

OHIO VETERINARY MEDICAL LICENSING BOARD

MINUTES

December 13, 2000

<p>Dr. Ray Fournier, President of the Ohio Veterinary Medical Licensing Board, called the December 13, 2000, meeting to order at 8:35 a.m. in Room 1915 at 77 S. High Street, 19th Floor, Columbus, Ohio.</p>	<p>Call to Order</p>														
<p>Dr. Fournier directed the Secretary to call roll:</p>	<p>Roll Call</p>														
<table border="0" style="width: 100%;"> <tr> <td style="width: 60%;">Dr. Ray Fournier</td> <td style="width: 40%;">present</td> </tr> <tr> <td>Dr. George Norris</td> <td>present</td> </tr> <tr> <td>Dr. Keith Burgett</td> <td>present</td> </tr> <tr> <td>Dr. Deborah Foster</td> <td>present</td> </tr> <tr> <td>Dr. Janet Small</td> <td>present</td> </tr> <tr> <td>Mrs. Janet Buck, RVT</td> <td>present</td> </tr> <tr> <td>Karen Morrison, Public Member</td> <td>present</td> </tr> </table>	Dr. Ray Fournier	present	Dr. George Norris	present	Dr. Keith Burgett	present	Dr. Deborah Foster	present	Dr. Janet Small	present	Mrs. Janet Buck, RVT	present	Karen Morrison, Public Member	present	
Dr. Ray Fournier	present														
Dr. George Norris	present														
Dr. Keith Burgett	present														
Dr. Deborah Foster	present														
Dr. Janet Small	present														
Mrs. Janet Buck, RVT	present														
Karen Morrison, Public Member	present														
<p>Dr. Fournier acknowledged the attendance of, Mrs. Donna Fickel, Secretary, Dr. Mindy Holland, Compliance Agent, Heather Hissom, AAG, Richard Jones, AAG, Dr. Robert Knapp, OVMA liaison and Jim Hoekstra, Head of Investigation at ODA. It was noted that Beatrice Witt, Executive Secretary was absent.</p>	<p>Attendance Staff, AAG OVMA liaison & Invest</p>														
<p>Mrs. Buck moved to approve the November 15, 2000, Minutes as submitted. Dr. Foster seconded the motion. The motion passed by the following roll call vote: Dr. Foster-aye; Dr. Norris-aye; Mrs. Morrison-aye; Mrs. Buck-aye; Dr. Burgett - aye; Dr. Small - aye.</p>	<p>Nov 15, 2000 Minutes approved</p>														
<p>Dr. Fournier did not have a President's report.</p>	<p>No Pres Rep</p>														
<p>Mrs. Buck did not have a Secretary's Report, however, she did advise the Board that she had been appointed to the Model Practice Act Task Force of the American Veterinary Medical Association.</p>	<p>Mrs. Buck appointed</p>														

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Dr. Knapp, OVMA liaison, did not have a report.	OVMA liaison
The Board acknowledged the OPEP report on Dr. Douglas Becker, and tabled any action until the investigator could determine if the suspension ordered in Settlement was being honored.	Dr. Becker OPEP
The Board acknowledged the OPEP report on Dr. Robert Sigler.	Dr. Sigler
The Board received a copy of the Maine Veterinary Medical Board Newsletter. Dr. Norris moved to purchase a copy of the video being used for new board member orientation. Dr. Burgett seconded the motion. The motion passed by the following roll call vote: Dr. Foster-aye; Dr. Norris-aye; Mrs. Morrison-aye; Mrs. Buck-aye; Dr. Burgett - aye; Dr. Small - aye.	Purchase Maine vet bd video
Dr. Burgett advised the Board of a death in Dr. David Glauer's family and directed a card of condolence be sent.	
The Board directed that a courtesy reminder be sent to the Governor's office, with a copy to Orest Holubec, Director of Boards and Commissions, regarding a replacement for Dr. Burgett whose term expires on December 31, 2000.	Reminder to Governor
Dr. Burgett reported on his volunteer trip to Armenia. His mission there was to teach proper procedures for artificial insemination.	Dr. Burgett - trip to Armenia.
Mrs. Buck moved to acknowledge receipt of the following new complaints and the file numbers issued:	acknowledgement of new complaints and file numbers issued
00-01-117 Karen Sebree	
00-01-118 Bonita Delbert	
00-01-119 Anonymous	
00-01-120 Sue Brinkman	
00-01-121 Ronald J. Becka	
00-01-122 Sharon Bays	
00-01-123 Sandy Canter	
00-01-124 Karen Searles	

