

1 **MINUTES**

2
3 **Board of Veterinary Medicine**
4 **General Business Meeting**
5 **University of Florida**
6 **Small Animal Hospital, Banfield Conference Room (SAH 340)**
7 **2089 SW 16th Avenue**
8 **Gainesville, Florida 32608**
9 **March 1, 2018**

10
11 **CALL TO ORDER**

12
13 Dr. Leonard, Chair called the meeting to order at 9:30 a.m.

14
15 **Pledge of Allegiance**

16
17 **MEMBERS PRESENT**

18 Dr. Robert B. Leonard, Jr., Chair

19 Dr. Harvey Partridge

20 Dr. Sharon Powell

21 Dr. Rudd Nelson

22 Ms. Connie Johnson

23 Ms. Suzanne Inzina

24
25 **MEMBERS ABSENT**

26 None

27
28 **OTHERS PRESENT**

29 Ruthanne Christie, Executive Director

30 Clark Jennings, Board Counsel

31 Elizabeth Henderson, Prosecuting Attorney

32 Amanda Senn, Government Analyst

33 Precision Court Reporting, LLC, (904) 629-5310

34 **PROBATION ROLL CALL**

35
36 Dr. Leonard asked Ms. Senn to call the roll.

37
38 The following probationers were present;

39 Greg Murray, DVM

40 Thomas Fish, DVM

41 Kermit Harvey, DVM

42 Kuria Muchemi, DVM

43 Kenneth St. John, DVM

44 **Dr. Leonard gave a speech in remembrance of Dr. Robert Hase.**

45

46 **ELECTIONS**

47

48 **MOTION:** Dr. Nelson nominated Ms. Connie Johnson to Vice Chair of the board.

49

50 **SECOND:** Dr. Partridge.

51

52 **Motion passed unanimously.**

53

54 **APPROVAL OF December 1, 2017 MEETING MINUTES**

55

56 **MOTION:** Dr. Powell made a motion to approve the minutes with corrections.

57 **SECOND:** Ms. Johnson.

58 Motion passed unanimously.

59

60 **DISCIPLINARY HEARINGS**

61

62 **Stacy Furgang, DVM**

63 **Case number 2016-036554**

64 **VM 19644**

65

66 Dr. Furgang was present and represented by Attorney Kaitlin Jensen.

67

68 Dr. Powell was recused from this case due to her participation on the Probable Cause
69 Panel.

70

71 Dr. Furgang was charged with violation of 474.214, F.S., "being guilty of incompetence
72 or negligence by failing to practice medicine with that level of care, skill, and treatment
73 which is recognized by a reasonably prudent veterinarian as being acceptable under
74 similar conditions and circumstances."

75

76 Dr. Furgang was charged with violation of 474.214(1)(ee), "failing to keep
77 contemporaneously written records as required by rule of the Board."

78

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

80

81 **MOTION:** Dr. Leonard made a motion to reject the settlement stipulation as
82 presented.

83

84 **SECOND:** Dr. Nelson.

85 Motion passed unanimously.

86

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

88
89 **MOTION:** Dr. Leonard made the motion for \$2000.00 in fines and \$670.43 in costs to
90 be paid within 30 days of the filing of the final order, 2 hours of thoracic radiology
91 continuing education, 6 months non-reporting probation, and this be counted as her first
92 and last appearance before the board.

93
94 **SECOND:** Dr. Nelson.

95
96 Attorney Jensen accepted the counter offer on the record.

97
98 Motion passed unanimously.

99
100 **Sammy Emara, DVM**
101 **Case number 2015-055766**

102
103 **Case was pulled from the agenda and continued until September 2018.**

104
105 **Peter Birzon, DVM**
106 **Case number 2016-038897**
107 **VM 10012**

108
109 Dr. Birzon was not present nor represented by counsel.

110
111 Dr. Powell was recused due to her participation on the probable cause panel.

112
113 Dr. Birzon was charged with violation of 455.227(1)(u) "termination from an impaired
114 practitioner program as described in s. 456.076 for failure to comply, without good
115 cause, with the terms of the monitoring or participant contract entered into by the
116 licensee or failing to successfully complete a drug or alcohol treatment program."

