

1 **MINUTES**

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3 **Board of Veterinary Medicine**  
4 **General Business Meeting**  
5 **UF Small Animal Hospital Banfield A, B SAH 340**  
6 **2089 SW 16<sup>th</sup> Ave**  
7 **Gainesville, FL 32610**

8  
9 **September 20, 2016**

10  
11 **CALL TO ORDER**

12  
13 Dr. Parratto-Wagner, Chair called the meeting to order at 9:00 a.m.

14  
15 **Pledge of Allegiance**

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17 **MEMBERS PRESENT**

18 Dr. Nanette Parratto-Wagner, Chair  
19 Dr. Terry Spencer, Vice-Chair  
20 Dr. Robert B. Leonard, Jr.  
21 Dr. Robert R. Hase, Jr.  
22 Dr. Harvey Partridge  
23 Suzanne S. Inzina  
24 Connie Johnson

25  
26 **MEMBERS ABSENT**

27 None

28  
29 **OTHERS PRESENT**

30 Ruthanne Christie, Executive Director  
31 Clark Jennings, Board Counsel  
32 Elizabeth Henderson, Prosecuting Attorney  
33 Nicole Myers, Government Analyst  
34 Esquire Deposition Solutions 800-211-3376

35 **PROBATION ROLL CALL**

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

38  
39 The following probationers were present;

40 Larry Britt, DVM  
41 Sheri Cone, DVM  
42 Danilo Liwanag, DVM  
43 Douglas Shearer, DVM

44 Ross Russell, DVM  
45 Abdel Hamici, DVM  
46 Ram Prasad, DVM  
47 Richard D'Amico, DVM  
48 Thomas Fish, DVM  
49 Ernest Balogh, DVM  
50 Kermit Harvey, DVM

51

## 52 **APPROVAL OF June 7, 2016 MEETING MINUTES**

53

54 **MOTION:** Dr. Leonard made a motion to approve the minutes.

55 **SECOND:** Ms. Johnson

56 Motion passed unanimously.

57

## 58 **DISCIPLINARY HEARINGS**

59

60 **Ernest Balogh, DVM**

61 **Case number 2015-031520**

62 **VM 4272**

63

64 Dr. Balogh was present and sworn in by court reporter and represented by Counsel Ed  
65 Bayo, Esq.

66

67 Dr. Hase and Dr. Leonard were recused due to their participation on the probable cause  
68 panel.

69

70 Dr. Balogh was charged with violation of 474.214 (1) (r), F.S., by committing  
71 incompetence or negligence by failing to practice veterinary medicine with that level of  
72 care, skill, and treatment which is recognized by a reasonably prudent veterinarian as  
73 being acceptable under similar conditions and circumstances and violation of 474.214  
74 (1) (ee), F.S., failing to keep contemporaneously written medical records as required by  
75 rule of the Board.

76

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

78

79 **MOTION:** Dr. Parratto-Wagner made a motion to reject the settlement stipulation as  
80 presented.

81 **SECOND:** Dr. Partridge.

82 Motion passed unanimously.

83

84 **MOTION:** Dr. Parratto-Wagner made a motion to impose a fine of \$1000 and costs  
85 of \$786.89 to be paid within 30 days of filing; 1 year of probation with attendance at 1  
86 meeting, this appearance counts as the 1<sup>st</sup>; 5 hours of continuing education to include, 2

87 hours of Medical Records, 2 hours of Laws and Rules, and 1 hour of Client  
88 Communication. Vice-Chair will approve the continuing education courses.

89 **SECOND:** Dr. Partridge.  
90 Motion passed unanimously.

91  
92 Dr. Balogh accepted the counter offer on the record.

93  
94 **Kermit Harvey, DVM**  
95 **Case number 2015-048775**  
96 **VM 2203**

97  
98 Dr. Harvey was present and sworn in by the court reporter and represented by Counsel  
99 Bryan Reynolds, Esq.

100  
101 Dr. Hase was recused due to his participation on the probable cause panel.

