



**NEW MEXICO BOARD OF VETERINARY MEDICINE
REGULAR MEETING**

**IN PERSON AT RLD
5500 SAN ANTONIO DR. NE, ALBQ, NM 87109**

MINUTES

October 16, 2024

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Call to Order: The Regular Meeting of the New Mexico Board of Veterinary Medicine (Board) was called to order by Dr. Lawrence Young, the Board Chair, at approximately 1:05 p.m. The Board’s Executive Director Debbie Schenk conducted a roll call.

Roll Call:

Members Present:

- Dr. Lawrence D. Young, Board Chair
- Dr. Emily Walker
- Dr. Amanda Favis
- Dr. Ralph Zimmerman
- Ms. Jennifer Rabinowitz
- Ms. Elizabeth Wolf

Agency Representatives: Debbie Schenk, Executive Director to Board

Legal Counsel: Sandra Gardner, NM Department of Justice

Approval of Proposed Agenda

Dr. Favis approved the agenda and Dr. Walker seconded the motion.

25 **Roll Call to Approve:**

26 Dr. Lawrence D. Young, Board Chair

27 Dr. Emily Walker

28 Dr. Amanda Favis

29 Dr. Ralph Zimmerman

30 Ms. Jennifer Rabinowitz

31 Ms. Elizabeth Wolf

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33 **State Veterinarian Update**

34 Dr. Young read the update provided by our State Veterinarian, Dr. Samantha Holeck.

35 **Approval of 09/11/2024 Minutes**

36 Chair, Dr. Young asked for approval of the 09/11/2024 minutes. Dr. Walker approved, and Dr.
37 Zimmerman seconded.

38 A roll call vote was taken, and the motion passed unanimously.

39 **On-line Continuing Education**

40 There was a discussion on accepting on-line continuing education for another year. Chair, Dr.
41 Young said we would have to do a rule change to make all 15 hours on-line permanent. Chair,
42 Dr. Young asked if we had a motion to extend on-line CE for another year. Dr. Walker
43 approved, and Dr. Favis seconded.

44 A roll call vote was taken, and the motion passed unanimously.

45 **Telemedicine**

46 Chair, Dr. Young said we have a master's student who is doing their thesis on the viability of
47 telemedicine on large animals. Dr. Walker said AVMA has a very hard stance on this regarding
48 Veterinarian – client patient relationship, and we should stand behind that. She also said that we
49 should stand firm on in-person visits.

50 **MOU with State Personnel Office (SPO)**

51 Debbie Schenk explained what SPO would perform for us on a yearly basis. Dr. Walker said it
52 is important that we are covered when it comes to personnel issues and we should include this in
53 the budget request.

54 **Completion of Complaint 23-16**

55 Debbie Schenk asked the Board members to approve the completion of complaint 23-16. Dr.
56 Walker approved, and Dr. Favis seconded.

57 A roll call vote was taken, and the motion passed unanimously.

58 **2025 Board Meeting Dates**

59 Chair, Dr. Young asked the Board to choose the dates for the upcoming year.

60 The dates are as follows: January 15, 2025, April 23, 2025, July 16, 2025, and October 22, 2025.

61 They will all take place at 1:00 pm unless otherwise specified.

62 Chair, Dr. Young asked about the next meeting/s coming up. We discussed the upcoming Rules
63 Hearing which is in November in Santa Fe. Member Wolf mentioned that she was the hearing
64 officer, but now that she is off the Board, someone else will have to perform the duties. She will
65 send the latest script to Debbie Schenk and Chair, Dr. Young. Legal, Sandra Gardner asked Liz
66 to forward it to her first.

67 **Executive Director Report**

68 Debbie Schenk notified the Board know that the audit is going on right now and everything is
69 going smoothly.

70 She also reminded them about the LFC meeting taking place on November 23rd in Santa Fe.

71 Chair, Dr. Young will attend.

72 Debbie also spoke about the progress that Inlumon is making on gathering the data from our old
73 client database to the new database. We are still hopeful that the new system will be up and
74 running by November 1, 2024.

75 **Euthanasia Rules**

76 Chair, Dr. Young, said we have had a few calls from the public about how animals are being put
77 down. They want to know why the dog reacted like it was in pain when the drug was being
78 administered. He mentioned that would be a rule change. Dr. Walker said we need to leave the
79 rule as is, and said the AVMA has very clear guidelines as to what is acceptable, and they do not
80 require sedation. She said it needs to be Doctor discretion and we should not step in and tell
81 Doctors that they need to sedate first. It was discussed that it seems like there is a
82 communication problem. The question came up if there was a way for us to get a newsletter out
83 after every board meeting about issues that have come up to the Board. Legal, Sandra Gardner
84 said that other State agencies send out newsletters. This is something the Board is going to start
85 doing.

