

**TENNESSEE BOARD OF VETERINARY MEETING**  
**MINUTES**

**Date:** August 5, 2020

**Time:** 9:00 a.m. CST

**Location:** Health Related Boards  
WebEx-Teleconference  
Iris Room  
665 Mainstream Dr  
Nashville, TN 37243

**Members Present:** Scott Loxley, DVM  
Monty McInturff, DVM  
Robert Simpson, DVM  
Elizabeth Thompson, DVM  
Leslie Wereszczak, LVMT  
Samantha Beaty, DVM, Ex-Officio (non-voting Member)  
Stephen Galloway, DVM

**Staff Present:** Kimberly Wallace, Executive Director  
Lyndsey Boone, Board Manager  
Shara Woodard, Board Administrator  
Paul Richardson, Board Attorney

**Call to Order**

This meeting was convened electronically, via WebEx, due to the gathering restrictions resulting from the COVID-19 pandemic. The meeting was called to order at 9:05 AM CST. A roll call of the Board Members and Board staff present was initiated by Kimberly Wallace, Unit 3 Director.

**Necessity of Meeting**

Ms. Wallace informed all present that prior to proceeding with the electronic meeting, certain criteria for continuing with an electronic meeting must be met. To ensure the meeting proceeded according to guidelines, Ms. Wallace requested that each Board Member and Staff Member confirm they were able to hear one another. All confirmed.

Next, Ms. Wallace reminded all present that this Board Meeting was being held for the purpose of ratifying new licenses, reinstated licenses, closed files, citations and orders received after the Board’s last meeting, and to consider other time sensitive matters. Because this Board was unable to convene a physical quorum today to consider these matters in light of the COVID-19 pandemic, for which the TN Governor and Mayor of Nashville have recommend limiting the number of attendees at meetings for the next several weeks, this WebEx remote meeting is necessary.

Dr. McInturff made a motion for the Board Meeting to proceed to conduct this electronic meeting for the aforementioned purpose, with a second from Dr. Simpson. A roll call vote was conducted:

Dr. Loxley	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. McInturff	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Simpson	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Thompson	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Ms. Wereszczak	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Galloway	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED

The motion passed.

Further, Ms. Wallace, asked each Board Member to acknowledge whether they had received, prior to this meeting, all the materials that were to be discussed at this meeting.

Dr. Loxley	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
Dr. McInturff	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
Dr. Simpson	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
Dr. Thompson	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
Ms. Wereszczak	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
Dr. Beaty	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
Dr. Galloway	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO

All members confirmed.

Finally, Ms. Wallace informed the Board that only certain matters are proper for a teleconference; accordingly, Dr. Simpson made a motion, with a second by Dr. Thompson followed by a roll call vote, that matters to be discussed do meet the following requirements;

The subject matter requires timely action;

The physical presence of all members is not possible considering the period of time required for action; and

The participation by some or all of the member of the Committee by electronic is necessary.

Dr. Loxley	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. McInturff	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Simpson	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Thompson	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Ms. Wereszczak	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Galloway	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED

The motion passed.

### **Public Comments**

It was noted that Public Comments would be heard during this meeting. Instructions were provided for all attendees via the WebEx system and phone call-in options. It was reminded that the Board may only take action on items that are listed on the agenda.

### **Approval of Minutes**

Dr. Galloway made mention that in the June 10, 2020 Minutes, there was an error on page 17 noting that there was not a roll call vote documented to one of the agenda items. Dr. Simpson made a motion to approve the Minutes with the correction to page 17, with a second by Dr. McInturff.

A roll call vote was conducted:

Dr. Loxley	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. McInturff	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Simpson	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Thompson	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Ms. Wereszczak	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Galloway	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> ABSTAIN

The motion passed.

### **Conflict of Interest**

Board Attorney, Paul Richardson, went over the conflict of interest statement, which in summary, is a circumstance in which a Board Member's individual interest impairs or impedes, or gives the appearance of impairing or impeding, his or her ability to make full, unbiased decisions or to provide full, unbiased service to the Board; in this event, they should recuse themselves.

## **OGC Report Report**

Associate General Counsel, Paul Richardson, gave the Office of General Counsel Report to the Board. OGC currently has twenty-seven (27) open cases concerning the Board of Veterinary Medical Examiners. There are four (4) Consent Orders and Rule 1730-01-.02 - Prescribing and Dispensing and TVMA Inspection Process - is currently in the Secretary of State's Office. Mr. Richardson noted that later in today's meeting he would address the emergency rules on continuing education that were drafted in the previous meeting. He also addressed the proposed Rules for 1730-01, 1730-02, 1730-03 and 1730-05.

Mr. Richardson also provided an update to the Board regarding Executive Order 50 and the subsequent Commissioner's Policy regarding 2020 continuing education.

