

MINUTES

**Board of Veterinary Medicine
General Business Meeting
Hampton Inn & Suites
19 South 2nd Street
Fernandina Beach, FL 32034**

December 7, 2010

CALL TO ORDER

Dr. O'Neil called the meeting to order at 8:00 a.m.

MEMBERS PRESENT

Dr. Robert O'Neil
Dr. Raul Figarola
Dr. Guy Maxwell
Dr. George Simmons
Dr. Joann Helm
Ms. Cynthia Lewis

MEMBERS ABSENT

None

OTHERS PRESENT

Deborah Loucks, Board Counsel
Elizabeth Duffy, Prosecuting Attorney
Juanita Chastain, Executive Director
Linda Tinsley, Government Analyst
Denice Taylor, Statewide Reporting Service, 904.353.7706
Phil Hinkle, Executive Director, FVMA
Stephen Shores, DVM
Dominic Andreoli, DVM
Elizabeth Thurman, DVM
Carmen A. Vazquez, DVM
Elsa Onate, DVM
Ted Oroski, DVM
Dina El-Salhy

Donald Rex Gordon, DVM
Amy Gentsch, DVM
Diane Sudduth
James Buck, DVM
James Culotta, DVM
Larry Britt, DVM
James Wilson, DVM
Sarah Pitts, DVM
Marcus Kramer, DVM
Jesnia Carnero, DVM
Douglas Dampier, DVM
Edward Birk
David Turner, DVM
Dr. Gropper, PRN
Dr. Rivenbark, PRN
Jay Hasse, DVM
Debbie Hasse
James Hicks, DVM
Janet Buckley, DVM

Dr. O'Neil asked Ms. Tinsley to call the probation roll.

APPROVAL OF MEETING MINUTES

September 2, 2010

MOTION: Dr. Helm made a motion to approve the minutes as presented.

SECOND: Dr. Maxwell seconded the motion and the motion passed unanimously.

August 25, 2010 PCP Reconsiderations

MOTION: Dr. Maxwell made a motion to approve the minutes as presented.

SECOND: Dr. Helm seconded the motion and the motion passed unanimously.

October 13, 2010 PCP Reconsiderations

MOTION: Dr. Simmons made a motion to approve the minutes as presented.

SECOND: Dr. Maxwell seconded the motion and the motion passed unanimously.

DISCIPLINE

Audrey McMillan-Cole, DVM: Case number 2009-034247

Dr. McMillan-Cole was not present at the meeting and was not represented by counsel.

Ms. Lewis was recused due to her participation on the probable cause panel.

Ms. Duffy presented the case as an informal hearing. Ms. Duffy advised the board that the administrative complaint alleges that the Respondent failed to respond to a continuing education audit. Ms. Duffy advised the board that the recommended penalty was a five hundred dollar (\$500.00) fine and twenty eight dollars and eighty two cents (\$28.82) in costs.

MOTION: Dr. Helm made a motion to accept the findings of fact.

SECOND: Dr. Maxwell seconded the motion and the motion passed unanimously.

MOTION: Dr. Helm made a motion to accept the conclusions of law.

SECOND: Dr. Maxwell seconded the motion and the motion passed unanimously.

After discussion by the board the following motion was made.

MOTION: Dr. Helm made a motion to impose a five hundred dollar (\$500.00) fine and twenty eight dollars and eighty two cents (\$28.82) in costs and proof of completion of the two (2) hour drug course.

SECOND: Dr. Maxwell seconded the motion and the motion passed unanimously.

George Kraft, DVM: Case number 2010-001269

Dr. Kraft was not present at the meeting and was not represented by counsel.

Ms. Lewis was recused due to her participation on the probable cause panel.

Ms. Duffy presented the case as an informal hearing. Ms. Duffy advised the board that the administrative complaint alleges the Respondent improperly issued health certificates which lacked proper documentation of vaccinations. Ms. Duffy advised the board that the recommended penalty was a three

thousand dollar (\$3,000.00) fine and seventy dollars and eighteen cents (\$70.18) in costs.

MOTION: Dr. Maxwell made a motion to accept the findings of fact.

SECOND: Dr. Helm seconded the motion and the motion passed unanimously.

