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Commonwealth of Massachusetts
Division of Professional Licensure
BOARD OF REGISTRATION IN VETERINARY MEDICINE
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JOHN C. CHAPMAN
UNDERSECRETARY OF
CONSUMER AFFAIRS AND
BUSINESS REGULATION

CHARLES BORSTEL
DIRECTOR, DIVISION OF
PROFESSIONAL LICENSURE

Massachusetts Board of Veterinary Medicine
Open Board Minutes for December 10, 2015

Present:

Dr. David Diamond – Chair
Dr. Karen Patti – Member
Dr. Sheri Siegel – Member

Absent:

Donna Turley, Esq. – Member

Board Staff:

Ann Barry, Executive Director
Jennifer Romeo-Porcaro, Assoc. Executive Director
James O'Connor, Board Counsel
Elizabeth Regan, Board Administrator
Alan Van Tassel, Supervising Investigator
Robert Williams, Investigator

9:37 AM: Dr. Diamond called the meeting to order with a moment of silence for our troops. Ann Barry reviewed the evacuation plan in the event of an emergency.

Vote on Minutes: November 12, 2015

The Board reviewed the Minutes from November 12, 2015. Motion was made by Dr. Patti to approve the minutes. Dr. Siegel seconded the motion. Motion passed unanimously by the Board.

Susan Curtis, Executive Director, Massachusetts Veterinary Medical Association:

- a) **House Bill 2061:** Ms. Curtis provided the Board with an update as to House Bill 2061. The bill would allow Veterinarians to stock, administer, and dispense limited quantities of compounded medication for urgent and emergency situations. Executive Director Barry and Attorney O'Connor notified Ms. Curtis and the Board that the proper means for the Board to comment on pending legislation occurs when the House and/or Senate sends the Division of Professional Licensure and Board a written request for legislative comment.
- b) **Email from Susan Curtis regarding cystocentesis:** Ms. Curtis sent an email to the Board as to whether, in Massachusetts, are certified veterinary technicians (or veterinary assistants for that matter) legally allowed to perform a cystocentesis under the direction of a licensed DVM? The Board stated yes.



Other Board Business:

- (a) **Report from Office of Investigations:** None
- (b) **Applications: Reinstatements, Reciprocity, Limited License, etc:** None

Compliance Monitoring: Matthew Callahan (VT-15-003) – Proposed Monitor

Dr. Callahan submitted a proposed Monitor, Dr. Carolyn Jenson. The Board reviewed Dr. Jenson's resume and noted that Dr. Jenson works with Dr. Callahan. The Board stated it is important for the Board Monitor to be an objective and independent person from the monitored Licensee and thus the Board declined to name Dr. Jenson as the Monitor. Dr. Callahan must name a new Monitor. To help expedite the Board's review and approval of the proposed Monitor a motion was made by Dr. Patti to designate Dr. Diamond as the Board Member who will oversee the subsequent selection of an appropriate monitor for Dr. Callahan. The motion was seconded by Dr. Siegel. Motion passed unanimously by the Board.

Investigative Conference – Closed Session:

Dr. Siegel moved to suspend the Open Session pursuant to M.G.L. ch. 112, § 65C and enter into Closed Session so the Board could enter into Investigative Conference. The motion was seconded by Dr. Patti. Motion passed unanimously by the Board.

The Board made the following decisions while in Investigative Conference:

VT-2015-1312 (PK): A motion was made by Dr. Patti to dismiss. The motion was seconded by Dr. Diamond. Motion passed unanimously by the Board.

VT-2015-1313 (PK): A motion was made by Dr. Siegel to dismiss. The motion was seconded by Dr. Patti. Motion passed unanimously by the Board.

VT-2015-1319 (PK): A motion was made by Dr. Patti to dismiss. The motion was seconded by Dr. Siegel. Motion passed unanimously by the Board.

VT-2015-1340 (LF): A motion was made by Dr. Siegel to dismiss. The motion was seconded by Dr. Patti. Motion passed unanimously by the Board.

VT-2015-1343 (LB): Dr. Diamond notified the Board that he knew LB. Attorney O'Connor queried Dr. Diamond as to how Dr. Diamond knows LB. Dr. Diamond stated that fifteen (15) years ago he supervised the Licensee. Dr. Diamond stated that he could be impartial. Attorney O'Connor stated that Dr. Diamond does not need to recuse. The Board tabled the matter to allow the Investigator Van Tassel to obtain additional documentation from the Licensee.

VT-2016-1360 (DK): A motion was made by Dr. Patti to close with advisory letter. The motion was seconded by Dr. Diamond. Motion passed unanimously by the Board.

VT-2015-1361 (MR): A motion was made by Dr. Patti to table until January 2016 as no quorum. The motion was seconded by Dr. Siegel. Motion passed unanimously by the Board.

VT-2015-1363 (BM): Dr. Diamond recused himself. A motion was made by Dr. Patti to table until January 2016 as no quorum. The motion was seconded by Dr. Siegel. Motion passed unanimously by the Board.

VT-2015-1412 (WS): A motion was made by Dr. Siegel to dismiss original complaint and open new complaint for continuing education violation. The motion was seconded by Dr. Patti. Motion passed unanimously by the Board.

A motion was made by Dr. Patti to suspend the Investigative Conference and resume Open Session. The motion was seconded by Dr. Siegel. Motion passed unanimously by the Board.

Executive Director's Report to the Board:

- a) **New Associate Executive Director:** Executive Director Barry introduced Jennifer Romeo-Porcaro as the new Associate Executive Director of the Veterinary Board. Jennifer was an Assistant District Attorney with the Worcester County District Attorney's Office for the past 8 years.
- b) **Board Elections:** Postponed until February 2016 as the Board's statute states that elections are held in February.

Board Counsel's Report to the Board:

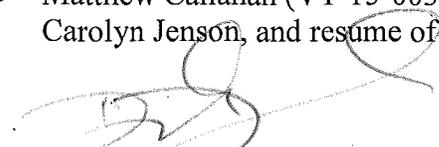
- (a) **Regulation Review for Executive Order 562:** The Board resumed regulation review per Executive Order 562. A motion was made by Dr. Siegel for the Board to approve the proposed regulations pending final amendments. The motion was seconded by Dr. Patti. Motion passed unanimously by the Board.

Board Chair's Updates: No updates

Dr. Diamond moved to adjourn the meeting at 12:25 PM. The motion was seconded by Dr. Siegel. Motion passed unanimously by the Board.

List of documents:

- Minutes of November 12, 2015 meeting
- Correspondence (email) from Susan Curtis, Mass. Veterinary Medical regarding cystocentesis
- Proposed Regulatory Amendments to 256 CMR 1.00 to 10.00
- Matthew Callahan (VT-15-003): Consent Agreement, letter proposing Monitor, Dr. Carolyn Jenson, and resume of Dr. Jenson



Dr. David Diamond, Chair
Board of Veterinary Medicine