



Paul R. LePage
Governor

STATE OF MAINE
DEPARTMENT OF PROFESSIONAL
AND FINANCIAL REGULATION
OFFICE OF PROFESSIONAL AND OCCUPATIONAL REGULATION
MAINE BOARD OF VETERINARY MEDICINE
35 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0035

Anne L. Head, Esq.
Commissioner

Geraldine L. Betts
Administrator

Maine Board of Veterinary Medicine
Minutes of April 15, 2015 Board Meeting

CALL TO ORDER

Chair Law called the meeting to order at 9:05 a.m.

MEMBERS PRESENT

Rebecca Myers Law, DVM, Chair
Peter Davis, DVM, Vice Chair
Nicholas Pesut, VMD, Complaint Officer
Kathleen Chesley, Public Member
Donald Hoenig, VMD

STAFF PRESENT

Kelly McLaughlin, Senior Consumer Assistant Specialist
Judith Peters, AAG, Board Attorney
Jessica Gowell, Planning and Research Associate I
James Liddell, Professional Licensing Supervisor

OLD BUSINESS

Review and approval of the minutes of January 21, 2015

In a motion by Davis, seconded by Hoenig, to accept the minutes of January 21, 2015, as presented. Motion carried, Chesley abstained.

NEW BUSINESS

In a motion by Hoenig, seconded by Davis to add to the agenda 2011 VET 7612. Motion carried.

In a motion by Law, seconded by Pesut to add to the agenda a Presentation by the Assistant Attorney General of the complaint process.

Complaint Officer's Report

2014 VET 10121

In a motion by Law, seconded by Davis, to schedule 2014 VET 10121 for an adjudicatory hearing and to authorize the Assistant Attorney General to negotiate a consent agreement with the Licensee on behalf of the Board. The proposed terms of the consent agreement are: 1) admission to Board Rule Chapter 5, Section 2(B); 2) Reprimand; and 3) Probation with record

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OFFICE LOCATION: GARDINER ANNEX
76 NORTHERN AVENUE, GARDINER, MAINE

review for two (2) years, submitting quarterly reports which includes five (5) surgical records of different patients every three (3) months to the Board for its review. The first five (5) records are to be submitted no later than 30 days from the date upon which the licensee signs the Consent Agreement. All subsequent sets must be submitted no later than the fifteenth (15th) of the first month of each quarter. If the proposed consent agreement is not accepted or renegotiated to the Board's satisfaction, then staff is authorized to set the matter for hearing. Motion carried, Complaint Officer recused.

2014 VET 10481

In a motion by Davis, seconded by Hoenig, to dismiss 2014 VET 10481 with no evidence of a violation of the Board's Laws and Rules. Motion carried, Complaint Officer recused.

2014 VET 10511

In a motion by Law, seconded by Davis, to dismiss 2014 VET 10511 with no evidence of a violation of the Board's Laws and Rules. Motion carried, Complaint Officer recused.

2014 VET 10677

Hoenig recused and left the room.

In a motion by Law, seconded by Davis, to dismiss 2014 VET 10677 with no evidence of a violation of the Board's Laws and Rules. Motion carried, Hoenig and Complaint Officer recused.

2014 VET 10738

Law recused and left the room.

In a motion by Hoenig, seconded by Davis, to dismiss 2014 VET 10738 with a Letter of Guidance advising that all test results outside the normal range should be communicated to the patient's owner in order that the owner may make informed treatment decisions, regardless of the veterinarian's opinion as to their significance. The Letter of Guidance is to remain on file for a period ten (10) years. Motion carried, Law and Complaint Officer recused.

2012 VET 7939, 8037 & 8053

Assistant Attorney General gave the Board an update regarding 2012 VET 7939, 8037 and 8053, no action was taken.

2011 VET 7612

Licensee appeared before the Board as required by the Consent Agreement. No Board action was taken at this time.

**Designation of Travel; American Association of Veterinary State Boards (AAVSB)
September 17-19, 2015 Milwaukee, WI**

In a motion by Law, seconded by Pesut to nominate Administrator Geraldine Betts to attend the 2015 AAVSB Annual Meeting and Conference.

Board Action on Applications

Jennifer Keaton, VT2104 (Initial application)

Law and Hoenig recused and left the room.

In a motion by Pesut, seconded by Davis, to accept staff's recommendation and issue a preliminary denial of the veterinary technician application of Jennifer Keaton, VT2104, and offer a Consent Agreement to include: 1) Admission to 10 M.R.S. § 8003 (5-A)(A)(1) and (4) and 32 M.R.S. § 4860; 2) Reprimand; 3) \$2000.00 fine and 4) Completion of twelve (12) hours of additional continuing education in the area of professional ethics to be submitted with the renewal application in 2015, and before September 30, 2015 at the latest which units shall be in addition to the units required for renewal. Motion carried, Law and Hoenig recused.

In a motion by Pesut, seconded by Chesley to request that staff file a complaint against the owner of the clinic for allowing unlicensed practice.

J. Kirk Keniston, VT1306 (Reinstatement)

In a motion by Hoenig, seconded by Law, to accept staff's recommendation and issue a preliminary denial of the veterinarian reinstatement application of J. Kirk Keniston, VT1306, and offer a Consent Agreement to include: 1) Admission to 10 M.R.S. § 8003(5-A)(A)(1) and (5); 32 M.R.S. § 4864(11) and Board Rules Chapter 7; 2) Reprimand; 3) \$1,500.00 fine and 4) Completion of twelve (12) hours of additional continuing education in the subject of ethics to be obtained before the submission of the 2015 license renewal which units shall be in addition to the units required for renewal. The courses are to be preapproved by the Board's complaint committee. Motion carried.

Program Administrator's Report

No report.

ADJOURN

There being no further business Davis motioned to adjourn at 1:02 p.m. seconded by Chesley. Motion carried.