117
118 After discussion by the board the following motions were made.

119
120 **MOTION:** Dr. Partridge made a motion that there were no disputed issues of
121 material fact.

122
123 **SECOND:** Ms. Inzina.

124
125 **MOTION:** Dr. Nelson made a motion to accept the allegations of fact as set forth in
126 the Administrative Complaint as the findings of fact.

127
128 **SECOND:** Dr. Partridge.

129
130 **MOTION:** Dr. Partridge made a motion that PRN is treatment.

131

132 **SECOND:** Ms. Johnson.

133

134 **MOTION:** Dr. Nelson made the motion that by appearing at PRN, Dr. Birzon entered
135 into an agreement with PRN.

136

137 **SECOND:** Ms. Johnson.

138

139 **MOTION:** Dr. Leonard made the motion that costs be paid in the amount of \$371.79
140 and that Dr. Birzon enter into a contract with PRN probation for duration of PRN
141 contract within 30 days of the final order being issued with annual appearances
142 including first and last meeting before end of probation.

143

144 **SECOND:** Ms. Johnson.

145 Dr. Partridge was opposed to this motion and it did not pass unanimously.

146

147 **Marcia Martin, DVM**

148 **Case number 2017-038473**

149 **VM 7022**

150

151 Dr. Martin was not present at the meeting

152

153 Dr. Martin was charged with violations of Section 474.214(1)(z) " Providing, prescribing,
154 ordering, or making available for human use medicinal drugs or drugs as defined in
155 chapter 465, controlled substances as defined in chapter 893, or any material, chemical,
156 or substance used exclusively for animal treatment."

157

158 **MOTION:** Ms. Inzina made a motion to accept the allegations of fact as set forth in
159 the Administrative Complaint.

160

161 **SECOND:** Dr. Partridge.

162

163 **MOTION:** Dr. Nelson made a motion to adopt conclusions of law.

164

165 **SECOND:** Ms. Johnson.

166

167 **MOTION:** Dr. Leonard made the motion for \$3000.00 in fines and \$103.48 in costs
168 and 5 years probation. During the probationary period with appearances at the first and
169 last board meetings, Dr. Martin will be required to complete 1 hour of drug dispensing to
170 be approved by Dr. Nelson in addition to regular CE hours.

171

172 **SECOND:** Ms. Johnson.

173 Motion passed unanimously.

174

175 **Jan Henrikson, DVM**

176 **Case number 2017-021188**
177 **VM 14099**

178
179 Dr. Henrikson was present and represented by Attorney Ed Bayo. They were sworn in
180 by the court reporter.

181
182 Dr. Powell was recused from this case due to her participation on PCP.

183
184 Dr. Henrikson was charged with violation of 474.214(1)(b) F.S. "Having a license or the
185 authority to practice veterinary medicine revoked, suspended, or otherwise acted
186 against, including the denial of licensure, by the licensing authority of any jurisdiction,
187 including any agency or subdivision thereof."

188
189 After discussion by the board the following motions were made.

190 **MOTION:** Dr. Nelson made the motion to accept allegations of fact and conclusions
191 of law.

192
193 **SECOND:** Ms. Inzina.

194
195 **MOTION:** Dr. Partridge made the motion to dismiss the case.

196
197 **SECOND:** Dr. Leonard.
198 Motion passed unanimously.

199
200 **Christopher Carrier**
201 **Case number 2015-017033**
202 **VM 9303**

203
204 Dr. Carrier was present and represented by Attorney Bayo. They were sworn in by the
205 court reporter.

206
207 Dr. Leonard and Dr. Powell were recused due to their participation on the PCP.

208
209 Dr. Carrier was charged with violation of 474.214 (1)(d) F.S. Making or filing a report or
210 record which the licensee knows to be false, intentionally or negligently failing to file a
211 report or record required by state or federal law, willfully impeding or obstructing such
212 filing, or inducing another person to impede or obstruct such filing. Such reports or
213 records shall include only those which are signed in the capacity of a licensed
214 veterinarian."

215
216 After discussion by the board the following motions were made.

217
218 **MOTION:** Dr. Nelson made the motion to open this case for reconsideration of the
219 December 2017 decision.