MOTION: Dr. Maxwell made a motion to accept the conclusions of law.

SECOND: Dr. Simmons seconded the motion and the motion passed unanimously.

After discussion by the board the following motion was made.

MOTION: Dr. Maxwell made a motion to impose a three thousand dollar (\$3,000.00) fine and seventy dollars and eighteen cents (\$70.18) in costs, one (1) year probation with one (1) board appearance, six (6) hours of continuing education in shelter medicine and retake the laws and rules exam in ninety (90) days.

SECOND: Dr. Simmons seconded the motion and the motion passed unanimously.

Kenneth Sundberg, DVM: Case number 2006-050349

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

Ms. Lewis was recused due to her participation on the probable cause panel.

Ms. Duffy advised the board that Dr. Sundberg had appeared before the board at the June 2010 meeting with a settlement stipulation. She stated that his health had deteriorated to the point that he was put back on the agenda as an informal hearing rather than work out the counter stipulation. Ms. Duffy advised the board there was voluntary relinquishment letter in the board's material folders from Dr. Sundberg. Ms. Duffy advised the board that if the board accepted his voluntary relinquishment this would end his disciplinary case.

After discussion by the board the following motion was made.

MOTION: Dr. Helm made a motion to accept Dr. Sundberg's voluntary relinquishment of his license.

SECOND: Dr. Figarola seconded the motion and the motion passed unanimously.

Ashiaa Thompson, DVM: Case number 2010-003557

Dr. Thompson was not present at the meeting and was not represented by counsel.

Ms. Lewis was recused due to her participation on the probable cause panel.

Ms. Duffy presented the case as an informal hearing. Ms. Duffy advised the board that the administrative complaint alleges that the Respondent was disciplined in another state and failed to report the disciplinary action. Ms. Duffy advised the board that the recommended penalty was an eleven hundred dollar (\$1,100.00) fine and two hundred and seventy four dollars and fifty three cents (\$274.53) in costs.

MOTION: Dr. Helm made a motion to accept the findings of fact.

SECOND: Dr. Maxwell seconded the motion and the motion passed unanimously.

MOTION: Dr. Helm made a motion to accept the conclusions of law.

SECOND: Dr. Figarola seconded the motion and the motion passed unanimously.

After discussion by the board the following motion was made.

MOTION: Dr. Helm made a motion to impose an eleven hundred dollar (\$1,100.00) fine and two hundred and seventy four dollars and fifty three cents (\$274.53) in costs.

SECOND: Dr. Figarola seconded the motion and the motion passed unanimously.

Arthur H. Cutter, DVM: Case number 2008-017073 & 2008-026741

Dr. Cutter was not present at the meeting and was represented by counsel, Bryan Reynolds.

Ms. Lewis was recused due to her participation on the probable cause panel.

Ms. Duffy presented the case as an informal hearing. Ms. Duffy advised the board that Dr. Cutter would like to relinquish his Florida license.

After discussion by the board the following motion was made.

MOTION: Dr. Simmons made a motion to accept Dr. Cutter's relinquishment of his license.

SECOND: Dr. Figarola seconded the motion and the motion passed unanimously.

Jeffrey Saunders, DVM: Case number 2009-031732

Dr. Saunders was present at the meeting and was represented by counsel, Bryan Reynolds. Dr. Saunders was sworn in by the court reporter.

Ms. Lewis was recused due to her participation on the probable cause panel.

Ms. Duffy presented the case as a settlement stipulation. Ms. Duffy advised the board that the administrative complaint alleges that the Respondent failed to provide an acceptable standard of care for his client. Ms. Duffy advised the board that the department recommended a five hundred dollar (500.00) fine, one thousand one hundred and thirty one dollars and thirty three cents (\$1131.33) in costs.

After discussion by the board the following motion was made.

MOTION: Dr. Helm made a motion to accept the settlement stipulation as presented.

SECOND: Dr. Simmons seconded the motion and the motion passed unanimously.

Robin L. Cannizzaro, DVM: Case number 2008-039337

Dr. ONeil read a statement into the record.

Dr. Cannizzaro, was present at the meeting and was represented by counsel, Bryan Reynolds. Dr. Cannizzaro was sworn in by the court reporter.

