



TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS

Board Meeting Agenda
1106 Clayton Lane, Suite 125E
Austin, Texas
July 16, 2024
9:00 a.m.

The Texas Board of Veterinary Medical Examiners will consider and act, if necessary, on matters within the jurisdiction of the Board which are listed on this agenda. The Board may meet from time to time in closed executive session with respect to pending or contemplated litigation as authorized by the Texas Open Meetings Act. This meeting will take place at 1106 Clayton Lane, Suite 125E, Austin, Texas, via videoconference and will be broadcast on the Texas Department of Licensing and Regulation's (TDLR) YouTube channel: <https://www.youtube.com/user/TexasLicensing/streams>. The Board's presiding officer will be present at the meeting location. The meeting agenda and materials are available on TDLR's webpage at <https://www.tdlr.texas.gov/> and on the Board's webpage at <https://www.veterinary.texas.gov/meetingminutes.php>.

1. Full Board call to order, roll call, and vote on absences, if necessary

2. Consideration and Approval of April 16, 2024, Meeting Minutes

3. Public comments

Any person wishing to address the Board in person should complete a Public Comment Form and submit it to the Board Liaison at the meeting. Public Comments may also be made via email or videoconference. Any person wishing to address the Board via videoconference must submit an email by following the Public Comment Instructions found on the last page of this agenda or located at www.tdlr.texas.gov. Emails must be submitted to the Board liaison at board.comments@tdlr.texas.gov by 12 p.m., Monday, July 15, 2024. Comments will be limited to no more than three minutes. The Board will not hear public comment or testimony regarding a pending contested case.

4. Executive session [held in the 1st Floor Commission Executive Session Meeting Room]

- a) *Consultation with the Board's and Commission's attorneys pursuant to Section 551.071(1), Government Code, concerning pending or contemplated litigation and/or settlement offers.*
- b) *Advice from the Board's and Commission's attorneys on legal matters authorized by Section 551.071(2), Government Code.*

NOTE: The Board may adjourn into executive session to consider any item listed on this agenda if a matter is appropriate for executive session discussion.

5. Possible action or recommendations on items discussed in executive session

6. Director reports

- a) Brittany Sharkey – Executive Director

- b) Wendy Womack – Licensing
- c) Mike Tacker – Enforcement
- d) Kelly Phelps – Legal
- e) Jerod Honrath – Compliance
- f) Kandace Van Vlerah – Finance

7. Board committee reports
8. Discussion, recommendation and possible action regarding proposed rule changes to 571.7, Veterinary Licensing Eligibility, to be published in the Texas Register.
9. Discussion and possible action regarding appointments to the Equine Dental Provider Advisory Committee.
10. Consideration and possible recommendation to the Texas Commission of Licensing and Regulation regarding approval of agreed orders

Case #	Name	License #	Practice City
CP18-056	Justin Cerelli, D.V.M.	8304	Edinburg
CP19-116	Jeanne Chucle, D.V.M.	8104	Houston
CP19-207	Justin Robinson, D.V.M.	13136	Dallas
CP19-399	Michael McCradic, D.V.M.	13637	Dallas
CP21-105	Mark Hitchcock, D.V.M.	5748	Abilene
CP21-292	Tommy Dayton, D.V.M.	4838	League City
CP21-406	Richard Hamlin, D.V.M.	6160	Garland
CP22-012	Erica Johnson, D.V.M.	9409	Richmond
CP22-136	Elizabeth Gateman, D.V.M.	15198	San Antonio
CP22-361	Jonathon “Johnny” Gonzalez	-	Grand Prairie
CP23-069	Yokananth Sekar, D.V.M.	13950	Garland
CP23-082	Taylor Pitts, D.V.M.	14650	Houston
CP23-131	Cory Vadell, D.V.M.	13336	Sachse
CP23-135	Roberto Ramos, D.V.M.	13614	McAllen
CP23-154	Sara Ochoa, D.V.M.	14036	West Monroe, LA
CP23-229	Shawn Messonnier, D.V.M.	6277	Plano
CP23-230	Atalla Ishak, D.V.M.	13273	Irving
CP23-241	Jessica Todia, D.V.M.	8498	Midland
CP23-242	Tommy Wilson, D.V.M.	8262	Midland
CP23-257	Megan Magallanes, L.V.T.	LVT-2894	Spring
CP23-286	Mallory Tate, D.V.M.	11669	Zachary, LA
CP23-403, CP23-404 & CP24-079	Sara Hope	-	Burleson
CP24-049	Tracy A. Green, D.V.M.	9327	Somerset
CP24-094	Angela Hageman, L.V.T.	LVT-705	San Antonio
CP24-142	Enrique Rocha	-	Pharr
CP24-177	Samantha Melero	-	Eagle Pass

11. Consideration and possible recommendation to the Texas Commission of Licensing and Regulation regarding dismissal of cases from informal conference

Case #
CP20-072
CP21-368
CP22-049
CP22-096
CP22-127
CP22-347
CP23-071
CP23-102
CP23-116
CP23-121
CP23-139
CP23-161
CP23-206
CP23-236

12. Consideration and possible recommendation to the Texas Commission of Licensing and Regulation regarding dismissal of cases from staff conference

Case #
CP17-302, CP17-303, & CP17-312
CP19-130
CP19-165
CP19-234
CP20-139, CP20-401, & CP20-402
CP21-203
CP21-360
CP22-117
CP22-261
CP22-319
CP23-009
CP23-092
CP24-080
CP24-160
CP24-181
CP24-204
CP24-206
CP24-207

