

BOARD OF VETERINARY MEDICINE
Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

MINUTES

Date: December 08, 2023

Time: 10:00 a.m.

Place: Queen Liliuokalani Conference Room
HRH King Kalakaua Building
335 Merchant Street, First Floor
Honolulu, HI 96813

Virtual Videoconference Meeting - Zoom Webinar
<https://dcca-hawaii-gov.zoom.us/j/82452995486>

Zoom Recording Link: <https://youtu.be/IS6PR0H3xTI>

Present: Marcella Chock, Chairperson
Lisa Wood, D.V.M., Vice-Chairperson
Craig Nishimoto, D.V.M., Member
Aileen Wada, Public Member
Shari J. Wong, Esq., Deputy Attorney General (“DAG”)
Kerrie Shahan, Executive Officer
Kawehi Mau, Secretary
Johnny Li, Tech Support

Excused: None.

Guests: Seth Corpuz- Lahne, DCCA RICO
Ray Epstein, Attorney for J. Moscony
Lei Fukumura, Special DAG
John Moscony, D.V.M.

Agenda: The agenda for this meeting was posted on the State electronic calendar as required by Hawaii Revised Statutes (“HRS”) section 92-7(b).

A brief video was played to explain procedures for this virtual meeting and how members of the public can participate and interact with the Board during the meeting.

Call to Order: Chair Chock proceeded with roll call. All Board members confirmed they were present. There being a quorum present, the meeting was called to order at 10:08 a.m.

Approval of the Minutes of the September 8, 2023: Chair Chock asked if any members of the public would like to provide oral testimony on this agenda item. There were none.

Board Meeting: It was moved by Dr. Nishimoto, seconded by Ms. Wada, and unanimously carried to approve the open minutes of the September 8, 2023, meeting minutes as circulated.

Ch 91, HRS
Adjudicatory
Matters

Chair Chock called for a recess from the meeting at 10:10 a.m. to discuss and deliberate on the following adjudicatory matters pursuant to Chapter 91, HRS. Those members and staff virtually present entered the Microsoft Teams meeting.

Following the Board's review and deliberation on these matters pursuant to Chapter 91, HRS, Vice Chair Chock announced that the Board reconvenes to its Chapter 92, HRS, meeting at 10:54 a.m. Virtually present Board members and staff returned to open session.

- A. In the Matter of the License to Practice Veterinary Medicine of John P. Moscony, D.V.M.; VET-2021-4-L; Boards Proposed Final Order.
- B. In the Matter of the License to Practice Veterinary Medicine of Mary E. Hudson, D.V.M.; VET-2023-14-L; Settlement Agreement Prior to the Filing of Petition for Disciplinary Action and Board's Final Order.
- C. In the Matter of the License to Practice Veterinary Medicine of Maya M. Bewig, D.V.M.; VET-2023-11-L; Settlement Agreement Prior to the Filing of Petition for Disciplinary Action and Board's Final Order.

Executive Officer Shahan informed the public that the Board would be holding oral arguments regarding agenda item 2.A., in the Matter of the License to Practice Veterinary Medicine of John P. Moscony, D.V.M., VET-2021-4-L; Boards Proposed Final Order

Seth J. Corpuz-Lahne with the Regulated Complaints Office, Ray Epstein, Attorney for John Moscony, and Dr. John Moscony were present.

Mr. Epstein spoke on behalf of Dr. Moscony. Mr. Epstein states Dr. Moscony completed the continuing education (CE) and made two attempt to send his CE to DCCA. Dr. Moscony was not made aware that his CE was not received. Dr. Moscony could only know that his CE was not received if he was notified, which he was not. Mr. Epstein stated the mailbox rule could be applied to this situation. The mailbox rule is that once the item has been put in the mail, it is assumed that it was received. Mr. Epstein is asking on behalf of Dr. Moscony to apply such rule to this case.

Dr. Moscony introduced himself and provided a brief summary of his background. Dr. Moscony began to reiterate his testimony regarding his attempts to submit his continuing education.

Petitioner, Mr. Corpuz objected to taking additional testimony. Mr. Corpuz stated the findings of fact have been established. Mr. Corpuz stated RICO is going to stand on their filing. Mr. Corpuz stated the request for exception by Dr. Moscony was not timely, however if the Board were to accept the exception request, RICO would not object. Mr. Corpuz stated if the mailbox rule was to be applied, there is no record of when Dr. Moscony replied to the audit letter. The presumption, since it was not received, would be that Dr. Moscony's response to the audit letter was untimely. The petitioner supports the Board's ruling.

