

OHIO VETERINARY MEDICAL LICENSING BOARD

MINUTES

February 9, 2005

Dr. James Burt, President of the Ohio Veterinary Medical Licensing Board, called the February 9, 2005, meeting to order at 8:45 a.m. in the Board Room at 77 S. High Street, 31st Floor, Columbus, Ohio. Call to Order

Dr. Burt directed the Executive Secretary to call roll: Roll Call

Dr. Janet Small	present
Dr. Darrell Gitz	present
Dr. James Burt	present
Janet Buck, RVT	absent
Dr. Jerry Lahmers	present
John Bentine	present

Dr. Burt acknowledged the attendance of Heather Hissom, Executive Secretary, Donna Fickel, Secretary and Martine Jean, AAG. Attendance Staff

Dr. Gitz moved to approve the January 12, 2005 Minutes. Dr. Lahmers seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine-aye; Dr. Small- aye; Dr. Lahmers- aye. January 12, 2005 Minutes approved

There was no President's report. Pres. Rep.

There was no secretary's report. Sec. Rep.

There was no OVMA report. OVMA liaison

Heather Hissom, Executive Secretary, reported that the directives from the last board meeting had been completed. Ms. Hissom reported on the board's expenditures to date. Mr. Hissom reported on the meeting called by the Governor's office to discuss consolidation of the licensing boards. The Board had only been budgeted through FY 06. At the end of FY 06 the Board will become part of the Department of Health. The Board directed Ms. Hissom to invite a member of the Governor's staff to discuss the matter with the Board. Ms. Hissom reported that the RVT Exec. Sec. Report
Updated spending

Consolidation of Boards

renewal process was going well using the new licensing software. Ms. Hissom reported to the Board that Robert Turney, file # 04-04-063, pled no contest to practicing without a license and was ordered to pay costs and a fine. Dr. Lahmers moved to approve the NAVLE scores. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine-aye; Dr. Small- aye; Dr. Lahmers- aye. Ms. Hissom stated that a copy of the OSU extension newsletter was included in the board packets.

RVT renewal

04-04-0463
conviction

NAVLE scores

Dr. Small moved to acknowledge receipt of the following new complaints and the file numbers issued:

New Complaints
Acknowledged

- 05-05-001 Deborah Mason
- 05-05-002 Kathy Zamesko
- 05-05-003 Marilyn Januszczak
- 05-05-004 Sharon Ferrone
- 05-05-005 Karen Sticht
- 05-05-006 Pam Briggs
- 05-05-007 Angelia Gerald
- 05-05-008 Marianne Minor
- 05-05-009 Jeffrey Weinstein, M.D.
- 05-05-010 D. Rickards, DVM
- 05-05-011 Cheryl Caudill
- 05-05-012 Deborah Givens
- 05-05-013 Dale Glenn, ODA
- 05-05-014 Tammy Selick

Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Small- aye; Dr. Lahmers-aye.

Dr. Small moved to schedule a compliance inspection in the case of 05-05-001, Deborah Mason. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Small- aye; Dr. Lahmers- aye.

05-05-001
C/I

Dr. Lahmers moved to find no violation of R.C. 4741 in the case of 05-05-005, Karen Steicht. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine-aye; Dr. Small-aye; Dr. Lahmers- aye.

05-05-005
No Vio.

Dr. Lahmers moved to find no violation of R.C. 4741 in the case of 05-05-006, Pam Briggs. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine-aye; Dr. Small-aye; Dr. Lahmers- aye.

05-05-006
No Vio.

Dr. Small moved to schedule a compliance inspection in the case of 05-05-007, Angelia Gerald. Dr. Lahmers seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine-aye; Dr. Small-aye; Dr. Lahmers- aye.

05-05-007
C/I

Dr. Gitz left the room for discussion of file # 05-05-009.

