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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

F I N A L M I N U T E S

MEETING OF:

STATE BOARD OF VETERINARY MEDICINE

TIME: 9:17 A.M.

PENNSYLVANIA DEPARTMENT OF STATE
Board Room B
One Penn Center
2601 North Third Street
Harrisburg, Pennsylvania 17110

March 9, 2018

1 State Board of Veterinary Medicine
2 March 9, 2018

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4
5 BOARD MEMBERS:
6

7 David R. Wolfgang, VMD, Chairman
8 Katelin Lambert, Director of Operations,
9 Designee of the Commissioner of Bureau of
10 Professional and Occupational Affairs
11 Tom Garg, VMD
12 Apryle Horbal, VMD
13 Juanita M. Monteiro, DVM - Absent
14 Valerie Kehoe, Vet Tech
15

16
17 BUREAU PERSONNEL:
18

19 Dana Wucinski, Esquire, Board Counsel
20 Julia Feld Caralle, Esquire, Board Prosecutor and
21 Board Liaison
22 Katherine Delp, Esquire, Board Prosecutor
23 Michelle Roberts, Board Administrator
24
25 Peter Speaks, Deputy Secretary for Regulatory Programs
26 Kimberly Mattis, Director, Bureau of Finance and
27 Operations
28 Kimberly Adams, Chief of Division of Fiscal
29 Management, Bureau of Finance and Operations
30 Julie Snader, Finance and Operations Manager, Division
31 Of Fiscal Management, Bureau of Finance and
32 Operations
33

34
35 ALSO PRESENT:
36

37 Jacob Derrick, Policy Analyst of Office of
38 Pennsylvania Governor Tom Wolf
39 Mark Guise, MD, former Board member
40 Eugene Aversa, VMD
41 Joseph Breymeier, Esquire, Naulty, Scaricamazza &
42 McDevitt, LLC
43
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1 ***

2 State Board of Veterinary Medicine

3 March 9, 2018

4 ***

5 The regularly scheduled meeting of the State
6 Board of Veterinary Medicine was held on Friday, March
7 9, 2018. David R. Wolfgang, VMD, Chairman, called the
8 meeting to order at 9:17 a.m.

9 ***

10 [Valerie Kehoe, Vet Tech, and Apryle Horbal, VMD,
11 introduced themselves as the Board's newest members.
12 Dr. Horbal provided a brief summary of her
13 professional experience.]

14 ***

15 Acknowledge Public

16 [Members of the audience introduced themselves for the
17 record.]

18 ***

19 Approval of Minutes of the November 17, 2017 meeting

20 CHAIRMAN WOLFGANG:

21 I'd entertain a motion to accept the
22 Minutes from the November meeting.

23 DR. GARG:

24 I'll make that motion.

25 DR. HORBAL:

1 Second.

2 CHAIRMAN WOLFGANG:

3 Any further discussion or comments?

4 Hearing none, the Minutes are accepted
5 by consent.

6 [The motion carried unanimously.]

7 ***

8 Report of Prosecutorial Division

9 [Julia Feld Caralle, Esquire, Board Prosecutor,
10 presented a Consent Agreement for File No.
11 13-57-05826. Joseph Breymeier, Esquire, Counsel for
12 the Respondent, was also present and participated in
13 the discussion.]

14 ***

15 [Ms. Feld Caralle next presented Consent Agreements
16 for File No. 14-57-13173 and File No. 15-57-00459.]

17 ***

18 [Katherine Delp, Esquire, Board Prosecutor, presented
19 a Consent Agreement for File No. 13-57-03660.]

20 ***

21 Appointment - Bureau of Finance and Operations,
22 Budget Presentation

23 [Kimberly Adams, Chief of Fiscal Management, Bureau of
24 Finance and Operations, referred Board members to the
25 Budget Packet for further discussion of licensee

1 counts, sources of revenue, and expenses.]

2 ***

3 Report of Board Chair

4 [David R. Wolfgang, VMD, Chairman, expressed his
5 pleasure to serve on this Board for the last eight
6 years, as this would be his last meeting.

7 Tom Garg, VMD, discussed the possibility of
8 scheduling a day for discussion of various regulatory
9 topics. Dr. Wolfgang also recommended setting aside
10 part of this day to discuss CE requirements with Board
11 Counsel. He proposed preparing an agenda to provide
12 uniform information across the state.

13 Dr. Wolfgang also suggested entertaining
14 discussion in the future with regard to random
15 inspection of veterinary hospitals as required in the
16 regulations.]

17 ***

18 Report of Commissioner

19 [Katelin Lambert, Director of Operations, Designee of
20 the Commissioner of Bureau of Professional and
21 Occupational Affairs, updated Board members on the
22 Executive Order as well as the PALS system. Ms.
23 Lambert agreed to provide a PALS demonstration at the
24 Board's next meeting.]

