

1 **MINUTES**

2
3 **Board of Veterinary Medicine**
4 **General Business Meeting**
5 **Embassy Suites**
6 **1100 SE 17th Street**
7 **Ft. Lauderdale, FL 33316**

8
9 **March 8, 2016**

10
11 **CALL TO ORDER**

12
13 Dr. Parratto-Wagner, Chair called the meeting to order at 8:30 a.m.

14
15 **Pledge of Allegiance**

16
17 **MEMBERS PRESENT**

18 Dr. Nanette Parratto-Wagner, Chair

19 Dr. Terry Spencer, Vice Chair

20 Dr. Robert B. Leonard, Jr.

21 Dr. Harvey Partridge

22 Dr. Robert R. Hase, Jr.

23 Connie Johnson

24
25 **MEMBERS ABSENT**

26 Suzanne S. Inzina - excused

27
28 **OTHERS PRESENT**

29 Ruthanne Christie, Executive Director

30 Clark Jennings, Board Counsel

31 Elizabeth Henderson, Prosecuting Attorney

32 Rebecca Hayes, Prosecuting Attorney

33 Nicole Myers, Government Analyst

34 Court Reporter - Verbatim Court Reporting – Telephone # 954-467-8204

35 **PROBATION ROLL CALL**

36
37 Dr. Parratto-Wagner asked Ms. Myers to call the roll.

38
39 The following probationers were present;

40 Troy Looper, DVM

41 Andrew Newman, DVM

42 Sheri Cone, DVM

43 Scott Gregory, DVM

44 Richard Jaffe, DVM

45 Raul Jimenez, DVM
46 Gene Rinderknecht, DVM
47 Frances Vaujin, DVM
48 Ram Prasad, DVM
49 Haynes Stevens, DVM

50

51 **APPROVAL OF December 1, 2015 MEETING MINUTES**

52

53 **MOTION:** Dr. Parratto-Wagner made a motion to approve the minutes as provided.

54 **SECOND:** Ms. Johnson
55 Motion passed unanimously.

56

57 **DISCIPLINARY HEARINGS**

58

59 **Edward Dunham, DVM**
60 **Case number 2015-014661**
61 **VM 1216**

62

63 Dr. Dunham was not present and the disciplinary case was tabled until June meeting.

64

65 **Karla Bard, DVM**
66 **Case number 2012-007520**
67 **VM 7240**

68

69 Dr. Bard was present and sworn in by the court reporter and represented by counsel
70 Bryan Reynolds, Esq.

71

72 Dr. Parratto-Wagner was recused due to his participation on the probable cause panel.
73 Dr. Spencer also recused her.

74

75 Dr. Bard was charged with violation of 474.214 (1) (ee), F.S., failing to keep
76 contemporaneously written medical records as required by rule of the Board.

77

78 After discussion by the board the following motions were made.

79

80 **MOTION:** Dr. Hase made a motion to amend the date in the Administrative
81 Complaint.

82 **SECOND:** Ms. Johnson.
83 Motion passed unanimously.

84

85 **MOTION:** Dr. Hase made a motion to accept the settlement stipulation as presented.
86 The stipulation includes \$443.01 in costs and \$1,000 in fines to be paid within 30 days
87 of order; 1 year of probation with one appearance. Today's appearance counts as the
88 one required appearance.

89 **SECOND:** Ms. Johnson.

90 Motion passed unanimously.

91

92 **Scott Langton, DVM**

93 **Case number 2014-024012**

94 **VM 8037**

95

96 Dr. Langton was present and sworn in by the court reporter and represented by counsel
97 Ed Bayo, Esq.

98

99 Dr. Hase was recused due to his participation on the probable cause panel.

100

101 Dr. Langton was charged with violation of 474.214 (1) (ee), F.S., failing to keep
102 contemporaneously written medical records as required by rule of the Board.

103

104 After discussion by the board the following motions were made.

105

106 **MOTION:** Dr. Parratto-Wagner made a motion to accept the settlement stipulation as
107 presented. The stipulation includes \$1319.60 in costs and \$2,000 in fines
108 to be paid within 30 days of order; 1 year of probation with appearance at
109 2 meetings, this appearance counts as the 1st appearance, the last
110 appearance will be at the end of probation, and 2 hours of continuing
111 education in Medical Records. Course should be approved by Vice Chair.

112

113 **SECOND:** Dr. Leonard.

