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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: 10:32 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

November 22, 2024

State Board of Veterinary Medicine
November 22, 2024

BOARD MEMBERS:

Thomas Garg, V.M.D., Chair
Arion R. Claggett, Acting Commissioner, Bureau of
Professional and Occupational Affairs - Absent
Joseph S. Bender D.V.M.
Anjilla Cooley, D.V.M.
Clement George, Public Member - Absent
Apryle Horbal, V.M.D.
Valerie Kehoe, C.V.T.
Hilary Vesell, Esquire, Public Member

BUREAU PERSONNEL:

Todd P. Kriner, Esquire, Board Counsel
Thomas M. Davis, Esquire, Regulatory Board Counsel
Amber Lee Czerniakowski, Esquire, Board Prosecution
Liaison
Sarah Buhite, Esquire, Board Prosecutor
Denice Szekely, Esquire, Board Prosecutor
Michelle Roberts, Board Administrator
Andrew LaFratte, MPA, Deputy Policy Director,
Department of State
Thomas Leech II, Administrative Officer 2
Amanda Richards, Fiscal Supervisor, Bureau of Finance
and Procurement, Department of State
Jennifer Jumper, Fiscal Management Specialist 2,
Bureau of Finance and Procurement, Department of
State
Tamie Laudenslager, Fiscal Management Specialist,
Bureau of Finance and Procurement, Department of
State
Taylor Koch, Fiscal Management Specialist 3,
Bureau of Finance and Procurement, Department of
State
Mercedes Newby, Fiscal Management Specialist 1,
Bureau of Finance and Procurement, Department of
State

ALSO PRESENT:

Jennifer Smeltz, Republican Executive Director,
Senate Consumer Protection & Professional Licensure
Committee
Zubia Naseem, Legal Extern, Penn State Dickinson Law
Allison Walker, Sargent's Court Reporting Service,
Inc.

1 ***

2 State Board of Veterinary Medicine

3 November 22, 2024

4 ***

5 [Pursuant to Section 708(a)(5) of the Sunshine Act,
6 at 9:00 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 The regularly scheduled meeting of the State
13 Board of Veterinary Medicine was held on Friday,
14 November 22, 2024. Thomas Garg, V.M.D., Chair,
15 called the meeting to order at 10:32 a.m.

16 ***

17 [Todd P. Kriner, Esquire, Board Counsel, noted the
18 Board met in Executive Session for the purpose of
19 conducting quasi-judicial deliberations on the
20 matters under the Report of Prosecutors and the
21 Report of Board Counsel.

22 Mr. Kriner also noted the meeting was being
23 recorded, and those who continued to participate were
24 giving their consent to be recorded.]

25 ***

1 Roll Call

2 [Chair Garg noted all of the Board members present
3 are participating remotely. A quorum of Board
4 members was present.]

5 ***

6 Introduction of Attendees

7 [Michelle Roberts, Board Administrator, provided an
8 introduction of attendees.]

9 ***

10 Approval of minutes of the September 27, 2024 meeting

11 CHAIR GARG:

12 The first item on the agenda is the
13 minutes from the last meeting. Were
14 there any concerns with regard to those
15 minutes?

16 Would anybody like to make a motion
17 to accept the minutes?

18 DR. BENDER:

19 I'll make the motion.

20 DR. COOLEY:

21 Second.

22 CHAIR GARG:

23 I will call a voice vote.

24

25 Dr. Bender, aye; Dr. Cooley, aye; Dr.

1 Horbal, abstain; Ms. Kehoe, abstain;
2 Ms. Vesell, aye; Tom Garg, aye.

3 [The motion carried. Apryle Horbal and Valerie Kehoe
4 abstained from voting on the motion.]

5 ***

6 Appointment - Bureau of Finance and Procurement
7 Annual Budget Presentation

8 [Amanda Richards, Fiscal Supervisor, Bureau of
9 Finance and Procurement, Department of State,
10 presented the Annual Financial Report. She referred
11 to the license population over the last seven years.
12 She noted the animal protection organization facility
13 and the euthanasia technician will not be starting
14 until 2028 but also counted those as a class. She
15 noted the prior license count for the prior biennial
16 year was 8,694 and the current license count is
17 9,451, showing an increase of 757 licenses.

18 Ms. Richards stated the current renewal fee is
19 the same as it was prior to 2022 when the Board
20 approved their next fee increase. She reported that
21 it will not go into effect until 2026 and showed the
22 3% increase for 2026, 2028, and 2030.

23 Ms. Richards addressed revenue on a biennial,
24 noting the Board renews in November of even years and
25 is why FY22-23 is higher than FY23-24. She reported

1 on the total biennial revenue, noting 95.5% of that
2 revenue came from renewals and applications.

