

1 **MINUTES**

2  
3 **Board of Veterinary Medicine**  
4 **General Business Meeting**  
5 **Hutchinson Island Marriott Resort**  
6 **555 N.E. Ocean Boulevard**  
7 **Stuart, Florida 34996**  
8 **September 7, 2018**  
9

10 **CALL TO ORDER**

11  
12 Dr. Leonard, Chair called the meeting to order at 9:00 a.m.  
13

14 **Pledge of Allegiance**

15  
16 **MEMBERS PRESENT**

17 Dr. Robert B. Leonard, Jr., Chair  
18 Dr. Harvey Partridge  
19 Dr. Sharon Powell  
20 Dr. Rudd Nelson  
21 Ms. Connie Johnson  
22 Ms. Suzanne Inzina  
23

24 **MEMBERS ABSENT**

25 None  
26

27 **OTHERS PRESENT**

28 Ruthanne Christie, Executive Director  
29 Clark Jennings, Board Counsel  
30 Rachelle Munson, Board Counsel  
31 Elizabeth Henderson, Prosecuting Attorney  
32 Amanda Senn, Government Analyst  
33 Litigation Services- 772-283-3221

34 **PROBATION ROLL CALL**

35  
36 Dr. Leonard asked Ms. Senn to call the roll.  
37

38 The following probationers were present;

39 Gene Rinderknecht, DVM  
40 Tracy Anderson, DVM  
41 Roger Swearingen, DVM  
42 Thomas Fish, DVM  
43 Larry Britt, DVM

44 Haynes Stevens, DVM

45 Abdel Hamici, DVM

46 **APPROVAL of June 15, 2018 meeting minutes.**

47

48 **MOTION:** Dr. Nelson made a motion to approve the minutes.

49 **SECOND:** Ms. Johnson.

50 Motion passed unanimously.

51

52 **DISCIPLINARY HEARINGS**

53

54 **Johann Wiese, DVM**

55 **Case number 2017-009472**

56 **VM 13249**

57

58 Dr. Wiese was present and represented by Attorney Silvio Amico was not present and  
59 respondent agreed to proceed without legal counsel present.

60

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

63

64 Dr. Wiese was charged with violation of 474.214 (1)(ee) "Failing to keep  
65 contemporaneously written medical records as required by rule of the board."

66

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

68

69 **MOTION:** Ms. Inzina made a motion to accept the settlement stipulation as  
70 presented with \$1000.00 in fines to be made in payments of \$100.00 a month for 10  
71 months and \$663.66 in costs. This counted as Dr. Wiese's only appearance required  
72 before the board.

73

74 **SECOND:** Dr. Partridge.

75 Motion passed unanimously.

76

77 **Hector Diaz, DVM**

78 **Case number 2017-011126**

79 **VM 11063**

80

81 Dr. Diaz was present and sworn in by the court reporter.

82

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

84

85 Dr. Diaz was charged with violation of 474.214 (1)(r) "Being guilty of incompetence or  
86 negligence by failing to practice medicine with that level of care, skill, and treatment

87 which is recognized by a reasonably prudent veterinarian as being acceptable under  
88 similar conditions and circumstances.”

89 And with violation of 474.214 (1)(ee) “Failing to keep contemporaneously written  
90 medical records as required by rule of the board.”

91  
92 After discussion by the board the following motions were made.  
93

94 **MOTION:** Dr. Nelson made the motion to accept the settlement stipulation as presented  
95 with \$4000.00 in fines and \$648.85 to be paid within 30 days of the filing of the final  
96 order. 2 years of probation with this meeting counting as the first appearance and the  
97 second appearance at the board meeting prior to end of probation. Continuing  
98 education courses to be approved by Dr. Nelson prior to taking: 2 hours of diseases of  
99 the liver, 2 hours of treatment and diagnosis of diabetes, and 2 hours of medical records

100  
101 **SECOND:** Ms. Johnson.

102  
103 Motion passed unanimously.