00-01-125 Sharon Nardi
 00-01-126 Dennis Sullivan
 00-01-127 Molly Staley & Kathleen McGinty

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Dr. Foster seconded the motion. The motion passed by the following roll call vote: Dr. Foster-aye; Dr. Norris-aye; Mrs. Morrison-aye; Mrs. Buck-aye; Dr. Burgett - aye; Dr. Small - aye.

Dr. Norris moved to assign file number 00-01-119, Anonymous, for investigation. Mrs. Buck seconded the motion. The motion passed by the following roll call vote: Dr. Foster-aye; Dr. Norris-aye; Mrs. Morrison-aye; Mrs. Buck-aye; Dr. Burgett - aye; Dr. Small - aye.

00-01-119
Invest

Dr. Foster moved to find no jurisdiction regarding File # 00-01-126, Dennis Sullivan. Dr. Burgett seconded the motion. The motion passed by the following roll call vote: Dr. Foster-aye; Dr. Norris-aye; Mrs. Morrison-aye; Mrs. Buck-aye; Dr. Burgett - aye; Dr. Small - aye.

00-01-126
no juris

Dr. Norris moved to assign file number 00-01-127, Molly Staley & Kathleen McGinty for investigation and possible referral to another governing agency. Dr. Burgett seconded the motion. The motion passed by the following roll call vote: Dr. Foster-aye; Dr. Norris-aye; Mrs. Morrison-aye; Mrs. Buck-aye; Dr. Burgett - aye; Dr. Small - aye.

00-01-127
invest

Dr. Foster moved to approve the patient records submitted by Dr. Gregory Noll, File# 99-99-19; Dr. Robert Sigler, File# 98-98-57; and Dr. Calvin Washington, File# 99-00-116D, but to advise Dr. Washington that he needs improvement with legibility. Mrs. Morrison seconded the motion. The motion passed by the following roll call vote: Dr. Foster-aye; Dr. Norris-aye; Mrs. Morrison-aye; Mrs. Buck-aye; Dr. Burgett - aye; Dr. Small - aye.

Patient
records app

The Board noted that the hearing officer's report and recommendations for Drs. Hagely and Saviers would be considered at the January 10, 2001 meeting.

Hrg Off
Rep & Rec

Mrs. Buck moved to approve the following continuing education requests for veterinarians:

Dayton Emergency Veterinary Clinic - 1/9/01 - 2 hrs; 2/11/01 - 3 hrs; 2/11/01 -3 hrs; 3/6/01 - 2hrs; 4/3/01 - 2 hrs; 5/1/01 - 2 hrs; 6/5/01 - hrs; 9/4/01 - 2 hrs; 10/2/01 - 2 hrs; 11/6/01 - 2 hrs.
Butler-Warren Counties VMA - 9/12/00 - 2 hrs; 11/14/00 - 1.75 hrs.
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Vet CE app'd

Lima Area Academy of Small Animal Medicine - 9/12/00 - 1 hr; 10/10/00 - .75; 11/14/00 - 1 hr.
OVMA - 37th Annual Ski Meeting - 1/21-26/01 - 5 hrs.
Pharmacia & Upjohn-Ohio/PA/IN Key Swine DVM mtg - 11/16/00 - hr/hr.
Southern OH VMA - 11/14/00 - 1 hr.

Dr. Norris seconded the motion. The motion passed by the following roll call vote: Dr. Foster-aye; Dr. Norris-aye; Mrs. Morrison-aye; Mrs. Buck-aye; Dr. Burgett - aye; Dr. Small - aye.

Mrs. Buck moved to return the continuing education request from Veterinary Internal Medicine Clinic to be resubmitted when the location, titles and exact dates were determined. Dr. Norris seconded the motion. The motion passed by the following roll call vote: Dr. Foster-aye; Dr. Norris-aye; Mrs. Morrison-aye; Mrs. Buck-aye; Dr. Burgett - aye; Dr. Small - aye.

