

**OHIO VETERINARY MEDICAL LICENSING BOARD**

**MINUTES**

**June 11, 2003**

Dr. Jerry Lahmers, Vice President of the Ohio Veterinary Medical Licensing Board, called the June 11, 2003, meeting to order at 8:35 a.m. in the South Meeting Room at 77 S. High Street, 31st Floor, Columbus, Ohio. Call to Order

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

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

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

Dr. Gitz moved to approve the May 14, 2003 Minutes. Dr. Foster seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye; Mrs. Buck- aye. May 14, 2003 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 that the budget had been passed by the Senate and would be going in to committee. The Board has not been granted a fee increase. Ms. Hissom reported that Dr. Ochterski is still in compliance with his OPEP contract. Ms. Hissom stated that a letter had been received from Dr. Verbsky of the Grievance Committee of the OVMA regarding the settling of a complaint Exec. Sec. Report

over medical treatment by making sure the veterinarian ceased the procedure. The Board directed Ms. Hissom to send a letter regarding the Board's jurisdiction in complaints. Ms. Hissom stated that OBP received information from a pharmacy regarding Dr. Mark Parker. Allegedly he is obtaining prescription medication containing codeine. Ms. Hissom also stated that the office received a telephone call to the same effect. Dr. Gitz moved to investigate Dr. Parker. Dr. Foster seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt-aye; Dr. Foster- aye; Mrs. Buck- aye. Ms. Hissom stated that the AAVSB newsletter had been distributed with the board information.

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

New Complaints  
Acknowledged

- 03-03-053 Erin O'lear
- 03-03-054 OVMLB
- 03-03-055 Tracy Earley
- 03-03-056 Tiffany Kulcsar
- 03-03-057 Zsofia Lester
- 03-03-058 Alice Branham
- 03-03-059 David Sorg
- 03-03-060 Gary Graham
- 03-03-061 Beverly Bramley
- 03-03-062 Linda Cupp
- 03-03-063 Marilyn Mills
- 03-03-064 Linda Cupp

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

Dr. Foster moved to find no violation in the case of 03-03-046, Michael Fleming. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye; Mrs. Buck- aye.

03-03-046  
No Vio.

Dr. Foster moved to find no violation in the case of 03-03-053, Erin O'lear. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye; Mrs. Buck- aye.

03-03-053  
No Vio.

Dr. Gitz moved to find no violation in the case of 03-03-057, Zsofia Lester. Mrs. Buck seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye; Mrs. Buck- aye.

03-03-057  
No Vio.

Dr. Gitz moved to investigate alleged violations of R.C. 4741 in the

03-03-060

case of 03-03-060, Gary Graham. Mrs. Buck seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye; Mrs. Buck- aye.

Invest.

Dr. Foster moved to find no violation in the case of 03-03-061, Beverly Bramley. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt-aye; Dr. Foster- aye; Mrs. Buck- aye.

03-03-061  
No Vio.

Dr. Gitz moved to reject the patient records submitted by Mark Parker, DVM. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt-aye; Dr. Foster- aye; Mrs. Buck- aye.

Patient Records

Mrs. Buck moved to go into executive session at 9:10 a.m. for the purpose of reviewing the hearing examiner's report and recommendations. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt-aye; Dr. Foster- aye; Mrs. Buck- aye.

Executive Session

Dr. Lahmers declared the board out of executive session at 9:25 a.m.

Dr. Foster moved to accept the findings of fact and conclusions of law of the hearing examiner in the case of 02-02-059, James Booth, DVM, but modify the recommendation to a fine of \$150 and costs of the hearing. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt-aye; Dr. Foster- aye; Mrs. Buck- aye.

02-02-059  
R&R

Dr. Gitz moved to accept the findings of fact and conclusions of law of the hearing examiner in the case of 02-02-058, Franklin Coy, DVM, but modify the recommendation to 10 CE hours in patient care within 90 days of the order, payment of \$250 fine and costs of the hearing and a 60 day suspension with 30 days suspended. Dr. Foster seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt-aye; Dr. Foster- aye; Mrs. Buck- aye.

