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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 August 11, 2016

Present:

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

Board Staff:

Ann Barry, Executive Director
James O'Connor, Board Counsel
Alan Van Tassel, Supervising Investigator
Robert Williams, Investigator
Doris Lugo, Investigator

Absent:

Donna Turley, Esq. – Member

Public Present:

Susan Curtis - MVMA
Dr. Robert Shurtleff - Massachusetts Veterinary Medical Association
Theresa Shurtleff

9:35am: Dr. Siegel called the meeting to order with a moment of silence for our troops. James O'Connor reviewed the evacuation plan in the event of an emergency.

Vote on Minutes: June 9, 2016

The Board reviewed the Minutes from June 9, 2016. Motion was made by Dr. Patti to approve the minutes as amended. Dr. Diamond seconded the motion. Motion passed unanimously by the Board.

Board Counsel, James O'Connor Report to the Board:

- (a) **Regulation Review for Executive Order 562:** Attorney O'Connor informed the Board of a tentative public hearing date for the proposed regulations on September 22, 2016.

Compliance Monitoring:

- (a) **Michael Johnson (VT-12-112)** – monitoring report – The Board read and filed.
- (b) **Michael Katz (VT-10-032)** – monitoring report – The Board read and filed.
- (c) **Socrates Tello (VT-15-018)** – continuing education - Motion was made by Dr. Siegel to approve the proposed continuing education. Dr. Patti seconded the motion. Motion passed unanimously by the Board.
- (d) **Jennifer Wolf (VT-14-056)** – license update – The Board read and filed.



- (e) **Tad Hurvitz (VT-10-080)** – terminate stayed suspension - Motion was made by Dr. Patti to terminate the stayed suspension. Dr. Diamond seconded the motion. Motion passed unanimously by the Board.

Other Board Business:

- (a) **Report from Office of Investigations:** None

- (b) **Correspondence:**

- (i) **Susan Curtis (MVMA): fee for prescriptions** – email dated July 15, 2016: The Board stated the Veterinarian may assess a fee for writing a hard copy of a prescription so long as the fee was not restrictive.
- (ii) **Susan Curtis (MVMA): emergency exemption for practice** - email dated July 29, 2016: Motion was made by Dr. Patti to declare an emergency via Board Policy VT-06-01 pertaining to the incident in Westport, MA. Dr. Siegel seconded the motion. Motion passed unanimously by the Board. Also, a Motion was made by Dr. Patti to delegate to the Board Chair (or if unavailable a Board Member) with Board Counsel, the Executive Director and/or Associate Executive Director to declare a Board emergency pursuant to Board policy VT-06-01 without a Board meeting. Dr. Siegel seconded the motion. Motion passed unanimously by the Board.

Executive Session – Closed Session:

A motion to enter Executive Session – Closed Session under MGL ch. 30A, Section 21(a)(7) to comply with MGL ch. 4, Section 7, paragraph 26(c) - 2015-001336-IT-ENF (SM) - Reinstatement Request after Voluntary Surrender Agreement was made by Dr. Patti. Dr. Siegel seconded the motion. Motion passed unanimously by the Board.

Investigative Conference – Closed Session:

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

The Board made the following decisions while in Investigative Conference:

- (a) **2015-001314-IT-ENF (CW):** Complainant's Request to reconsider dismissal: A motion was made by Dr. Patti to deny the reconsideration request. The motion was seconded by Dr. Diamond. Motion passed unanimously by the Board.
- (b) **2015-001312, 001313, 001319-IT-ENF (PK):** Complainant's Request to reconsider dismissal: A motion was made by Dr. Patti to deny the reconsideration request. The motion was seconded by Dr. Diamond. Motion passed unanimously by the Board.
- (c) **2016-000028-IT-ENF (MC):** A motion was made by Dr. Patti to refer the matter to the Office of Prosecution. The motion was seconded by Dr. Diamond. Motion passed unanimously by the Board.
- (d) **2016-000081-IT-ENF (HW):** The matter was tabled as Dr. Diamond had to recuse and thus no quorum.
- (e) **2016-000082-IT-ENF (JF):** The matter was tabled as Dr. Diamond had to recuse and thus no quorum.

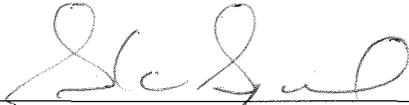
- (f) **2016-000085-IT-ENF (AF)**: A motion was made by Dr. Patti to dismiss. The motion was seconded by Dr. Siegel. Motion passed unanimously by the Board.
- (g) **2016-000086-IT-ENF (DB)**: A motion was made by Dr. Patti to issue an Advisory Letter – Dismissal and open complaint for a continuing education violation. The motion was seconded by Dr. Siegel. Motion passed unanimously by the Board.
- (h) **2016-000165-IT-ENF (M. R. I.)**: A motion was made by Dr. Patti to issue an Advisory Letter – Dismissal. The motion was seconded by Dr. Siegel. Motion passed unanimously by the Board.
- (i) **2016-000166-IT-ENF (LM)**: A motion was made by Dr. Siegel to dismiss. The motion was seconded by Dr. Diamond. Motion passed unanimously by the Board.
- (j) **2016-000167-IT-ENF (EV)**: A motion was made by Dr. Siegel to issue an Advisory Letter – Dismissal. The motion was seconded by Dr. Diamond. Motion passed unanimously by the Board.
- (k) **2016-000169-IT-ENF (KC)**: A motion was made by Dr. Patti to dismiss. The motion was seconded by Dr. Diamond. Motion passed unanimously by the Board.
- (l) **2016-000185-IT-ENF (RD)**: A motion was made by Dr. Diamond to dismiss. The motion was seconded by Dr. Patti. Motion passed unanimously by the Board.
- (m) **2016-000242-IT-ENF (JT)**: A motion was made by Dr. Diamond to dismiss. The motion was seconded by Dr. Siegel. Dr. Patti abstained.
- (n) **2016-000243-IT-ENF (AM)**: A motion was made by Dr. Patti to dismiss. The motion was seconded by Dr. Diamond. Motion passed unanimously by the Board.
- (o) **2016-000248-IT-ENF (CG)**: A motion was made by Dr. Diamond to dismiss. The motion was seconded by Dr. Patti. Motion passed unanimously by the Board.
- (p) **2016-000265-IT-ENF (MN)**: A motion was made by Dr. Diamond to issue an Advisory Letter – Dismissal. The motion was seconded by Dr. Patti. Motion passed unanimously by the Board.
- (q) **2016-000277-IT-ENF (BM)**: A motion was made by Dr. Siegel to refer the matter to the Office of Prosecution. The motion was seconded by Dr. Patti. Motion passed unanimously by the Board.
- (r) **2016-000291-IT-ENF (KD)**: A motion was made by Dr. Siegel to refer the matter to the Office of Prosecution. The motion was seconded by Dr. Diamond. Motion passed unanimously by the Board.
- (s) **2016-000424-IT-ENF (RL)**: The matter was tabled as Dr. Patti had to recuse and thus no quorum.

A motion was made by Dr. Patti to open the meeting. The motion was seconded by Dr. Siegel. Motion passed unanimously by the Board.

Dr. Siegel moved to adjourn the meeting at 1:45pm. The motion was seconded by Dr. Patti. Motion passed unanimously by the Board.

List of documents:

- Minutes of June 9, 2016 meeting
- Correspondence (email) from Susan Curtis, Mass. Veterinary Medical regarding fee for prescriptions and emergency exemption for practice



Dr. Sheri Siegel, Chair
Board of Veterinary Medicine