CP24-243
CP24-254
CP24-259

13. Consideration and possible recommendation to the Texas Commission of Licensing and Regulation regarding dismissal of cases from medical review

Case #
CP22-191
CP22-225
CP23-012
CP23-155
CP23-156
CP23-157
CP23-158
CP23-160
CP23-167
CP23-169
CP23-170
CP23-171
CP23-176
CP23-180
CP23-184
CP23-190
CP23-193
CP23-194
CP23-195
CP23-199
CP23-207
CP23-218
CP23-219
CP23-220
CP23-222
CP23-223
CP23-232
CP23-233
CP23-237
CP23-244
CP23-247
CP23-248
CP23-256
CP23-258
CP23-263

CP23-267
CP23-268
CP23-269
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CP23-301
CP23-302
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CP23-304
CP23-306
CP23-307
CP23-318
CP23-321
CP23-323
CP23-328
CP23-332
CP23-333
CP23-338
CP23-350
CP23-351
CP23-369
CP23-370
CP23-411
CP23-462
CP23-463

14. Discussion of possible agenda items for future Board meetings

15. Adjourn

Persons requiring special accommodations, including the use of an interpreter, due to a disability should contact the Board office at least five working days prior to the Board meeting. **Phone: (512) 583-7152, E-MAIL: advisory.boards@tdlr.texas.gov , TDD/RELAY TEXAS: 1-800-relay-VV (for voice), 1-800-relay-TX (for TDD).**

Las personas que necesiten servicios especiales, incluyendo los de un intérprete, debido a un impedimento físico, llamen la oficina de la Junta por lo menos cinco días antes de la reunión de la Junta. **TELEPHONO: (512) 583-7152, CORREO ELECTRÓNICO: advisory.boards@tdlr.texas.gov , TDD/RELAY TEXAS: 1-800-relay-VV (for voice), 1-800-relay-TX (for TDD).**

The Texas Board of Veterinary Medical Examiners will accept public comment for the July 16, 2024, meeting.

Online Public Comment Instructions

(If you are going to appear at the Board meeting in person DO NOT complete this step to provide public comment. You will complete a form in-person at the meeting.)

Written comments must be submitted to board.comments@tdlr.texas.gov by no later than 12:00 p.m. on Monday, July 15, 2024. Comments will be provided to the Board members for their review prior to the meeting but will not be read aloud during the public meeting.

If you wish to address the Board virtually during the public meeting, please provide your contact information to board.comments@tdlr.texas.gov by 12:00 p.m. on Monday, July 15, 2024. The day prior to the meeting, you will receive an email with a link to join the meeting. You will be given no more than three (3) minutes to speak. The Board President may reduce the time provided for public comments based on the number of requests received. Ensure that you have a reliable connection and clear audio. Sharing of pre-recorded audio or video is not allowed during the public comment period.

****Please email your public comment request to board.comments@tdlr.texas.gov. ****

**DEADLINE FOR PUBLIC COMMENT REQUEST IS
12:00 PM, MONDAY, JULY 15, 2024**

Board Members:

Dr. Steven C. Golla, DVM President
Sandra “Lynn” Criner, DVM, Vice President
Victoria Whitehead, JD, Secretary
Randall Skaggs, DVM
Sue Allen., LVT
Keith Pardue, JD
Raquel Olivier, CPA

AGENDA ITEM 1

TAB 1

CALL TO ORDER, ROLL CALL AND VOTE ON ABSENCES

(Dr. Golla & Ms. Whitehead)

This meeting of the Texas Board of Veterinary Medical Examiners is now called to order, the time is _____.

May I have a roll call please...

Member Name

ATTENDANCE NOTATION*

Steven Golla, DVM, President

Sandra "Lynn" Criner, DVM, Vice President

Victoria Whitehead, JD, Secretary

Randall Skaggs, DVM, Member

Sue Allen, LVT, Member

Keith Pardue, JD, Member

Raquel Olivier, CPA, MBA, Member

If there are any absences...

• Do I have a motion to approve or deny the absences?

o I move that we approve the absence(s) of _____.

o I move that we deny the absence(s) of _____.

• Is there a second?

• Is there any discussion?

*

✓ = In Attendance

X = Absent (Please indicate if Not Excused)

AGENDA ITEM 2

TAB 2

CONSIDERATION AND APPROVAL OF THE APRIL 16, 2024, MINUTES.

The minutes of the April 16, 2024, board meeting were sent to you for
review.

- Do I have a motion to approve the minutes?
 - o I move that we approve the minutes as presented.
 - o I move that we approve the minutes with corrections as discussed.
- Is there a second?
- Is there any discussion?
- All in favor, say aye.
- All opposed, say nay.

Texas Department of Licensing and Regulation
TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS MEETING

Summary of Board Meeting

Tuesday, April 16, 2024, at 9:00 a.m.

Board President, Dr. Steven Golla, called the meeting to order at 9:15 a.m.

President, Dr. Steven Golla, moved to agenda item 1., Full Board Call to Order, Roll Call Vote on Absences. Board Secretary, Victoria Whitehead called roll. Board Members, Dr. Steven Golla, Dr. Lynn Criner, Mrs. Victoria Whitehead, Dr. Randall Skaggs, Mr. Keith Pardue, Ms. Sue Allen, and Ms. Raquel Olivier were present. A quorum was seated.

