

THE OHIO VETERINARY MEDICAL LICENSING BOARD

MEETING MINUTES

June 10, 2009

- **Call to Order:**

Dr. Roger Redman, President of the Ohio Veterinary Medical Licensing Board called the June 10, 2009 meeting to order at 8:30 a.m. in the Board room located at 77 South High Street, 31st Floor, Columbus, Ohio.

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

Dr. Redman acknowledged the attendance of Barry McKew, Assistant Attorney General, Theresa Stir, Executive Director and Angela Mann, Licensure Coordinator taking minutes for the Board. He also recognized the attendance of Dr. Bill Saville, DVM, DACVIM, PhD of the Ohio State University and welcomed guests in the audience.

- **Roll Call:**

Geoffrey Smith, Public Member	present
Dr. Lisa Mach, DVM	present
Dr. Janet Small, DVM	present
Dr. Darrell Gitz, DVM	present
Dr. James Hearst, DVM	present
Renee Jessen, RVT	present
Dr. Roger Redman, DVM	present

- **May 2009 Minutes Approved:**

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

In deference to Dr. Saville's time, Dr. Redman asked the Board's permission to go out of order of the agenda in order to discuss the Student Loan Repayment Program. The Board agreed by general consensus.

- **Student Loan Repayment Program:**

Ms. Stir explained to the Board that the amount as of May 13, 2009 was \$52,950.00. However the law allows the grantees the opportunity to recoup their income tax payments on the awards. So far, two recipients have submitted their tax payment in the amount of \$5393, which will reduce the total amount available. The total as of 6/2/09 available is \$48,132.00. Approximately 50 limited license renewals were sent out for renewal by July 1, 2009; \$10.00 from the renewal fees will be applied towards the student loan fund in the next fiscal quarter.

Ms. Stir further explained to the Board that we have received ten (10) applications for the repayment program. Upon discussion from all board members and Dr. Saville, Dr. Gitz moved to award the following:

Dr. Mary Mowrer - \$5,000.00
Dr. Stephanie Bown - \$7,500.00
Dr. Andrew Mack - \$7,500.00
Dr. Ellen Hartz - \$7,500.00

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

[Dr. Saville departed at 9:07 a.m.]

- **President's Report:**

Dr. Redman stated that per the Board's request, he met with Dr. Garrison to discuss the Farm Management Rule. Dr. Weale, DVM, Jack Advent and Michelle Holdgrove of the OVMA were also in attendance. He provided the Board with a draft Rule as a result of their coordinated efforts. After much discussion, amendments were made to the draft Rule. The Board directed Ms. Stir to send the amended draft rule to OVMA and express their willingness to delay until a rule can be developed agreeable to all interested parties and complies with the statute.

- **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:**

- A. Fiscal - Ms. Stir informed the Board that the Senate version of the budget bill cut the allotment by 2.5% (approximately \$8000). She explained that it is still unknown if there will be an additional 30% cut per the Governor's Executive Order that she'll have to allot for. Additionally in the budget bill, CSA had their budget significantly reduced which may result in an increase in costs for their services.
- B. Legislation – Ms. Stir informed the Board that if the language stays the same in the budget bill, she will be bringing forward a rule change for Chapter 3 regarding the language for the Student Loan Repayment Program. She also may submit a change for Rule 4741-1-24 OAC regarding the number of times the Board shall meet each year.
- C. Policy – Ms. Stir provided the Board with the policy on accessing confidential personal information in accordance with HB 648 of the 127th General Assembly and the Revised Management Directive from the Governor's Office. Ms. Jessen moved to approve the policy. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Mr. Smith-aye, Dr. Mach-aye, Dr. Small-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

- **FYI:**

The Board reviewed the following with no comment:

- A. AAVSB – Veterinary Regulation News: May 2009
- B. AAVSB Memo – RE: Proposed Bylaw Changes
- C. NBVME – Quarterly Newsletter: May 2009

- **Requests for Licensure:**

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

William J. Durfee, DVM; Ashley L. White, DVM; Nicole P. Scott, DVM; Sarah A. Beechler, DVM; Gwendalyn M. Maginnis, DVM; Katie A. Rumsey, DVM; Jonathan J. Dohanich, DVM; Matthew A. Carey, DVM; Jessica L. Swords, DVM; Jennifer L. Mathews, DVM; Lisa C. Killian, DVM; Amber L. Flora, DVM; Rebecca R. Field, DVM; Julie C. Miller, DVM; Vicky E. Grumman, DVM; Johnathan J. Pierce, DVM; Julie A. Bracey, DVM.

