

**OHIO VETERINARY MEDICAL LICENSING BOARD**

**MINUTES**

**August 14, 2002**

Dr. Janet Small, Vice-President of the Ohio Veterinary Medical Licensing Board, called the August 14, 2002, meeting to order at 8:35 a.m. in the Board Room at 77 S. High Street, 31st Floor, Columbus, Ohio. Call to Order

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

Dr. Janet Small	present
Dr. Deborah Foster	absent
Dr. Darrell Gitz	present
Dr. James Burt	present
Janet Buck, RVT	present
Dr. Jerry Lahmers	present

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

Dr. Small acknowledged the attendance of Benson Wollman, attorney for Dr. Paul O. Gardner, and his assistant, Terry Sanese. Attendance Dr. Paul  
O. Gardner's atty.

Dr. Burt moved to approve the July 10, 2002 Minutes. Mrs. Buck seconded the motion. The motion passed by the following roll call vote: Dr.Lahmers- aye; Dr. Gitz- aye; Dr. Burt- aye; Mrs. Buck- aye. July 10, 2002  
Minutes approved

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

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

Dr. Knapp reported that the OVMA was going to host a conference call on the issue of PAVE vs. ECFVG on August 28, 2002 at 10:00 a.m. Any interested board members were invited to participate. OVMA liaison

Heather Hissom, Executive Secretary, reported that a directive list had been distributed to the Board members with the material for the Exec. Sec. Report

meeting. Ms. Hissom stated that the Auditor's report had been received. Ms. Hissom stated that she had developed three new policies based upon the recommendations made. Dr. Lahmers moved to approve the new policies. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Mrs. Buck- aye; Dr. Lahmers-aye. Ms. Hissom reported the OPEP forwarded additional reports for Dr. Ochterski showing that he is successfully participating in the OPEP program. Ms. Hissom reported on the AAVSB convention held in July. Ms. Hissom reported that it is time to do the budget for the next biennium. The Board has been frozen at its current fiscal year level for the next two years. Depending on the budget analysis that OBM will produce, the Board may need to raise RVT renewals by \$15 to \$50. It will not be known until later in the fall whether this will be needed or not. Ms. Hissom also stated that she will provide information at the Sept. meeting regarding the compliance inspector position. Ms. Hissom stated that she received a phone call regarding Beth Vesco being listed as a veterinarian in Ohio in the AVMA directory when she is ineligible for a license. Ms. Hissom also stated that she received information from an insurance company that Dr. Timothy Renn has been practicing without a license. She also received information that Dr. Carol Osborne Rapisarda is advertising as a specialist in an area not recognized by the AVMA. Dr. Lahmers moved to assign case numbers and investigate all three cases. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Mrs. Buck- aye; Dr. Lahmers-aye. Ms. Hissom also stated that a list has been compiled of the veterinarians who did not renew their licenses. The Board directed Ms. Hissom to post the names to the website. Ms. Hissom distributed a directory of anachronisms, OAVT newsletter and the new travel guidelines.

New Policies App'd

Dr. Ochterski, File # 01-01-116

FY 04-05 budget

Invest. Beth Vesco, Dr. Timothy Renn & Dr. Carol Rapisarda

Expired licenses Post to Website

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

New Complaints Acknowledged

- 02-02-066 Nicholette Bansky
- 02-02-067 Judy Fossen Gullett
- 02-02-068 Thomas Anato, Jr.
- 02-02-069 Lorrie Dunn
- 02-02-070 Janine Denier
- 02-02-071 Jenni Kovich
- 02-02-072 Marc Cooper
- 02-02-073 Steve Scott
- 02-02-074 Ed Marcum
- 02-02-075 Lori Christenson
- 02-02-076 Lori Christenson
- 02-02-077 Lori Christenson
- 02-02-078 Sue Tamulonis
- 02-02-079 Richard & Erika Dilworth

02-02-080 Lisa & Ray Jonstone  
02-02-081 Kurt Eberhardt  
02-02-082 Mary Jo Messer

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

Dr. Lahmers moved to find no violation of R.C. 4741 in the case of 02-02-069, Lorrie Dunn. Mrs. Buck seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers- aye; Dr. Gitz- aye; Dr. Burt-aye; Mrs. Buck- aye.

02-02-069  
No Vio.

Dr. Lahmers moved to approve the patient records of Dr. Timothy Henehan, File 99-00-064. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers- aye; Dr. Gitz- aye; Dr. Burt-aye; Mrs. Buck- aye.

99-00-064  
Pat. Rec. App'd.

The Board acknowledged the 119's issued to Kim DeWitt, RVT, file # 02-02-040 and Ted Panhuis, DVM, file # 02-02-046.