25 ***

1 Report of Board Counsel

2 [Dana Wucinski, Esquire, noted four Consent Agreements
3 and two Applications for discussion during Executive
4 Session.

5 Ms. Wucinski referred to informal comments
6 regarding Regulations 16A-5727 CVT Exam and 16A-57XX
7 Continuing Education, as well as questions for further
8 discussion.

9 Chairman Wolfgang discussed continuing education
10 provider approvals and the role of the American
11 Veterinary Medical Association (AVMA). He suggested
12 that veterinarian assistant/veterinarian designations
13 should be placed on future agendas for further
14 discussion.

15 Ms. Wucinski will discuss the regulatory process
16 during Executive Session.

17 There was further discussion regarding the
18 language of the CVT Exam and Continuing Education
19 regulations, as well as the enforcement of the
20 standard of care.

21 Ms. Wucinski noted that the Senate Banking &
22 Insurance Committee approved Senator Elder Vogel's
23 promotion of telemedicine and Senate Bill 780 as
24 reported by Cheryl Schriener. Dr. Garg provided Board
25 members with a draft of a telemedicine regulation for

1 further discussion.

2 Ms. Wucinski noted the need for motions to begin
3 drafting regulatory language with regard to
4 telemedicine, emergency advice, and dispensing
5 medications.]

6 ***
7 Report of Board Administrator

8 [Michelle Roberts, Board Administrator, noted a
9 Security Awareness Training session to be held after
10 the Board's Executive Session.]

11 ***
12 [The Board recessed from 10:49 a.m. until 10:54 a.m.]

13 ***
14 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
15 10:54 a.m. the Board entered into Executive Session
16 with Dana Wucinski, Board Counsel, for the purpose of
17 conducting quasi-judicial deliberations. The Board
18 returned to open session at 12:00 p.m.]

19 ***
20 MOTIONS:

21 MS. WUCINSKI:

22 Having returned from Executive Session,
23 I believe the Board will entertain a
24 motion to adopt the following Consent
25 Agreements: Jonathan Edward Jenkins,

1 DVM, File No. 13-57-05826; Ross Thomas
2 Russell, DVM, File No. 14-57-13173; and
3 Bradford P. Baker, DVM, File No. 13-57-
4 03660.

5 CHAIRMAN WOLFGANG:

6 The following cases are before you for
7 Consent Agreement. I'd entertain a
8 motion to accept those.

9 DR. HORBAL:

10 So moved.

11 MS. KEHOE:

12 I'll second.

13 CHAIRMAN WOLFGANG:

14 It's been moved and seconded to accept
15 the Consent Agreements listed by
16 Counsel. Any further discussion? All
17 those who agree signify by saying aye?
18 Opposed? Motion carried. Thank you.

19 [The motion carried unanimously.]

20 ***

21 MS. WUCINSKI:

22 I believe the Board will entertain a
23 motion to reject the Consent Agreement as
24 too lenient at File No. 15-57-00459.

25 CHAIRMAN WOLFGANG:

1 The motion before you is to reject the
2 case of 15-57-00459. I'll entertain a
3 motion to accept that motion to reject.

4 DR. GARG:

5 Motion.

6 DR. HORBAL:

7 I'll second.

8 CHAIRMAN WOLFGANG:

9 It's before you to reject the Consent
10 Agreement for 15-57-00459. All those who
11 agree with that signify by saying aye?

12 Opposed, like sign?

13 [The motion carried unanimously.]

14 ***

15 MS. WUCINSKI:

16 I believe the Board will entertain a
17 motion to proceed with the Proposed
18 Rulemaking as Amended and as discussed in
19 Open Session regarding Continuing
20 Education and the CVT Exam Regulations.

21 CHAIRMAN WOLFGANG:

22 I'll entertain a motion to proceed with
23 this rulemaking by Counsel?

24 MS. KEHOE:

25 I make a motion.

1 DR. HORBAL:

2 I'll second.

3 CHAIRMAN WOLFGANG:

4 Moved and seconded. Any further
5 discussion? All those in favor, signify
6 by saying aye? Opposed like sign?

7 [The motion carried unanimously.]

8 CHAIRMAN WOLFGANG:

9 Motion carries for Counsel to proceed
10 with rulemaking on the CVT Exam and
11 Continuing Education Requirements.

12 ***

13 MS. WUCINSKI:

14 I believe the Board will entertain a
15 motion to provisionally deny the
16 Application of Eugene Aversa based on
17 discipline in another state.

18 CHAIRMAN WOLFGANG:

19 It's put before the Board to
20 provisionally deny at this time the
21 license. Motion to accept?

22 DR. HORBAL:

23 I accept.

24 DR. GARG:

25 Second.

1 CHAIRMAN WOLFGANG:

2 Any further discussion? All those in
3 favor signify by saying aye? Opposed,
4 like sign?

5 [The motion carried unanimously.]

