

OHIO VETERINARY MEDICAL LICENSING BOARD

MINUTES

April 10, 2002

Dr. Deborah Foster, President of the Ohio Veterinary Medical Licensing Board, called the April 10, 2002, meeting to order at 8:35 a.m. in Room East B at 77 S. High Street, 31st Floor, Columbus, Ohio. Call to Order

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

Dr. Jerry Lahmers	present
Dr. Janet Small	present
Dr. Deborah Foster	present
Dr. James Burt	present
Mrs. Janet Buck, RVT	present

Dr. Foster acknowledged the attendance of Mrs. Donna Fickel, Secretary, Heather Hissom, Executive Secretary, John Izzo, AAG and Dr. Robert Knapp, OVMA liaison. Attendance
Staff, AAG
OVMA liaison

Dr. Burt moved to approve the March 13, 2002 Minutes with changes. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Burt- aye; Dr. Lahmers- aye; Dr. Small- aye; Mrs. Buck- aye. March 13, 2002
Minutes approved

Dr. Foster did not have a President's report. Pres. Rep.

Mrs. Buck will be attending the AVMA Task Force meeting in April. Sec. Rep.

Dr. Knapp reported that the OVMA has been in contact with the Governor's office regarding appointments to the Board. OVMA liaison

Heather Hissom, Executive Secretary, reported that a directive list had been distributed to the Board members with the material for the meeting. Ms. Hissom reported that the audit for FY 1999 and 2000 was complete. The Board should be receiving a report in 4-5 weeks. Ms. Hissom reported that the renewal process was nearly complete and that very few renewals were being submitted at this time. Ms. Hissom requested approval to purchase a new copier from Modern Copy Systems. Exec. Sec. Report

Copy Systems quoted the least expensive price for a Konica digital copier. Ikon's price was more expensive. Ms. Hissom reported that they had been allowed to use the machine for a few days and was satisfied with it. The purchase price will be \$11,900 and includes a fax machine. Dr. Burt moved to purchase the new copier. Mrs. Buck seconded the motion. The motion passed by the following roll call vote: Dr. Burt- aye; Dr. Lahmers- aye; Dr. Small- aye; Mrs. Buck- aye. Ms. Hissom will look at prices for purchasing new computer equipment and will report back to the Board at the May meeting. Ms. Hissom reported that she was proposing some additions to the records retention schedule. Dr. Burt moved to approve the additions. Mrs. Buck seconded the motion. The motion passed by the following roll call vote: Dr. Burt- aye; Dr. Lahmers- aye; Dr. Small- aye; Mrs. Buck- aye. Ms. Hissom reported that the judge has issued a decision in the case against Charles Derrick. The judge found Mr. Derrick guilty of practicing veterinary medicine without a license and was fined \$250 and ordered to pay \$166.73 in court costs. Ms. Hissom stated that she received several anonymous complaints. One was an advertisement from Marietta Animal Hospital showing advertising as a specialist and the same veterinarian advertising under her married name and maiden name. Dr. Small moved to send the veterinarian a letter regarding the advertisement. Dr. Lahmers seconded the motion. The motion passed by the following roll call vote: Dr. Burt- aye; Dr. Lahmers- aye; Dr. Small- aye; Mrs. Buck- aye. Ms. Hissom stated that an anonymous letter was received regarding alleged drug abuse by Dr. Patrick Hysell. Mrs. Buck moved to assign a case number and investigate. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Burt- aye; Dr. Lahmers- aye; Dr. Small- aye; Mrs. Buck- aye. Ms. Hissom stated that a copy of a letter from EuroVet was faxed to the Board. Dr. Lahmers moved to refer it to the Pharmacy Board. Mrs. Buck seconded the motion. The motion passed by the following roll call vote: Dr. Burt- aye; Dr. Lahmers- aye; Dr. Small- aye; Mrs. Buck- aye. Ms. Hissom reported that the Governor's office has issued a hiring freeze until the end of the fiscal year. Ms. Hissom contacted the Governor's Office and was told that this freeze applies to all agencies and the compliance inspector position. Dr. Dilbagh Kooner is coming in at 1:30 p.m. to interview for that position. The Board directed Ms. Hissom to write a letter to the Governor requesting special consideration in this matter. Ms. Hissom pointed out that an article on non-veterinarian ownership of practices, NBEC newsletter and the AAVSB newsletter was sent.

