

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

**F I N A L M I N U T E S**

MEETING OF:

**STATE BOARD OF VETERINARY MEDICINE**

TIME: 10:49 A.M.

Held at

**PENNSYLVANIA DEPARTMENT OF STATE**

2525 North 7th Street

CoPA HUB, Eaton Conference Room

Harrisburg, Pennsylvania 17110

as well as

**VIA MICROSOFT TEAMS**

January 26, 2024



1 \*\*\*

2 State Board of Veterinary Medicine

3 January 26, 2024

4 \*\*\*

5 [Pursuant to Section 708(a)(5) of the Sunshine Act,  
6 at 9:30 a.m. the Board entered into Executive Session  
7 with Todd P. Kriner, Esquire, Board Counsel, for the  
8 purpose of conducting quasi-judicial deliberations  
9 and to receive the advice of counsel. The Board  
10 returned to open session at 10:30 a.m.]

11 \*\*\*

12 [Todd P. Kriner, Esquire, Board Counsel, noted the  
13 Board met in Executive Session pursuant to the  
14 Sunshine Act for the purpose of conducting quasi-  
15 judicial deliberations under the matters on the  
16 prosecution list and Report of Board Counsel.

17 Mr. Kriner also noted the meeting was being  
18 recorded and voluntary participation constituted  
19 consent to be recorded.]

20 \*\*\*

21 The regularly scheduled meeting of the State  
22 Board of Veterinary Medicine was held on Friday,  
23 January 26, 2024. Thomas Garg, V.M.D., Chair, called  
24 the meeting to order at 10:49 a.m.

25 \*\*\*

1 Roll Call

2 [Chair Garg noted that none of the Board members with  
3 the exception of Acting Commissioner Claggett are  
4 present in person. A roll call of Board members was  
5 taken by Chair Garg. A quorum was present.]

6 \*\*\*

7 [Valerie Kehoe, C.V.T., experienced technical  
8 difficulties.]

9 \*\*\*

10 Introduction of Attendees

11 [Michelle Roberts, Board Administrator, provided an  
12 introduction of attendees.]

13 \*\*\*

14 Approval of minutes of the November 3, 2023 meeting

15 CHAIR GARG:

16 The first item on the agenda is  
17 approval of the minutes from the  
18 previous meeting. Did anybody have any  
19 concerns with regard to those minutes?

20 In the absence of any concerns,  
21 would anybody like to make a motion to  
22 accept the minutes?

23 DR. HORBAL:

24 I'll make a motion.

25 DR. COOLEY:

1                   Second.

2 CHAIR GARG:

3                   Any further discussion? I'll call  
4                   roll.

5

6                   Mr. Commissioner, abstain; Dr. Bender,  
7                   aye; Dr. Cooley, aye; Dr. Horbal, aye;  
8                   Ms. Kehoe, abstain; Tom Garg, aye.

9 [The motion carried. Arion Claggett and Valerie  
10 Kehoe abstained from voting on the motion.]

11

\*\*\*

12 Appointment - Drug Enforcement Administration

13       Continuing Education Discussion Presentation

14 [Teri Bass, Group Supervisor, Diversion Investigator,  
15 Drug Enforcement Administration, informed Board  
16 members that training is being offered on February 21  
17 at 9 a.m., both in person and via Webex. She noted  
18 sending Webex links to all registered veterinarians  
19 in the Harrisburg area but would be expanding that to  
20 other areas and asked whether the Board had a  
21 distribution list available.

22       Ms. Roberts explained that the Board cannot  
23 provide email addresses but could send the link to  
24 Board members.

25       Ms. Bass asked why the Board does not have access

1 to prescription monitoring in Pennsylvania. She  
2 stated it is vital to have prescription monitoring  
3 because of diversion of controlled substances. She  
4 noted people use their animals when drug-seeking and  
5 believed it is important that veterinarians are  
6 pulling a prescription monitoring program (PMP) on a  
7 pet owner to make sure they are not drug-seeking on  
8 behalf of their pet.

9 Ms. Bass also mentioned the importance of  
10 veterinarians having individual access to review  
11 their own Drug Enforcement Administration (DEA)  
12 number and what is being filled under their number.

13 Chair Garg did not believe veterinarians have  
14 access to that information and had no idea that  
15 practitioners could actually directly access that  
16 information. He stated it was not a matter that  
17 would come through the Board.

18 Dr. Horbal is involved with many national  
19 organizations and believed Dr. Garg was correct. She  
20 did not believe prescription monitoring was something  
21 veterinarians can typically access.

