was diagnosed with a bulging corneal ulcer and she was referred to another clinic for ophthalmology services ("OS"). OS evaluated Ozzie on 03/28/2022 and performed an enucleation of the left eye on 03/29/2022.

Respondent was interviewed by a Tennessee Department of Health, Office of Investigations, investigator ("Investigator") on or about 12/13/22. In the interview, Respondent made several statements, including the following: (1) Respondent diagnosed Ozzie with a left eye corneal ulcer. (2) Respondent prescribed Ozzie Optimmune ophthalmic ointment, 0.25 inches, to be administered to Ozzie's left eye every 8 hours until the ulcer was gone, (3) Respondent confirmed that Respondent did not prescribe any other medication for Ozzie, (4) Respondent explained when asked if Optimmune ophthalmic ointment was the appropriate choice for Ozzie's diagnosis, that there could have been a better choice, and that the more appropriate medication may have been BNP (bacitracin, neomycin, and polymyxin) which is an antibiotic ointment for the eye, (5) Respondent explained that he chose Optimmune because he believed it was the best medication for a corneal ulcer when massive damage to the eye is not present, (6) Respondent explained that he believed that Terramycin ophthalmic ointment may have been a better medication to use with Ozzie, and (7) Respondent explained he was not aware of any side effects of the medication that would cause permanent damage to the eye.

For the purpose of avoiding further administrative actions with respect to this cause, Respondent agrees to the following: Respondent's license to practice as a veterinarian (License Number 7213) is hereby REPRIMANDED.

Respondent shall also complete five (5) hours of continuing education on treatment of ophthalmic diseases including corneal ulceration as approved by the Division and submit proof of completion to the Board within one (1) year from the date of ratification of this Order, in addition to the regular required continuing education for veterinarians for each calendar year.

Respondent understands the ratification of this Consent Order is a formal disciplinary action and will be reported to the National Practitioner Data Bank (N.P.D.B) and/or similar agency, as a Reprimand. Respondent further understands that a failure to comply with the terms of this order shall constitute grounds for disciplinary action.

Dr. Garrett made a motion to accept the Consent Order, with a second by Dr. Youmans. Discussion is as follows: Dr. McInturff asked if the consultants reviewed the case, and if they are licensed veterinarians. Mr. Peters stated that all orders have been reviewed by the consultants and that they are licensed veterinarians. Dr. Beaty inquired if the consent order matches the issue that was presented. Dr. Garrett stated it's also trusting the judgement of the consultants and their opinions.

The motion passed unanimously.

Mindy Knight, LVMT #2006

Respondent has been at all times pertinent hereto licensed by the Board as a veterinary technician in the State of Tennessee, having been granted license number 2006 on 01/15/2020, which currently has an expiration date of 02/28/2021.

At all times pertinent hereto Respondent was working as a veterinary technician in Cordova, Tennessee.

On or about February 28, 2021, Respondent's license to practice as a veterinary technician expired. Respondent sent a letter to the Board on or about 12/23/21 explaining that she had been working as a veterinary technician while her license was expired because she did not realize that her license needed to be renewed in February of 2021.

For the purpose of avoiding further administrative actions with respect to this cause, Respondent agrees to the following:
Respondent's license to practice as a veterinary technician (License Number 2006) is hereby REPRIMANDED.

Respondent agrees to pay a CIVIL PENALTY in the amount of two hundred dollars (\$200.00), which represents \$50.00 for each of four (4) months that Respondent practiced as a veterinary technician with an expired license, beyond the six (6) month grace period.

Respondent must pay, pursuant to Tenn. Code Ann. § 63-1-144, the actual and reasonable costs of prosecuting this case to the extent allowed by law, including all costs assessed against the Board by the State in connection with the prosecution of this matter. These costs will be established by an Assessment of Costs prepared and filed by counsel for the State. The maximum amount for the assessment of costs shall be one thousand dollars (\$1,000.00).

Respondent understands the ratification of this Consent Order is a formal disciplinary action and will be reported to the National Practitioner Data Bank (N.P.D.B.) and/or similar agency, as a Reprimand with a Civil Penalty. Respondent further understands that a failure to comply with the terms of this order shall constitute grounds for disciplinary action.

Dr. McInturff made a motion to accept the Consent order, with a second from Dr. Zinkus. There was no discussion.

The motion passed unanimously.

Melissa Dawn Smith, LVMT, #704

Respondent has been licensed by the Board as a veterinarian medical technician in the State of Tennessee, having been granted license number 704 on September 28, 2001, with an expiration date of February 28, 2014.

