

## **MINUTES**

**Board of Veterinary Medicine  
General Business Meeting  
Casa Monica Hotel  
95 Cordova Street  
St. Augustine, FL 33316**

**September 2, 2010**

### **CALL TO ORDER**

Dr. O'Neil called the meeting to order at 8:03 a.m.

### **MEMBERS PRESENT**

Dr. Robert O'Neil  
Dr. Raul Figarola  
Dr. Guy Maxwell  
Dr. George Simmons  
Dr. Joann Helm  
Ms. Cynthia Lewis

### **MEMBERS ABSENT**

None

### **OTHERS PRESENT**

Deborah Loucks, Board Counsel  
Elizabeth Duffy, Prosecuting Attorney  
Juanita Chastain, Executive Director  
Linda Tinsley, Government Analyst  
Mary Graybosch, Volusia Reporting Company, 386.255.2150  
Phil Hinkle, Executive Director, FVMA  
Stephen Shores, DVM  
Matthew Bond, DVM  
Welford Ransone, DVM  
Craig Horowitz, DVM  
Janis Gilkison, DVM  
Jan Hasse, DVM  
Eduardo Arrellano, DVM  
Amy Gentsch, DVM  
Ausberto Taguinod, DVM  
Douglas Dampier, DVM

Stephen Collier, DVM  
Al Paredes, DVM  
D.L. Sullivan-Tamboe, DVM  
Tina Parker, DVM  
Michael Parker, DVM  
James Culatta, DVM  
Drew Doverspike, DVM  
Ted Oroski, DVM  
Andy Hillman, DVM  
Jim Wilson, DVM  
Ernest Balogh, DVM  
L.C. Moore, DVM  
David Turner, DVM  
Cynthia Young, DVM

### **APPROVAL OF JUNE 8, 2010 MEETING MINUTES**

**MOTION:** Dr. Helm made a motion to approve the minutes as presented.

**SECOND:** Ms. Lewis seconded the motion and the motion passed unanimously.

Dr. O'Neil welcomed Secretary Liem to the meeting. He thanked the Secretary for the improvements that had been made to the Customer Contact Center and the Central Intake Unit.

Secretary Liem addressed the board about the improvements that had been made and implemented at the department.

Dr. O'Neil asked Ms. Tinsley to call the roll for the probation appearances and all were present.

### **DISCIPLINE**

#### **Janet Buckley, DVM: Case number 2009-046704**

Dr. Buckley was present at the meeting and was represented by counsel, Veronica Bayo. Dr. Buckley was sworn in by the court reporter.

Ms. Lewis was recused due to her participation on the probable cause panel.

Ms. Duffy presented the case as an informal hearing. Ms. Duffy advised the board that the administrative complaint alleges that the Respondent failed to properly perform a neutering on a pet cat (Fanfan) which required a subsequent corrective surgery. Ms. Duffy advised the board that the recommended penalty

is a two thousand dollar (\$2,000.00) fine, five hundred and seventy dollars and seventy two cents (\$570.72) in costs one (1) year probation and continuing education.

**MOTION:** Dr. Helm made a motion to accept the findings of fact.

**SECOND:** Dr. Maxwell seconded the motion and the motion passed unanimously.

**MOTION:** Dr. Helm made a motion to accept the conclusions of law.

**SECOND:** Dr. Figarola seconded the motion and the motion passed unanimously.

After discussion by the board the following motion was made.

**MOTION:** Dr. Simmons made a motion to impose a one thousand dollar (\$1,000) fine, five hundred and seventy dollars and seventy two cents (\$570.72) in costs, one (1) year probation with one (1) board appearance and four (4) hours of continuing education in surgery.

**SECOND:** Dr. Helm seconded the motion and the motion was passed unanimously.

**Janis Gilkison, DVM: Case number 2009-035031**

Dr. Gilkison was present at the meeting and was not represented by counsel. She was sworn in by the court reporter.

Ms. Lewis was recused due to her participation on the probable cause panel.

Ms. Duffy presented the case as an informal hearing. Ms. Duffy advised the board that the administrative complaint alleges that the Respondent failed to continue IV and antibiotic treatment or properly asses and treat a dog (Bosco). Ms. Duffy advised the board that the recommended penalty was a two thousand dollar (\$2,000.00) fine, four hundred and two dollars and eighty six cents (\$402.86) in costs, one (1) year probation and continuing education.