President, Dr. Steven Golla, moved to agenda item 2., Consideration and Approval of March 6, 2024, Minutes. Board Member, Mr. Keith Pardue, seconded by Ms. Raquel Olivier, made a motion to approve the minutes. The motion passed.

President, Dr. Steven Golla, moved to agenda item 3., Public Comments. Mrs. Crystal Griffie, Mr. Jorell Griffie and Jodi Long gave public comments. The Board also received three emailed public comments.

President, Dr. Steven Golla, moved to agenda item 4., Executive Session. The Board adjourned at 9:23 a.m. The Board returned at 9:58 a.m.

President, Dr. Steven Golla, moved to agenda item 5., Discussion and Possible Action on Items discussed in Executive Session. No action was taken.

President, Dr. Steven Golla, moved to agenda item 6., Director Reports. Executive Director, Brittany Sharkey, presented the Executive Director Report. Licensing Supervisor, Wendy Womack, presented the Licensing Report. Enforcement Director, Mike Tacker, presented the Enforcement Report. General Counsel, Kelly Phelps, presented the Legal Report. Executive Director, Brittany Sharkey, presented the Compliance Report for Compliance Director, Jerod Honrath. Executive Director, Brittany Sharkey, presented the Finance Report for Finance Director, Kandace Van Vlerah.

President, Dr. Steven Golla, moved to agenda item 7., Director Committee Reports. President, Dr. Steven Golla, presented the Executive Committee Report. No additional reports were presented.

President, Dr. Steven Golla, moved to agenda item 8., Discussion and possible recommendation to the Texas Commission of Licensing and Regulation regarding Default Dismissal Order SOAH Docket No. 578-23-23279, TBVME Complaint No. CP22-102, regarding Tiffany Marie Johnson. General Counsel, Kelly Phelps, spoke on this item. Board Member, Dr. Randall Skaggs, seconded by Ms. Raquel Olivier, made a motion to approve a cease-and-desist order be issued to Tiffany Maire Johnson. The motion passed.

President, Dr. Steven Golla, moved to agenda item 9., Discussion, recommendation, and possible action regarding appointment of members to the LVT and EDP Advisory Committees. President, Dr. Steven Golla, spoke on this item. President, Dr. Steven Golla, appointed Sue Allen, L.V.T, Bridget Offerman, L.V.T, Sandra Nunn, Travis Wright, D.V.M, Pam Delahoussaye, D.V.M, and Keith Pardue, to the L.V.T Advisory Committee and Carl Mitz, E.D.P, Lee Vogal, E.D.P, and Joe Pluhar, D.V.M to the E.D.P Advisory Committee.

President, Dr. Steven Golla, moved to agenda item 10., Consideration and possible recommendation to the Texas Commission of Licensing and Regulation regarding approval of agreed orders. General Counsel, Kelly Phelps, spoke on this item. No cases were pulled for Executive Session. Board Member, Dr. Lynn Criner, seconded by Dr. Randall Skaggs, made a motion to approve the remaining agreed orders. The motion passed.

Case #	Name	License #	Practice City
CP21-274	Miguel Hernandez	-	
CP22-071 & CP20-322	Brittany Pugliese	-	
CP22-139	Jane Irene Cardona Mosley	-	
CP22-227	Jennifer Moon, DVM	13780	Leander
CP22-316	Christine Santos, DVM	13841	Salado
CP22-342	Katherine Richardson, DVM	7103	Houston
CP23-124	Joi King	-	
CP23-172	Carl Hicks	-	
CP23-377	Christopher Chiglo	-	
CP24-058	Danielle Moody	-	
CP24-180	Tracy Holland	-	
CP24-179	Caleb Witcher, DVM	16888	Livingston

President, Dr. Steven Golla, moved to agenda item 11., Consideration and possible recommendation to the Texas Commission of Licensing and Regulation regarding dismissal of cases from informal conference. General Counsel, Kelly Phelps, spoke on this item. No cases were pulled for Executive Session. Board Member, Mr. Keith Pardue, seconded by Dr. Lynn Criner, made a motion to approve the remaining cases for dismissal from Informal Conference. The motion passed.

President, Dr. Steven Golla, moved to agenda item 12., Consideration and possible recommendation to the Texas Commission of Licensing and Regulation regarding dismissal of cases from staff conference. General Counsel, Kelly Phelps, spoke on this item. CP23-274 was pulled for Executive Session. Board Member, Dr. Randall Skaggs, seconded by Ms. Sue Allen, made a motion to approve the remaining cases for dismissal from Staff Conference. The motion passed.

President, Dr. Steven Golla, moved to agenda item 13., Consideration and possible recommendation to the Texas Commission of Licensing and Regulation regarding dismissal of cases from medical review. General Counsel, Kelly Phelps, spoke on this item. CP23-069 and CP23-119 were pulled for Executive Session. Board Member, Dr. Lynn Criner, seconded by Dr. Randall Skaggs, made a motion to approve the remaining cases for dismissal from Medical Review. The motion passed.

President, Dr. Steven Golla, moved to agenda item 4., Executive Session. This was not an agenda item. The Board adjourned at 10:39 a.m. The Board returned at 10:53 a.m. No action was taken.