Respondent was working on an expired certification from March 1, 2014, until May 14, 2021.

Respondent admitted to calling prescriptions for Tylenol #4 under a veterinarian's alleged authorization for a dog that was struck by a vehicle for approximately two years following the accident. The veterinarian did not authorize the prescription. Respondent continued to write prescriptions "for months," even after the dog passed away.

Therefore, pursuant to T.C.A. § 63-12-106 and Tenn. Comp. R. & Regs. 1730-03-.15, Respondent's agrees to the VOLUNTARY SURRENDER of Respondent's Tennessee veterinary medical technician license number 704, to be effective immediately upon ratification of this Order. Respondent understands that the VOLUNTARY SURRENDER of this license has the same effect as a revocation.

Ms. Wereszczak recuses herself. Dr. McInturff made a motion to accept the Consent Order, with a second from Dr. Zinkus. There was no discussion.

The motion passed unanimously.

Order of Compliance

Robert Barnett, DVM #6044

Amber Johnson, employed by the State of Tennessee as the Disciplinary Coordinator of the Office of General Counsel for Health-Related Boards within the Tennessee Department of Health, submitted an affidavit stating the following:

The routine business function of the Office of General Counsel to receive, investigate, and process complaints, received against health care professionals who are regulated under Title 63 of the

Tennessee Code Annotated, as well as to coordinate and monitor any disciplinary action terms ordered by any health-related board and/or committee/council for compliance.

As the Disciplinary Coordinator of the Office of General Counsel, I am responsible for the monitoring of disciplined health care practitioners for compliance on a day-to-day basis which includes the following: collection of any fees/costs due; coordination and review of reports from peer assistance programs and/or treatment facilities/practitioners; tracking of continuing education requirements and coordinating their approval, as necessary; collecting and reviewing supervisor/preceptor reports; coordinating medical records approvals; and ensuring proper reporting to national databases.

Pursuant to the Order, entered by the Tennessee Board of Veterinary Medical Examiners on August 3rd, 2022, Robert J. Barnett, DVM, license number 6044, has been monitored by this office in accordance with the Board's Order and the standard business practices of this Office. As such, I hereby certify that the named practitioner is in compliance with the terms and conditions of said Consent Order.

The discussion is as follows: Dr. Garrett wanted to confirm that the disciplinary coordinator's office ensured that Dr. Barnett met all the requirements for an Order of Compliance. Mr. Peter's stated that the notarized affidavit states as such and he will accept that. There was no further discussion.

The motion passed unanimously.

Agreed Citation

Megan Armendariz, LVMT #1483

Ms. Armendariz was found to be in violation of TCA 63-12-120 and Tenn. R & Regs 1730-03.09, by failing to timely renew her license. Ms. Armendariz practice on a lapsed license for ten (10) months. This resulted in a civil penalty of Two Hundred dollars (\$200.00), and payment must be made within thirty (30) days.

A motion was made Dr. McInturff, to approve the Agreed Citation for Megan Armendariz #1483, as written, with a second by Dr. Garrett. Dr. Garrett asked for confirmation of the 6-month grace period prior to discipline, Ms. Boone confirmed the Board Policy.

The motion passed unanimously.

Phillip Howard, DVM #4124

Dr. Howard was found to be in violation of TCA 63-12-120 and Tenn. R & Regs 1730-01-.09, by failing to timely renew his license. Dr. Howard practiced on a lapsed license for twelve (12) months. This resulted in a civil penalty Six Hundred Dollars (\$600.00), and payment must be made within thirty (30) days.

A motion was made by Dr. McInturff, to approve the Agreed Citation for Dr. Phillip Howard #4124, as written, with a second by Dr. Zinkus. There was no discussion on this motion.

The motion passed unanimously.

Audrey Knudsen, LVMT #883

Ms. Knudsen was found to be in violation of TCA 63-12-120 and Tenn. R & Regs 1730-03-.09, by failing to timely renew her license. Ms. Knudsen practiced on a lapsed license for ten (10) months. This resulted in a civil penalty Two Hundred Dollars (\$200.00), and payment must be made within thirty (30) days.

A motion was made by Dr. McInturff, to approve the Agreed Citation for Audrey Knudsen #883, as written, with a second by Dr. Zinkus. There was no discussion on this motion.

The motion passed unanimously.

Allen Bowling, DVM #1638

Dr. Bowling was found to be violation of TCA 63-12-120, by failing to properly maintain sufficient continuing education credits, and was short five (5) hours for calendar year 2020 and five (5) hours for calendar year 2021. This deficiency resulted in a civil penalty in the amount of five hundred dollars (\$500.00) and the requirement to complete all deficiency hours within 90 days.

