

3-16-22

Background:

My name is Dr. Katherine Miller, I am a small animal veterinarian in Moscow. I was denied due process in a case with the BOVM.

Here is part of my story.

I Graduated from Washington State University in 2002

We Purchased our clinic in the fall of 2002 which became the Palouse Animal Wellness and Surgery Center.

We are accredited by the American Animal Hospital Association. We are one of only 15 clinics in Idaho and part of the 12% nationally to achieve and maintain this accreditation.

In March 2016, we had a feral cat surrendered to our clinic. We restored her health and part of this responsible plan is to ensure she was spayed. We had a high performing employee working as a Veterinary Technician (unlicensed) who had completed several anesthesia courses. She was accepted and enrolled into Vet School at WSU scheduled to start that August. She wanted to perform the spay.

We had hosted several WSU vet students for their externships and were familiar with what they were allowed to do, including routine spays and neuters. I still took the time to seek out the Idaho Board of Veterinary Medicine statutes in this matter. The statute states a student, under the supervision of a licensed veterinarian, can perform a routine surgery. I called and spoke with the WSU Vet School deans office to ask if being *accepted* to vet school made someone a "student." They said yes. I also contacted the registrar's office and they confirmed the student was enrolled and that enrollment was equal to *student* status.

The spay was scheduled after hours. My licensed technician monitored anesthesia for us. All went well with the surgery. Turns out the cat was already spayed though no tattoo or notched ears as is the current standard of care. So this became a "sneak and peak" procedure. The patient recovered normally.

Unbeknownst to us, one of our tech assistants, who was mopping floors, was disgruntled and reported this surgery to BOVM as "unnecessary".

Approximately 2 months later I was contacted in writing by the BOVM and I was asked to submit my medical records. The actual problem or accusation was not shared with me. I immediately sent a copy of the patient's medical records.

I was then notified in August that I was "guilty" without even any investigative process or a chance for a hearing. I was given a stipulation to sign accepting a guilty judgement, probation and fine. I tried again to find out what the actual judgement content was.

I was told by Attorney General's office to sign the stipulation without a hearing or it "will cost you more."

This complaint created a nine month ordeal...the issue wasn't if the surgery was *necessary*; the focus we later learned after much ado, and, as decided solely by the BOVM executive director, was the *status* of the student.

The situation was never investigated by or for the BOVM.

Finally, after hiring a private attorney, an in person hearing in October was scheduled. I traveled to Boise for this meeting. Turns out it wasn't a chance to discuss, only monologue by the executive director Jodie Ellis and an attorney from the Attorney General's office. The executive director continued on her mission. Again, no investigation was done.

Finally, out of desperation and a need to stop draining our bank account, my husband and I opted to "settle" in December, with a \$2,000 fine, one year license probation, and a mandatory 15 credit Ethics course.

It should be mandatory for all issues brought to the board be adequately investigated..and the powers of an executive director be monitored and controlled. The Executive director cannot be allowed to be judge, jury and executioner.

I would be happy to stand for questions.