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

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

Chelsea M. Banks, RVT; Kayla N. Seavert, RVT; Pamela L. Parquette, RVT; Ashlie V. Clark, RVT; Joseph M. Ullmer, RVT; Megan M. Clemons, RVT; Rebecca Estok, RVT; Sondra L. Ewing, RVT; Katelyn M. Simons, RVT; Jennifer J. Dettloff, RVT; Katherine L. Holland, RVT; Ashley E. Washtock, RVT; Rachel M. Lees, RVT; Pamela C. Zorn, RVT; Amy F. Wilks, RVT; Claire E. Ekardt, RVT; Bonnie M. Shaffer, RVT; Kerri L. Weaver, RVT; Abigail M. Kirk, RVT; Robin C. Chambers, RVT; Jennifer L. Curtis, RVT; Bonnie L. Hockin, RVT.

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

- D. Limited and Limited Resident Licenses (addendum 3) – Ms. Jessen moved to approve the following requests for limited and limited resident licenses.

Kyle A. Francis, DVM; David J. Haeussler, Jr., DVM; Ketaki Karnik, DVM; Rebecca A. Krimmins, DVM (resident); Sara J. Irom, DVM; Agnieszka M. Kent, DVM; Paula Martin, DVM; Shona L. McMahon, DVM; Andrew D. Mercurio, DVM; Ann M. Peruski, DVM; Christa L. Robinson, DVM; Lisa M. Sams, DVM; Sean T. Surman, DVM; Katy L. Townsend, DVM; Bridget Urie, DVM; Jarred M. Williams, DVM; Patrick J. Grimm, DVM; Michelle E. Goodnight, DVM; Kathryn L. Fitzwater, DVM; Jennifer A. Dulin, DVM; Richard E. Cober, DVM; Troy A. Brick, DVM; Ron Ben-Amotz, DVM; Rosa Barsnick, DVM.

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

- E. The Board reviewed correspondence from Mark Doty asking the Board to allow candidates that have failed the NAVLE to be eligible for a Provisional License. The Board referred to the December 12, 2007 meeting minutes in which a motion and vote was taken that individuals who had failed the NAVLE were not qualified to apply for the provisional license. Dr. Gitz moved to deny Mr. Doty's request to modify the qualifications for the provisional license. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Mr. Smith-aye, Dr. Mach-aye, Dr. Small-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.
- F. The Board reviewed an application for a Registered Veterinary Technician certificate. The applicant indicated that he had been convicted of or entered a plea of "no contest" to a misdemeanor or felony offense. He provided a statement stating that in 2001 he was arrested for driving under the influence, possession of marijuana and drug paraphernalia. He stated that he was convicted of driving under the influences but the other charges were dropped. Dr. Gitz directed Ms. Mann to request that official court documents be forwarded to this Board verifying his statement. Dr. Small seconded the motion. The motion passed by the following roll call vote: Mr. Smith-aye, Dr. Mach-aye, Dr. Small-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

- **Consideration of:**

A. 08-09-119, Ms. Nancy Ziolo, RVT – The Board acknowledged that the case is closed.

- **Executive Session:**

Dr. Small moved to go into Executive Session at 9:52 a.m. to discuss the Assistant Attorney General Reports and Investigative Reports. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Mr. Smith-aye, Dr. Mach-aye, Dr. Small-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

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

- **Assistant Attorney General Report:**

- A. 05-05-067--Terrie Sizemore, DVM – Dr. Gitz moved to dismiss the case, which had been remanded from the Court of Common Pleas, Franklin County in May, 2009. Dr. Small seconded the motion. The motion passed by the following roll call vote: Mr. Smith-aye, Dr. Mach-abstain, Dr. Small-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.
- B. Dr. Gitz moved that the minutes reflect that the Board had directed Ms. Stir in November, 2007 to send Dr. Sizemore a letter, as a courtesy, to indicate their intention to dismiss the charges in case #05-05-067 once the jurisdiction of the subject matter was remanded back to the Board. Dr. Small seconded the motion. The motion passed by the following roll call vote: Mr. Smith-aye, Dr. Mach-abstain, Dr. Small-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

- **Investigative Reports:**

- A. 09-09-002, complainant Sandy Paris – Dr. Gitz moved to file a Notice of Opportunity for a Hearing for a violation of Section 4741.41(A) ORC. Dr. Small seconded the motion. The motion passed by the following roll call vote: Mr. Smith-aye, Dr. Mach-aye, Dr. Small-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

[Break: 10:12 a.m. – 10:33 a.m.]