Ms. Lewis was recused due to her participation on the probable cause panel.

Ms. Loucks advised the board that Mr. Reynolds had filed exceptions to the recommended order. She stated that Mr. Reynolds took exceptions to paragraph fifteen (15) and paragraph twenty seven (27) in the recommended order.

After discussion by the board the following motion was made.

MOTION: Dr. Helm made a motion to accept exception to paragraph fifteen (15) and modify paragraph fifteen (15) to read the same and delete the sentence "Data for Maddie's weight, considered a basic vital, was not provided."

SECOND: Dr. Simmons seconded the motion and the motion passed unanimously.

MOTION: Dr. Helm made a motion to reject the request to delete paragraph twenty seven (27).

SECOND: Dr. Simmons seconded the motion and the motion passed unanimously.

MOTION: Dr. Helm made a motion to accept the findings of fact.

SECOND: Dr. Maxwell seconded the motion and the motion passed unanimously.

MOTION: Dr. Simmons made a motion to accept the conclusions of law.

SECOND: Dr. Maxwell seconded the motion and the motion passed unanimously.

MOTION: Dr. Helm made a motion to accept the recommended order.

SECOND: Dr. Simmons seconded the motion and the motion passed unanimously.

Carmen Vazquez, DVM: Case number 2008-066819

Dr. Vazquez was present at the meeting and was represented by counsel, Dina El-Salhy. Dr. Vazquez was sworn in by the court reporter.

Ms. Lewis was recused due to her participation on the probable cause panel.

Ms. Duffy presented the case as a settlement stipulation. Ms. Duffy advised the board that the administrative complaint alleges that the Respondent failed to perform additional diagnostics and testing after receiving laboratory results, dispensed two (2) antibacterials when a single antibacterial would have sufficed and she failed to properly maintain medical records. Ms. Duffy advised the board that the department recommended a two thousand dollar (\$2,000.00) fine, six hundred and sixty six dollars and eight three cents (\$667.83) in costs and three (3) hours of continuing education and six (6) months probation.

After discussion by the board the following motion was made.

MOTION: Dr. Maxwell made a motion to reject the settlement stipulation.

SECOND: Dr. Helm seconded the motion and the motion passed unanimously.

MOTION: Dr. Maxwell made a motion to offer a counter stipulation of a two thousand dollar (\$2,000.00) fine, six hundred and sixty six dollars and eight three cents (\$667.83) in costs and six (6) hours of continuing education in surgery and records and six (6) months probation with one board appearance. Counts two (2) and three (3) will be dropped.

SECOND: Dr. Simmons seconded the motion and the motion passed unanimously.

Dr. Vazquez accepted the counter stipulation.

Elsa Onate, DVM: Case number 2008-066826

Dr. Onate was present at the meeting and was represented by counsel, Dina El-Salhy. Dr. Onate was sworn in by the court reporter.

Ms. Lewis was recused due to her participation on the probable cause panel.

Ms. Duffy presented the case as a settlement stipulation. Ms. Duffy advised the board that the administrative complaint alleges that the Respondent failed to perform additional diagnostics and testing after receiving laboratory results, dispensed two (2) antibacterials when a single antibacterial would have sufficed and she failed to properly maintain medical records. Ms. Duffy advised the board that the department recommended a two thousand dollar (\$2,000.00) fine, six hundred and sixty six dollars and eight three cents (\$667.83) in costs and three (3) hours of continuing education and six (6) months probation.

After discussion by the board the following motion was made.

MOTION: Dr. Maxwell made a motion to reject the settlement stipulation.

SECOND: Dr. Helm seconded the motion and the motion passed unanimously.

MOTION: Dr. Maxwell made a motion to offer a counter stipulation of a two thousand dollar (\$2,000.00) fine, six hundred and sixty six dollars and eight three cents (\$667.83) in costs and six (6) hours of

continuing education in surgery and records and six (6) months probation with one board appearance. Counts two (2) and three (3) will be dropped.

SECOND: Dr. Simmons seconded the motion and the motion passed unanimously.