104  
105 **Gail Ann Nichols, DVM**  
106 **Case number 2017-041926**  
107 **VM 7262**

108  
109 Dr. Nichols was present with Attorney Ed Bayo and sworn in by the court reporter.

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

112  
113 Dr. Nichols was charged with violation of 455.227 (1)(t) F.S. “Failing to report in writing  
114 to the board or, if there is no board, to the department within 30 days after the licensee  
115 is convicted or found guilty of, or entered a plea of nolo contendere or guilty to,  
116 regardless of adjudication, a crime in any jurisdiction. A licensee must report a  
117 conviction, finding of guilt, plea, or adjudication entered before the effective date of this  
118 paragraph within 30 days after the effective date of this paragraph.”

119  
120 After discussion by the board the following motions were made.

121  
122 **MOTION:** Dr. Nelson made a motion to reject the settlement stipulation.

123  
124 **SECOND:** Ms. Johnson.

125  
126 Motion passed unanimously.

127  
128 **MOTION:** Dr. Nelson made the motion to dismiss this case.

129  
130 **SECOND:** Dr. Partridge.

131  
132 A vote was called. Dr. Leonard- no, Dr. Partridge- yes, Dr. Nelson- yes, Ms. Inzina- yes,  
133 Ms. Johnson- no

134  
135 Motion passed.

136  
137 **Cesar Morales, DVM**  
138 **Case number 2017-049475**  
139 **VM 10297**

140  
141 Dr. Morales was not present or represented by legal counsel.

142  
143 Dr. Powell and Ms. Inzina were recused due to their participation on the Probable  
144 Cause Panel.

145  
146 Dr. Morales was charged with violation of 474.214 (1)(t) F.S. "Fraudulently issuing or  
147 using any false health certificate, vaccination certificate, test chart, or other blank form  
148 used in the practice of veterinary medicine relating to the presence or absence of  
149 animal disease or transporting animals or issuing any false certificate relating to the sale  
150 of products of animal origin for human consumption."

151  
152 After discussion by the board the following motions were made.

153  
154 **MOTION:** Dr. Partridge made the motion to accept the findings of fact as those of the  
155 board.

156  
157 **SECOND:** Dr. Nelson.

158  
159 Motion passed unanimously.

160  
161 **MOTION:** Dr. Partridge made the motion to accept the conclusions of law as those of  
162 the board.

163  
164 **SECOND:** Dr. Nelson.

165  
166 Motion passed unanimously.

167  
168 **MOTION:** Dr. Partridge made the motion to impose \$2000.00 in fines and \$254.23 in  
169 costs due within 30 days of the filing of the final, 3 years' probation, required to attend  
170 the first meeting, middle, and last meeting before end of probation, no OCVI's during  
171 probation, and 2 hours additional laws and rules CE.

172  
173 **SECOND:** Dr. Nelson.

174

175 Motion passed unanimously.

176

177 **Sammy Emara, DVM**

178 **Case number 2015-055766**

179 **VM 2679**

180

181 Dr. Emara was not present or represented by legal counsel.

182

183

184 Dr. Emara was charged with violation of 474.214 (1)(ee) "Failing to keep  
185 contemporaneously written medical records as required by rule of the board."

186

187 Dr. Emara was also charged with violation of 474.214 (1)(r) "Being guilty of  
188 incompetence or negligence by failing to practice medicine with that level of care, skill,  
189 and treatment which is recognized by a reasonably prudent veterinarian as being  
190 acceptable under similar conditions and circumstances."

191

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

193

194 **MOTION:** Dr. Nelson made the motion to accept the findings of fact and conclusions  
195 of law as those of the board.

196

197 **SECOND:** Ms. Inzina.

198

199 Motion passed unanimously.

200

201 **MOTION:** Dr. Powell made the motion for \$4000.00 in fines and \$1294.30 in costs.  
202 The license shall be suspended until such time that fines and costs are paid and Dr.  
203 Emara presents himself to the board. Upon these conditions being met, a 2 year  
204 probation on Dr. Emara's license would be in place.

205

206 **SECOND:** Dr. Leonard.