The Commissioner has been designated the authority to waive the in-person/live continuing education requirements. For continuing education credits/hours required to be obtained in any period that encompasses the calendar year of 2020, all continuing education credits/hours that are obtained through non in-person/live methods will be accepted as proof of completing any continuing education requirements that are a condition of renewing and reinstating a license, certification or registration.

We will not audit the in-person or live event component hours obtained during this time. The audit process will otherwise remain unchanged.

## **Consent Orders**

**Alwynelle S Ahl, DVM-** Findings of Facts- Respondent has been at all times pertinent herto licensed by the Board as a veterinarian in the state of Tennessee, having been granted license number 4254 on March 25, 2002, with a current expiration date of March 31, 2021.

Respondent was contacted by the local sheriff to help address the animal problem in Hickman County. She began working with the animal rescue facilities in the area. During this time, Midwest Veterinary Supply, a medication distributor, contacted Respondent and asked her to serve as the authorizing veterinarian for the purchase of antibiotics to two facilities in the area.

The Respondent does not possess a DEA number and does not prescribe narcotics.

One of the rescue facilities for which Respondent served as the veterinarian was Dogs in Harmony, which is owned and operated by Lila Jean Trivisonno. Respondent provided preapproved prescription refills for preventive medication and antibiotics for Ms. Trivisonno. Respondent has provided prescriptions to the Dogs of Harmony rescue center without visiting the center to assess animals or provide hands-on veterinary services.

On June 26, 2019, Ms. Trivisonno phoned in an order for amoxicillin-clavulanate potassium and doxycycline-hyclate for treatment for respirator infections in some rescue animals.

Ms. Trivisonno was allowed to obtain refills of preventive medication or antibiotics under the Respondent's name for treatment of the rescue puppies and kittens in her care.

Respondent contends that she visited the facilities regularly until about 18 months ago when she fell and injured her leg, requiring four (4) corrective surgeries. These factors, combined with her age-related vision problems, made it virtually impossible to travel to the facilities. She stated that she continued to communicate with the facilities via telephone and video conference.

Respondent stated to the investigator she was not aware of any rule that prescriptions should be for individual animals at the rescue facilities, and believed she was providing a community service. Notwithstanding, Respondent has since revoked her authorization with the medication providers for the animal rescues.

Respondent has no prior disciplinary record.

Order-For the purpose of avoiding further administrative action with respect to this cause, specifically, Respondent agrees to an **ADVISORY CENSURE** of her license to practice as a veterinarian in the state of Tennessee, license #4254, upon ratification of this order.

Respondent must pay, pursuant to TENN. COMP. R. & REGS. 1730-01-.15 and Board Policy, one (1) Type A civil penalty of five-hundred dollars (\$500.00), representing one civil penalty for failure to visit Dogs in Harmony animal rescue facility to assess animals or provide hands-on veterinary services in order to authorize prescriptions.

Respondent agrees to the discontinuation of providing prescriptions to any and all animal rescue services absent the establishing of a veterinarian-client-patient relationship pursuant to 63-12-124(a)(29).

In addition, Respondent must pay, pursuant to TENN. CODE. ANN. 63-1-144, 63-12-143 and TENN. COMP. R. & REGS. RULE 1730-01-.15, the actual and reasonable costs of prosecuting this case to the extent allowed by law, including but not limited to all costs assessed against the Board by the Department's Office of Investigations for this matter. These costs shall establish by an Assessment of Costs prepared and filed by counsel for the Department. The maximum

amount for the assessment of costs shall be one thousand dollars (\$1,000.00). All costs must be paid in full within sixty (60) days from the issuance of the Assessment of Costs. Payment for all penalties and costs must be made by submitting a certified check, cashier's check, or money order payable to the State of Tennessee.

A brief discussion between Board Members, Executive Director Kimberly Wallace, Lori Leonard and Paul Richardson ensued regarding disciplinary actions.

The Board Administrative Office reports discipline to the AAVSB, and the Office of Investigations adds disciplinary actions to the TDOH discipline reports and the LARS licensing system for notation on verifications, where it remains attached to the license indefinitely.

Dr. Simpson expressed his belief that an Advisory Censure was not sufficient discipline in the case of Dr. Ahl, and that VCPR is an important consideration.

Dr. Loxley made a motion to accept the Order as written, with a second made by Dr. McInturff. A roll call vote was conducted:

Dr. Loxley	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. McInturff	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Simpson	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Thompson	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Ms. Wereszczak	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Galloway	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> ABSTAIN

The motion passed.

**Steven Link, DVM- White House Animal Hospital-** Finding of facts: Respondent has been at all times pertinent hereto licensed by the Board with premise permit number 852 on January 25, 2001, with a current expiration date of January 31, 2021.

Respondent, White House Animal Hospital, of White House, Tennessee, at all times pertinent herto has been owned and supervised by Steven Link, DVM.

Respondent allowed the premise permit to expire on January 31, 2007 and continued to practice on an expired premise permit at least until October 16, 2019.