86 Member Rabinowitz said it would be helpful if the Dr's would go through the entire process with
87 the clients before euthanizing their pets.

88 **Complaint Process**

89 Chair, Dr. Young mentioned that he had a conversation with Legal, Leslie Padilla about this.
90 The Board determined that a Dr. did not violate the practice act, but he felt that more should have
91 been done. It would be a good idea to have a set of letters, for instance, a letter of concern.

92 The other letter was a letter of reprimand. Legal, Sandra said that a letter of reprimand =
93 discipline.

94 Legal, Sandra said the newsletters should go to all Dr's via email and Dr. Walker agreed. We
95 could have a link on our website with the newsletters as well.

96 **Supplemental Request**

97 Chair, Dr. Young mentioned that we will need 2 facility inspectors and a shelter inspector.

98 Dr. Favis asked if a rule change would have to be done for the shelter inspector, but I said there
99 was nothing in the rules stating that the shelter inspector had to be a veterinarian.

100 Staci Voss, said she thought there were about 35 shelters that we currently license, but there are
101 also shelters that are operating without a license. Dr. Walker stated that this would be a part time
102 job.

103 Dr. Walker said we will have to have further discussions about how to divide the state for the
104 inspectors. We will budget \$150,000 for the 2/or more inspectors. We will budget \$25,000 for
105 the shelter inspector. Staci Voss said that an inspector should go to the shelters that are not
106 licensed. Member Rabinowitz and Member Wolf said they know of someone who would like to
107 apply for the shelter inspector.

108 Debbie Schenk said we would need about \$6,000 for a new copier as the one in the office is so
109 old, that they can no longer purchase parts for it.

110 The IT department has also said that the agency needs to update their laptop, 4 desktops,
111 monitors, keyboards and software as the systems we are working with our over 4 years old.

112 Investigator, Dr. Tracy Young asked if we could add an increase to the supplemental for her as
113 she has not had an increase in at least 3 years. The Board discussed and said it would be fair to
114 increase her contract to \$50,000 annually.

115 Dr. Favis brought up the employee that needs to be hired for the executive assistant/CPO
116 position. Director, Debbie Schenk said that she was currently making \$42,000 as the executive
117 assistant and that the job is a band pay 45. With that, there is a minimum and a maximum pay
118 for the band pay.

119 The Chair, Dr. Young, moved that the Board move into closed session to discuss item 8 on the
120 agenda, pursuant to the open meetings act, limited personnel matters.

121 The motion to enter closed session has been made by the Chair, Dr. Young, and Dr. Walker
122 seconded.

123 The motion passes unanimously. Let the record show that the Board entered closed session at
124 approximately 2:26 pm.

125 Chair, Dr. Young said the Board is back in open session at approximately 3:40 pm. Let the
126 record show that the matters discussed in closed session were limited to only those specified in a
127 motion for closure and no votes, or official or official action were taken during the closed
128 session.

129 Complaint #23-18 - Dr. T. Young presented the case. After Board discussion, Dr. Walker made
130 a motion to dismiss the complaint with Dr. Favis making a second. The vote was taken, and the
131 motion passed unanimously with Dr.'s Young and Zimmerman abstained.

132 Complaint #23-14 – Dr. T. Young presented the case. After Board discussion, Dr. Walker made
133 a motion to dismiss the complaint with Dr. Favis making a second. The vote was taken, and the
134 motion passed unanimously with Dr.'s Young and Zimmerman abstained.

135 Complaint #24-01 – Dr. T. Young presented the case. After Board discussion, Dr. Walker made
136 a motion to consider this a reportable violation of the Veterinary Practice Act and to require 10
137 hours of continuing education in small animal surgery in OHE and gastropexy techniques and 5
138 hours of continuing education in Record Keeping along with a fine of \$5,000.00. Dr. Favis
139 seconded the motion with Dr’s Young and Zimmerman abstained.

140 Complaint #24-02 – Dr. T. Young presented the case. After Board discussion, Dr. Walker made
141 a motion to dismiss the complaint with Dr. Favis making a second. The vote was taken, and the
142 motion passed unanimously with Dr.’s Young and Zimmerman abstained.

