

1 **MINUTES**

2  
3 **Board of Veterinary Medicine**  
4 **General Business Meeting**  
5 **The Shores Resort & Spa**  
6 **2637 S. Atlantic Avenue**  
7 **Daytona Beach Shores, Florida 32118**  
8 **March 1, 2019**  
9

10 **CALL TO ORDER**

11  
12 Dr. Leonard, Chair called the meeting to order at 9:30 a.m.  
13

14 **Pledge of Allegiance**

15  
16 **MEMBERS PRESENT**

17 Dr. Robert B. Leonard, Jr., Chair  
18 Dr. Sharon Powell  
19 Dr. Rudd Nelson  
20 Ms. Connie Johnson  
21 Ms. Suzanne Inzina  
22

23 **MEMBERS ABSENT**

24 None  
25

26 **OTHERS PRESENT**

27 Ruthanne Christie, Executive Director  
28 Ed Tellechea, Board Counsel  
29 Elizabeth Henderson, Prosecuting Attorney  
30 Amanda Senn, Government Analyst  
31 Volusia Reporting Company- (386) 255-2150

32 **PROBATION ROLL CALL**

33  
34 Dr. Leonard asked Ms. Senn to call the roll.  
35

36 The following probationers were present;

37 Norman Newton, DVM – Not present  
38 George Jutras, DVM  
39 Ram Prasad, DVM  
40 Thomas Fish DVM  
41

42 **APPROVAL OF December 14, 2018 MEETING MINUTES**  
43

44 **MOTION:** Dr. Powell made a motion to approve the minutes with corrections.

45

46 **SECOND:** Dr. Nelson.

47

48 Motion passed unanimously.

49

## 50 **DISCIPLINARY HEARINGS**

51

52 **Donald Denoff, DVM**

53 **Case number 2017-036124**

54 **VM 2047**

55

56 Dr. Denoff was not present but was represented by Attorney Paul Drake.

57

58 Dr. Powell was recused from this case due to her participation on the Probable Cause  
59 Panel.

60

61 **MOTION:** Ms. Johnson made a motion to postpone the hearing of this case until Dr.  
62 Denoff is present.

63

64 **SECOND:** Ms. Inzina.

65

66 Motion passed unanimously.

67

68 **Gregory Burbelo, DVM**

69 **Case number 2018-033812**

70 **VM 14535**

71

72 Dr. Burbelo was not present or represented by legal counsel.

73

74 Dr. Powell was recused from this case due to her participation on the Probable Cause  
75 Panel.

76

77 Dr. Burbelo was charged with violation of 455.214 (1)(c) F.S., " Being convicted or  
78 found guilty, regardless of adjudication, of a crime in any jurisdiction which directly  
79 relates to the practice of veterinary medicine or the ability to practice veterinary  
80 medicine. Any crime which demonstrates a lack of regard for animal life relates to the  
81 ability to practice veterinary medicine. In addition, crimes relating to the ability to  
82 practice veterinary medicine shall include, but not be limited to, crimes involving any  
83 violation of state or federal drug laws."

84 Also with violation of 474.214 (1)(p) F.S., " Conviction on a charge of cruelty to animals."

85 Also with violation of 455.227 (1)(t), F.S., "Failing to report in writing to the board or, if  
86 there is no board, to the department within 30 days after the licensee is convicted or  
87 found guilty of, or entered a plea of nolo contendere or guilty to, regardless of

88 adjudication, a crime in any jurisdiction. A licensee must report a conviction, finding of  
89 guilt, plea, or adjudication entered before the effective date of this paragraph within 30  
90 days after the effective date of this paragraph.”

91  
92 After discussion by the board the following motions were made.

93  
94 **MOTION:** Dr. Nelson made the motion to accept the settlement stipulation as  
95 presented with the relinquishment of Dr. Burbelo’s license.

96  
97 **SECOND:** Ms. Johnson.

98  
99 Motion passed unanimously.

100  
101 **Stuart James, DVM**  
102 **Case number 2017-056830**  
103 **VM 12611**

104  
105 Dr. James was present and sworn in by the court reporter.

106  
107 Dr. Powell was recused due to her participation on the probable cause panel. Dr.  
108 Leonard also recused himself due to personal knowledge.

109  
110 Dr. James was charged with violation of 455.227(1)(r) “Being guilty of incompetence or  
111 negligence by failing to practice medicine with that level of care, skill, and treatment  
112 which is recognized by a reasonably prudent veterinarian as being acceptable under  
113 similar conditions and circumstances.” Also with violation of 474.214(1)(ee) F.S.,  
114 “Failing to keep contemporaneously written medical records as required by rule of the  
115 board.”

116  
117 After discussion by the board the following motions were made.

118  
119 **MOTION:** Dr. Nelson made a motion to accept the settlement stipulation.

120  
121 **SECOND:** Ms. Inzina.

122  
123 **MOTION:** Ms. Johnson made a motion to require 2 hours of medical records  
124 continuing education with 1 record pull, to include 5 patient records, to be completed  
125 before the end of probation. 1 year of probation with this counting as his first  
126 appearance.

127  
128 **SECOND:** Dr. Nelson.

129  
130 Motion passed unanimously.

131

132 **Special Agenda Items**

133

134 Hector Diaz- Request for modification of final order

135

136 Dr. Diaz was not present at the meeting.

137

138 Dr. Diaz made a request to the board for a modification of his final order to include a  
139 payment plan of \$500.00 per month until fines and costs are paid in full.

