

OHIO VETERINARY MEDICAL LICENSING BOARD

MINUTES

September 11, 2002

Dr. Deborah Foster, President of the Ohio Veterinary Medical Licensing Board, called the September 11, 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. Foster directed the Executive Secretary to call roll: Roll Call

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

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

Dr. Burt moved to approve the August 14, 2002 Minutes. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers- aye; Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye. August 14, 2002 Minutes approved

Dr. Foster did not have a 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 a directive list had been distributed to the Board members with the material for the meeting. Ms. Hissom reported that she participated in the conference call with the OVMA on the PAVE and ECFVG matter. Dr. Gitz and Dr. Burt also participated. Ms. Hissom reported that Jack Advent of the OVMA would arrive later to discuss the OVMA position. Ms. Hissom reported that the Board has received many telephone complaints. One complaint came from the Cuyahoga County Department of Health. A person in Cleveland is Exec. Sec. Report
Dr. Ochterski, File

allegedly signing rabies certificates as a veterinarian. The DOH has not received any rabies certificates with this person's signature. The Board directed no action unless additional information is received. ODA sent two referrals. One is regarding homeopathic medicine. The Board directed Ms. Hissom to gather information from the listed website. ODA also referred a case regarding a veterinarian who allegedly changed health certificates. The Board directed Ms. Hissom to send the veterinarian a letter regarding falsification of health certificates. Ms. Hissom stated that she has received information through phone calls and the Ohio Racing Commission that veterinarians at two racetracks are selling non-approved drugs out of their trucks. Dr. Gitz moved to assign a file # and investigate. Dr. Lahmers seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers- aye; Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye. Ms. Hissom stated that California would send copies of their contracts, etc. regarding their compliance inspectors. The Board directed Ms. Hissom to draw up a plan regarding how to break up the state. Ms. Hissom distributed a new board member phone list.

Letter to Dr. Amanda Wolfe re: health cert.

Assign # & Invest. Drug sales/ Race Tracks

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

New Complaints Acknowledged

- 02-03-083 Diane Longhauser
- 02-03-084 Diane Longhauser
- 02-03-085 Diane Longhauser
- 02-03-086 Ed & Elsie O'Connor
- 02-03-087 OVMLB
- 02-03-088 OVMLB
- 02-03-089 OVMLB
- 02-03-090 Lisa English
- 02-03-091 Nancy Howard
- 02-03-092 Kelly Crislip
- 02-03-093 Jane & John Dete
- 02-03-094 Donna Sansom
- 02-03-095 OVMLB
- 02-03-096 Timothy & Melissa Harden
- 02-03-097 Gene King
- 02-03-098 Ray Rapalee
- 02-03-099 Oscar Mascarenhas
- 02-03-100 Alex Georgas
- 02-03-101 Dawn St. Clair
- 02-03-102 Kristie Howard
- 02-03-103 Kathryn Garra

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

Dr. Lahmers moved to find no violation of R.C. 4741 in the case of 02-03-071, Jenni Kovich. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers- aye; Dr. Gitz- aye; Dr. Burt-aye; Dr. Foster- aye.

02-03-071
No Vio.

Dr. Lahmers moved to find no violation of R.C. 4741 in the case of 02-03-072, Marc Cooperman. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers- aye; Dr. Gitz- aye; Dr. Burt-aye; Dr. Foster- aye.

02-03-072
No Vio.

Dr. Burt moved to find no jurisdiction of R.C. 4741 in the case of 02-03-090, Lisa English, and to send a letter to OSU for a strict peer review with a report back to the Board. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers- aye; Dr. Gitz- aye; Dr. Burt-aye; Dr. Foster- aye.

02-03-090
No Juris.

Dr. Lahmers moved to find no jurisdiction of R.C. 4741 in the case of 02-03-096, Timothy & Melissa Harden. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers- aye; Dr. Gitz- aye; Dr. Burt-aye; Dr. Foster- aye.

02-03-096
No Juris.

Dr. Lahmers moved to approve the patient records of Dr. Beatrice Turk, file # 00-00-037. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers- aye; Dr. Gitz- aye; Dr. Burt-aye; Dr. Foster- aye.

00-00-037
Pat. Rec. App'd

The Board acknowledged the 119's issued to Daniel Overmeyer, DVM, file # 02-02-049.

119's Ack'd

The Board acknowledged the hearing schedule for Dr. Mark Parker, 01-02-095 and Dr. Ted Panhuis, 02-02-046.

Hearing schedule
ack'd

Dr. Lahmers moved to acknowledge discipline of Dr. John Michael Lies by the Kentucky Board of Veterinary Medicine. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers- aye; Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye.