Respondent stated he was unaware the permit expired, as he assumed the premises permit was a lifetime permit.

Order: It is therefore ordered that, pursuant to TENN CODE ANN 63-12-106, TENN COMP R & REGS. 1730-02-.15, and Board Policy, Respondent must pay one hundred fifty-two (152) Type C civil penalties of fifty dollars (\$50.00) each, representing a civil penalty for each month

that Respondent operated and practiced in a veterinary facility without a premise permit for a total of seven thousand six hundred dollars (\$7,600.00) in civil penalties. Said civil penalties must be paid in full within twelve (12) months of the ratification of this Consent Order.

In addition, Respondent must pay, pursuant to TENN. CODE. ANN. 63-1-144, 63-12-143 and TENN COMP R & REGS RULE 1730-01-.15, and Board Policy, the actual and reasonable costs of prosecuting this case to the extent allowed by law, including but not limited to all costs assessed against the Board by the Department's Office of Investigations for this matter. These costs shall be established by an Assessment of Costs prepared and filed by counsel for the Department. The maximum amount for the assessment of costs shall be one thousand dollars (\$1,000.00). All costs must be paid in full within sixty (60) days from the issuance of the Assessment of Costs. Payment for all penalties and costs must be made by submitting a certified check, cashier's check, or money order payable to the State of Tennessee.

Dr. Simpson made a motion to deny the Order with a second made by Dr. Thompson. A roll call vote was conducted:

Dr. Loxley	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. McInturff	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Simpson	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Thompson	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Ms. Wereszczak	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Galloway	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> ABSTAIN

The motion passed.

A brief discussion occurred regarding the need to be consistent with expired license discipline and the Board provided guidance to Mr. Richardson to change the consent order fees to \$100 per month.

### **Break**

At 10:09am CST, Dr. Galloway called for a brief break. At 10:16am CST, Dr. Galloway reconvened the meeting and Ms. Wallace conducted a roll call of attendance to ensure all Board Members and staff had returned and were connected, as follows:

- Dr. Loxley
- Dr. McInturff
- Dr. Simpson
- Dr. Thomson
- Ms. Wereszczak

- Dr. Beaty
- Dr. Galloway
- Ms. Boone
- Ms. Woodard
- Mr. Richardson

**Erica Lynne Fuller, LVMT-** Findings of facts: Respondent has been at all times pertinent hereto licensed by the Board as a Veterinary Medical Technician in the state of Tennessee, having been granted license number 798 on May 31, 2005, with a current expiration date of June 30, 2021.

Respondent’s veterinary medical technician’s license expired on June 30, 2017, and was not renewed until November 8, 2019.

Respondent practiced on an expired licensed veterinary medical technician license from July 1, 2017, through early February 2018, for a period of seven (7) months.

Order: It is therefore ordered that, pursuant to TENN CODE ANN 63-12-106, TENN COMP R & REGS 1730-02-.15 and Board policy, Respondent must pay seven (7) Type C civil penalties of fifty dollars (\$50.00) each, representing a civil penalty for each month that Respondent practiced on an expired license as a veterinary medical technician for a total of three hundred fifty dollars (\$350.00) in civil penalties. Said civil penalties must be paid in full within twelve (12) months of the ratification of this Consent Order.

In addition, Respondent must pay, pursuant to TENN CODE ANN 63-1-144, 63-12-143, TENN COMP. R. & REGS. RULE 1730-01-.15, and Board Policy, the actual and reasonable costs of prosecuting this case to the extent allowed by law, including but not limited to all costs assessed against the Board by the Department’s Office of Investigations for this matter. These costs shall be established by an Assessment of Costs prepared and filed by counsel for the Department. The maximum amount for the assessment of costs shall be \$1,000.00. All costs must be paid in full within sixty (60) days from the issuance of the Assessment of Costs. Payment for all penalties and costs must be made by submitting a certified check, cashier’s check, or money order payable to the State of Tennessee.

Dr. Simpson made a motion to accept the Order as written, with a second made by Dr. Thompson. Mr. Richardson noted a typo in the document of \$700 which he will amend to read \$350. A roll call vote was conducted:

Dr. Loxley	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. McInturff	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED



Dr. Simpson	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Thompson	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Ms. Wereszczak	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Galloway	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> ABSTAIN

The motion passed.

**Cynthia Lynn Ingram, LVMT-** Findings of Facts: Respondent has been at all times pertinent hereto licensed by the Board as a Veterinary Medical Technician in the state of Tennessee, having been granted license number 646 on November 13, 2001, with a current expiration date of January 31, 2021.

Respondent allowed her license as a Veterinary Medical Technician to expire and practiced on a lapsed license for at least twenty-four (24) months.