22 Ms. Bass noted that she is surprised Pennsylvania  
23 does not have access to prescription monitoring. She  
24 noted that veterinarians as a prescriber could also  
25 see what is being filled under their DEA as well and

1 is a vital tool to prevent diversion.

2 Chair Garg did not disagree but that information  
3 as a whole would not come under the purview of the  
4 State Board of Veterinary Medicine. He commented  
5 that he did not know whether or not one of the other  
6 boards would be able to grant veterinarians access to  
7 that or whether it was a matter that would have to  
8 come through the legislature.

9 Mr. Kriner read a question that was raised in the  
10 chat asking whether the continuing education (CE)  
11 opportunity would be open to attorneys as well.

12 Ms. Bass explained that the training is not  
13 certified continuing education and was open to anyone  
14 who wants to attend.

15 Chair Garg informed Ms. Bass that she would be  
16 able to go ahead through DEA to organize a  
17 presentation and offer CE as a part of that. He  
18 noted the Board administrator could talk with her  
19 after the meeting about how to go about that. He  
20 mentioned that participation may be greater if people  
21 know they are going to get a couple of hours of  
22 continuing education (CE).

23 Dr. Horbal mentioned that there would probably be  
24 a willingness from the associations to have Ms. Bass  
25 at their conferences, which would build a bigger

1 audience. She noted there are multiple national  
2 conferences and usually three Pennsylvania-specific  
3 conferences every year with the PVMA.

4 Chair Garg informed Ms. Bass that PVMA is always  
5 looking for content and would be willing to have her  
6 present. He also mentioned that she would also not  
7 have to worry about the details of CE and credit  
8 because PVMA would take care of that.

9 Ms. Kehoe asked whether a Health Insurance  
10 Portability and Accountability Act (HIPAA) class  
11 would be required for them to be able to see medical  
12 history records.

13 Ms. Bass explained that authorization through the  
14 state is required, and they would have to sign off on  
15 all of the different disclosures.

16 Ms. Bass informed Board members that the DEA is  
17 willing to assist veterinarians with their questions  
18 and have a partnership with the Board.]

19

\*\*\*

20 Appointment - Annual Prosecution Division

21 Presentation

22 [Arion R. Claggett, Acting Commissioner, Bureau of  
23 Professional and Occupational Affairs, informed Board  
24 members that Carlton Smith was unable to provide the  
25 presentation at this meeting and will reschedule it

1 for the next meeting.]

2

\*\*\*

3 Report of Board Prosecution

4 [Amber Lee Czerniakowski, Esquire, Board Prosecution  
5 Liaison, presented the Consent Agreement for Case No.  
6 21-57-004717.

7 Alan Pepicelli, Esquire, Watts and Pepicelli,  
8 P.C., counsel for the respondent, was present and  
9 participated in the discussion.]

10

\*\*\*

11 [Gregory S. Liero, Esquire, Board Prosecutor,  
12 presented the Consent Agreement for Case No. 20-57-  
13 004702.]

14

\*\*\*

15 Report of Board Counsel - Miscellaneous

16 [Todd P. Kriner, Esquire, Board Counsel, noted the  
17 Sunshine Act and Recusal Guidelines were discussed  
18 during Executive Session.]

19

\*\*\*

20 Report of Prosecution

21 MR. KRINER:

22

Based on Executive Session

23

deliberations, I believe the Chair

24

would entertain a motion to approve the

25

Consent Agreement at Case No. 21-57-

1 004717 and Case No. 20-57-004702.

2 DR. HORBAL:

3 I'll make a motion.

4 MS. KEHOE:

5 Second.

6 CHAIR GARG:

7 Any further discussion? I'll call  
8 roll.

9

10 Mr. Commissioner, aye; Dr. Bender, aye;

11 Dr. Cooley, aye; Dr. Horbal, aye; Ms.

12 Kehoe, aye; Tom Garg, aye.

13 [The motion carried unanimously. The Respondent's  
14 name at Case No. 21-57-004717 is Allan Keith Stanton,  
15 V.M.D. The Respondent's name at Case No. 20-57-  
16 004702 is Mary Ethel Kirk, D.V.M.]

17

\*\*\*

18 Report of Board Counsel - Motions to Deem Facts

19 Admitted

20 MR. KRINER:

21 Based on the discussions in Executive  
22 Session, I believe the Chair would  
23 entertain a motion to grant the Motion  
24 to Deem Facts Admitted and Enter  
25 Default and direct Board Counsel to

1 prepare Adjudications and Orders in  
2 accordance with the discussions in  
3 Executive Session in the matters of  
4 Nicholas Carroll, Case No. 21-57-  
5 000829; Andrew Church, Case Nos. 20-57-  
6 01112 & 20-57-013715; and Seth Ian  
7 Fishman, Case No. 22-57-013036 & 20-57-  
8 003696.

