



The Ohio Veterinary Medical Licensing Board

77 South High Street, 16th Floor, Columbus, Ohio 43215-6108



MEETING MINUTES June 9, 2010

- **Call to Order:**

Dr. James Hearst, President of the Ohio Veterinary Medical Licensing Board called the June 9, 2010 meeting to order at 8:35 a.m. in the Board room located at 77 South High Street, 31st Floor, Columbus, Ohio.

- **Acknowledge Staff, AAG & Guests:**

Dr. Hearst acknowledged the attendance of Theresa Stir, Executive Director, Angela Mann, Licensure Coordinator taking minutes for the Board and Barry McKew, Assistant Attorney General.

- **Roll Call:**

Renee Jessen, RVT	absent
Dr. Paul Stull, DVM	present
Dr. Roger Redman, DVM	present
Dr. Timothy Kolb, DVM	absent (arrived at 8:39 a.m.)
Dr. Lisa Mach, DVM	present
Dr. James Hearst, DVM	present

- **May 2010 Minutes Approved:**

Dr. Mach moved to approve the May board meeting minutes as written. Dr. Redman seconded the motion. The motion passed by the following roll call vote: Dr. Stull-aye, Dr. Redman-aye, Dr. Mach-aye, Dr. Hearst-aye.

- **President's Report:**

Dr. Hearst shared a letter that was received from Christen M. Daniel, DVM, recipient of the Veterinary Student Loan Repayment program for May 2010. She expressed her appreciation and gratitude for the reimbursement that was awarded.

- **Secretary's Report:**

There was no report from the Secretary.

- **OVMA Liaison:**

There was no report from the OVMA liaison.

- **OAVT Liaison:**

There was no report from the OAVT liaison.

- **Executive Director Report:**

Pharmacy Question – Ms. Stir provided the Board with the email response from Bill Winsley, Executive Director of the Ohio State Board of Pharmacy regarding prescriptions. Mr. Winsley stated that veterinarians are not obligated to provide a prescription to a client.

[Dr. Kolb arrived at 8:39 a.m.]

Fiscal – Ms. Stir provided an update to the Board about the budget for FY 2011 and FY 2012-13. She explained that it is anticipated that the 4K90 fund (licensing board funds) will be swept of \$30 million into the General Revenue Fund by July 1st. However, because the e-licensing system, which is the system that all the regulatory boards use for licensing and renewal, is so antiquated, the Department of Administrative Services IT (DAS IT) is making a proposal to OBM/Governor for some of the funds to be retained in the 4K9 Fund to assist with procuring a new system or upgrading the current system. DAS IT is currently performing an audit of each of the regulatory boards to see what their needs are with the licensing system and will then prepare a proposal.

Monitoring Update – Ms. Stir provided the Board with an update of all disciplinary cases currently being monitored. The Board currently has one veterinarian serving an 18 month suspension ending in August 2011, one veterinarian serving the remainder of a 3 month suspension, one veterinarian serving a 3 year probation ending April 9, 2011, one veterinarian serving a 5 year probation ending in 2012, one RVT serving a probationary period until October 2010, one RVT who will serve a 3 year probation when he/she attempts to renew, one compliance inspection pending and two participants in the OPHP program with satisfactory status reports. One veterinarian who was required to submit quarterly medical records and attend an ORIF educational course has passed away. The Board members also reviewed a letter submitted by Dr. Kwasnik.

Student Loan Repayment Program – Per the request of the Board, the Board received a letter from Dr. Bob Baugher in support of the request for the loan repayment program from Dr. Logan Strohm, DVM. Dr. Redman moved to grant Dr. Strohm \$10,000.00. Dr. Mach seconded the motion. The motion passed by the following roll call vote: Dr. Stull-aye, Dr. Kolb-aye, Dr. Redman-aye, Dr. Mach-aye.