Order: It is therefore ordered that, pursuant to TENN CODE ANN 63-12-106, TENN COMP R & REGS 1730-02-.15 and Board policy, Respondent must pay twenty-four (24) Type C civil penalties of fifty dollars (\$50.00) each, representing a civil penalty for each month that Respondent practiced on an expired license as a veterinary medical technician for a total of one thousand two hundred dollars (\$1200.00) in civil penalties. Said civil penalties must be paid in full within twelve (12) months of the ratification of this Consent Order.

Pursuant to TENN CODE ANN 63-12-106, TENN COMP R. & REGS 1730-03-.09(2)(a) and Board policy, Respondent must:

- (1) Pay the past due renewal fee of ninety (\$90.00) dollars and the state regulatory fee of ten (\$10.00) dollars;
- (2) Pay of the late renewal fee of eighty (\$80.00) dollars; and
- (3) Establish compliance with continuing education requirement pursuant to Rule 1730-03-.12.

In addition, Respondent must pay, pursuant to TENN CODE ANN 63-1-144, 63-12-143, TENN COMP. R. & REGS. RULE 1730-01-.15, and Board policy, the actual and reasonable costs of prosecuting this case to the extent allowed by law, including but not limited to, all costs assessed against the Board by the Department's Office of Investigations for this matter. These costs shall be established by an Assessment of Costs prepared and filed by counsel for the Department. The maximum amount for the assessment of costs shall be \$1,000.00. All costs must be paid in full within sixty (60) days from the issuance of the Assessment of Costs. Payment for all penalties and costs must be made by submitting a certified check, cashier's check, or money order payable to the State of Tennessee.

It was noted that this order had been rejected at the last meeting; Mr. Richardson has made the changes the Board requested with re-submission to the Board today.

Ms. Wereszczak made a motion to accept the order with a second by Dr. Simpson. A roll call vote was conducted:

Dr. Loxley	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. McInturff	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Simpson	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Thompson	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Ms. Wereszczak	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Galloway	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> ABSTAIN

The motion passed.

**Dennis Harris, DVM-** Mr. Babb was present to speak on behalf of Dr. Harris. Mr. Babb referenced the monitoring group's report from the last meeting. The monitoring group have requested records from Dr. Harris and have not yet produced another report. Once it's ready it will be submitted to the Board. They will be back in December to report at that time.

### **Investigations/Disciplinary Reports**

Ms. Lori Leonard gave the investigative/monitored practitioner reports to the Board. She is monitoring:

Veterinarians: one (1) licensee under reprimand, nine (9) licensees on probation, one (1) licensee under suspension and four (4) individuals with revoked licenses.

Veterinary Technicians: one (1) licensee under Board Order.

Euthanasia Technicians: two (2) under reprimand.

Veterinary Facilities: three (3) under Board Order, two (2) under reprimand, and one (1) on probation.

The following number of complaints have been submitted to the Office of Investigations for 2020:

Euthanasia Technician's: zero (0) open complaint

Veterinary Technician's: closed two (2) complaints and have zero (0) open complaints

Veterinarians: closed thirty-three (33) complaints and have twenty-two (22) open complaints; one (1) for substance abuse, one (1) for action in another state, four (4) for malpractice/negligence, two (2) for unlicensed practice, eleven (11) for unprofessional conduct, one (1) for criminal conviction, one (1) for outside INV scope, and one (1) COVID 19.

## **Financial Report**

Ms. Maria McCormick gave a financial update to the Board. She questioned general counsel on where the fee decrease that was voted on at the June Board Meeting was in the rulemaking process. As of the mid-year fiscal report, it was anticipated that the Veterinary Board would finish the year in the black. At the next Board Meeting there will be a presentation on the year-end financial report and how the pandemic has affected this Board.

## **Administrator's Report**

Ms. Shara Woodard gave the administrative report to the Board. As of July 30, 2020, there are the following number of active licensees: Veterinarian- 2720, Veterinary Technician-1009, Veterinary Facility-869, Certified Animal Euthanasia Technician-325, Certified Animal Control Agencies-66, Certified Animal Chemical Capture Technician-1, Animal Chemical Capture Certification-1.

For the time period from June 4,2020 to July 30, 2020 there has been Veterinarian: 0 Expired, 47 licensed, 2 Voluntarily retired, 24 closed; Veterinary Technician: 0 Expired, 12 Licensed, 2 Voluntarily retired, 0 Closed; Veterinary Facility: 0 Expired, 8 Licensed, 0 Facility closed; Certified Animal Euthanasia Technician: 0 Expired, 6 Certified, 0 Voluntarily retired; Certified Animal Control Agencies: 0 Expired, 0 ACA closed; Chemical Captured Technician: 0 Expired.

As of July 30, 2020, broke down by profession, have renew their licenses/certifications: Veterinary Facilities-30 via paper, CACA-5 via paper, Veterinarians- 65 via paper and 84 via online, Veterinary Technician-14via paper and 31 via online, and Certified Animal Euthansia Techs-3 via paper and 6 via online.

As of October 1, 2019, the maximum hotel lodging increased to \$223 per night. The mileage remains .47 cents per mile. The meals remain \$45.75 per day for overnight stay.

