



## **Texas Board of Veterinary Medical Examiners**

### Board Meeting Minutes

4/25/2023

At 9:02 am, Board President, Dr. Steven Golla, called the board meeting to order.

Dr. Golla requested Board Secretary Dr. Samantha Mixon call the roll. Present were: Dr. Steven Golla, Dr. Lynn Criner, Dr. Samantha Mixon, Dr. Randall Skaggs, Dr. Michael White, Sue Allen LVT, Mr. Keith Pardue and Ms. Victoria Whitehead. Ms. Raquel Olivier was absent.

Ms. Whitehead moved to approve the January 17, 2023, with an amendment to have the names of the relevant licensees added to the approved agreed orders. Mr. Keith Pardue seconded the motion. Member of the public, Attorney Don Ferrill, was recognized and expressed some concerns regarding confidentiality of including the names in the minutes. After some discussion, the vote was called. The motion to approve the minutes with the amendment to include the name of the licensees who entered into approved agreed orders was passed unanimously.

Dr. Golla recognized that Ms. Olivier was now present.

Dr. Golla called for citizen comments. Dr. Jodi Ware provided a public comment via Zoom Video Conference. Dr. Golla stated written public comments were included in the materials for the Board meetings.

Dr. Golla called for the next agenda item, the Executive Director's report, provided by Executive Director, Brittany Sharkey. Ms. Sharkey provided some legislative updates. The TBVME Sunset Bill had passed the Senate and House Committee and was still waiting a vote on the House floor. This is a bill that would temporarily attach TBVME to the Texas Department of Licensing and Regulation for a period of four years. The state budget was still working its way through the legislative process and the agency was awarded significant portions of its's exceptional item requests in both the House and Senate versions. The final version of the budget is expected in mid-May. Ms. Sharkey also advised that the agency had recently hired Mary Monk as a new legal assistant and Britney Ganus as the new customer service representative. Compliance Director Jerod Honrath was out on sick leave, Ms. Sharkey provided his report. There are currently 38 open compliance cases. During this fiscal year. Mr. Honrath has granted 31 CE hardship extensions and reviewed the criminal history and fingerprint reports of 491 license applications.

Ms. Sharkey then called on Mike Tacker, Director of Enforcement to give his report. As of the end of March, the Board had received 232 complaints this fiscal year. His enforcement team has completed 229 investigations and currently has 181 open investigations. The enforcement division has also completed 405 compliance inspections so far this fiscal year and is on track to hit our performance measure of 750 per year. Nine complaints were generated out of that

compliance inspections. There are currently 32 cases in medical review and 55 awaiting assignment to a medical reviewer.

Next, Ms. Sharkey recognized Licensing Supervisor, Ms. Wanda Bennett, to give her report. So far in this fiscal year, 145 new licenses have been issued and there are 13,391 total licensees. Ms. Bennett shared that the licensing division had just finished their busy season ahead of Spring graduation and received 121 applications from students at Texas A&M University. Ms. Bennett and her team worked diligently to handle the influx of applications and still keep processing times under two weeks.

Ms. Sharkey then recognized Chief Financial Officer Ms. Arlethia Middleton to give a financial update. As of March 30<sup>th</sup>, 58% of the year had elapsed and the agency had expended 57% of its funds so far. The agency is making the transition to a new payroll and accounting system administered by the Comptroller of Public Accounts. This system will allow employees to enter and access their information more readily. This transition will happen in early May.

Finally, Ms. Sharkey recognized General Counsel Mr. John Hargis to give the update on the legal department. As of the Board meeting, there were 291 cases open in legal with 122 cases pending on the current Board agenda. Mr. Hargis has made significant progress on clearing the backlog of cases pending informal conference, down to only 37 cases from a high of over 240 last year.

Dr. Golla moved on to the next agenda item, Board Committee Reports. Dr. Criner provided reports for both the Enforcement and Education Committee. Dr. Criner echoed the progress that has been made on reducing the backlog of cases awaiting informal conference and indicated that the Education committee had approved 40 different continuing education courses. Dr. Skaggs provided the Finance Committee report and stated that the agency was on track financially in terms of year elapsed versus funds expended. Dr. Skaggs also provided updates on two purchases approved by the Finance Committee. One was to pay for the rest of the fiscal year for the database services. Paying in a lump sum saved the agency almost \$1,000.00 over the rest of the fiscal year. The committee also approved the lease of a new large format printer. Currently, the agency has two but really only needs one. This reduction will save the agency about \$120 a month. Dr. Golla then provided an update regarding the Ad Hoc Outreach Committee. Dr. Golla stated the agency's Twitter account is operational. Additionally, members of the Outreach Committee had testified before the legislature for their support of the agency's exceptional item budget requests. The Licensing Committee had no updates to provide and the Rules Committee will share their updates with the next item on the agenda.

