

1 **MINUTES**

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3 **Board of Veterinary Medicine**
4 **General Business Meeting**

5
6 **Friday, December 16, 2022, at 9 A.M.**
7 **Residence Inn, Amelia Island 2301 Sadler Road**
8 **Fernandina Beach, FL 32034**
9

10 **CALL TO ORDER**

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12 Dr. Leonard, Chair called the meeting to order at 9:05 a.m.
13

14 **MEMBERS PRESENT**

15 Dr. Robert B. Leonard, Jr., Chair
16 Dr. Rudd Nelson- Vice Chair
17 Ms. Connie Johnson
18 Dr. Christopher Smith
19 Dr. Sharon Powell
20 Dr. Mario Cabrera
21 Ms. Suzanne Inzina
22

23
24 **MEMBERS ABSENT**

25 None
26

27 **OTHERS PRESENT**

28 Ruthanne Christie, Executive Director
29 Ed Tellechea, Board Counsel
30 Elizabeth Henderson, Prosecuting Attorney
31 Hunter McLendon, Government Analyst
32 Phipps Court Reporter, 888-811-3408
33

34 **PROBATION ROLL CALL**

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36 Dr. Leonard asked Mr. McLendon to call the roll.
37

38 The following probationers were present;
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40 Kuria Muchemi, DVM
41 Kathleen Prunier, DVM
42 Amy Huff, DVM
43 Katherine Disandro, DVM

44 Mohammad Naim Hassan, DVM
45 Hector Roman, DVM

46
47

48 The following probationers were absent:

49
50

None.

51

52 **APPROVAL OF September 23, 2022 MEETING MINUTES**

53

54 **MOTION:** Dr. Nelson made a motion to approve the minutes with corrections.

55

56 **SECOND:** Dr. Smith.

57

58 Motion passed unanimously.

59

60 **DECLARATORY STATEMENT**

61

62 The FVMA requested a Declaratory Statement on the following:

63

64 Does Section 474.214(1)(n), Florida Statutes, subject a veterinarian to disciplinary
65 action when seeking to enforce a non-compete agreement against another
66 veterinarian?

67

68 **MOTION:** Dr. Smith made a motion that Section 474.214(1)(n), Florida Statutes,
69 would not subject a veterinarian to disciplinary action when seeking to enforce a non-
70 compete agreement against another veterinarian because Section 542.335, Florida
71 Statutes, expresses a clear and specific intent to allow the use of a non-compete
72 agreement under specific terms.

73

74 **SECOND:** Ms. Johnson.

75

76 Motion passed unanimously.

77

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79 **Applications for Review**

80

81 **Alejandro Maldonado – Foreign Application**

82

83 Dr. Maldonado was present and sworn in by the court reporter.

84

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

86

87 **MOTION:** Dr. Nelson made a motion to accept the application pending verification of
88 ECFVG equivalency.

89
90 **SECOND:** Ms. Johnson.

91
92 Motion passed unanimously.

93
94 **Sandra Barclay – Endorsement with Florida Laws and Rules Course**

95
96 Dr. Barclay was present with her attorney, Mr. Bayo. Dr. Barclay was sworn in by the
97 court reporter.

98
99 After discussion by the board the following motions were made.

100
101 **MOTION:** Dr. Powell made a motion to approve the application.

102
103 **SECOND:** Dr. Cabrera.

104
105 Motion passed unanimously.

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108 **DISCIPLINARY HEARINGS**

109
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111 **Amy Huff, DVM**

112 **Case number 2022-002657**

113 **PC: Dr. K Jones and Dr. S. Powell**

114
115 Dr. Huff was present with her attorney, Mr. Bayo. Dr. Huff sworn in by the court reporter.

116
117 Dr. Huff was charged with violation of 474.214(1)(r), Being guilty of incompetence or
118 negligence by failing to practice medicine with that level of care, skill, and treatment
119 which is recognized by a reasonably prudent veterinarian as being acceptable under
120 similar conditions and circumstances, and 474.214(1)(ee) Failing to keep
121 contemporaneously written medical records as required by rule of the board.

