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**Commonwealth of Massachusetts
Division of Professional Licensure
Board of Registration in Veterinary Medicine**

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**Massachusetts Board of Registration in Veterinary Medicine
Public Meeting Minutes for November 14, 2019
1000 Washington Street, Conference Room 1D
Boston, MA 02118-6110
9:30 a.m.**

Board Members:

Dr. Stephanie Kube, Chair
Dr. Karen Patti, Secretary
Dr. David Diamond, Member
Lisa Kaufmann, Public Member

Board Staff:

Eboni Lewis Associate Executive Director
Jim O'Connor, Board Counsel

Absent:

None

Public Present:

Bob Shurtleff, MVMA
Jeffrey Auerhahn
Claudia Kessen-Banks, DVM

Meeting Called to Order

9:37 a.m.: Dr. Kube, Chair, opened the meeting.

Jim O'Connor informed board of Evacuation Plan in regards to temporary changes to the building while under construction.

Board Business

- **Public Meeting Minutes of November 14, 2019:** The Board reviewed the public meeting minutes of November 14, 2019 Dr. Patti made a motion to approve the public meeting minutes with a correction to the date, seconded by Dr. Diamond The motion passed unanimously.

Compliance Monitoring

- **Monitor Letter to the Board Dr. Claudia Kessen-Banks:** The Board gave Dr. Kessen-Banks gave feedback on monitoring and provided details on why the previous reports received lacked the information needed for compliance reporting. The Board reiterated



the stipulations of the licensee's consent agreement, which require quarterly monitored reports of her medical records and practice. These reports should contain information on deficiencies and corrective action plans to improve. The improvement or lack of improvement to any deficiencies communicated to the licensee should be noted in the following report. It was also recommended for Dr. Kessen-Banks to review 256 CMR 5.00 Practice section of the Veterinary Medicine Regulations to ensure the licensee is in compliance with all regulatory requirements. Dr. Kessen-Banks was given two weeks to resubmit reports #7-12.

Correspondence

- **NBE/CCT exam acceptance:** Dr. Patti made a motion to accept applicant Dr. Hinc's 1996 scores for the NBE/CCT taken after MA adopted the NAVLE Exam. The motion was seconded by Lisa Kaufmann and passed unanimously.
- **Behavioral Health scope:** The Board responded to an inquiry from Tonia Fleming who has a degree in animal care and management and looking at getting a specialized certificate in feline training and behavior from the animal behavior institute. Ms. Fleming asks if practicing behavioral health with cats requires licensure. The Board does not recognize any certificates to practice veterinary medicine without licensure. In terms of consulting cat behavior as the requestor asked, the board considers this the practice of veterinary medicine and referenced MGL Chapter 112 Section 58 which provides the definition. In order to provide the services indicated one must be a licensed veterinarian or licensed in the human behavior profession and receive a referral from licensed veterinarian as indicated in 256 CMR 5.05

Discussion

Regulations – The Board will begin review of the complimentary medicine regulations.

Investigative Conference CLOSED under M.G.L. c. 112, § 65C

Dr. Diamond made a motion to go into investigative conference to consider open cases, seconded by Lisa Kaufmann. The motion passed unanimously.

The Board entered investigative conference at 10:42 a.m. The Board made the following decisions while in investigative conference:

Complaints:

- 2019-001139-IT-ENF [Hawthorne Animal Health Care]- Closed no action
- 2019-000950-IT-ENF [Cooper]- Refer to Prosecutions
- 2019-000877-IT-ENF [Brito] - Dismiss
- 2019-000822-IT-ENF [Waggener]- Dismiss
- 2019-000913-IT-ENF [Bohon]- Dismiss
- 2019-000914-IT-ENF [Oranges]- Dismiss
- 2019-000998-IT-ENF [Jensen]- Dismiss

Dr. Patti made a motion to exit the Investigative Conference and return to open meeting, seconded Lisa Kaufman. The motion passed unanimously.

The Board returned to open session at 11:40 AM

Open Session for Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of Meeting

Correspondence

- **Request for Extension/Waiver CEU requirements 2019 Dr. Jennifer King**
The Board did not find any reason to grant an extension or waiver of the CEU requirements as the licensee has completed 8 of the required 15 CEUs and has enough time to complete the remaining CE's by the deadline of 12/31/2019. Dr. Patti made a motion to decline the request, it was seconded by Dr. Diamond.

Compliance Monitoring

- **2017-000312-IT-ENF [Carol Nyeregonal]:** Dr. Diamond made a motion to allow the required CEUs to be completed online in lieu of the classroom requirement outlined in the final decision and order and to deny the request of early probation termination as the licensee is only allowed petition the board after 6 months from the 8/8/2019 effective date of the order. The motion was seconded by Dr. Patti and passed unanimously.

The meeting adjourned at 11:48 a.m.



Eboni Lewis, Associate Executive Director

List of Documents Used During the Public Meeting

- Agenda of November 14, 2019 Meeting
- Public Meeting Minutes of October 10, 2019
- Monitor Letter to the Board Dr. Claudia Kessen-Banks
- Email question NBE/CCT exam acceptance
- Email question Behavioral Health scope
- Email question Extension waiver CEUs
- Email question compliance requirements 2017-000312-IT-ENF