207

208 A vote was called. Dr. Leonard- yes, Dr. Powell- no, Dr. Nelson- yes, Dr. Powell- yes,  
209 Ms. Inzina- yes, Ms. Johnson- yes

210

211 Motion passed.

212

213 **William H. Lovett, DVM**

214 **Case number 2016-016828**

215 **VM 2338**

216

217 Dr. Lovett was not present or represented by legal counsel.

218

219 Dr. Powell was recused due to her participation on Probable Cause Panel.

220

221 Dr. Lovett was charged with violation of 474.214 (1)(ee) "Failing to keep  
222 contemporaneously written medical records as required by rule of the board."

223

224 Dr. Lovett was also charged with violation of 474.214 (1)(r) "Being guilty of  
225 incompetence or negligence by failing to practice medicine with that level of care, skill,  
226 and treatment which is recognized by a reasonably prudent veterinarian as being  
227 acceptable under similar conditions and circumstances."

228

229

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

231

232 **MOTION:** Dr. Partridge made the motion that Dr. Lovett waived his right to an  
233 informal hearing.

234

235 **SECOND:** Dr. Nelson.

236

237 Motion passed unanimously.

238

239 **MOTION:** Dr. Partridge made the motion to accept the allegations of fact and  
240 conclusions of law.

241

242 **SECOND:** Ms. Inzina.

243

244 Motion passed unanimously.

245

246 **MOTION:** Ms. Inzina made the motion to deny Dr. Lovett's petition for dismissal.

247

248 **SECOND:** Ms. Johnson.

249

250 Motion passed unanimously.

251

252 **MOTION:** Dr. Partridge made the motion to impose \$5000.00 in fines and \$443.53 in  
253 costs with suspension of the license until the fines and costs are paid in full with the  
254 suspension being stayed for 90 days and 3 years probation with the first meeting,  
255 middle meeting, and last meeting before the end of probation being required.

256

257 **SECOND:** Dr. Nelson.

258

259 Motion passed unanimously.

260

261 **Alphonso William Steward, DVM**

262 **Case number: 2014-016644**

263 **VM 10999**

264

265 Dr. Steward was present and represented by a qualified representative Letta Gorman.

266

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

269

270 Dr. Steward charged with violation of 474.213(1) (h)"Obtain or attempt to obtain a  
271 license to practice veterinary medicine by fraudulent representation."

272

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

274

275 **MOTION:** Dr. Partridge made the motion that there were no issues of disputed fact.

276

277 **SECOND:** Ms. Inzina.

278

279 **MOTION:** Dr. Nelson made the motion to accept the findings of fact as those of the  
280 board.

281

282 **SECOND:** Dr. Partridge.

283

284 **MOTION:** Dr. Partridge made the motion for \$5000.00 in fines and \$994.99 along  
285 with the revocation of Dr. Stewards' license.

286

287 **SECOND:** Ms. Johnson.

288

289 Motion passed unanimously with a called voted. Dr. Leonard- yes, Dr. Partridge- yes,  
290 Dr. Nelson- yes, Ms. Inzina- yes, Ms. Johnson- yes

291

292 **Olga Moreira Rose, DVM**

293 **Case number: 2017-049493**

294 **VM 11104**

295

296 Dr. Rose was not present or represented by legal counsel.

297

298 Dr. Powell and Ms. Inzina were recused from this case due to their participation on the  
299 Probable Cause Panel.

300

301 Dr. Rose was charged with violation 474.214(1)(t) F.S., Fraudulently issuing or using  
302 any false health certificate, vaccination certificate, test chart, or other blank form used in  
303 the practice of veterinary medicine relating to the presence or absence of animal  
304 disease or transporting animals or issuing any false certificate relating to the sale of  
305 products of animal origin for human consumption."

306

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

308

309 **MOTION:** Dr. Nelson made the motion to accept the findings of fact as those of the  
310 board.

311

312 **SECOND:** Ms. Johnson.

313

314 **MOTION:** Dr. Partridge made the motion to accept the allegations and conclusions  
315 of law.

316

317 **SECOND:** Ms. Johnson.