122
123 After discussion by the board the following motions were made.

124
125 **MOTION:** Dr. Nelson made a motion to reject the settlement stipulation as presented.

126
127 **SECOND:** Ms. Johnson.

128
129 Motion passed unanimously.

130
131 **MOTION:** Ms. Inzina made a motion to offer a counter stipulation, reinstating count 1.
132 One year of probation with an appearance at the first and last meeting, an
133 administrative fine of \$2,000.00 and costs of \$411.99.

134
135 **SECOND:** Dr. Cabrera.

136
137 Motion passed unanimously.

138
139 **Mohammad Naim Hassan, DVM**

140 **Case number: 2019-057849**

141 **PC: Dr. Jones and Dr. Powell**

142
143 Dr. Hassan was present with his attorney, Mr. DeGailler. Dr. Hassan was sworn in by
144 the court reporter.

145
146 Dr. Hassan was charged with violation of 474.214(l)(r) Being guilty of incompetence or
147 negligence by failing to practice medicine with that level of care, skill, and treatment
148 which is recognized by a reasonably prudent veterinarian as being acceptable under
149 similar conditions and circumstances, and 474.214(l)(ee) Failing to keep
150 contemporaneously written medical records as required by rule of the board, and
151 474.213(l)(f) Violating any provision of this chapter or chapter 455, a rule of the board or
152 department, or a lawful order of the board or department previously entered in a
153 disciplinary hearing, or failing to comply with a lawfully issued subpoena of the
154 department, and 474.214(l)(y) Using the privilege of ordering, prescribing, or making
155 available medicinal drugs or drugs as defined in chapter 465, or controlled substances
156 as defined in chapter 893, for use other than for the specific treatment of animal patients
157 for which there is a documented veterinarian/client/patient relationship. Pursuant
158 thereto, the veterinarian shall:

- 159 1. Have sufficient knowledge of the animal to initiate at least a general or preliminary
160 diagnosis of the medical condition of the animal, which means that the veterinarian is
161 personally acquainted with the keeping and caring of the animal and has recently seen
162 the animal or has made medically appropriate and timely visits to the premises where
163 the animal is kept.
- 164 2. Be available or provide for followup care and treatment in case of adverse reactions
165 or failure of the regimen of therapy.
- 166 3. Maintain records which document patient visits, diagnosis, treatment, and other
167 relevant information required under this chapter.
- 168 and 474.214(l)(v) Failing to keep the equipment and premises of the business
169 establishment in a clean and sanitary condition, having a premises permit suspended or
170 revoked pursuant to s. 474.215, or operating or managing premises that do not comply
171 with requirements established by rule of the board.

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MOTION: Ms. Johnson made a motion to reject the settlement stipulation as presented.

SECOND: Dr. Cabrera.

Motion passed unanimously.

MOTION: Dr. Leonard made a motion to offer a counter-stipulation with a cost of \$2,727.45, fines of \$20,000.00, with 6 months suspension, followed by 6 months of monitoring, with 5 years of probation. Attendance is required every meeting for the next year, then twice per year thereafter. Record pulls will be required quarterly. Respondent will also develop an office policy manual for the board's review.

SECOND: Ms. Johnson

Motion passed unanimously.

Katherine Alicia Disandro, DVM
Case number: 2021-022355
PC: Dr. Jones and Dr. Powell

Dr. Disandro was present and sworn in by the court reporter.

Dr. Disandro was charged with violation of 474.214(l)(r) Being guilty of incompetence or negligence by failing to practice medicine with that level of care, skill, and treatment which is recognized by a reasonably prudent veterinarian as being acceptable under similar conditions and circumstances, and 474.214(l)(ee) Failing to keep contemporaneously written medical records as required by rule of the board

After discussion by the board the following motions were made.

MOTION: Dr. Smith made a motion to accept the settlement stipulation as presented with a fine of \$2,000.00 and four hours of continuing education in dentistry pain management.

SECOND: Dr. Nelson.

Motion passed unanimously.