143 Complaint #23-17 – Dr. L. Young presented the case. After Board discussion, Dr. Walker made
144 a motion to consider this a reportable violation of the Veterinary Practice Act and to require 5
145 hours of continuing education in Internal Medicine and 5 hours of continuing education in
146 Radiology along with a fine of \$2,500.00. Dr. Favis seconded the motion with Dr’s Young and
147 Zimmerman abstained.

148 **Shelter Committee Term Limits**

149 Chair, Dr. Young asked when the terms began, Staci Voss said in September of 2022. She also
150 said that the members are staggered, meaning one terms off at 1 yr, one at 2 years, one at 3 years
151 and one at 4 years. It’s been 2 years that they have been short 2 members. Chair, Dr. Young
152 asked if any of the members would like to stay on and Staci said maybe.

153 The question came up if someone could serve on the shelter committee and the board, and Dr.
154 Walker said she did not think it was a good idea, and Legal, Sandra Gardner agreed.

155 Staci said that the prior Director was to send letters to the members signed by the Chair, stating
156 their terms, but that never happened.

157 Jenny Rabinowitz reached out to some spay/neuter organizations, and they did not know that
158 there were vacancies.

159 Chair, Dr. Young said we will discuss again at the next meeting in January 2025.

160 Debbie Schenk will compile the applications and send them to the Board members, but they
161 cannot discuss amongst one another until the Board meeting.

162 Staci Voss said only 1 member must be a veterinarian. Staci will get us the current board
163 members and when they will term off. Dr. Walker and Dr. Favis will look for the minutes.

164 Member Rabinowitz asked Staci Voss how long she had been Chair and why she nominated off
165 Ms. Bell and Ms. DeSanctis and she said she did not nominate anyone off, they termed off.

166 Staci Voss has been Chair since about 2018. The official committee happened in 2022.

167 Member Rabinowitz commented that we should have new members on the committee as it is
168 good to have fresh, rotating members.

169 Dr. Walker stated that if that many people are interested, they will need to submit their
170 applications and when we meet in January, we can look at them. There is certain criteria we
171 must follow.

172 Staci Voss will get with Debbie Schenk, and we will post the positions available on our website.

173 Staci Voss asked the question about a shelter license and a euthanasia shelter license. Debbie
174 Schenk stated that we issue only shelter licenses.

175 Staci Voss said they had not met in quite a while due to the depletion of members.

176 Member Wolf asked if going forward if we could add Shelter Committee Update just in case
177 there is something that needs to be addressed.

178 Member Wolf made the statement that she has resigned from the Board and thanked everyone
179 for their support and help during her term.

180 Member Wolf to email the hearing script to Legal Sandra Gardner for her to view before sending
181 it to the Board members.

182 A discussion came up about how much time we would give each individual to speak, and in a
183 previous board meeting, we came up with a 3-minute time limit. Legal, Sandra Gardner said she
184 feels that we should not put a limit on the time, but that we can control the situation if they are
185 going off subject or not talking about the topic at hand.

186 Dr. Walker asked if we could set a total amount of time for all public comments, and she said
187 that we can control the situation.

188 Legal, Sandra Gardner said we do not have read the public comments aloud, as they are on our
189 website. Debbie Schenk will make sure that all board members have the comments before the
190 meeting.

191 Legal, Sandra Gardner said that the public can ask the Board a question. The public can ask one
192 another questions, and the Board members can question one another as well. Member, Jenny
193 Rabinowitz asked if we were going to vote that day, and Counsel said yes, if we have a board
194 meeting scheduled for right after, and we do in fact have it scheduled for right after.

195 Member, Wolf stated that Mr. Trujillo, the attorney for the Pet Food Industry, will most likely be
196 attending the hearing.

197 Debbie Schenk stated that if someone sent in a comment for the last hearing, they would need to
198 resubmit the comment. She will compile the comments and send them to the Board members
199 one time.

200 Dr. Walker voiced her opinion about having the public comment as unlimited. We will either
201 leave the time at 3 minutes each or unlimited.

202 Debbie Schenk stated that at the next board meeting, we can vote to extend public comments at
203 board meetings and hearings to 5 minutes or longer. Dr. Walker feels we should leave board
204 meetings at 3 minutes.

205 Dr. Walker asked if we would have security at the November rules hearing in November. Mark
206 Humble for DoIT said he was not sure. Debbie Schenk to email her contact at RLD and ask the
207 question.

208 **There being no further business before the Board, Dr. Young adjourned the meeting at**
209 **approximately 4:23 p.m.**