

**VETERINARY EXAMINING BOARD  
MINUTES  
MAY 26, 2010**

- PRESENT:** Wesley Elford, DVM; Marthina Greer, DVM (arrived at 9:46 a.m.); JoAnn Kleman, CVT; Donald Peterson, DVM; William Rice, DVM; Robert R. Spencer, DVM; Theresa Waage (excused at 2:06 p.m.)
- EXCUSED:** Joan Wywialowski
- STAFF PRESENT:** Gail Sumi, Bureau Director; Michele Miller Hayes, Legal Counsel; Kimberly Wood, Bureau Assistant; and other DRL Staff
- GUESTS:** Laurie Angell, CVT, Wisconsin Veterinary Technician Association (WVTA); Kim Brown Pokorny and Kelly McDowell, Wisconsin Veterinary Medical Association (WVMA)

**CALL TO ORDER**

Robert Spencer, Chair, called the meeting to order at 9:38 a.m. A quorum of six (6) members was present.

**APPROVAL OF AGENDA**

**Amendments to the Agenda:**

- After Item “G” (open session) Under the item titled “Practice Questions Received in the Bureau After Preparation of the Agenda” **ADD:**
  - DATCP Question: Who can take Chronic Wasting Disease (CWD) samples from animals killed on farm raised deer hunting preserves?
- After Item “G” (open session) Under the item titled “Examination Issues that May be Received in the Bureau After Preparation of the Agenda” **ADD:**
  - FYI: Correspondence from the American Veterinary Medical Association (AVMA) Notifying the Board of the Acceptance of Globe University – Eau Claire, WI
- After Item “D” (open session) Under the item titled “Presentation of Proposed Stipulations that May be Received in the Bureau After Preparation of the Agenda” **ADD:**
  - Sanjay S. Jain, DVM 07 VET 025
- After Item “J” (closed session) Under the item titled “Deliberation of Proposed Stipulations that May be Received in the Bureau After Mailing of the Agenda” **ADD:**
  - Sanjay S. Jain, DVM 07 VET 025

**MOTION:** JoAnn Kleman moved, seconded by William Rice, to approve the agenda of February 10, 2010 as amended. Motion carried unanimously.

### **APPROVAL OF MINUTES OF FEBRUARY 10, 2010**

#### **Amendments to the Agenda:**

- Page 1 of the Minutes: Correct the date listed in the minute approval header as follows: “Approval of Minutes for ~~August 6, 2009~~ **November 11, 2009**”

**MOTION:** William Rice moved, seconded by Theresa Waage, to approve the minutes of February 10, 2010 as amended. Motion carried unanimously.

### **BOARD APPOINTMENTS (DEFERRED FROM NOVEMBER 11, 2009)**

#### **Robert Spencer made the following appointments:**

- Credentialing Liaisons – Jo Ann Kleman and William Rice
- Division of Enforcement Monitoring Liaison – Robert Spencer
- Communications Advisor – Jo Ann Kleman
- Examination Liaisons – JoAnn Kleman and Donald Peterson
- Legislative Liaison – Theresa Waage
- Impaired Provider Program Liaison – Marthina Greer
- Screening Panel – Jo Ann Kleman, Wesley Elford, Marthina Greer, Joan Wywialowski, Theresa Waage – alternate (*will be available when Joan Wywialowski is not*)

*(Marthina Greer arrived at 9:46 a.m.)*

### **ADMINISTRATIVE REPORT**

#### **Welcome new Legal Counsel and other DRL Staff Updates**

Gail Sumi introduced Michele Miller Hayes to the Board as its new Legal Counsel. Michele Miller Hayes introduced herself and was welcomed by the Board.

Gail Sumi then noted the hiring of Kim Kluck, Division of Enforcement (DOE) Attorney and Heather Curnutt, DOE Attorney Supervisor.

#### **DRL Website and Consideration of Review of Website Pages Related to the VEB**

Gail Sumi informed the Board that they should review the practice frequently asked questions (FAQs) posted on the Department website to determine if they are current. She was asked to email the Board reminding them of this task. She then indicated that the Board will address any questions, concerns or suggestions for new practice questions at its next meeting. Kimberly Wood will e-mail the practice FAQ's to the Board.