Purchase new copier

Records Retention Schedule Additions

Marietta An. Hosp. Send letter re: adv.

Dr. Patrick Hysell Assign # & Invest.

EuroVet: refer to Pharm. Bd.

Bd. Dir. To send Ltr. To Gov.

Mrs. Buck moved to acknowledge receipt of the following new complaints and the file numbers issued:

New Complaints Acknowledged

- 02-02-017 Ted Spais
- 02-02-018 Jill Lyttle
- 02-02-019 OVMLB

02-02-020 Thomas Rush
 02-02-021 Karen Blair
 02-02-022 Kimberly Hennessey
 02-02-023 H. Bradford Hawley
 02-02-024 Nancy Newpoff
 02-02-025 Bonnie Ann Grant

Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Burt- aye; Dr. Lahmers – aye; Dr. Small- aye; Mrs. Buck- aye.

Dr. Burt moved to find no jurisdiction in the case of 02-02-022, Kim Henessey. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Burt- aye; Dr. Lahmers – aye; Dr. Small- aye; Mrs. Buck- aye. 02-02-022
No. juris.

The Board acknowledged a letter from the FDA regarding Dr. Carlton Schlatter, the request for hearing and hearing schedule for Dr. Beatrice Turk, File # 01-02-115 and Drs. Leo Kline Jr. and Leo Kline III, File # 01-02-094 and the 119 issued to Dr. Beatrice Turk, File # 01-02-115. Schedule & 119
Ack'd

Dr. Small moved to approve the essay submitted by Dr. David Worner, File # 00-00-019. Dr. Lahmers seconded the motion. The motion passed by the following roll call vote: Dr. Burt- aye; Dr. Lahmers – aye; Dr. Small- aye; Mrs. Buck- aye. 00-00-019
Essay App'd

Dr. Lahmers moved to approve the patient records of Dr. Robert Sigler, File # 98-98-057, Dr. David Worner, File # 00-00-019, and Dr. Michael Cable, File # 00-00-065. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Burt- aye; Dr. Lahmers – aye; Dr. Small- aye; Mrs. Buck- aye. 00-00-019, 98-98-057, 00-00-065
Pat. Rec. App'd

Mrs. Buck moved that the Board go into executive session at 9:15 a.m. to consider the hearing examiner's report and recommendation for Dr. David Soehnlén, File # 01-02-069. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Burt- aye; Dr. Lahmers – aye; Dr. Small- aye; Mrs. Buck- aye. Executive Session
R&R

Dr. Knapp and Mr. Izzo left the meeting.

Dr. Foster declared the Board out of executive session at 9:25 a.m. Dr. Knapp and Mr. Izzo returned.

Dr. Lahmers moved to accept the finding and modify the recommendation of the hearing examiner to be one year probation during which Dr. Soehnlén will submit ten patient records and controlled substance 01-02-069
Adj. Order

logs per quarter, a fine of \$500 and costs of the hearing. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Burt- aye; Dr. Lahmers – aye; Dr. Small- aye; Mrs. Buck- aye.

Dr. Burt moved to approve the following continuing education courses for veterinarians and to not approve Auburn Univ. Compendium and the Columbus AVM, Asset Allocation, Wills & Powers of Attorney as they are non-scientific:

CE for Vets

Newton Falls Animal Hospital - Equine Craniosacral Techniques
I - 9/5-8/02 - 8 hrs.

ODA - Vesicular Diseases - 3/26/02 - 2 hrs.

Dr. Beth Souder - Virginia Tech online - Emerging Infectious
Diseases - hr/hr

North Coast Veterinary Specialists -

1. Update on Leptospirosis - 3/11/02 - 1 hr.

2. Bleeding Disorders - 4/8/02 - 1 hr.

3. Polyarthritis - 4/22/02 - 1 hr.

4. Monitoring Diabetic Patient - 4/29/02 - 1 hr.

OSU - 2002 Tri-State Dairy Nutrition Conf - 4/16-17/02 - hr/hr

Tri-State Ferret Connection - Tri-State Ferret Extravaganza &
Symposium - 5/25/02 - 4 hrs.

Columbus Academy of VM

1. Co2 Lasers in Veterinary Surgeries - 3/21/02 - 1.5 hrs.

2. Re-evaluation of Dominance Aggression - 1/22/02 - 1 hr

Cincinnati VMA - Heartworm Disease - 3/26/02 - 3 hrs.

