

MEETING MINUTES

July 8, 2009

- **Public Rules Hearing**

Dr. Roger Redman, President of the Ohio Veterinary Medical Licensing Board called the Public Rules Hearing to order at 8:30 a.m. in the Board room located at 77 South High Street, 31st Floor, Columbus, Ohio for Rule 4741-1-04 OAC regarding the number of times an applicant can take the NAVLE in Ohio. There was no public comment on the proposed rule.

Dr. Redman concluded the Public Rules Hearing at 8:34 a.m.

- **Call to Order:**

Dr. Roger Redman, President of the Ohio Veterinary Medical Licensing Board called the July 8, 2009 meeting to order at 8:34 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 welcomed guests in the audience.

- **Roll Call:**

Geoffrey Smith, Public Member	absent (arrived at 8:49 a.m.)
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

- **June 2009 Minutes Approved:**

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

- **Executive Director Report:**

- A. Annual Report – Ms. Stir provided the Board with a draft version of the annual report for FY 2009. She explained that the Board was allotted \$327,312.00 for FY 2009; had \$86,263.50 in operating expenses and \$220,116.31 in payroll expenses; generated \$213,843.00 in Revenue and of the total revenue, \$590.00 has been transferred to the Veterinary Student Loan Repayment Program in accordance with ORC 4741.17(A)(7). Ms. Stir stated that the annual report, by law, is due to the Governor's office by August 1st.
- B. Fiscal – Ms. Stir provided the Board with the FY 2009 Revenue and unofficial Expenditure reports for their review. Ms. Stir discussed the progress of the budget bill and explained the interim budget's passed.

Ms. Stir explained to the Board that due to budget constraints it is unknown when the Board members will be reimbursed for their travel for this Board meeting. Due to the unknown situation with the FY 2010 budget, Ms. Stir recommended that the Board cancel the meeting scheduled for August 12, 2009. The Board agreed.

- C. Rules – Ms. Stir explained that due to legislative changes of the budget bill which gives the Board the administrative duties of the Student Loan program, Chapter 3 of 4741 needs to be revised to delete the Board of Regents language and insert the Veterinary Medical Licensing Board.

Another rule that will need changed/eliminated as a result of the budget bill is the Rule 4741-1-24 OAC regarding the number of meetings the Board will hold in a year. Section 4741.03 ORC requires at least one meeting per year.

Ms. Stir further explained that due to the timelines established by JCARR, the amendment to Rule 4741-1-23 OAC permitting euthanasia technicians to take a nationally approved course outside of Ohio will not be filed until the other rule changes are filed.

D. Executive Director Evaluation – Ms. Stir reminded the Board that it is time for the annual evaluation of the Board Director. She provided the Board with a blank evaluation form to complete. Dr. Redman asked the Board members to complete the evaluation form and return them to him at the September 9, 2009 Board meeting.

- **FYI:**

The Board reviewed the following with no comment:

- A. AAVSB – Proposed Amendment to the AAVSB Practice Act Model
- B. NBVME – NAVLE Retakes

[Mr. Smith arrived at 8:49 a.m.]