A motion was made by Dr. McInturff, to approve the Agreed Citation for Dr. Allen Bowling #1638, as written, with a second by Dr. Zinkus. There was no discussion on this motion.

The motion passed unanimously.

Robert Fetterman, DVM #6989

Dr. Fetterman was found to be violation of TCA 63-12-120, by failing to properly maintain sufficient continuing education credits, and was short eleven (11) hours for calendar year 2021.

This deficiency resulted in a civil penalty in the amount of five hundred dollars (\$550.00) and the requirement to complete all deficiency hours within 90 days.

A motion was made by Dr. McInturff, to approve the Agreed Citation for Dr. Robert Fetterman #6989, as written, with a second by Dr. Zinkus. There was no discussion on this motion.

The motion passed unanimously.

Jonathan Goodwin, DVM #6961

Dr. Goodwin was found to be violation of TCA 63-12-120, by failing to properly maintain sufficient continuing education credits, and was short twenty (20) hours for calendar year 2020. This deficiency resulted in a civil penalty in the amount of one thousand dollars (\$1,000.00) and the requirement to complete all deficiency hours within 90 days.

A motion was made by Dr. McInturff, to approve the Agreed Citation for Dr. Jonathan Goodwin #6961, as written, with a second by Dr. Youmans. There was no discussion on this motion.

The motion passed unanimously.

Ashlee Kong, LVMT #2055

Ms. Kong was found to be violation of TCA 63-12-120, by failing to properly maintain sufficient continuing education credits, and was short eleven (11) hours for calendar year 2021. This deficiency resulted in a civil penalty in the amount of five hundred dollars (\$550.00) and the requirement to complete all deficiency hours within 90 days.

A motion was made by Dr. McInturff, to approve the Agreed Citation for Ms. Ashlee Kong #20555, as written, with a second by Dr. Zinkus. There was no discussion on this motion.

The motion passed unanimously.

Kelley Lay, DVM #6082

Dr. Lay was found to be violation of TCA 63-12-120, by failing to properly maintain sufficient continuing education credits, and was short twenty (20) hours for calendar year 2021 and four (4) hours for calendar year 2020. This deficiency resulted in a civil penalty in the amount of one thousand two hundred dollars (\$1,200.00) and the requirement to complete all deficiency hours within 90 days.

A motion was made by Dr. McInturff, to approve the Agreed Citation for Dr. Kelley Lay #6082, as written, with a second by Dr. Garrett. Dr. Garrett inquired on the format for making up continuing education. Ms. Boone referred them to the policy.

The motion passed unanimously.

Mary Stocks, DVM #7049

Dr. Stocks was found to be violation of TCA 63-12-120, by failing to properly maintain sufficient continuing education credits, and was short eight (8) hours for calendar year 2020. This deficiency resulted in a civil penalty in the amount of four hundred dollars (\$400.00) and the requirement to complete all deficiency hours within 90 days.

A motion was made by Dr. McInturff, to approve the Agreed Citation for Dr. Stocks #7049, as written, with a second by Dr. Zinkus. There was no discussion on this motion.

The motion passed unanimously.

Applicant Interviews/File Reviews/Waivers & Other Requests

Memphis Animal Services - Exemption Request

Memphis Animal Services is requesting an exemption for the need to have a Premises Permit per *TCA 63-12-139 (h) "Mobile large and small animal veterinary clinics operating in more than one (1) location and examining and/or treating animals belonging to multiple clients whose animals are not permanently housed or boarded at that location shall have a premises permit for the mobile facilities that are utilized unless exempted by state or local public health officials."*

Dani Rutherford, Pet Services with Memphis Animal Services (MAS), was present to speak to the Board about the request and went into detail as to why they need this exemption for the work they do around the city.

General Counsel, Mr. Peters reviewed the applicable statutes for this matter. 63-12-139 designates where exemptions may come from and the first issue is authority, and where the Board's authority lies in this situation. The statute specifically names reaching out to the state or local public health officials. The statute requires a premises permit except for the exemption under (h). As the Board, the question is interpretation of who a public health official is.

Dr. Beaty noted this request came to her office first and she is not a public health official in her role as State Veterinarian with the Department of Agriculture. MAS does not have a mobile facility to use for their proposed actions.

