



47 **APPROVAL OF MINUTES:** Dr. Wenzel suggested a correction to . . . "protect the  
48 profession . . ." to . . ."protect the public . . ." at page 10, line 453. Other Board members  
49 did not agree because the verbiage was as submitted in Ms. Neal's report to the Board. Ms.  
50 Sowers pointed out that the date of the next Board meeting: April 18, 2016 at page 12, line  
51 522 should read April 8, 2016. Dr. Wenzel moved, Ms. Brown-Pirrone seconded to  
52 approve the January 15, 2016 minutes with the Board meeting date correction noted. All  
53 in favor, motion passed.

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55 **CE PROVIDER APPROVAL:** Approvals are stipulated on the CE hours being in  
56 compliance with the Board's rules.

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58 Dr. Wenzel moved Ms. Forrest seconded to approve the following requests as a group:

59  
60 **Kristin Bannon, DVM:**

61 Multiple dates in 2016; Santa Fe, New Mexico

62  
63 *Canine Introduction to Oral Surgery; 8.00 CE hours*

64  
65 *Dental Radiographs – How and Why; 6.00 CE hours*

66  
67 *Getting Dentistry Off the Ground in Your Practice – Secrets*  
68 *of Success; 1.00 CE hour*

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70 *Intermediate Radiographic Diagnosis, Interpretation and*  
71 *Treatment Planning; 2.00 CE hours*

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73 *Regional and Local Nerve Blocks; 2.00 CE hours*

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75 *Radiographic Diagnosis Interpretation and Treatment;*  
76 *2.00 CE hours*

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78 *Root Tip Removal; 2.00 CE hours*

79  
80 *Understanding Periodontal Disease and Therapy Options;*  
81 *3.00 CE hours*

82  
83 **Jason R. Crawford, DVM, MPH**

84  
85 *Department of Defense Veterinary Pathology Residency*  
86 *Program (DODVPR); August 2015 – August 2018; Silver*  
87 *Spring, Maryland; 375.00 CE hours*

88  
89 **Echo Service for Pets**

90  
91 *Ultrasound for the Practitioner, Year 'round 2016;*  
92 *throughout New Mexico; 16.00 CE hours*

93  
94

**Gary Walch, DVM**

*Region Management Work Conference 2015;*  
Austin, Texas; September 21-23, 2015; 11.00 CE hours

**EXECUTIVE DIRECTOR'S REPORT:** Dr. Washburn asked Ms. Sowers to present the Executive Director's report.

Ms. Sowers presented the Summary Budget Balance Report for the period January – March, 2016, 2nd quarter FY16. Ms. Sowers pointed out that the budget expenditures were in line with the period of the fiscal year.

Ms. Sowers reported that the FY17 Operating Budget will be submitted reflecting the \$10,700 reduction mandated by the legislature.

Ms. Sowers reported that the Board of Veterinary Medicine's sunset review will be presented in 2017.

Ms. Sowers referred the Board to a letter received from an applicant who is unable to obtain the official transcript from the veterinary school from which applicant graduated because it is no longer in operation. The applicant has been licensed in other U.S. jurisdictions and is a long-time practitioner. After lengthy discussion, the vote directed Ms. Sowers to request the applicant to order verifications to be sent to the Board from all states where the applicant is currently or previously has been licensed. Once this information is received, Ms. Sowers will request a copy of the transcript required for licensure from one of the licensing jurisdictions.

Ms. Sowers reported that all terms of the Pre-NCA Settlement Agreement had been satisfied in complaint no. 14-27. Ms. Sowers requested Board approval to close the complaint. Dr. Washburn requested a roll call vote. Dr. Wenzel-yes; Dr. Garcia-yes; Ms. Brown-Pirrone-yes; Ms. Forrest-yes; Dr. Fallen-yes; Dr. Washburn-yes; Dr. Stout-yes. Motion passed.

Ms. Sowers referred the Board to a letter received from the public concerning a veterinarian who cancelled an appointment on short notice. The Board directed Ms. Sowers to respond to the letter setting out the Board's determination that it is the licensee's right to accept or refuse a case.