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

- A. 09-09-042, complainant Terrie Sizemore, DVM – Dr. Gitz moved to dismiss for lack of jurisdiction. Dr. Small seconded the motion. The motion passed by the following roll call vote: Mr. Smith-aye, Dr. Mach-aye, Dr. Small-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.
- B. 09-09-043, complainant Donna Druta – Dr. Mach moved to find no violation of Chapter 4741 ORC but directed Ms. Stir to refer her to the OVMA's Grievance Committee. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Mr. Smith-aye, Dr. Mach-aye, Dr. Small-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

- C. 09-09-046, complainant Dawn M. Newton – Ms. Jessen left the room prior to discussing this case. Dr. Gitz moved to find no violation of Chapter 4741 ORC, but directed Ms. Stir to provide a letter to the treating veterinarian regarding the records policy. Dr. Hearst seconded the motion. The motion passed by the following roll call vote: Mr. Smith-aye, Dr. Mach-aye, Dr. Small-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-abstain.
- D. 09-09-047, complainant Peantay Bealer – Dr. Gitz moved to schedule a compliance inspection. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Mr. Smith-aye, Dr. Mach-aye, Dr. Small-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.
- E. 09-09-048, complainant Anonymous – Dr. Gitz moved to find no violation of Chapter 4741 ORC, but directed Ms. Stir to send the veterinarian a copy of the complaint filed against him and a copy of the practice act. Dr. Hearst seconded the motion. The motion passed by the following roll call vote: Mr. Smith-aye, Dr. Mach-aye, Dr. Small-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.
- F. 09-09-049, complainant Tanya Davis – Dr. Gitz moved to find no jurisdiction. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Mr. Smith-aye, Dr. Mach-aye, Dr. Small-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.
- G. 09-09-050 – complainant – Ruth Boll, DVM – Dr. Gitz moved to find no violation of Chapter 4741 ORC, but directed Ms. Stir to refer her to the Pharmacy Board. Dr. Mach seconded the motion. The motion passed by the following roll call vote: Mr. Smith-aye, Dr. Mach-aye, Dr. Small-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

- **Complaint Responses Received:**

- A. 09-09-034, complainant Heide Horvath & Johanna Winner – Dr. Mach moved to find no violation of Chapter 4741 ORC, but directed Ms. Stir to provide a letter to the treating veterinarian regarding the records policy. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Mr. Smith-aye, Dr. Mach-aye, Dr. Small-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.
- B. 09-09-035, complainant Susan Quinn – Dr. Gitz moved to send the case to investigation. Dr. Mach seconded the motion. The motion passed by the following roll call vote: Mr. Smith-aye, Dr. Mach-aye, Dr. Small-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.
- C. 09-09-037, complainant Deena Luce – Dr. Hearst moved to find no jurisdiction. Dr. Small seconded the motion. The motion passed by the following roll call vote: Mr. Smith-aye, Dr. Mach-aye, Dr. Small-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.
- D. 09-09-038, complainant Vince Anello – After review of the X-rays, Dr. Gitz moved to find no violation of Chapter 4741 ORC. Dr. Hearst seconded the motion. The motion passed by the following roll call vote: Mr. Smith-aye, Dr. Mach-aye, Dr. Small-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

- E. 09-09-040, complainant Logan Allie – Dr. Gitz moved to find no violation of Chapter 4741 ORC. Dr. Mach seconded the motion. The motion passed by the following roll call vote: Mr. Smith-aye, Dr. Mach-aye, Dr. Small-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.
- F. 09-09-041, complainant Gary M. Benjamin – Ms. Jessen left the room prior to discussing this case. Dr. Mach directed Ms. Stir to request the records and a narrative from the treating veterinarian. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Mr. Smith-absent, Dr. Mach-aye, Dr. Small-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-abstain.
- G. 09-09-044, complainant Chris & Katie Bolte – Dr. Small moved to find no violation of Chapter 4741 ORC. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Mr. Smith-absent, Dr. Mach-aye, Dr. Small-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.
- H. 09-09-045, complainant Shawn Lewis – Dr. Small moved to find no violation of Chapter 4741 ORC. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Mr. Smith-absent, Dr. Mach-aye, Dr. Small-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