**Demonstration of “Live Meeting”**

Kimberly Wood, Bureau Assistant provided the Board with a presentation regarding the set-up and utilization of Microsoft Live Meeting and SharePoint technologies.

**DRL “Late Adds” Policy**

The Board reviewed and discussed the Department’s new policy relating to the use of agenda request forms and the submission of agenda items after the Department’s internal agenda deadline. The Board did not state any objections to the new policy. Board discussion of the use of the agenda request form ensued. The Board determined that going forward any member of the Board that wishes to submit a topic for Board discussion should use the agenda request form. The Board indicated that a completed agenda request form and any supporting documents should be forwarded to Gail Sumi, Bureau Director and to the Board Chair, Robert Spencer for review prior to agenda addition. Per the Board’s request Gail Sumi will send an electronic copy of the agenda request form to the members of the Board for future utilization.

**DRL Case Advisor Policy**

The Board reviewed the Department’s updated case advisor policy, specifically the notation requiring case advisors to respond within two (2) weeks of Department contact. Dr. Rice voiced concerns with this policy noting that he received as many as eight (8) cases in one (1) week and indicated that in this scenario responses may not meet the two (2) week deadline. Heather Curnutt, DOE Attorney Supervisor, was present to answer the Boards questions. She informed the Board that the intent of this policy is to improve communication and facilitate expedited complaint processing with the Division of Enforcement. Heather Curnutt informed the Board that case advisors should contact the Department if they believe that their ability to provide an opinion within the specified deadlines will be delayed. She indicated that in certain situations the Department would have the discretion to reassign the case to a new case advisor if the timeframes for a response were considerable. The Board indicated that they felt that this policy is an improvement in the processing of cases. The Board requested that they receive Case Closing Reports at all future meetings.

**PRESENTATION OF PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS**

**MICHAEL J. GRAPER, DVM**

Attorney Pamela Stach presented the Proposed Stipulation, Final Decision and Order in the disciplinary action against Michael J. Graper, DVM. The Board will deliberate this matter during closed session.

**MORRIS LINK, DVM**

Attorney Pamela Stach presented the Proposed Stipulation, Final Decision and Order in the disciplinary action against Morris Link, DVM. The Board will deliberate this matter during closed session.

**PRESENTATION OF PROPOSED STIPULATIONS RECEIVED IN THE BUREAU  
AFTER PREPARATION OF AGENDA**

**SANJAY S. JAIN, DVM**

Attorney Pamela Stach presented the Proposed Stipulation, Final Decision and Order in the disciplinary action against Sanjay S. Jain, DVM. The Board will deliberate this matter during closed session.

**PRESENTATION OF PROPOSED DECISIONS RECEIVED IN THE BUREAU AFTER  
PREPARATION OF THE AGENDA**

None.

**PRESENTATION OF PROPOSED REMEDIAL EDUCATION CASES RECEIVED IN  
THE BUREAU AFTER PREPARATION OF THE AGENDA**

None.

**PRESENTATION OF PETITIONS FOR RE-HEARING RECEIVED IN THE BUREAU  
AFTER PREPARATION OF THE AGENDA**

None.

**SPEAKING ENGAGEMENT AND TRAVEL REQUESTS RECEIVED IN THE BUREAU  
AFTER MAILING OF THE AGENDA**

None.

## **REQUEST TO DELEGATE SCREENING OF SOME COMPLAINTS TO DIVISION OF ENFORCEMENT COMPLAINT INTAKE STAFF**

Dennie Petersen, Division of Enforcement, appeared before the Board to request delegation of authority be granted to complaint intake staff to pre-screen and close certain types of cases. The members of the Board stated their concerns relating to this request for delegated authority in this regard and received response from Dennie Peterson. The Board indicated that it would like all cases to come before the Board for review including those relating to unlicensed practice. Board discussion of its unlicensed practice concerns ensued.