CE Req returned

Mrs. Buck moved to approve the following continuing education request for veterinary technicians:

MedVet - 11/15/00 - 1 hrs; 7/19/00 - 1 hr.

Dr. Foster seconded the motion. The motion passed by the following roll call vote: Dr. Foster-aye; Dr. Norris-aye; Mrs. Morrison-aye; Mrs. Buck-aye; Dr. Burgett - aye; Dr. Small - aye.

Mrs. Buck moved to approve the following continuing education request for veterinary technicians and veterinarians:

CE Req RVT & Vet

OVMA - Midwest Veterinary Conference - 2/21-25/01 - hr/hr

Dr. Foster seconded the motion. The motion passed by the following roll call vote: Dr. Foster-aye; Dr. Norris-aye; Mrs. Morrison-aye; Mrs. Buck-aye; Dr. Burgett - aye; Dr. Small - aye.

Dr. Norris moved to approve the license applications for the following veterinarians: Susan Beth Krebsbach; Lynn M. Lucke; Rex A. Miller; William

License App'd

Daniel Snyder; Ursala Marie Nance; John Grant Dahlinger and to issue a temporary permit for Normand Guy Ducharme pending a
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letter from the sponsoring veterinarian. Dr. Burgett seconded the motion. The motion passed by the following roll call vote: Dr. Foster-aye; Dr. Norris-aye; Mrs. Morrison-aye; Mrs. Buck-aye; Dr. Burgett - aye; Dr. Small - aye.

Dr. Norris moved to find a no violation of R.C. 4741 in the case of 00-01-111, Elizabeth Wilson. Mrs. Morrison seconded the motion. The motion passed by the following roll call vote: Dr. Foster-aye; Dr. Norris-aye; Mrs. Morrison-aye; Mrs. Buck-aye; Dr. Burgett - aye; Dr. Small - aye. 00-01-111
No Vio

Dr. Foster moved to find a no violation of R.C. 4741 in the case of 00-01-114, Jeanne Pritchard. Dr. Norris seconded the motion. The motion passed by the following roll call vote: Dr. Foster-aye; Dr. Norris-aye; Mrs. Morrison-aye; Mrs. Buck-aye; Dr. Burgett - aye; Dr. Small - aye. 00-01-114
No Vio

Dr. Foster moved to find a no violation of R.C. 4741 in the case of 00-01-117, Karen Sebree but to assign the facility to a regular five day notice compliance inspection. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Foster-aye; Dr. Norris-aye; Mrs. Morrison-aye; Mrs. Buck-aye; Dr. Burgett - aye; Dr. Small - aye. 00-01-117
No Vio
C/I

Mrs. Buck moved to find a no violation of R.C. 4741 in the case of 00-01-118, Bonita Delbert as cause of death could not be determined. Dr. Norris seconded the motion. The motion passed by the following roll call vote: Dr. Foster-aye; Dr. Norris-aye; Mrs. Morrison-aye; Mrs. Buck-aye; Dr. Burgett - aye; Dr. Small - aye. 00-01-118
No Vio

Dr. Foster moved to find a no violation of R.C. 4741 in the case of 00-01-105, Lisa Papapierto. Dr. Norris seconded the motion. The motion passed by the following roll call vote: Dr. Foster-aye; Dr. Norris-aye; Mrs. Morrison-aye; Mrs. Buck-aye; Dr. Burgett - aye; Dr. Small - aye. 00-01-105
No Vio

Dr. Burgett moved to find no jurisdiction in the case of 00-01-110, Mary Heckman, to send a letter to the facility advising a policy should be in place to prevent a recurrence, and advise complainant of the options to file a complaint with the board of trustees at OSU and to seek civil recourse. Dr. Norris seconded the motion. The motion passed by the following roll call vote: Dr. Foster-aye; Dr. Norris-aye; Mrs. Morrison-aye; Mrs. Buck-aye; Dr. Burgett - 00-01-110
No Juris

aye; Dr. Small - aye.

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At 10:15 a.m., Dr. Fournier recessed the Board and reconvened at 10:30 a.m.

Dr. Norris moved to go into executive session at 10:35 a.m. for the purpose of hearing the investigative reports. Dr. Burgett seconded the motion. The motion passed by the following roll call vote: Dr. Foster-aye; Dr. Norris-aye; Mrs. Morrison-aye; Mrs. Buck-aye; Dr. Burgett - aye; Dr. Small - aye.