Dr. Garrett stated one of the purposes of the Board is to protect the public. Dr. Beaty noted the State epidemiologist may be the appropriate public health official. Mr. Peters noted the OGC cannot tell the board what they can or cannot do, but his role is assist the Board in protecting them in the directions they take. MAS could reach out to the legislature to pursue any changes that could provide additional guidance in statute. The question remains as to whether the Board has the authority to issue this type of exemption.

Dr. McInturff made a motion to table the request until a future meeting with a second from Dr. Garrett. Discussion on the vote is as follows: The Board's plan of action would include Mr. Peter's to do further research on this matter upon request. They need clarification on who are the public health officials as referenced in the statutes reviewed thus far.

Motion passed unanimously.

Tammy Hilkert, LVMT – CE Waiver Request

Ms. Hilkert submitted a request to make up her 2020 and 2021 continuing education hours in calendar year 2023 due to medical hardships.

There was no discussion on this matter. Dr. McInturff made a motion to approve the make-up continuing education hours in 2023 coinciding with the reinstatement application, with a second from Dr. Zinkus.

The motion passed unanimously.

Kaitlin McGuffin, DVM – CE Waiver Request

Dr. McGuffin submitted a request to complete all her 2023 continuing education requirements in an online format due to being stationed over seas and not having in person continuing education readily available in English.

Dr. Zinkus made a motion to approve the request, with a second from Dr. Spidel. There was no discussion.

The motion passed unanimously.

Cynthia Rysavy, DVM – Active Practice Waiver Request

Dr. Rysavy submitted a waiver request for the active practice requirement to the reciprocity application. The Board placed a phone call to speak with Dr. Rysavy regarding her request and the Board discussed Dr. Rysav's plans for practice in the State, which include practice of animal law and house call practice for animal care.

Dr. McInturff made a motion to approve the waiver of active practice, as presented, with a second from Dr. Youmans. There was no discussion.

The motion passed unanimously.

Julie Ann Page, DVM – Applicant Interview

Dr. Page came before the Board due to the Washington State Veterinary Board disciplining her license in 2004. Dr. McInturff stated this was a 2004 issue and has long since been rectified.

Dr. McInturff made a motion approve the application, with a second made by Dr. Youmans. There was no discussion.

The motion passed unanimously.

Ratification of Licensure Files

Ms. Boone informed the Board that the files presented on the Ratification List have been reviewed and found complete and in good order according to the rules for new licensure, reinstatement of license, facility premises permits and the closure of incomplete files.

Dr. Garrett made a motion to approve the Ratification List for new licenses, reinstated licenses, and closed/withdrawn files, as written, with a second made by Dr. Zinkus. There was no discussion on the motion.

The motion passed unanimously.

See appendix A.

Receive Reports and take action as needed regarding Taskforce/Committee Reports

CSMD Report

Dr. McInturff had to report to present.

Review and consider Continuing Education and Other Course Requests, and Continuing

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

A request from Dr. Saporito, OnlineCE.com for approval of forty-eight (48) continuing education hours for the discussion topic “Diagnosis and Treatment in Equine Medicine 201-208”

A request from Dr. Saporito, OnlineCE.com for approval of twelve (12) continuing education hours for the discussion topic “Common Disease of Companion Animals 201-202”

A request from Dr. Saporito, OnlineCE.com for approval of twelve (12) continuing education hours for the discussion topic “Veterinary Acupuncture 201-204”

A request from Dr. Saporito, OnlineCE.com for approval of six (6) continuing education hours for the discussion topic “Diagnostic Parasitology 201-202”

A request from Dr. Saporito, OnlineCE.com for approval of twenty-four (24) continuing education hours for the discussion topic “Natural Veterinary Medicine 201-204”

A request from Dr. Saporito, OnlineCE.com for approval of fifteen (15) continuing education hours for the discussion topic “Glaucoma 201-210”

A request from Dr. Saporito, OnlineCE.com for approval of twelve (12) continuing education hours for the discussion topic “Veterinary Emergency Medicine 201a-c.”

A request from Zoetis, Lauren Cramer for approval of nine (9) continuing education hours for the discussion topic “New Associate Wellness CE Lecture and Wet lab.”

A request from Zoetis, Lauren Cramer for approval of nine (9) continuing education hours for the discussion topic “Advanced Sport Horse Medicine Lameness and Diagnostic Wet lab”

A request from Hill’s Pet Nutrition, Jeb Cade for approval of one (1) continuing education hour for the discussion topic “Taking the fuss out of pet obesity management and prevention.”

A request from BluePearl, Adrienne Simon for approval of one (1) continuing education hours for discussion topics “Introduction to blocked cats” and “Feeding Placement” that will be given by Mary Schafer, LVMT in 2023 in person.