- **Requests for Licensure:**

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

Antoinette C. Janosko, DVM; Kelly L. Kirby, DVM; Dane A. Arends, DVM; Veronica L. Whiteside, DVM; Erin A. Alessi, DVM; Leslie A. Avery, DVM; Ivy J. Barnhart, DVM; Apryl A. Barton, DVM; Kristal L. Bechtold, DVM; Menaka Bhaskaran, DVM; Sarah E. Birch, DVM; Kara L. Boos, DVM; Jodi E. Duff, DVM; Kimberly A. Carter, DVM; Kristin N. Coutts, DVM; Shannon M. Cunningham, DVM; Briana G. Danielson, DVM; Natasha J. Dyer, DVM; Ashley A. Elia, DVM; Emily B. Elser, DVM; Emily E. Feyes, DVM; Kathleen M. Flood, DVM; Katelyn B. Flowers, DVM; Christen L. Fout, DVM; Alison R. Fowle, DVM; Lisa Fox, DVM; Jennifer L. Gentry, DVM; Brianne R. Gindlesperger, DVM; Aubrey L. Griffin, DVM; Jennifer L. Groszek, DVM; Kyle M. Hapner, DVM; Michelle E. Hawk, DVM; Sandy K. Hern, DVM; Daniel J. Hill, DVM; Nicole R. Huddle, DVM; Johnna L. Johnson, DVM; Kristin M. Jury, DVM; Michael D. Kleinhenz, DVM; Gretchen R. Kocher, DVM; Heather L. Kvitko-White, DVM; Katie M. Martin, DVM; Julie J. Matthews, DVM; Peter A. Meuse, DVM; Owen F. Mickley, DVM; Andrea L. Miller, DVM; Jennifer M. Mutchler, DVM; Tammy J. Owens, DVM; Elizabeth M. Picklesimer, DVM; Nicole C. Plantner, DVM; Tricia M. Pugh, DVM; Jennifer M. Raidiger, DVM; Jennifer M. Ramsey, DVM; Jenifer T. Reynolds, DVM; Kelly M. Rourke, DVM; Nicholas J. Sattelmanier, DVM; Andrea R. Schultz, DVM; Katherine E. Searle, DVM; Lacey R. Sharp, DVM; Lisa M. Shriver, DVM; Grace L. Smith, DVM; Joseph S. Smith, DVM; Heather R. Soncrant, DVM; Terri A. Specht, DVM; Tracie J. Springer, DVM; Kristy L. Stevelt, DVM; Craig A. Storozuk, DVM; Jessica L. Strong, DVM; Evelyn O. Tannhof, DVM; Abby L. Teuschler, DVM; Iris D. Vales, DVM; Suellen M. Wardell, DVM; Tobie D. Wolfe, DVM; Kendra E. Wolk, DVM; Kathleen A. Spencer, DVM; Nicole M. Naso, DVM; Celeste R. Quinones, DVM; Julia D. Huber, DVM; Carol A. Karlewicz, DVM; Kelly A. Rock, DVM; Mark E. Hayes, DVM; Christi R. Hall, DVM; Kimberly S. Podlecki, DVM; Andrew G. Kocsis, DVM; Alex G. Becket, DVM; Brittany A. Dodson, DVM; Lisa Stoltenberg, DVM; Marla M. Hall, DVM; Erica A. Reinman, DVM; John Ivancic, DVM; Laurelyn E. Keener, DVM; Laura M. Garzel, DVM; Julia R. Delikat, DVM; Melissa L. Miller, DVM; Jessamyn A. Kennedy, 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.

Mallory L. Turck, RVT; Patricia L. Denholm, RVT; Katherine A. Easterday, RVT; Heidi A. Johnson, RVT; Tabitha G. Bennett, RVT; Mary E. Alexander, RVT; Theresa M. McCafferty, RVT; Ashley N. Boyce, RVT; Serena A. Lino, RVT; Ashley M. Bove, RVT; Jessica L. Stutzman, RVT; Amanda F. Knapik, RVT; Christy A. Wohlfeil, RVT; Jennifer N. Donohue, RVT; Megan A. Isom, RVT; Jeffrey T. Wolfe, RVT; Whitney M. Rump, RVT; Caroline E. Krajcer, RVT; Lori R. Smith, RVT.

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

Liliana M. Marin, DVM; Maria C. Iazbik, DVM; Maria I. Menendez, DVM; Colby G. Burns, DVM; Joao d. Galvao, DVM; Jason S. Callard (resident), DVM; Mary E. Carino, (resident) DVM; Jennifer P. Freeling, (resident) DVM; Steven G. Friedenberg, (resident) DVM; Julie E. Hempstead, (resident) DVM; Valery F. Scharf, (resident) DVM; Stacey E. Sonnenshein, (resident) DVM; Brian G. Stewart, (resident) DVM; Marco A. Coutinho daSilva, DVM; Tatiana Motta, DVM; Francisco T. Trucco, (resident) DVM; Kari J. Childs, DVM; Julie M. Knuppel, DVM; Melanie B. McMahan, DVM; Jennifer R. Schissler, DVM; Laura J. Hirvinen, DVM; Shannon, J. Murray, DVM; Turi K. Aarnes, DVM; Mieke Baan, DVM; Daniel E. Hoffmann, DVM; Rebecca L. Ball, DVM.

Mr. Smith 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. Temporary Permits (addendum 4) – Ms. Jessen moved to approve the following requests for temporary permits.

