



Janet T. Mills
Governor

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

Anne L. Head, Esq.
Commissioner

Geraldine L. Betts
Administrator

Maine Board of Veterinary Medicine
Minutes of July 10, 2023, Board Meeting

CALL TO ORDER

Chair Hoenig called the meeting to order at 9:02 a.m.

MEMBERS PRESENT

Donald Hoenig, VMD, Chair
Douglas Andrews, DVM, Complaint Officer
Matthew Townsend, DVM

MEMBERS ABSENT

Peter Davis, DVM, Vice Chair

STAFF PRESENT

Geraldine L. Betts, Administrator
Jessica Gowell, Comprehensive Health Planner II
Dominic Cotone, Comprehensive Health Planner I, Application Presentations
Jennifer Willis, Assistant Attorney General, Board Counsel
John Belisle, Assistant Attorney General, Board Counsel

MINUTES REVIEW AND APPROVAL

January 18, 2023

Townsend moved to accept the minutes of January 18, 2023, as presented, seconded by Andrews. Unanimously voted.

INTRODUCTION OF ASSISTANT ATTORNEY GENERAL, JOHN BELISLE BY ASSISTANT ATTORNEY GENERAL, JENNIFER WILLIS

Assistant Attorney General, John Belisle was introduced to the board.

APPLICATION REVIEW AND BOARD ACTION – *Presenter, Dominic Cotone*

Dianne Valdez, TC10011169 (Initial)

Townsend moved to preliminarily deny licensure to Dianne Valdez, TC10011169 pursuant to 32 M.R.S. § 4861-A(1), and Board Rule Chapter 3 § 1(B), seconded by Andrews. Unanimously voted.

Licensing (207)624-8620
Main Receptionist (207)624-8603
TTY users call Maine relay 711



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www.maine.gov/professionallicensing

Geraldine.L.Betts@maine.gov
Direct Line: (207)624-8625
Fax: (207)624-8666

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

William Flahive, VT1563 (Renewal)

Andrews moved to approve the renewal application, issue the license, and dismiss the administrative complaint with a Letter of Guidance regarding 10 M.R.S. §8003-G(2)(B). The Letter of Guidance is to remain on file for a period of ten (10) years, seconded by Townsend. Unanimously voted.

COMPLAINT PRESENTATION(S) AND BOARD ACTIONS

2022-VET-18515

Townsend moved to schedule 2022-VET-18515 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 10 M.R.S. § 8003(5-A)(A)(2), 10 M.R.S. §8003(5-A)(A)(5) and Board Rules Chapter 5 Section 2; 2) Warning; 3) Probation for a period of one (1) year, during which the licensee must submit two (2) medical records, one (1) dental record and one (1) lumpectomy record on a quarterly basis throughout the one-year period of probation beginning three (3) months from the final signature on the consent agreement, seconded by Townsend. Unanimously voted. Complaint Officer Andrews abstained.

2022-VET-18626

Townsend moved to dismiss 2022-VET-18626 with a Letter of Guidance regarding ensuring that the contemporaneous Patient-specific record also include the dosage administered. The Letter of Guidance is to remain on file for a period of ten (10) years, seconded by Hoenig. Unanimously voted. Complaint Officer Andrews abstained.

The Board would like all Letters of Guidance going forward to remain in the file for ten (10) years.

2022-VET-18649

Townsend moved to schedule 2022-VET-18649 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 10 M.R.S. § 8003(5-A)(A)(2); 2) Censure; 3) Probation for a period of two (2) years, during which the licensee must complete six (6) hours of continuing education in each of the first two (2) years in the topic of soft tissue surgery and complications that can arise which must be submitted to the Board's Complaint Officer for prior approval, seconded by Hoenig. Unanimously voted. Complaint Officer Andrews abstained.

2022-VET-18761

Townsend moved to dismiss 2022-VET-18761 with a Letter of Guidance regarding maintaining adequate records. The Letter of Guidance is to remain on file for a period of ten (10) years, seconded by Hoenig. Unanimously voted. Complaint Officer Andrews abstained.

2022-VET-18762

Townsend moved to dismiss 2022-VET-18762 with no evidence of a violation of the Board's Laws and Rules, seconded by Hoenig. Unanimously voted. Complaint Officer Andrews abstained.

2023-VET-18890

Townsend moved to schedule 2023-VET-18890 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; 10 M.R.S. § 8003(5-A)(A)(5) and Board Rules Chapter 5 Section 2; 2) Warning; 3) Probation for a period of one (1) year, during which the licensee must a) complete three (3) hours of continuing education on the topic of proper veterinary medical recordkeeping and ethical and legal responsibilities regarding supervising veterinarian technicians and b) Submit two (2) medical records on a quarterly basis including one (1) pre-surgical record and one (1) on processing incoming dogs or puppies, seconded by Hoenig. Unanimously voted. Complaint Officer Andrews abstained.

CORRESPONDENCE

Rachel Fiske, Assistant State Veterinarian, FDA CVM GFI #263 Guidance on Recommendations for Sponsors of Medically Important Antimicrobial Drugs Approved for Use in Animals to Voluntarily Bring Under Veterinary Oversight All Products That Continue to be Available Over the Counter.

The Board discussed the correspondence and agreed the Board does not have oversight of the sale of antimicrobial drugs. The Board has not issued guidance regarding the topic of the correspondence and does not have a plan for discussion or communication at this time.

Townsend authorizes Hoenig to sign the response letter on behalf of the Board, seconded by Andrews. Unanimously voted.

BOARD MEMBER REMOTE PARTICIPATION POLICY - DRAFT

Townsend moved to adopt the policy as amended, seconded by Hoenig. Unanimously voted.

An opportunity for the public to comment regarding the draft policy was provided and no comments were received.

PUBLIC OPPORTUNITY TO COMMENT

No comment.

The Board requested for the next board meeting an agenda item regarding a discussion on communications the Board wishes to send to licensees, such as the record keeping requirement pursuant to Board Rule Chapter 5 and 10 MR.S. §8003-G; Duty to require certain information from applicants and licensees, specifically reporting to the office no later than ten (10) days after the change of address, phone number and reporting criminal convictions. Administrator Bett's will prepare a draft communication for the Board to review at the next scheduled board meeting.

ADJOURN

There being no further business Townsend moved to adjourn at 11:33 a.m., seconded by Andrews. Unanimously voted.

Prepared By: Jessica Gowell, Comprehensive Health Planner II
Board approved: September 20, 2023