Kristian Sean Rhein, DVM
Case No. 2022-007788

216 **PC: Dr. K. Jones and Dr. S. Powell**

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218 Dr. Rhein was present and sworn in by the court reporter.

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220 Dr. Rhein was charged with violation of 474.214 (1)(b) Having a license or the authority
221 to practice veterinary medicine revoked, suspended, or otherwise acted against,
222 including the denial of licensure, by the licensing authority of any jurisdiction, including
223 any agency or subdivision thereof. The licensing authority's acceptance of a
224 veterinarian's relinquishment of a license, stipulation, consent order, or other settlement,
225 offered in response to or in anticipation of the filing of administrative charges against the
226 veterinarian's license or authority to practice, shall be construed as action against the
227 veterinarian's license or authority to practice. and 474.214(I)(jj) Knowingly
228 maintaining a professional connection or association with any person who is in violation
229 of the provisions of this chapter or the rules of the board or department. However, if the
230 licensee verifies that the person is actively participating in a board-approved program
231 for the treatment of a physical or mental condition, the licensee is required only to report
232 such person to the consultant.

233

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

235

236 **MOTION:** Dr. Leonard made a motion to accept the settlement stipulation.

237

238 **SECOND:** Ms. Inzina.

239

240 Motion passed unanimously.

241

242

243 **PROBATION**

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246 **Hector Roman**

2020-056510

247

248 Dr. Roman was present and sworn in by the court reporter.

249

250 **Motion:** Dr. Cabrera made a motion to accept the appearance.

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252 **Second:** Ms. Johnson.

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255 **Kathleen Prunier, DVM**

Applicant

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

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259 **MOTION:** Dr. Nelson made a motion to accept the appearance.

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261 **SECOND:** Ms. Johnson

262

263 Motion passed unanimously.

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265 **Kuria Ephantus Muchemi, DVM**

2021-027509

266

267 Dr. Muchemi was present and sworn in by the court reporter.

268

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

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271 **MOTION:** Dr. Leonard made a motion to accept this appearance.

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273 **SECOND:** Dr. Powell.

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275 Motion passed unanimously.

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278 **RULES- Report**

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280 Mr. Tellechea presented the reports to the board.

281

282 **MOTION:** Dr. Nelson

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284 **SECOND:** Dr. Powell

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286 Motion passed unanimously.

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289 **REPORTS**

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291 **Board Counsel Report- Ed Tellechea**

292

293 Attorney Tellechea gave an update regarding the petition for hearing for Frank Reyes.

294

295 **Executive Director – Ruthanne Christie**

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297 Executive Director Christie updated the board on future meeting dates and locations.

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300 **Prosecuting Attorney – Elizabeth Henderson**

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302 No update.
303
304 **MOTION:** Dr. Powell made a motion to continue prosecution of year old cases.
305
306 **SECOND:** Ms. Johnson.
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308 Motion passed unanimously.
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310 **Ratification of Applications**
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312 **Licenses**
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314 **MOTION:** Dr. Nelson made a motion to approve the licenses.
315
316 **SECOND:** Ms. Johnson.
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318 Motion passed unanimously. (Dr. Smith recused)
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320 **Continuing Education**
321
322 **MOTION:** Dr. Nelson made a motion to approve the courses.
323
324 **SECOND:** Dr. Powell.
325
326 Motion passed unanimously.
327
328 **OLD BUSINESS**
329 **None**
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331 **PUBLIC COMMENT**
332 Florida Veterinary Technicians provided a report of their recent activities.
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335 **NEW BUSINESS**
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337 **None**
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340 **PROBATION ROLL CALL**
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342 Mr. McLendon called the probation roll.
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344 The following were present:

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Kuria Muchemi, DVM
Kathleen Prunier, DVM
Amy Huff, DVM
Katherine Disandro, DVM
Mohammad Naim Hassan, DVM
Kristian Sean Rhein, DVM

ABSENT

Dr. Rowan
Dr. Ford –excused absence

Next Meeting- March 17, 2023 – World Golf Village, St. Augustine

ADJOURN

The meeting adjourned at 1:24 P.M.