Dr. Onate accepted the counter stipulation

Larry Britt, DVM: Case number 2007-052095 & 2008-008276

Dr. Britt was present at the meeting and was represented by Counsel, Bryan Reynolds. He was sworn in by the court reporter.

Ms. Lewis was recused due to her participation on the probable cause panel.

Ms. Duffy presented the case as a settlement stipulation. She advised the board that the administrative complaint alleges that the Respondent falsified records and allowed one of his patients to bleed to death. Ms. Duffy advised the board that the department recommended a five thousand dollar (\$5,000.00) fine, eight hundred and three dollars and twenty three cents (\$803.23) in costs, three (3) years probation, ten (10) hours of continuing education in ethics and retake the Florida laws and rules exam.

After discussion by the board the following motions was made.

MOTION: Dr. O'Neil made a motion to accept the settlement stipulation as presented.

SECOND: Dr. Figarola seconded the motion.

Dr. O'Neil withdrew his motion.

MOTION: Dr. Maxwell made a motion to reject the settlement stipulation.

SECOND: Dr. Simmons seconded the motion and the motion passed unanimously.

MOTION: Dr. Maxwell made a motion to offer a counter stipulation of a five thousand dollar (\$5,000.00) fine, eight hundred and three dollars and twenty three cents (\$803.23) in costs, three (3) years probation with an annual appearance and one at the end of probation, twenty (20) hours of continuing education ten (10) hours in ethics and ten (10) hours in Equine surgery and retake the Florida laws and rules exam.

SECOND: Dr. Simmons seconded the motion and the motion passed unanimously.

The board stated that Dr. Maxwell would approve Dr. Britt's continuing education.

Mr. Reynolds stated they would respond to the counter settlement within ten (10) days of receipt.

John Stevens, DVM: Case number 2009-016786

Dr. Stevens was present at the meeting and was represented by counsel, Bryan Reynolds. Dr. Stevens was sworn in by the court reporter.

Ms. Lewis was recused due to her participation on the probable cause panel.

Ms. Duffy presented the case as a settlement stipulation. Ms. Duffy advised the board that the administrative complaint alleges that the respondent failed to properly record controlled substances or results of laboratory tests. Ms. Duffy advised the board that the department recommended a fifteen hundred dollar (\$1,500.00) fine, four hundred and two dollars and eight six cents (\$402.86) in costs, six (6) months probation and dismissal of count one (1).

After discussion by the board the following motion was made.

MOTION: Dr. Helm made a motion to accept the settlement stipulation.

SECOND: Dr. Maxwell seconded the motion and the motion passed unanimously.

James Buck, DVM: Case number 2009-033843

Dr. Buck was present at the meeting and was not represented by counsel. He was sworn in by the court reporter.

Ms. Lewis was recused due to her participation on the probable cause panel.

Ms. Duffy presented the case as a settlement stipulation. Ms. Duffy advised the board that the administrative complaint alleges that the Respondent failed to register a limited service clinic. Ms. Duffy advised the board that the department recommended a reprimand and one hundred and three dollars and sixteen cents (\$103.16) in costs.

After discussion by the board the following motion was made.

MOTION: Dr. Helm made a motion to accept the settlement stipulation.

SECOND: Dr. Figarola seconded the motion and the motion passed unanimously.

Knowles Animal Clinic: Case number 2010-003000

Dr. David Wise was present at the meeting and was not represented by counsel. He was sworn in by the court reporter.

Ms. Lewis was recused due to her participation on the probable cause panel.

Ms. Duffy presented the case as a settlement stipulation. Ms. Duffy advised the board that the administrative complaint alleges that the respondent failed to display their premise permit. Ms. Duffy advised the board that the department recommended a five hundred dollar (\$500.00) fine and twenty one dollars and six cents (\$21.06) in costs.

After discussion by the board the following motion was made.

MOTION: Dr. Helm made a motion to accept the settlement stipulation.

SECOND: Dr. Maxwell seconded the motion and the motion passed.

Dr. Simmons was opposed.

Richard Langford, DVM: Case number 2009-026018

Dr. Langford was present at the meeting and was represented by counsel, Ed Berk. Dr. Langford was sworn in by the court reporter.

Ms. Lewis was recused due to her participation on the probable cause panel.