**MOTION:** Dr. Helm made a motion to accept the findings of fact.

**SECOND:** Dr. Maxwell seconded the motion and the motion passed unanimously.

**MOTION:** Dr. Helm made a motion to accept the conclusions of law.

**SECOND:** Dr. Simmons seconded the motion and the motion passed unanimously.

After discussion by the board the following motion was made.

**MOTION:** Dr. Helm made a motion to impose a two thousand dollar (\$2,000.00) fine , four hundred and two dollars and eighty six cents (\$402.86) in costs, one (1) year probation, one board appearance and ten (10) hours of continuing education in internal medicine. Continuing education to be approved by Dr. Helm.

**SECOND:** Dr. Figarola seconded the motion and the motion passed unanimously.

**Andrew Hillman, DVM: Case number 2009-055136**

Dr. Hillman was present at the meeting and was not represented by counsel. He was sworn in by the court reporter.

Ms. Lewis was recused due to her participation on the probable cause panel.

Ms. Duffy presented the case as an informal hearing. Ms. Duffy advised the board that the administrative complaint alleges that the Respondent failed to maintain records on twenty one (21) euthanized greyhounds. Ms. Duffy advised the board that the recommended penalty was fifteen hundred dollar (\$1,500.00) fine, two hundred and twenty eight dollars and fifty six cents (\$228.56) in costs, six (6) months probation and continuing education.

**MOTION:** Dr. Helm made a motion to accept the findings of fact.

**SECOND:** Dr. Simmons seconded the motion and the motion passed unanimously.

**MOTION:** Dr. Helm made a motion to accept the conclusions of law.

**SECOND:** Dr. Simmons seconded the motion and the motion passed unanimously.

After discussion by the board the following motion was made.

**MOTION:** Dr. Helm made a motion to impose a five hundred dollar (\$500.00) fine, two hundred and twenty eight dollars and fifty six cents (\$228.56) in costs, six (6) months probation and five (5) hours of continuing education in record keeping approved by Dr. Helm.

**SECOND:** Dr. Maxwell seconded the motion and the motion passed unanimously.

**Craig Horowitz, DVM: Case number 2009-030877**

Dr. Horowitz was present at the meeting and was not represented by counsel. He was sworn in by the court reporter.

Ms. Lewis was recused due to her participation on the probable cause panel.

Ms. Duffy presented the case as an informal hearing. Ms. Duffy advised the board that the administrative complaint alleges that the respondent operated a veterinary establishment with out having a premise permit. Ms. Duffy advised the board that the recommended penalty was a one thousand dollar (\$1,000.00) fine, four hundred and seventy four dollars and forty one cents (\$474.41) in costs and re-take the laws and rules exam.

**MOTION:** Dr. Helm made a motion to accept the findings of fact.

**SECOND:** Dr. Simmons seconded the motion and the motion passed unanimously.

**MOTION:** Dr. Helm made a motion to accept the conclusions of law.

**SECOND:** Dr. Simmons seconded the motion and the motion passed unanimously.

After discussion by the board the following motion was made.

**MOTION:** Dr. Helm made a motion to impose a one thousand dollar (\$1,000.00) fine, four hundred and seventy four dollars and forty one cents (\$474.41) in costs and re-take the laws and rules exam within ninety (90) days.

**SECOND:** Dr. Simmons seconded the motion and the motion passed unanimously.

The board stated that Dr. Horowitz had two (2) years to pay the fine and costs.

**Bruce Levinston, DVM: case number 2009-037518**

Dr. Levinston was not present at the meeting and was not represented by counsel.

Ms. Lewis was recused due to her participation on the probable cause panel.

Ms. Duffy presented the case as an informal hearing. Ms. Duffy advised the board that the administrative complaint alleges that the Respondent failed to respond to the continuing education audit. Ms. Duffy advised the board that the recommended penalty was a five hundred dollar (\$500.00) fine and nineteen dollars and fifty eight cents (\$19.58) in costs.

**MOTION:** Dr. Simmons made a motion to accept the findings of fact.

**SECOND:** Dr. Figarola seconded the motion and the motion passed unanimously.

**MOTION:** Dr. Simmons made a motion to accept the conclusions of law.

**SECOND:** Dr. Helm seconded the motion and the motion passed unanimously.

After discussion by the board the following motion was made.

**MOTION:** Dr. O'Neil made a motion to impose a five hundred dollar (\$500.00) fine and nineteen dollars and fifty eight cents (\$19.58) in costs and re-take the laws and rules exam.

**SECOND:** Dr. Helm seconded the motion and the motion passed unanimously.

**Welford Ransone, DVM: Case number 2009-033816**

Dr. Ransone was present at the meeting and was represented by counsel, Bryan Reynolds. Dr. Ransone was sworn in by the court reporter.