Mrs. Buck seconded the motion. The motion passed by the following roll call vote: Dr. Burt- aye; Dr. Lahmers – aye; Dr. Small- aye; Mrs. Buck- aye.

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

CE for RVT's

Northwest Veterinary Technician Assoc.-

1. Fun with Exotics- 3/25/01- 4 hrs.

2. Intestinal Parasites and Zoonotic Diseases- 4/14/02-
2 hrs.

Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Burt- aye; Dr. Lahmers – aye; Dr. Small- aye; Mrs. Buck-aye.

Dr. Burt moved to approve the following continuing education requests for registered veterinary technicians and veterinarians:

CE for vets & RVTs

Ft. Dodge Animal Health - Equine Vaccine Advancements -

3/21/02 - 2 hrs.

Charles River Laboratories Short Course - 6/17-21/02 - 21.5 hrs.
Pfizer Animal Health

1. Modern Management of External Parasitic Dermatoses - 12/11/02 - 4 hrs.
2. Feline & Canine Heartworm Disease - 4/10/02 - 1.5 hrs.
3. Teleconferences - Flea Control; Feline Heartworm I; Feline Heartworm II; Osteoarthritis -1 hr ea.
4. Novartis - Zoonotic Disease -1 hr. ea. (Pending dates and times)

Mrs. Buck seconded the motion. The motion passed by the following roll call vote: Dr. Burt-aye; Dr. Small - aye; Dr. Lahmers- aye; Mrs. Buck- aye.

Licenses App'd

Dr. Small moved to approve licenses for the following: Chad R. Brown, Gwen E. Myers, Lee Fike, David McKeag Hale, Andrew J. Summers, Rodney Unger, Paul J. Haas and specialty licenses for Douglas D. Sharpnack and Stephen M. Reed. Dr. Lahmers seconded the motion. The motion passed by the following roll call vote: Dr. Burt-aye; Dr. Small - aye; Dr. Lahmers- aye; Mrs. Buck- aye.

Dr. Lahmers moved to find no jurisdiction and no violation of R.C. 4741 in the case of 01-02-109, David Noble. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Burt-aye; Dr. Small - aye; Dr. Lahmers- aye; Mrs. Buck- no.

01-02-109
No Juris. & No.
Vio.

Dr. Burt moved to find no violation of R.C. 4741 in the case of 02-02-001, Shirley Nuber. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Burt-aye; Dr. Small - aye; Dr. Lahmers- aye; Mrs. Buck- aye.

02-02-001
No Vio.

Dr. Lahmers moved to find no violation of R.C. 4741 in the case of 02-02-013, Pamela Scott. Mrs. Buck seconded the motion. The motion passed by the following roll call vote: Dr. Burt-aye; Dr. Small - aye; Dr. Lahmers- aye; Mrs. Buck- aye.

02-02-013
No Vio.

Dr. Small moved to find no violation of R.C. 4741 in the case of 02-02-014, Kris Folz. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Burt-aye; Dr. Small - aye; Dr. Lahmers- aye; Mrs. Buck- aye.

02-02-014
No Vio.

Dr. Lahmers moved to find no violation of R.C. 4741 in the case of 02-02-016, Tina Lewis. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Burt-aye; Dr. Small - aye; Dr. Lahmers-

02-02-016
No Vio.

aye; Mrs. Buck- aye.

Dr. Lahmers moved to find no violation of R.C. 4741 and no jurisdiction over fees in the case of 02-02-017, Ted Spais. Mrs. Buck seconded the motion. The motion passed by the following roll call vote: Dr. Burt-aye; Dr. Small - aye; Dr. Lahmers- aye; Mrs. Buck- aye.

02-02-017
No Vio., No Juris.

Dr. Small moved to find no violation of R.C. 4741 in the case of 02-02-012, Brenda Frank. Dr. Lahmers seconded the motion. The motion passed by the following roll call vote: Dr. Burt-aye; Dr. Small - aye; Dr. Lahmers- aye; Mrs. Buck- aye.

02-02-012
No Vio.

Dr. Burt moved to find no violation of R.C. 4741 in the case of 02-02-018, Jill Lyttle. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Burt-aye; Dr. Small - aye; Dr. Lahmers-aye; Mrs. Buck- aye.

02-02-018
No Vio.

Mrs. Buck moved to find no violation of R.C. 4741 in the case of 01-02-074, Sue Fellner. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Burt-aye; Dr. Small - aye; Dr. Lahmers-aye; Mrs. Buck- aye.