Ms. Duffy presented the case as a settlement stipulation. Ms. Duffy advised the board that the administrative complaint alleges that the Respondent made an improper diagnosis, failed to keep contemporaneously written medical records continued to practice veterinary medicine at a location without a premise permit and he admitted he changed locations without informing the board. Ms. Duffy advised the board that the department recommended a five hundred dollar (\$500.00) fine and dismissal of counts one (1), two (2) and four (4) of the administrative complaint.

After discussion by the board the following motions were made.

MOTION: Dr. Helm made a motion to reject the settlement stipulation.

SECOND: Dr. Maxwell seconded the motion and the motion passed unanimously.

MOTION: Dr. Maxwell made a motion to offer a counter settlement of fifteen hundred and twenty nine dollars and forty cents (\$1,529.40) in costs, no fine and thirty (30) days probation.

Motion failed due to lack of a second.

MOTION: Dr. Helm made a motion to offer a counter of settlement of fifteen hundred and twenty nine dollars and forty cents (\$1,529.40) in costs, a fifteen hundred dollar (\$1,500.00) fine and thirty (30) days probation.

SECOND: Dr. Simmons seconded the motion and the motion passed.

Dr. Maxwell was opposed.

Mr. Berk stated they would like time to consider the counter settlement.

Mueller Animal Clinic: Case number 2009-055114

The case was tabled until the March 2011 meeting

Andrew Newman, DVM: Case number 2010-003000

The case was tabled until the March 2011 meeting

Elizabeth Thurman, DVM: Case number 2009-066590

Dr. Thurman was present at the meeting and was not represented by counsel. She was sworn in by the court reporter.

Ms. Lewis was recused due to her participation on the probable cause panel.

Dr. Gropper with PRN stated that Dr. Thurman had signed a contract with PRN and was in compliance with her contract.

Ms. Duffy presented the case as a settlement stipulation. Ms. Duffy advised the board that the administrative complaint alleges that the Respondent was disciplined in another state and failed to report the discipline. Ms. Duffy advised the board the department recommended a one thousand dollar (\$1,000.00) fine and one hundred and five dollars and thirteen cents (\$105.13) in costs and three (3) years probation.

After discussion by the board the following motions were made.

MOTION: Dr. Figarola made a motion to reject the settlement Stipulation.

SECOND: Dr. Helm seconded the motion and the motion passed unanimously.

MOTION: Dr. O'Neil made a motion to offer a counter settlement of one thousand dollars (\$1,000.00), one hundred and five dollars and thirteen cents in costs (\$105.13) and five (5) years probation with one (1) appearance per year and two (2) years to pay the fine and costs.

SECOND: Dr. Simmons seconded the motion and the motion passed unanimously.

Dr. Thurman accepted the counter settlement.

Diane Richter, DVM: Case number 2009-024856

Dr. Richter was not present at the meeting and was represented by counsel, Bryan Reynolds.

Ms. Lewis was recused due to her participation on the probable cause panel.

Ms. Duffy presented the case as a settlement stipulation. Ms. Duffy advised the board that the administrative complaint alleges that the Respondent had her veterinary license acted upon in another state. Ms. Duffy advised the board that the department recommended a one thousand dollar (\$1,000.00) fine, one hundred and fifty dollars and seventy seven cents (\$150.77) in costs and eight (8) hours of continuing education.

After discussion by the board the following motion was made.

MOTION: Dr. Simmons made a motion to accept the settlement stipulation.

SECOND: Dr. Maxwell seconded the motion and the motion passed unanimously.

Elizabeth Conrad, DVM: Case number 2010-005940

Dr. Conrad was present at the meeting and was represented by counsel, Bryan Reynolds. Dr. Conrad was sworn in by the court reporter.

Ms. Lewis was recused due to her participation on the probable cause panel.

Ms. Duffy presented the case as a settlement stipulation. Ms. Duffy advised the board that the administrative complaint alleges that the Respondent improperly certified a coggins test. Ms. Duffy advised the board that the department recommended a two thousand dollar (\$2,000.00) fine, three hundred and seventy eight dollars and twenty one cents (\$378.21) in costs and one (1) year probation.

After discussion by the board the following motion was made.