President, Dr. Steven Golla, moved to agenda item 5., Possible action or recommendation on items discussed in executive session. The Board discussed cases which were pulled for Executive Session. Board Member, Dr. Lynn Criner, seconded by Dr. Randall Skaggs, made a motion to dismiss CP23-274. The motion passed. Board Member, Dr. Randall Skaggs, seconded by Dr. Lynn Criner, made a motion to schedule CP23-069 for an Informal Conference. The motion passed. Board Member, Ms. Sue Allen, seconded by Mr. Keith Pardue, made a motion to schedule CP23-119 for an Informal Conference. The motion failed. Board Member, Dr. Lynn Criner, seconded by Dr. Randall Skaggs, made a motion to dismiss CP23-119. The motion passed.

President, Dr. Steven Golla, moved to agenda item 14., Discussion of possible agenda items for future Board Meetings. President, Dr. Steven Golla, provided the following future board meeting dates; July 16, 2024, October 22, 2024, and January 21, 2025.

President, Dr. Steven Golla, moved to agenda item 15., Adjourn. The meeting was adjourned at 10:59 a.m.

Dr. Steven Golla, Presiding Officer
Texas Board of Veterinary Medical Examiner

AGENDA ITEM 3

TAB 3

CITIZEN COMMENTS

(Dr. Golla)

If there is anyone in the audience who wishes to address the Board and has not completed one of the Witness Cards, please do so at this time.

Individuals wishing to comment on the rules to be adopted will be recognized during the time the rules are addressed.

The Board will now recognize _____, please limit your comments to 3 minutes.

AGENDA ITEM 4

EXECUTIVE SESSION TO DISCUSS PENDING AND CONTEMPLATED LITIGATION

(Dr. Golla)

I move that we go into Executive Session for private consultation and advice of counsel concerning pending or contemplated litigation, including administrative proceedings, or settlement offer and/or possible disciplinary actions under the authority of the Texas Open Meetings Act, Chapter 551 of the Government Code.

AGENDA ITEM 5

RETURN FROM EXECUTIVE SESSION

RETURN TO OPEN SESSION STATEMENT:

There was no final action, decision, or vote with regard to any matter considered or discussed in executive session. The executive session ended at (____) on (____). A certified agenda of the executive session was made.

Motion to approve all orders:

I move that we approve all Agreed Orders as presented.

Motion regarding orders that were pulled and not approved as a group:

*I move that we do not approve Agreed Order(s) _____
and direct staff to _____.*

AGENDA ITEM 6

TAB 6

EXECUTIVE DIRECTOR'S REPORT

(Ms. Sharkey)

Additional Reports will be verbally provided by the following:

- Executive Director Report- *Brittany Sharkey*
- Licensing Report- *Wendy Womack*
- Enforcement Report- *Mike Tacker*
- Legal Report- *Kelly Phelps*
- Compliance Report- *Jerod Honrath*
- Finance Report- *Kandace Van Vlerah*

This item is informational only, no vote needed.



TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS

Executive Director's Report

July 16, 2024

Dear Members of the Board and Public,

Both the weather and things around the agency are heating up! We have a huge announcement about our new database system, are gearing up for the next legislative session and have some staffing updates.

Database Procurement Updates

The day of our meeting is the projected go-live date for our new database system, barring any last-minute complications or bugs. All licensees will be required to log-in and create a new account within the system. The biggest change for the licensees will be that all licensees will need to upload proof of their continuing education to the system prior to renewing their license. Members of the public can expect a streamlined and more comprehensive licensee look-up tool as well. This is a big step forward for the agency and I want to take a moment to thank the licensing division for their tireless efforts to help us get this system off the ground. From providing subject matter expertise to testing the system ahead of the go-live, they've been instrumental in ensuring the success of this project, all the while still ensuring that our applicants were getting their licenses issued in a timely fashion.

Preparation for the 2025 Legislative Session

Thank you to everyone who participated in our two virtual external focus groups. We got a lot of good feedback about the agency and other structural changes that helped inform both our strategic plan and our legislative appropriations request. The strategic plan was submitted in early June and the legislative appropriations request (LAR) is due in September. We will be circulating a draft of that document for approval prior to official submission.

Staff Updates

Licensing Specialist Linda Lewis retired from the agency in May after almost two years at TBVME and many years of dedicated state service. Executive Assistant Carrolann Tackitt welcomed her first child, Dani, in late May. Both mom and baby are doing well, and we look forward to Carolann's return to the office in a few weeks.

Attachments:

Please find attached each department's update and a list of complaints dismissed by staff in the third quarter of FY 24 pursuant to Tex. Occ. Code 801.205.

Sincerely,

A handwritten signature in cursive script that reads "Brittany Sharkey, JD".