220
221 **SECOND:** Ms. Inzina.
222
223 **MOTION:** Dr. Partridge made a motion to modify Dr. Carrier's probation
224 appearances, allow this meeting to count as his second appearance, and have one final
225 appearance at the board meeting prior to the end of his probation.
226
227 **SECOND:** Ms. Inzina.
228 Motion passed unanimously.
229
230 **Review/Approval of Applications**
231
232 **Sean Albert Raleigh, DVM – Initial License by Endorsement**
233
234 Dr. Raleigh was present and was sworn in by the court reporter.
235
236 After discussion by the board the following motions were made.
237
238 **MOTION:** Dr. Leonard made the motion to approve this application with record pulls
239 to be done every 6 months with 5 records per records pull to be reviewed by the Chair.
240 Yearly probation appearances for 2 years.
241
242 **SEDOND:** Dr. Partridge.
243
244 Motion passed unanimously.
245
246 **Hannah Newman, DVM, - Reconsideration**
247
248 Ms. Newman was present with Attorney Rominik and sworn in by the court reporter.
249
250 This application was tabled until the next board meeting.
251
252 **David Love-Initial by Examination**
253
254 Mr. Love was present and sworn in by the court reporter.
255
256 After discussion by the board the following motions were made.
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258 **MOTION:** Dr. Powell made the motion to approve the application.
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260 **SECOND:** Dr. Nelson.
261 Motion passed unanimously.
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263 **PROBATION**

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Gregory Murray, DVM

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

After extensive discussion by the board, this matter was continued to a later board meeting.

Thomas Fish, DVM

Dr. Fish was present at the meeting and was sworn in by the court reporter. Dr. Fish was advised that he would need to attend every board meeting this year to be current with appearances.

MOTION: Dr. Nelson made a motion to accept Dr. Fish's probation appearance.

SECOND: Dr. Powell.

Motion passed unanimously.

Richard Jaffe, DVM

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

MOTION: Ms. Johnson made a motion to accept Dr. Jaffe's probation appearance.

SECOND: Ms. Inzina.

Motion passed unanimously.

Kermit Harvey, DVM

Dr. Harvey was present at roll call at the beginning of the meeting but was not present when called in front of the board. This appearance did not count towards probation appearances and he needs to attend the next board meeting.

Kuria Muchemi, DVM

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

MOTION: Dr. Nelson made a motion accept Dr. Muchemi's probation appearance.

SECOND: Ms. Johnson.

Motion passed unanimously.

Kenneth St. John, DVM

Dr. St. John was present at the meeting was sworn in by the court reporter.

MOTION: Dr. Nelson made a motion to accept Dr. St. John's appearance.

SECOND: Ms. Inzina.

Motion passed unanimously.

308 **RATIFICATION OF APPLICATIONS**

309 **Licenses**

310 **MOTION:** Ms. Johnson made a motion to accept the licensure list.

311 **SECOND:** Dr. Partridge.

312 Motion passed unanimously.

313

314 **Continuing Education**

315 **MOTION:** Ms. Johnson made a motion to accept the continuing education list.

316 **SECOND:** Dr. Partridge.

317 Motion passed unanimously.

318

319 **REPORTS**

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321 **Bureau of Education and Testing- Exam Report**

322 Alex Bosque, Examination Development Supervisor made a presentation to the board.

323

324 **Executive Director – Ruthanne Christie**

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326 Ms. Christie reviewed the financial reports.

327

328 **Board counsel – Clark Jennings**

329

330 **Prosecuting Attorney – Elizabeth Henderson**

331

332 Ms. Henderson reviewed her report with the board.

333

334 **Board Chair – Dr. Leonard**

335

336 **OLD BUSINESS**

337 **None**

338

339 **NEW BUSINESS**

340 **None**

341

342 **PUBLIC COMMENT**

343

344 Madelyn Kayser was present and addressed the board briefly.

345

346 The Florida Veterinarian Technicians Association was present and addressed the board
347 briefly.

348

349 **PROBATION ROLL CALL**

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351 Ms. Senn called the probation roll and all were present with the exception of Dr. Kermit
352 Harvey.

353

354 **ADJOURN**

355

356 The meeting adjourned at 3:33 P.M.