The Board indicated that it would like to see unlicensed complaints even if they do not have authority to act. Ultimately, the Board would like to handle all of its complaints to include those concerning unlicensed practice and inquired about what steps should be taken to make that change. The Board requested that Secretary Jackson appear at the next meeting to discuss Board oversight of unlicensed practice complaints.

The Board decided to accept the request for delegated authority and asked that the DOE complaint intake staff provide information to the Board, at its next few meetings, regarding the number and types of cases screened out by the DOE complaint intake staff.

**MOTION:** Wesley Elford moved, seconded by Donald Peterson, to delegate to the Division of Enforcement complaint intake staff the authority to screen out specified complaints as outlined in the Board's 5/26/2010 agenda packet, page 12. Motion carried. Opposed: Marthina Greer; JoAnn Kleman

## **LEGISLATIVE LIAISON REPORT**

### **2010 Assembly Bill 417, relating to requirements for initial licensure as a veterinarian**

Dr. Robert Spencer was presented with the pen used by Governor Jim Doyle to sign 2010 Assembly Bill 417 into law. The Board's membership was presented with similar pens. Gail Sumi provided the Board with a printed copy of 2009 Wisconsin Act 396. She indicated that Michele Miller Hayes attended the bill signing but noted there was inadequate notice of the signing to have Board representation in attendance. Michele Miller Hayes noted that the effective date of AB 417 is June 2, 2010 and informed the Board that she has been working with Department credentialing staff to address licensing ramifications resulting from AB 417. She noted that the Board's Rules Committee will need to address this bill and issues such as the issuance of temporary licenses for individuals waiting to take the Program for Assessment of Veterinary education Equivalence (PAVE).

Dr. Elford inquired about the eligibility requirements to obtain a temporary license. He indicated that it was his understanding that an applicant was not eligible for a temporary license until they provided evidence that they were eligible to take the North American Licensing examination (NAVLE) or that they had initially taken NAVLE and were awaiting results. Michele Miller Hayes responded noting that there does seem to be a disconnect between the statutes and the rules. The Board discussed what requirements must be met to obtain a temporary credential and discussed the way the statute is being interpreted. The Board agreed that it intended for an applicant to complete either the PAVE or the Educational Commission for Foreign Veterinary Graduates (ECFVG). The Board further stated that an applicant would need to have eligibility to take NAVLE or they must have taken NAVLE and are awaiting results in order to obtain the temporary permit. The Board noted that ECFVG and PAVE are referenced as examinations in the temporary permit statute and indicated that they are in fact programs, the word “test” in the statute seems to be creating misinterpretation.

The Board discussed its ability to clarify and define within rules, its interpretation of this statutory requirement. The Board indicated that the statute should not be interpreted any differently than it was prior to the enactment of 2009 Wisconsin ACT 396. Michele Miller Hayes stated that she will continue to work with credentialing staff in this regard.

#### **Possible Other Legislative Issues and Legislative Wrap-up**

None.

### **REMEDATION MEASURES FOR INADEQUATE VETERINARY MEDICAL RECORDS**

Marthina Greer informed the Board that in the past they have recommend that WVMAs record-keeping class be taken for the purpose of re-education of disciplined licensees, however there is no record-keeping course. Kim Brown Pokorny advised the Board that the WVMA offers a CD on recording-keeping. She indicated that licensees obtain continuing education credit for this course by completing a test after review of the CD. Kim Brown Pokorny indicated that this CD is available to all licensees and explained that there are price differences for members of the association vs. non-members. The Board requested that each member receive a copy of the WVMAs record-keeping CD. Kim Brown Pokorny noted that she will check on her ability to provide this CD to the Board’s membership. The Board discussed if a record-keeping course is offered by the University of Wisconsin. The Board then discussed whether to stipulate specific course or to allow a choice of courses in record-keeping.

The Board then discussed if the Department has a process for verifying that disciplined licensees have completed any required re-education courses within stipulated timelines. Sharon Henes and Patara Horn, Department Monitors joined the meeting to advise the Board of the process utilized by the Department to verify completion of any required re-education courses. Ms. Henes introduced Patara Horn and indicated that Ms. Horn will be handling the Board’s monitoring. Sharon Henes informed the Board of the Department’s process to verify that re-education courses are taken as stipulated by the Board. Ms. Henes advised the Board that the Department

will be requesting delegated authorities relating to monitoring matters at a future meeting. These delegated authorities would, in certain circumstances, allow the Department Monitor to reinstate or suspend a license in a more expedited fashion upon the approval of the Board's appointed liaison.