114 Motion passed unanimously.

115

116 **Clarence Rudegear, DVM**

117 **Case number 2015-030981**

118 **VM 3579**

119

120 Dr. Rudegear was not present and not represented by counsel.

121

122 Dr. Hase was recused due to his participation on the probable cause panel.

123

124 Dr. Rudegear was charged with violation of 474.214 (1) (II), F.S., Failing to respond
125 within 60 days of receipt a request to provide satisfactory proof of having participated in
126 approved continuing education programs.

127

128 After discussion by the board the following motions were made.

129

130 **MOTION:** Dr. Parratto-Wagner made a motion to accept the settlement stipulation as
131 presented. The stipulation states the respondent's license will be placed in a voluntary
132 inactive status.

133 **SECOND:** Dr. Leonard.

134 Motion passed unanimously.

135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179

Voluntary Relinquishment of License

Ruthann Conklin, DVM

Dr. Conklin was not present and not represented by counsel.

After discussion by the board the following motion was made.

MOTION: Ms. Johnson made a motion to accept the voluntary relinquishment of license.

SECOND: Dr. Parratto-Wagner.
Motion passed unanimously.

Review/Approval of Applications

Loretta Potts, DVM – Endorsement Application

Application pulled from Agenda.

Peter Neveu, DVM – Endorsement Application

Dr. Neveu was present and sworn in by court reporter.

After discussion by the board the following motions were made.

MOTION: Dr. Hase made a motion to approve the application.

SECOND: Dr. Partridge.
Motion Passed Unanimously.

Norman Newton, DVM – Endorsement Application

Dr. Newton was not present and not represented by counsel.

After discussion by the board the following motions were made.

MOTION: Dr. Hase made a motion to approve the application contingent of the following conditions a PRN evaluation, a transfer into a FL program, and a meeting appearance at the June 2016 Board meeting.

SECOND: Dr. Spencer.
Motion Passed Unanimously.

Petition for Continuing Education Extension

180
181 Petition held until June meeting.

182
183 **Petition for Reinstatement**

184
185 Dr. Gregory Murray was present and sworn in by court reporter and represented by
186 counsel Ed Bayo, Esq.

187
188 Dr. Ziegler advised the Board that Dr. Murray completed his evaluation and has been
189 compliant with his monitoring agreement with PRN.

190
191 Dr. Silvia Do Valle was present and sworn in by court reporter.

192
193 After discussion by the board the following motions were made.

194
195 **MOTION:** Dr. Parratto-Wagner made a motion requiring Dr. Murray to make a yearly
196 appearance with Dr. Do Valle and limiting his practice as a veterinarian to no more than
197 20 hours per week and follow same orders from the Final Order filed October 21, 2015.

198
199 **SECOND:** Dr. Hase.
200 Motion Passed Unanimously.

201
202 **Petition for Modification of Probation**

203
204 Dr. Richard Jaffe was present and sworn in by the court reporter and represented by
205 counsel Ed Bayo, Esq.

206
207 Dr. Ziegler advised the Board that Dr. Jaffe has been compliant with his monitoring
208 agreement with PRN.

209
210 After discussion by the board the following motions were made

211
212 **MOTION:** Dr. Parratto-Wagner made a motion for modification of site supervision.
213 Modification will include monitoring supervision only when Dr. Jaffe is performing
214 surgery, with no less than ten hours of supervision per week. Monthly reports will be
215 submitted monthly and reviewed by Dr. Partridge.

216 **SECOND:** Dr. Hase.
217 Motion Passed Unanimously.

218
219 **PROBATION**

220
221 **Richard Jaffe, DVM**
222 Dr. Jaffe was present at the meeting and was sworn in by the court reporter.

223
224 **MOTION:** Dr. Hase made a motion to accept Dr. Jaffe's probation appearance.

225 **SECOND:** Ms. Johnson.
226 Motion passed unanimously.

227
228 **Sheri Cone, DVM**

229 Dr. Cone was present at the meeting and was sworn in by the court reporter.

230
231 **MOTION:** Dr. Hase made a motion to accept Dr. Cone's probation appearance.

232 **SECOND:** Ms. Johnson.
233 Motion passed unanimously.

234
235 **Troy Looper, DVM**

236 Dr. Looper was present at the meeting and was sworn in by the court reporter.

237
238 **MOTION:** Ms. Johnson made a motion accept Dr. Looper's probation appearance.

239 **SECOND:** Dr. Spencer.
240 Motion passed unanimously.

241
242 **Andrew Newman, DVM**

243 Dr. Newman was present at the meeting and was sworn in by the court reporter.

244
245 **MOTION:** Dr. Hase made a motion accept Dr. Newman's probation appearance.