Ms. Sowers referred the Board to a response received from a recipient of a cease and desist letter. The letter was sent to the individual who claims to cure parvo. The Board directed Ms. Sowers to send a letter informing the individual that the Board will be legally pursuing the matter.

Ms. Sowers presented an inquiry from a licensee: When a licensed veterinarian from a neighboring state wants to perform Trich tests in New Mexico, can the work be done under the direct supervision of a New Mexico-licensed veterinarian or does the out-of-state

142 veterinarian licensed? The Board responded that Trichomoniasis is a regulatory disease;  
143 therefore, the New Mexico Livestock Board must certify the out-of-state veterinarian.  
144 Ms. Sowers presented an inquiry from a licensee concerning wildlife. If a fox is injured on  
145 the highway, can a New Mexico-licensed veterinarian render aid to the fox? Or, does the  
146 fox need to be immediately turned over to a wildlife rescue group by the veterinarian for  
147 treatment? The Board responded that the Department of Game and Fish has jurisdiction  
148 over wildlife in New Mexico.

149  
150 Ms. Sowers reported to the Board on the difficulty encountered in dealing with the Animal  
151 Sheltering Board on shelter issues. A licensee was attempting to alleviate a distemper  
152 epidemic in a shelter and when the licensee contacted the Animal Sheltering Board was  
153 referred to the Board of Veterinary Medicine. The licensee was told that the BVM is the  
154 agency with jurisdiction over shelters.

155  
156 Dr. Washburn thanked Ms. Sowers for her report.

157  
158 **BOARD FACILITY INSPECTOR:** Dr. Wenzel welcomed Gaven Kuykendall, DVM,  
159 Board Contract Facility Inspector.

160  
161 Dr. Kuykendall reported on a semi-retired owner/licensee manager who is present in the  
162 veterinary facility approximately two partial days a week; a former employee ordered  
163 copious amounts of controlled substances using the licensee's DEA number. Dr.  
164 Kuykendall reported that he conducted an inspection including drug logs and requested  
165 older drug logs as well; the requested drug logs were delivered to the Board office and  
166 inspected by Dr. Kuykendall. The Board directed Dr. Kuykendall to refer the matter to  
167 DEA as well as reporting the possible illegal movement of narcotics by the former employee  
168 to the narcotics division of the jurisdictional police department.

169  
170 Dr. Kuykendall next reported on an inquiry he had received from a licensee concerning a  
171 Board of Pharmacy requirement that a separate log be maintained for non-controlled  
172 substance drugs dispensed. The licensee opined that the dispensing information is  
173 contained in the medical record maintained for each patient. The Board discussed the  
174 specific terminology used i.e. record or log; dangerous drug or controlled substance. The  
175 Board directed Dr. Kuykendall to work with the Board of Pharmacy to attempt to alleviate  
176 a duplication of effect by the Board of Veterinary Medicine's licensees.

177  
178 Dr. Kuykendall requested Board clarification for an inquiry concerning anesthesia  
179 maintenance; the licensee making the inquiry has received differing information from  
180 other licensees. The Board referred to Board rule 16.25.9.18 F. (2) (g) anesthetic  
181 equipment will be maintained in proper working condition. The Board recommends an  
182 annual check of anesthetic equipment.

183  
184 Dr. Washburn thanked Dr. Kuykendall for his report.

185  
186 **NEW MEXICO DEPARTMENT OF HEALTH:** Dr. Washburn welcomed Dr.  
187 Paul Ettestad, Public Health Veterinarian.

