

BOARD OF VETERINARY MEDICAL EXAMINERS

Minutes

Date: November 7, 2007

Time: 2:30 p.m., C.S.T.

Location: Iris 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 B. Jones, L.V.M.T
Marie A. Gordon, Consumer Member, Secretary

Members Absent: Tiffani D. Rogers, D.V.M.
Bryan W. Bondurant, D.V.M.
Joseph Kendrick, D.V.M.
Ronald B. Wilson, D.V.M., Ex-officio Member

Staff Present: Nicole Armstrong, Assistant General Counsel
Alison G. Cleaves, Chief Deputy General Counsel

Upon roll call and determination of a quorum being present, the meeting was called to order by Dr. Thompson at 2:46 p.m.

Ms. Allison Cleaves, Chief Deputy Counsel, informed members the reason for the emergency meeting of the Board was to consider a request for the summary suspension of William E. Baber, D.V.M., License No. 2123. Dr. Baber was not present at the meeting. Dr. William Baber, DVM, was charged with failing to euthanize animals in accordance with the methods prescribed by the Non-Livestock Humane Animal Death Act in T.C.A. 44-17-303; injecting sodium pentobarbital in non-livestock animals without weighing each animal to ensure that the correct dosage amount was administered; and maintaining false records about each non-livestock animal that was euthanized by indicating a specific weight for each animal when the animal had not been weighed. Ms. Cleaves stated that the Respondent's acts and conduct imperatively required emergency action by the Board to suspend his license to practice veterinary medicine.

Mr. Kenneth Jones, Investigator for Health Related Boards, presented testimony regarding his investigation and interviews with the respondent. Testimony regarding the respondent's performance of euthanasia was presented, via teleconference, from Mr. Terry Wayne Hodges. A video containing footage of the respondent performing euthanasia was also presented to the board members. Dr. Mary Ergen, DVM, provided expert testimony in regards to euthanasia of non-livestock animals.

Upon deliberation, the Board found that imperative action was required in order to protect the public health, safety, and welfare. A motion was made by Dr. Lyons, seconded by Ms. Jones, to summarily suspend Dr. Baber's license to practice veterinary medicine. The motion carried.

Ms. Cleaves informed board members that an informal conference at which Dr. Baber would be allowed to present his version of the situation was scheduled to be held at 2:30 p.m. on November 14, 2007 and could be done by teleconference if so desired. Ms. Cleaves stated the sole issue to be considered at the informal conference is whether the public health, safety, or welfare imperatively required emergency action by the Board. A formal hearing is scheduled to begin at 9:00 a.m. on December 13, 2007.

Adjournment

There being no further business, Dr. Lyons made a motion, seconded by Ms. Gordon, to adjourn. The motion carried and the meeting was adjourned at 3.42 p.m.

These minutes were ratified at the meeting held on April 24, 2008.