A motion was made by Dr. McInturff to approve the CE course requests as presented, with a second made by Dr. Spidel. There was no discussion on the motion. The motion passed unanimously.

Discuss and take action as necessary regarding Rulemaking, Rulemaking Hearings, Rule Amendments, and Policies

No action to be taken.

Review of Correspondence and Notices

Tennessee Medical Foundation – Dr. Baron

Dr. Baron was unable to attend the whole meeting but is requesting the Board for an emails blast to advertise the TN-PSQ about Peer assistance prescreening is available to the Veterinary Board. Ms. Wallace will look into if this is something that the Department of Health is able to send out.

AAVSB – VTNE Exam Update

The American Association of Veterinary State Boards (AAVSB) is pleased to announce the recently approved new Exam Content Outline for the Veterinary Technician National Exam (VTNE®), which is based on a yearlong comprehensive Job Analysis project. The first exam with the new content outline will be administered in the November/December 2023 window. The VTNE Committee reviewed the validation survey results and recommended a new VTNE content outline, which is closely aligned with the survey data in keeping with credentialing best practices. The results from the Job Analysis verified the new structure of ten domains. The veterinary technician tasks and knowledge areas were updated and validated by survey participants.

Relief Veterinary Medical Association

Dr. Jessica Lovegrove was present to represent the Relief Veterinary Medical Association to the Board. The association was inquiring about ease of access to Temporary Licensure for relief veterinarians. Upon review of Statutes there is no action the Board is able to take since there must be a legislative change to update Board Rules on Temporary Licensure.

Conference/Event Reports and Upcoming Events

AAVSB Annual Meeting and Conference on September 28, 2023 – September 30, 2023

Ms. Wereszczak stated she would let the administrative office know if she will be able to attend the conference.

Federation Association of Regulatory Boards

Dr. McInturff made a motion to send one attorney to this conference, with a second by Dr. Garrett. There was no discussion. The motion passed unanimously.

Discuss Old & New Board Business

No action to be taken.

Election of Board Officers

Board Chair: Dr. McInturff nominated/made a motion for Ms. Wereszczak as the Board chair, with a second by Dr. Garrett. Motion passed.

Vice Chair: Dr. Garret nominated/made a motion for Dr. McInturff as vice chair, with a second by Ms. Wereszczak. Motion passed.

Secretary: Ms. Wereszczak nominated/made a motion for Dr. Youmans as secretary, with a second by Dr. Garrett. Motion passed.

CSMD: After discussion, Dr. Spidel will be the main Board member in attendance and Dr. McInturff will provide back up

CE Committee: After discussion, Dr. Zinkus and Dr. Garrett will be on the Continuing Education committee.

Call for Public Comment

Ms. Boone provided notice of one additional opportunity for the submission of public comments, noting the requirement of signing in on the in-room registry prior to addressing the Board. She reminded the public that while they may present any question or comment they wish to bring to the Board's attention; the Board may only take action on items that were published on the agenda for this meeting. The Board has the option request to add an item to a future meeting agenda regarding any new topic introduced by way of a public comment, if they believe action may need to be taken on that particular subject. As always, public comments may also be submitted in writing and sent by mail to The TN Veterinary Board, 665 Mainstream Drive, Nashville, TN 37243 or sent via email to Veterinary.Health@tn.gov.

Adjournment

There being no further business to be heard, Dr. Spidel made a motion for adjournment with a second made by Dr. Youmans. There was no discussion on the motion. The motion passed unanimously. The Veterinary board meeting adjourned at 12:07PM CST.

These Minutes were ratified by the Board on December 13, 2023.

Leslie H. Williams

12/13/23

Board Chair

Date

Ratification List

Newly Licensed Veterinary Facilities

2411	All Pets Health Center
2422	Animal Care Center Of Carters Creek
2401	Animal Clinic Of Athens
2430	Belle Meade Animal Hospital
2418	Belmont Animal Hospital
2307	Big Springs Veterinary Hospital
2398	Bluepearl Operations Llc
2309	Casa Clinic
2407	Copeland Veterinary Hospital Llc Dbw Flatt Veterinary Clinic
2417	Hendersonville Animal Hospital
2437	Hvp Of Tennessee Llc
2409	Innovetive Lenoir City Vso Llc
2399	Integrative Animal Solutions
2408	Lange Animal Hospital Llc
2431	Livewell Animal Urgent Care Of East Nashville
2416	Major Michael Shipley Memorial Spay Nueter Clinic
2413	Orchard Park Animal Hospital
2429	Vetco #1573
2427	Vetco #291
2428	Vetco#1608
2412	Veterinary Medical Center
2434	Vetevolve Tn Llc Dbw Tri-County Veterinary Clinic
2394	Vip Petcare Clinic At Pet Supermarket #241