Upcoming Board Meeting Dates:

December 2, 2020

April 7, 2021

August 11, 2021

December 9, 2021

Ms. Wallace gave a brief update regarding the Veterinary Technician Title Protection letter that the Board approved in the last meeting. The Board requested this letter be sent out via three distribution methods.

First the electronic email blast of this letter, which is scheduled to be sent to all applicable licensees and facilities on Friday, August 7, 2020.

Next, the hard copy version of this letter, which is to be sent by US Postal mail, is scheduled for printing and mailing and should be sent out with the next several days.

Finally, the Board also requested a copy of this letter to be posted on the Board's website. During our internal review process, Ms. Wallace learned that we will not be able to post this letter on the Board's website. The nature of the letter is informational and is not encompassed by any of the categories which are uniformly used across the Board websites. The posting of informational pieces is reserved for urgent updates as needed by the Commissioner, and therefore the letter will be limited to the email and hard copy distribution formats at this time.

### **Applicant Interview**

**Ashley Baggett CAET-** Ms. Baggett answered "Yes" to having ever been convicted of a criminal offense greater than a traffic violation; she was convicted of a DUI in 2018. Ms. Baggett was slated for the June 2020 agenda, but the Board agreed to table it until the next Board meeting.

After discussion with Ms. Baggett and amongst the Board Members, Dr. Simpson made a motion to approve with an unencumbered license, with a second made by Leslie Wereszczak. A roll call vote was conducted:

Dr. Loxley	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. McInturff	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Simpson	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Thompson	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Ms. Wereszczak	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Galloway	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> ABSTAIN

The motion passed.

### **Review, approve/deny & Ratify initial, reinstated & closed licensure**

Dr. Simpson made a motion to approve the presented ratification list, with a second made by Dr. McInturff. A roll call vote was conducted:

Dr. Loxley	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. McInturff	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Simpson	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Thompson	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Ms. Wereszczak	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Galloway	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> ABSTAIN

The motion passed.

## Newly Licensed

### Veterinary Technician

2034 Kaitlin Bruce  
 2038 Miranda Foster  
 2043 Hannah Catherine Johns  
 2052 Katelyn Marie Neblett  
 2035 Jennifer Sentman  
 2033 Brooke Morgan Sweet

2040 Jayla Cheyenne Cartwright  
 2041 Lucas Gerard Freeman  
 2039 Linzy Michelle Jones  
 2007 Kimberly Ann Platt  
 2017 Justin Masters Short  
 739 Amber Marie Passamonte

### Veterinarian

7273 Claire Bennett  
 7271 Rebecca Leight Bolton  
 7256 Richard Raymond Burdeaux Jr  
 7081 Nancy Perry Conkey  
 7255 Amanda Jillian Cain Dempsey  
 7277 Yvonne Hobbes Dolan  
 7141 Allison Parman Drexler  
 7170 Christie Ann English  
 7098 Natalie Fletcher  
 7230 Gregory Ford  
 7287 Margaret Claire Fortney  
 7231 Kelsey Lee Fugere  
 7275 Matthew Thomas Garrett  
 7249 Caitlin Marie Hemby  
 7093 Caitlin Brianna Hughes  
 7247 Hannah Katherine Joyner  
 7129 Ashlee King  
 7244 Emily Morgan Leahey  
 7268 Christiane Massicotte  
 7240 Jessica Miller  
 7210 Alyssa Marie Mirmina

7243 Rajeev V Nair  
 7179 Charles David Nash Jr.  
 7228 Amber E Nix  
 7250 Jeffrey Neal Peck  
 7204 Karl Martin Peter  
 7263 Elena Pfisterer  
 7107 Jeffrey Austin Raines  
 7252 Brenda Righter  
 7157 Benjamin Charles Rucker  
 7303 Mohammad Reza Seddighi  
 7321 Danielle Nicole Semick  
 7254 Harmaneeek Sidhu  
 7259 Alex Bari Simon  
 7262 Katie Simon  
 7166 Jessica Sims  
 7260 Maggie Skiles  
 7236 Nora Sloan  
 7269 Meg Donna Sorhus  
 7251 Scott Stokowski  
 7245 Catharine Victoria Vaughan  
 7171 John Vietti

## **Reinstated**

2485 Sophia Avgeris  
6188 Rebecca Linn Laube  
6247 Callie Lamoin Blackford Winders  
3568 Mildred Montgomery Randolph  
2912 Jon David Romines

## **Veterinary Facilities**

2098 Barks and Medication LLC  
2096 Nva Clarksville Veterinary Management LLC  
2105 Petvet Care Centers  
2085 Blaine Veterinary Clinic  
2104 Dunlap Animal Clinic  
2083 Pets R Us Vet Clinic  
2106 Veterinary Care & Specialty  
2082 Wesvet Animal Hospital

