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Commonwealth of Massachusetts  
Division of Professional Licensure  
BOARD OF REGISTRATION IN VETERINARY MEDICINE  
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BUSINESS REGULATION

CHARLES BORSTEL  
DIRECTOR, DIVISION OF  
PROFESSIONAL LICENSURE

Massachusetts Board of Veterinary Medicine  
Open Board Minutes for February 11, 2016

**Present:**

Dr. David Diamond – Chair  
Dr. Karen Patti – Member  
Dr. Sheri Siegel – Member  
Donna Turley, Esq. – Member

**Board and DPL Staff:**

Ann Barry, Executive Director  
Jennifer Romeo-Porcaro, Assoc. Executive Director  
James O'Connor, Board Counsel  
Elizabeth Regan, Board Administrator  
Robert Williams, Investigator  
Doris Lugo, Investigator  
Bruce Hopper, Chief Legal Counsel

**Public Present:**

Dr. Robert Shurtleff - Massachusetts Veterinary Medical Association  
Theresa Shurtleff

**9:31 AM:** Dr. Diamond called the meeting to order with a moment of silence for our troops. Board Counsel, Atty. Jim O'Connor, reviewed the evacuation plan in the event of an emergency.

**Investigative Conference – Closed Session under M.G.L. ch. 112, section 65C**

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

The Board made the following decision while in Investigative Conference:

**Prosecutor Deborah Kravitz – Closed Session under M.G.L. ch. 112, section 65C:  
VT-15-019 (VJ) and VT-2015-1318 (HV)**

The matter has been postponed to allow the Board an opportunity to re-review the medical records.

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.



**Vote on Minutes:** January 14, 2016

The Board reviewed the Minutes from January 14, 2016. Motion was made by Dr. Siegel to approve the minutes. Atty. Turley seconded the motion. Motion passed unanimously by the Board.

**Compliance Monitoring:**

- (a) **Michael Johnson (VT-12-112):** Monitoring Report: The Board accepted the Licensee's monitoring report.
- (b) **Ashraf Gomaa (VT-13-035):** Monitor Approval: The Board approved the Licensee's choice for Radiology Monitor.
- (c) **Marina Cesar (VT-12-039):** Approval of Continuing Education: A motion was made by Dr. Siegel to accept the continuing education and remove Dr. Cesar from probation. The motion was seconded by Dr. Patti. Motion passed unanimously by the Board.

**Executive Director Ann Barry's Report to the Board:**

(a) **Board Chair and Board Secretary Elections:**

A motion was made by Dr. Patti to nominate Dr. Siegel as the new Chair. The motion was seconded by Atty. Turley. Motion passed unanimously by the Board. Dr. Siegel is the new Chair as of the March 2016 Board meeting.

A motion was made by Dr. Siegel to nominate Dr. Patti as the Board Secretary. The motion was seconded by Dr. Diamond. Motion passed unanimously by the Board. Dr. Patti is the new Secretary as of the March 2016 Board meeting.

(b) **Associate Executive Director – Role with the Board:**

Ann Barry announced that Associate Executive Director Jennifer Romeo-Porcaro will be the primary overseer of the Veterinary Medicine Board.

(c) **AAVSB New Board Member Training:**

The American Association of Veterinary State Boards (AAVSB) offers one attendee per jurisdiction a chance to attend this event free of charge. The event will be held May 21-22, 2016 in Kansas City, Missouri. No Board members are available to attend so Jennifer Romeo-Porcaro or Jim O'Connor will attend and represent the Board.

(d) **AAVSB Outreach Initiative:**

Dr. Diamond was asked by the AAVSB if they might attend a future Board meeting. Ann Barry distributed an outline of some of the topics/areas that might be covered in such a meeting/event. The idea is to further clarify what the AAVSB can offer to the Board and the Board's Licensees. There is no cost associated with this presentation. The Board was in favor of inviting the AAVSB to attend a future Board meeting. Ann Barry will reach out to them to propose some possible dates.

**Board Counsel James O'Connor's Report to the Board:**

- (a) **Legal Update and Regulation Review for Executive Order 562:** Atty. Jim O'Connor reported the regulations, as revised and approved by the Board, will be reviewed by the Division of Professional Licensure, Office of Consumer Affairs, Secretary of Administration and Finance, and Secretary of Housing and Economic Development. Once reviewed by the various state agencies, the Board will hold a public hearing on the regulations.

- (b) **Draft and Amend Policy: Dispensing of Prescription Veterinary Diets by a Non-Prescribing Veterinarian – Policy #08-02:** A motion was made by Dr. Patti to approve the draft as amended. The motion was seconded by Atty. Turley. Motion passed unanimously by the Board. The amended policy will now proceed to the next stage of approval at the DPL.

