

## October 23, 2019 MEETING PUBLIC MINUTES

Minutes: October 23, 2019

The regular board meeting of the New Hampshire Board of Veterinary Medicine was held at the State House Annex, Room 201, 25 Capitol Street, Concord, NH.

Members present: President: Dr. Sonnya Dennis, DVM; Kirk Smith, DVM; Winnifred Krogman, DVM; Stephen Crawford, DVM Ex Officio Member. (Position of Vice President, still vacant)

Staff: Kim M. Lavoie, Administrative Secretary, JD LaVallee, Board Counsel

Public present: Ed Carlson, NH Veterinary Tech Association, Madeline and Dan Kadle, Desmond Muther, & Rezmaru Kelly.

### PUBLIC SESSION

The public segment of the meeting was called to order at 9:37 a.m.

1. The "Mission Statement" was read: 332-B:1-a Purpose – The purpose of the Board of Veterinary Medicine is to promote public health, safety, and welfare by safeguarding the people of New Hampshire against incompetent, unscrupulous, and unauthorized persons and from unprofessional or illegal practice by persons licensed to practice veterinary medicine. The right to practice veterinary medicine is a privilege granted by legislative authority to persons possessing personal and professional qualifications specified in this chapter.
2. **Public Hearing** at 10:00 am. **Desmond Muther**, Docket 001, 92019, **Order to Show Cause** issued on 10/8/19. Dr. Muther apologized and said that the questions were misplaced during her move. Her husband found them in another folder last night. She returned the questions. The hearing ended at 10:49 am.
3. The corrected **August 2019 Public Minutes** were reviewed. Dr. Crawford motioned to continue to table since we do not have the updated version. Dr. Dennis seconded. So moved by unanimous vote.
4. The **September 2019 Public Minutes** were reviewed. Dr. Crawford motioned to table the minutes pending changes # 8, # 9, # 11, #14, & #16. Dr. Dennis seconded. So moved by unanimous vote.
5. **Signing of license certificates**
6. **Travel Forms** for reimbursement collected by Ms. Lavoie.
7. **AAVSB** no update.
8. **ICVA**- September 2019 In Focus Newsletter acknowledged and filed. Available on ICVA website for the public.
9. The Board received a solicitation for a **seminar on behavioral health** targeting all health care professions and may be found at <https://www.stetson.edu/law/academics/highered/home/webinars.php>. Dr. Crawford motioned to file. Dr Dennis seconded. Unanimous.

10. **2020-2021 Renewal Form:** Update from Dr. Crawford. We are still waiting on JLCAR to approve the addition of a check-box asking if name and address have changed. The last approved version with only the date change is now posted.

11. **Juan Aguilar Ramos** - Can an applicant have **more than one temporary permit at a time** if practicing at different hospitals? Yes, needs separate temporary permit from responsible licensee for each hospital. Administrative secretary will notify Dr. Aguilar Ramos.

12. Update "**Litigation Hold Notice**" re: **Opioids**. Acknowledged and to be complied with.

13. Update on **OPLC**- Lindsey Courtney, Executive Director, came by to introduce herself. BVM is officially under OPLC. Discussions are ongoing for actual movement of office, files, computers, etc. Phone will remain the same and emails will overlap and have automatic forward.

14. Updates on revised **Organizational Rules**. Dr. Crawford has been through re-formatting now that interim rules in place. Need a public hearing date. Upon the motion of Dr. Crawford and second of Dr. Smith the public comment hearing will be January 15, 2020, at 9:30 am. at the State House Annex. Deadline for submission of written materials is Jan 25th, 2020.

#### 15. **Follow-up: Annual Reports**

**Annual Report 2012-2017 second draft, Annual Report 2018 second draft, Annual Report 2019 first draft** was submitted to Dr. Crawford. Dr. Crawford motioned to table until further review. Dr. Leclerc seconded. So moved by unanimous vote.

#### 16. **Follow-up: The Kadles**

16.1 **October 2, 2019 e-mail: Comparative Analysis Report.** Still under review. See #15. **Annual Reports**

16.2 **October 9, 2019 e-mail: Request to File a Motion to amend June 2019 minutes.** Dr. Dennis called for a motion to amend the June 2019 public minutes. No motion was made.