Ms. Lewis was recused due to her participation on the probable cause panel.

Ms. Duffy presented the case as an informal hearing. Ms. Duffy advised the board that the administrative complaint alleges that the Respondent failed to register a limited service clinic and offered to perform microchipping at a limited service clinic. Ms. Duffy advised the board that the recommended penalty is a two thousand dollar fine, one hundred and twenty three dollars and eighty one cents (\$123.81) in costs and probation.

**MOTION:** Dr. Helm made a motion to accept the findings of fact.

**SECOND:** Dr. Maxwell seconded the motion and the motion passed unanimously.

**MOTION:** Dr. Helm made a motion to accept the conclusions of law.

**SECOND:** Dr. Maxwell seconded the motion and the motion passed unanimously.

After discussion by the board the following motion was made.

**MOTION:** Dr. Helm made a motion to impose costs and a reprimand.

**SECOND:** Dr. Simmons seconded the motion and the motion passed unanimously.

**Dominic Andreoli, DVM: Case number 2007-067309**

Dr. Andreoli was present at the meeting and was represented by counsel, Bryan Reynolds. Dr. Andreoli was sworn in by the court reporter.

Ms. Lewis was recused due to her participation on the probable cause panel.

Ms. Duffy presented the case as a settlement stipulation. Ms. Duffy advised the board that the administrative complaint alleges that the Respondent failed to perform additional diagnostics and testing after receiving the laboratory results and failed to properly complete medical records. Ms. Duffy advised the board that the department recommended a fifteen hundred dollar (\$1,500.00) fine, one thousand seventy four dollars and sixty three cents (\$1,074.63) in costs, four (4) months probation and two (2) hours of continuing education in record keeping.

Ms. Lewis was recused due to her participation on the probable cause panel.

**MOTION:** Dr. Helm made a motion to reject the settlement stipulation.

**SECOND:** Dr. Simmons seconded the motion and the motion passed unanimously.

After discussion by the board the following motions were made.

**MOTION:** Dr. O'Neil made a motion to offer a counter stipulation of a fifteen hundred dollar (\$1,500.00) fine, one thousand seventy four dollars and sixty three cents (\$1,074.63) in costs, four (4) months probation, attend one board meeting and ten (10) hours of continuing education five (5) hours in record keeping and five (5) hours in internal medicine approved by Dr. Helm.

**SECOND:** Dr. Helm seconded the motion and the motion passed unanimously.

Ms. Loucks advised Mr. Reynolds that his client would have ten (10) days from the date of filing to accept or reject the counter stipulation.

**Companion Animal Hospital: Case number 2008-039189**

Dr. Diane Smith was present and was represented by counsel, Bryan Reynolds. She was sworn in by the court reporter.

Ms. Lewis was recused due to her participation on the probable cause panel.

Ms. Duffy presented the case as a settlement stipulation. Ms. Duffy advised the board that the administrative complaint alleges that the respondent failed to have an accurate controlled substance log. Ms. Duffy advised the board that the department recommended a fifteen hundred dollar (\$1,500.00) fine and one hundred and forty five dollars and fifty four cents (\$145.54) in costs.

After discussion by the board the following motion was made.

**MOTION:** Dr. Maxwell made a motion to accept the settlement stipulation as presented.

**SECOND:** Dr. Simmons seconded the motion and the motion passed unanimously.

**Patricia Curtis, DVM: Case number 2009-062578**

Dr. Curtis was present and was represented by counsel, Bryan Reynolds. Dr. Curtis was sworn in by the court reporter.

Ms. Lewis was recused due to her participation on the probable cause panel.

Ms. Duffy presented the case as a settlement stipulation. Ms. Duffy advised the board that the administrative complaint alleges that the Respondent amputated the wrong leg of a pet cat (Stubbs). Ms. Duffy advised the board that the department recommended a two thousand dollar (\$2,000.00) fine, three hundred dollars and fifty three cents (\$300.53) in costs, and one (1) year probation.

After discussion by the board the following motion was made.

**MOTION:** Dr. Simmons made a motion to accept the settlement stipulation as presented.

**SECOND:** Dr. Maxwell seconded the motion and the motion passed unanimously.

**Diane Richter, DVM: Case number 2009-024856**

The case was tabled to the December 7, 2010 meeting.

**Deborah Sullivan-Tamboe, DVM: Case number 2009049507**

Dr. Sullivan-Tamboe was present at the meeting and was represented by counsel, Bryan Reynolds. Dr. Sullivan-Tamboe was sworn in by the court reporter.