The Board decided that additional information is needed in order to make a determination regarding remediation measures for inadequate record-keeping and that this issue will be discussed at its next meeting.

## **RULES REVIEW COMMITTEE REPORT**

William Rice reported to the Board regarding the work of the Rules Review Committee. He indicated that the Committee had a very productive meeting today and made substantial progress. The Committee covered VE 1, VE 2 and VE 3 but will need some additional information regarding questions identified at the meeting. Dr. Rice reported that Gail Sumi has offered the assistance of an interning law student, Elizabeth Williams, who will perform some research for the Committee prior to its next meeting. He informed the Board that the Rules Review Committee has scheduled a meeting for June 28, 2010 and may meet again in July as scheduling permits. He indicated that a number of WVMA recommendations were reviewed and noted that the Committee had determined which of those recommendations to act upon. Michele Miller Hayes informed the Board that the pesticide legislation passed and as a result it can no longer be required for continuing education purposes. She did note that the Board can require the completion of pesticide courses for the purpose of disciplinary re-education. Michele Miller Hayes then indicated that a rule change will be necessary to make the rules consistent with statute.

As a point of reference Kim Brown Pokorny informed the Board that the WVMA has a pesticide booklet and test that they have offered for some time now. She noted that the UW School of Veterinary Medicine and Madison Area Technical College (MATC) have utilized the booklet and test for their students.

### **WVMA Recommendations to the Veterinary Examining Board Rules Committee**

Gail Sumi informed the Board that she included the WVMA recommendations in the agenda packet as an informational item.

## **PRACTICE QUESTIONS**

### **What constitutes the practice of veterinary medicine? \*Ongoing Board Discussion**

The Board continued its discussion from its last meeting relating to what constitutes the practice of veterinary medicine.

Dr. Peterson noted that at the last meeting the Board had discussed a matter pertinent to blood testing for pregnancy from a large animal standpoint. He indicated that Gail Sumi was to contact Kim Brown Pokorny regarding this issue but noted that he could not fully recall the issue being addressed and that there was no reference in the minutes from that meeting. In order to identify the matter to be addressed Dr. Peterson contacted Dr. Elford and Kim Brown Pokorny and during discussion of the topic at hand a number of issues of a questionable nature were identified such as testing for pregnancy, HIA, equine dentistry and unlicensed practice relating to lay surgery. In discussion with Kim Brown Pokorny he was advised that she is receiving questions on this area daily.

Dr. Peterson indicated that he is not aware if these concerns are relative to a small animal perspective as well and invited Board comment. JoAnn Kleman and Marthina Greer both noted instances of unlicensed practice. The Board invited Kim Brown Pokorny, WVMA, to address the types of questions she receives relating to unlicensed practice. She stated that, species neutral, this area has been a concern of the WVMA for years. Ms. Brown Pokorny noted that most of the unlicensed practice questions that WVMA has received are being sent to Gail Sumi for response by the Department or Board. WVMA member concerns are being received on a daily basis by the WVMA citing instances of unlicensed practice and inquiring about an approach to these concerns. She stated that the unlicensed practice is becoming a national issue. There has been a national movement for lay people, recently passed by Oklahoma, to have access to drugs that were previously available by prescription only. WVMA was informed that these concerns can be reported to the Department or the District Attorney (DA), however complaints to the Department have been hit or miss and these issues do not receive a lot of attention from the DA due to their competing caseload. She offered her assistance as a resource to the Board and offered to work with the Board regarding this issue.