MOTION: Dr. Maxwell made a motion to accept the settlement stipulation.

SECOND: Dr. Helm seconded the motion and the motion passed unanimously.

Rachel Easterly, DVM: Case number 2009-041531

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

Ms. Lewis was recused due to her participation on the probable cause panel.

Ms. Duffy presented the case as a settlement stipulation. Ms. Duffy advised the board that the administrative complaint alleges that the Respondent had her veterinary license acted upon in another state and she failed to report it. Ms. Duffy advised the board that the department recommended a one thousand dollar (\$1,000.00) fine and ninety one dollars and thirty two cents (\$91.32) in costs.

After discussion by the board the following motion was made.

MOTION: Dr. Simmons made a motion to accept the settlement stipulation.

SECOND: Dr. Figarola seconded the motion and the motion passed unanimously.

Donald Gordon, DVM: Case number 2009-029510

Dr. Gordon was present at the meeting and was represented by counsel, Robert Roecker. Dr. Gordon was sworn in by the court reporter.

Ms. Lewis was recused due to her participation on the probable cause panel.

Ms. Duffy presented the case as a Motion for Waiver. Ms. Duffy advised the board that Dr. Gordon was asking the board to deny the motion for waiver of rights and final order.

After discussion by the board the following motion was made.

MOTION: Dr. Helm made a motion to deny the motion for waiver of rights and final order.

SECOND: Dr. Simmons seconded the motion and the motion passed unanimously.

PETITION FOR VARIANCE AND WAIVER

Florida Administrative Code Rule 61G18 – 11.002

Dr. Diane Sudduth was present at the meeting and was not represented by counsel. She was sworn in by the court reporter.

Ms. Loucks advised the board that Dr. Sudduth had petitioned the board for a variance and waiver to the rule regarding a passing score on the North American Veterinary Licensing Exam (NAVLE). Ms. Loucks stated that she had been unable to obtain any documentation from NAVLE on what her passing score was.

Dr. Sudduth advised the board that she had contacted the American Association of Veterinary State Boards (AAVSB) to have her scores transferred and they were not able to locate her scores.

After discussion by the board the following motion was made.

MOTION: Dr. Helm made a motion to deny the Petition for Variance and Waiver for Rule 61G18011.002, F.A.C. submitted by Dr. Diane Sudduth because she failed to meet the underlying purpose of the statute.

SECOND: Dr. Simmons seconded the motion and the motion passed unanimously.

REVIEW/APPROVAL OF APPLICATION

Sarah Christine Pitts, DVM

Dr. Pitts was present at the meeting and was not represented by counsel. She was sworn in by the court reporter.

Ms. Loucks advised the board that Dr. Pitts was before the board because she answered yes to the background information on the licensure application. She answered yes that she had a veterinary license acted upon in another state.

After discussion by the board the following motion was made.

MOTION: Dr. Helm made a motion to approve Dr. Pitt's application for licensure.

SECOND: Dr. Maxwell seconded the motion and the motion passed unanimously.

REQUEST TO RE-CONSIDER FINAL ORDER

Bruce I. Levinston, DVM: Case number 2009-037518

Dr. Levinston was not present at the meeting and was not represented by counsel.

Ms. Loucks advised the board that Dr. Levinston is asking the board to vacate a final order. Ms. Loucks stated that Dr. Levinston resides in New Jersey and he is asking the board to vacate the requirement in the final order to the extent that the board removes the requirement to take the laws and rules exam. Ms. Loucks advised the board that Dr. Levinston had paid the fine and costs.

After discussion by the board the following motion was made.

MOTION: Dr. Simmons made a motion to accept Dr. Levinston's request.

SECOND: Dr. Figarola seconded the motion and the motion passed unanimously.

MOTION FOR EXTENSION OF TIME FOR COMPLIANCE WITH FINAL ORDER

Geoffrey Gardner, DVM

Dr. Gardner was not present at the meeting he was represented by counsel, Drew Winters.

Mr. Winters advised the board that Dr. Gardner was asking the board to extend his requirement to pay his fine and costs beyond. Mr. Winters stated that Dr. Gardner was asking for a six (6) month extension.

