

UNAPPROVED DRAFT
VIRGINIA BOARD OF VETERINARY MEDICINE
DEPARTMENT OF HEALTH PROFESSIONS
TRAINING ROOM 2
HENRICO, VA
FORMAL HEARING MINUTES
MARCH 17, 2016

CALL TO ORDER: The meeting of the Board of Veterinary Medicine was called to order at 11:05 a.m. at the Department of Health Professions, Henrico, VA.

PRESIDING OFFICER: Bayard A. Rucker, D.V.M., President

MEMBERS PRESENT: Autumn Halsey, L.V.T
Mary Spencer, J.D.
Joseph May, D.V.M.
Mark Johnson, D.V.M.
Ellen Hillyer, D.V.M.

MEMBERS ABSENT: Kelly Gottschalk, D.V.M.

QUORUM: With six members of the Board present, a quorum was established.

STAFF PRESENT: Leslie Knachel, Executive Director
Terri Behr, Operations Manager

BOARD COUNSEL: James Rutkowski, Assistant Attorney General

COURT REPORTER: Andrea Pegram

PARTIES ON BEHALF OF THE COMMONWEALTH: Emily Tatum, Adjudication Specialist

COMMONWEALTH WITNESSES: Margaret Starks, Senior Investigator
James Luce, D.V.M.
Christopher Bowers
Pamela White, D.V.M.

RESPONDENT WITNESSES: None

MATTER SCHEDULED: **Abigail H. Blaine, L.V.T.**
License No.: 0302001062
Case Nos.: 169107 & 170447

Ms. Blaine appeared before the Board in accordance with a Notice of Formal Hearing dated February 10, 2016. Ms. Blaine was not represented by counsel. The Board received evidence and sworn testimony from witnesses called by the Commonwealth and from Ms. Blaine regarding the allegations in the Notice.

CLOSED SESSION:

On properly seconded motion by Dr. Hillyer, the Board voted to convene in Closed Session pursuant to §2.2-3711(A)(27) of the Code for the purpose of deliberation to reach a decision in the matter of **Abigail H. Blaine, L.V.T.** Additionally, it was moved that James Rutkowski and Leslie Knachel attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

RECONVENE:

Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code of Virginia, the Committee reconvened in open session and announced its decision.

DECISION:

On properly seconded motion by Dr. Hillyer, the Board voted unanimously to accept the Findings of Fact and Conclusions of Law as presented by the Commonwealth with the additional Finding of Fact that Ms. Blaine stated her sobriety date as February 16, 2016.

On properly seconded motion by Dr. Hillyer, the Board voted unanimously to indefinitely suspend the license of Abigail H. Blaine, LVT, for not less than two years from the date of entry of the Order.

ADJOURNMENT:

The Formal Hearing adjourned at 1:06 p.m.

Bayard A. Rucker, DVM –President

Leslie L. Knachel, MPH, Executive Director

**VIRGINIA BOARD OF VETERINARY MEDICINE
DEPARTMENT OF HEALTH PROFESSIONS
TRAINING ROOM 2
HENRICO, VA
FORMAL HEARING MINUTES
MARCH 17, 2016**

CALL TO ORDER: The meeting of the Board of Veterinary Medicine was called to order at 2:05 p.m. at the Department of Health Professions, Henrico, VA.

PRESIDING OFFICER: Bayard A. Rucker, DVM, President

MEMBERS PRESENT: Autumn Halsey, LVT
Mary Spencer, J.D.
Joseph May, DVM
Mark Johnson, DVM
Ellen Hillyer, DVM

MEMBERS ABSENT: Kelly Gottschalk, D.V.M.

QUORUM: With six members of the Board present, a quorum was established.

STAFF PRESENT: Leslie Knachel, Executive Director
Terri Behr, Operations Manager

BOARD COUNSEL: James Rutkowski, Assistant Attorney General

COURT REPORTER: Andrea Pegram

PARTIES ON BEHALF OF THE COMMONWEALTH: Emily Tatum, Adjudication Specialist

COMMONWEALTH WITNESSES: Gayle Miller, Senior Investigator
Amy Stewart, HPMP

MATTER SCHEDULED: **Brian T. Donohue, DVM**
License No.: 0301007251
Case No.: 157986

The Chair noted that Dr. Donohue was noticed to appear before the Board at 2:00 p.m. and that the time was now 2:05 p.m. Ms. Tatum presented an affidavit attesting that the Amended Notice dated March 1, 2016, had been sent to Dr. Donohue's address of record via certified and first class mail and to an alternate address, where Dr.

Donohue stated he was living at the time via UPS overnight. The Chair ruled that proper notice of the proceeding was provided to Dr. Donohue and the formal hearing proceeded in his absence.

The Board received evidence and sworn testimony from the witnesses called by the Commonwealth.

CLOSED SESSION:

On properly seconded motion by Dr. Hillyer, the Board voted to convene in Closed Session pursuant to §2.2-3711(A)(27) of the Code for the purpose of deliberation to reach a decision in the matter of **Brian T. Donohue, D.V.M.** Additionally, it was moved that James Rutkowski and Leslie Knachel attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

RECONVENE:

Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code of Virginia, the Committee reconvened in open session and announced its decision.

DECISION:

On properly seconded motion by Dr. Hillyer, the Board voted unanimously to accept the Findings of Fact and Conclusions of Law as presented by the Commonwealth.

On properly seconded motion by Dr. Hillyer, the Board voted unanimously to deny reinstatement of Dr. Donohue's license to practice veterinary medicine in the Commonwealth.

ADJOURNMENT:

The Formal Hearing adjourned at 2:45 p.m.

Bayard A. Rucker, DVM –President

Leslie L. Knachel, MPH, Executive Director