Dr. Lahmers moved to investigate the alleged violations of R.C. 4741 in the case of 05-05-009, Jeffrey Weinstein. Mr. Bentine seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- abstain; Mr. Bentine-aye; Dr. Small-aye; Dr. Lahmers- aye; Dr. Burt- aye.

05-05-009
Invest.

Dr. Gitz moved to investigate alleged violations of R.C. 4741 in the case of 05-05-010, D. Rickards, DVM. Mr. Bentine seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine-aye; Dr. Small-aye; Dr. Lahmers- aye.

05-05-010
Invest.

Mr. Bentine moved to investigate alleged violations of R.C. 4741 in the case of 05-05-013, Dale Glenn/ODA. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine-aye; Dr. Small-aye; Dr. Lahmers- aye.

05-05-010
Invest.

Dr. Small moved to acknowledge the hearing schedule issued in the case of 04-05-111, Donald Barton, DVM; Erik Aanestad, DVM; Greg Allen, DVM; 04-04-022, Harry Conley, DVM; 04-05-131 Philip Poore; 04-05-104 Robert McClung, DVM; 04-05-107 David Custis, DVM; 04-04-018 Roger Gussett, DVM; and 04-05-092 Tracy Muehlenbein. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine-aye; Dr. Small-aye; Dr. Lahmers- aye.

Ack. Hearing
Schedules

Review of continuing education was tabled until later in the meeting.

Dr. Lahmers moved to approve licenses for the following: Daphne D. Reeves, Chrystal D. Gilmore and Rae M. Neumann. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Small-aye; Dr. Lahmers-aye.

Licenses App'd

Dr. Lahmers moved to approve the application for licensure of Jennifer Jaax, DVM. Mr. Bentine seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Small-aye; Dr. Lahmers-aye.

Approval of license
Jennifer Jaax, DVM

Dr. Lahmers moved to approve the following continuing education courses for veterinarians, except the Miami Valley VMA

CE for Vets

Veterinary Pet Insurance – 1/4/04 – 2 hrs.:

Butler Warren Co. VMA – Ultrasound Diagnostics in Your Practice – 1/11/05 – 2 hrs
MedVet –New Drug Treatments for Heart Failure – 1/20/05 – 1 hr
Killbuck Valley VMA –Dry Cow Management – 2/22/05 – 2.5 hrs
Ohio Aquaculture Conference – 11/20/04 – hr/hr
Stark Co. VMA–Current Topics in Canine & Feline Cardiology– 3/20/05 – 6 hrs
Toledo VMA – Oncology & Hematology – 12/5/05 – 6 hrs
Miami Valley VMA
Ophthalmology For Practicing Veterinarian – 2/6/04 – 6 hrs
Allergic Disease in Dog & Cat – 3/1/04 – 2 hrs
Updates on Anesthesia & Analgesia – 4/5/04 – 2 hrs
Immunology Basics – 5/3/04 – 2 hrs
Hot Topics in Clinical Toxicology – 6/7/04 – 2 hrs
Cardiology Update – 9/6/04 – 2 hrs.
Radiation Oncology – 10/4/04 – 2 hrs.
Immune Mediated Hemolytic Anemia – 11/1/04 – 2 hrs

Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Small- aye; Dr. Lahmers- aye.

CE for RVTs

Dr. Small moved to approve the following continuing education courses for registered veterinary technicians:

Miami Valley VMA - Ophthalmology For Practicing Veterinarian – 2/6/04 – 3 hrs
Lakeland Community College – Advanced Med/Surg – hr/hr

Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Small-aye; Dr. Lahmers-aye.