01-025-074
No Vio.

Dr. Small moved that the Board go into executive session at 10:35 a.m. for the purpose of reviewing the investigation reports. Dr. Lahmers seconded the motion. The motion passed by the following roll call vote: Dr. Burt-aye; Dr. Lahmers- aye; Dr. Small- aye; Mrs. Buck- aye.

Executive Session

Dr. Foster declared the Board out of executive session at 11:00 a.m.

Dr. Burt moved to find no violation of R.C. 4741 in the case of 02-02-005, Rosalie Ballway. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Burt-aye; Dr. Lahmers- aye; Dr. Small- aye; Mrs. Buck- aye.

02-02-005
No Vio.

Dr. Lahmers moved to find no violation of R.C. 4741 in the case of 01-02-126, Patricia Kidd-Bilski. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Burt-aye; Dr. Lahmers-aye; Dr. Small- aye; Mrs. Buck- aye.

01-02-126
No Vio.

Mrs. Buck moved to issue a 119 for violations of R.C. 4741.22(A) and 4741-1-03(A) in the case of 01-02-127, Gary Riggs, DVM. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Burt-aye; Dr. Lahmers- aye; Dr. Small- aye; Mrs. Buck- aye.

01-02-127
Issue 119

Dr. Burt moved to find no violation of R.C. 4741 in the case of 02-02-002, Cynthia Young, DVM. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Burt-aye; Dr. Lahmers- aye; Dr. Small- aye; Mrs. Buck- aye.

02-02-002
No Vio.

Mrs. Buck moved that the Board go into executive session at 11:05 a.m. for the purpose of hearing the AAG report. Dr. Lahmers seconded the motion. The motion passed by the following roll call vote: Dr. Burt-aye; Dr. Lahmers- aye; Dr. Small- aye; Mrs. Buck- aye.

Executive Session

Dr. Foster declared the Board out of executive session at 11:20 a.m.

Dr. Lahmers moved to approve the settlement agreement in the case of 00-01-070, Carol Rapisarda, DVM. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Burt-aye; Dr. Lahmers-aye; Dr. Small- aye; Mrs. Buck- aye.

00-01-070
Sett. Agr. App'd

Dr. Burt moved to approve the settlement agreement in the case of 00-01-120, Lisa Kurtz, DVM. Mrs. Buck seconded the motion. The motion passed by the following roll call vote: Dr. Burt-aye; Dr. Lahmers- aye; Dr. Small- aye; Mrs. Buck- aye.

00-01-120
Sett. Agr. App'd

The Board acknowledged correspondence from the AAVSB regarding the appointment of Mrs. Buck to the VTTC, a letter from the AVMA regarding the ECFVG program, and a letter from Dr. Donald Allen regarding questions for volunteers of a not-for-profit shelter. The Board directed Ms. Hissom to respond to this letter. The Board also acknowledged a letter from Dr. Cornett regarding the renewal fee.

Correspondence
Ack'd

Dr. Lahmers moved to approve the Employee Manual and Chapter V of the policy manual. Mrs. Buck seconded the motion. The motion passed by the following roll call vote: Dr. Burt-aye; Dr. Lahmers- aye; Dr. Small-aye; Mrs. Buck- aye.

Employee Manual
Committee

Ms. Hissom reported that the rules as discussed at the last meeting were filed. The public hearing would be held on May 8, during the next board meeting.

Rules

Dr. Small moved to approve Chapter 1 of the policy manual. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Burt-aye; Dr. Lahmers- aye; Dr. Small- aye; Mrs. Buck- aye.

Policy Manual

Dr. Foster noted that lunch arrived.

Dr. Foster left the meeting at 1:15 p.m. Dr. Small chaired the

remainder of the meeting.

Dr. Dilbagh Kooner arrived to meet with the Board regarding the compliance inspector position. Dr. Kooner left the meeting at 2:05. Dr. Kooner
C/I position

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

Dr. Small acknowledged that the next meeting will be held May 8, 2002, 8:30 a.m. in the Board Room, 31st Floor, Riffe Center. Next meeting

Dr. Burt moved to adjourn the meeting at 2:40 p.m. Mrs. Buck seconded the motion. Dr. Small adjourned the meeting. Adjournment

Dr. Deborah A. Foster, President

Date

Attested to by:

Heather Hissom
Executive Secretary