140

141 After discussion by the board the following motions were made.

142

143 **MOTION:** Ms. Johnson made a motion to accept the payment plan of \$500 per  
144 month due the last day of each month.

145

146 **SECOND:** Ms. Inzina.

147

148 Motion passed unanimously.

149

150 **Review/Approval of Applications**

151

152 **Kathleen Prunier, DVM – Initial License by Endorsement**

153

154 Dr. Prunier was present and sworn in by the court reporter.

155

156 After discussion by the board the following motions were made.

157

158 **MOTION:** Dr. Nelson made the motion to approve the application with 5 years of  
159 probation with one appearance per year and this counts as the first appearance.

160

161 **SECOND:** Ms. Johnson.

162

163 Motion passed unanimously.

164

165 **Jaimie Wise, DVM, - Licensure by Endorsement**

166

167 Dr. Wise was not present at the meeting.

168

169 After discussion by the board the following motions were made.

170

171 **MOTION:** Dr. Powell made the motion to deny this application per 455.231(3) F.S., ”  
172 The board, or the department when there is no board, may refuse to issue an initial  
173 license to any applicant who is under investigation or prosecution in any jurisdiction for  
174 an action that would constitute a violation of this chapter or the professional practice

175 acts administered by the department and the boards, until such time as the investigation  
176 or prosecution is complete.”

177  
178 **SECOND:** Dr. Nelson.

179  
180 Motion passed unanimously.

181  
182 **PROBATION**

183  
184 **Norman Newton, DVM**  
185 Dr. Newton was not present at the meeting.

186  
187 **George Jutras, DVM**  
188 Dr. Jutras was present at the meeting and was sworn in by the court reporter.

189  
190 **MOTION:** Dr. Nelson made a motion to accept Dr. Jutras’s probation appearance.

191  
192 **SECOND:** Dr. Powell.

193  
194 Motion passed unanimously.

195  
196 **Ram Prasad, DVM**  
197 Dr. Prasad was present at the meeting and was sworn in by the court reporter.

198  
199 **MOTION:** Ms. Johnson made a motion to accept Dr. Prasad’s final probation  
200 appearance. Dr. Prasad is required to show proof of USDA compliance in  
201 order to write OCVI’s.

202  
203 **SECOND:** Ms. Inzina.

204  
205 Motion passed unanimously.

206  
207 **Thomas Fish, DVM**  
208 Dr. Fish was present at the meeting and sworn in by the court reporter with Dr. Polles.

209  
210 **MOTION:** Dr. Nelson made a motion to accept Dr. Fish’s appearance.

211  
212 **SECOND:** Dr. Powell.

213  
214 Motion passed unanimously.

215  
216 **RATIFICATION OF APPLICATIONS**

217 **Licenses**

218 **MOTION:** Dr. Powell made a motion to accept the licensure list.

219 **SECOND:** Ms. Johnson.  
220 Motion passed unanimously.

221  
222 **Continuing Education**

223 **MOTION:** Dr. Nelson made a motion to accept the continuing education list.

224 **SECOND:** Ms. Inzina.  
225 Motion passed unanimously.

226  
227 **REPORTS**

228  
229 **Executive Director – Ruthanne Christie**

230  
231 Ms. Christie reviewed the financial reports with the board.

232  
233 **Board counsel – Ed Tellechea**

234 Nothing to report

235  
236 **Prosecuting Attorney – Elizabeth Henderson**

237  
238 Ms. Henderson reviewed her report with the board.

239  
240 **MOTION:** Dr. Powell made a motion to continue prosecution of year old cases.

241  
242 **SECOND:** Ms. Johnson.

243  
244 Motion passed unanimously.

245  
246 **OLD BUSINESS**

247 **None**

248  
249 **NEW BUSINESS**

250 **Rule 61G18-14.003 F.A.C. - Endorsement Definitions**

251  
252 After discussion by the board the following motions were made.

253  
254 **MOTION:** Dr. Leonard made the motion to open the rule for development, Ms.  
255 Christie and Attorney Tellechea will draft language for the next meeting.

256  
257 **SECOND:** Dr. Nelson.

258  
259 Motion passed unanimously.

260  
261 **Rule 61G-15.007, F.A.C. – Minor violations, Notice of Noncompliance**

262

263 **MOTION:** Dr. Leonard made the motion to open the rule for development, Ms.  
264 Christie and Attorney Tellechea will draft language for the next meeting.

265  
266 **SECOND:** Dr. Nelson.

267  
268 Motion passed unanimously.

269  
270 **Rule 61G18-15.007, F.A.C. – Minimum Standards for Limited Service Veterinary**  
271 **Medical Practices**

272  
273 **MOTION:** Ms. Johnson made the motion to open the rule for development with  
274 language provided.

275  
276 **SECOND:** Dr. Nelson.

277  
278 Motion passed unanimously.

279  
280 The board reviewed VM1 form background questions 6-10. Attorney Tellechea will work  
281 with Dr. Polles to provide suggested language.

282  
283 **PUBLIC COMMENT**

284  
285 Dr. Horace Ferguson made a brief address to the board.

286  
287 **PROBATION ROLL CALL**

288  
289 Ms. Senn called the probation roll and all were present with the exception of Dr. Norman  
290 Newton.

291  
292 **ADJOURN**

293  
294 The meeting adjourned at 11:32 A.M.