- **Continuing Education Requests - Veterinarians**

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

- A. MedVet Associates, Ltd. –
 - 1.) Discussion from diagnosis to therapy, involving medical, radiation and surgical oncologists: 4/16/09, 5/7/2009, 5/21/09 = 1 hour
 - 2.) Canine & Feline Uveitis: 4/23/09 = 1 hour
 - 3.) Obesity: 4/29/09 = 1 hour
 - 4.) Pituitary Tumors & Pituitary Dependent Hyperadrenocorticism: 5/13/09 = 1 hour
- B. US Department of Health & Human Services – Office of Laboratory Animal Welfare: 6/17/08 = 5 hours
- C. Butler & Warren Counties Veterinary Medical Association – Canine Audiology: 5/12/09 = 2 hours
- D. Merial Ltd. – “Great News on Treatment of Pain from Surgery & Osteoarthritis”: 4/30/09 = 1 hour
- E. Vaccine Technology: 5/5/09 = 2 hours
- F. Orthopedic Exams: 4/7/09 = 2 hours
- G. VetMed Consulting – State Board’s Veterinary Laws, Rules, Regulations & Statues = Non-scientific

- H. Toledo Veterinary Medical Association – Neurology Exam & Case Studies: 5/20/09 = 2 hours

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

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

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

- A. MedVet Associates, Ltd. –
1.) Managing Chest Tube Patients: 4/23/09 = 1 hour
2.) Update on current anesthesia recommendations: 4/25/09 = 1 hour
3.) Common Toxins in Veterinary Medicine: 5/20/09 = 1 hour
- B. Merial Ltd. – Fleas, Fleas & More Fleas: 5/27/09 & 5/28/09 = 1 hour
- C. Metropolitan Veterinary Hospital – Essentials of Pain Management: 5/28/09 = 1 hour

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

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

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

- A. AAHA – Profiting in the Digital Age: 4/9/09 = Non-scientific
- B. Assessment Consultants – Drug-Free Workplace Employee Training: 4/28/09 = Non-scientific
- C. Veterinary Dental Concepts, LLC – Periodontal Disease: 5/5/09 = 2 hours
- D. Central Ohio Veterinary Medical Association – “Getting the most out of your Biopsy”, “Good Specimen Collection Technique: 5/5/09 = 2.5 hours
- E. Pfizer – Dentistry for Veterinarians or Technicians: 6/14/09 = 6 hours
- F. Puppy Works – Treatments for Troubled Canine: 7/12/09 = 5.5 hours
- G. Toledo VMA/Merial Ltd. – Recombinant Vaccines: 8/18/09 = 1 hour

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

- **Correspondence Received:**

- A. The Board reviewed correspondence from Helen Kerr regarding case # 08-09-133. No response required.
- B. The Board reviewed correspondence from Tim Jordan asking if Ohio plans to implement a policy requiring veterinarians to provide their clients with a list of side effects of a drug being prescribed or administered to a pet. The Board's response is not to their knowledge.
- C. The Board acknowledged correspondence from Terrie Sizemore, DVM.
- D. The Board reviewed correspondence from Harold L. Brown, DVM asking if certified euthanasia technicians in the State of Florida can become certified in the State of Ohio with the courses they completed in Florida. The Board directed Ms. Stir to file a change to the current Rule deleting the requirement that the course must be taken in Ohio to become certified in Ohio. Until the rule is amended and effective, an individual will have to complete the course in Ohio to become certified.
- E. The Board reviewed correspondence from Jeanne Green, RVT seeking guidance regarding Continuing Education Credits. Question #1: Who can present these seminars – does it have to be a DVM or RVT? No, the speakers are not limited to DVM's and/or RVT's as long as they have sufficient knowledge of the course material. Question #2: Do they have to be directly Veterinary related? Yes, the courses have to be related to the practice of veterinary medicine such as electrolyte management or ultrasound techniques which apply to both human and animal medicine. Question #3: What sort of documentation do we need to keep or submit to you to track these seminars, wet labs etc? All CE requests need to be approved by the Board. It is up to the licensee to keep track of his/her CE hours. Upon renewal, the licensee must complete and legally affirm the CE reporting form that is attached to their renewal application.

- **Matters Tabled at Previous Meeting:**

- A. PhD practitioner: Dr. Small moved to request clarification from the veterinary practice regarding the role of the PhD practitioner in their practice. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Mr. Smith-aye, Dr. Mach-aye, Dr. Small-aye, Dr. Gitz-abstain, Dr. Hearst-abstain, Ms. Jessen-aye.

- **Old Business:**

- A. The Board reviewed the response from Wayne County Humane Society regarding the requirement for a Veterinary Business Facility License. The Board directed Ms. Stir to reply with the understanding that if veterinary services are offered even once to animals not owned by the humane society they are required to have a veterinary business facility license. The law does not prohibit a veterinarian from renting space from the humane society, but does prohibit the facility from collecting money on behalf of the veterinary services provided to animals not owned by the humane society.

- **Next Board Meeting:**

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

- **Adjournment:** 12:20 p.m.

Dr. Roger Redman, President

Date

Attested to by:

Theresa Stir, Esq.
Executive Director