The Board received a request from Dr. Brennan, a 2008 recipient of the Student Loan Repayment Program, to have his tax liability compensated by the Board for his 2008 return. In 2009, after paying 2 other recipient's 2008 tax liability in the amount of \$5,393.00, the Board determined that they would no longer be able to pay the tax liability until the amount of the loan fund is larger. Dr. Brennan received \$20,000 and is completing his two year service in July. The current fund balance is \$56,512.00. The Board made one award of \$20,000 at the May meeting and an award of \$10,000 at this meeting. Dr. Brennan is requesting compensation of \$4,782.00. The Board discussed Dr. Brennan's request. Dr. Kolb moved to refund Dr. Brennan half of the tax liability for a total of \$2,371.00, stating that the Board is unable to give a full refund due to it being a different fiscal year and the current budget restraints. Dr. Redman seconded the motion. The motion passed by the following roll call vote: Dr. Stull-aye, Dr. Kolb-aye, Dr. Redman-aye, Dr. Mach-aye.

RVT Question – Ms. Stir received a call from Jack Advent inquiring as to whether an RVT can administer euthanasia drugs under indirect supervision of a veterinarian. Mr. Advent received an inquiry from someone wanting to open a “hospice” program and the RVT works with a veterinarian. However, does the veterinarian need to be onsite for the euthanasia administration? The Board directed Ms. Stir to table this discussion and request more information.

Speaking Engagements: The Board has received two requests for presentations. The October 10, 2010 presentation is for the OAVT at their annual seminar. Dr. Kolb expressed an interest in speaking at the OAVT conference along with Renee Jessen, RVT. Dr. Redman and Dr. Mach expressed an interest in presenting with Renee for the RVT tract at the OVMA February 25, 2011 Mid-West conference.

- **FYI:**

The Board acknowledged the following without comment:

- A. Memo from the AAVSB regarding Proposed Bylaws Changes.
- B. Letter from the Ohio Department of Agriculture seeking a Chief Meat Inspector.

- **Requests for Licensure:**

- A. Veterinarians (addendum 1) – Dr. Redman moved to approve the following requests for veterinarian licenses:

Amy M. Hayward, DVM; Felicia Y. Leung, DVM; Philip J. Bergman, DVM; John W. Lounsbury, DVM; Timothy D. Phillips, DVM; Robert M. Dudley, Jr., DVM; Maria A. Santabene, DVM; Lindsey L. Roth, DVM; Nicole D. Siegel, DVM; Brent M. Laskia, DVM; Marigold E. Bethany, DVM; Emily K. Stuebing, DVM; Rahul K. Gundelly, DVM; Paula C. Knoblauch, DVM.

Dr. Mach seconded the motion. The motion passed by the following roll call vote: Dr. Stull-aye, Dr. Kolb-aye, Dr. Redman-aye, Dr. Mach-aye.

- B. Registered Veterinary Technicians (addendum 2) – Dr. Redman moved to approve the following requests for registered veterinary technician licenses:

Laura K. Kiesel, RVT; Diane M. Archacki, RVT; Shannon Henry Hoch, RVT; Jessica M. Colpaert, RVT; Melissa A. Smith, RVT; Erin C. Burkhart, RVT; Erin B. McDonald, RVT; Julie A. Shunk, RVT; Kathleen A. Meredith, RVT; Jessica A. Dalin, RVT; Kristin N. Wittlieff, RVT; Kristen M. Dutczak, RVT; Randy W. Pence, RVT; Nicholas B. Clark, RVT; Jeremy M. Durham, RVT; Lori L. Mattox, RVT; April L. Schmidt, RVT; Gregory C. Toth, RVT; Cameron R. Phillips, RVT; Andrea M. Dedmon, RVT; Abbey V. Frye, RVT; Ashley E. Cerkan, RVT; Denise D. Casey, RVT; Tana L. Bryant, RVT; Jennifer E. Webb, RVT; Whitney L. O'Daffer, RVT; Jack D. Watkins, RVT; Sarah B. Mitchell, RVT.

Dr. Mach seconded the motion. The motion passed by the following roll call vote: Dr. Stull-aye, Dr. Kolb-aye, Dr. Redman-aye, Dr. Mach-aye.

- C. Limited Licenses (addendum 3) - Dr. Redman moved to approve the following requests for limited licenses:

Christopher J. Snyder, DVM; Pamela R. Fry, DVM limited resident.

Dr. Mach seconded the motion. The motion passed by the following roll call vote: Dr. Stull-aye, Dr. Kolb-aye, Dr. Redman-aye, Dr. Mach-aye.