## **Newly Certified**

### **Certified Animal Euthanasia Technician**

940 Glenn Christian Baun  
992 Benjamin Corey Burchfield  
958 Grace Kathryn Casagrande  
988 Rachel Ghueder

### **Reinstated Certifications**

876 Baileigh Nicole Back  
733 Gena Ann Campbell

### **Closed Files**

Kari Jane Seaman  
Emily Rose Katherine Beaudoin  
Sharon Anne Davis-Overfelt  
Amanda Shirley Hawkins  
Lauren Alice Bernstein  
Aurie Page Bouchard  
Jason Andrew Collins  
Jennifer Leigh Cotey  
John Milton Crawford  
Robin Ann Davis

Lauren Essick Hathaway  
Megan Lori Hodorowicz  
Vivek Ganesha Kamath  
Grace Nicole Kell  
Krista Lee Kelsey  
Nissa E Lister  
Ruth Marie Marcec  
Dejannon Kozean Preyer  
Katelyn Wills Stewart  
Shawn Landon Terrell

Brooke Lindsey Dowling  
Katherine Michelle Elland  
Tea Gluhak

Adam Shane Thompson  
Renee Michelle Wimpee

## **CSMD Report**

There was no report at this time.

## **Guest Report- Dr. David Bess, Gateway Project**

Dr. David Bess gave a brief presentation regarding the Gateway Project. He noted that Gateway does not have an impact on this Board at this time. Dr. Bess commended Dr. Simpson on his participation with the CSMD Committee, stating specifically that his perspective enriches and contributes to the committee. Dr Simpson serves as Vice Chair of the CSMD Committee.

Dr. Bess provided an overview of the Gateway Project, which allows integration with EHR and Pharmacy systems. This allows EHR to automatically submit requests, with a goal of making it easier to transfer information. Over 55,000 individuals have registered with the CSMD.

Dr. Bess expressed his appreciation for what veterinarians are doing to fight controlled substance issues and ensure safety improvements in the state. Veterinarians have been a critical participant in this endeavor.

Dr. Bess also noted that, for anyone with a CSMD account, keeping your email address up to date is important.

## **Rulemaking Taskforce- Rule 1730-02 Veterinary Facilities**

Dr. Simpson presented the proposed Rule updates as drafted by the Rulemaking Taskforce. Their goal is to bring this Rule language better into alignment with the language of the TCA.

Rule 1730-02-.03 Veterinary Facility Inspections to Obtain A Premises Permit is amended by adding new paragraph (j) so that it shall read:

(j) Except as provided in subdivision (k), all veterinary facilities located in retail establishments shall have an entrance into the permitted premises that is directly on a public street or other area which adjoins the establishment, and such entrance shall be separate from the entrance primarily used by regular retail customers. For purposes of this chapter, “retail establishment” means any retail store in excess of two thousand five hundred (2,500) square feet that primarily sells goods not related to the practice of veterinary medicine; companion animal retail facilities that primarily sell goods in the

categories of companion animal nutrition, food, supplies, and behavioral products; or any veterinary facility located in an enclosed shopping mall or enclosed shopping center.

Rule 1730-02-.03 Veterinary Facility Inspections to Obtain A Premises Permit is amended by adding new paragraph (k) so that it shall read:

(k) Veterinary facilities located in retail establishments that were issued a premises permit prior to January 1, 2015, and that have a separate entrance used by regular retail customers shall maintain and utilize the separate entrance in order to comply with subdivision §63-12-139(c)(2). Veterinary facilities located in retail establishments that were issued a premises permit prior to January 1, 2015, and that do not have a separate entrance used by regular retail customers on July 1, 2016, are in compliance with §63-12-139(c)(2).

Rule 1730-02-.06 Fees is amended by deleting subparagraph (3)(e) in its entirety and replacing it with new subparagraph (3)(e) so that it shall read:

(e) Premises Permit Renewal \$100.00 (biennial)

Dr. McInturff made a motion to accept the changes made by the Taskforce, with a second by Dr. Simpson. A roll call vote was conducted:

Dr. Loxley	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. McInturff	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Simpson	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Thompson	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Ms. Wereszczak	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Galloway	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> ABSTAIN

The motion passed.

At this point in the meeting, Dr. Thompson had to leave the WexEx and was excused for the remainder of the meeting.

### **Rulemaking Taskforce-Rule 1730-03 Veterinary Technicians**

Rule 1730-03-.06 Fees is amended by deleting subparagraph (3)(d) in its entirety and replacing it with new subparagraph (3)(d) so that it shall read:

(d) Renewal (biennial) 60.00

Rule 1730-03-.12 Continuing Education is amended by deleting old subparagraph (1)(a) and replacing with new subparagraph (a) so that new subparagraph (1)(a) shall read:



(1) Hours Required

(a) To renew a license, the licensee must obtain twelve (12) hours of continuing education each calendar year. Six (6) hours must pertain to the medical, surgical, and/or nursing care of animals. Six (6) hours may pertain to an area of special interest in veterinary medicine in fields other than the medical, surgical, or nursing care of animals, including practice management and state and federal regulatory programs. A maximum of four (4) hours may be obtained in a multimedia format as defined in part (3)(d)2. of this rule.