The Board further discussed its concerns related to unlicensed practice and an ever-growing concern relating to some of the types of services being provided by individuals in animal service related fields and indicated that there is a pronounced need for the Board to address these matters. Kim Brown Pokorny indicated that another factor to address, aside from animal health and welfare, is the matter of public protection. She indicated that public health and food safety issues are an important issue for the Board to address as food animal drug residues are on the rise. She felt that the Board should consider public health and food safety concerns and noted that these concerns may assist the Board should they choose to pursue legislation regarding unlicensed practice. Robert Spencer stated that the Board is attempting to address areas of concerns that are outside of the realm of its current authority and if the Board wishes to pursue such issues the definition of veterinary medicine would need to be revised and the Board would need to address its statutory authority in such matters. Dr. Spencer indicated that it is pertinent to discuss this matter with Secretary Jackson to gauge if the Department has the resources and is willing to support the Board in this regard.

Marthina Greer referenced s. 453.02 (6), Wis. Stats., relating to the definition of veterinary medicine, stating that the word "compensation" herein needs to be removed. She indicated that lay people should not practice veterinary medicine whether or not they anticipate compensation for such services. Dr. Greer indicated that she conferred with Robert Klosterman, DVM, regarding this matter and he indicated the possibility of resistance to the removal of the word

“compensation” as many farmers exchange services that constitute the practice of veterinary medicine. The Board discussed its requests to review unlicensed practice complaints but has been informed by the Department that there are inadequate resources for the Department or Board to enforce such cases. Gail Sumi suggested that the Board could consider changes to s. 453.02 (6), Wis. Stats. at its next meeting indicating that it would have until January to prepare legislation and to work to secure introduction. Dr. Spencer indicated that the Board’s efforts to pursue legislative change may be of no value if the Department were unable to enforce the laws due to resource issues. Gail Sumi indicated that she will request clarification from management regarding the Department’s position regarding the Board’s previous inquiries relating to review of unlicensed practice complaints received by the Department relating to the professions under the purview of the Board. The Board felt that the issue of unlicensed practice cannot be appropriately addressed if there is no penalty for those who practice veterinary medicine without a credential. The Board requested that Secretary Jackson appear at its August meeting to discuss the matter of unlicensed practice. JoAnn Kleman will provide Michele Miller Hayes with a listing of the Board’s animal services related concerns. She also indicated that the American Association of Veterinary State Board’s (AAVSB) could be contacted for its listing of statewide animal service related professions.

**How to respond to clients/doctors who are seeking patient records from someone who has closed their clinic without providing clients with their records or providing contact information? Kim Brown Pokorny, Executive Director, Wis. Veterinary Medical Association**

The Board reviewed this question and the response provided by Michele Miller Hayes. The Board agreed that there is no good answer for this type of question and stated their agreement with the response provided by Michele Miller Hayes.

**How to respond to electronic requests involving either consultation or telemedicine? Micki Skwierzynski, Clear View Veterinary Solutions**

The Board reviewed this question and the response provided by Michele Miller Hayes. The Board noted that a veterinarian that is providing services for animals in Wisconsin must have a ECPR in order to provide advice unless they are working with a Wisconsin licensed veterinarian who holds an ECPR. Michele Miller Hayes will draft a condensed version of this question for posting to the Department website. Dr. Spencer will review this practice FAQ for accuracy.

Michele Miller Hayes inquired about how the Board would like to address its practice questions. The Board stated that statutory questions will be directed to Michele Miller Hayes who will respond and summarize such practice questions for Board review.

**What can a DVM licensed in another state legally do under the direction/delegation of a Wisconsin licensed Veterinarian? Kelly Benning, DVM**

Again the Board reviewed this practice question and the response provided by Michele Miller Hayes. The Board indicated that the response provided by Legal Counsel Miller Hayes was appropriate. During review of this inquiry the Board discussed veterinarians that are not

Wisconsin licensed that assess the health of a horse while competing in horse races. The Board again discussed unlicensed practice concerns and the inability to curb such concerns due to lack of ramification for performing veterinary medicine in the state without a Wisconsin license.

**Can a Veterinary Technician provide anesthesia guidance to Wisconsin technicians in their clinics?**

The Board reviewed and discussed this practice question and response provided by Michele Miller Hayes. Again, the Board indicated that Michele Miller Hayes responded appropriately.

