

MINUTES

NDBVME Regular Meeting

North Dakota Heritage Center ~ Bismarck, ND

November 14, 2023

Board members in attendance:

Dr. Tammy Weiand-Ness

Dr. Lindy West

Ms. Janell Morman

Dr. Russell Behm (via Zoom)

Others in attendance:

Mr. Matthew Menge, Attorney General's Office

Dr. Sara Lyons, NDBVME Executive Secretary

Dr. Troy Dutton, NDVMA representative

Ms. Ashley Hoffman, NDVTA representative

The meeting was called to order at 9am by Dr. Weiand-Ness. All those listed in attendance were present.

Dr. Weiand-Ness added a letter from Ed & Carol Schmidt to the agenda under complaints and disciplinary action. Motion by Ms. Morman to approve the amended agenda with second by Dr. West. Motion passed unanimously (Dr. Behm did not vote due to audio issues).

Motion by Dr. West to approve the minutes from the August 8, 2023 meeting with second by Ms. Morman. Motion passed unanimously (Dr. Behm did not vote due to audio issues).

Motion by Dr. West to approve the following candidates for DVM licensure with second by Ms. Morman. Motion passed unanimously by roll call vote (Dr. Behm did not vote due to audio issues).

- Jamie Clanin
- Kathryn An Hunter
- Whitney Miller
- Erika Nagorske
- Ethan Spronk
- Todd Tedrow
- Kristin Willer
- Amber Wolf-Ringwall

Motion by Ms. Morman to approve veterinary technician licensure for the following individuals with second by Dr. West. Motion passed unanimously by roll call vote (Dr. Behm did not vote due to audio issues).

- Alyssa Desmarais
- Jaymie Kirwin
- Madeline Schell
- Rebecca Valentine
- Amanda Layton
- Hannah Kieffer
- Brandy Struecker
- Kaitlin Marsaa

The 2023-24 budget was reviewed. Dr. Lyons suggested that the board purchase a laptop or other similar device for the Executive Secretary and each board member to use for board business. She will work with NDIT to set up a secure system for sharing information rather than having to print and mail documents. \$10,000 was allotted for this expense. The IT consultant budget was increased from \$10,000 to \$12,000. Motion by Ms. Morman to approve the budget with those two adjustments with second by Dr. West. Motion passed unanimously by roll call vote.

The complaint against Dr. Matt Heeb by Dr. Carolyn Woodruff was discussed. The peer review committee requested additional time to complete interviews. The board requests a recommendation from the committee by January 1, 2024. Mr. Menge will work with the committee to set up interviews.

A complaint against Dr. Kelly Birchem by Dr. Uwe Burghaus was discussed. Motion by Ms. Morman to dismiss the complaint with second by Dr. West. Motion passed unanimously by roll call vote.

A complaint against Dr. Kathy Pfingsten by Ms. Sharleen Toso was discussed. Motion by Ms. Morman that there are reasonable grounds to believe Dr. Pfingsten violated 43-29-14.1(b), 43-29-14.1(f), 87-05-02-01.2, 87-05-02-01.3 and 87-05-02-01.4 with second by Dr. West. Motion passed unanimously by roll call vote. Motion by Ms. Morman there are reasonable grounds to believe Dr. Pfingsten violated 43-29-14.1(k) with second by Dr. West. Motion passed unanimously by roll call vote. Motion by Ms. Morman to place Dr. Pfingsten's license on probationary status for a period of 5 years with the board having the authority to request periodic disclosure of medical records for the duration of the probationary period with second by Dr. West. Motion passed unanimously by roll call vote.

A complaint against Dr. Kristi Pennington by Ms. Audrey LaVallie was discussed. Motion by Dr. Behm to dismiss the complaint with second by Dr. West. Dr. Weiland-Ness requested that the dismissal letter include a statement recommending that Dr. Pennington improve her medical records to be more thorough in the future. Motion passed unanimously by roll call vote.

Ms. Terri Thiel requested a 6-month CE waiver at the time of license renewal in December 2022. The necessary CE was not completed. Ms. Thiel contacted the board and wishes to voluntarily relinquish her license. Motion by Dr. West to revoke Ms. Thiel's license with no disciplinary action with second by Ms. Morman. Motion passed unanimously by roll call vote.

Ms. Alicia Ranum requested a 6-month CE waiver at the time of license renewal in December 2022. The necessary CE was not completed. An email and letter were sent to Ms. Ranum with no response received. Motion by Ms. Morman to suspend Ms. Ranum's license until completion of the necessary continuing education is completed with second by Dr. West. Motion passed unanimously by roll call vote.

A letter from Ms. Shanna Schmidt regarding the care of her dog at Heart of Dakota Vet Clinic was discussed. Motion by Dr. West to open an investigation into the situation with second by Dr. Behm. Motion passed unanimously by roll call vote. The board requested a statement from the clinic owner, a

list of staff members and their positions, medical records for the patient and pictures of the medication vials from the client if available.

The board discussed proposed revisions to ND Century Code 43-29 with input from the NDVMA and NDVTA representatives.

The meeting adjourned for lunch at 12pm.

The meeting reconvened at 12:47pm.

A letter from Ed & Carol Schmidt regarding care of their dog at Two Rivers Veterinary Hospital was discussed. The board was of the consensus that no action would be taken at this time, but a letter should be sent to the Schmidt's from Mr. Menge stating that they can file a formal complaint against a licensee if they wish to pursue the matter further.

Discussion of proposed revisions to ND Century Code 43-29 resumed.

Mr. Menge left the meeting at 1:50pm.

Dr. Lyons informed the board that the USDA now allows accreditation for holders of temporary permits as this is a change from previous policy.

Discussion regarding what constitutes technology-based methods for CE delivery was held. The board agreed that virtual delivery at an in-person conference or seminar would be considered technology based but the board does have the discretion to allow additional technology-based CE in certain instances.

Motion by Ms. Morman to nominate Dr. Weiland-Ness as President with second by Dr. West. Motion passed unanimously.

Motion by Dr. West to nominate Ms. Morman as Secretary with second by Dr. Behm. Motion passed unanimously.

The following meeting dates were scheduled for 2024:

- January 23 (special meeting – Heeb complaint, Ranum CE)
- February 13 (regular meeting)
- November 12 (regular meeting)

The meeting was adjourned by Dr. Weiland-Ness at 2:58pm.

Submitted by:

Sara Lyons, DVM

NDBVME Executive Secretary