

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: 9:00 a.m.

BOARD ROOM C

One Penn Center

2601 North Third Street

Harrisburg, Pennsylvania

Friday, March 17, 2017

State Board of
Veterinary Medicine
March 17, 2017

BOARD/COMMISSION MEMBERS:

David R. Wolfgang, V.M.D., Chairman
Kathryn Waters, Deputy Commission of Professional and
Occupational Affairs
Douglas J. Ayers, V.M.D., Secretary - ABSENT
Tom Garg, V.M.D.
Mark B. Guise, V.M.D.
Juanita M. Monteiro, D.V.M. - Absent
Meredith A. Odatto, Esquire

BUREAU PERSONNEL:

Peter Kovach, Esquire, Acting Board Counsel
Wesley Rish, Esquire, Acting Board Counsel
Michelle Roberts, Board Administrator
Justin Cowan, Director, Bureau of Finance and Operations
Kim Mattis, Fiscal Division Chief, Bureau of Finance and
Operations

ALSO PRESENT:

Jamie L. Lenzi, Esquire
Armin Feldman, Esquire

1

1 ***

2 State Board Of
3 Veterinary Medicine

4 March 17, 2017

5 ***

6 The regularly scheduled meeting of the State Board of
7 Veterinary Medicine was held on Friday, March 17, 2017.
8 David R. Wolfgang, VMD, Chairman, called the meeting to
9 order at 9:07 a.m.

10 ***

11 Approval of Minutes of December 16, 2016 Meeting

12 CHAIRMAN WOLFGANG:

13 First order of business is to review the minutes
14 from last meeting. Any changes or corrections?

15 DR. GUISE:

16 I move to approve them.

17 MS. ODATO:

18 Second.

19 CHAIRMAN WOLFGANG:

20 All those in favor of approving the minutes as
21 presented please signify by saying, aye. Those
22 opposed, like sign.

23 [The motion carried unanimously.]

24 ***

25 Report of Prosecutorial Division

1 [Glenn Masser, Esquire, addressed the Board at 9:07 a.m. to
2 present the proposed VRP Consent Agreements and Orders at
3 File No. 16-57-12256 and File No. 16-57-14245. Mr. Masser
4 responded to questions raised by the Board regarding these
5 Consent Agreements.]

6 ***

7 [Julia Feld-Caralle, Esquire, addressed the Board at 9:14
8 a.m. to present the proposed Consent Agreement and Order at
9 File No. 15-57-12759, along with Respondent's Attorney,
10 Jamie Lenzi, Esquire, to respond to questions raised by the
11 Board.]

12 ***

13 [Peter Kovach, Esquire, Acting Board Counsel, exited the
14 meeting at 9:18 a.m. before the presentation of File No.
15 13-57-10571 and File No. 12-57-10197, matters for which he
16 must recuse himself.]

17 ***

18 [Julia Feld-Caralle, Esquire, presented the proposed
19 Consent Agreement and Order at File No. 13-57-10571, along
20 with Respondent's Attorney, Jamie Lenzi, Esquire, to
21 respond to questions raised by the Board.]

22 ***

23 [Julia Feld-Caralle, Esquire, presented the proposed
24 Consent Agreement and Order at File No. 12-57-10197 and
25 responded to questions raised by the Board.]

1 ***

2 [Peter Kovach, Esquire, Acting Board Counsel, returned to
3 meeting at 9:50 a.m. and Wesley Rish, Esquire, Acting Board
4 Counsel, exited the meeting at this time.]

5 ***

6 [It was indicated for the presentation and vote of File No.
7 16-57-01593, if Dr. Guise recused himself they would not
8 have a quorum to vote on the matter today. Respondent's
9 Attorney, Armin Feldman, Esquire, asked that Dr. Guise not
10 recuse himself from the matter.]

11 MR. KOVACH:

12 If you could provide your name and assuming
13 you're representing Dr. Shoop, and just indicate
14 that you will be waiving any issues with Dr.
15 Guise being here and rendering a decision in this
16 matter.