189 **Dr. Ettestad reported on the rabies compendium post exposure. Dr. Ettestad explained if a**  
190 **dog or cat is exposed to rabies, the animal will be immediately vaccinated if the owner opts**  
191 **not to euthanize. If no records of vaccination are available, the Department of Health will**  
192 **work with veterinarian via blood draws. Kansas State University will test with the pet**  
193 **owner bearing the expense. The quarantine periods have been lessened.**

194  
195 **The compendium information sheet will be distributed to all animal control officers in the**  
196 **state.**

197  
198 **Dr. Washburn thanked Dr. Ettestad for his report.**

199  
200 **NEW MEXICO VETERINARY MEDICAL ASSOCIATION: Dr. Washburn**  
201 **welcomed Tamara Spooner, Executive Director.**

202  
203 **Ms. Spooner reported on the second Power of 10 meeting which was held in February in**  
204 **conjunction with the Association's board meeting. The Power of 10 group, consisting of**  
205 **new graduates, were invited to the meeting as it revamped its strategic plan. The group**  
206 **had very good insight and ideas and was invited back.**

207  
208 **The Association has now begun work on its policies and procedures now that the bylaws**  
209 **have passed.**

210  
211 **Ms. Spooner discussed the DEA's recent letter issued to all DEA registrants regarding**  
212 **transporting controlled substances across state lines. The DEA had determined, in the case**  
213 **of house calls, a veterinarian does not need to be registered in the state where the**  
214 **dispensing occurs as long as the veterinarian is registered in another state and is licensed to**  
215 **practice veterinary medicine in the state where the dispensing occurs.**

216  
217 **The Association is discussing holding social events later in the year and is considering**  
218 **doing so outside of the Albuquerque area.**

219  
220 **The next NMVMA meeting will be held on May 7, 2016.**

221  
222 **Dr. Washburn thanked Ms. Spooner for her report.**

223  
224 **BROWN MACKIE COLLEGE VETERINARY TECHNOLOGY PROGRAM: Dr.**  
225 **Washburn welcomed Lindsey Gardner, DVM, Program Director.**

226  
227 **Dr. Gardner reported that there are currently 49 students in the program; the program**  
228 **has graduated 87 students to date. The next graduation ceremony will be held on May 20,**  
229 **2016. The VTNE pass rate year-to-date is 78%.**

230  
231 **Dr. Gardner reported that the accreditation site visit will be conducted May 23-25, 2016.**

232  
233 **Dr. Gardner reported that the program had obtained a facility license February 17, 2016.**  
234 **The first program live anesthesia and surgery labs (spay, neuter, dentistry) were held in**  
235 **March.**

236

237 **Dr. Washburn thanked Dr. Gardner for her report.**

238  
239 **CNM VETERINARY TECHNOLOGY PROGRAM: Dr. Washburn welcomed Evelyn**  
240 **Selva, RVT, Clinical Coordinator.**

241  
242 **Mrs. Selva reported that the program has a total of 17 students from Cohort II and one**  
243 **transfer student; the graduation date is April 30, 2016. The current number of first year**  
244 **students is 19.**

245  
246 **The accreditation site visit by AVMA/CVTEA will be June 8-10, 2016. The advisory**  
247 **committee dinner meeting during the site visit is scheduled for June 9, 2016 at 6:30 p.m. at**  
248 **the south valley campus. It is hoped that there will be a large attendance indicating**  
249 **support for the program.**

250  
251 **Ms. Selva reported that the summer term begins May 16 and will run through August 12.**

252  
253 **The Running Start Dual Credit Program for high school students (VT 1011 and VT 1005)**  
254 **will begin fall 2016.**

255  
256 **Dr. Washburn thanked Mrs. Selva for her report.**

257  
258 **NEW MEXICO VETERINARY TECHNICIAN ASSOCIATION: Dr.**  
259 **Washburn welcomed JoLynn Chacon, RVT, President.**

260  
261 **Ms. Chacon reported that she and president-elect Janine Fales attended the AVMA**  
262 **Leadership Conference held in Chicago, Illinois. The conference offered lectures on getting**  
263 **and retaining members, resolving conflicts and understanding their leadership roles.**

264  
265 **Ms. Chacon reported on Career Night which will be held on May 20, 2016. Association**  
266 **members will speak on their respective careers in veterinary technology education,**  
267 **industry sales, anesthesia, oncology, mobile veterinary medicine, zoo medicine, and**  
268 **emergency medicine.**