2376	Vip Petcare Clinic At Pet Supermarket #293
2318	Vip Petcare Clinic At Pet Supplies Plus #4026
2329	Vip Petcare Clinic At Pet Supplies Plus #8061
2380	Vip Petcare Clinic At Petsense #7062
2319	Vip Petcare Clinic At Petsense #7143
2315	Vip Petcare Clinic At Petsense#7070
2396	Vip Petcare Clinic At Tractor Supply Co #546
2358	Vip Petcare Clinic At Tractor Supply Co #1157
2361	Vip Petcare Clinic At Tractor Supply Co #117
2392	Vip Petcare Clinic At Tractor Supply Co #128
2339	Vip Petcare Clinic At Tractor Supply Co #1321
2378	Vip Petcare Clinic At Tractor Supply Co #1492
2393	Vip Petcare Clinic At Tractor Supply Co #153
2389	Vip Petcare Clinic At Tractor Supply Co #1589
2391	Vip Petcare Clinic At Tractor Supply Co #1620
2390	Vip Petcare Clinic At Tractor Supply Co #1639
2345	Vip Petcare Clinic At Tractor Supply Co #173
2397	Vip Petcare Clinic At Tractor Supply Co #180
2317	Vip Petcare Clinic At Tractor Supply Co #1908 Llc
2383	Vip Petcare Clinic At Tractor Supply Co #191
2321	Vip Petcare Clinic At Tractor Supply Co #2020
2386	Vip Petcare Clinic At Tractor Supply Co #224
2385	Vip Petcare Clinic At Tractor Supply Co #263
2356	Vip Petcare Clinic At Tractor Supply Co #275
2379	Vip Petcare Clinic At Tractor Supply Co #293
2357	Vip Petcare Clinic At Tractor Supply Co #356

2362	Vip Petcare Clinic At Tractor Supply Co #361
2322	Vip Petcare Clinic At Tractor Supply Co #402
2374	Vip Petcare Clinic At Tractor Supply Co #438
2351	Vip Petcare Clinic At Tractor Supply Co #454
2367	Vip Petcare Clinic At Tractor Supply Co #476
2381	Vip Petcare Clinic At Tractor Supply Co #495
2370	Vip Petcare Clinic At Tractor Supply Co #500
2371	Vip Petcare Clinic At Tractor Supply Co #516
2359	Vip Petcare Clinic At Tractor Supply Co #546
2395	Vip Petcare Clinic At Tractor Supply Co #600
2382	Vip Petcare Clinic At Tractor Supply Co #706
2384	Vip Petcare Clinic At Tractor Supply Co #782
2369	Vip Petcare Clinic At Tractor Supply Co #795
2360	Vip Petcare Clinic At Tractor Supply Co#1182
2365	Vip Petcare Clinic At Tractor Supply Co#185
2331	Vip Petcare Clinic At Tractor Supply Co#225
2425	Vip Petcare Clinic At Tractor Supply Co#359
2387	Vip Petcare Clinic At Tractor Supply Co. #428
2433	Animal Detmatology Specialists Chattanooga
2404	Creekside Veterinary Hospital Pllc
2423	Dunlap Animal Clinic Pllc
2421	Lookout Valley Veterinary Clinic
2426	North Lake Animal Hospital
2415	Readi Vet Nashville
2420	Scruffy City Animal Hospital
2403	Sparta Road Veterinary Clinic

2410	Valley View Veterinary Services Of Tn Pllc
2424	Veterinary Emergency Group Llc

Closed Applications Veterinarians

Canupp Alana Christina
Collins Misti Nichole
Escobar Jonnathan
Johnson Alexis Raeshon

Newly Licensed Veterinarians

7847	Adkins Morgan
7878	Alagappan Jyothi
7900	Alda Sydney
7930	Allen Adam
7945	Almeida Daniel
7932	Almeida Samantha
7956	Anderson Monica
8006	Archer Todd Marlow
7892	Arnold Allison
7969	Bader Dean Ralph
7873	Baugher Courtney Noelle
7906	Beniquez Rodriguez Astrid Michelle
7971	Bernstein Madissen
8003	Blumenthal Michael Shane
7851	Brady Kara