- D. Specialty Certificates (addendum 4) – Dr. Redman moved to approve the following requests for specialty certificates:

Philip J. Bergman, DVM, Specialty of Oncology; John R. Warren, DVM, Specialty of Ophthalmologists

Dr. Mach seconded the motion. The motion passed by the following roll call vote: Dr. Stull-aye, Dr. Kolb-aye, Dr. Redman-aye, Dr. Mach-aye.

• **Renewals – Veterinarians:**

The Board reviewed a request from Mohamed Abed, DVM, asking the Board to waive the late fees for renewal of his license. He states in his correspondence that he submitted his application before the March 1st deadline. Ms. Mann explained to the Board that she had to return Dr. Abed's application because he failed to complete side 2. The completed application was resubmitted after the deadline. Ms. Mann further explained that side 2 of the application states "*Your license is not considered renewed until your application has been received and approved by the Board. An application may be returned to the applicant if it is incomplete or illegible. An application may be considered incomplete if all sections are not filled out completely, the renewal fee is incorrect, the CE form is not properly completed, etc. Should your application be returned to you, you will be responsible for any fees due based on the postmarked date on the return of your completed application*". By general consensus, the Board denied Dr. Abed's request and stated that he must pay the late fee to renew his license.

- **Consideration of:**

- A. A.W. Burger, DVM – The Board acknowledged the Hearing Scheduled.
- B. 09-10-122, James Vance, DVM - The Board acknowledged the Notice of Opportunity for a Hearing.
- C. 10-10-027, Sabra Lucas, DVM - The Board acknowledged the Notice of Opportunity for a Hearing.
- D. Herbert Topp, DVM – Dr. Mach moved to find the medical records received to be minimally adequate, but acknowledged improved documentation. Dr. Redman seconded the motion. The motion passed by the following roll call vote: Dr. Stull-aye, Dr. Kolb-aye, Dr. Redman-aye, Dr. Mach-aye.

Dr. Mach moved to go into Executive Session at 9:14 a.m. to discuss pending litigation and Investigative Reports. Dr. Redman seconded the motion. The motion passed by the following roll call vote: Dr. Stull-aye, Dr. Kolb-aye, Dr. Redman-aye, Dr. Mach-aye.

Dr. Hearst announced the Board meeting back in public session at 9:46 a.m.

- **Investigative Reports:**

- A. 10-10-008, complainant Lloyd & Debra Cohen – [Dr. Hearst left the room prior to discussing this case] Dr. Redman moved to send an advisory letter to Dr. A stating less than adequate medical records. Dr. Mach seconded the motion. The motion passed by the following roll call vote: Dr. Stull-aye, Dr. Kolb-aye, Dr. Redman-aye, Dr. Mach-aye.

- **New Complaints (no responses yet requested):**

- A. 10-10-038, complainant Mikala Freeman – Dr. Redman moved to table the case and directed Ms. Stir to request more detailed information from the complainant. Dr. Mach seconded the motion. The motion passed by the following roll call vote: Dr. Stull-aye, Dr. Kolb-aye, Dr. Redman-aye, Dr. Mach-aye.
- B. 10-10-040, complainant Anonymous – Dr. Mach moved to send a Cease and Desist letter. Dr. Redman seconded the motion. The motion passed by the following roll call vote: Dr. Stull-aye, Dr. Kolb-aye, Dr. Redman-aye, Dr. Mach-aye.
- C. 10-10-042, complainant R. Michael Newman – [Dr. Stull left the room prior to discussing this case] Dr. Redman moved to request medical records from the veterinarian. Dr. Mach seconded the motion. The motion passed by the following roll call vote: Dr. Stull-abstain, Dr. Kolb-aye, Dr. Redman-aye, Dr. Mach-aye.
- D. 10-10-043, complainant Anonymous – Dr. Mach moved to send a Cease and Desist letter. Dr. Redman seconded the motion. The motion passed by the following roll call vote: Dr. Stull-aye, Dr. Kolb-aye, Dr. Redman-aye, Dr. Mach-aye.

