

## **BOARD OF VETERINARY MEDICAL EXAMINERS**

### **Minutes**

Date: February 18, 2009

Time: 9:00 a.m., C.S.T.

Location: Poplar Room  
227 French Landing, Suite 150  
Heritage Place MetroCenter  
Nashville, TN 37243

Members Present: C. Maben Thompson, D.V.M., President  
James C. Lyons, D.V.M., Vice-President  
Janet Jones, L.V.M.T  
Marie Gordon, Consumer Member, Secretary  
Bryan W. Bondurant, D.V.M.  
Philip Gordon, D.V.M., Ex-officio Member (Acting State Veterinarian)

Members Absent: Joseph Kendrick, D.V.M.  
Tiffani Rogers, D.V.M.

Staff Present: Rita Buckner-Shelton, Board Administrator  
Shiva K. Bozarth, Board Attorney  
Lisa Lampley, Board Director  
Elizabeth Miller, Director, Health Related Boards

Upon roll call and determination of a quorum being present, the Board meeting was called to order by Dr. Thompson at 9:20 a.m.

#### **Conflict of Interest Policy**

Mr. Shiva Bozarth, Board Attorney, reviewed the new conflict of interest policy and stated that a copy of the policy was included in each member's board book.

#### **Approval of Minutes**

After reviewing the minutes from the December 11, 2008 board meeting, Dr. Bondurant moved to approve the minutes as presented. Ms. Jones seconded the motion. The motion carried.

## **Rulemaking Hearing re: Chemical Capture of Dogs and Cats**

A hearing was held in accordance with T.C.A. § 8-5-204 pertaining to proposed rules regarding the certification of animal control agencies to authorize the chemical capture of animals by certified animal chemical capture technicians pursuant to T.C.A. § 63-12-144.

Mr. Shiva Bozarth, Assistant General Counsel, stated that the Public Necessity Rules (Chapter 1730-06), adopted by the Board on October 2, 2008, were filed January 13, 2009, and are effective through June 27, 2009. After review of any and all statements submitted and discussion by the board, a motion was made by Dr. Bondurant to adopt and ratify the public necessity rules as amended. The motion was seconded by Dr. Lyons. The motion carried.

### **Consent Order – Gregory Don Shaw, Jr., DVM**

Dr. Gregory Shaw, DVM, was not present and was not represented by counsel. Mr. Shiva K. Bozarth, Assistant General Counsel, presented a Consent Order to the Board for ratification. Dr. Shaw agreed that he had practiced veterinary medicine without a license from approximately June 2006 until at least November 2008. Dr. Shaw agreed that his license to practice veterinary medicine be placed on probation for five (5) years with the following conditions: must successfully complete the following additional Continuing Education (CE) courses for each year throughout the probationary period: two (2) hours of Board-approved CE in the subject area of professional ethics; one (1) hour of Board-approved CE in the subject area of controlled substance regulations; must submit proof of completion of current year CE requirements. Dr. Shaw agreed to pay a civil penalty in the amount of \$30,000.00 plus costs of the proceedings. Dr. Lyons made a motion, seconded by Ms. Jones, to accept the Consent Order. The motion carried.

### **Consent Order – Lindsey Calton, Unlicensed**

Ms. Lindsey Calton, Unlicensed, was not present and was not represented by counsel. Mr. Shiva K. Bozarth, Assistant General Counsel, presented a Consent Order to the Board for ratification. Ms. Calton agreed that she had performed equine dentistry and had advertised in the Mid-South Horse Review Publication to provide dental services to various animals. Ms. Calton agreed to cease and desist performing the duties of a licensed veterinarian and agreed to pay a civil penalty in the amount of \$1,900.00 and costs. Ms. Jones made a motion, seconded by Ms. Gordon, to accept the Consent Order. The motion carried.

### **Consent Order – Gretchen Anderson-Simmons, Unlicensed**

Ms. Gretchen Anderson-Simmons, Unlicensed, was not present and was not represented by counsel. Mr. Shiva K. Bozarth, Assistant General Counsel, presented a Consent Order to the Board for ratification. Ms. Anderson-Simmons agreed that she had diagnosed, treated, and performed ultrasounds on various animals and distributed business cards advertising the veterinary services she provided. Ms. Anderson-Simmons agreed to cease and desist performing the duties of a licensed veterinarian and agreed to pay a civil penalty in the amount of \$300.00 and costs. Ms. Gordon made a motion, seconded by Dr. Lyons, to accept the Consent Order. The motion carried.