After discussion by the board the following motion was made.

MOTION: Dr. Simmons made a motion to accept Dr. Gardner's request.

SECOND: Dr. Helm seconded the motion and the motion passed unanimously.

Riadh Atmani, DVM

Dr. Atmani was not present at the meeting and was not represented by counsel.

Ms. Loucks advised the board that Dr. Atmani was asking for more time to comply with the requirements in his final order.

After discussion by the board the following motion was made.

MOTION: Dr. Helm made a motion to accept Dr. Atmani's request and extend his time by two (2) years.

SECOND: Ms. Lewis seconded the motion and the motion passed unanimously.

SPEAKERS

Dr. Judy Rivenbark – Professional Resource Network (PRN)

Dr. Rivenbark addressed the board on all of the services available at PRN. She stated that she appreciated the board's support of PRN. She stated that they appreciated the compassion the board offered to the people that come before the board.

Jim Patton – Department of Business and Professional Regulation

Mr. Patton reviewed the inspection report with the board and explained the inspection process for veterinary establishments and limited service clinics.

PROBATION APPEARANCES

Dominic Andreoli, DVM

Dr. Andreoli was present at the meeting and was not represented by counsel.

MOTION: Cynthia Lewis made a motion to accept Dr. Andreoli's probation appearance.

SECOND: Dr. Simmons seconded the motion and the motion passed unanimously.

Ernest Balogh, DVM

Dr. Balogh was present at the meeting and was not represented by counsel.

Dr. Balogh asked the board if he could have more time to pay his fine.

MOTION: Dr. Helm made a motion to extend his time to pay his fine for three (3) months.

SECOND: Dr. Simmons seconded the motion and the motion passed unanimously.

MOTION: Dr. Maxwell made a motion to accept Dr. Balogh's probation appearance.

SECOND: Dr. Simmons seconded the motion and the motion passed unanimously.

Jesenia Carnero, DVM

Dr. Carnero was present at the meeting and was not represented by counsel.

MOTION: Dr. Simmons made a motion to approve Dr. Carnero's probation appearance.

SECOND: Dr. Helm seconded the motion and the motion passed unanimously.

James A. Culotta, DVM

Dr. Culotta was present at the meeting and was not represented by counsel.

Dr. O'Neil asked Dr. Culotta if he had contacted PRN.

Dr. Gropper advised the board that Dr. Culotta had made an appointment for an evaluation in January.

Dr. Culotta advised the board that he cancelled the appointment due to financial reasons.

Dr. O'Neil asked PRN to keep the board informed.

MOTION: Ms. Lewis made a motion to accept Dr. Culotta's probation appearance.

SECOND: Dr. Helm seconded the motion and the motion passed unanimously.

Amy Gentsch, DVM

Dr. Gentsch was present at the meeting and was not represented by counsel.

MOTION: Dr. Helm made a motion to accept Dr. Gentsch's probation appearance.

SECOND: Dr. Maxwell seconded the motion and the motion passed unanimously.

Marcus Kramer, DVM

Dr. Kramer was present at the meeting and was not represented by counsel.

MOTION: Dr. Helm made a motion to accept Dr. Kramer's probation appearance.

SECOND: Dr. Figarola seconded the motion and the motion passed unanimously.

Ted Joseph Oroski, DVM

Dr. Oroski was present at the meeting and was not represented by counsel.

MOTION: Dr. Simmons made a motion to accept Dr. Oroski's appearance.

SECOND: Dr. Maxwell seconded the motion and the motion passed unanimously.

Ausberto Buza Taguinod, DVM

Dr. Taguinod was present at the meeting and was not represented by counsel.

MOTION: Dr. Maxwell Made a motion to accept Dr. Taguinod's probation appearance.

SECOND: Dr. Figarola seconded the motion and the motion passed unanimously.

David L. Turner, DVM

Dr. Turner was present at the meeting and was not represented by counsel.

MOTION: Dr. Figarola made a motion to accept Dt. Turner's appearance.

SECOND: Ms. Lewis seconded the motion and the motion passed unanimously.

James S. Wilson, DVM

Dr. Wilson was present at the meeting and was not represented by counsel.

MOTION: Dr. Figarola made a motion to accept Dr, Wilson's appearance.