Brittany Sharkey, JD
Executive Director

CP23-347	6/22/2023	3/25/2024	PVMWL	INSUFFICIENT EVIDENCE
CP24-329	4/15/2024	4/18/2024	NOT COMPLYING WITH COURT ORDER	NON-JURISDICTIONAL
CP24-325	4/16/2024	4/18/2024	UNLICENSED VET TECH	NON-JURISDICTIONAL
CP24-271	3/27/2024	4/22/2024	Controlled Substances Records Keeping for Drugs on Hand	INSUFFICIENT EVIDENCE
CP23-317	6/19/2023	4/23/2024	CUSTOMER SERVICE	NON-JURISDICTIONAL
CP24-280	4/3/2024	4/29/2024	CUSTOMER SERVICE	NON-JURISDICTIONAL
CP23-386	7/20/2023	4/29/2024	PEDWL	INSUFFICIENT EVIDENCE
CP24-241	3/11/2024	4/29/2024	PVMWL	NO VIOLATION
CP24-315	4/5/2024	5/9/2024	BILLING	NON-JURISDICTIONAL
CP22-167	2/9/2022	5/15/2024	Use of Pre Drugs Prohibition Against Treatment of Humans	INSUFFICIENT EVIDENCE
CP24-408	5/15/2024	5/16/2024	REFUSED TO WRITE PATIENT MED PRESCRIPTION	NON-JURISDICTIONAL
CP24-389	5/7/2024	5/30/2024	SOC	NON-JURISDICTIONAL/2 YEAR STATUE OF LIMITATION
CP24-390	5/7/2024	5/30/2024	SOC	NON-JURISDICTIONAL/2 YEAR STATUE OF LIMITATION
CP24-413	5/17/2024	5/30/2024	PVMWL	NO VIOLATION
CP23-343	6/22/2023	5/30/2024	PVMWL	INSUFFICIENT EVIDENCE
CP23-344	6/22/2023	5/30/2024	PVMWL	INSUFFICIENT EVIDENCE

JULY 16, 2024

THE LICENSING TEAM IS REPORTING FOR THE THIRD QUARTER FY24 (MARCH – MAY) NEW LICENSES ISSUED:

316 DVM LICENSES

3 SPECIAL LICENSES

2 EDP LICENSES

54 LVT LICENSES

8 TEMPORARY LICENSES

FOR A TOTAL OF **372 NEW LICENSES ISSUED IN THE THIRD QUARTER FY2024**

AND FOR A **FISCAL YEAR TO DATE TOTAL OF 743.**

This total is partially reflective of the graduating veterinary seniors who received their license in May.

THE TOTAL AGENCY LICENSE COUNT (ACTIVE, INACTIVE, EXPIRED BUT ELIGIBLE FOR RENEWAL, RENEWED, HOLD, PROB SUSP, SUSP) AS OF JUNE 26, 2024, WAS:

11,327 DVM REGULAR LICENSE

60 DVM SPECIAL LICENSES

28 DVM TEMPORARY LICENSES

2,781 LVT LICENSES

70 EDP LICENCES

FOR A TOTAL OF **14,266** LICENSES

THIS CONCLUDES THE LICENSING TEAM REPORT. ARE THERE ANY QUESTIONS?

Enforcement Stats through Third Quarter :

Enforcement – Through end of May (Third Quarter)

Complaints received: 420

Investigations completed: 336

Open Investigations: 260

Inspections completed: 1226

Medical Review Cases Completed	167
Cases Pending Medical Review	176
Case Closure by Enforcement	75
Cases Opened by Enforcement	66
Cases Transferred to Legal	237
Remaining FY 23 Cases	23
FY 24 Cases	237

Legal Update Report July 16, 2024

- **344 complaints** – below numbers are projections
 - Pending Board ICs – 44
 - Pending Board action – 121
 - Pending Board approval of orders – 37
 - Pending TCLR approval – 65
 - ON HOLD – pending civil/criminal proceedings – 10
 - Pending staff conference – 23
 - Filed at SOAH – 15
 - Pending SOAH filing – 13
 - Pending cease and desist – 3
 - Pending agreed order – 13

- **After Board Meeting/TCLR Meetings** – projected complaints remaining – approximately 145

COMPLIANCE DEPARTMENT UPDATE FOR JULY 16TH BOARD MEETING

The Compliance Department currently has 21 licensee's that are being monitored regarding Board Orders. Compliance has seen requests for CE Hardship Extensions during this fiscal year decline. This can be attributed to CE's being able to be obtained online and more avenues for learning that way. The task of DPS Fingerprint validations is continuing to take quite a bit of time to accomplish daily. It will continue for the next year or so given the number of licensees that were initially fingerprinted when the requirement came into place. Every licensee will have their fingerprints validated after 5 years to make sure they are still an active licensee per state and federal guidelines. Staying on the fingerprint topic, 793 new fingerprints have been reviewed for applicants so far, this fiscal year. I have also seen a bit of an uptick in licensees getting arrested and failing to report that to our agency over the past few months.

The Compliance Department (Director Honrath) as of this update has fielded 524 phone calls for compliance, licensing, fingerprints, CE, and general agency related questions from licensees and applicants this fiscal year. The number of calls is declining as more information is now on our website and employees are getting well versed in our agency's rules and regulations. The Compliance Department has also assisted with 161 agency-related requests from the various departments of our agency as well this fiscal year.

CE Audits continue to be performed by Enforcement investigators during their inspections. The Compliance Dept. will follow-up with licensees that are found to be in violation or aid in course related CE questions and has done so with 22 of our licensees. The new upcoming database will allow the process of CE auditing to become very streamlined as that mechanism currently does not exist.