Ms. Lewis was recused due to her participation on the probable cause panel.

Ms. Duffy presented the case as a settlement stipulation. Ms. Duffy advised the board that the administrative complaint alleges that the Respondent failed to properly license her veterinary establishment. Ms. Duffy advised the board that the department recommended a five hundred dollar (\$500.00) fine and three hundred and three dollars and seventy nine cents (\$303.79) in costs.

After discussion by the board the following motion was made.

**MOTION:** Dr. Helm made a motion to accept the settlement stipulation as presented.

**SECOND:** Dr. Simmons seconded the motion and the motion passed unanimously.

**Carlos Carabajal, DVM: Case number 2009-061350**

Dr. Carabajal was present at the meeting and was represented by counsel, Bryan Reynolds. Dr. Carabajal was sworn in by the court reporter.

Ms. Lewis was recused due to her participation on the probable cause panel.

Ms. Duffy presented the case as a Settlement Stipulation. Ms. Duffy advised the board that the administrative complaint alleges that the Respondent had his license suspended and was fined by the Delaware racing commission and he failed to report the disciplinary action to the board. Ms. Duffy advised the board that the department recommended a three thousand dollar (\$3,000.00) fine and one hundred and fifty nine dollars and thirty nine cents (\$159.39) in costs.

After discussion by the board the following motions were made.

**MOTION:** Dr. Helm made a motion to reject the settlement stipulation.

**SECOND:** Dr. Simmons seconded the motion and the motion passed unanimously.

**MOTION:** Dr. O'Neil made a motion to offer a counter stipulation imposing a four thousand dollar (\$4,000.00) fine, one hundred and fifty nine dollars and thirty nine cents (\$159.39) in costs and a thirty (30) day suspension.

**SECOND:** Dr. Helm seconded the motion and the motion passed unanimously.

Ms. Loucks advised Mr. Reynolds that his client would have ten (10) days from the date of filing to accept or reject the counter stipulation.

**Drew Doverspike, DVM: Case number 2009-006831**

Dr. Doverspike was present at the meeting and was represented by counsel, Bryan Reynolds. Dr. Doverspike was sworn in by the court reporter.

Ms. Lewis was recused due to her participation on the probable cause panel.

Ms. Duffy presented the case as a settlement stipulation. Ms. Duffy advised the board that the administrative complaint alleges that the Respondent failed to review a dog's (Quigley) laboratory results, radiographs, or speak to the owner about the results and failed to advise the owner that an endoscopy procedure was only available when another veterinarian was on duty. Ms. Duffy advised the board that the department recommended a thirty five hundred dollar (\$3500.00) fine, one thousand and ten dollars and fifty five cents (\$1010.55) in costs, one (1) year probation and dismissal of counts one and two in the administrative complaint.

After discussion by the board the following motions were made.

**MOTION:** Dr. Helm made a motion to accept the settlement stipulation as presented.

**SECOND:** Dr. Figarola seconded the motion.

Dr. Figarola withdrew his second of the motion and the motion failed due to lack of a second.

**MOTION:** Dr. Maxwell made a motion to reject the settlement stipulation.

**SECOND:** Dr. Simmons seconded the motion and the motion passed unanimously.

**MOTION:** Dr. Maxwell made a motion to offer a counter stipulation of a thirty five hundred dollar (\$3500.00) fine, one thousand and ten dollars and fifty five cents (\$1010.55) in costs, one (1) year probation, dismissal of counts one and two and five (5) hours of continuing education in record keeping approved by Dr. Maxwell.

**SECOND:** Dr. Simmons seconded the motion and the motion passed unanimously.

Ms. Loucks advised Mr. Reynolds that his client would have ten (10) days from the date of filing to accept or reject the counter stipulation.

**Eduardo Arellano, DVM: Case number 2009-027645**

Dr. Arellano was present at the meeting and was represented by counsel, Drew Winters. Dr. Arellano was sworn in by the court reporter.

Ms. Lewis was recused due to her participation on the probable cause panel.

Ms. Duffy presented the case as a settlement stipulation. Ms. Duffy advised the board that the administrative complaint alleges that the Respondent negligently failed to properly treat a pet cat's (Diamond) dehydration and failed to analyze blood smears for pathogens and failed to maintain complete records. Ms. Duffy advised the board that the department recommended a one thousand dollar (\$1,000.00) fine, one thousand two hundred and two dollars and eighty nine cents (\$1,202.89) in costs and four (4) hours of continuing education in record keeping and dismissal of count one (1).

After discussion by the board the following motion was made.