269  
270 **Member Carol Young will be attending the 2016 American College of Veterinary Internal**  
271 **Medicine Forum, July 19-20, 2016 in Denver Colorado. Ms Young will be hosting an**  
272 **informational booth presenting opportunities for RVTs and veterinary assistants as well as**  
273 **providing information on the NMRVTA.**

274  
275 **The NMRVTA has become a sponsor for the technician track hosted by The Animal**  
276 **Neurology and Imaging Center and VCA Veterinary Care Animal Hospital and Referral**  
277 **Center to be held August 20-21, 2016. The program will offer eight hours of technician-**  
278 **specific continuing education with RACE approval pending. The following topics will be**  
279 **offered:**

280  
281 ***Your Best You: The Power of Emotional Intelligence and It's Time for a Gut Check: Digestive***  
282 ***Care* –Diane Marshall, DVM, Speaker;**

283

284 ***Let's Perfuse It and What's Better Than Being Cool? Ice Cold!*** – Carrie Davis, DVM  
285 **Anesthesiology, Speaker;**  
286  
287 ***How Chemotherapy Works and Safe Drug Handling for the Veterinary Technician*** – Barbara  
288 **E. Kitchell, DVM, PhD, DACVIM (Oncology), Speaker;**  
289  
290 ***What Else Does He Eat?*** – Garnett Santiago, MA, LVT, Speaker;  
291  
292 ***Care of Hospitalized Neurologic Patients*** – Anna Leigh Heldibridle, RVT (Neurology),  
293 **Speaker;**  
294  
295 ***Principles of Preparation of Operation for Gravity Displacement Steam Autoclaves*** – Sean  
296 **Wright, Speaker.**  
297  
298 **Association state representative to AVMA, Amanda Archuleta, RVT, will be attending the**  
299 **AVMA annual meeting held August 6-9, 2016.**  
300  
301 **The NMRVTA's annual meeting will be held on October 15, 2016 at the UNM Educational**  
302 **Center in Albuquerque. Dr. Kristin Bannon will lecture on veterinary dentistry, Dr.**  
303 **Jeffrey Nichol will lecture on veterinary behavior; a National Association of Veterinary**  
304 **Technicians in American representative has been invited to speak as well. The NMRVTA**  
305 **is concentrating on dentistry, behavior, anesthesia, nutrition, and leadership during the**  
306 **meeting.**  
307  
308 **Board members of the NMRVTA are working on an internal audit and updating the**  
309 **Association's constitution to bring it current with today's professionals.**  
310  
311 **The Association is working on awarding a \$500 scholarship to a currently enroll veterinary**  
312 **technology student; the award will be presented at the annual meeting in October.**  
313  
314 **Dr. Washburn thanked Ms. Chacon for her report.**  
315  
316 **COMPLAINTS: Dr. Washburn welcomed Dr. Gentz, Board Investigator; Dr. Stout; Ms.**  
317 **Forrest; and Dr. Garcia of the Complaint Review Committee.**  
318  
319 **Complaint No. 16-03;**  
320 **Complaint No. 16-04–Manuel A. Garcia, DVM and Denai Forrest**  
321 **Complaint No. 16-07;**  
322 **Complaint No. 16-08;**  
323 **Complaint No. 16-09;**  
324 **Complaint No. 16-15; and**  
325 **Complaint No. 16-16.**  
326  
327 **Complaint No. 16-03: Dr. Gentz presented his investigative report. After lengthy Board**  
328 **discussion, Dr. Garcia moved, Dr. Wenzel seconded to dismiss Complaint No. 16-03 finding**  
329 **no violation of the Veterinary Practice Act. Dr. Washburn requested a roll call vote. Dr.**  
330 **Wenzel-yes; Dr. Garcia-yes; Ms. Brown-Pirrone-yes; Ms. Forrest-abstains; Dr. Fallen-yes;**  
331 **Dr. Washburn-yes; Dr. Stout-abstains. Motion passed.**