Dr. Golla then recognized Dr. Mixon to discuss the next agenda item regarding the adoption of proposed rule changes to be published in the Texas Register. Dr. Mixon explained that after reviewing the public comment received, she was recommending making a motion to pull down the proposed Deferred Dismissal rule. She stated that the goal was to provide education opportunities for minor rule violations but understood the need for transparency and accountability was greater. She motioned to pull down the rule. Ms. Whitehead seconded the motion. There was no further discussion. The motion carried unanimously. Dr. Mixon then motioned to adopt the proposed rule regarding informal conferences on the Texas Register. Dr.

Mixon explained that this had been language that had been reworked to address the concerns of stakeholders. Dr. Criner seconded the motion. The motion carried unanimously.

Dr. Golla then recognized Ms. Sharkey to discuss the next agenda item regarding an update to the Agency Policy and Procedures. Ms. Sharkey stated that a first draft of new agency policies and procedures had been completed and had been sent to Ms. Whitehead for review and further updates. It was the goal of both Ms. Sharkey and Ms. Whitehead to be able to present final versions for approval at the July Board meeting.

Dr. Golla then recognized Ms. Sharkey to discuss the next agenda item regarding TBVME newsletters. Ms. Sharkey shared that a new newsletter platform had been adopted by the agency when they could not gain access to the former platform. There is a new sign-up link live on the website. The goal is to provide reminders for upcoming Board meetings, after Board meeting action reports and any emergency announcements that need to be made. In addition, Dr. Mixon will be starting a column in the TVMA bimonthly magazine to address best practices for common issues seen in complaints for licensees. The first column will appear in the June edition of the magazine and it is the intention of the Board to also make that information publicly available as well.

Dr. Golla then recognized Mr. Hargis to discuss the approval of Agenda Item #9, agreed orders. Mr. Hargis indicated the CP21-268 had been flagged for discussion in Executive Session. Ms. Whitehead moved that all other proposed agreed orders be approved. Dr. Mixon seconded the motion. There was no further discussion, the motion carried unanimously.

The following agreed orders were approved:

<u>Case #</u>	<u>Name</u>	<u>License #</u>	<u>Practice City</u>
CP18-109	COLLEEN VANCE, DVM	12180	MCKINNEY
<i>Non-Voting:</i>	Dr. Michael White		
CP18-168	JAMES REEVES, DVM	8407	FORT WORTH
<i>Non-Voting:</i>	Dr. Samantha Mixon		
CP19-241	JOHN KOTTENSTETTE, DVM	8150	CONROE
<i>Non-Voting:</i>	Dr. Randall Skaggs		
CP19-381	BONNIE CHIU, DVM	11693	DALLAS
<i>Non-Voting:</i>	Dr. Randall Skaggs		
CP20-212	KATHERINE WELLS, DVM	7081	DALLAS
<i>Non-Voting:</i>	Dr. Michael White		
CP20-374	ALICIA WALTER, DVM	8626	RICHMOND
<i>Non-Voting:</i>	Dr. Michael White		
CP20-376/ CP21-002	LAUREN SMITH, DVM	13504	DECATUR
<i>Non-Voting:</i>	Dr. Michael White		
CP21-059	BRENT PLONSKI, DVM	12148	SANTA FE
<i>Non-Voting:</i>	Dr. Michael White		

CP21-102	THOMAS EVANS, DVM	5177	ALVIN
<i>Non-Voting:</i>	Dr. Michael White		
CP21-112	PRAKASH BOMMALA, DVM	13093	HOUSTON
<i>Non-Voting:</i>	Dr. Michael White		
CP21-113	CARA BANKSON, DVM	15337	LONGVIEW
<i>Non-Voting:</i>			
CP21-192	CHRISTI HAWKINS, DVM	9816	SPRING
<i>Non-Voting:</i>	Dr. Michael White		
CP21-263	NATHANIEL SHELTON, DVM	13569	HOUSTON
<i>Non-Voting:</i>	Dr. Michael White		
CP21-268	AMY KIRKLAND, DVM	13180	CANYON
<i>Non-Voting:</i>	Dr. Michael White		
CP21-283	IQBAL JAVAID, DVM	4476	HOUSTON
<i>Non-Voting:</i>	Dr. Michael White		
CP21-336	COURTNEY TRAMBLE, DVM	15524	AUSTIN
<i>Non-Voting:</i>			
CP21-365	LEAH ATWOOD, DVM	10973	ALLEN
<i>Non-Voting:</i>	Dr. Randall Skaggs		
CP21-432	RENA DUNAHOO, DVM	9375	TEMPLE
<i>Non-Voting:</i>			
CP22-004	DELANEY SWEENEY, DVM	15721	ALICE
<i>Non-Voting:</i>	Dr. Michael White		