**MOTION:** Dr. Helm made a motion to accept the settlement stipulation as presented.

**SECOND:** Dr. Simmons seconded the motion and the motion passed unanimously.

The board advised Dr. Arellano he had one year to complete the continuing education.

**MOTION FOR TERMINATION OF PROBATION**

**Michael Parker, DVM and Tina Parker, DVM**

Dr. Michael Parker and Dr. Tina Parker were present and were represented by counsel, Veronica Bayo. Dr. Michael Parker and Dr. Tina Parker were sworn in by the court reporter.

Dr. Michael and Tina Parker appeared before the board to ask the board for early termination of their probation.

After discussion by the board the following motion was made.

**MOTION:** Dr. Helm made a motion to deny Dr. Michael Parker and Dr. Tina Parker's request for termination of probation.

**SECOND:** Ms. Lewis seconded the motion and the motion passed unanimously.

### **REQUEST TO REMOVE SUSPENSION**

#### **Cynthia Marie Young, DVM**

Dr. Young was present at the meeting and was represented by counsel, Drew Winters. She was sworn in by the court reporter.

Mr. Winters advised the board that Dr. Young was before the board to update the board as mandated in her final order. Mr. Winters advised the board that Dr. Young had complied with all the provisions of her final order. He advised the board that Dr. Young was mandated by the board to appear before the board in one (1) year to update the board on her Ohio veterinary license. Mr. Winters advised the board that Dr. Young is in compliance with her final order with the Ohio board and her Ohio license is current and active but the license is suspended for one (1) year. Mr. Winters advised the board that Dr. Young had complied with her final order in Florida and she complied with her final order in Ohio He asked the board to lift the suspension on her license.

After discussion by the board the following motion was made.

**MOTION:** Dr. Maxwell made a motion to lift Dr. Young's suspension.

**SECOND:** Dr. Simmons seconded the motion and the motion passed unanimously.

**MOTION:** Dr. O'Neil made a motion to impose eighteen (18) months probation and board appearance at the end of probation.

**SECOND:** Dr. Simmons seconded the motion and the motion passed unanimously.

## **DISCIPLINE (continued)**

### **Stephen E. Collier, DVM: Case number 2008-058143**

Dr. Collier was present at the meeting and was represented by counsel, Thomas F. Gonzalez. Dr. Collier was sworn in by the court reporter.

Ms. Lewis was recused due to her participation on the probable cause panel.

Ms. Duffy presented the case as a settlement stipulation. Ms. Duffy advised the board that the administrative complaint alleges that the Respondent took medication from his animal clinic to personally treat himself. Ms. Duffy advised the board that the department recommended two hundred and thirty six dollars and seventeen cents (\$236.17) in costs and enter into and adhere to the Professional Resource Network (PRN) contract.

After discussion by the board the following motion was made.

**MOTION:** Dr. Helm made a motion to accept the settlement stipulation as presented.

**SECOND:** Dr. Figarola seconded the motion and the motion passed unanimously.

### **Robert M. McDonald, DVM: Case number**

Dr. McDonald was present at the meeting and was not represented by counsel. He was sworn in by the court reporter.

Ms. Lewis was recused due to her participation on the probable cause panel.

Ms. Duffy presented the case as a settlement stipulation. Ms. Duffy advised the board that the administrative complaint alleges that the Respondent failed to furnish a permanent address at which patients can reach him to obtain medical records. Ms. Duffy advised the board that the department recommended a five hundred dollar (\$500.00) fine, three hundred and eighty dollars and seventy one cents (\$380.71) in costs and six (6) months probation.

After discussion by the board the following motion was made.

**MOTION:** Dr. Figarola made a motion to reject the settlement stipulation.

**SECOND:** Dr. Simmons seconded the motion and the motion passed unanimously.

**MOTION:** Dr. Figarola made a motion to offer a counter stipulation imposing a five hundred dollar (\$500.00) fine, three hundred and eighty dollars and seventy one cents (\$380.71) in costs, six (6) months probation and retake the laws and rules exam within ninety (90) days.

**SECOND:** Dr. Simmons seconded the motion and the motion passed unanimously.

Ms. Loucks advised Dr. McDonald that he had seven (7) days from the filing of the order to accept the counter offer.

**L.C. Moore, DVM: Case number 2009-017837**

Dr. Moore was present at the meeting and was not represented by counsel. He was sworn in by the court reporter.

Ms. Lewis was recused due to her participation on the probable cause panel.