Exec Sess
Invest Reports

Dr. Knapp left the meeting for the remainder of the day.

Dr. Fournier declared the Board out of executive session at 11:20 a.m. and back into regular session

Out of Exec Sess

Dr. Burgett moved not to file charges, but to send a 30 day letter ordering compliance for deficiencies in the case of 00-00-14 and close file upon compliance. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Foster-aye; Dr. Norris-aye; Mrs. Morrison-aye; Dr. Burgett - aye; Dr. Small - aye. Mrs. Buck-abstained.

00-00-14
30 day letter
for compliance

Dr. Burgett moved to table the case of 00-00-49, Irene Fry, pending an opinion from Dr. Bednarski at Ohio State University. Dr. Foster seconded the motion. The motion passed by the following roll call vote: Dr. Foster-aye; Dr. Norris-aye; Mrs. Morrison-aye; Mrs. Buck-aye; Dr. Burgett - aye; Dr. Small - aye.

00-00-49
Tabled

Dr. Burgett moved to file charges and issue a 119 Notice of Opportunity for Hearing in the case of 00-01-66, Shelly Ulsenheimer, for alleged violations of R.C. 4741.22 (AA) and O.A.C. 4741-1-21 (M). Mrs. Buck seconded the motion. The motion passed by the following roll call vote: Dr. Foster-aye; Dr. Norris-aye; Mrs. Morrison-aye; Mrs. Buck-aye; Dr. Burgett - aye; Dr. Small - aye.

File Chgs
Issue 119
00-01-66

The Board discussed the need to standardize narcotic logs and publish an instructional article.

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- Dr. Burgett moved not to file charges, but to send a 30 day letter ordering compliance for deficiencies in the case of 00-01-80, Romula Kuriakose and to request a copy of the drug log pertaining to the patient records in this case. Mrs. Buck seconded the motion. The motion passed by the following roll call vote: Dr. Foster-aye; Dr. Norris-aye; Mrs. Morrison-aye; Mrs. Buck-aye; Dr. Burgett - aye; Dr. Small - aye.
- 00-01-80
30 day letter
- Dr. Burgett moved to find no violation of R.C. 4741 in the case of 00-01-91, Joanne Neilsen and 00-01-92, Maureen Mesiovich, but to schedule the facility for a compliance inspection during the summer. Mrs. Morrison seconded the motion. The motion passed by the following roll call vote: Dr. Foster-aye; Dr. Norris-aye; Mrs. Morrison-aye; Mrs. Buck-aye; Dr. Burgett - aye; Dr. Small - aye.
- 00-01-91 &
00-01-92
No Vio
C/I
- Mrs. Buck moved not to file charges, but to send a 30 day letter ordering compliance for deficiencies in the case of 00-01-97 and 00-01-99, Shon Meere; to send letters to the technicians with a copy to the owner of the facility. Dr. Foster seconded the motion. The motion passed by the following roll call vote: Dr. Foster-aye; Dr. Norris-aye; Mrs. Morrison-aye; Mrs. Buck-aye; Dr. Burgett - aye; Dr. Small - aye.
- Send 30 day letter
00-01-97 &
00-01-99
- Dr. Norris moved to have the Assistant Attorney General prepare paperwork and file for injunctive relief in the case of 00-01-116. Dr. Burgett seconded the motion. The motion passed by the following roll call vote: Dr. Foster-aye; Dr. Norris-aye; Mrs. Morrison-aye; Mrs. Buck-aye; Dr. Burgett - aye; Dr. Small - aye.
- AAG to
file for
injunc relief
00-01-116.
- Mrs. Buck moved to file charges and issue a 119 Notice of Opportunity for Hearing in the case of 00-01-116, for alleged violations of R. C.4741.19(A) and 4741.22(A), (AA), (C), (L) and (T); O.A.C. 4741-1-21; 4741-1-03(6)(c); (7)(c) and(d); (B)(8) and 4741-1-22(A)(2). Dr. Norris seconded the motion. The motion passed by the following roll call vote: Dr. Foster-aye; Dr. Norris-aye; Mrs. Morrison-aye; Mrs. Buck-aye; Dr. Burgett - aye; Dr. Small - aye.
- File Chgs
Issue 119
00-01-116
- The Board directed that letters be sent to the veterinary technology programs in Ohio advising of procedures for registration.