119's Ack'd

The Board acknowledged the hearing schedule for Dr. Cynthia Young, file # 01-02-027 and Dr. Mark Parker, file # 01-02-095.

Hearing schedule  
ack'd

Dr. Lahmers moved that the board go into executive session at 9:25 a.m. to discuss the report and recommendation of the hearing examiner for Dr. Cletus Vonderwell, file # 00-01-077. Mrs. Buck seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers- aye; Dr. Gitz- aye; Dr. Burt- aye; Mrs. Buck- aye.

Executive Session

Dr. Small declared the board out of executive session at 9:35 a.m.

Dr. Burt moved to accept the report and recommendation of the hearing examiner in file # 00-01-077, Cletus Vonderwell, DVM. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers- aye; Dr. Gitz- aye; Dr. Burt- aye; Mrs. Buck- aye.

Accept R&R  
Cletus Vonderwell,  
DVM

Becky Albers, AAG, arrived at the meeting.

Mr. Wollman was allowed to address the board on behalf of Dr. Paul Gardner. Mr. Wollman reiterated the points addressed in his objections filed with the board. He also offered into evidence a transcript and tape of Dr. Holland.

John Izzo, AAG, was given a chance to respond. He urged the board to not accept the additional evidence and to accept the recommendation of

the hearing examiner.

Dr. Burt moved that the board go into executive session at 9:45 a.m. to consider the report and recommendation of the hearing examiner in case #'s 01-02-070, 01-02-071 and 01-02-078. Mrs. Buck seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers- aye; Dr. Gitz- aye; Dr. Burt- aye; Mrs. Buck- aye.

Executive Session

John Izzo, AAG, Heather Hissom, Executive Secretary, Benson Wollman and Terry Sanese left the meeting.

Dr. Small declared the board out of executive session at 9:50 a.m.

Dr. Lahmers moved to accept the report and recommendation of the hearing examiner in the case of Paul O. Gardner, DVM, file #'s 01-02-070, 01-02-071 and 01-02-078. Mrs. Buck seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers- aye; Dr. Gitz- aye; Dr. Burt- aye; Mrs. Buck- aye.

Accept R&R  
Paul O. Gardner,  
DVM

Mr. Wollman, Terry Sanese and Becky Albers, AAG, left the meeting.

Dr. Gitz moved to send letter urging compliance with ODH to Ron Budz, DVM. Mrs. Buck seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers- aye; Dr. Gitz- aye; Dr. Burt- aye; Mrs. Buck- aye.

Letter to Ron Budz,  
DVM re: ODH

Dr. Burt moved to approve the following continuing education courses for veterinarians:

CE for veterinarians

Case Western Reserve School of Medicine - West Nile Virus -  
5/18/02 - 3 hrs.

Buckeye Ranch - How Farrier Techniques & Med Conditions  
Effect Horse - 8/24&25/02 - hr/hr

Beechwold Vet Hospital - Problems in Feline Med & Surgery -  
10/4-6/02 - 16 hrs.

MedVet - Clinical Discussion on Pain Mgt - 7/10/02 -1 hr;  
Round Table Discussion 7/25/02 - 1.25 hr

Annehurst Vet Hosp - Resistance & Susceptibility of Common  
Antimicrobials for Otitis & Pyoderma in a Clinical  
Practice - 8/1/02 - 2 hrs.

Assoc of OH Health Commissioners - Public Health in  
Challenging Times - 9/24-27/02 - 5 hours (items 1,2,  
3,4 & 6)

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

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

CE for RVT's

MedVet - Vaccine Associated Sarcoma in Cats - 3/21/02 - 1 hr;  
Pain Mgt - 5/15/02 - 1 hr

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

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

CE for veterinarians  
& RVT's

Am Holistic Vet Med Assoc - 2002 Annual Conf - 9/28-10/01/02  
- hr/hr

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

Dr. Lahmers moved to approve licenses for the following: Frederik J. Derksen, Amanda James Wildman, Laurie Ann Brown, Dina K. Hartzel, Laura Marie Arington, David Anderson, Jennifer Hendee, Emily Nicely, William Bean, Carrie Ann McCartan, Adam Parson, and Jeffrey Scott Stillie. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers - aye; Dr. Gitz- aye; Dr. Burt- aye; Mrs. Buck- aye.

Licenses App'd

Dr. Lahmers moved to deny a license to R. Todd Roseberry, DVM on the basis of his disciplinary action in Kansas and his failure to truthfully answer the application questions. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers - aye; Dr. Gitz- aye; Dr. Burt- aye; Mrs. Buck- aye.

R. Todd Roseberry,  
DVM: license  
denied

Dr. Lahmers moved to investigate alleged violations of R.C. 4741 in the case of 02-02-015, Peggy Dearth. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers - aye; Dr. Gitz- aye; Dr. Burt- aye; Mrs. Buck- aye.