Dr. White recused; CP18-109, CP20-212, CP20-374, CP20-376/ CP21-002. CP21-059, CP21-102, CP21-112, CP21-192, CP21-268, CP21-283, CP22-004, CP21-263

Dr. Skaggs recused; CP19-241, CP19-381, CP21-365

Dr. Mixon recused; CP18-168

Mr. Hargis then moved to informal conference dismissals, Agenda Item #10. Cases CP18-062, CP18-303 and CP18-314 and CP21-429 were pulled for discussion in Executive Session. Ms. Whitehead moved to approve the informal conference dismissals with the exception of cases pulled. Dr. Mixon seconded. There was no further discussion, the motion carried unanimously.

Dr Skaggs recused; CP18-062, CP18-303, CP18-314, CP19,026, CP19-209, CP19-263, CP19-340, CP20-254, CP20-354, CP21-363, CP21-364, CP21-376, CP22-052, CP22-065

Dr. White recused; CP19-008, CP19-203, CP20-175, CP20-320, CP21-007, CP21-014, CP21-138, CP21-139, CP21-146, CP21-170, CP21-300, CP21-306, CP21-321, CP21-388, CP21-429, CP21-454, CP21-017, CP22-140, CP22-187, CP22-196, CP22-205, CP21-417, CP21-445

Dr. Golla recused; CP21-136, CP21-145, CP21-160

Mr. Hargis then moved to dismissal from medical review, Agenda Item #11. No cases were pulled for discussion in Executive Session. Ms. Whitehead moved that the Board approve all of the recommended dismissals from medical review. Mr. Pardue seconded the motion. There was no further discussion and the motion carried unanimously.

Dr. Golla recused; CP21-096, CP22-091, CP22-154, CP22-174, CP22-179, CP22-180, CP22-193, CP22-238

Dr. White recused; CP21-209, CP21-350, CP22-003, CP22-043, CP22-067, CP22-074, CP22-086, CP22-133, CP22-158, CP22-183, CP22-246, CP22-247, CP22-249, CP22-255. CP22-266, CP22-295, CP22-330, CP23-183

Dr. Skaggs recused; CP22-050, CP22-051, CP22-113, CP22-116, CP22-231, CP22-233, CP22-240, CP22-270, CP22-273, CP22-275, CP22-281, CP22-282, CP22-285, CP22-288

Mr. Hargis moved on to dismissals from staff conference, Agenda Item #12. No cases were pulled for discussion in Executive Session. Ms. Whitehead moved to approve all cases recommended dismissed from staff conference. Mr. Pardue seconded the motion. There was no further discussion and the motion carried unanimously.

Dr. Skaggs recused; CP18-093, CP22-085

Dr. White recused; CP20-246, CP22-258

Dr. Golla then called Agenda Item #13, discussion of potential future Board meeting dates and discussion topics. Ms. Whitehead would like the Board to look into more strategic planning as a whole with work sessions to set out agency goals and strategies moving forward. Dr. Golla stated he would like to move to the tradition of setting board meeting dates for the next year. The proposed dates were July 18<sup>th</sup> 2023, October 17<sup>th</sup> 2023, January 23 2024 and April 16 2024.

At 10:02 AM, Dr. Golla moved that the Board enter into executive session pursuant to Section 551, Subchapter D of the Texas Government Code.

At 10:46 AM, Dr. Golla resumed the meeting from executive session and announced that no action had been taken in executive session.

After the return from Executive Session, the following motions were made:

Ms. Whitehead moved to approve the proposed agreed order for CP21-268, Dr. Mixon seconded the motion. There was no further discussion and the motion carried unanimously.

Ms. Whitehead moved to dismiss CP18-062, CP18-303, CP18-314, and CP21-429. Dr. Mixon seconded the motion. There was no further discussion and the motion carried unanimously.

There being no further business to come before the Board, Dr. Golla adjourned the meeting at 10:48 am.