**** Overall Compliance Statistics are attached ****

**** It should be noted that these statistics are as of 06/25/24 ****

COMPLIANCE STATISTICS FY 2024

- Criminal History Evaluations/Reviews/Calls--- 10
- CE and General Compliance Related Phone Calls Answered/Returned-- 524
- Hardships Granted for CE's--- 27
- Opioid Presentations and Course Material Reviews--- 3
- Outside Agency Requests/Assistance--- 9
- Background Investigations--- 8
- Current Open Compliance Cases--- 21
- Fingerprints Reviewed--- 793
- CE Audits Performed--- (Enforcement has stats on the majority performed)
- CE Audit Follow-Up--- 22
- Legal/Enforcement/Finance/Licensing Division Requests Performed--- 161
- Failure to Report Warning Letters--- 8
- TDLR Meetings--- 4
- Audit Meetings--- 8
- Other Meetings--- 11

TBVM Finance Division Board Report

July 16, 2024 Board Meeting

We've just begun the 4th quarter of the fiscal year at the beginning of June with very little changes to the budget. We are around 83% of our way through the year and have spent approximately 51% of our budget. The agency has limited its spending for the remainder of the year to help with covering the cost of our appropriations that we anticipate will not be able to be covered with generated fee revenue. Proposed fees changes are on the agenda for the upcoming TDLR Commission meeting on July 23rd for adoption. Following adoption, the fee changes will become effective September 1st.

The following table shows the current budget as of **July 1, 2024**:

	Licensure	Complaints	Indirect-Licensure	Indirect-Compliance	Acq. Of Inform Resource Tech.	
Appropriation Number	13001	13002	13800	13801	58001	
Appropriations - GR	\$ 987,755.00	\$ 2,341,563.00	\$ 83,024.00	\$ 83,123.00	\$ -	\$ 3,495,465.00
Excess Collected Revenue	\$ 5,527.00					
Appropriation Transfers Out	\$ 544,347.00	\$ 615,277.00				\$ 1,159,624.00
Cash Revenue	\$ 17,527.00					\$ 17,527.00
Est Col Rev Posted	\$ 12,000.00					\$ 12,000.00
Appropriation Transfers In	\$ 31,125.00	\$ 40,000.00			\$ 1,129,070.00	\$ 1,200,195.00
Lapsed Appropriations						
Cash Rsvrd - Payroll	\$ 29,387.00	\$ 107,721.49				
Total Receipts	\$ 480,200.00	\$ 1,658,564.51	\$ 83,024.00	\$ 83,123.00	\$ 1,129,070.00	\$ 3,433,981.51
Total Expenditures	\$ 329,561.10	\$ 939,612.66	\$ 35,341.95	\$ 34,068.26	\$ -	\$ 1,338,583.97
Cash Budget Balance	\$ 127,584.90	\$ 718,951.85	\$ 47,682.05	\$ 49,054.74	\$ 1,129,070.00	\$ 2,072,343.54
APPN Cash Available	\$ 127,584.90	\$ 718,951.85	\$ 47,682.05	\$ 49,054.74	\$ 1,129,070.00	\$ 2,072,343.54
Total Budget Available (Not includ. 58001)						\$ 943,273.54

Texas Board of Veterinary Medical Examiners
Budget Analysis for Fiscal Year 2024 as of July 1, 2024

TBVME
Other Appropriations

	Licensure	Complaints	Indirect- Licensure	Indirect- Compliance	Acq. Of Inform Resource Tech.	
	13001	13002	13800	13801	58001	
Appropriation Number						
Appropriations - GR	\$ 987,755.00	\$ 2,341,563.00	\$ 83,024.00	\$ 83,123.00	\$ -	\$ 3,495,465.00
Excess Collected Revenue	\$ 5,527.00					
Appropriation Transfers Out	\$ 544,347.00	\$ 615,277.00				\$ 1,159,624.00
Cash Revenue	\$ 17,527.00					\$ 17,527.00
Est Col Rev Posted	\$ 12,000.00					\$ 12,000.00
Appropriation Transfers In	\$ 31,125.00	\$ 40,000.00			\$ 1,129,070.00	\$ 1,200,195.00
Lapsed Appropriations						
Cash Rsvrd - Payroll	\$ 29,387.00	\$ 107,721.49				
Total Receipts	\$ 480,200.00	\$ 1,658,564.51	\$ 83,024.00	\$ 83,123.00	\$ 1,129,070.00	\$ 3,433,981.51
Total Expenditures	\$ 329,561.10	\$ 939,612.66	\$ 35,341.95	\$ 34,068.26	\$ -	\$ 1,338,583.97
Cash Budget Balance	\$ 127,584.90	\$ 718,951.85	\$ 47,682.05	\$ 49,054.74	\$ 1,129,070.00	\$ 2,072,343.54
APPN Cash Available	\$ 127,584.90	\$ 718,951.85	\$ 47,682.05	\$ 49,054.74	\$ 1,129,070.00	\$ 2,072,343.54
Total Budget Available (Not includ. 58001)						\$ 943,273.54

Peer Assistance	Texas Online
13006	13007
85,500.00	40,000.00
85,500.00	40,000.00
48,240.00	47,508.00
-	-
48,240.00	47,508.00
43,374.76	28,404.00
42,125.24	11,596.00
4,865.24	19,104.00