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**Complaint No. 16-04: Tabled at January 15, 2016 pending Dr. Gentz obtaining more information; Dr. Gentz presented his investigative report including the additional information. After lengthy Board discussion, Dr. Garcia moved, Dr. Wenzel seconded to dismiss Complaint No. 16-04 finding no violation of the Veterinary Practice Act. Dr. Washburn requested a roll call vote. Dr. Wenzel-yes; Dr. Garcia-abstains; Ms. Brown-Pirrone-yes; Ms. Forrest-abstains; Dr. Fallen-yes; Dr. Washburn-yes; Dr. Stout-yes. Motion passed.**

**Complaint No. 16-07: Dr. Gentz presented his investigative report. After Board discussion, the Board determined there was a violation of Professional Conduct rule 16.25.9.8 B. of the Board's rules. Dr. Wenzel moved, Dr. Garcia seconded to offer the respondent a Pre-NCA Settlement Agreement in Complaint No. 16-07 with the following terms: 4.00 continuing education hours in Pharmacology in addition to the required annual 15.00 continuing education hours; the Board assessed a fine of \$250. Dr. Washburn requested a roll call vote. Dr. Wenzel-yes; Dr. Garcia-yes; Ms. Brown-Pirrone-yes; Ms. Forrest-abstains; Dr. Fallen-yes; Dr. Washburn-yes; Dr. Stout-abstains. Motion passed**

**Complaint No. 16-08: Dr. Gentz presented his investigative report. After Board discussion, Dr. Wenzel moved, Dr. Fallen seconded to dismiss Complaint No. 16-08 finding no violation of the Veterinary Practice Act. Dr. Washburn requested a roll call vote. Dr. Wenzel-yes; Dr. Garcia-yes; Ms. Brown-Pirrone-yes; Ms. Forrest-abstains; Dr. Fallen-yes; Dr. Washburn-yes; Dr. Stout-abstains. Motion passed.**

**Complaint No. 16-09: Dr. Gentz presented his investigative report. After Board discussion, Dr. Garcia moved, Dr. Fallen seconded to dismiss Complaint No. 16-09 finding no violation of the Veterinary Practice Act. Dr. Washburn requested a roll call vote. Dr. Wenzel-recused; Dr. Garcia-yes; Ms. Brown-Pirrone-yes; Ms. Forrest-abstains; Dr. Fallen-yes; Dr. Washburn-yes; Dr. Stout-abstains. Motion passed.**

**Complaint No. 16-15: Dr. Gentz presented his investigative report. After Board discussion, Dr. Fallen moved, Dr. Wenzel seconded to dismiss Complaint No. 16-15 finding no violation of the Veterinary Practice Act. Dr. Washburn requested a roll call vote. Dr. Wenzel-yes; Dr. Garcia-yes; Ms. Brown-Pirrone-yes; Ms. Forrest-abstains; Dr. Fallen-yes; Dr. Washburn-yes; Dr. Stout-abstains. Motion passed.**

**Complaint No. 16-16: Dr. Gentz presented his investigative report. After Board discussion, Dr. Wenzel moved, Dr. Fallen seconded to dismiss Complaint No. 16-16 finding no violation of the Veterinary Practice Act. Dr. Washburn requested a roll call vote. Dr. Wenzel-yes; Dr. Garcia-yes; Ms. Brown-Pirrone-yes; Ms. Forrest-abstains; Dr. Fallen-yes; Dr. Washburn-yes; Dr. Stout-abstains. Motion passed.**

**Dr. Washburn thanked Dr. Gentz and the Committee.**



377 **NEW AND MISCELLANEOUS BUSINESS:**

378  
379 **Dr. Wenzel discussed the need for Bovine AI and PD examiners including dairy examiners.**  
380 **He suggested that NMSU professors who are PhDs would be ideal candidates to administer**  
381 **practical examinations to Bovine AI and PD applicants. After discussion, the Board agreed**  
382 **that the NMSU professors must qualify to become examiners by passing the written**  
383 **examinations administered to applicants in the permitting process.**  
384

