

INDIANA BOARD OF VETERINARY MEDICINE
Discovery Hall, Suite 100
1202 East 38th Street
Indianapolis, IN 46205

MINUTES OF THE APRIL 18, 2024 MEETING

Jerry Rodenbarger, D.V.M., Chair, called the meeting to order at 9:08 a.m. and declared a quorum in accordance with IC § 25-38.1-2-5 (c), pursuant to public notice posted at the principal office for the Board, online at the board's website and on the state calendar at least forty-eight (48) hours before the time of the meeting.

Members Present: Steven Sunbury, D.V.M., Member
John Schnarr, D.V.M., Member
Paul Clemente, D.V.M., Vice Chair
Kelly Peelman, D.V.M., Member
Natalie Goodwin, Consumer Member
Ashli Selke, R.V.T., Member
Jerry Rodenbarger, D.V.M., Chair
Bret Marsh, D.V.M., State Veterinarian,
Technical Advisor

All members that attended participated in-person.

Member(s) Absent: None.

Staff Present: Laura A. Turner, JD, Board Director
Clarence Leatherbury, JD,
Deputy Attorney General
Office of the Attorney General

The Board voted to adopt the agenda, as orally amended, to add the Board's consideration of a settlement proposal filed by the Office of the Attorney General involving Craig Johnson, 2023 VB 0012.

Motion to Adopt Amended Agenda.
Schnarr first; Sunbury second; 7/0/0
Motion carries.

The following board members voted aye:
Peelman, Schnarr, Clemente, Sunbury, Goodwin,
Rodenbarger, Selke

The following board members objected: none

The following board members abstained: none

The Board voted to approve the January 25, 2024, meeting minutes.

Motion to Approve January 25, 2024 meeting minutes.

Clemente first; Peelman second; 7/0/0

Motion carries.

The following board members voted aye:

Peelman, Schnarr, Clemente, Sunbury, Goodwin, Rodenbarger, Selke

The following board members objected: none

The following board members abstained: none

PERSONAL APPEARANCES

Rebecca McGovern, D.V.M.; License No. 24008200A. Cause No. 2020 VB 0014

Dr. McGovern maintains employment and is currently the only supervisor at her clinic. She continues to be in compliance with all aspects of her recovery pursuant to her Monitoring Agreement with the Case Management and Monitoring Services program. The Board thanked Dr. McGovern for her appearance.

Rachael Brunner, R.V.T.; License No. 25002744A; Cause No. 2022 VB 0006

Ms. Brunner continues to work at Eastside Animal Clinic. She continues to maintain her sobriety and while she is eligible to request withdraw of probation from her license in February 2025, the Board requested Ms. Brunner be scheduled for an appearance in October 2024 to make that request.

ADMINISTRATIVE HEARINGS

Daren Miller, D.V.M.; 24007619A; 2023 VB 0009

Dr. Miller appeared in person and without counsel to request withdrawal of probation from his license. He informed the Board that he no longer works at Cross Veterinary Clinic. He now conducts animal research as part of his family business. He disclosed to the Board that he has relapsed on alcohol and received a DUI in January. He is currently in an inpatient program and is 90 days sober. The State was represented by Brittany J. McMahan, Deputy Attorney General. Ms. McMahan objected to Dr. Miller coming off probation. The Board noted the date that Dr. Miller could request to come off probation was unclear in the final order.

After discussion, the Board voted to Amend the Final Order so it shall state that Dr. Miller may petition to come off probation one year from the date of the Final Order.

Motion to Amend Final Order.

Peelman first; Schnarr second; 7/0/0

Motion carries.

The following board members voted aye:

Peelman, Schnarr, Clemente, Sunbury, Goodwin, Rodenbarger, Selke

The following board members objected: none

The following board members abstained: none

After discussion, the Board voted to deny Dr. Miller's request to withdraw probation from his license.

Motion to Deny Request to Withdraw Probation.

Goodwin first; Sunbury second; 7/0/0

Motion carries.

The following board members voted aye:

Peelman, Schnarr, Clemente, Sunbury, Goodwin,
Rodenbarger, Selke

The following board members objected: none

The following board members abstained: none

Kristen Humbach, D.V.M.; 24008990A; 2023 VB 0006

Dr. Humbach appears in person and with counsel, Brian Parks, to request the withdrawal of probation from her license. She testified that she works in a clinic in Bedford in which she conducts surgeries in the morning and sees patients in the afternoon. She stated her psychiatric issues have become stabilized.

After discussion, the Board voted to withdraw probation from Dr. Humbach's license.

Motion to Withdraw Probation.

Clemente first; Peelman second; 7/0/0

Motion carries.

The following board members voted aye:

Peelman, Schnarr, Clemente, Sunbury, Goodwin,
Rodenbarger, Selke

The following board members objected: none

The following board members abstained: none

Ericka R. Bates, D.V.M.; 24007619A; 2019 VB 0015

Dr. Bates appeared in person and with counsel, Rori Goldman, requesting the withdrawal of probation from her license. Dr. Bates has received positive feedback from the DVMs at the FACE clinic. She has performed over 200 surgeries while her license was under probation. The State, represented by Brittany J. McMahan, Deputy Attorney General, had no objection to the removal of the probation from Dr. Bates' license.