16.3 **October 9, 2019 e-mail: Request for corrections to September 2019 minutes.** The acceptance of the minutes is tabled (see # 4 **September 2019 public minutes**).

17. The Board was not able to have public **Q and A / comments** due to time constraints today, but all questions submitted to the board for this meeting have been or are in the process of being addressed.

At 10:28 a.m., upon the motion of Dr. Dennis and second of Dr. Leclerc, the Board, by a roll call vote, resolved to **conduct a non-public session** for the purpose of discussing investigations of alleged licensee misconduct, noting that such a non-public session is authorized by RSA 91-A:3, II,(c) RSA 91-A:3, II (e), RSA 91A:5, IV, Lodge V. Knowlton, 118 NH 574 (1978), and the board's executive and deliberative privileges. Each member recorded his or her vote on the motion, which passed by unanimous vote of all members present. Motion passes unanimously.

At 1:06 p.m., the public meeting resumed. Dr. Crawford left on or around 12:30 pm.

At 1:06 p.m., upon the motion of Dr. Dennis and the second of Dr. Leclerc, the Board, by roll call vote, resolved to withhold the minutes of preceding non-public sessions from public disclosure pursuant to **RSA 91-A:3, III**, on the grounds that public disclosure would be likely to affect adversely the

reputation of a person other than a board member and to render the proposed action ineffective. Each member recorded his or her own vote on the motion, which passed by the unanimous vote of all members present. **With exception of the following:**  
**Sarah Devry, Dena Long, and Samuel Stuart** were denied licenses and are eligible to resubmit.

18. **Alicia Pedemonti-** Veterinary offices getting calls about references from a shelter need permission from the client prior to discussing the client.

At 1:20 p.m., upon the motion of Dr. Leclerc and second of Dr. Dennis, the Board, by a roll call vote, resolved to **conduct a non-public session** for the purpose of discussing investigations of alleged licensee misconduct, noting that such a non-public session is authorized by RSA 91-A:3, II,(c) RSA 91-A:3, II (e), RSA 91A:5, IV, Lodge V. Knowlton, 118 NH 574 (1978), and the board's executive and deliberative privileges. Each member recorded his or her vote on the motion, which passed by unanimous vote of all members present. Motion passes unanimously.

At 1:30 p.m., the public meeting resumed. The next meeting of the BVM will be on December 4, 2019 at 9:30 am.

19. Dr. Leclerc motioned to **amend Item #14 of the June public minutes**. Dr. Dennis seconded. Motion passed by unanimous vote. Dr. Crawford and Krogman **abstained** due to not being present at June meeting. The June 14, 2019 minutes, item # 14 will read as follows: "Upon the motion by Dr. Dennis, and second by Dr. MacGregor, and unanimous vote of the Board, a 10 minute recess was called prior to entering Non-Public Session. Mr. Kadle interrupted the motion to recess and stated that he had questions. Dr. Dennis stated that his questions have already been forwarded to the BVM's attorney and the Commissioner. Meeting recessed at 1:17 pm."

Dr. Dennis motioned to **adjourn the board meeting**. Dr. Leclerc seconded. So moved by unanimous vote. Meeting adjourned at 1:35 p.m.

**Next meetings** of the Board of Veterinary Medicine are scheduled for December 4, January 15, February 5, March 11, and April 15.

At 1:30 p.m., upon the motion of Dr. Dennis and the second of Dr. Leclerc, the Board, by roll call vote, resolved to withhold the minutes of preceding non-public sessions from public disclosure pursuant to **RSA 91-A:3, III**, on the grounds that public disclosure would be likely to affect adversely the reputation of a person other than a board member and to render the proposed action ineffective. Each member recorded his or her own vote on the motion, which passed by the unanimous vote of all members present.

Respectfully Submitted,

Kim M. Lavoie, Administrative Secretary  
Authorized Representative of the  
NH Board of Veterinary Medicine