	Licensure	Complaints	Indirect-Lic	Indirect-Comp	Acq. Of Inform Resource Tech.	LAR Budget	Percentage Spent	Peer Assistance	Texas Online
	13001	13002	13800	13801	58001		83.33%	13006	13007
Expenditures									
1001 - Salaries and wages									
7001 Exempt Salaries	42,529.50	42,529.50	-	-	-				
7002 Sal-Full Time Class	244,477.13	790,161.32	-	-	-				
7003 Sal/Wages-Class&N/C-Perm fult	-	-	-	-	-				
7007 Sal/Wages-Class&N/C-Perm fult	-	-	-	-	-				
Subtotal - Salaries and Wages	287,006.63	832,690.82				1,858,462.00	60%		
1002 - Other Personnel Costs									
7017 One-Time Merits	-	5,000.00	-	-	-				
7022 Longevity	1,850.00	6,450.00	-	-	-				
7023 Lump Sum Termination Payment	9,537.02	-	-	-	-				
7025 Compensatory of Salary Per Diem	-	-	630.00	-	-				
7033 Employee Rtrmt-Oth Eplymnt Exp	2,885.67	563.53	-	-	-				
Subtotal - Other Personnel Costs	14,272.69	12,013.53	630.00			24,060.00	112%		
2001 - Professional Fees and Services									
7243 Educational/Training Services	532.88	2,511.88	3,235.00	3,235.00	-				
7245 Financial and accounting svc	1,829.00	-	1,530.00	1,530.00	-				
7253 Other Professional Services	89.25	1,625.00	2,250.00	2,250.00	-				
7275 Information Tech Svc	337.81	337.81	-	-	-			42,750.00	
Subtotal - Professional Fees and Services	2,788.94	4,474.69	7,015.00	7,015.00		57,405.00	37%	42,750.00	
2002 - Fuels and Lubricants									
7304 Fuels and Lubricants-Other	-	-	-	-	-				
Subtotal - Fuels and Lubricants						150.00	0%		
2003 - Consumable Supplies									
7300 Consumables	2,257.26	3,245.19	2,008.16	43.50	-				
Subtotal - Consumable Supplies	2,257.26	3,245.19	2,008.16	43.50		1,200.00	630%		
2004 - Utilities									
7516 Cell Phone Charges	-	13,782.96	-	-	-				
7526 Waste Disposal	202.50	157.50	-	-	-				
Subtotal - Utilities	202.50	13,940.46				9,760.00	145%		
2005 - Travel									
7101 Travel-In St-Pub Trans	-	4,571.86	-	-	-				
7102 Travel-In-State Mileage	-	12,193.54	-	-	-				
7105 Travel-InState Incident	-	1,690.67	-	-	-				
7106 Travel-In State Meals	-	17,002.11	612.84	-	-				
7107 Travel-In State Non-Overnight (Meals)	-	-	-	-	-				
7110 Travel In-State - Brd Mem Meals & Lodging	-	627.16	-	-	-				
7116 Travel Out-of-State - Meals & Lodging	-	-	-	-	-				
7135 Travel In-State - State Hotel Occ Tax	-	35.47	-	-	-				
Subtotal - Travel		36,120.81	612.84			264,080.00	14%		
2007 - Rent - Machine and Other									
7406 Rental - Equipment	-	-	1,437.23	1,437.24	-				
Subtotal - Rent - Machine and Other			1,437.23	1,437.24		6,120.00	47%		
2009 - Other Operating Expense									
7040 Additional Payroll Ret. Cont.	1,435.11	4,163.21	-	-	-				
7042 Payroll Health Insurance 1%	2,067.41	5,922.38	-	-	-				
7201 Membership Dues	-	-	650.00	1,386.00	-				
7203 Registration Fees	-	225.00	512.50	512.50	-				
7210 Fees and Other Charges	40.00	195.00	-	-	-				
7211 Awards	-	87.90	-	-	-				
7219 Fees for Rec. Electronic	-	-	-	-	-				28,404.00

Expenditures	Licensure	Complaints	Indirect-Lic	Indirect-Comp	Acq. Of Inform Resource Tech.	LAR Budget	Percentage Spent	Peer Assistance	Texas Online	
	13001	13002	13800	13801	58001		83.33%	13006	13007	
7262 Maint & Repair-Comp Sftware-Expensed	-	-	22,044.93	22,044.93	-	44,089.86				
7273 Preporduction/Printing	857.52	-	-	-	-	857.52				
7276 Communication Svcs	-	-	-	-	-	-				
7286 Freight Delivery	696.85	499.98	-	-	-	1,196.83				
7291 Postal Services	7,837.03	7,500.00	225.00	225.00	-	15,787.03				
7299 Purchased Contracted Services	-	-	-	-	-	-				
7334 Furn & Equip-expensed	245.07	1,311.03	-	-	-	1,556.10				
7335 Parts-Computer Equipment Expsd	-	-	-	-	-	-				
7377 Personal Prop-Comp Equip-Expnsd	-	7,389.00	-	-	-	7,389.00				
7380 Comp SW-5000 or less	5,491.80	5,491.80	-	923.54	-	11,907.14				
7470 Rental of Space	496.96	496.96	-	-	-	993.92				
7806 Interest on Late Pmts	32.06	11.64	71.14	70.71	-	185.55		624.76		
7947 SORM Pmt	619.03	619.03	129.23	129.23	-	1,496.52				
7961 Telecomm-Cap Compl	1,714.06	1,714.05	-	-	-	3,428.11				
7962 Cap. Cplx. Transfers	1,185.36	1,185.36	-	-	-	2,370.72				
7984 Unemployment Compensation Benefit Trsf	314.82	314.82	5.92	280.61	-	916.17				
Subtotal - Other Operating Expense	23,033.08	37,127.16	23,638.72	25,572.52	-	109,371.48 **	216,283.00	51%	624.76	28,404.00
Grand Total	329,561.10	939,612.66	35,341.95	34,068.26	-	1,338,583.97	2,437,520.00	55%	43,374.76	28,404.00

Appropriation 13006 and 13007 have been excluded. They do not fund the agency budget.