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Dr. Norris moved to go into executive session at 11:25 a.m. for the purpose of the compliance inspection reports. Dr. Burgett seconded the motion.

Exec Sess
C/I Reports

The motion passed by the following roll call vote: Dr. Foster-aye; Dr. Norris-aye; Mrs. Morrison-aye; Mrs. Buck-aye; Dr. Burgett - aye; Dr. Small - aye.

Dr. Fournier declared the Board out of executive session and back into regular session at 11:35 a.m.

Dr. Fournier noted that lunch had arrived.

Dr. Norris moved to accept the compliance inspections and send 30 day letters to the following: Avery Road Animal Hospital, R.Z. Vesper, DVM; Forest Park Veterinary Clinic, James Lehnerd, DVM and Susan Reed, DVM; Athens Veterinary Clinic, Eric J. Aanestad, DVM; Cross Creek Animal Hospital, David Duvall, DVM; Animal Hospital of Pataskala, Tammy Hickin, DVM. Dr. Foster seconded the motion. The motion passed by the following roll call vote: Dr. Foster-aye; Dr. Norris-aye; Mrs. Morrison-aye; Mrs. Buck-aye; Dr. Burgett - aye; Dr. Small - aye.

Accept compliance
inspection reports
Send 30 day letter

Mrs. Morrison moved to accept the compliance inspection responses from the following: Shawnee Veterinary Hospital, William T. Collins, DVM; West Geauga Veterinary Hospital, Christine E. Pappas, DVM; Woodbridge Veterinary Clinic, Roberto Legorreta, DVM and Elwood Barden, Jr., DVM; Carriage Place Animal Hospital, Gary Rybka, DVM. Dr. Foster seconded the motion. The motion passed by the following roll call vote: Dr. Foster-aye; Dr. Norris-aye; Mrs. Morrison-aye; Mrs. Buck-aye; Dr. Burgett - aye; Dr. Small - aye.

Accept compliance
inspection
responses

The Board discussed ransoming of animals for payment of veterinary treatment. The Assistant Attorney General is going to research the laws.

The Board discussed the waiver of physical examination when administering vaccinations, and agreed that a physical examination must be given.

The Board discussed whether a veterinarian residing outside the state but holding

an Ohio license could treat animals for behavior disorder and agreed that all treatment must be provided by a veterinarian who sees the animal.

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Carol Morganski and Neetu Agrawal, Board office staff, were introduced to the Board members and other guests and shared lunch.

Three cases were brought to the attention of the Board for disposition. File #97-97-45 was given to the ODA Investigator for review and recommendation; Records from subsequent treating veterinarian were to be subpoenaed in File # 99-00-110; File 99-00-82 is to remain tabled until a decision is reached relevant to VCA case.

Cases reviewed

Mrs. Buck moved to go into executive session at 12:45 p.m. for the purpose of hearing the Assistant Attorney General report. Dr. Foster seconded the motion. The motion passed by the following roll call vote: Dr. Foster-aye; Dr. Norris-aye; Mrs. Morrison-aye; Mrs. Buck-aye; Dr. Burgett - aye; Dr. Small - aye.

Exec Session
AAG Report

Dr. Fournier declared the Board out of executive session and back into regular session at 12:55 p.m.

The Assistant Attorney General advised that she had filed and motion to dismiss in the case filed by Dr. Paul Gardner. A hearing has been set for February 1, 2001.

Dr. Gardner

The Board acknowledged a memo from the Ohio Department of Administrative Services relevant to employee step increases.

Corres

Dr. Burgett moved to go into executive session for the purpose of discussing personnel matters at 1:00 p.m. Dr. Norris seconded the motion. The motion passed by the following roll call vote: Dr. Foster-aye; Dr. Norris-aye; Mrs. Morrison-aye; Mrs. Buck-aye; Dr. Burgett - aye; Dr. Small - aye.

Exec Session
Personnel

It was noted for the record that Heather Hissom, AAG, Donna Fickel, Secretary, Melinda Holland, Compliance Agent, Jim Hoekstra, Investigator all left the meeting room.

