

**Texas Board of Veterinary Medical Examiners
October 18, 2022
Meeting Minutes**

At 9:10 a.m., Board President, Keith Pardue called the board meeting to order.

Dr. Mixon took a roll call. Ms. Olivier was absent. Dr. Criner moved to approve the absence and Dr. Mixon seconded the motion.

Dr. Criner moved to approve the meeting minutes for July 12, 2022, and Dr. White seconded the motion. The Board unanimously approved the minutes from the July 12, 2022, meeting.

Dr. Criner made a notation of a change to the September 6, 2022, meeting minutes to have Dr. Mixon named as the person taking roll call. Dr. Criner moved to approve the minutes with the change. Dr. Mixon seconded the motion. The Board unanimously approved the minutes as corrected.

Mr. Pardue called for citizen comments. Judy Santerre, Trent Hightower, Jordan Glynn, LVT, Sandra Sledge, LVT and Dr. Tamara Walthall provided public comments in person. Jodi Ware provided a public comment via Zoom.

Mr. Pardue called for the next agenda item, the Executive Director's report. Ms. Wanda Bennett, Licensing Program Supervisor, started by providing an update regarding the licensing department.

Mr. Mike Tacker, Director of Enforcement provided an update regarding the Enforcement Department and advised that there are currently nine FY2021 cases open, 138 FY2022 cases and 28 FY2023 cases.

Mr. John Hargis, General Counsel, provided an update regarding the legal department. After the Board meeting, 284 cases will be open in legal.

Mr. Jerod Honrath, Director of Licensing and Compliance provided an update regarding compliance, including fingerprints and continuing education.

Ms. Arlethia Middleton, Chief Financial Officer, provided an update regarding the agency's finances.

Mr. John Hargis discussed the next agenda item regarding proposed rule changes. Dr. Mixon stated Rule 571.18 would be withdrawn due to statutory reasons. Dr. Mixon stated the term "Veterinary Technician" is not a protected term in Texas. Dr. Mixon stated they do not need to create a rule just to re-state a statute. Dr. Mixon stated she would like the public to know if the veterinary technician is credentialed or not. Dr. Mixon stated it is a struggle to find educated technicians. Dr. Mixon stated unless there is a legislative change, they cannot propose a rule stating the same as what is stated in the statute.

Dr. Mixon made a motion to pull the proposed rule 571.18. Dr. Criner seconded the motion. None opposed.

Dr. Mixon made a motion to keep rule 573.27, Honesty, Integrity, and Fair Dealing, as written with no changes. Dr. Criner seconded the motion. None opposed.

Dr. Mixon made a motion to pull the proposed rule 575.29 for additional review by the rules committee for changes. Mrs. Whitehead seconded the motion. None opposed.

Dr. Criner discussed the next agenda item and provided an update regarding the AAVSB conference that herself, Dr. Mixon, and Executive Director, Brittany Sharkey, attended. Dr. Criner stated the conference is once a year, but there are smaller meetings and committee meetings that occur more frequently.

Dr. Criner discussed the next agenda item regarding the Board's continuing education rules. Dr. Criner believes that a couple of the rules are bothersome to most veterinarians. Dr. Criner stated licensees in Texas are required to sign into a CE conference, which is not in policy or rule, so she is unsure why it is being required.

Dr. Mixon stated a new rule proposal, 575.26, will be presented to the rules committee for review. Dr. Mixon stated the rule will be a deferred dismissal program for minor violations that would offer licensees an opportunity to complete continuing education and then have the case dismissed to avoid creating permanent records for minor infractions.

Mr. John Hargis noted that agenda item 6 had not yet been discussed. Dr. Criner discussed agenda item 6 regarding current rules committee procedures. Dr. Criner wanted to thank all of the board members for their input.

Dr. Criner presented agenda item 8 and proposed that an education committee consisting of three (3) people be formed to review continuing education submitted to the board for approval. Dr. Randall Skaggs made a notation that he agreed with the proposal. Dr. Golla stated he also agreed with the proposal. Dr. Criner made a motion to form an Ad Hoc committee for continuing education. Dr. Mixon seconded the motion. None opposed. Dr. Criner stated she would like to be a part of the committee with the addition of Dr. Skaggs and Sue Allen, LVT.

Dr. Criner stated she would like TVMA to form a rules committee to present concerns regarding rule changes to the Board.

Dr. Mixon discussed agenda item 10 regarding the use of xylazine in equine medicine. Dr. Mixon stated DEA collects data on all reports of overdose deaths.

The following cases were pulled from Agenda Item 11 for discussion in executive session: CP20-124 and CP20-134. Mrs. Whitehead moved to approve the other agreed orders as presented. Dr. Criner seconded,

The following cases were pulled for discussion in executive session from agenda item 12: CP18-122, CP20-259, CP21-080, CP21-15 and CP21-393. Mrs. Whitehead moved to approve the other cases recommended for dismissal from informal conference. Dr. Criner seconded the motion. None opposed.

The following cases were pulled for discussion in executive session from agenda item 13: CP0-107, CP22092 and CP22-099. Mrs. Whitehead moved to approve the other cases recommended for dismissal from medical review. Criner seconded the motion. None opposed.

Mrs. Whitehead moved to approve the cases recommended for dismissal from staff conference. Mrs. Allen seconded the motion. None opposed.

Mrs. Whitehead moved to approve the cases recommended for dismissal by staff. Dr. Skaggs seconded the motion. None opposed.

Mr. Pardue addressed Agenda Item 17 - Future Board Meeting Dates. It was stated that January 17, 2023, was already a scheduled Board Meeting date. April 4, 2023, is discussed as a potential future board meeting date to be formally decided on during the January meeting.

Ms. Whitehead made a motion to go into executive session. Dr. Steven Golla seconded the motion.

At 11:59 a.m., The board returned from executive session and reported that no action was taken in executive session.

For cases pulled from agenda item 11, Dr. Criner moved to approve all agreed orders and Dr. Skaggs seconded. None opposed.

For cases pulled from agenda item 12, Dr. White moved to approve the dismissals and Dr. Criner seconded. None opposed. None opposed

Dr. Skaggs moved to send CP20-107 originally recommended for dismissal from medical review to informal conference and Dr. Mixon seconded the motion. None opposed

Dr. Criner moved to approve dismissal of the other cases pulled from medical review and Dr. Mixon seconded the motion. None opposed

Dr. Criner made a motion to adjourn the meeting at 12:06 p.m., Dr. Mixon seconded the motion. None opposed. Meeting adjourned.