Heather R. Jones-Krulack, DVM.

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. The Board reviewed correspondence from Anthony W. Fuller, DVM asking the Board to grant his request to be able to reinstate his Ohio license that expired on March 1, 2008 without the required 30 hours of continuing education. He explained that he moved to Kenya in East Africa in 2007 and has not been able to obtain the required continuing education. Dr. Gitz moved to approve Dr. Fuller's request giving him a one year extension to submit the required 30 hours of continuing education. 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 correspondence from Ryan Gorbutt, a St. Matthew's student that plans to take the NAVLE in November 2009. Mr. Gorbutt asked the Board if he is currently eligible for a provisional license through Ohio. Dr. Mach moved to deny his request stating that he does not qualify for a 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.

In deference to Dr. Terrie Sizemore's time, Dr. Redman asked the Board's permission to go out of order of the agenda in order to allow Dr. Sizemore to address the Board. The Board agreed by general consensus. Mr. McKew and Ms. Stir left the room prior to Dr. Sizemore's address to the Board.

Dr. Sizemore addressed the Board regarding case # 05-05-067, which the Board dismissed at its' June 2009 meeting. Dr. Sizemore would like the board to reconsider this case. She stated that the Board has an obligation under the law to discipline a veterinarians license due to making false statements. Dr. Redman explained to Dr. Sizemore that the Board will discuss the matter further during Executive Session out of respect to the veterinarian that she filed her complaint against.

Dr. Sizemore departed the meeting at 9:10 a.m.

- **Consideration of:**

- A. 09-09-002, Nicole J. Moskes, DVM – The Board acknowledged the Notice of Opportunity for a Hearing.

- **Executive Session:**

Dr. Small moved to go into Executive Session at 9:12 a.m. to discuss pending litigations. 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.

Dr. Redman announced the Board meeting back in public session at 9:25 a.m. and continued with the scheduled agenda and Dr. Sizemore's request for Reconsideration.

The Board directed Ms. Stir to thank Dr. Sizemore for taking the time to address the Board regarding her concerns. Dr. Gitz moved to deny Dr. Sizemore's request for reconsideration regarding case # 05-05-067. 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.

- **Tabled Cases:**

- A. 09-09-036, complainant Cheri Davidson – Dr. Gitz moved to find no violation of Chapter 4741 ORC. 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.

B. 09-09-041, complainant Gary M. Benjamin – [Ms. Jessen left the room prior to discussing this case.] Dr. Mach 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-abstain.

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

A. 09-09-053, complainant James T. Lohmeier – Ms. Jessen 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.

B. 09-09-056, complainant Anonymous – Dr. Gitz moved to Close the case and send a letter to “Hospital A”. 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.

C. 09-09-057, complainant Tom Clark – 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: Mr. Smith-aye, Dr. Mach-aye, Dr. Small-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

D. 09-09-058, complainant AAVSB Database – Ms. Jessen moved to send a letter to “Dr. A” informing him of the Board’s knowledge of the discipline taken in another state against his license. The Board will not take action at this time so long as “Dr. A” is compliant with the terms of the Settlement Agreement. 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.

E. 09-09-059, complainant OVMA – Dr. Mach moved to send a letter to the licensed Chiropractor explaining that he cannot perform veterinary medicine and provide him with a copy of the law. 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.

• **Complaint Responses Received:**

A. 09-09-030, complainant Eric Bain – Dr. Gitz moved to Close the case and 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.

B. 09-09-039, complainant Linda Fowler – [Dr. Hearst left the room prior to discussing this case.] After reviewing the X-rays, 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-abstain, Ms. Jessen-aye.

- C. 09-09-052, complainant Wanda Konjati – After reviewing the X-rays, Dr. Mach moved to find no violation of Chapter 4741 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: 10:01 a.m. – 10:15 a.m.

