

MEETING MINUTES

December 08, 2010

- **Call to Order:**

Dr. James Hearst, President of the Ohio Veterinary Medical Licensing Board called the December 08, 2010 meeting to order at 8:30 a.m. in the Board room located at 77 South High Street, 31st Floor, Columbus, Ohio.

- **Roll Call:**

Renee Jessen, RVT	present
Dr. Paul Stull, DVM	present
Dr. Lisa Mach, DVM	present
Dr. James Hearst, DVM	present
Dr. Timothy Kolb, DVM	present
Dr. Roger Redman, DVM	absent

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

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

- **November 2010 Minutes Approved:**

Mr. McKew asked the Board to table approving the minutes until after his discussion. The Board agreed to defer approval of the November Board meeting minutes until after the AAG discussion.

- **President's Report:** None

- **Secretary's Report:** None

- **OVMA Liaison:** None

- **OAVT Liaison:** None

- **Executive Director Report:**

Directives – The November directives have been completed as directed by the Board.

Budget Update – The Board was notified by DAS that there is a significant increase in the internet costs to the Board.

Audit – The in-office review appears completed, but the Auditors are in the middle of another project and will not be getting back to the Board’s audit until possibly January, 2011.

Licensing – The RVTs will begin the renewal process beginning January 1, 2011.

- **FYI:** None

- **Requests for Licensure:**

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

Alison L. Thacker, DVM; Carolina L. Joos, DVM; Tim Walters, DVM; Tracy L. Richardson, DVM; John L. Hobbs, DVM.

Dr. Kolb seconded the motion. The motion passed by the following roll call vote: Ms. Jessen – aye, Dr. Stull – aye, Dr. Kolb – aye, Dr. Mach – aye.

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

Emily E. Schmidt, RVT; Jennifer D. Stafford, RVT.

Dr. Kolb seconded the motion. The motion passed by the following roll call vote: Ms. Jessen – aye, Dr. Stull – aye, Dr. Kolb – aye, Dr. Mach – aye.

- C. Veterinary Specialist Certificates (addendum 3) - Ms. Jessen moved to approve the following requests for registered veterinary technician licenses:

Dianna E. Saam, DVM; Adam T. Watson, DVM.

Dr. Kolb seconded the motion. The motion passed by the following roll call vote: Ms. Jessen – aye, Dr. Stull – aye, Dr. Kolb – aye, Dr. Mach – aye.

- **Renewals – Veterinarians:**

- A. Lani Herrli, DVM – CE waver request.

Dr. Mach moved to table until more information is received. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Ms. Jessen – aye, Dr. Stull – aye, Dr. Kolb – aye, Dr. Mach – aye.

- **Consideration Of:**

The Board acknowledged the following Notices of Opportunity for a Hearing:

A. 10-11-104, Christa Nealeigh, DVM

- **Assistant Attorney General Report**

Dr. Mach moved to go into Executive Session at 8:41 a.m. to discuss pending legal matters. Ms. Jessen seconded the motion The motion passed by the following roll call vote: Ms. Jessen – aye, Dr. Stull – aye, Dr. Kolb – aye, Dr. Mach – aye.

Dr. Hearst announced the Board meeting back in public session at 9:25 a.m.

November Minutes: Dr. Mach moved to approve the November board meeting minutes as revised. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Ms. Jessen – aye, Dr. Stull – aye, Dr. Kolb – aye, Dr. Mach – aye.

Request of the Board: The Board was requested by Mr. Ray Miskelley to reconsider their decision of November 10, 2010 concerning his correspondence of October 29, 2010. Upon further review, the Board grants Mr. Miskelley’s request that the last sentence of subsection G of the Correspondence Received Section of their May 13, 2009 minutes be removed in that it does not document the organization, functions, policies, procedures, and essential transactions of the agency as stated under R.C. 149.40. Motion made by Ms. Jessen and seconded by Dr. Kolb. The motion passed by the following roll call vote: Ms. Jessen – aye, Dr. Stull – aye, Dr. Kolb – aye, Dr. Mach – aye.

- **Investigative Reports:**

Ms. Jessen moved to go into Executive Session at 9:33 to discuss the investigative report. Dr. Kolb seconded the motion. The motion passed by the following roll call vote: Ms. Jessen – aye, Dr. Stull – aye, Dr. Kolb – aye, Dr. Mach – aye.

Dr. Hearst announced the Board meeting back in public session at 9:40 a.m.