385 **Ms. Sowers informed the Board that she had received several licensee inquiries when it was**  
386 **discovered by licensees that a website was publishing personal addresses and telephone**  
387 **numbers of the licensees. Ms. Sowers explained to the Board that information in the**  
388 **Board's records including the database is subject to the Inspection of Public Records Act.**  
389 **Ms. Sowers advises licensees that they may want to use their employer contact information**  
390 **rather than their own. Dr. Wenzel recommended that the banner informing licensees**  
391 **about IPRA be included on all renewals form once again.**  
392

393 **Ms. Sowers informed the Board of the difficulty a licensee had when attempting to help**  
394 **with a situation where a shelter with a distemper outbreak was continuing to accept intake**  
395 **animals. When the licensee contacted the Animal Sheltering Board, the licensee was told**  
396 **by the Animal Sheltering Board Chair, that the ASB did not have jurisdiction over shelters**  
397 **only over euthanasia technicians and the matter should be handled by the Board of**  
398 **Veterinary Medicine. The licensee was going to gather other veterinarians in the area to**  
399 **find temporary intake facilities so that animals would not continue to be exposed to the**  
400 **distemper in the shelter.**  
401

402 **OUT-OF-STATE MOBILE SPAY/NEUTER VANS:** **Ms. Sowers presented an**  
403 **inquiry from the public expressing concern about a spay/neuter clinic provided by a mobile**  
404 **van in the southern part of the state. The inquirer was concerned because of the large**  
405 **number of spays and neuters performed during the weekend clinic. Dr. Washburn said she**  
406 **had received telephone calls as well and directed Ms. Sowers to contact the licensee**  
407 **manager of the mobile van for more information. Ms. Sowers contacted the licensee**  
408 **manager and was told that the figures were actually 80 on Saturday, 60 on Sunday. Ms.**  
409 **Sowers asked the licensee manager if pre-op examination were conducted, the licensee**  
410 **manager said she had performed the examination and another veterinarian performed the**  
411 **procedures. The licensee manager indicated that the veterinarian used the quick spay and**  
412 **scrotal castration methods developed by W. Marvin Mackie, DVM; the veterinarian had**  
413 **trained with Dr. Mackie. Ms. Sowers asked where the animals were placed for recovery,**  
414 **the licensee manager indicated that the animals were placed for three to four hours at the**  
415 **Girl Scout Center. She did not indicate that anyone was with the animals while they**  
416 **recovered.**  
417

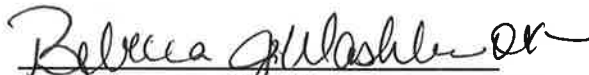
418 **Dr. Wenzel indicated that a valid veterinarian-client-patient relationship was not**  
419 **established violating 61-14-2 J of the Veterinary Practice Act and 16.25.9.8 B. of the Board**  
420 **rules. The Board expressed concern about medical records containing the information as**  
421 **required by Board rule 16.25.9.21 A. The Board directed Ms. Sowers to file a complaint on**  
422 **behalf of the Board against the mobile van setting out possible violations as defined above**  
423 **by the Board.**  
424

425 **PUBLIC INQUIRY:** Ms. Sowers referred the Board to the Board meeting books which  
426 included an emailed public inquiry concerning the lack of records by the State  
427 Veterinarian at the New Mexico Livestock Board. The Board reviewed the inquiry and  
428 directed Ms. Sowers to respond to the inquiry citing 61-14-14 A. of the Veterinary Practice  
429 Act which exempts employees of federal, state or local governments performing official  
430 duties.

431  
432 Next regularly scheduled Board meeting to be held on June 10, 2016.  
433

434 There being no further business before the Board, Dr. Fallen moved, Dr. Wenzel seconded  
435 to adjourn the meeting. All in favor; motion passed.

436 **APPROVED:**

437   
438 \_\_\_\_\_  
439 Dr. Rebecca J. Washburn, Vice-Chair

  
439 \_\_\_\_\_  
440 Dr. John C. Wenzel, Vice Chair

441 DATE: 6/10/16  
442

441 DATE: 6-10-16  
442

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