**PRACTICE QUESTIONS RECEIVED IN THE BUREAU AFTER PREPARATION OF THE AGENDA**

**Correspondence from Department of Agriculture Trade and Consumer Protection (DATCP) regarding who can take Chronic Wasting Disease (CDW) samples from animals killed on farm raised deer hunting preserves?**

The Board reviewed a practice question received by the Department after the Board's agenda was prepared. The Board indicated that a Wisconsin licensed veterinarian would need to be involved in the retrieval of a sample to be tested for CWD and that a licensed veterinarian or the herd owner would need to perform the collection. The Board noted that the veterinarian order would be required to request the diagnostic testing of a sample. The main concerns of the Board in this matter related to public safety and the required knowledge of disease transmission and the importance of the accuracy of the tissue sample collected for testing purposes. The Board noted that veterinarians have to attend a training course in order to know which tissues to sample for CWD and reiterated the importance of accuracy when collecting such samples. Kim Brown Pokorny provided comments to the Board regarding the review of this question.

**CONTINUING EDUCATION ISSUES RECEIVED IN THE BUREAU AFTER PREPARATION OF THE AGENDA**

None.

**APPLICATION ISSUES RECEIVED IN THE BUREAU AFTER PREPARATION OF THE AGENDA**

None.

**EXAMINATION ISSUES RECEIVED IN THE BUREAU AFTER PREPARATION OF THE AGENDA**

**Correspondence from the American Veterinary Medical Association (AVMA) Notifying the Board of the Acceptance of Globe University – Eau Claire, WI**

The Board noted this correspondence as an informational item.

**APPEARANCES FROM REQUESTS RECEIVED OR RENEWED AFTER PREPARATION OF THE AGENDA**

None.

**PUBLIC COMMENTS**

None.

**INVITATION OF NEW BOARD MEMBER(S) INTO CLOSED SESSION**

None.

**CLOSED SESSION**

**MOTION:** Robert Spencer moved, seconded by Wesley Elford, to convene to closed session to deliberate on cases following hearing (Wis. Stat. 19.85(1) (a)), to consider licensure or discipline (Wis. Stat. § 19.85(1) (b)), to consider individual histories or disciplinary data (Wis. Stat. § 19.85(1) (f)), and to confer with legal counsel (Wis. Stat. § 19.85(1) (g)). Motion carried by a roll call vote: Wesley Elford-yes; Marthina Greer-yes; JoAnn Kleman-yes; Donald Peterson-yes; William Rice-yes; Robert R. Spencer-yes; Theresa Waage-yes.

The Board convened into Closed Session at 1:00 p.m.

**RECONVENE INTO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION**

**MOTION:** JoAnn Kleman moved, seconded by Marthina Greer, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open session at 2:20 p.m.

**VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION IF  
VOTING IS APPROPRIATE**

Noted.

**DELIBERATION OF PROPOSED STIPULATION**

**MICHAEL J. GRAPER, DVM  
(06 VET 061)**

**MOTION:** Donald Peterson moved, seconded by Wesley Elford, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Michael J. Graper, DVM (06 VET 061). Motion carried. Abstained: JoAnn Kleman

*(JoAnn Kleman left the room for deliberation of the matter of disciplinary proceedings against Michael J. Graper, DVM and abstained from voting.)*

**MORRIS LINK, DVM  
(03 VET 028, 05 VET 033, 06 VET 032)**

**MOTION:** Wesley Elford moved, seconded by Theresa Waage, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Morris Link, DVM (**03 VET 028, 05 VET 033, 06 VET 032**). Motion carried unanimously.

**DELIBERATION OF PROPOSED STIPULATIONS RECEIVED IN THE BUREAU  
AFTER MAILING OF AGENDA**

**SANJAY S. JAIN, DVM  
(07 VET 025)**

**MOTION:** JoAnn Kleman moved, seconded by Theresa Waage, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Sanjay S. Jain, DVM (07 VET 025). Motion carried unanimously.