102  
103 Dr. Harvey was charged with violation of 474.214 (1) (ee), F.S., failing to keep  
104 contemporaneously written medical records as required by rule of the Board and  
105 violation of 474.214 (1) (f), F.S., violating a lawful order of the board or department  
106 previously entered in a disciplinary hearing.

107  
108 After discussion by the board the following motions were made.

109  
110 **MOTION:** Dr. Parratto-Wagner made a motion to reject the settlement stipulation as  
111 presented.

112 **SECOND:** Dr. Spencer.  
113 Motion passed unanimously.

114  
115 **MOTION:** Dr. Parratto-Wagner made a motion to impose a fine of \$4000 and costs  
116 of \$171.48 to be paid within 30 days of filing; 1 year of probation with attendance at 2  
117 meetings, one at end of probation. This appearance counts as the 1<sup>st</sup>; 4 hours of  
118 continuing education to include 2 Hours of Laws and Rules and 2 Hours of  
119 Recordkeeping. Vice-Chair will approve the continuing education courses. In addition  
120 there will be 2 unannounced inspections with 10 records pulls to be reviewed by Dr.  
121 Partridge. The first will be completed in 3 months.

122 **SECOND:** Dr. Partridge.  
123 Motion passed unanimously.

124  
125 Dr. Harvey accepted the counter offer on the record.

126  
127 **Andrew Kobell, DVM**  
128 **Case number 2014-037460**  
129 **VM 7469**

130

131 **MOTION:** Dr. Parratto-Wagner made a motion for a continuance.

132 **SECOND:** Ms. Johnson.

133 Motion passed unanimously.

134

135 **Jaime Jesus Pausa, DVM**

136 **Case number 2015-012195**

137 **VM 9366**

138

139 Dr. Pausa was present and represented by Counsel Kaitlin Cupp.

140

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

142

143 Dr. Pausa was charged with violation of 474.214 (1) (r), F.S., by committing  
144 incompetence or negligence by failing to practice veterinary medicine with that level of  
145 care, skill, and treatment which is recognized by a reasonably prudent veterinarian as  
146 being acceptable under similar conditions and circumstances and violation of 474.214  
147 (1) (ee), F.S., failing to keep contemporaneously written medical records as required by  
148 rule of the Board.

149

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

151

152 **MOTION:** Dr. Parratto-Wagner made a motion to reject the settlement stipulation as  
153 presented.

154 **SECOND:** Ms. Johnson.

155 Motion passed unanimously.

156

157 **MOTION:** Dr. Parratto-Wagner made a motion for counter offer to dismiss Count 1;  
158 to impose a fine of \$2000 and costs of \$570.74 to be paid within 30 days of filing, 1 year  
159 of probation with attendance at 1 meeting; this appearance does not count as the 1st. 5  
160 hours of continuing education to include 2 hours Medical Records, 1 hour of  
161 Pharmacology/Antibiotics in Small Animals, 1 hour Cardiology in Small Animals, and 1  
162 hours of Pain Management. Vice Chair will approve the continuing education courses.

163

164 **SECOND:** Ms. Johnson.

165 Motion passed unanimously.

166

167 Dr. Pausa accepted the counter offer on the record.

168

169 **Roger Swearingen, DVM**

170 **Case number 2015-017584**

171 **VM 2382**

172

173 Dr. Swearingen was present represented by Counsel Kaitlin Cupp, Esq.

174

175 Dr. Leonard was recused due to his participation on the probable cause panel.

176

177 Dr. Swearingen was charged with violation of 474.214 (1) (r), F.S., by committing  
178 incompetence or negligence by failing to practice veterinary medicine with that level of  
179 care, skill, and treatment which is recognized by a reasonably prudent veterinarian as  
180 being acceptable under similar conditions and circumstances and violation of 474.214  
181 (1) (ee), F.S., failing to keep contemporaneously written medical records as required by  
182 rule of the Board.

183

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

185

186 **MOTION:** Dr. Spencer made a motion to reject the settlement stipulation as  
187 presented.

188 **SECOND:** Dr. Hase.