## **Consent Order – L. C. Moore, DVM**

Dr. L. C. Moore, DVM, was not present and was not represented by counsel. Mr. Shiva K. Bozarth, Assistant General Counsel, presented a Consent Order to the Board for ratification. Dr. Thompson recused himself. Dr. Moore agreed that he practiced veterinary medicine without a license from approximately July 2007 until at least December 2007. Dr. Moore agreed to pay a civil penalty in the amount of \$600.00 and costs. Dr. Bondurant made a motion, seconded by Ms. Jones, to accept the Consent Order. The motion carried.

## **File Review/Licensure Applicant Interviews**

The Board reviewed an application for licensure by reciprocity as a veterinarian submitted by **Patrick Eugene Keith, DVM**. Dr. Keith answered “yes” to the question on the application regarding conviction of a felony or a misdemeanor other than a minor traffic offense. Dr. Keith was present to answer any questions from members of the Board. After discussion and review of the documentation provided by the applicant, Dr. Lyons made a motion, seconded by Ms. Jones, to grant the license. The motion carried.

The Board reviewed an application for licensure by reciprocity as a veterinarian submitted by **Christopher Dunn Meyer, DVM**. Dr. Meyer answered “no” to the question on the application regarding disciplinary action in another state; however, the licensure verification received from the North Carolina Veterinary Medical Board reflected formal disciplinary action. Dr. Meyer was present to answer any questions from members of the Board. After discussion and review of the provided documentation, a motion was made by Dr. Lyons, seconded by Ms. Jones, to grant a license on probation for five (5) years with the following conditions: shall not own or operate a solo practice during the probationary period; shall only practice under the supervision of a veterinarian licensed and in good standing in Tennessee; must have employer submit annual reports to the Board attesting to his satisfactory work performance and competency to practice veterinary medicine; must submit twenty (20) medical records annually for review by the Board; five (5) hours of the twenty (20) required continuing education hours must be in the area of ethics and/or practice management; must appear before the Board annually. The motion carried.

The Board reviewed an application for reinstatement of a retired license to practice veterinary medicine submitted by **Michelle Lynn Morrison, DVM**. Dr. Morrison answered “yes” to the question on the application regarding disciplinary action in another state. Disciplinary action was taken by the Arizona State Veterinary Medical Examining Board for unprofessional conduct relating to standard of care. After discussion, Ms. Jones made a motion, seconded by Dr. Lyons, to approve the application. The motion carried.

The Board reviewed an application for licensure by reciprocity as a veterinarian submitted by **Amy Krista Gentsch, DVM**. Dr. Gentsch answered “no” to the question on the application regarding disciplinary action in another state; however, the licensure verification received from the Florida Board of Veterinary Medicine reflected formal disciplinary action. Dr. Gentsch was present to answer any questions from members of the Board. After discussion and review of the provided documentation, Dr. Gentsch withdrew her application for licensure.

### **Continuing Education Course Approval**

The Board reviewed a request from **Safe Capture International, Inc.** for approval of sixteen (16) continuing education hours for the training workshop “Chemical Immobilization of Animals” to be held in Gatlinburg, TN on February 24-25, 2009. A motion was made by Dr. Lyons, seconded by Ms. Jones, to approve the course. The motion carried.

### **Review/Discussion – Criminal Background Check Results Based on Name-Search Only**

The Board reviewed the application for certification as an animal euthanasia technician submitted by **Jennifer Renee Housley** and approved by the Board on December 11, 2008. The Board notification that was received from the Tennessee Bureau of Investigation indicated a processing error regarding the electronic fingerprint scans done at select Cogent facilities, causing some fingerprints to be rejected. Her background check was based on name only. The results were sent to Health Related Boards without disclosing that the results were based on a name check only. Ms. Housley was later identified as one of the licensure applicants whose criminal background check results were based on a name check only. She has no criminal record. Dr. Bondurant made a motion, seconded by Dr. Lyons, to accept the results based on a name check only. The motion carried.

### **Adjournment**

There being no further business, the Board moved to adjourn at 1:45 p.m.

**These minutes were ratified at the meeting held on April 22, 2009.**