

THE OHIO VETERINARY MEDICAL LICENSING BOARD
MEETING MINUTES
February 11, 2009

• **Call to Order:**

Dr. James Hearst, Vice President of the Ohio Veterinary Medical Licensing Board called the February 11, 2009 meeting to order at 8:33 a.m. in the Board room located at 77 South High Street, 31st Floor, Columbus, Ohio.

• **Roll Call:**

Dr. James Hearst, DVM	present
Dr. David Koncal, DVM	present
Dr. Janet Small, DVM	present
Dr. Darrell Gitz, DVM	present
Renee Jessen, RVT	present
Dr. Roger Redman, DVM	absent
Geoffrey Smith, Public Member	absent (arrived at 8:35 a.m.)

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

Dr. Hearst acknowledged the attendance of Theresa Stir, Executive Director, Barry McKew, AAG and Angela Mann, Licensure Coordinator taking minutes for the Board. He also acknowledged Linda Heidenreich, OAVT Liaison, Bethany Kinneer, RVT, Amanda Dunaway, RVT and Dr. Bill DeHoff, DVM.

• **January 2009 Minutes Approved:**

Dr. Gitz moved to accept the meeting minutes as submitted. Dr. Koncal seconded the motion. The motion passed by the following roll call vote: Dr. Koncal, aye, Mr. Smith-aye, Dr. Small-aye, Dr. Gitz-aye, Ms. Jessen-aye.

• **President's Report:**

There was no report from the President.

• **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.

- **Public Participation:**

Bethany Kinneer, RVT, spoke to the Board regarding her desire for Ohio to recognize Veterinary Technician Specialists. She explained that there is extensive education offered from the Critical Care Society in Texas that certifies RVT's as specialists. Ms. Kinneer would like this certification recognized and accepted in Ohio. She further explained that there are specific continuing education courses that the RVT specialists would need to meet. Dr. Hearst explained to Ms. Kinneer that there is nothing in the Ohio Practice Act giving this Board authority to grant her request. He suggested that she contact her Legislator. Dr. Gitz and Dr. Koncal further explained that this Board is not against Ms. Kinneer's idea; they just do not have the authority to change the Practice Act. Dr. Koncal suggested that Ms. Kinneer work with the OVMA. Ms. Stir and Dr. Gitz agreed that Ms. Kinneer should speak with the OAVT as well.

Dr. DeHoff, DVM, addressed the Board regarding the positive outcome that he thinks Veterinary Technician Specialists would have to the veterinary medical field. He stated that further education with certification is better for anyone. They are not asking to change the Practice Act as the Practice Act already permits the RVT to perform the procedures under their specialty. However, he would like authorization for Veterinary Technician Specialists, under the direct supervision of a veterinarian, to be able to tap the chest, press the abdomen and the stomach just the one time in order to meet the requirements for the specialist certification process. Dr. Gitz informed Dr. DeHoff that the RVT could achieve the desired "test" result by performing the procedure on their own animal as permitted in Section 4741.20(A) ORC.

Dr. Bill DeHoff, Bethany Kinneer and Amanda Dunaway thanked the Board for their time and left the meeting at 8:59 a.m.

- **Executive Director Report:**

A. Fiscal – As requested at last month's Board meeting, Ms. Stir provided the Board with the FY 09 budget balances. Ms. Stir provided an update on the proposed budget language for FY 10&11. Ms. Stir provided a handout from OBM regarding the requirement for all the state licensing boards to contract with CSA (which this Board already does) for fiscal and HR services. This arrangement would impact the larger boards to a greater extent as they already have staff who perform those functions. Other expected language in the budget bill will be the raiding of the 4K9 fund of 300 million dollars. While it is anticipated that the Board will be flat funded at the current FY 09 level, there could be some concern in FY 2011 regarding the ability to continue services as they currently are provided. She explained licensure fees may need to be raised and the Board may need to consider going to every other month meetings. Ms. Stir will provide testimony on the budget bill before the House Agriculture and Development Subcommittee of the Finance Committee on February 17, 2009.