- E. 10-10-047, complainant Steven Schaefer – Dr. Kolb moved to find no violation of Chapter 4741 ORC. Dr. Mach seconded the motion. The motion passed by the following roll call vote: Dr. Stull-aye, Dr. Kolb-aye, Dr. Redman-aye, Dr. Mach-aye.
- F. 10-10-048, complainant Kathy Lipps – Dr. Mach moved that the Board does not have jurisdiction. Dr. Redman seconded the motion. The motion passed by the following roll call vote: Dr. Stull-aye, Dr. Kolb-aye, Dr. Redman-aye, Dr. Mach-aye.

- **Complaint Responses Received:**

- A. 09-10-121, complainant Diana Cook – Dr. Kolb moved to find no violation of Chapter 4741 ORC. Dr. Mach seconded the motion. The motion passed by the following roll call vote: Dr. Stull-aye, Dr. Kolb-aye, Dr. Redman-aye, Dr. Mach-aye.
- B. 10-10-017, complainant Angelic Vickers – Dr. Mach moved to find no violation of Chapter 4741 ORC, but directed Ms. Stir to refer Ms. Vickers to the OVMA Peer Review Committee. Dr. Kolb seconded the motion. The motion passed by the following roll call vote: Dr. Stull-aye, Dr. Kolb-aye, Dr. Redman-aye, Dr. Mach-aye.
- C. 10-10-036, complainant Teather Reed – Dr. Redman moved to table the case and directed Ms. Stir to request the medical records from Dr. C at Hospital B. Dr. Mach seconded the motion. The motion passed by the following roll call vote: Dr. Stull-aye, Dr. Kolb-aye, Dr. Redman-aye, Dr. Mach-aye.
- D. 10-10-037, complainant Becky Foster – Dr. Redman moved to find no violation of Chapter 4741 ORC. Dr. Kolb seconded the motion. The motion passed by the following roll call vote: Dr. Stull-aye, Dr. Kolb-aye, Dr. Redman-aye, Dr. Mach-aye.
- E. 10-10-039, complainant Branka Zekanovic – Dr. Redman moved to send the case to investigation. Dr. Mach seconded the motion. The motion passed by the following roll call vote: Dr. Stull-aye, Dr. Kolb-aye, Dr. Redman-aye, Dr. Mach-aye.

- **Request for Reconsideration:**

- A. 10-10-030, complainant Roy Hively – Ms. Stir sought advice from the Board members as to what Veterinary Medical Act violations to place in the Cease & Desist letter. The Board members were able to guide Ms. Stir to the appropriate section of the law.

- **Tabled Cases:**

- A. 10-10-012, complainant Anonymous – Dr. Mach moved to send an advisory letter. Dr. Redman seconded the motion. The motion passed by the following roll call vote: Dr. Stull-absent, Dr. Kolb-aye, Dr. Redman-aye, Dr. Mach-aye, Dr. Hearst-aye.

[Break: 11:10 a.m. – 11:26 a.m.]

- **Continuing Education Requests - Veterinarians**

Dr. Mach moved to approve the following continuing education requests for veterinarians as follows:

- A. Butler/Warren Counties Veterinary Medical Association – Round Table Topics in Dermatology: 5/11/10 = 1.5 hours
- B. Ohio Public Health Partnership – Not Approved for the exception of:
 - 1.) MRSA and Animals: Current Situation and Scenarios: 5/11/10 = hour for hour
 - 2.) Antibiotic Use in Industrial Farm Animal Production: 5/12/10 = hour for hour
- C. Ohio Department of Agriculture – Food Vulnerability Assessment Training: 5/12/10 & 5/13/10: 10 hours

Dr. Hearst seconded the motion. The motion passed by the following roll call vote: Dr. Stull-aye, Dr. Kolb-aye, Dr. Redman-aye, Dr. Mach-aye.

- **Continuing Education Requests – RVT’s –**

Dr. Mach moved to approve the following continuing education requests for registered veterinary technicians as follows:

- A. Ethicon Endo-Surgery, Inc. – Thoracic Procedures: 4/28/10 = 1.5 hours

Dr. Hearst seconded the motion. The motion passed by the following roll call vote: Dr. Stull-aye, Dr. Kolb-aye, Dr. Redman-aye, Dr. Mach-aye.