Dr. Simpson made a motion to accept the changes made by the Taskforce with a second by Ms. Wereszczak. A roll call vote was conducted:

Dr. Loxley	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. McInturff	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Simpson	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Thompson	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> ABSENT
Ms. Wereszczak	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Galloway	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> ABSTAIN

The motion passed.

**Rulemaking Taskforce-Rule 1730-05 Certified Animal Euthanasia Techs**

Rule 1730-05-.03(2) – Qualifications for Certification is amended by deleting old paragraph (2) and replacing with new paragraph (2) so that new paragraph (2) shall read:

(2) Possess a certificate of completion, obtained within the last twelve (12) months, from a course on euthanasia which has been approved by the Board. The course must include, but is not limited to, the following:

Rule 1730-05-.03(2)(d) – Euthanasia Methods - is amended by deleting old subparagraph (2)(d) and replacing with new subparagraph (2)(d) so that new subparagraph (2)(d) shall read:

(d) Euthanasia Methods – proper methods of humanely euthanizing injured, sick, homeless or unwanted animals. This must include participation in the performance of proper euthanasia of an animal by each student.

Rule 1730-05-.07 – Reserved is amended by inserting new paragraph (s) 1730-05-.07(1)-(6).

Rule 1730-05-.08(2)(a)(3) – Renewal Application and Reinstatement/Reactivation of Expired or Retired Certificate is amended by deleting old subparagraph (2)(a)(3) and replacing with new subparagraph (2)(a)(3) so that new subparagraph (2)(a)(3) shall read:

3. Submit evidence of completion of a C.A.E.T. certification course pursuant to Rule 1730-05-.03(2) for any certification expired beyond one (1) year.

Rule 1730-05-.08(3)(b)(3) – Renewal Application and Reinstatement/Reactivation of Expired or Retired Certificate is amended by deleting old subparagraph (3)(b)(3) and replacing with new subparagraph (3)(b)(3) so that new subparagraph (3)(b)(3) shall read:

3. Evidence of having completed continuing education courses equal to the number of hours required by the Board to maintain certification during the retirement period, up to a maximum of 4 years.

Rule 1730-05-.08(3)(c) – Renewal Application and Reinstatement/Reactivation of Expired or Retired Certificate is amended by deleting old subparagraph (3)(c) and replacing with new subparagraph (3)(c) so that new subparagraph (3)(c) shall read:

(c) C.A.E.T.s who have failed to engage in practice an average of ten (10) hours per month during the retirement period must submit completion of a full certification course pursuant to Rule 1730-05-.03(2) prior to reactivation of the certificate.

Dr. Simpson made a motion to accept changes made by the Taskforce, with a second by Ms. Wereszczak. A roll call vote was conducted:

Dr. Loxley	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. McInturff	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Simpson	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Thompson	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> ABSENT
Ms. Wereszczak	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Galloway	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> ABSTAIN

The motion passed.

### **Rulemaking Taskforce-Rule 1730-02 Veterinarians**

Rule 1730-01-.06 Fees is amended by deleting subparagraph (3)(d) in its entirety and replacing it with new subparagraph (3)(d) so that it shall read:

(d) Renewal (biennial) 300.00

Dr Simpson made a motion to approve changes made by the Taskforce, with a second by Dr. McInturff. A roll call vote was conducted:

Dr. Loxley	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. McInturff	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Simpson	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Thompson	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> ABSENT
Ms. Wereszczak	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Galloway	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> ABSTAIN

The motion passed.

### **Break**

At 11:27am CST, Dr. Galloway called for a brief break. At 11:40am CST, Dr. Galloway reconvened the meeting and Ms. Wallace conducted a roll call of attendance to ensure all Board Members and staff had returned and were connected, as follows:

- Dr. Loxley
- Dr. McInturff
- Dr. Simpson
- Dr. Thomson - ABSENT
- Ms. Wereszczak
- Dr. Beaty
- Dr. Galloway
- Ms. Boone
- Ms. Woodard
- Mr. Richardson

### **Discuss and take action as necessary regarding Rulemaking, Rulemaking Hearings, Rule Amendments, and Policies- CE Emergency Rules Update**

Mr. Richardson gave a brief statement that there was a motion made by the Board at the last meeting for the implementation of Emergency CE requirements. Due to the Governor issuing Executive Order 50 there is no further action that is required by the Board at this time.