7998	Brewer Sharee Nicole
7939	Brino Meghan
7923	Broadrick Megan Laree
7950	Brown Brady Seth
7861	Brown Sarah Elizabeth
7954	Burch Dustin
7985	Chastain Savannah
7970	Coleman Victoria Elizabeth
7917	Cornelius Robert Kincaid
7881	Cox Allison Annette
7875	Cozzarelli Marie Elise
7866	Creazzo Monica
7929	Cremerius Haley Ann
7896	Cripps Jessica
7813	Davis Melissa
7959	Davis Rebecca
8004	Dawes Brittany
7871	De Villa Miguel Angel
7860	Diaz Christina
7995	Diedrick Dannah
7882	Dines Brenda
7924	Doering Kelsey Elise
8002	Donohue Blumenmal Casey
7978	Downey Koos Lauren
7849	Dunlap David Richbourg
7836	Durkin Heather A.

7858	Eboch Zachary Allen
7968	Edwards John Lacy
7933	Edwards Melissa
7876	Elliott Melissa
7913	Ellis Emma R.
7833	Engle Harley Celeste
8015	Favale Jr Thomas C
7908	Figger Megan Alyse
7905	Fischer Justin
7927	Fisher Kylie
7999	Fitzsimmons Haley Christine
7935	Forbeck Ashley
7941	Ford Delisa Bueno
7974	Foster Jessica
7870	Gallentine Grace Marie
7926	Garrett Kayla Beth
7957	Garrison Jessica
7942	Goldberg Tyler Yale
7931	Gonzalez Marissa Nevaeh
7920	Gordner Justine Frances
7961	Haddock Alexis
7879	Hadskey Leah
7981	Hale Hayden Thomas
7832	Hall Mary Catherine
7990	Hall Sabrina Michele
7553	Handzel Ashley Marie

7928	Harrell Amanda Scott
7863	Hawk Chandler
7948	Hayden Meredith Lee
7852	Heffron Megan
7862	Heidel Ilana
7952	Heinzmann Casey
7843	Hilario Sarah L
8005	Hobbs Dalena Suzanne
7997	Hopper Lindsay
8024	Howard Tiffany Leighanna
7632	Hudson Maryanna
8009	Huff Deidre
7937	Hunt Tyler Daniel
7949	Hunter Cassandra Hope
7877	Jackson Debra Anne
7867	Jackson-Till Leslie Anne
7890	Jasek Judy
7824	Johnson Donna Lynn
7844	Judd Katherine Ann
7865	Kanzleamar Michael Wayne
7958	Kennedy Colleen Marie
7846	Killian Brittany
7966	Koenig Lauren
7925	Krishnan Sneha
7993	Landreth Taylor Anne
7976	Landry Kylie

7919	Larsen Elizabeth Anne
7869	Lee Bonnie
7864	Lindley Mckenzie Kimbrough
7992	Long Nicole Marie
7996	Lynch Kendra
7979	Lynn Tiffany
8020	Mader Miranda
7911	Majette Elizabeth St. Clair
7112	Manganaro Melanie Kay
7868	Mardiks Emily Rose Schlaman
7963	Mcclain Julia Faith
7910	Mcclure Morgan Caroline
7912	Mcinroe Rebecca Michelle
7991	Mcinturff Marion
8014	Mcneely Natalie
8011	Miller Ashley Layne
7953	Miller Gabrielle
7973	Mills Brandi Leighann
7885	Mink Matthew Ryan
7825	Moore Olivia Christine
7874	Nanof Nicole
7894	Neal Casey Ellen
7893	Neal Katherine Marie
7951	Newsom Julia
7947	Oakes Colton Lee
8012	Paynter Andrea

7804	Priest Teresa Palmer
7872	Reilly Amanda Steffen
7418	Richmond Morgan
7853	Richmond Savanna Leanne
7895	Robbins Brianna Veliz
7964	Roberts Cecilia Grace
7972	Robinson Scarlett Rose
7889	Rodgers Brittney Lee
7918	Rodriguez Elaina
8013	Roe Victoria
7982	Sain Jordan Anne
8000	Schall Jessica Gabriel Gean
7943	Seferi Cosette
7938	Selwitz Abigail Lorraine
7891	Sepulveda Yvette
8019	Serdahl Sadie
8007	Shetler Samantha
7967	Shew Robert
7901	Sim Jennifer Diane
8001	Sinnamon Andrea Renee
7987	Smith Annika Brianna
7914	Sneed Katilyn Lewter
7880	Sterling Erin Davis
7856	Stewart Sarah
7859	Stilz Charles Robert
7886	Stoltzfus Mckennon