Dr. Fournier declared the Board out of Executive Session and back into regular session at 1:20 p.m.

Out of Exec Sess

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Dr. Burgett moved the following resolution:

Be it resolved effective December 15, 2000 at 5:00 p.m. Beatrice Witt's position as executive secretary of the Ohio Veterinary Medical Licensing Board is hereby terminated unless a letter of formal resignation is received prior.

Resolution
Termination

Be it resolved that the Board President is requested to accept Beatrice Witt's resignation and/or invoke her termination as of 5:00 p.m. on December 15, 2000.

Be it resolved that the Board President or his appointed agent is assigned the task of retrieving any of the board property in the possession of Beatrice Witt, canceling her building authorization effective immediately, and returning (for her signature of receipt) all of her personal property located in the board office.

Be it resolved that Beatrice Witt will be granted three (3) days compensatory leave for December 13, 14, and 15, 2000, if available, but will be barred from returning to the board office.

Dr. Norris seconded the resolution. The motion passed by the following roll call vote: Dr. Foster-aye; Dr. Norris-aye; Mrs. Buck-aye; Dr. Burgett - aye; Dr. Small - aye. Mrs. Morrison-abstained.

Dr. Burgett moved to go into executive session for the purpose of discussing personnel matters at 1:25 p.m. Dr. Norris seconded the motion.

Exec Session
Personnel

Dr. Fournier declared the Board out of executive session and back into regular session at 1:50 p.m.

Out of Exec Sess

Dr. Burgett moved the following resolution:

Be it resolved that the Ohio Veterinary Medical Licensing Board accepts the application of Heather Hissom to become the board's executive secretary effective January 8, 2001. Dr. Norris seconded the motion. The resolution passed by the following roll call vote: Dr. Foster-aye; Dr. Norris-aye; Mrs. Morrison-aye; Mrs. Buck-aye; Dr. Burgett - aye; Dr. Small - aye.

Resolution
Appointment

Dr. Small nominated Dr. George Norris for the position of President of the Board for the year 2001. Mrs. Buck seconded the nomination. The motion passed by the following roll call vote: Dr. Foster-aye; Dr. Norris-aye; Mrs. Morrison-aye; Mrs. Buck-aye; Dr. Burgett - aye; Dr. Small - aye.

Dr. Norris for Pres

2001 Dr. Burgett nominated Dr. Deborah Foster for First Vice President of the Board for the year 2001. Mrs. Buck seconded the nomination. The motion passed by the following roll call vote: Dr. Foster-aye; Dr. Norris-aye; Mrs. Morrison-aye; Mrs. Buck-aye; Dr. Burgett - aye; Dr. Small - aye.

Dr. Foster for 1st VP
2001

Dr. Norris nominated Dr. Janet Small for the position of Second Vice President of the Board for the year 2001. Dr. Burgett seconded the nomination. The motion passed by the following roll call vote: Dr. Foster-aye; Dr. Norris-aye; Mrs. Morrison-aye; Mrs. Buck-aye; Dr. Burgett - aye; Dr. Small - aye.

Dr. Small for 2nd VP
2001

Dr. Foster nominated Mrs. Janet Buck to retain the position as Secretary of the Board for the year 2001. Mrs. Morrison seconded the nomination. The motion passed by the following roll call vote: Dr. Foster-aye; Dr. Norris-aye; Mrs. Morrison-aye; Mrs. Buck-aye; Dr. Burgett - aye; Dr. Small - aye.

Mrs. Buck for
Secretary 2001

Dr. Norris presented a plaque to Dr. Ray Fournier in appreciation of his outstanding service as President of the Board for the year 2000.

Presentation

Dr. Burgett, whose term on the Board will expire on December 31, 2000, reflected on his term with the Board and offered best wishes to the current members.

Dr. Burgett
Term Expired

Dr. Fournier noted that the next scheduled meeting of the Board would be held on January 10, 2001 at 8:30 a.m. in Room 1920 at 77 S. High Street, 19th Floor, Columbus, Ohio.

Jan 10th mtg

Mrs. Buck moved to adjourn at 2:00 p.m. Dr. Foster seconded the motion. Dr. Fournier adjourned the meeting.

Adjournment

Dr. Raymond Fournier, President

Date

Attested to by: _____
Beatrice Witt, Executive Secretary