### **Discuss legislation and take action if needed**

Mr. Patrick Powell, Legislative Liaison, was present to give the annual Legislative Update, including:

### **Public Chapter 594**

This act was the Department of Health's Licensure Accountability Act. The bill allows all health related boards to take action against a licensee that has been disciplined by another state for any acts or omissions that would constitute grounds for discipline in Tennessee. The law also expands available emergency actions, allowing actions beyond simply a summary suspension. Finally, the act establishes that the notification of law changes to health practitioners can be satisfied by the online posting of law changes by the respective boards. Notice must be maintained online for at least 2 years following the change.

This act took effect March 20, 2020.

### **Public Chapter 738**

This act prohibits a governmental entity from authorizing destruction of public records if the governmental entity knows the records are subject to a pending public record request. Prior to authorizing destruction of public records an entity must contact the public record request coordinator to ensure the records are not subject to any pending public record requests. Records may still be disposed of in accordance with an established records retention schedule/policy as part of an ordinary course of business as long as the records custodian is without knowledge the records are subject to a pending request.

This act took effect on June 22, 2020.

### **Approve/Deny CE courses and Waiver/Extension Requests**

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

A request from **Veterinary Specialist + Animal Emergency** for approval of two (2) continuing education hours for the following topics: **“Surgical Highlights from the Past Year: A review of advances in veterinary surgery”**, **“Diabetes Update: From DKA to Freestyle Libres”**, **“Dermatology”**, **“Internal Medicine”**, **“Critical Care”**, **“Internal Medicine”**, **“Neurology”**, **“Cardiology”**, **“Oncology”**, and **“Pathology”**.

A request from **OnlineCE.com** for approval to extend the following topics: **“Veterinary Acupuncture 201”** for 6 credit hours, **“Veterinary Acupuncture 202”** for 6 credit hours, **“Veterinary Acupuncture 203”** for 6 credit hours, and **“Veterinary Acupuncture 204”** for 12 credit hours.

A request from **OnlineCE.com** for approval to extend the six (6) continuing education hours for the following topics: “**Natural Veterinary Medicine 201**”, “**Natural Veterinary Medicine 202**”, “**Natural Veterinary Medicine 203**”, and “**Natural Veterinary Medicine 204**”.

A request from **OnlineCE.com** for approval to extend the six (6) continuing education hours for the following topics: “**Diagnosis and Treatment in Equine Medicine 201**”, “**Diagnosis and Treatment in Equine Medicine 202**”, “**Diagnosis and Treatment in Equine Medicine 203**”, “**Diagnosis and Treatment in Equine Medicine 204**”, “**Diagnosis and Treatment in Equine Medicine 205**”, “**Diagnosis and Treatment in Equine Medicine 206**”, “**Diagnosis and Treatment in Equine Medicine 207**”, and “**Diagnosis and Treatment in Equine Medicine 208**”.

A request from **OnlineCE.com** for approval to extend the following topics: “**Common Disease of Companion Animals 201**” for 6 CE hours, “**Common Disease of Companion Animals 202**” for 6 CE hours, and “**Common Disease of Companion Animals 201-202**” for 12 CE hours.

Dr Galloway made a motion to accept the CE requests, with a second made by Dr. Simpson. A roll call vote was conducted:

Dr. Loxley	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. McInturff	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Simpson	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Thompson	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> ABSENT
Ms. Wereszczak	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Galloway	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> ABSTAIN

The motion passed.

## **Correspondence Review**

AAVSB submitted an informational notification informing the Board of upcoming dates for Board Basics and Beyond and scheduling updates. No action was required.

## **Conference/Event Report**

We have received an update regarding the 2020 AAVSB Annual Meeting, including the Educational Meeting and the Annual Delegate Assembly components.

The Educational Meeting is going to be held virtually over the course of several months, with 1-1.5 hour sessions approximately twice per month. These education sessions will be submitted for RACE approved credit.

The Annual Delegate Assembly has been cancelled for 2020. They do note that the cancellation of the Delegate Assembly impacts voting on proposed Bylaws amendments as well as elections for the open positions. Per the AAVSB bylaws, the current members of the Board of Directors, the Nominating Committee, and the Representatives to the ICVA, shall serve "until a successor is elected and qualified" which will occur at the 2021 AAVSB Annual Meeting & Conference in Denver, CO on September 30- October 2. Submitted proposed Bylaws amendments will be deferred until 2021.

**Call for Public Comment**

Ms. Wallace informed all participants that the Board would hear any Public Comments at this time, reminding everyone of the steps for making a comment in the virtual meeting environment via the raise hand icon or by using the chat box. There were no public comments made.

**Adjournment**

Dr. Simpson made a motion for adjournment with a second made by Dr. McInturff. A roll call vote was conducted:

Dr. Loxley	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. McInturff	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Simpson	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Thompson	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> ABSENT
Ms. Wereszczak	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED
Dr. Galloway	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> ABSTAIN

The motion passed.

There being no further business to be heard, the Board Meeting was adjourned at 12:36 pm CST.

These Minutes were Ratified by the Board on December 2, 2020.

*Carol R. Williams*  
Board Secretary

*3 December 2020*  
Date