3 Ms. Richards addressed expenses, which can hit
4 the Board through direct cost, timesheet-based
5 charges, and charges based on license population.
6 She noted the two main categories used for expenses
7 are administrative costs and legal costs. She
8 referred to expenses, noting their prior biennial
9 period expenses.

10 Ms. Richards addressed the budget for 2024 and
11 the proposed budget for 2025 and is projecting an
12 increase in the budget, noting the total biennial
13 budget for the current period. She stated the
14 increase was caused by the new Pennsylvania Licensing
15 System (PALS), along with a new legal information
16 technology (IT) system and the move of the legal team
17 from Penn Center to a new location.

18 Ms. Kehoe asked whether the increase in cost for
19 updates and modernization is spread between the
20 boards evenly.

21 Ms. Richards explained that it is based on
22 license population.

23 Ms. Richards addressed expenses and revenue,
24 noting the Board has a starting balance in their
25 restricted account. She reported on the Board's

1 biennial revenue and expenses for the prior period,
2 noting their available restricted funds.

3 Ms. Richards noted the fee increase for FY26 and
4 referred to FY24 into FY30 showing expenses are not
5 exceeding revenue.

6 Chair Garg commented that the Board has a steady
7 slow growth but asked whether there is a target,
8 where the Board should have a certain amount.

9 Ms. Richards explained that there should be
10 enough available money in the restricted account to
11 cover their expenses for a two-year period. She
12 noted 2030 would be the next reexamination of fees
13 because that would be the last year of the
14 incremental increase.]

15 ***

16 Report of Board Prosecution

17 [Amber Lee Czerniakowski, Esquire, Board Prosecution
18 Liaison, presented the Consent Agreements for Case
19 No. 24-57-002683 and Case No. 23-57-007079.]

20 ***

21 [Amber Lee Czerniakowski, Esquire, Board Prosecution
22 Liaison, on behalf of Paul J. Jarabeck, Esquire,
23 Senior Board Prosecutor, presented the Consent
24 Agreement for Case No. 24-57-012899.]

25 MR. KRINER:

1 Based on the discussions in Executive
2 Session, it is my understanding that
3 the Chair would accept a motion to
4 adopt the Consent Agreement and Order
5 at Case Nos. 24-57-002683 and 23-57-
6 007079 and the VRP Agreement at Case
7 No. 24-57-012899.

8 DR. BENDER:

9 I'll make the motion.

10 DR. COOLEY:

11 Second.

12 CHAIR GARG:

13 Any further discussion. I'll call
14 roll.

15
16 Dr. Bender, aye; Dr. Cooley, aye; Dr.
17 Horbal, aye; Ms. Kehoe, aye; Ms.
18 Vesell, aye; Tom Garg, aye.

19 [The motion carried unanimously. The Respondent's
20 name at Case No. 24-57-002683 is Matthew Martin, and
21 the Respondent's name at Case No. 23-57-007079 is
22 John Martin.]

23 ***

24 Report of Board Counsel - Matters for Deliberation

25 [Todd P. Kriner, Esquire, Board Counsel, noted item 6

1 is an FYI for the Board that Dr. Karen Susan
2 Breitlauch has appealed the decision from the
3 Adjudication and Order at the end of last meeting at
4 Case No. 21-57-003768.

5 Mr. Kriner explained that the issue on appeal is
6 the civil penalty, where the respondent believes the
7 civil penalty is excessive and has filed a stay,
8 which the Commonwealth Court granted temporarily to
9 provide the Board time to respond. He noted the
10 Board did respond and had not heard anything from the
11 court but offered to keep the Board up to date with
12 that appeal as it proceeds through the process.]

13 ***

14 Report of Board Counsel - Proposed Adjudication and
15 Order

16 MR. KRINER:

17 Item 7 is a Proposed Adjudication and
18 Order for Ashley Veine-Smith at Case
19 No. 20-57-010225.

20 It is my understanding that based
21 on the discussions in Executive Session
22 that the Chair would entertain a motion
23 to adopt the Proposed Adjudication and
24 Order.

25 DR. BENDER:

1 I'll make that motion.

2 DR. COOLEY:

3 Second.

4 CHAIR GARG:

5 Any further discussion. I'll call
6 roll.

7

8 Dr. Bender, aye; Dr. Cooley, aye; Dr.
9 Horbal, aye; Ms. Kehoe, aye; Ms.
10 Vesell, aye; Tom Garg, aye.

11 [The motion carried unanimously.]

12

13 MR. KRINER:

14 Item 8 is an Application for a
15 Veterinary License by Reciprocity.

16 It is my understanding that the
17 Chair would entertain a motion pursuant
18 to discussions in Executive Session to
19 provisionally deny Melissa Meadows
20 Application for a Veterinary License by
21 Reciprocity.