318

319 **MOTION:** Dr. Partridge made the motion to impose \$2000.00 in fines and \$330.86  
320 in costs to be paid within 30 days of filing of the final order, 3 years probation with the  
321 first, middle, and last meetings being required appearances before the board, no OCVI's  
322 for the term of probation, and 2 hours additional laws and rules continuing education.

323

324 Motion passed unanimously.

325

326 **Olga Moreira Rose, DVM**

327 **Case number: 2017-049485**

328 **VM 11104**

329

330 Dr. Rose was not present at the board meeting and was not represented by legal  
331 counsel.

332

333 Dr. Powell and Ms. Inzina were recused from this case due to their participation on the  
334 Probable Cause Panel.

335

336 Dr. Rose was charged with violation 474.214(1)(t) F.S., Fraudulently issuing or using  
337 any false health certificate, vaccination certificate, test chart, or other blank form used in  
338 the practice of veterinary medicine relating to the presence or absence of animal  
339 disease or transporting animals or issuing any false certificate relating to the sale of  
340 products of animal origin for human consumption.”

341

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

343

344 **MOTION:** Dr. Nelson made the motion to move forward as a motion for waiver and  
345 entry of final order.

346

347 **SECOND:** Dr. Leonard.

348

349 **MOTION:** Ms. Johnson made the motion to accept the allegations of fact and law.

350



351 **SECOND:** Dr. Partridge.

352

353 **MOTION:** Dr. Nelson made the motion for \$ 1000.00 in fines and \$214.24 in costs to  
354 be paid within 30 days of filing of the final order, 3 years probation with the first, middle,  
355 and last meetings being required appearances before the board, no OCVI's for the term  
356 of probation, and 2 hours additional laws and rules continuing education. Probation to  
357 run concurrently with case 2017-049493.

358

359 **SECOND:** Dr. Partridge.

360

361 Motion passed unanimously.

362

### 363 **Review/Approval of Applications**

364

#### 365 **Salah Hassan, DVM – Initial License by Endorsement**

366

367 Dr. Hassan was not present.

368

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

370

371 **MOTION:** Dr. Leonard made the motion to deny the application.

372

373 **SECOND:** Ms. Johnson.

374

375 Motion passed unanimously.

376

#### 377 **Kelly Garner- Initial by Examination**

378

379 Kelly Garner was present and sworn in by the court reporter.

380

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

382

383 **MOTION:** Dr. Nelson made the motion to approve the application.

384

385 **SECOND:** Ms. Johnson.

386

387 Motion passed unanimously.

388

#### 389 **Jennifer Liscinsky-Initial by Endorsement**

390

391 Jennifer Liscinsky was not present.

392

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

394

395 **MOTION:** Dr. Leonard made the motion to approve the application.

396

397 **SECOND:** Dr. Powell.

398

399 Motion passed unanimously.

400

401 **Mary Talbott, DVM- Initial by Endorsement**

402

403 Dr. Talbott was not present.

404

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

406

407 **MOTION:** Dr. Leonard made the motion to approve the application.

408

409 **SECOND:** Dr. Powell.

410

411 Motion passed unanimously.

412

413 **Rachel Brown, DVM- Initial by Endorsement**

414

415 Dr. Brown was not present at the meeting.

416

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

418

419 **MOTION:** Ms. Johnson made the motion to approve the application.

420

421 **SECOND:** Ms. Inzina.

422

423 Motion passed unanimously.

424

425 **SPECIAL AGENDA ITEMS**

426

427 **Gregory Murray-Renewed motion to lift stay of suspension**

428

429 Dr. Murray was present along with Attorney David Romanik and Dr. Pilip. Dr. Murray,  
430 Dr. Pilip were sworn in by the court reporter.

431

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

433

434 **MOTION:** Dr. Partridge made the motion to approve the reinstatement of the stay on  
435 Dr. Murray's suspension.

436

437 **SECOND:** Dr. Nelson.