• **Continuing Education Requests - Veterinarians**

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

- A. MedVet Associates, Ltd. –
1.) Dermatology Discussion: 5/27/09 = 1 hour
2.) Cranial Cruciate Ligament Disease: 5/27/09 = 1 hour
3.) Comprehensive Management of Mast Cell Tumors: 5/31/09 = 4 hours
- B. Pfizer Animal Health –
1.) Zoonosis & Veterinary Liability: 6/10/209 = 2 hours
2.) Emerging & Re-emerging Zoonotic Diseases: 6/11/09 = 1.5 hours
3.) Anti-infectives, Improving Patient Compliance, Convenia Update: 6/11/09 = 1.5 hours
4.) Foundations of a Successful Weight Management Program: 6/11/09 = 1.5 hours
- C. Veterinary Internal Medicine Clinic – Canine Cushing’s Syndrome: 3/11/09 = 1 hour
- D. Wheeling Valley Veterinary Association – Practical Greyhound Medicine: 8/25/09 = 2 hours
- E. IBD – What’s in a Name: 6/2/09 = 2 hours
- F. FSIS USDA / Texas A&M University – Enforcement, investigation & analysis officer training: 10/6/08 – 10/31/08 = Hour for Hour
- G. Webster/Columbus Serum – DVM/CEO – Take Your Practice to the Next Level: 7/29/09 = Non-scientific
- H. Merial, Ltd. – Diagnosing & Treating Canine osteoarthritis: 8/9/09 = Hour for 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 – RVT’s**

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

- A. Pfizer Animal Health – Urinalysis & Fecal Wet Lab: 5/8/09 = 3 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 – Veterinarians and RVT's:**

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

- A. Pfizer Animal Health –
 - 1.) Cardiology – Feline Heartworm: 2/11/09 = 1.5 hours
 - 2.) Feline Heartworm & Feline Acquired Heart Disease: 5/6/09 = 2 hours
 - 3.) Intraoral Radiology & Guided Veterinary Dentistry: 6/2/09, 6/3/09, 6/4/09 = 4 hours
 - 4.) Dentistry in Your Practice: 6/1/09 & 6/3/09 = 1.5 hours
 - 5.) Intraoral Radiology & Basic Oral Surgery: 6/3/09 = 2 hours
- B. Internet & Luitpold – Toxicology: 5/14/09 = 2 hours
- C. Ohio Department of Agriculture – Fair Veterinarian Training 2009: 5/11/09 & 6/9/09 = 2 hours
- D. Ohio Scientific Education & Research Association – 5th OSERA Animal Forum: 6/5/09 = 3 hours
- E. Equine Specialty Hospital – Controversies in Equine Diagnostics: 10/23/09 = 8 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.

- **Request for Reconsideration:**

The Board reviewed correspondence from Rosalyn Rollins, RVT requesting the Board to lift the restrictions on her registration. Currently, Ms. Rollins is subject to probationary terms until 10/10/2010 as a result of an October, 2007 Adjudication Order. Dr. Gitz moved to deny her request. Mr. Smith 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 Douglas Gordon of Superior Equine Pharmaceuticals, Inc. regarding illegally compounded drugs being used by veterinarians. Dr. Mach requested that the staff add the FDA link on the Board's website.

- B. The Board reviewed correspondence from Kathleen Corcoran, DVM regarding IV fluids, etc. Question #1: Can an animal aide manipulate IV systems once they're in place? Yes, such as reconnecting IV tubing. Question #2: If an animal is already on IV fluids, can an animal aide give medications through an injection portal in the catheter? Yes. Question #3 – Can an animal aide change the empty bag of fluids to a new full one? Yes. Question #4 – Is it venipuncture if the vein is already patent with a catheter? No.
- C. The Board reviewed correspondence from Kimberly Wall regarding case # 09-09-020. The Board directed Ms. Stir to treat this correspondence like a public records request and provide Ms. Wall with a letter explaining the complaint process.

- **Old Business:**

- A. The Board reviewed correspondence from St. Matthew's University with no comment.

- **New Business:**

Mr. McKew suggested to the Board that they consider a law change to include a code of conduct for the veterinary profession. The Board directed Ms. Stir to review other state Veterinary Medical Practice Acts and other Ohio regulatory laws for language.

- **Next Board Meeting:**

Dr. Redman stated that the August 12, 2009 Board meeting has been cancelled and acknowledged that the next Board meeting will be held September 9, 2009, 8:30 a.m. in the Board room located at 77 South High Street, 31st Floor, Columbus, Ohio.

- **Adjournment:** 11:00 a.m.

Dr. Roger Redman, President

Date

Attested to by:

Theresa Stir, Esq.
Executive Director