Disc. Ack'd: Dr.
John Michael Lies

Dr. Lahmers moved to allow John Tannuzzo, Jr. sit for the NAVLE examination. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers- aye; Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye.

NAVLE: John
Tannuzzo Jr.

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

CE for veterinarians

Merial Limited - Recombinant Technology-The Future of Vaccines Today-8/7/02-2 hrs
Northland Medical Pharmacy - Updates on Transdermal Medication Delivery - 10/2-3/02 - 2.5 hrs
Ft. Dodge - Canine Leptospirosis - 9/18/02 - 2 hrs.
AKC Canine Health Foundation - Genes, Dogs & Cancer - 9/18-20/02 - hr/hr
USDA - In Plant Performance System/Bio Security - 8/27-28/02 - 8.75 hrs.
ODA - Progressive Enforcement - 7/30/02 - hr/hr
Lakota Hills An Cl - Radiology & Orthopedic Review - 7/8; 8/12 & 9/9/ 02 - 1.5 hrs ea
MedVet - Clinical Discussion on Heat Stroke - 8/22/02 - 1.25 hrs;
Clinical Review of the CO2 Laser -7/24/02 - 1 hr; Clinical Discussion Case Review - 8/14/02 - 1 hr.

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

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

CE for RVT's

Cinn Vet Tech Assoc - Oncology & Chemotherapy - 9/27/02 - 2 hrs.
Spectrum Surgical Instruments - Hows & Whys of Manufacturing, Testing & Using Surgical Instruments- 8/30/02- 2/5 hrs.

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

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

CE for veterinarians & RVT's

Marshfield Laboratories

1. Veterinary Specialists Forum for Small Animal Practitioners - 6hrs- 9/28/02
2. The Veterinary Practice Manager Seminar - 7 hrs; 9/28/02

Cleveland Academy of Veterinary Medicine -

1. Small Animal Cardiology Update - 10/9/02 - 4hrs;
2. Small Animal Dermatology Topics - 12/11/02 - 4 hrs;

- 3. Update on Endocrinology - 3/26/03 - 4 hrs;
 - 4. Small Animal Ophthalmology - 4/16/03 - 6 hrs;
 - 5. Avian & Exotic Animal Medicine - 5/7/03 - 4 hrs.
- Antech Diagnostics & Hills - Evening with the Specialists -
10/15/02 and 8/15/02 - 2 hrs ea.
AVMA - Animal Welfare Forum - 10/14/01 - 7.5 hrs.
ACVS - Symposium - 10/13/01 - 3 hrs.

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

Dr. Burt moved to approve licenses for the following: Robert B. Buchanan III, Ann Dapore, Adeseye A. Sharomi, Harpinderjit S. Jassar, Susan L. Stephen, Virginia Osgood Hudson, Michelle C. Foster, Melody A.M. Nowak, Karol L. Troyer, Tania E. White, Paul F.L.N. Wright, David E. Zellner, Nancy C. Huttinger, and Kelly L. Gellasch and specialty licenses to Anne Michelle Willis and Stephanie Phillips. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers - aye; Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye.

Licenses App'd

Dr. Lahmers moved to reverse the Board's prior motion 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; Dr. Foster- aye.

R. Todd Roseberry,
DVM: issue license

Dr. Lahmers moved to find no violation of R.C. 4741 in the case of 02-03-067, Judy Fossen Gullett. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers - aye; Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye.

02-03-067
No Vio.

Dr. Burt moved to find no violation of R.C. 4741 in the case of 02-03-068, Thomas Anato, Jr.. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers - aye; Dr. Gitz- aye; Dr. Burt- aye; Dr. Gitz- aye.

02-03-068
No Vio.

Dr. Lahmers moved to table the case of 02-03-070, Janine Denier, and subpoena radiographs and records from the clinic and letter to Dr. Jones. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers- aye; Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster-

02-03-070
Table

aye.

Dr. Burt moved to find no violation of R.C. 4741 in the case of 02-03-073, Steve Scott. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers - aye; Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye.

02-03-073
No Vio.

Dr. Gitz moved to find no violation of R.C. 4741 in the cases of 02-03-075, 02-03-076 and 02-03-077, Lori Christenson. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers - aye; Dr. Gitz- aye; Dr. Burt-aye; Dr. Foster- aye.

02-03-075
02-03-076
02-03-077
No Vio.

Dr. Lahmers moved to find no violation of R.C. 4741 in the case of 02-03-078, Sue Tamulonis. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers - aye; Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster-aye.

02-03-078
No Vio.

Dr. Burt moved to find no violation of R.C. 4741 in the case of 02-03-080, Lisa & Ray Johnstone. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers - aye; Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster-aye.