438

439 A vote was called. Dr. Leonard- yes, Dr. Partridge- yes, Dr. Powell- yes, Dr. Nelson-  
440 yes, Ms. Johnson- yes, Ms. Inzina- yes

441  
442 Motion passed unanimously.

443  
444 **PROBATION**

445  
446 **Gene Rinderknecht, DVM**

447  
448 Dr. Rinderknecht was present at the meeting and was sworn in by the court reporter.

449  
450 After discussion by the board the following motions were made.

451  
452 **MOTION:** Dr. Nelson made a motion to accept Dr. Rinderknecht's final probation  
453 appearance.

454  
455 **SECOND:** Dr. Powell.

456  
457 Motion passed unanimously.

458  
459 **Tracy Anderson, DVM**

460  
461 Dr. Anderson was present at the meeting and was sworn in by the court reporter.

462  
463 After discussion by the board the following motions were made.

464  
465 **MOTION:** Dr. Partridge made a motion to accept Dr. Anderson's final probation  
466 appearance.

467  
468 **SECOND:** Ms. Inzina.

469  
470 Motion passed unanimously.

471  
472 **Roger Swearingen, DVM**

473  
474 Dr. Swearingen was present and sworn in by the court reporter.

475  
476 After discussion by the board the following motions were made.

477  
478 **MOTION:** Dr. Nelson made the motion to accept Dr. Swearingen's final probation  
479 appearance.

480  
481 **SECOND:** Ms. Johnson.

482

483 Motion passed unanimously.

484

485 **Thomas Fish, DVM**

486

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

488

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

490

491 **MOTION:** Ms. Inzina made a motion accept Dr. Fish's 8<sup>th</sup> probation appearance.

492

493 **SECOND:** Ms. Johnson.

494

495 Motion passed unanimously.

496

497 **Larry Britt, DVM**

498

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

500

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

502

503 **MOTION:** Dr. Partridge made a motion to accept Dr. Britt's final probation  
504 appearance.

505

506 **SECOND:** Dr. Nelson.

507

508 Motion passed unanimously.

509

510 **Haynes Stevens, DVM**

511

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

513

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

515

516 **MOTION:** Ms. Johnson made the motion to accept Dr. Stevens final probation  
517 appearance.

518

519 **SECOND:** Dr. Powell.

520

521 **MOTION:** Dr. Powell made the motion to allow Dr. Stevens to leave early due to a  
522 veterinary medical emergency.

523

524 **SECOND:** Ms. Johnson.

525

526 Motion passed unanimously.

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**Abdel Hamici. DVM**

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

After discussion by the board the following motions were made.

**MOTION:** Dr. Powell made the motion to accept Dr. Hamici’s 5<sup>th</sup> appearance.

**SECOND:** Dr. Nelson.

Motion passed unanimously.

**RATIFICATION OF APPLICATIONS**

**Licenses**

**MOTION:** Dr. Powell made a motion to accept the licensure list.

**SECOND:** Ms. Johnson.

**Continuing Education**

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

**SECOND:** Ms. Johnson.

Motion passed unanimously.

**REPORTS**

**Executive Director – Ruthanne Christie**

Ms. Christie presented the financial reports to the board.

**Board counsel – Clark Jennings**

**Annual Regulatory Plan**

Mr. Jennings presented the annual regulatory plan to the board.

After discussion by the board the following motions were made.

**MOTION:** Ms. Johnson made the motion to ratify the Annual Regulatory Plan as presented.

**SECOND:** Ms. Inzina.

571 Motion passed unanimously.

572

573 **Prosecuting Attorney – Elizabeth Henderson**

574

575 Ms. Henderson reviewed her report with the board.

576

577 **Board Chair – Dr. Leonard**

578

579 **OLD BUSINESS**

580 **None**

581

582 **NEW BUSINESS**

583 **None**

584

585 **PUBLIC COMMENT**

586

587 The Florida Veterinarian Technicians Association was present and addressed the board  
588 briefly.

589

590 **PROBATION ROLL CALL**

591

592 Ms. Senn called the probation roll and all were present.

593

594 **ADJOURN**

595

596 The meeting adjourned at 3:42 P.M.