02-02-015  
Invest.

Dr. Lahmers moved to table the case of 02-02-055, Gary Graham,

02-02-055

and to subpoena records. Mrs. Buck seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers - aye; Dr. Gitz- aye; Dr. Burt- aye; Mrs. Buck- aye.	Table & Subp. Records
Dr. Gitz moved to find no violation of R.C. 4741 in the case of 02-02-060, Doug Crumm, and to send record keeping rule. Dr. Lahmers seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers- aye; Dr. Gitz- aye; Dr. Burt- aye; Mrs. Buck- aye.	02-02-060 No Vio.
Dr. Lahmers moved to find no violation of R.C. 4741 in the case of 02-02-063, Donald Litvin. Mrs. Buck seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers - aye; Dr. Gitz- aye; Dr. Burt- aye; Mrs. Buck- aye.	02-02-063 No Vio.
Dr. Burt moved to find no violation of R.C. 4741 in the case of 02-02-065, Dale Danko. Dr. Lahmers seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers - aye; Dr. Gitz- aye; Dr. Burt- aye; Mrs. Buck- aye.	02-02-065 No Vio.
Dr. Burt moved to find no violation of R.C. 4741 in the case of 02-02-066, Nicolette Bansky. Dr. Lahmers seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers - aye; Dr. Gitz- aye; Dr. Burt- aye; Mrs. Buck- aye.	02-02-066 No Vio.
Dr. Small noted that lunch arrived.	
Mrs. Buck moved that the Board go into executive session at 12:00 p.m. for the purpose of reviewing the investigation reports. Dr. Lahmers seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers- aye; Dr. Gitz- aye; Dr. Burt- aye; Mrs. Buck- aye.	Executive Session
Dr. Small declared the Board out of executive session at 12: 10 p.m.	
Mrs. Buck moved to spend money for a handwriting analysis in the case of 02-02-040, R.D. Ramseyer. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers- aye; Dr. Gitz- aye; Dr. Burt- aye; Mrs. Buck- aye.	02-02-040 Handwriting analysis
Dr. Burt moved to find no violation of R.C. 4741 in the case of 02-02-006, Shirley Morrison. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers- aye; Dr. Gitz- aye; Dr. Burt- aye; Mrs. Buck- aye.	02-02-006 No Vio.
Mrs. Buck left the meeting for discussion of the following case.	

Dr. Gitz moved to issue a 119 in the case of 02-02-049, Julie Bellfy for violations of R.C. 4741.22(AA) and O.A.C. 4741-1-21 (C), (E), (I) and (L). Dr. Lahmers seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers- aye; Dr. Gitz- aye; Dr. Burt- aye; Mrs. Buck- abstain; Dr. Small- aye.

02-02-049  
Issue 119

Mrs. Buck moved that the Board go into executive session at 12:15 p.m. for the purpose of hearing the AAG report. Dr. Lahmers seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers- aye; Dr. Gitz- aye; Dr. Burt- aye; Mrs. Buck- aye.

Executive Session

Dr. Small declared the Board out of executive session at 12:40 p.m.

Dr. Lahmers moved to approve the settlement agreement of Dr. James Southard, file # 02-02-007. Mrs. Buck seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers- aye; Dr. Gitz- aye; Dr. Burt- aye; Mrs. Buck- aye.

02-02-007  
Settl. Agreem't

The Board acknowledged correspondence from David Hale, DVM regarding the PAVE program, Pam Finch re: 02-02-056, Marsha Rosenberg re: Dr. Gorkitsky, and NAVLE update.

Correspondence

Dr. Lahmers moved to find no violation of R.C. 4741 in the case of 02-02-053, Charlie Whittacre. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers- aye; Dr. Gitz- aye; Dr. Burt- aye; Mrs. Buck- aye.

02-02-053  
No Vio.

Dr. Gitz moved to find no violation of R.C. 4741 in the case of 02-02-003, Jewell Wakeman. Mrs. Buck seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers- aye; Dr. Gitz- aye; Dr. Burt- aye; Mrs. Buck- aye.

02-02-003  
No Vio.

The Board discussed the record keeping rule and possible changes. Dr. Small rewrote the rule so that it would be easier to read and understand. Ms. Hissom will type the changes and send them to the board members. The rule will be discussed again at the September meeting.

Record Keeping  
Rule

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

Directives

Dr. Small acknowledged that the next meeting will be held September 11, 2002, 8:30 a.m. in the Board Room on the 31<sup>st</sup> Floor.

Next meeting

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

Adjournment

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Dr. Deborah A. Foster, President

\_\_\_\_\_  
Date

Attested to by:

\_\_\_\_\_  
Heather Hissom  
Executive Secretary