9 DR. HORBAL:

10 I will make a motion.

11 MS. KEHOE:

12 I will second.

13 CHAIR GARG:

14 Any further discussion? I'll call  
15 roll.

16  
17 Mr. Commissioner, aye; Dr. Bender, aye;  
18 Dr. Cooley, aye; Dr. Horbal, aye; Ms.  
19 Kehoe, aye; Tom Garg, aye.

20 [The motion carried unanimously.]

21 \*\*\*

22 SECRETARY HORBAL ASSUMED THE CHAIR

23 \*\*\*

24 MR. KRINER:

25 Based on the Executive Session

1                   deliberations, I believe the Chair  
2                   would entertain a motion to grant the  
3                   Motion to Deem Facts Admitted and Enter  
4                   Default and direct Board Counsel to  
5                   prepare an Adjudication and Order in  
6                   accordance with the discussions in  
7                   Executive Session in the matter of  
8                   Rachel Lee Cline, Case No. 22-57-  
9                   007841.

10 SECRETARY HORBAL:

11                   Do we have a motion?

12 ACTING COMMISSIONER CLAGGETT:

13                   So moved.

14 MS. KEHOE:

15                   Second.

16 SECRETARY HORBAL:

17                   Dr. Bender, aye; Dr. Cooley, aye; Ms.  
18                   Kehoe, aye; Mr. Claggett, aye.

19 [The motion carried. Apryle Horbal did not vote on  
20 the motion. Thomas Garg recused himself from  
21 deliberations and voting on the motion.]

22                   \*\*\*

23                   CHAIR GARG RESUMED THE CHAIR

24                   \*\*\*

25 Report of Regulatory Counsel

1 [Todd P. Kriner, Esquire, Board Counsel, on behalf of  
2 Thomas M. Davis, Esquire, Regulatory Counsel,  
3 provided a Regulatory Status Report. He addressed  
4 16A-5726 regarding euthanasia, noting the final  
5 rulemaking is complete and under internal review as  
6 of December 5, 2023.

7 Mr. Kriner had nothing new to report regarding  
8 the endorsement or continuing education regulations.  
9 He informed Board members that internal review is  
10 complete for 16A-5732 regarding fees, and the  
11 proposed rulemaking was sent to the Office of General  
12 Counsel (OGC) for review on December 28, 2023. He  
13 noted receiving approval from OGC yesterday and is  
14 now on to the Governor's Budget Office and Policy  
15 Office for review.]

16 \*\*\*  
17 Report of Board Chairperson - No Report

18 \*\*\*  
19 Report of Acting Commissioner - No Report

20 \*\*\*  
21 Report of Board Administrator - No Report

22 \*\*\*  
23 Upcoming Meeting Dates - 2024 Meeting Dates

24 [Thomas Garg, V.M.D., Chair, noted the upcoming 2024  
25 meeting dates are available on the Board's website.]

1 \*\*\*

2 Adjournment

3 CHAIR GARG:

4 Would anybody like to make a motion to  
5 adjourn?

6 DR. HORBAL:

7 I'll make a motion.

8 CHAIR GARG:

9 Thank you everybody.

10 \*\*\*

11 [There being no further business, the State Board of  
12 Veterinary Medicine Meeting adjourned at 11:42 a.m.]

13 \*\*\*

14

15

16

17

18

19

20

21

22

23

24

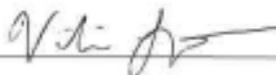
25

26

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

CERTIFICATE

I hereby certify that the foregoing summary minutes of the State Board of Veterinary Medicine meeting, was reduced to writing by me or under my supervision, and that the minutes accurately summarize the substance of the State Board of Veterinary Medicine Meeting.



---

Victoria Lantz,

Minute Clerk

Sargent's Court Reporting  
Service, Inc.

STATE BOARD OF VETERINARY MEDICINE  
REFERENCE INDEX

January 26, 2024

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50

TIME	AGENDA
9:30	Executive Session
10:30	Return to Open Session
10:49	Official Call to Order
10:51	Roll Call
10:53	Introduction of Attendees
10:54	Approval of Minutes
10:54	Appointment - Teri Bass, Group Supervisor, Diversion Investigator, Drug Enforcement Administration
11:05	Report of Board Prosecution
11:16	Report of Board Counsel
11:17	Report of Board Prosecution (cont.)
11:18	Report of Board Counsel (cont.)
11:22	Report of Regulatory Counsel
11:42	Upcoming Meeting Dates
11:42	Adjournment