

TITLE 26  
PROCEDURAL RULES  
WEST VIRGINIA BOARD OF  
VETERINARY MEDICINE  
SERIES 2  
DISCIPLINARY AND COMPLAINT PROCEDURES OF THE WEST VIRGINIA  
BOARD OF VETERINARY MEDICINE  
PUBLIC COMMENTS  
NOVEMBER 30, 2022

Dr. Amy Urbanek – I highly recommend keeping the statement “accompanied by a notarized statement from the complainant” in the wording. I have a feeling you would get many more frivolous complaints from clients by removing this wording/requirement. Clients need to own up to their complaints and not just be able to let a friend or family member submit a complaint on their behalf (this is what everyone already does when they run to social media and leave bad reviews and this is what has also sparked the NOMV movement!). Since the start of Covid I feel as though clients complain about anything and everything from the longer wait times and the curbside service, and this is just letting them complain easier on our behalf.

**Board Response: Pursuant to the WV Legislative Auditor’s Post Audit Subcommittee Review dated June 12, 2022, the Legislative Auditor recommends that Chapter 30 Boards consider facilitating online complaints. Therefore, the WV Board of Veterinary Medicine is removing the notary option.**

Dr. Tracy Walker – My biggest concern is the omission of requiring the notary for submission of a complaint. This should remain required and omitting this requirement will allow every single person with a minor grievance to now submit a complaint with the click of a button. As a result, the Board would be inundated with complaints ultimately diluting time dedicated to valid and important complaints. At the very least, a complainant’s identity should be confirmed before a complaint is accepted by the Board.

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Dr. George Seiler – I disagree with the proposed rule change that eliminates that a formal complaint to the Board needs to be notarized.

I support keeping the requirement that a formal complaint needs to be notarized before it is accepted by the WV Board of Veterinary Medicine. This requirement lessens the number of frivolous complaints submitted to the Board.

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Dr. Jane Laura Doyle – The only change that I see is removing the requirement that a complaint be notarized, is that right? That will make no difference to the licensee. However, it seems that notarizing the complaint the complainant from being impersonated.

There is legalese that non-attorneys don’t understand. Specifically “duces tecum.”

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Dr. Susan Harper – The proposed changes remove the requirement for statements to be notarized prior to submission to the Board. This change significantly lowers the bar for complaints to be registered and may result in frivolous and/or unfounded allegations to be filed in response to a billing dispute, undesirable clinical outcome, or any other disagreement that is unrelated to the quality of services provided. The requirement to have a statement notarized adds legitimacy to the process and seems fair and reasonable, considering the effort and cost to properly investigate and review each complaint.

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Dr. Jenna Jones – I am writing to express my concern with one of the proposed changes being made. Currently, if someone filed a complaint, they have to have it notarized and the change is for that to be not needed in the future. I feel this is a slippery slope for complaints that are unfounded. I hope that the Board will reconsider and keep this rule in place. My coworker is actually currently dealing with this issue. She is being pursued by the Board about an anonymous complaint that was emailed to them. That is all they have to go on. She was not shown where they had anything notarized and this is likely a vengeful ex-husband so if the rules are changed, he could anonymously accuse her of

something each month and continue to wreak havoc on her life. I have no understanding for the rule change and feel it is not in the veterinarians' best interest. Thank you for your time.

**Board Response:**

Dr. Roxanne Evans – I would like to express my concern over the changes to the 26-2-1 rule. I feel it is a necessary step to require a notarization of an official complaint. Clients are often frustrated for reasons outside the control or fault of the veterinarian. This step of requiring notarization ensures that we avoid a lot of ungrounded complaints.

It is critical that the public has the ability to file complaints, but in today's social atmosphere I am afraid a lot of people will throw out complaints without much thought or care. Using them as a means to "get back" at a veterinarian who did nothing outside the standard of care or the Board rules. Much of our work revolves around high emotion situations (euthanasia, sick long-term companions, high dollar production animals, etc.) Legitimate complaints are a necessary part of keeping our profession in check, but the step of requiring a notary works as a sieve which helps sort the genuine complaints from those of passion.

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Dr. Robert Stenger – I would like to express my concern over the changes to the 26-2-1 rule. I feel it is a necessary step to require notarization of an official complaint. Clients are often frustrated for reasons outside the control or fault of the veterinarian. This step of requiring notarization ensures that we avoid a lot of ungrounded complaints.

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Dr. Aja Holmes – I am not sure what the formal wording should be but I do not agree with the changes to 26-2-5. I think the complainant should need a notarized letter to accompany their complaint.

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Dr. MJ Wixsom – I know I live and primarily practice in Kentucky (I hold a WV license and practice at the ER there), but I think it is a HUGE mistake to remove the notarized complaint from the complainant. A notary is easy to find if a complaint is actually necessary.

Removing it means anyone can go online and in a brief rage submit a complaint that submits the veterinarian to a potential multiple year stressful process. Veterinary medicine is losing doctors and staff at an alarming rate and client unrealistic expectations and complaints are a significant part of this.

Lawyers and medical doctors require lawyers to file complaints. Even real estate agents require a notary (in Kentucky at least). This easy step requires that people stop and think and will prevent many frivolous complaints against veterinarians.

I wish Kentucky would implement what you already have. I am happy to speak about my experience as a KBVE investigator.

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Dr. Nikki Piper – I would really love to see a notarized statement remain as a requirement for Board complaints. Notarized statements are required when lodging complaints against other licenses such as real estate licenses. I believe this would decrease the amount of frivolous and petty complaints that would require the Board’s time investigating as well as undue stress against veterinarians. Please take this into consideration as you go forward with changing the verbiage and requirements. Thank you so much.

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Dr. Gretchen West – The provision to require a notary to file a Board complaint should be kept in place.

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