22 DR. BENDER:

23 I'll make that motion.

24 DR. COOLEY:

25 Second.

1 CHAIR GARG:

2 Any further discussion. I'll call
3 roll.

4

5 Dr. Bender, aye; Dr. Cooley, aye; Dr.
6 Horbal, aye; Ms. Kehoe, aye; Ms.
7 Vesell, aye; Tom Garg, aye.

8 [The motion carried unanimously.]

9

10 Report of Regulatory Counsel - Regulatory Status
11 Report

12 [Thomas M. Davis, Esquire, Regulatory Counsel,
13 provided a Status of Regulations Report prior to the
14 meeting for the Board's review. He noted there are
15 three active regulations on the report, including Act
16 41 endorsement, continuing education (CE) regulation,
17 and the fees regulation. He informed Board members
18 that he worked on a special project with a legal
19 analyst to work on three Act 41 regs, including the
20 Board's regulation.

21 Mr. Davis stated the regulation has been
22 completed for some time but needed to be compared to
23 a standardized template that the Office of General
24 Counsel provided. He noted completing that this week
25 and noted the Board may be seeing the proposed

1 version next time around depending on how many
2 changes have to be made. He believed the regulation
3 would be published this winter.

4 Mr. Davis addressed the fees regulation, noting
5 the Bureau of Finance and Procurement (BFP) mentioned
6 this morning that the fees reg should be in place as
7 of 2026, and the Board's financial situation will be
8 fine. He also believed the regulation would be
9 promulgated for the 2026 renewal.

10 Mr. Davis noted it was published as proposed
11 earlier this year, and he would need to change some
12 to the dates and times and maybe some of the smaller
13 figures on the regulatory package. He mentioned that
14 he may have to publish an Advanced Notice of Final
15 Rulemaking (ANFR) to announce that changes had been
16 made between proposed and final. He believed they
17 could get the regulation published as final in the
18 spring of 2025.]

19

20 Report of Board Chairperson - No Report

21

22 Report of Acting Commissioner - No Report

23

24 Report of Board Administrator - Election of Officers

25 MR. KRINER:

1 As the Board is well aware, annually,
2 pursuant to the act, they must elect
3 for the positions of Chair and
4 Secretary from the members of the
5 Board. We did this last November, so
6 we are coming up on time to do it
7 again.

8 It is my understanding that no one
9 is really expressing any interest in
10 either one of those positions at that
11 moment and that the Chair would accept
12 a motion to allow the Board's current
13 Chairman and current Secretary, that
14 being Dr. Garg and Dr. Horbal,
15 respectively, to remain in those
16 positions.

17 DR. BENDER:

18 I'll make the motion.

19 DR. COOLEY:

20 Second.

21 CHAIR GARG:

22 Any further discussion. I'll call
23 roll.

24

25 Dr. Bender, aye; Dr. Cooley, aye; Dr.

1 Horbal, aye; Ms. Kehoe, aye; Ms.
2 Vesell, aye; Tom Garg, aye.

3 [The motion carried unanimously.]

4 ***

5 Upcoming Meeting Dates

6 [Thomas Garg, V.M.D., Chair, noted the upcoming 2025
7 meeting dates are January 17, March 28, May 23, July
8 25, September 5, and November 21.]

9 ***

10 Adjournment

11 CHAIR GARG:

12 Would anybody like to make a motion to
13 adjourn?

14 DR. BENDER:

15 Motion to adjourn.

16 CHAIR GARG:

17 Everybody have a Happy Thanksgiving and
18 Holiday Season.

19 ***

20 [There being no further business, the State Board of
21 Veterinary Medicine Meeting adjourned at 11:01 a.m.]

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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.



Allison Walker,

Minute Clerk

Sargent's Court Reporting
Service, Inc.

STATE BOARD OF VETERINARY MEDICINE
REFERENCE INDEX

November 22, 2024

	TIME	AGENDA
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6		
7		
8		
9	9:00	Executive Session
10	10:30	Return to Open Session
11		
12	10:32	Official Call to Order
13		
14	10:32	Roll Call
15		
16	10:32	Introduction of Attendees
17		
18	10:34	Approval of Minutes
19		
20	10:36	Appointment - Bureau of Finance and
21		Procurement Presentation
22		
23	10:46	Report of Prosecution
24		
25	10:53	Report of Board Counsel
26		
27	10:56	Report of Regulatory Counsel
28		
29	11:01	Report of Board Administrator
30		
31	11:01	Upcoming Meeting Dates
32		
33	11:01	Adjournment
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