6 ***

7 MS. WUCINSKI:

8 I believe the Board will entertain a
9 motion to grant the license of Emily
10 Gorr.

11 CHAIRMAN WOLFGANG:

12 Before you to accept the application of
13 Emily Gorr?

14 MS. KEHOE:

15 Motion.

16 DR. GARG:

17 Second.

18 CHAIRMAN WOLFGANG:

19 Moved and seconded. Any further
20 discussion? All those in favor signify
21 by saying aye? Opposed, like sign?

22 [The motion carried unanimously.]

23 ***

24 MS. WUCINSKI:

25 Finally, I believe the Board will

1 entertain a motion to begin drafting
2 regulatory language for the Annex on
3 telemedicine, emergency advice, and
4 dispensing medications.

5 CHAIRMAN WOLFGANG:

6 The motion before you is to have Counsel
7 draft regulations for telemedicine, for
8 emergency medicine, and for prescribing
9 medications.

10 I'll entertain a motion to accept
11 that?

12 DR. GARG:

13 I'll make that motion.

14 DR. HORBAL:

15 I'll second.

16 CHAIRMAN WOLFGANG:

17 Any further discussion? All those in
18 favor signify by saying aye? Opposed,
19 like sign?

20 [The motion carried unanimously.]

21 ***

22 [Katelin Lambert, Director of Operations, exited the
23 meeting at 12:10 p.m.]

24 ***

25 Report of Board Administrator (Continued)

1 Election of Officers

2 [It was noted that Juanita Monteiro, DVM, was elected
3 Secretary and Tom Garg, DVM, was elected Probable
4 Cause Officer at the last meeting.

5 Dr. Garg nominated himself for the position of
6 Chairman.]

7 MS. WUCINSKI:

8 I believe the Board will entertain a
9 motion to have Dr. Garg sit as the next
10 Chairperson.

11 MS. KEHOE:

12 I second it.

13 DR. HORBAL:

14 I move to close nominations.

15 MS. KEHOE:

16 I second that.

17 MS. ROBERTS:

18 All those in favor of Dr. Garg as
19 Chairperson? Opposed?

20 [The motion passed unanimously.]

21 ***

22 [The responsibilities of a Probable Cause individual
23 were discussed.]

24 ***

25 Security Awareness Training

1 [Board members viewed a Security Awareness Training
2 video.]

3 ***

4 Miscellaneous

5 For Your Information

6 [Board members were referred to the Case Status Report
7 for further review.]

8 ***

9 2018 Meeting Dates

10 [After discussion by the Board, the September 14, 2018
11 meeting date was changed to September 21, 2018.]

12 ***

13 Proposed 2019 Meeting Dates

14 [Board members were referred to the 2019 schedule for
15 further review.]

16 ***

17 Adjournment

18 CHAIRMAN WOLFGANG:

19 Anyone have any comments for the good of
20 the Board? I'd entertain a motion to
21 adjourn.

22 DR. GARG:

23 I'll make that motion.

24 DR. HORBAL:

25 I'll second.

1 CHAIRMAN WOLFGANG:

2 Any further discussion? Hearing none by
3 consensus, we'll adjourn.

4 [The motion carried unanimously.]

5 ***

6 [There being no further business, the State Board of
7 Veterinary meeting adjourned at 12:34 p.m.]

8 ***

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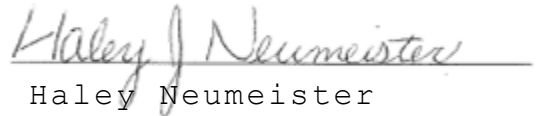
CERTIFICATE

12

13 I hereby certify that the foregoing summary
14 minutes of the State Board of Veterinary Medicine
15 meeting, was reduced to writing by me or under my
16 supervision, and that the minutes accurately summarize
17 the substance of the State Board of Veterinary
18 Medicine meeting.

19

20



21

Haley Neumeister

22

Minute Clerk

23

Sargent's Court Reporting

24

Service, Inc.

25

STATE BOARD OF VETERINARY MEDICINE
REFERENCE INDEX
March 9, 2018

	TIME	AGENDA
1		
2		
3		
4		
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6		
7	9:17	Official Call to Order
8		
9	9:19	Approval of Minutes
10		
11	9:20	Report of Prosecutorial Division
12		
13	9:25	Appointment - Budget Presentation
14		
15	9:40	Report of Board Chair
16		
17	9:43	Report of Commissioner
18		
19	9:47	Report of Board Counsel
20		
21	10:45	Report of Board Administrator
22		
23	10:49	Recess
24	10:54	Return to Open Session
25	10:54	Executive Session
26	12:00	Return to Open Session
27		
28	12:00	Motions
29		
30	12:10	Report of Board Administrator
31		(Continued)
32		
33	12:29	Miscellaneous
34		
35	12:34	Adjournment
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