Mr. Epstein provided a rebuttal stating the mailbox rule states if the document was put into the mail it suffices. The only way to provide proof that it was put in the mail is if a photo was taken. Mr. Epstein is asking the Board to consider the mailbox rule and remove the letter of reprimand.

- A. In the Matter of the License to Practice Veterinary Medicine of John P. Moscony, D.V.M.; VET-2021-4-L; Board's Proposed Final Order.

The Board agreed to adopt the aforementioned Board's Proposed Final Order as its Board Final Order.

- B. In the Matter of the License to Practice Veterinary Medicine of Mary E. Hudson, D.V.M.; VET-2023-14-L; Settlement Agreement Prior to the Filing of Petition for Disciplinary Action and Board's Final Order.

The Board approved the aforementioned Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order.

- C. In the Matter of the License to Practice Veterinary Medicine of Maya M. Bewig, D.V.M.; VET-2023-11-L; Settlement Agreement Prior to the Filing of Petition for Disciplinary Action and Board's Final Order.

The Board approved the aforementioned Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order.

Applications:

Chair Chock asked if any members of the public would like to provide oral testimony on this agenda item. There were none.

At 11:00 a.m., it was moved by Dr. Nishimoto, seconded by Vice Chair Wood, and unanimously carried to move into Executive Session to consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities

in accordance with Hawaii Revised Statute (“HRS”) section 92-5(a)(4).

EXECUTIVE SESSION

At 11:25 a.m. the Board returned to public session.

A. Ratification of Issued Licenses

- i. Bandelin, Elisa
- ii. Sessums, Kara
- iii. Kang, Gene
- iv. Kubo, Kristen
- v. Seo, Alessandra
- vi. Washburn, Kevin
- vii. Kelman Scott
- viii. Becker, Nicole
- ix. Jackson, Jessica
- x. Thornburgh, Richard
- xi. Lin, Amy
- xii. Bowdidge, Juliet
- xiii. Macapagal, Syndey
- xiv. Inge, Kei
- xv. Ferreira, Katherine
- xvi. Morgan, Conor
- xvii. Petri, Gloria
- xviii. Sullivan, Hillary
- xix. Ientile, Michelle
- xx. Kao, Sharon
- xxi. Patterson, Timothy

B. Ratification of Restoration Application

- i. Labrecque, Lisa

C. Ratification of Temporary Military Spouse License

- i. Granzow, Elinor

It was moved by Ms. Wada, seconded by Vice Chair Wood, and unanimously carried to approve the ratification list, the approval of the restoration application, and the approval of a Temporary Military Spouse License.

Examinations:

Chair Chock asked if any members of the public would like to provide oral testimony on this agenda item. There were none.

Executive Officer Shahan provided the following exam results:

A. Results of the State Veterinary Licensing Examination Administered in September 2023

Candidates Eligible:	7
Exams Administered:	5
Successful:	2
Failed:	3
No Shows:	1

Results of the State Veterinary Licensing Examination Administered in November 2023

Candidates Eligible:	9
Exams Administered:	9
Successful:	8
Failed:	1
No Shows:	0

New Business:

A. RICO Advisory Committee Members

Chair Chock asked if any members of the public would like to provide oral testimony on this agenda item. There were none.

It was moved by Vice Chair Wood, seconded by Dr. Nishimoto, and unanimously carried to approve the RICO Advisory Committee Members recommendation and any interim appointees as needed.

B. International Council for Veterinary Assessment 2023 Annual Report for Licensing Boards – Information Only

Executive Officer Shahan stated the handout is information only.

C. 2024 Meeting Schedule – Tentative

Executive Officer Shahan shared the tentative 2024 meeting schedule. She noted that the meeting date has been moved to Wednesday. Additional meetings can be scheduled if the need arises.

D. Legislative Liaison

It was moved by Ms. Wada, seconded by Dr. Nishimoto, and unanimously carried to approve Craig Nishimoto as legislative liaison.

Next Meeting:

Wednesday, March 13, 2024

10:00 a.m.

Videoconference Meeting Zoom Webinar – (TBD)

In-Person

Queen Liliuokalani Conference Room Meeting

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Location: King Kalakaua Building
335 Merchant Street, 1st Floor Honolulu, Hawaii 96813

Adjournment: There being no further business to discuss at this time, the meeting was adjourned at 12:00 p.m.

Reviewed and approved by:

Taken and recorded by:

/s/ Kerrie Shahan

/s/ Kawehi Mau

Kerrie Shahan
Executive Officer

Kawehi Mau
Secretary

KS:km

12/22/2023

[X] Minutes approved as is.

[] Minutes approved with changes. See minutes of