- B. MBE/EDGE – Ms. Stir provided the Board with the Performance Scorecard issued by the MBE/EDGE Offices. She explained that the agency takes the previous years expenses as what they determine to be eligible expenses. However, it includes expenses paid for some things that are non-negotiable such as phone services, state printing, etc. The Performance Scorecard is not accurate, as verified by Todd McGonigle of MBE/Edge. The Scorecard does not reflect the Board’s purchase of a computer from an MBE vendor in FY08.
- C. Policies – Ms. Stir provided the Board with the revised policies. She stated that there will be future “personal information” policies for the Board to review as a result of the passage of HB 648. She provided a summary of the bill and actions currently being taken by the taskforce looking at defining terms, etc. before developing rules and policies.
- D. RVT Renewal – Ms. Stir told the Board that she is pleased with how the new online renewal system is working.
- E. Evaluation Form – Ms. Stir provided the Board with a copy of an evaluation form used by the Social Worker Board. She asked if the Board liked the format of the evaluation form. The Board agreed to continue using the one that is currently being used.
- F. Rule – Ms. Stir informed the Board that the rule regarding minimum standards has been filed with JCARR and the public hearing will be held at the March Board meeting. Additionally, Section 4741.20(D) ORC exempts from compliance with Chapter 4741 ORC those individuals who advise with respect to or perform acts which the state veterinary medical licensing board *by rule* has prescribed as accepted management practices in connection with livestock production. Currently, the Board does not have a rule related to accepted management practices. The staff have recently received a couple of inquiries related to livestock production and would appreciate some guidance in the form of rules. The Board directed Ms. Stir to research other state rules (such as Oklahoma, Texas, Kansas) regarding livestock management.

- **FYI:**

The Board reviewed the following with no comment:

- A. Memo from the Ohio Legislative Service Commission regarding FY 2008 Ohio Occupational Licensing and Regulatory Board Report.
- B. OAVT Newsletter - Issue 5 December 2008
- C. AAVSB Veterinary Regulation News - Volume 14, Issue 2 December 2008
- D. CVTEA Semi-Annual Report – Winter 2008
- E. Article in The Saratogian news: “Horse dentists win court ruling”.

- **Requests for Licensure:**

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

Tiffany A. Heindel, DVM; Jon David Skinner, DVM; Thomas Russell Hans, DVM; Steven Dale Garnett, DVM; Adriana Rose Ragazzo, DVM; Candace A. Cain, DVM; Danielle Vanessa Gallo, DVM; Melissa Marie Fisher, DVM.

Dr. Koncal seconded the motion. The motion passed by the following roll call vote: Dr. Koncal-aye, Mr. Smith-aye, Dr. Small-aye, Dr. Gitz-aye, Ms. Jessen-aye.

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

Rachel Ann Bowers, RVT; Michelle Lynn Fisher, RVT; Michelle E. Hale, RVT; Theresa Lynn Never, RVT; Stephanie Renee Fruchey, RVT; Leah Elizabeth Burroughs, RVT; Jennifer Lynn Cole, RVT.

Dr. Koncal seconded the motion. The motion passed by the following roll call vote: Dr. Koncal-aye, Mr. Smith-aye, Dr. Small-aye, Dr. Gitz-aye, Ms. Jessen-aye.

- C. Specialty License (addendum 4) – Ms. Jessen moved to approve the following requests for Specialty Licenses.

Cynthia Anne Jackson, DVM – American College of Veterinary Large Animal Internal Medicine; Melissa A. Milligan, DVM – American College of Veterinary Large Animal Surgery; Kelly L. Gellasch, DVM – American College of Veterinary Surgeons.

Dr. Koncal seconded the motion. The motion passed by the following roll call vote: Dr. Koncal-aye, Mr. Smith-aye, Dr. Small-aye, Dr. Gitz-aye, Ms. Jessen-aye.

- **Renewals – Registered Veterinary Technicians:**

Ms. Stir commented that this Board offers an exemption, waived renewal fees, to individuals who are considered active duty in the military. She informed the Board that there is no definition of “active duty” in Chapter 4741. ORC, therefore, what does the Board accept as “active duty” documents for licensure and registration renewal? The Board determined that an official HR document or letter from a commanding officer stating a beginning date and end date of the person’s active duty assignment will be sufficient.

- **Executive Session, Assistant Attorney General Reports:**

Dr. Koncal moved to go into Executive Session at 9:42 a.m. for the Assistant Attorney General Report. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Koncal-aye, Mr. Smith-aye, Dr. Small-aye, Dr. Gitz-aye, Ms. Jessen-aye.

Dr. Hearst announced the Board meeting back in public session at 10:03 a.m.