189 Motion passed unanimously.

190

191 **MOTION:** Dr. Spencer made a motion for counter to impose a fine of \$2000 and  
192 costs of \$482.28 to be paid within 30 days of filing, 2 years of probation with attendance  
193 at 2 meetings annually; this appearance does not count as the 1st. 10 hours of  
194 continuing education to include 2 hours Medical Records, 2 hours of Critical Care and  
195 Fluid Care, 1 hour Parasitism and Tick Disease, 1 hour of Renal Disease, 2 hours of  
196 Radiology, 1 hour of Client Communication, and 1 hour Animal Cruelty linked to Human  
197 Cruelty. Vice Chair will approve the continuing education courses.

198

199 **SECOND:** Ms. Johnson.

200 Motion passed unanimously.

201

202 Dr. Swearingen accepted the counter offer on the record.

203

204 **Aurelio Roa, DVM**

205 **Case number 2015-043935**

206 **VM 2531**

207

208 Dr. Roa was present and represented by Counsel Sherryl Dunaj, Esq.

209

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

211

212 Dr. Roa was charged with violation of 474.214 (1) (f), F.S., violating a lawful order of the  
213 board or department previously entered in a disciplinary hearing.

214

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

216

217 **MOTION:** Dr. Spencer made a motion to accept the settlement stipulation as  
218 presented. The stipulation includes \$110.34 in costs and \$500 in fines to be paid within

219 30 days of order. Probation will remain until Laws and Rules exam is passed; and 2  
220 required meeting appearances at beginning and end of probation.

221 **SECOND:** Ms. Johnson.  
222 Motion passed unanimously.

223  
224 **Scott M. Averill, DVM**  
225 **Case number 2016-005378**  
226 **VM 13205**

227  
228 Dr. Averill was not present and not represented by counsel.

229  
230 Dr. Hase was recused due to his participation on the probable cause panel.

231  
232 Dr. Averill was charged with violation of 455.227 (1) (b), F.S., having a license or the  
233 authority to practice veterinary medicine revoked, suspended, or otherwise acted  
234 against, including the denial of licensure, by the licensing authority of any jurisdiction.

235  
236 After discussion by the board the following motions were made.

237  
238 **MOTION:** Dr. Parratto-Wagner made a motion to waive the meeting appearance.

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

241  
242 **MOTION:** Dr. Parratto-Wagner made a motion to accept the settlement stipulation as  
243 presented. The stipulation includes \$318.46 in costs and \$500 in fines to be paid within  
244 30 days of order.

245 **SECOND:** Dr. Leonard.  
246 Motion passed unanimously.

247  
248 **Petition for Variance or Waiver**

249  
250 **Rebecca McIntosh, DVM**  
251 **VM 12276**

252  
253 Dr. Rebecca McIntosh was present and sworn in by court reporter and represented by  
254 Counsel Edwin Bayo, Esq.

255  
256 After discussion Dr. McIntosh withdrew the petition.

257  
258 **Review/Approval of Applications**

259  
260 **Jan Henriksen, DVM – Endorsement Application**

261  
262 Dr. Henriksen was present and represented by Counsel Edwin Bayo, Esq.

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

264

265 **MOTION:** Dr. Partridge made a motion to approve the application.

266 **SECOND:** Ms. Johnson.

267 Motion Passed Unanimously.

268

## 269 **Continuing Education Application Review**

270

### 271 **Caloosa Veterinary Medical Society**

272

273 Caloosa Veterinary Medical Society applied for a continuing education credit for the

274 alternative medicine course Integrative and Natural Health for Pets.

275

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

277

278 **MOTION:** Dr. Hase made a motion to deny the application for Integrative and Natural

279 Health for Pets because it does not meet the requirements of rule 61G18-16.0035 (2)

280 (a) 1 and 2, F.A.C.

281 **SECOND:** Ms. Johnson.

282 Motion Passed Unanimously.

283

## 284 **PROBATION**

285

### 286 **Sheri Cone, DVM**

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

288

289 **MOTION:** Dr. Leonard made a motion to accept Dr. Cone's probation appearance.

290 **SECOND:** Dr. Hase.

291 Motion passed unanimously.

292

### 293 **Danilo Liwanag, DVM**

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

295

296 **MOTION:** Dr. Hase made a motion to accept Dr. Liwanag's probation appearance.