Ms. Duffy presented the case as a settlement stipulation. Ms. Duffy advised the board that the administrative complaint alleges that the Respondent had his veterinary license acted upon in another jurisdiction and he failed to report the act to the board. Ms. Duffy advised the board that the department recommended a sixteen hundred dollar (\$1,600.00) fine and two hundred and twenty three dollars and seventy four cents (\$223.74) in costs.

After discussion by the board the following motion was made.

**MOTION:** Dr. Simmons made a motion to accept the settlement stipulation as presented.

**SECOND:** Dr. Maxwell seconded the motion and the motion passed unanimously.

**Alfonso Paredes, DVM: Case number 2009-004009**

Dr. Paredes was present at the meeting and was not represented by counsel. He was sworn in by the court reporter.

Ms. Duffy presented the case as a settlement stipulation. Ms. Duffy advised the board that the administrative complaint alleges the Respondent improperly performed an ovariohysterectomy and failed to properly complete the medical records. Ms. Duffy advised the board that the department recommended a five hundred dollar (\$500.00) fine, one thousand and one dollar and ninety seven cents (\$1001.97) in costs and one (1) year probation.

After discussion by the board the following motion was made.

**MOTION:** Dr. Figarola made a motion to accept the settlement stipulation as presented.

**SECOND:** Dr. Simmons seconded the motion and the motion passed unanimously.

**Rita Rotter, DVM: Case number 2009-037583**

Dr. Rotter was not present at the meeting and was not represented by counsel.

Ms. Lewis was recused due to her participation on the probable cause panel.

Ms. Duffy presented the case as a settlement stipulation. Ms. Duffy advised the board that the administrative complaint alleges that the Respondent failed to respond to the continuing education audit. Ms. Duffy advised the board that the department recommended nineteen dollars and fifty eight cents (19.58) in costs and relinquishment of her license.

After discussion by the board the following motion was made.

**MOTION:** Dr. Figarola made a motion to accept the settlement stipulation as presented.

**SECOND:** Dr. Simmons seconded the motion and the motion passed unanimously.

**Neville E. Sookra, DVM: Case number 2008-060622**

Dr. Sookra was present at the meeting and was represented by counsel, David P. Rankin. Dr. Sookra was sworn in by the court reporter.

Ms. Lewis was recused due to her participation on the probable cause panel.

Ms. Duffy presented the case as a settlement stipulation. Ms. Duffy advised the board that the administrative complaint alleges that the Respondent failed to properly complete medical records and failed to perform additional diagnostics and testing on the dog (Oscar). Ms. Duffy advised the board that the department recommended a two thousand dollar (\$2,000.00) fine, and one thousand twenty seven dollars and sixteen cents (\$1,027.16) in costs.

After discussion by the board the following motions were made.

**MOTION:** Dr. Simmons made a motion to reject the settlement stipulation.

**SECOND:** Dr. Figarola seconded the motion and the motion passed unanimously.

**MOTION:** Dr. Simmons made a motion to offer a counter stipulation imposing a two thousand dollar (\$2,000.00) fine, one thousand twenty seven dollars and sixteen cents (\$1,027.16) in costs and ten (10) hours of continuing education in internal medicine approved by Dr. Simmons.

**SECOND:** Dr. Figarola seconded the motion and the motion passed unanimously.

Dr. Sookra accepted the counter stipulation.

**Ausberto Taguinod, DVM: Case number 2003-089036**

Dr. Taguinod was present at the meeting and was not represented by counsel. He was sworn in by the court reporter.

Ms. Lewis was recused due to her participation on the probable cause panel.

Ms. Duffy presented the case as a settlement stipulation. Ms. Duffy advised the board that the administrative complaint alleges that the Respondent failed to perform a complete blood chemistry panel prior to performing dental surgery. Ms. Duffy advised the board that the department recommended a five hundred dollar (\$500.00) fine and one thousand eight hundred and thirty three dollars and thirty four cents (\$ 1833.34) in costs.

After discussion by the board the following motions were made.

**MOTION:** Dr. Maxwell made a motion to reject the settlement stipulation.

**SECOND:** Dr. Simmons seconded the motion and the motion passed unanimously.

**MOTION:** Dr. O'Neil made a motion to offer a counter stipulation imposing a one thousand dollar (\$1,000.00) fine, one thousand eight hundred and thirty three dollars and thirty four cents (\$ 1833.34) in costs, ten (10) hours of continuing education in internal medicine approved by Dr. Maxwell and one (1) year probation and attendance at every board meeting.

**SECOND:** Dr. Simmons seconded the motion and the motion passed unanimously.

Dr. Taguinod accepted the counter stipulation.