- **Assistant Attorney General Report:**

- A. 09-09-007, Dr. Alvin Burger, DVM – Dr. Gitz moved to refer the new information received to the Alliance Municipal Prosecutor. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Dr. Koncal-aye, Mr. Smith-aye, Dr. Small-aye, Dr. Gitz-aye, Ms. Jessen-aye.

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

- A. 09-09-001, complainant Timothy Gossett – [Dr. Hearst left the room prior to discussing this case.] Dr. Gitz moved to close the case but directed Ms. Stir to provide a letter to the veterinarian to pay closer attention to the administrative details. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Dr. Koncal-aye, Mr. Smith-aye, Dr. Small-aye, Dr. Gitz-aye, Ms. Jessen-aye.

- B. 09-09-005, complainant Lonnie Davis, DVM – Dr. Gitz moved to close the case stating no jurisdiction with a recommendation to contact the OVMA’s peer review committee. Dr. Koncal seconded the motion. The motion passed by the following roll call vote: Dr. Koncal-aye, Mr. Smith-aye, Dr. Small-aye, Dr. Gitz-aye, Ms. Jessen-aye.

- **Complaint Responses Received:**

- A. 08-09-124, complainant Tom & Tanya Gureck – Dr. Gitz moved to find no violation of Chapter 4741 ORC. Dr. Koncal seconded the motion. The motion passed by the following roll call vote: Dr. Koncal-aye, Mr. Smith-aye, Dr. Small-aye, Dr. Gitz-aye, Ms. Jessen-aye.

- B. 08-09-153, complainant Christal Burgess – After reviewing the radiographs, Dr. Koncal moved to issue a Notice of Opportunity for a Hearing regarding the standard of care. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Dr. Koncal-aye, Mr. Smith-aye, Dr. Small-aye, Dr. Gitz-abstain, Ms. Jessen-aye, Dr. Hearst-aye.

Dr. Gitz moved to go into Executive Session at 10:25 a.m. to discuss the Settlement terms regarding case #08-09-153. Dr. Koncal seconded the motion. The motion passed by the following roll call vote: Dr. Koncal-aye, Mr. Smith-aye, Dr. Small-aye, Dr. Gitz-aye, Ms. Jessen-aye.

Dr. Hearst announced the Board meeting back in public session at 10:27 a.m.

- C. 08-09-157, complainant Dawn Preston – Dr. Gitz moved to find no violation of Chapter 4741 ORC. Dr. Koncal seconded the motion. The motion passed by the following roll call vote: Dr. Koncal-aye, Mr. Smith-aye, Dr. Small-aye, Dr. Gitz-aye, Ms. Jessen-aye.

- D. 08-09-159, complainant Joseph Romatowski, VMD, MS – After reviewing the photos, Dr. Koncal moved to find no violation of Chapter 4741 ORC. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Koncal-aye, Mr. Smith-aye, Dr. Small-aye, Dr. Gitz-aye, Ms. Jessen-aye.

- E. 09-09-003, complainant Carmen Keegan – After reviewing the X-rays, Ms. Jessen moved to find no violation of Chapter 4741 ORC. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Koncal-aye, Mr. Smith-aye, Dr. Small-aye, Dr. Gitz-aye, Ms. Jessen-aye.

[Break: 10:37 a.m. – 10:55 a.m.]

• **Continuing Education Requests - Veterinarians**

Ms. Jessen moved to approve the following continuing education requests for veterinarians as follows:

- A. MedVet Associates –
 - 1.) Neurolocalization: 8/6/08 = 1 hour
 - 2.) ECG's: 9/3/08 = 1 hour
 - 3.) Managing the Critical Patient: 1/7/09 = 1 hour
- B. Garden State Veterinary Specialists – Small Animal Rotating Internship: 6/25/07 – 7/5/08 = hour for hour
- C. Calf Nutritional & Health: 3/4/08 = 4 hours
- D. Butler & Warren Counties Veterinary Medical Association – Emergency Abdominal Surgery: 1/13/09 = 2 hours
- E. Merial Ltd. – Surviving & Thriving in this Economy: 2/19/09 = Non-scientific
- F. Heska – Diagnostics & Post Chemo Care for Cancer Patients: 2/22/08 = 2 hours

Dr. Koncal seconded the motion. The motion passed by the following roll call vote: Dr. Koncal-aye, Mr. Smith-absent, Dr. Small-aye, Dr. Gitz-aye, Ms. Jessen-aye.