17 MR. FELDMAN:

18 My name is Armin Feldman. I represent Dr. Shoop.
19 I'm an attorney for over 40 years, and I waive
20 that matter without any problem.

21 ***

22 [Julia Feld-Caralle, Esquire, presented the proposed
23 Consent Agreement and Order at File No. 16-57-01593, along
24 with Respondent's Attorney, Armin Feldman, Esquire, to
25 respond to any questions raised by the Board.]

1 ***

2 Appointment: Budget Presentation

3 [Justin Cowan and Kim Mattis of Bureau of Finance and
4 Operations (BFO) addressed the Board at 10:28 a.m. to
5 present the Board's budget information and planning for
6 2017 - 2018, as well as answered questions from the Board.]

7 ***

8 [The Board recessed from 10:39 a.m. until 10:49 a.m.]

9 ***

10 Report of Board Chair

11 [Chairman Wolfgang addressed the Board at 10:49 a.m. to
12 revisit the topic of standardized ways to inspect
13 facilities. Chairman Wolfgang suggested that the Board
14 discuss Likert-type-scale guidelines for the inspectors to
15 follow.]

16 ***

17 Report of Deputy Commissioner

18 [Kathryn Waters, Deputy Commissioner, addressed the Board
19 at 11:01 a.m. to provide a brief update regarding Board
20 vacancies.]

21 ***

22 [Deputy Commissioner Waters reported that the Governor, the
23 Secretary of the Commonwealth, and the Commissioner signed
24 a Proclamation to extend their gratitude to Meredith A.
25 Odatto, Esquire, for her contributions to the State Board of

1 Veterinary Medicine and the citizens of this Commonwealth,
2 and publicly recognized her commitment to the highest
3 standard of ethics, the betterment of the Veterinarian
4 profession, and responsible acts as a public servant.]

5 ***

6 Report of Board Counsel

7 [Peter Kovach, Esquire, Acting Board Counsel, addressed the
8 Board at 11:03 a.m. to report Teresa Lazo, Esquire, Board
9 Counsel, has prepared two regulations. One regarding
10 Veterinary Technician Exam (16A-5727) annex, which is
11 essentially just updating the language. The other is
12 related to Veterinary Continuing Education, and is the
13 proposed amendment that would allow the Board to prescribe
14 a specific subject area of 4 hours out of the 30 hours
15 required. The content of the four hours will be posted on
16 the Board's website.

17 Mr. Kovach noted the matters listed on the
18 Board's agenda, which will be discussed in executive
19 session.]

20 ***

21 [Pursuant to Section 708(a)(5) of the Sunshine Act, the
22 Board entered into executive session with Peter Kovach,
23 Esquire, and Wesley Rish, Esquire, at 11:10 a.m. for the
24 purpose of conducting quasi-judicial deliberations on a
25 number of matters that are currently pending before the

1 Board to receive the advice of Counsel. The Board returned
2 to open session at 12:46 p.m.]

3 ***

4 MR. KOVACH:

5 Pursuant to Section 708(a)(5) of the Sunshine
6 Act, the Board met in executive session for the
7 purpose of conducting quasi-judicial
8 deliberations and to receive advice of Counsel on
9 the matters upon which the Board is about to
10 vote.

11 Number two on the agenda was pulled by the
12 Prosecution and therefore there will be no vote
13 on that matter.

14 Number three on the agenda is File No. 15-
15 57-12759, and based on the Board's discussions in
16 executive session, I recommend a motion to
17 approve the Consent Agreement in that matter.

18 DR. GUISE:

19 So moved.

20 MS. ODATO:

21 Second.

22 CHAIRMAN WOLFGANG:

23 All those in favor signify by saying, aye.

24 Opposed, like sign.

25 [The motion carried unanimously.]

1 ***

2 MR. RISH:

3 The next matter was item number four on the
4 agenda, it's File No. 13-57-10571, Board Counsel,
5 Peter Kovach, recused himself and did not
6 participate in the discussions in executive
7 session on this matter, and based upon
8 discussions in executive session, I would
9 recommend a motion rejecting the Consent
10 Agreement and Order as too lenient.