Dr. Lahmers moved to approve the following continuing education courses for veterinarians and registered veterinary technicians except

CE for vets & RVTs

VIN OSHA & Practice Safety – 4/18-7/18, 2005 – 15 hrs and Animal Behavior Associates – Managing Chaos at the Door – 1/27/05 – 1 hr.:

MedVet

- 1. Gastric Dilatation Volvulus - 12/8/04 – 1 hr
- 2. Pancreatitis – 1/12/05 – 1 hr.
- 3. Canine & Feline Dentistry – 1/20/04 – 1 hr

B. VIN

- 1. Basic Medicine & Husbandry of Non Domestic Cats – 1/31 – 2/14, 2005 – 4 hrs
- 2. Borreliosis, Bartonellosis, Babesiosis & Cytauxzoonosis – 1/26-2/16, 2005 – 6 hrs

C. Pfizer – Clinical Parasitology - 1/25/05 – 3hrs; 1/26/05 & 1/27/05 – 1.5 hrs ea.

D. Pfizer – Managing Microbes – 2/19/05 – 5.5 hrs

E. Hills

- 1. Canine Osteoarthritis – 2/2/05 – 2 hrs
- 2. Canine Osteoarthritis – 1/19/05 – 1.5 hrs (different speakers)

F. IDEXX – Update on Feline Retroviruses – 3/2/05 – 2 hrs

G. Vet. Dental Concepts–Periodontal Disease–1/14/05–2 hrs

H. Ethicon Endosurgery – AALAS Training Series – 10/12/04 – 1 hr; 10/29/04 – 1 hr; 12/3/04 – 1 hr; 12/16/04 – 1 hr

I. Eastern OH VMA–Dilated Cardiomyopathy – 3/9/05 – 1.5

hrs.

J. Columbus Academy of Vet Med

- 1. Grief Counseling – 5/25/04 – 1 hr
- 2. Handling Prescription Drugs in the Office–12/7/04–1

hr

K. Ohio Veterinary Dental Service

- 1. A Thorough Prophy – various dates – 3 hrs ea. session
- 2. Dental Radiology – various dates – 4 hrs ea. session

Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Small-aye; Dr. Lahmers-aye.

Wayne Nichols,
DVM

Wayne Nichols, DVM appeared before the board to request the reinstatement of his license that was revoked in 1991. The Board directed Ms. Hissom to request information from the KY Veterinary Board.

Table for Addit'l
Information

Mr. Bentine moved to table the matter of license reinstatement until additional information has been received. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Small-aye; Dr. Lahmers-aye.

04-05-129
Invest.

Dr. Lahmers moved to investigate alleged violation of R.C. 4741 in the case of 04-05-129, Wesley Templeton. Mr. Bentine seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Small- aye; Dr. Lahmers- aye.

05-05-003
No Vio.

Dr. Gitz moved to find no violation of R.C. 4741 in the case of 05-05-003, Marilyn Januszczak, and to send a letter to the veterinarian regarding the release of records. Dr. Lahmers seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Small-aye; Dr. Lahmers- aye.

05-05-002
No Vio.

Dr. Gitz moved to find no violation of R.C. 4741 in the case of 05-05-002, Kathy Zamesko. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Small-aye; Dr. Lahmers- aye.

05-05-004
No Vio.

Dr. Gitz moved to find no violation of R.C. 4741 in the case of 05-05-004, Sharon Ferrone. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Small-aye; Dr. Lahmers- aye.

Dr. Lahmers moved to go into executive session at 11:10 a.m. for the purpose of reviewing the investigative reports. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Small- aye; Dr. Lahmers-aye.

Executive Session

Dr. Burt declared the board out of executive session at 11:25 a.m.

Dr. Lahmers moved to find no violation of R.C. 4741 in the case of 04-05-121, Melinda Lore. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Small- aye; Dr. Lahmers-aye.

04-05-121
No Vio.

Dr. Lahmers moved to issue 119's for violations of R.C. 4741.19(A) in the case of 04-05-123, Lisa Bush. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Small- aye; Dr. Lahmers-aye.

04-05-123
Issue 119's

Dr. Gitz moved to issue a 119 in the case of 04-05-097, Karen Miller, for violations of R.C. 4741.22 (A) and O.A.C. 4741-1-03(A). Dr. Lahmers seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Burt-aye; Dr. Lahmers-aye.