- **Continuing Education Requests – Veterinarians and RVT’s:**

Dr. Mach moved to approve the following continuing education requests for veterinarians and registered veterinary technicians as follows:

- A. Pfizer Animal Health –
 - 1.) Pain Management: Physiologic & Pharmacologic Considerations & Demonstration of Analgesic Techniques & Sedation/Anesthetic Protocols: 5/11/10, 5/12/10, 5/13/10 = hour for hour
 - 2.) Pain Management: Physiologic & Pharmacologic Considerations: 5/12/10 & 5/19/10 = hour for hour
 - 3.) Pain Management: Physiologic & Pharmacologic Considerations; Soft Tissue Surgery Topics & Orthopedic Surgery Topics: 05/18/10, 5/19/10, 5/20/10 = hour for hour
 - 4.) Current Multimodal Pain Management Protocols & Surgical Analysis: 5/19/10 = 2 hours

- B. Proctor & Gamble Pet Care –
 - 1.) Canine Companions for Independence (CCI) Overview: 3/31/10 = 1 hour
 - 2.) Advanced Fundamentals of Nutrition: 5/12/10 = Not Approved
 - 3.) Nutrition for Non-Nutritionists: 5/13/10 = Not Approved
- C. Lima Area Academy of Small Animal Medicine – What can you do for your cancer patient and his/her family?: 5/11/10 = Not Approved
- D. Lima Area Medical Education Development – 10th Annual Cardiovascular Symposium: 4/15/10 = 6 hours
- E. CVC CE Where & When You Want It, Kansas City – 2010 CVC Convention: Hour for Hour
- F. Hill’s Pet Nutrition, Inc. – Diagnosis & Management of Canine & Feline Hepatic Disorders, Balancing Diet, Medications & Supplements: 5/19/10 = 1.5 hours
- G. Metropolitan Veterinary Hospital – Introduction to Interpretation of the Electrocardiogram: 5/27/10 = 1 hour
- H. The VanBakeren Foundation – Celebrating One Health: 6/15/10 = 2 hours
- I. Ohio Department of Agriculture – 2010 Fair Veterinarian Training: 6/1/10, 6/2/10, 6/3/10, 6/7/10 = 2 hours

Dr. Hearst seconded the motion. The motion passed by the following roll call vote: Dr. Stull-aye, Dr. Kolb-aye, Dr. Redman-aye, Dr. Mach-aye.

• **Correspondence Received:**

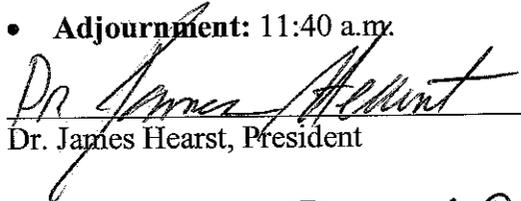
- A. The Board reviewed correspondence received from Ms. Dee Cheslock regarding file # 10-10-019. No response required.
- B. The Board reviewed correspondence received from Paul Clemens, DVM regarding a low cost spay/neuter clinic. The Board directed Ms. Stir to respond to Dr. Clemens by commending him and instruct him to comply with the Veterinary Practice Act.
- C. The Board reviewed correspondence received from Melanie Bender, DVM regarding the Veterinary Practice Act and the use of a layperson utilizing “laser therapy” for rehabilitation purposes. The Board directed Ms. Stir to send a letter to the person using laser therapy that they may be violating the law and providing the sections of the law.

D. The Board reviewed correspondence received from Miguel Diaz, DVM for an appeal regarding application for eligibility for a license as a veterinarian in the State of Ohio despite not having passed the NAVLE. The Board directed Ms. Stir to provide a written response to Dr. Diaz explaining that they are bound by law, Chapter 4741 ORC and unable to grant a license to practice veterinary medicine to an individual who has not achieved a score of at least seventy-five on the NAVLE.

- **Old Business:** NONE
- **New Business:** NONE
- **Next Board Meeting:**

Dr. Hearst acknowledged that the next Board meeting is scheduled for July 14, 2010, 8:30 a.m. in the Board room located at 77 South High Street, 31st Floor, Columbus, Ohio.

- **Adjournment:** 11:40 a.m.



Dr. James Hearst, President

7/14/10
Date

Attested to by:



Theresa Stir, Esq.
Executive Director