10-11-081 – complainant Fort Shawnee Police – Dr. Mach moved to find no violation of Chapter 4741 ORC. Dr. Kolb seconded the motion. The motion passed by the following roll call vote: Ms. Jessen – aye, Dr. Stull – aye, Dr. Kolb – aye, Dr. Mach – aye.

- **New Complaints:**

A. 10-11-115 complainant Jain Savage - Ms. Jessen moved to find no violation of Chapter 4741 ORC. Dr. Mach seconded the motion. The motion passed by the following roll call vote: Ms. Jessen – aye, Dr. Stull – aye, Dr. Kolb – aye, Dr. Mach – aye.

- B. 10-11-116, complainant Nick Lloyd – Dr. Mach moved to find no violation of Chapter 4741 ORC. Dr. Kolb seconded the motion. The motion passed by the following roll call vote: Ms. Jessen – aye, Dr. Stull – aye, Dr. Kolb – aye, Dr. Mach – aye.
- C. 10-11-118 complainant Jenny Madewell- Dr. Mach moved to find no violation of Chapter 4741 ORC. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Ms. Jessen – aye, Dr. Stull – aye, Dr. Kolb – aye, Dr. Mach – aye.
- D. 10-11-120, complainant Larry King – Ms. Jessen moved to find no violation of Chapter 4741 ORC. Dr. Kolb seconded the motion. The motion passed by the following roll call vote: Ms. Jessen – aye, Dr. Stull – aye, Dr. Kolb – aye, Dr. Mach – aye.
- E. 10-11-122, complainant anonymous – Dr. Mach moved to send the case to investigation. Dr. Kolb seconded the motion. The motion passed by the following roll call vote: Ms. Jessen – aye, Dr. Stull – aye, Dr. Kolb – aye, Dr. Mach – aye.

Due to the same veterinarian being noncompliant with a subpoena ducus tecum for records in Case #10-11-108, the Board authorized having the investigator obtain the medical records while at the veterinary facility in compliance with the appropriate statutory authorization requirements.

- **Complaint Responses Received:**

- A. 10-11-102, complainant John Costanzo – After reviewing the x-rays, Dr. Mach moved to find no violation of Chapter 4741 ORC. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Ms. Jessen – aye, Dr. Stull – aye, Dr. Kolb – aye, Dr. Mach – aye. Dr. Mach then moved to have an Advisory Letter sent. Dr. Kolb seconded the motion. The motion passed by the following roll call vote: Ms. Jessen – aye, Dr. Stull – aye, Dr. Kolb – aye, Dr. Mach – aye.
- B. 10-11-107, complainant Ricka Thomas – Dr. Mach moved to find no violation of Chapter 4741 ORC. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Ms. Jessen – aye, Dr. Stull – aye, Dr. Kolb – aye, Dr. Mach – aye.
- C. 10-11-110, complainant Nicholas Meinert – Dr. Mach moved to find no violation of Chapter 4741 ORC. Dr. Kolb seconded the motion. The motion passed by the following roll call vote: Ms. Jessen – aye, Dr. Stull – aye, Dr. Kolb – aye, Dr. Mach – aye.
- D. 10-11-119, complainant Sandra Warner – After reviewing the x-rays, Dr. Mach moved to find no violation of Chapter 4741 ORC. Dr. Kolb seconded the motion. The motion passed by the following roll call vote: Ms. Jessen – aye, Dr. Stull – aye, Dr. Kolb – aye, Dr. Mach – aye.

- **Compliance Inspections:**

- A. 10-10-005, complainant Dezarae Smith – Dr. Kolb moved to accept the documentation of the inspected facility with a follow up compliance inspection in 6 months. Dr. Mach

seconded the motion. The motion passed by the following roll call vote: Ms. Jessen – aye, Dr. Stull – aye, Dr. Kolb – aye, Dr. Mach – aye.

- B. 10-11-088, complainant anonymous – Dr. Mach moved to accept the documentation of the compliance inspection. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Ms. Jessen – aye, Dr. Stull – aye, Dr. Kolb – aye, Dr. Mach – aye.

- **Tabled Cases:** None

20. Continuing Education Approval Requests – Veterinarians:

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

- A. Akron General Medical Center – Sleep in the Wake of Traumas 10/28/2010 = Non-Scientific
- B. Butler/Warren Counties Veterinary Medical Association – A Review of Intervertebral Disc Disease 11/09/2010 = 2 hours
- C. Nashville Academy of Veterinary Medicine – Profession Perspective to Leptospirosis in Dogs 09/17/2010 = 2 hours
- D. Pfizer / Summit County VMA – Recurrent Bacterial Pyoderma 11/30/2010 = 2 hours
- E. Chi Institute – Basic Acupuncture Program 12/16-20/2010 = 30 hours
- F. Ohio Veterinary Dental Service
 - Dental Radiology Part 1
 - Intensive Dental Training
 - Surgical Extraction Lab

Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Ms. Jessen – aye, Dr. Stull – aye, Dr. Kolb – aye, Dr. Mach – aye.