04-05-097
Issue 119

Dr. Gitz moved to refer to the prosecutor violations of R.C. 4741 in the case of 04-05-124, OVMLB. Dr. Small seconded the motion. The

04-05-124
Refer to Pros.

motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Small-aye; Dr. Lahmers-aye.

Dr. Lahmers moved to accept the response of Dr. Mark Pakalnis to the compliance inspection letter. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Small-aye; Dr. Lahmers-aye.

C/I response
Accepted

Dr. Gitz moved to accept the response of Dr. Karolyn Biehl to the compliance inspection letter. Mr. Bentine seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Small-aye; Dr. Lahmers-aye.

C/I response
Accepted

Dr. Lahmers moved to accept the response of Dr. A.P. Smith to the compliance inspection letter. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Small-aye; Dr. Lahmers-aye.

C/I response
Accepted

Dr. Lahmers moved to accept the response of Dr. Tara Beery to the compliance inspection letter. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Small-aye; Dr. Lahmers-aye.

C/I response
Accepted

Mr. Bentine moved to accept the response of Dr. Luis Rivas to the compliance inspection letter. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Small-aye; Dr. Lahmers-aye.

C/I response
Accepted

Dr. Small moved to go into executive session at 11:25 a.m. for purposes of hearing the AAG report. Dr. Lahmers seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Small- aye; Dr. Lahmers-aye.

Executive Session

Dr. Burt declared the board out of executive session at 12:20 p.m.

Dr. Lahmers moved to accept the settlement agreement of Ellen Imhoff, DVM, in the case of 04-04-012. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Small- aye; Dr. Lahmers-aye.

04-04-012
Settlement Agreem.

Dr. Lahmers moved to accept the settlement agreement of Herbert Topp, DVM, in the case of 03-04-101. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Small- aye; Dr. Lahmers-aye.

03-04-101
Settlement Agreem.

Mr. Bentine moved to accept the settlement agreements of Katrina Moore, DVM, in the case of 03-04-115 and Mark Parker, DVM in the case of 03-03-068. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Small- aye; Dr. Lahmers-aye.

03-04-115
03-03-068
Settlement Agreem.

Dr. Gitz moved issue a 119 to James Hagely, DVM in the case of 03-04-134 for violations of R.C. 4741.19(A). Mr. Bentine seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Small- aye; Dr. Lahmers-aye.

03-04-134
Issue 119

Dr. Burt noted that lunch arrived.

Dr. Lahmers moved to go into executive session at 1:15 p.m. for purposes of hearing additional information in the AAG report. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Small- aye; Dr. Lahmers-aye.

Executive Session

Dr. Burt declared the board out of executive session at 1:35 p.m.

The Board reviewed correspondence from Belinda Jo Propp regarding case # 04-05-116 and Cynthia Young, DVM.

Correspondence

Dr. Gitz moved to find no violation of R.C. 4741 in the case of 04-04-056, Renee Baus. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Small- aye; Dr. Lahmers-aye.

04-04-056
No Vio.

Dr. Gitz, Mr. Bentine and Ms. Hissom summarized their meeting with the OVMA regarding Practice Act changes.

Dr. Burt gave a brief report on FARB and will give a full summary at the next meeting.

Dr. Small was appointed to replace Dr. Burt on the CE Review Committee.

Dr. Gitz will continue to review the full investigative file.

Dr. Lahmers will review patient records and continue to review 119's.

Ms. Hissom reviewed the directives from today's meeting.

Directives

Dr. Burt acknowledged that the next meeting will be held March 9, 2005, 8:30 a.m. on the 31st Floor. Next meeting

Dr. Lahmers moved to adjourn the meeting at 2:10 p.m. Dr. Gitz seconded the motion. Dr. Burt adjourned the meeting. Adjournment

Dr. James Burt, President

Date

Attested to by: _____
Heather Hissom
Executive Secretary