02-03-080
No Vio.

Dr. Lahmers moved to find no violation of R.C. 4741 in the case of 02-03-081, Kurt Eberhardt. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers - aye; Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster-aye.

02-03-081
No Vio.

Jack Advent, Executive Director, OVMA, arrived.

Dr. Lahmers moved to investigate alleged violations of R.C. 4741 in the case of 02-03-082, Mary Jo Messer. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers - aye; Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster-aye.

02-03-082
Investigate

Dr. Burt moved to table the case of 02-03-086, Ed & Elsie O'Connor, and subpoena radiographs, records and myelogram. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers - aye; Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster-aye.

02-03-086
Table

Dr. Gitz moved to find no violation of R.C. 4741 in the case of 02-03-091, Nancy Howard. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers - aye; Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster-aye.

02-03-091
No Vio.

Dr. Gitz moved to find no violation of R.C. 4741 in the case of 02-03-092, Kelly Crislip. Dr. Lahmers seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers - aye; Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster-aye.

02-03-092
No Vio.

Dr. Gitz moved to find no violation of R.C. 4741 in the case of 02-03-093, Jane & John Dete, and to send a letter to the clinic re: displaying licenses. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers - aye; Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster-aye.

02-03-093
No Vio.

Dr. Gitz moved to find no violation of R.C. 4741 in the case of 02-03-094, Donna Sansom. Dr. Lahmers seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers - aye; Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster-aye.

02-03-094
No Vio.

Dr. Foster noted that lunch arrived.

Jack Advent, Executive Director, OVMA, discussed the OVMA position on PAVE & ECFVG. The OVMA is not endorsing one program but urging both to work together to develop one program. Mr. Advent also stated that the proposed record keeping rule is a great improvement over the current rule and urged the Board to move forward with it.

OVMA position
On PAVE/ ECFVG,
Record keeping rule

Dr. Lahmers moved that the Board go into executive session at 12:15 p.m. for the purpose of reviewing the investigation reports. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers- aye; Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye.

Executive Session

Dr. Foster declared the Board out of executive session at 12:50 p.m.

Dr. Lahmers moved to assign a file number and issue a 119 in the case of Dr. Dale Walther, referred by ODA, for violations of R.C. 4741.22(A) and (AA), O.A.C. 4741-1-03(B)(6)(a) and 4741-1-21(M), (N), and (V) . Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers- aye; Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster-aye.

Dale Walther, DVM
Issue 119

Dr. Gitz moved to issue a 119 in the case of 02-02-058, Pamela Akerstrom for violations of R.C. 4741.22(R). Dr. Lahmers seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers-aye; Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye.

02-02-058
Issue 119

Dr. Burt moved to refer to the prosecutor the case of 02-02-057, Neal

02-02-057
Refer to Pros.

Sivula, DVM. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers- aye; Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye.

02-02-038

Tabled

Dr. Foster directed that the case of 02-02-038, Peggy Vick, will be tabled until the next board meeting due to lack of quorum.

Executive Session

Dr. Burt moved that the Board go into executive session at 1:00 p.m. for the purpose of hearing the AAG report. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers- aye; Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye.

Dr. Foster declared the Board out of executive session at 2:00 p.m.

Dr. Burt moved to approve the settlement agreement of Dr. Ted Panhuis, file # 02-02-046. Mrs. Buck seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers- aye; Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye.

02-02-046

Settl. Agreem't

Dr. Burt moved to issue a file # to Marietta Animal Hospital, Inc. and subpoena corporate structure documents. Dr. Lahmers seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers- aye; Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye.

Assign # & Subp.
Documents re:
Marietta An. Hosp.

Dr. Lahmers moved to amend the 119's in the cases of Dr.'s Weir, Wilson and Cooke, file #'s 98-98-051, 98-98-053 and 98-98-014 respectively. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers- aye; Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye.

98-98-051, 98-98-
053, 98-98-014
Amend 119's

Dr. Burt moved to file the record keeping rule as drafted. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Lahmers- aye; Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye.

Record keeping
Rule

The Board acknowledged correspondence from the AAVSB regarding the delegate assembly.

Correspondence

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

Directives

Dr. Foster acknowledged that the next meeting will be held October 9, 2002, 8:30 a.m. in the Board Room on the 31st Floor.

Next meeting

Dr. Burt moved to adjourn the meeting at 2:05 p.m. Dr. Gitz seconded the motion. Dr. Foster adjourned the meeting.

Adjournment

Dr. Deborah A. Foster, President

Date

Attested to by:

Heather Hissom
Executive Secretary