• **Continuing Education Requests – RVT's**

Ms. Jessen moved to approve the following continuing education requests for registered veterinarian technicians as follows:

- A. University Laboratory Animal Resources, OSU – Anesthesia & Emergency Technician: 1/28/09 = 4 hours

Dr. Koncal seconded the motion. The motion passed by the following roll call vote: Dr. Koncal-aye, Mr. Smith-absent, Dr. Small-aye, Dr. Gitz-aye, Ms. Jessen-aye.

• **Continuing Education Requests – Veterinarians and RVT's:**

Ms. Jessen moved to approve the following continuing education requests for veterinarians and registered veterinarian technicians as follows:

- A. The Fifth District Equine Practitioners – The Use of the MRI of the Horse: 2/10/08 = 2 hours
- B. Clermont County Kennel Club – What Everyone Needs to Know About Canine Vaccines & Vaccination Programs: 1/31/09 = hour for hour
- C. The Academy of Equine Dentistry – Advanced Course in Equine Dental Prophylaxis & Equilibration: 10/3/08 – 10/14/08 = 70 hours
- D. Fort Dodge Animal Health –
 - 1.) Canine Lyme Disease: 2/19/09 = 2 hours
 - 2.) Advances in Flea & Tick Control: 03/28/08 = 1.5 hours
- E. Skill Path Seminars – Managing Multiple Projects, Objectives & Deadlines: 10/6/08 = Non-scientific
- F. Pfizer Animal Health –
 - 1.) Dermatology Update: 2/5/09 = 1 hour
 - 2.) New Perspectives on Canine & Feline Obesity: 2/20/09 = 1 hour
- G. Capital Veterinary Referral & Emergency Center –
 - 1.) Common Disorders of Rodents: dates pending approval = 2 hours
 - 2.) Common Disorders of Guinea Pigs: dates pending approval = 2 hours
- H. Toledo Veterinary Medical Association & Butler – Fall Seminar: 11/2/08 = 6 hours
- I. Heska & Hills – Additional Diagnostic Options & Treatments for Liver Disease: 10/9/08 = 2 hours

Dr. Koncal seconded the motion. The motion passed by the following roll call vote: Dr. Koncal-aye, Mr. Smith-absent, Dr. Small-aye, Dr. Gitz-aye, Ms. Jessen-aye.

• **Correspondence Received:**

- A. The Board reviewed correspondence from Kirk Perkins, DVM seeking guidance regarding ear cropping and tail docking. The Board directed Ms. Stir to provide Dr. Perkins with a letter stating that the Practice Act doesn't prohibit ear cropping and/or tail docking.
- B. The Board reviewed correspondence from Terrie Sizemore, RN, DVM regarding public records request, with no comment.
- C. The Board reviewed a letter from the AVMA regarding accepting aquatic animal CE hours. No response was required.
- D. The Board reviewed correspondence from Bonnie Ferone regarding case # 08-09-078, with no comment.

E. The Board reviewed correspondence from Katherine Huff regarding laser therapy for horses and dogs. The Board directed Ms. Stir to refer Ms. Huff to the OSU large animal hospital.

- **Matters Tabled at Previous Meeting:**

Anonymous letter regarding unlicensed veterinarians. The Board decided to table this discussion.

- **Old Business:**

Ms. Stir provided the Board with responses from St. Matthew's University and Ross University. The Board directed Ms. Stir to provide a letter to St. Matthew's University explaining that the Board is not comfortable at this time making any decisions. Ms. Stir was also directed to request passage rates from the NBVME for Ross University.

There is no update on the Governor's appointment for the vacant position on the Board. Ms. Stir will follow up with the Boards and Commissions' liaison in the Governor's office.

- **New Business:**

The Board reviewed the Student Loan recipients' progress reports. The Board asked Ms. Stir to forward the reports to Dr. Saville as FYI. The Board directed Ms. Stir to also seek promotion of the Student Loan Repayment program through Dr. Saville and OVMA.

- **Directives:**

The reading of the meeting directives was deferred.

- **Next Board Meeting:**

Dr. Hearst acknowledged that the next Board meeting will be held March 11, 2009, 8:30 a.m. in the Board room located at 77 South High Street, 31st Floor, Columbus, Ohio.

- **Adjournment:** 11:52 a.m.

Dr. James Hearst, Vice President

Date

Attested to by:

Theresa Stir, Esq.
Executive Director