7897	Strasberg Jason
7977	Sullivan Jenna Catherine
7904	Taylor Willie Dubois Jr.
7855	Thibodaux Amy
7854	Tidwell Gabrielle Elizabeth
7994	Top Madison
7850	Troudt Tristan
7988	Van Geffen Megan Irene
8018	Vest Allison Ashley
7888	Vincent Lauren
7936	Wakefield Bonnie
7934	Walker Stormy Marie
7940	Ward Chelsey Lynea Avina
7984	Webber Rachael Elizabeth
7848	Wells Julia
7883	West Ruth Ellen
7887	White Megan
7909	Wilkinson Katy
7915	Wilson Abigail
7983	Wilson Kelsey Morgan
7946	Woo Sang Chul
7944	Yates Kelsey Marie

Reinstated Veterinarians

1155	Burkhart James H
6961	Goodwin Jonathan C.

4124	Howard Philip Neil
5234	Kennedy Lauren Hiatt
6082	Lay Kelley Elizabeth
6782	Smallwood Casey
7020	Stocks Christian David
7049	Stocks Mary Miller
6652	Stokes Rebecca Anne
1875	Mangum Larry M
6266	Adams Mary Tipton
5490	Chen Patty Huai
6843	Conner Chelsea
5406	Murray Laura Elizabeth

Newly Licensed Animal Control Agencies

121	Greenville-Greene County Humane Society
123	Lawrenceburg /Lawrence County Animal Resource Center

Newly Licensed Veterinary Technicians

2407	Abbatiello Christina
2426	Bejasa Andrew Bruce
2423	Bowers Shawn
2421	Brangan Andrea
2414	Busuito Sarah Lynn
2395	Carney Olivia Danielle
2400	Cook Melanie Dawn

2429	Cozart Riley
2418	Cremer Julie Renae
2389	Enis Melissa Mckinley Taylor
2411	Estes Caitlin
2419	Fletcher Stephanie Maree
2417	Flowers Jenna Noel
2404	Gordon Jessica
2410	Halmontaller Jessica
2396	Haynes Kearsten
2422	Horner Caltlin Marie
2412	Klafehn Alison
2401	Lasa Arantxa Lasa
2397	Littlejohn Emily Michelle
2424	Machgan Haylie Elizabeth
2398	Marshall Zaria Elice
2379	Mccandless Lillian Jean
2428	Mcmullen Lysie Brooke
2390	Mercado Tasha Catherine
2402	Morrison Anna
2405	Ozuk Brianne B
2425	Pitasi Danielle
2409	Pursiful Abby Elizabeth
2403	Ramirez-Jones Adelia Rose
2420	Shook Kelly A.
2372	Shuknecht Kate
2387	Slayton Desarae

2408	Suchman Emily
2416	Thomas Kelsey
2413	Tyler Brittney
2415	Whitt Michelle Leigh
2399	Wiechman Colleen
2391	Williams Krista
2430	Williamson Maxine Lynn

Reinstated Veterinary Technicians

1483	Armendariz Meaghan Michelle
960	Blunkall Daniale Marie
1651	Hall Kathryn Ann
883	Knudsen Audrey Elizabeth
932	Kobus Sarah Allyn
2055	Kong Ashlee
1301	Vanderhoff Derek Alton

Newly Certified Animal Euthanasia Technicians

1172	Blair Gregory
1152	Blanton Emma Grace
1157	Bowen Catherine Mary Jane
1127	Brewer Bryanne L
1163	Callaway Cassandra Renae
1162	Carlisle Ryan Adam
1145	Collins Brianna Leigh

1164	Cothron Sydni Lynn
1158	Curtis Tyler Raeven
1141	Edwards Knox Patterson
1156	Ellison Wanda Sue
1155	Erskine Tyler David
1147	Fowler Crystal Lanae
1168	Garcia Yarithza
1171	Gray Kyle Joseph
1170	Huddleston Jennifer Loree
1151	Hulsey Cristina Adriana
1165	Libby Hannah Rose
1142	Oliver Alesea
1149	Ramirez Jonathan
1166	Suarez Emily
1138	Sullivan Elizabeth Sarah
1175	Susman Lindsay Renee
1174	Thomas Tessa Ryan
1153	Tiesler Isabelle Jordan
1129	Vandiver Makayla Dawn
1167	Yoder Jessie Leah

Reinstated Certified Animal Euthanasia Technicians

711	Stephan Amanda Maria
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Closed Applications Certified Animal Euthanasia Technicians

Born Elizabeth
Ketron Amanda Leigh