11 DR. GUISE:

12 So moved.

13 MS. ODATO:

14 Second.

15 CHAIRMAN WOLFGANG:

16 All those in favor signify by saying, aye.
17 Opposed, like sign.

18 [The motion carried unanimously.]

19 ***

20 MR. RISH:

21 The next matter was item number five, File No.
22 12-57-10197, and Board Counsel, Peter Kovach,
23 recused himself in this matter and did not
24 participate in the executive session
25 deliberations, and based upon discussions in

1 executive session, I would recommend a motion
2 rejecting the proposed Consent Agreement and
3 Order as too lenient.

4 DR. GUISE:

5 So moved.

6 MS. ODATO:

7 Second.

8 CHAIRMAN WOLFGANG:

9 All those in favor signify by saying, aye.

10 Opposed, like sign.

11 [The motion carried unanimously.]

12 ***

13 MR. KOVACH:

14 The next matter on the Board's agenda is File No.
15 16-57-01593, Docket No. 1687-57-16, and based on
16 the Board's discussions in executive session, I
17 recommend a roll call vote on a motion to approve
18 the Consent Agreement in that matter.

19 DR. GUISE:

20 So moved.

21 MS. ODATO:

22 Second.

23 CHAIRMAN WOLFGANG:

24 Roll call.

25

1 VRP File No. 16-57-14245, and based on the
2 Board's discussions in executive session, I
3 recommend a motion to approve the Consent
4 Agreement in that matter.

5 DR. GUISE:

6 So moved.

7 MS. ODATO:

8 Second.

9 CHAIRMAN WOLFGANG:

10 All those in favor signify by saying, aye.

11 Opposed, like sign.

12 [The motion carried unanimously.]

13 ***

14 MR. KOVACH:

15 And just to clear some housekeeping matters for
16 matter number three on the agenda, which was
17 approved, the Respondent in that matter was
18 Audrey Hoffmann, VMD. And for number six on the
19 agenda, which was approved by majority vote, the
20 respondent in that matter was Clyde Rendell
21 Shoop, VMD.

22 ***

23 MR. KOVACH:

24 Moving to number 12 on the agenda, File N. 13-57-
25 10398, Docket No. 1708-57-13, and based on the

1 Board's discussions in executive session, I
2 recommend a motion to approve as Final Draft
3 Adjudication and Order that was prepared in that
4 matter.

5 DR. GUISE:

6 So moved.

7 MS. ODATO:

8 Second.

9 CHAIRMAN WOLFGANG:

10 All those in favor signify by saying, aye.

11 Opposed, like sign.

12 [The motion carried unanimously.]

13 MR. KOVACH:

14 That matter involved Marcus R. McDanel, DVM.

15 ***

16 MR. KOVACH:

17 Final matter is number 13 on the agenda, File No.
18 12-57-01752, Docket No. 2137-57-14, in the matter
19 of Beatrix Doris In Der Wiesche, DVM, and based
20 upon discussions in executive session, I would
21 recommend a motion to vacate the Board's Final
22 Memorandum Order issued on December 30th, 2016,
23 and to substitute as the Board's Final Order in
24 that matter the Final Memorandum Order addressing
25 Respondent's exceptions adopting the Hearing

CERTIFICATE

I hereby certify that the foregoing summary minutes of the State Board of Veterinary Medicine meeting, was reduced to writing under my supervision, and that the minutes accurately summarize the substance of the State Board of Veterinary Medicine meeting.



Harley R. Burgard
Minute Clerk

STATE BOARD OF
VETERINARY MEDICINE
REFERENCE INDEX
MARCH 17, 2017

TIME	AGENDA:
9:07	Call to Order
9:07	Approval of Minutes
9:07	Report of Prosecutorial Division
10:28	Appointment: Budget Presentation
10:39	Recess
10:49	Report of Board Chair
11:01	Report of Deputy Commissioner
11:03	Report of Board Counsel
11:10	Executive Session
12:46	Return to Open Session
12:46	Motions
12:54	Adjournment