SECOND: Dr. Simmons seconded the motion and the motion passed unanimously.

Douglas K. Dampier, DVM

Dr. Dampier was present at the meeting and was not represented by counsel.

MOTION: Dr. Figarola made a motion to accept Dr. Dampier's probation appearance.

SECOND: Dr. Simmons seconded the motion and the motion passed unanimously.

Janet Buckley, DVM

Dr. Buckley was present at the meeting and was not represented by counsel.

MOTION: Dr. Simmons made a motion to accept Dr. Buckley's probation appearance.

SECOND: Dr. Maxwell seconded the motion and the motion passed unanimously.

James E. Hicks, DVM

Dr. Hicks was present at the meeting and was not represented by counsel.

Ms. Tinsley advised that Dr. Hicks' license was suspended for six (6) months. She stated that his license would be put on probation at the end of his

suspension and he had to attend every board meeting during his probation. She stated that he was asking the board to accept his appearance today because he lives in Fernandina and traveling to the Ft. Lauderdale meeting in March was a financial hardship.

After discussion by the board the following motions were made.

MOTION: Dr. Helm made a motion to lift Dr. Hicks' suspension of his license effective immediately.

SECOND: Ms. Lewis seconded the motion and the motion passed unanimously.

MOTION: Dr. Helm made a motion to accept Dr. Hicks' appearance as the required appearance to lift his suspension and instead of having to appear at every meeting during his probation he needs only to attend the December 2011 meeting.

SECOND: Dr. Simmons seconded the motion and the motion passed unanimously.

RATIFICATION OF APPLICATIONS

Continuing Education

MOTION: Dr. Maxwell made a motion to ratify the continuing education list.

SECOND: Dr. Figarola seconded the motion and the motion passed unanimously.

REPORTS

Executive Director – Juanita Chastain

Ms. Chastain advised the board that the financial report was in the material folder and the board is financially sound.

Board Counsel – Deborah Loucks

Ms. Loucks advised the board that the legislature overrode one of Governor Crist's vetoes that will affect rule making. She advised the board it requires an enhanced Statement of Estimated Regulatory Costs (SERC) if you are going to promulgate a rule that would adversely impact small business or had an impact of two hundred thousand dollars (\$200,000.00) or more on any entity including a governmental regulatory agency.

Prosecuting Attorney - Elizabeth Duffy

Ms. Duffy reviewed her report with the board.

Board Chair – Dr. Robert O’Neil

Dr. O’Neil advised the board that Governor Crist asked him to thank the board for their service on the board during his tenure. Dr. O’Neil stated that he had proposed lowering the licensure renewal fee. He stated that it was put on hold until Governor Scott takes office. Dr. O’Neil stated that he was asking the board to direct him to write letters to the supervisors for Ms. Duffy, Ms. Loucks, Ms. Chastain, Ms. Tinsley, Mr. Vaccaro and Secretary Liem complimenting them for their hard work for the board and the citizens of Florida.

MOTION: Dr. Simmons made a motion to direct Dr. O’Neil to write letters to the supervisors for Ms. Duffy, Ms. Loucks, Ms. Chastain, Ms. Tinsley, Mr. Vaccaro and Secretary Liem complimenting them for their hard work for the board and the citizens of Florida.

SECOND: Dr. Maxwell seconded the motion and the motion passed unanimously.

Dr. Helm gave a report on the American Association of Veterinary State Board ‘s (AAVSB) annual meeting.

OLD BUSINESS

No old business.

NEW BUSINESS

Dr. Helm asked the board if the board had authority to make the veterinarian responsible for the registration of the limited service clinic they are conducting.

Ms. Duffy stated that there is no proof at the actual clinic that the clinic was registered with the department.

Dr. O’Neil stated that the issue would be tabled until the next meeting.

Dr. Helm asked if the continuing education rules could be reviewed.

Dr. O’Neil advised Dr. Helm to bring her recommendations back to the board at the March 2011 meeting.

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

MOTION: Dr. Figarola made a motion to adjourn.

SECOND: Ms. Lewis seconded the motion and the motion passed unanimously.

The meeting adjourned at 1:20 p.m.