246 **SECOND:** Dr. Spencer.
247 Motion passed unanimously.

248
249 **Scott Gregory, DVM**

250 Dr. Gregory was present at the meeting and was sworn in by the court reporter.

251
252 **MOTION:** Dr. Hase made a motion accept Dr. Gregory's probation appearance.

253 **SECOND:** Dr. Spencer.
254 Motion passed unanimously.

255
256 **Raul Jimenez, DVM**

257 Dr. Jimenez was present at the meeting and was sworn in by the court reporter.

258
259 **MOTION:** Dr. Hase made a motion accept Dr. Jimenez's probation appearance.

260 **SECOND:** Dr. Spencer.
261 Motion passed unanimously.

262
263 **Gene Rinderknect, DVM**

264 Dr. Rinderknect was present at the meeting and was sworn in by the court reporter.

265
266 **MOTION:** Dr. Hase made a motion accept Dr. Rinderknect's probation appearance.

267 **SECOND:** Dr. Spencer.
268 Motion passed unanimously.

269

270 **Frances Vaujin, DVM**
271 Dr. Vaujin was present at the meeting and was sworn in by the court reporter.

272
273 **MOTION:** Dr. Hase made a motion accept Dr. Vaujin's probation appearance.
274 **SECOND:** Ms. Johnson.
275 Motion passed unanimously.

276
277 **Ram Prasad, DVM**
278 Dr. Prasad was present at the meeting and was sworn in by the court reporter.

279
280 **MOTION:** Dr. Hase made a motion accept Dr. Prasad's probation appearance.
281 **SECOND:** Dr. Spencer.
282 Motion passed unanimously.

283
284 **Haynes Stevens, DVM**
285 Dr. Stevens was present at the meeting and was sworn in by the court reporter.

286
287 **MOTION:** Dr. Hase made a motion accept Dr. Steven's probation appearance with
288 an additional records pull in 6 months.
289 **SECOND:** Ms. Johnson.
290 Motion passed unanimously.

291
292 **RATIFICATION OF APPLICATIONS**

293
294 **Licenses**
295 **MOTION:** Dr. Hase made a motion to accept the licensure list.
296 **SECOND:** Dr. Spencer.
297 Motion passed unanimously.

298
299 **Continuing Education**
300 **MOTION:** Dr. Hase made a motion to accept the continuing education list and add
301 the approved 16 Hour Euthanasia Course to list.
302 **SECOND:** Dr. Leonard.
303 Motion passed unanimously.

304
305 **REPORTS**

306
307 **Executive Director – Ruthanne Christie**

308
309 **Exam Results**
310 Ms. Christie reviewed the pass and fail exam results with the board.

311
312 Ms. Christie reviewed the dates of future meetings. September 20th in Gainesville and
313 June 7th in St. Petersburg. The One Ocean in December is unavailable so a new place
314 will be determined.

315
316 Ms. Christie suggested moving South Florida meeting to September.

317
318 **Enforcement Report**

319 Ms. Christie reviewed the inspection and complaint report with the board.
320

321 **Board counsel – Clark Jennings**
322

323 Mr. Jennings suggested an Anti-Trust presentation at the June meeting.
324

325 The Board asked to schedule a Monday afternoon session for the Anti-Trust
326 presentation.

327
328 **Prosecuting Attorney – Elizabeth Henderson**
329

330 Ms. Henderson reviewed her report with the board. She stated the case numbers have
331 decreased. She reported public and private cases as of 03/01/2016.
332

333 **Board Chair – Dr. Parratto-Wagner**
334

335 Dr. Parratto-Wagner stated she is very please how the department and Probable Cause
336 are working.
337

338 **OLD BUSINESS**
339

340 No old business.
341

342 **NEW BUSINESS**
343

344 **SAFE ACT Article**
345

346 Dr. Parratto-Wagner stated the bill is presently held in Congress and veterinarians need
347 to be aware.
348

349 **61G18-30.003 Citations**
350

351 Ms. Christie asked the Board to consider the following proposed rule language for Rule
352 61G18-30.003, F.A.C to update the audit process and penalties for Continuing
353 Education requirements.
354

355 (f) Failure to obtain or complete the continuing education required for licensure renewal within the
356 biennium.

357 1. If the licensee responds to the audit letter and the required continuing education hours were
358 not completed prior to the end of the biennium, but the licensee provides proof of completion within 60
359 days of receipt of initial audit letter, the licensee shall be issued a Notice of Non-compliance. These
360 hours shall not be used for license renewal during the biennium in which they were earned.