297 **SECOND:** Ms. Inzina.

298 Motion passed unanimously.

299

### 300 **Larry Britt, DVM**

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

302

303 **MOTION:** Dr. Hase made a motion to accept Dr. Britt's probation appearance.

304 **SECOND:** Ms. Inzina.

305 Motion passed unanimously.

306

307 **Thomas Fish, DVM**  
308 Dr. Fish was present at the meeting and was sworn in by the court reporter.  
309  
310 **MOTION:** Dr. Hase made a motion accept Dr. Fish's probation appearance.  
311 **SECOND:** Dr. Leonard.  
312 Motion passed unanimously.  
313  
314 **Douglas Shearer, DVM**  
315 Dr. Shearer was present at the meeting and was sworn in by the court reporter.  
316  
317 **MOTION:** Dr. Hase made a motion accept Dr. Shearer's probation appearance with  
318 another record pull.  
319 **SECOND:** Ms. Inzina.  
320 Motion passed unanimously.  
321  
322 **Ross Russell, DVM**  
323 Dr. Russell was present at the meeting and was sworn in by the court reporter.  
324  
325 **MOTION:** Dr. Hase made a motion accept Dr. Russell's probation appearance.  
326 **SECOND:** Ms. Inzina.  
327 Motion passed unanimously.  
328  
329 **Abdel Hamici, DVM**  
330 Dr. Hamici was present at the meeting and was sworn in by the court reporter.  
331  
332 **MOTION:** Ms. Johnson made a motion accept Dr. Hamici's probation appearance.  
333 **SECOND:** Ms. Inzina.  
334 Motion passed unanimously.  
335  
336 **Ram Prasad, DVM**  
337 Dr. Prasad was present at the meeting and was sworn in by the court reporter.  
338  
339 **MOTION:** Ms. Johnson made a motion accept Dr. Prasad's probation appearance.  
340 **SECOND:** Ms. Inzina.  
341 Motion passed unanimously.  
342  
343 **Richard D'Amico, DVM**  
344 Dr. D'Amico was present at the meeting and was sworn in by the court reporter.  
345  
346 **MOTION:** Ms. Johnson made a motion accept Dr. D'Amico's probation appearance.  
347 **SECOND:** Ms. Inzina.  
348 Motion passed unanimously.  
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350 **RATIFICATION OF APPLICATIONS**



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**Licenses**

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

**SECOND:** Dr. Hase

Motion passed unanimously.

**Continuing Education**

**MOTION:** Dr. Spencer made a motion to accept the continuing education list.

**SECOND:** Ms. Johnson.

Motion passed unanimously.

**REPORTS**

**Executive Director – Ruthanne Christie**

Ms. Christie reviewed the dates of future meetings. December 6<sup>th</sup> in Amelia Island, March 2017 in Howey in the Hills, June 2017 in St. Petersburg, September 2017 in Ft. Lauderdale, December 2017 in North Florida, and March 2018 in Gainesville.

**Exam Results**

Ms. Christie reviewed the pass and fail exam results with the board.

**Enforcement Report**

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

**Board counsel – Clark Jennings**

Mr. Jennings discussed the 2016 Annual Regulatory Plan that included F.S. 474.211, F.S. 474.215, and F.S. 474.216.

**MOTION:** Dr. Parratto-Wagner made a motion to approve the proposed Annual Regulatory Plan.

**SECOND:** Ms. Johnson.

Motion passed unanimously.

**Prosecuting Attorney – Elizabeth Henderson**

Ms. Henderson reviewed her report with the board. She stated the case numbers have decreased. She reported public and private cases as of 09/16/2016.

**Board Chair – Dr. Parratto-Wagner**

**OLD BUSINESS**

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**NEW BUSINESS**

**PUBLIC COMMENT**

The Chair opened the floor for Question and Answer between the students of the University of Florida College of Veterinary Medicine and Board members.

Virginia Price of the Florida Veterinary Technician Association addressed the Board and provided the members an update on the association certification program.

**PROBATION ROLL CALL**

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

**ADJOURN**

The meeting adjourned at 2:00 P.M.