21. Continuing Education Approval Requests – Registered Veterinary Technicians:

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

- A. Siemens Medical – Renal Artery Duplex Imaging, Deep Vein Thrombosis Imaging 11/11/2010 = 3 hours

Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Ms. Jessen – aye, Dr. Stull – aye, Dr. Kolb – aye, Dr. Mach – aye.

22. Continuing Education Approval Requests – Vets & RVT's:

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

- A. Eastern Ohio Veterinary Medical Association – Behavior and Training Issues Encountered in the Veterinary Practice 11/10/2010 = 1.5 hours
- B. K Laser USA – Training Modules for use of Therapy Laser 10/20/2010 = 3 hours
- C. Metropolitan Veterinary Hospital – Seizures Emergency Management and Treatment 10/28/2010 = 1 hour
- D. Ohio Veterinary Dental Services –
 - 1. Dental Radiology Part 2 4/10/2011 = 4 hours
 - 2. A thorough Teeth Cleaning 1/23/2011 = 6 hours
- E. Ethican Endo Surgery Inc. – How to Organize the Content of a Study Report 11/15/2010 = 3 hours
- F. Central Ohio Veterinary Medical Association –
 - 1. Vaccine technology, Vaccine Protocols 10/26/2010 = 1.5 hours
 - 2. Parasites 11/16/2010 = 1.5 hours
- G. Butler Schein Animal Health –
 - 1. OSHA hazard communication regulations = 1.5 hours
 - 2. Controlled Substances and easy guide to compliance = 1.5 hours
- H. Purina Care Pet Health Insurance – Creating affordability for veterinary Services with pet health insurance 5/13/2011 = Non-Scientific
- I. PNC Bank – Buy in’s Buy Out’s Expansions 5/12/2011 = Non-Scientific
- J. Companion Therapy Laser – New Clinical Application of Therapeutic Laser 5/12/2011 = 1 hour
- K. Nestle Purina Pet Care – Mediators in the synovial fluid as a result of diet alone 5/13/2011 = 1hour
- L. Securos – What’s new in bone plating? 5/14/2010 = 1 hour
- M. Sound – Eklin –
 - 1. Top 10 list for utilizing ultrasound 5/12/2011 = 1 hour
 - 2. Sonographic things that make you go “hmmmm” 5/12/2011 = 1 hour
- N. Kalmbach Feeds –
 - 1. Using Equine Nutrition to enhance maximum athletic performance 5/15/2011 = 1 hour

2. From conception to the training barn 5/13/2011 = 1 hour

Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Ms. Jessen – aye, Dr. Stull – aye, Dr. Kolb – aye, Dr. Mach – aye.

- **Correspondence Received:**

A. Correspondence from Jennifer Au, regarding allied medical assistance and direct supervision. The Board directed Ms. Stir to reply in the following manner:

Allied medical support is defined in Section 4741.01 ORC as a licensed dentist, physician, chiropractor, or physical therapist who is in good standing as determined by their appropriate sections of the law. Therefore, allied medical support does NOT include a registered veterinary technician or a veterinary medical student. A copy of the Law and Rules should be provided to Dr. Au.

- **Old Business:**

A. 10-11-091, complainant anonymous - Dr. Mach moved to refer the case to the County Prosecutor. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Ms. Jessen – aye, Dr. Stull – aye, Dr. Kolb – aye, Dr. Mach – aye.

- **New Business:**

- **Election of Officers:** Dr. Stull moved to elect Dr. Mach as the President of the Board, Dr. Kolb as Vice-President and Renee Jessen as Secretary of the Board for 2011. Dr. Hearst seconded the motion. The motion passed by the following roll call vote: Ms. Jessen – aye, Dr. Stull – aye, Dr. Kolb – aye, Dr. Mach – aye, Dr. Hearst – aye.

- **Next Board Meeting:**

Dr. Hearst acknowledged that the next Board meeting is scheduled for January 12, 2010, 8:30 a.m. in the Board room located at 77 South High Street, 31st Floor, Columbus, Ohio.

- **Adjournment:** 11:30 a.m.

Dr. Lisa Mach, President

Date

Attested to by:

Theresa Stir, Esq.
Executive Director