**Pamela A. Clary, DVM: Case number 2009-034216**

Dr. Clary was not present at the meeting and was not represented by counsel.

Ms. Lewis was recused due to her participation on the probable cause panel.

Ms. Duffy presented the case as a motion for waiver of rights and final order. Ms. Duffy advised the board that the administrative complaint alleges that the Respondent failed to respond to a continuing education audit. Ms. Duffy advised the board that the recommended penalty was a five hundred dollar (\$500.00) fine and thirty seven dollars and eighty five cents (\$37.85) in costs.

After discussion by the board the following motions were made.

**MOTION:** Dr. O'Neil made a motion that Dr. Clary was properly served.

**SECOND:** Dr. Figarola seconded the motion and the motion passed unanimously.

**MOTION:** Dr. O'Neil made a motion that Dr. Clary waived her rights to a hearing.

**SECOND:** Dr. Simmons seconded the motion and the motion passed unanimously.

**MOTION:** Dr. O'Neil made a motion to accept the findings of fact and conclusions of law as the board's findings of fact and conclusions of law.

**SECOND:** Dr. Simmons seconded the motion and the motion passed unanimously.

**MOTION:** Dr. Figarola made a motion to impose a five hundred dollar (\$500.00) fine and thirty seven dollars and eighty five cents (\$37.85) in costs.

**SECOND:** Dr. Simmons seconded the motion and the motion passed unanimously.

**Michael J. Donaldson, DVM: Case number 2009-037577**

Dr. Donaldson was not present at the meeting and was not represented by counsel.

Ms. Lewis was recused due to her participation on the probable cause panel.

Ms. Duffy presented the case as a motion for waiver of rights and final order. Ms. Duffy advised the board that the administrative complaint alleges that the Respondent failed to respond to a continuing education audit. Ms. Duffy advised the board that the recommended penalty was a five hundred dollar (\$500.00) fine and nineteen dollars and fifty cents (\$19.50) in costs.

After discussion by the board the following motions were made.

**MOTION:** Dr. Simmons made a motion that Dr. Donaldson was properly served.

**SECOND:** Dr. Maxwell seconded the motion and the motion passed unanimously.

**MOTION:** Dr. Simmons made a motion that Dr. Donaldson waived his right to a hearing.

**SECOND:** Dr. Maxwell seconded the motion and the motion passed unanimously.

**MOTION:** Dr. O'Neil made a motion to accept the findings of fact and conclusions of law as the board's findings of fact and conclusions of law.

**SECOND:** Dr. Simmons seconded the motion and the motion passed unanimously.

**MOTION:** Dr. O'Neil made a motion to impose a five hundred dollar (\$500.00) fine and nineteen dollars and fifty cents (\$19.50) in costs.

**SECOND:** Dr. Simmons seconded the motion and the motion passed unanimously.

## **REVIEW/APPROVAL OF APPLICATION**

### **Daniel James Pepen, DVM**

Dr. Pepen was present at the meeting and was not represented by counsel. He was sworn in by the court reporter.

Ms. Loucks advised the board that Dr. Pepen had submitted an application for licensure. She stated that he had affirmative answers to the criminal history questions and was before the board to answer questions.

After discussion by the board the following motion was made.

**MOTION:** Dr. Simmons made a motion to approve Dr. Pepen's application for licensure.

**SECOND:** Dr. Figarola seconded the motion and the motion passed unanimously.

### **Stacy Levin, DVM**

Dr. Levin was not present at the meeting and was not represented by counsel.

Ms. Loucks advised the board that Dr. Levin had submitted an application to reinstate a null and void license due to hardship.

Ms. Chastain advised the board that Dr. Levin would like to withdraw the application if the board was inclined to deny the application. She stated that if she withdrew the application Dr. Levin would apply by endorsement and take the laws and rules exam to obtain her Florida veterinary license.

After discussion by the board the following motion was made.

**MOTION:** Dr. Simmons made a motion to allow Dr. Levin to withdraw her application.

**SECOND:** Dr. Figarola seconded the motion and the motion passed unanimously.

### **REQUEST FOR AN EXTENSION OF TIME TO PAY**

#### **James E. Hicks, DVM**

The issue was tabled until the December 7, 2010 board meeting.

#### **Jesnia Carnero, DVM**

Dr. Carnero had requested an extension of time to pay her fine and costs.

After discussion by the board the following motion was made.

**MOTION:** Dr. Simmons made a motion to grant Dr. Carnero an extension of time to pay her fine and costs to January 2012.