** Capital Budget Item Removed from LAR Budget - Other Operating Expense to show true agency budget**

AGENDA ITEM 7

TAB 7

BOARD COMMITTEE REPORTS

(Dr. Golla)

Additional Reports will be verbally provided by the following:

- Executive Committee- *Dr. Golla*
- Enforcement Committee- *Dr. Criner*
- Licensing Committee- *Dr. White*
- Finance Committee- *Dr. Skaggs*
- Rules Committee- *Dr. Golla*

This item is informational only, no vote needed.

AGENDA ITEM 8

TAB 8

**DISCUSSION, RECOMMENDATION AND POSSIBLE ACTION
REGARDING PROPOSED RULE CHANGES TO 571.7, VETERINARY
LICENSING ELIGIBILITY, TO BE PUBLISHED IN THE TEXAS
REGISTER**

(Dr.Golla)

RULE §571.7

Veterinary Licensing Eligibility

(a) An applicant for a veterinary license may apply for the SBE provided that the applicant is a graduate of an approved and accredited veterinary medical school or college, as defined in §571.1(10) of this title (relating to Definitions).

(b) An applicant for a veterinary license may sit for the NAVLE provided that the applicant is a graduate of:

(1) an approved and accredited veterinary medical school or college, as defined in §571.1(10) of this title; or

(2) a veterinary medical school or college not approved and accredited, but who is enrolled in the ECFVG or PAVE certification program, and meets the requirements of subsection (c) of this section, if applicable.

(c) When applying for the NAVLE through NBVME, an applicant who is a graduate of a veterinary medical school or college not approved and accredited, and is enrolled in the ECFVG or PAVE certification program, shall submit proof that the applicant passed all English language proficiency tests required by the certification program of choice and must have completed all other requirements of each program to be considered eligible to apply for the NAVLE.

(d) A person must first take and pass the national examination or the NAVLE in order to apply for the SBE.

(e) A candidate for the NAVLE must take the examination within the testing window in which the candidate is authorized for testing. A candidate, who fails to take the examination within the appropriate testing window or fails to obtain a passing score on NAVLE, and desires to take the examination during a subsequent testing window must comply with NBVME application requirements.

(f) Eligibility Prior to Graduation. An applicant for a veterinary license who has not graduated from veterinary medical school may apply for the SBE provided the following conditions have been met:

(1) An applicant must be enrolled in an approved and accredited veterinary medical school or college as defined in §571.1(10) of this title and must obtain a document from the dean of the school or college from which the applicant expects to graduate certifying that the applicant is within 60 days of completion of a veterinary college program and is expected to graduate.

(2) An applicant enrolled in a joint or combined degree program who has completed the applicant's veterinary medical education but has not received a diploma or transcript certifying the award of the applicant's DVM degree, must obtain a letter from the dean of the school or college of veterinary medicine stating that the applicant did in fact graduate before the applicant is eligible to sit for the SBE.

(3) To apply for the NAVLE through NBVME, a candidate shall, at the time an application is submitted, demonstrate that the candidate is:

(A) a student enrolled in an approved and accredited school or college of veterinary medicine as defined in §571.1 10) of this title, and who has submitted a document from the dean of the school or college from which the student expects to graduate, certifying that the applicant is within ten months of the student's expected graduation date and is expected to graduate, and has demonstrated compliance with all of the NBVME's testing requirements for the NAVLE; or

(B) a graduate of a school or college of veterinary medicine not approved and accredited, who is enrolled in the ECFVG or PAVE certification program and shall submit proof that the applicant passed all English language proficiency tests required by the certification program of choice and must have completed all other requirements of each program.

Source Note: The provisions of this §571.7 adopted to be effective May 29, 2011, 36 TexReg 3187; amended to be effective June 19, 2012, 37 TexReg 4417; amended to be effective March 22, 2016, 41 TexReg 2166

AGENDA ITEM 9

TAB 9

**DISCUSSION AND POSSIBLE ACTION REGARDING
APPOINTMENTS TO THE EQUINE DENTAL PROVIDER ADVISORY
COMMITTEE**

(Dr. Golla)

AGENDA ITEM 10

TAB 10

**CONSIDERATION AND POSSIBLE RECOMMENDATION TO THE
TEXAS COMMISSION OF LICENSING AND REGULATION
REGARDING APPROVAL OF AGREED ORDERS**

(Ms. Phelps)

AGENDA ITEM 11

TAB 11

**CONSIDERATION AND POSSIBLE RECOMMENDATION TO THE
COMMISSION OF LICENSING AND REGULATION REGARDING
DISMISSAL OF CASES FROM INFORMAL CONFERENCE**

(Ms. Phelps)

AGENDA ITEM 12

TAB 12

**CONSIDERATION AND POSSIBLE RECOMMENDATION TO
THE TEXAS COMMISSION OF LICENSING AND REGULATION
REGARDING DISMISSAL OF CASES FROM STAFF
CONFERENCE**

(Ms. Phelps)

AGENDA ITEM 13

TAB 13

**CONSIDERATION AND POSSIBLE RECOMMENDATION TO THE
TEXAS COMMISSION OF LICENSING AND REGULATION
REGARDING DISMISSAL OF CASES FROM MEDICAL REVIEW**

(Ms. Phelps)

AGENDA ITEM 14

DISCUSSION OF POSSIBLE AGENDA ITEMS FOR FUTURE BOARD MEETINGS

(Dr. Golla)

AGENDA ITEM 15

MEETING ADJOURN