**REQUESTS FOR WAIVER OF CONTINUING EDUCATION**

**Request for Waiver of Continuing Education Requirement by M.M.**

**MOTION:** JoAnn Kleman moved, seconded by Wesley Elford, to deny M.M.'s request for continuing education waiver. Reason for Denial: Failure to provide evidence of exceptional circumstances. The Board stated that there are a number of low cost or free continuing education courses available. Motion carried unanimously.

**MOTION:** William Rice moved, seconded by Theresa Waage, to refer M.M. to the Division of Enforcement for follow-up. Motion carried unanimously.

**MONITORING REPORTS RECEIVED IN THE BUREAU AFTER MAILING THE AGENDA**

None.

**CONSIDERATION OF REMEDIAL EDUCATION CASES RECEIVED IN THE BUREAU AFTER MAILING OF THE AGENDA**

None.

**DELIBERATION OF PROPOSED DECISIONS RECEIVED IN THE BUREAU AFTER MAILING OF THE AGENDA**

None.

**CONSIDERATION OF PROPOSED ADMINISTRATIVE WARNINGS RECEIVED IN THE BUREAU AFTER MAILING OF AGENDA**

**09 VET 023**

**MOTION:** Marthina Greer moved, seconded by Donald Peterson, to issue the administrative warning in case number 09 VET 023. Motion carried unanimously.

**DELIBERATION OF COMPLAINTS RECEIVED IN THE BUREAU AFTER MAILING OF THE AGENDA**

None.

**DELIBERATION OF PETITIONS FOR RE-HEARING RECEIVED IN THE BUREAU  
AFTER MAILING OF THE AGENDA**

None.

**CASE STATUS REPORTS**

None.

**CASE CLOSINGS**

**07 VET 012**

**MOTION:** William Rice moved, seconded by Wesley Elford, to close case **07 VET 012** for no violation. Motion carried unanimously.

**07 VET 032**

**MOTION:** JoAnn Kleman moved, seconded by Wesley Elford, to close case **07 VET 032** for no violation. Motion carried unanimously.

**07 VET 029**

**MOTION:** Donald Peterson moved, seconded by JoAnn Kleman, to close case **07 VET 029** for insufficient evidence. Motion carried unanimously.

**09 VET 059**

**MOTION:** JoAnn Kleman moved, seconded by Donald Peterson, to close case **09 VET 059** for prosecutorial discretion (P6). Motion carried unanimously.

**09 VET 038**

**MOTION:** JoAnn Kleman moved, seconded by Donald Peterson, to close case **09 VET 038** for prosecutorial discretion (P2). Motion carried unanimously.

**CONSULTING WITH LEGAL COUNSEL**

Michele Miller Hayes, Legal Counsel, was available to the Board for consultation during closed session deliberations.

**APPLICATION FOR RE-REGISTRATION**

**RAY HOOVER, DVM**

**MOTION:** Donald Peterson moved, seconded by JoAnn Kleman, to defer deliberation of the request for reinstatement of the license of Ray Hoover, DVM until August 4, 2010. In the interim, the Board grants Dr. Rice the authority to approve a suitable education option to be completed by Dr. Hoover. Motion carried unanimously.

**PHILIP MOLITOR, DVM**

**MOTION:** JoAnn Kleman moved, seconded by Theresa Waage, to reinstate the license of Philip Molitor, DVM. Motion carried unanimously.

**MOTION:** Theresa Waage moved, seconded by JoAnn Kleman, to refer Philip Molitor, DVM to the Division of Enforcement for unprofessional conduct and for unlicensed practice. Motion carried unanimously.

*(Theresa Waage was excused at 2:06 p.m.)*

**APPLICATION ISSUES RECEIVED IN THE BUREAU AFTER MAILING OF AGENDA**

None.

**EXAMINATION ISSUES RECEIVED IN THE BUREAU AFTER MAILING OF THE AGENDA**

None.

**APPEARANCES FROM REQUESTS RECEIVED OR RENEWED AFTER MAILING OF THE AGENDA**

None.

**ADJOURNMENT**

**MOTION:** JoAnn Kleman moved, seconded by Wesley Elford, to adjourn. Motion carried unanimously.

The meeting adjourned at 2:28 p.m.