**SECOND:** Ms. Lewis seconded the motion and the motion passed unanimously.

## **PROBATION APPEARANCES**

### **James A. Culotta, DVM**

Dr. Culotta, DVM was present at the meeting and was not represented by counsel.

Dr. Culotta advised the board that he had contacted PRN but he could not afford the fees at this time.

Dr. Groper, from PRN advised the board that he would look into Dr. Culotta's request and get back to the board.

**MOTION:** Ms. Lewis made a motion to accept Dr. Culotta's probation appearance.

**SECOND:** Dr. Simmons seconded the motion and the motion passed unanimously.

### **Matthew Bond, DVM**

Dr. Bond was present at the meeting and was not represented by counsel.

**MOTION:** Dr. Maxwell made a motion to accept Dr. Bond's probation appearance.

**SECOND:** Dr. Simmons seconded the motion and the motion passed unanimously.

### **Ernest Balogh, DVM**

Dr. Balogh was present at the meeting and was not represented by counsel.

**MOTION:** Dr. Simmons made a motion to accept Dr. Balogh's probation appearance.

**SECOND:** Dr. Figarola seconded the motion and the motion passed unanimously.

### **Douglas K. Dampier, DVM**

Dr. Dampier was present at the meeting and was not represented by counsel.

**MOTION:** Ms. Lewis made a motion to accept Dr. Dampier's probation appearance.

**SECOND:** Dr. Figarola seconded the motion and the motion passed unanimously.

**Amy Gentsch, DVM**

Dr. Gentsch was present at the meeting and was not represented by counsel.

**MOTION:** Ms. Lewis made a motion to accept Dr. Gentsch's probation appearance.

**SECOND:** Dr. Simmons seconded the motion and the motion passed unanimously.

**Ted Oroski, DVM**

Dr. Oroski was present at the meeting and was not represented by counsel.

**MOTION:** Ms. Lewis made a motion to accept Dr. Oroski's probation appearance.

**SECOND:** Dr. Maxwell seconded the motion and the motion passed unanimously.

**David Turner, DVM**

Dr. Turner was present at the meeting and was not represented by counsel.

**MOTION:** Dr. Maxwell made a motion to accept Dr. Turner's probation appearance.

**SECOND:** Dr. Simmons seconded the motion and the motion passed unanimously.

**James Wilson, DVM**

Dr. Wilson was present at the meeting and was not represented by counsel.

**MOTION:** Dr. Maxwell made a motion to accept Dr. Wilson's probation appearance.

**SECOND:** Dr. Figarola seconded the motion and the motion passed unanimously.

**DISCUSSION**

## **Letter from American Academy of Veterinary Acupuncture**

Ms. Chastain advised the board that the letter was for their information.

## **RATIFICATION OF APPLICATIONS**

### **Continuing Education**

**MOTION:** Ms. Lewis made a motion to ratify the continuing education list.

**SECOND:** Dr. Figarola seconded the motion and the motion passed unanimously.

### **Licensure Candidates**

**MOTION:** Dr. Maxwell made a motion to accept the veterinary licensure list.

**SECOND:** Dr. Simmons seconded the motion and the motion passed unanimously.

## **REPORTS**

### **Executive Director – Juanita Chastain**

Ms. Chastain advised the board that the study guide was not on the web site and they would no longer be mailed to the applicant. Ms. Chastain advised the board that there was a kudos letter in their folder about Dr. Emmett Smith.

Dr. O'Neil read the letter to the board.

Ms. Chastain stated that she wanted to remind the board and the audience to please keep their address updated with the department.

### **Board Counsel- Deborah Loucks**

Ms. Loucks advised the board that they have no rules in development at this time.

### **Prosecuting Attorney – Elizabeth Duffy**

Ms. Duffy reviewed her report with the board and she commended the probable cause panel on their dedication in reviewing the probable cause material so thoroughly.

**MOTION:** Dr. Figarola made a motion to continue prosecuting one (1) year old cases.

**SECOND:** Dr. Maxwell seconded the motion and the motion passed unanimously.

**Chair's Report – Dr. Robert O'Neil**

Dr. O'Neil advised the board that the probable cause panel will meet every month.

**OLD BUSINESS**

No old business.

**NEW BUSINESS**

Dr. Maxwell had a question about electronic signing on rabies certificates.

Ms. Loucks advised the board that she would research 828.13 Florida Statutes.

Ms. Tinsley called the probation roll and all were present.

**MOTION:** Dr. Simmons made a motion to adjourn.

**SECOND:** Dr. Maxwell seconded the motion.

The meeting adjourned at 2:00 p.m.