**Board Chair's Report:** None

**Other Board Business:**

- (a) **Report from Office of Investigations:** None
- (b) **Applications: Reinstatements, Reciprocity, Limited License, etc.:** No updates
- (c) **Correspondence:**
- (i) **Letter from Elizabeth Bohart, requesting extension for continuing education hours for renewal.** A motion was made by Atty. Turley to allow an extension of three (3) months and the Licensee must send proof of completion and cannot use these CEs for any future renewals. The motion was seconded by Dr. Siegel. Motion passed unanimously by the Board, with amendment.

**Executive Session – Good Moral Character of MN – Closed Session under M.G.L. ch. 30A, section 21**

Dr. Siegel recused and left room for discussions.

Dr. Patti moved to suspend the Open Session pursuant to M.G.L. ch. 30A, section 21 and enter into Closed Session so the Board could enter into Executive Session to discuss Good Moral Character of an applicant (MN). The motion was seconded by Atty. Turley and a roll call vote was taken.

In Favor: Dr. Diamond, Dr. Patti, Atty. Turley  
Recused: Dr. Siegel  
Against: None

The Board indicated that the Open Session would resume in approximately 10 minutes. Atty. Turley made a motion to confirm the Good Moral Character of applicant and allow application to proceed. The motion was seconded by Dr. Patti. Motion passed unanimously by the Board.

**Investigative Conference – Closed Session under M.G.L. ch. 112, section 65C**

Atty. Turley moved to suspend the Executive Session pursuant to M.G.L. ch. 112, section 65C and remain in Closed Session so the Board could re-enter into Investigative Conference. The motion was seconded by Dr. Diamond. Motion passed unanimously by the Board.

The Board made the following decisions while in Investigative Conference:

- (a) **2015-001531-IT-ENF (CAH):** A motion was made by Atty. Turley to dismiss with an advisory letter. The motion was seconded by Dr. Siegel. Motion passed unanimously by the Board.

- (b) **2015-001343-IT-ENF (LB)**: A motion was made by Dr. Diamond to dismiss with an advisory letter. The motion was seconded by Dr. Patti. Motion passed unanimously by the Board.
- (c) **2015-001356 –IT-ENF (WT)**: A motion was made by Atty. Turley to refer the matter to the Office of Prosecution. The motion was seconded by Dr. Siegel. Motion passed unanimously by the Board.
- (d) **2015-001358-IT-ENF (DM)**: A motion was made by Dr. Siegel to dismiss. The motion was seconded by Atty. Turley. Motion passed unanimously by the Board.
- (e) **2015-001390-IT-ENF (CS)**: Dr. Diamond stated that he knew Licensee as classmate over twenty (20) years ago and has had no contact since that time. Dr. Diamond queried by Board's attorney Jim O'Connor who stated no need for recusal. A motion was made by Atty. Turley to refer the matter to the Office of Prosecution. The motion was seconded by Dr. Patti. Motion passed unanimously by the Board.
- (f) **2015-001391–IT-ENF (LC)**: A motion was made by Dr. Patti to dismiss. The motion was seconded by Atty. Turley. Motion passed unanimously by the Board.
- (g) **2015-001392-IT-ENF (MR)**: A motion was made by Dr. Patti to dismiss. The motion was seconded by Atty. Turley. Motion passed unanimously by the Board.
- (h) **2015-001393-IT-ENF (JS)**: A motion was made by Atty. Turley to refer the matter to the Office of Prosecution. The motion was seconded by Dr. Patti. Motion passed unanimously by the Board.
- (i) **2015-001400-IT-ENF (JS)**: A motion was made by Atty. Turley to refer the matter to the Office of Prosecution. The motion was seconded by Dr. Patti. Motion passed unanimously by the Board.
- (j) **2015-001401-IT-ENF (ST)**: A motion was made by Dr. Siegel to dismiss with an advisory letter. The motion was seconded by Dr. Patti. Motion passed unanimously by the Board.
- (k) **2015-001416-IT-ENF (SC)**: A motion was made by Dr. Diamond to dismiss original complaint and open new case on continuing education and refer the matter directly to the Office of Prosecution. The motion was seconded by Dr. Siegel. Motion passed unanimously by the Board.
- (l) **2015-001459-IT-ENF (DT)**: A motion was made by Dr. Patti to dismiss. The motion was seconded by Dr. Siegel. Dr. Diamond abstained. Motion passed the Board.

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

Dr. Siegel moved to adjourn the meeting at 12:20 PM. The motion was seconded by Dr. Patti. Motion passed unanimously by the Board.

**List of documents:**

- Minutes of January 14, 2016 meeting
- Michael Johnson (VT-12-112): Compliance Monitoring Report
- Ashraf Goma (VT-13-035): Compliance Monitor Approval Request
- Marina Cesar (VT-12-039): Compliance Continuing Education Approval
- AAVSB Outreach Initiative Outline
- Draft and Amended Policy: Dispensing of Prescription Veterinary Diets by a Non-Prescribing Veterinarian (Policy #08-02)
- Correspondence (letter) from Elizabeth Bohart, requesting extension for continuing education hours



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Dr. David Diamond, Chair  
Board of Veterinary Medicine