After discussion, the Board voted to withdraw probation from Dr. Bates' license.

Motion to Withdraw Probation.

Peelman first; Sunbury second; 7/0/0

Motion carries.

The following board members voted aye:

Peelman, Schnarr, Clemente, Sunbury, Goodwin,
Rodenbarger, Selke

The following board members objected: none

The following board members abstained: none

Miranda Kellems: no license: 2023 VB 0013

Ms. Kellems was scheduled to appear on a Motion for Order to Cease and Desist. Ms. Kellems was not present and did not have counsel representing her. The State was represented by Brittany J. McMahan, Deputy Attorney General. The Board previously issued a Notice of Proposed Default to Ms. Kellems. Therefore, Ms. McMahan first requested the Board find Ms. Kellems in Default. Ms. McMahan further stated that Ms. Kellems acted as an RVT when she held no such registration. The State provided evidence that Ms. Kellems provided her employer with fraudulent documents. Therefore, Ms. McMahan requested that an Order to Cease and Desist be issued against Ms. Kellems.

After discussion, the Board voted to find Ms. Kellems in Default.
Motion to find Ms. Kellems in Default.
Sunbury first; Selke second; 7/0/0
Motion carries.

The following board members voted aye:
Peelman, Schnarr, Clemente, Sunbury, Goodwin,
Rodenbarger, Selke
The following board members objected: none
The following board members abstained: none

After discussion, the Board voted to issue an Order to Cease and Desist against Ms. Kellems.
Motion to Order Cease and Desist.
Clemente first; Selke second; 7/0/0
Motion carries.

The following board members voted aye:
Peelman, Schnarr, Clemente, Sunbury, Goodwin,
Rodenbarger, Selke
The following board members objected: none
The following board members abstained: none

Vicki Burch, R.V.T., 25001963A; 2023 VB 0010

Ms. Burch appeared before the Board, represented by counsel. The State was represented by Brittany J. McMahan, Deputy Attorney General. On April 17, 2024, the parties filed Joint Stipulations with the Board.

After consideration of the Joint Stipulations, the Board voted to issue a Letter of Reprimand to Ms. Burch.
Motion to issue Letter of Reprimand
Clemente first; Rodenbarger second; 7/0/0
Motion carries.

The following board members voted aye:

Peelman, Schnarr, Clemente, Sunbury, Goodwin,
Rodenbarger, Selke
The following board members objected: none
The following board members abstained: none

Myron Hershberger: no license: 2023 VB 0011

On April 17, 2024, the Office of the Attorney General filed a Motion to Dismiss in this matter due to Mr. Hershberger admission that he is no longer practicing equine dentistry.

After discussion, the Board voted to dismiss the Cease & Desist motion and overall matter against Mr. Hershberger.
Motion to grant dismissal of matter.
Peelman first; Selke second; 7/0/0 Motion carries.

The following board members voted aye:
Peelman, Schnarr, Clemente, Sunbury, Goodwin,
Rodenbarger, Selke
The following board members objected: none
The following board members abstained: none

Zachary Luff, D.V.M. 24006509A; 2024 VB 0010

Dr. Luff, having recently retained counsel, requested a continuance in this matter. Board Director Laura Turner granted continuance request prior to the Board meeting.

CONTINUING EDUCATION APPLICATIONS

Calf Summit 2024

After discussion, the Board voted to approve the Continuing Education application for the Calf Summit 2024.

Motion to approve.
Sunbury first; Peelman second; 7/0/0
Motion carries.

The following board members voted aye:
Peelman, Schnarr, Clemente, Sunbury, Goodwin,
Rodenbarger, Selke
The following board members objected: none
The following board members abstained:
none

Field First Aid of K9 Officer

After discussion, the Board voted to deny the Continuing Education course until further details were provided on drug exposure experience.

Motion to deny.

Peelman first; Sunbury second; 7/0/0
Motion carries.

The following board members voted aye:
Peelman, Schnarr, Clemente, Sunbury, Goodwin,
Rodnbarger, Selke
The following board members objected: none
The following board members abstained: none

DISCUSSION

The Board discussed the Continuing Education audit and decided the following:

1. For licensees that are short on their CE requirements, the fine will be \$100.00 for every 5 hours the licensee is short of the required 40 hours. Additional CE hours may be required as well depending on the circumstances.
2. Notices of Noncompliance shall be sent out to those who did not complete their CE requirements.
3. For the continuing education audit for RVTs, the Board decided that only 5% of all RVTs would be audited.

REPORTS

The Board reviewed the following reports:

1. Dr. Bret Marsh, D.V.M., State Veterinarians' Report.
2. The Attorney General Office's Report.
3. The Board Director's Report.

NEXT MEETING

The Board decided the next Indiana Board of Veterinary Medicine meeting would be held on July 25, 2024.

There being no further business, the Board ADJOURNED at 2:47 p.m.

Laura A. Turner, J.D.

Dr. Jerry Rodenbarger, D.V.M., Chair