361 2. If the licensee responds to the audit but can not provide proof that the required continuing
362 education hours were completed, the licensee will be issued a citation in the amount of \$250. The licensee
363 shall be required to complete the hours needed within 6 months of the date of issuance of the citation.
364 These hours shall not be used for license renewal during the biennium in which they were earned.

365 3. If the licensee fails to respond to the continuing education audit the licensee will be issued a
366 citation in the amount of \$500. The licensee shall be required to complete the hours needed within 6
367 months of the date of issuance of the citation. These hours shall not be used for license renewal during
368 the biennium in which they were earned.

369 4. If a licensee responds to the continuing education audit with an explanation and documentation
370 of an illness or hardship which prevented them from completing the required continuing education within
371 the biennium the Board may grant a 6 month extension during which the licensee shall be required to
372 complete the hours needed. These hours shall not be used for license renewal during the biennium in
373 which they were earned.

374

375 After discussion by the board the following motion was made.

376

377 **MOTION:** Dr. Hase made a motion to accept to start the notice of rule development
378 and proceed with rule making for 61G18-30.003.

379 **SECOND:** Dr. Spencer.

380 Motion passed unanimously.

381

382 Mr. Jennings asked the board if the rule changes for Rule 61G18-30.003, F.A.C, would
383 have an adverse effect on small business.

384

385 The Board answered no.

386

387 Mr. Jennings asked the board if the proposed rule amendment is likely to directly or
388 indirectly regulatory costs to any entity, in excess of \$200,000.00 in the aggregate within
389 1 year of implementation.

390

391 The Board answered no.

392

393 Ms. Christie informed the Board the Department had a new contract with PearsonVue
394 which changed the exam fee paid to PearsonVue by the applicants from \$9.00 per hour
395 to \$10.50 per hour. Ms. Christie provided the Board with the following proposed
396 language for examination and reexamination fees.

397

398 **61G18-12.002 Examination and Reexamination Fees.**

399 (2) For those applicants taking the Laws and Rules examination, when the examination is not
400 conducted by a professional testing service pursuant to Section 455.2171, Florida Statutes, the
401 examination fee shall be \$165.00 payable to the department. When the examination is conducted by a
402 professional testing service pursuant to Section 455.2171, Florida Statutes, the examination fee shall
403 be ~~\$151.50~~ \$149.25 payable to the department plus ~~\$13.50~~ \$15.75 payable to the testing service. When
404 conducted by a professional testing service, applicants retaking the Laws and Rules examination shall
405 only pay the fee payable to the testing service.

406

407 After discussion by the Board the following motion was made.

408

409 **MOTION:** Dr. Parratto-Wagner made a motion to accept to start the notice of rule
410 development and proceed with rule making for 61G18-12.002.

411 **SECOND:** Dr. Spencer.

412 Motion passed unanimously.

413

414 Mr. Jennings asked the board if the rule changes for Rule 61G18-12.002, F.A.C, would
415 have an adverse effect on small business.

416

417 The Board answered no.

418

419 Mr. Jennings asked the board if the proposed rule amendment is likely to directly or
420 indirectly regulatory costs to any entity, in excess of \$200,000.00 in the aggregate within
421 1 year of implementation.

422

423 The Board answered no.

424

425 **61G18-16.002 Continuing Education Requirements for Active Status License**
426 **Renewal.**

427

428 Dr. Spencer asked the Board to consider updating Rule 61G18-16.002, F.A.C. with
429 regard to online continuing education and correspondence courses. Dr. Spencer
430 suggested that the Board place no limits on how many hours of continuing education a
431 licensee take online but consider reducing the number of hours that can be taken in a
432 correspondence format.

433

434 Per Board's request Mr. Jennings will open rule development on 61G18-16.002 to
435 increase or open up the allowable online hours and to limit correspondence courses.

436

437 **PUBLIC COMMENT**

438

439 Trisha Borom of the Florida Veterinary Technician Association addressed the Board and
440 provided the members an update on the association certification program. Ms. Borom
441 stated the association has 987 certified technicians. They are continuously working with
442 National Association of Veterinary Technicians in America (NAVTA) and the legislature.

443

444 **PROBATION ROLL CALL**

445

446 Ms. Myers called the probation roll and all were present.

447

448 **ADJOURN**

449

450 The meeting adjourned at 12:34 P.M.