02-02-059  
R&R

Dr. Burt moved to approve the following continuing education courses for veterinarians except Lima Area Academy of Small Animal Medicine, Marketing You, Your Practice & Your Ideas:

CE for vets

Veterinary Products Labs – Emerging Targets for the Control of Inflammation -6/5/03-1.5 hrs  
Miami Valley VMA

1. Flea & Tick Born Diseases – 6/3/03 – 2 hrs
  2. Vaccinology in the 21<sup>st</sup> Century – 5/6/03 – 2 hrs
- Butler-Warren County VMA – Zoonotic & Public Health Issues – 5/6/03 – 1.5 hrs.
- NEUSAHA Annual Meeting – 4/28-30/03 – hr/hr
- Datacore – New Advances in Canine Pain Control – 6/5/03 and 6/10/03 – 2 hrs ea. sess
- Cincinnati VMA
1. Current Topics in Pain Mgt – 9/23/03 – 3hrs
  2. New Advances in Brain & Vestibular Disease – 5/27/03 – 3 hrs.
  3. Treatment of Chronic Skin Infections & Allergies – 11/25/03 – 3 hrs
- Lima Area Academy of Small Animal Medicine
1. Control Substance Update – 1/14/03 – 1 hr.
  2. Periodontal Disease in Dogs & Cats – 3/11/03 – 1.5 hrs.
  3. Corneal Diseases of the Dog & Cat – 4/8/03 – 1.25 hrs
  4. Unusual Feline Dermatoses – 5/13/03 – 1.25 hrs
- Merial – Exploring New Perspectives on Effective Preventative Health Care -4/23/03 -2 hrs
- OSU – Public Health & Animal Welfare in Era of Bioterrorism – 6/17-18/03 – 13.5 hrs
- MedVet – Clinical Roundtable – 5/14/03 – 1.25 hrs

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

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

CE for vets & RVTs

- INCE – Zoonotic Helminths – various dates – 1 hr per program
- Three Rivers Branch AALAS –Tech Day 2003– 9/27/03 – 5 hrs
- Ft. Dodge Animal Health – Canine Leptospirosis – 5/27/03;5/21/03;5/22/03 – 2 hrs ea date

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

Dr. Gitz moved to approve licenses for the following: Misty Hirschbein, Sandra Johnson, Scott Pawling, James Prothman, Ellen Siedlecki, Tara Trumler, Jennifer Johnson, Glenn Olah, Amanda Goeman, Matthew Brokken, Kristin Buckler, Laurena Kavula, Kara Maas, Trisha Piper, Ross Springer, and specialty licenses for the following: Marc

Licenses App'd

Bercovitch, Eileen Heldman, and Kelly Gellasch. Dr. Foster seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye; Mrs. Buck- aye.

Dr. Foster moved to find no violation of R.C. 4741 in the case of 03-03-042, Marcia Christy. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye; Mrs. Buck- aye.

03-03-042  
No Vio.

Mrs. Buck moved to table the case of 03-03-047, Amber McLemore, and to request copies of the actual records from the veterinarian. Dr. Foster seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye; Mrs. Buck- aye.

03-03-047  
Table for records

Dr. Foster moved to find no violation of R.C. 4741 in the case of 03-03-048, Steven Beine. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye; Mrs. Buck- aye.

03-03-048  
No Vio.

Dr. Foster moved to find no violation of R.C. 4741 in the case of 03-03-049, Margaret Seward. Mrs. Buck seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt-aye; Dr. Foster- aye; Mrs. Buck- aye.

03-03-049  
No Vio.

Dr. Burt moved to find no violation of R.C. 4741 in the case of 03-03-050, Sherrine Selzer. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye; Mrs. Buck-aye.

03-03-050  
No Vio.

Dr. Foster moved to find no violation of R.C. 4741 in the case of 03-03-051, Sally Moore. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye; Mrs. Buck-aye.

03-03-051  
No Vio.

Dr. Gitz left the meeting during discussion of case 03-03-052, Gera Lopez.

Dr. Foster moved to find no violation of R.C. 4741 in the case of 03-03-052, Gera Lopez. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- abstain; Dr. Burt- aye; Dr. Foster- aye; Mrs. Buck- aye; Dr. Lahmers- aye.

03-03-052  
No Vio.

Dr. Foster moved to find no violation of R.C. 4741 in the case of 03-03-019, Candy Strong. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye;

03-03-019  
No Vio.

Mrs. Buck- aye

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

Executive Session

Dr. Lahmers declared the Board out of executive session at 10:45 a.m.

Dr. Foster moved to issue a 119 in the case of 03-03-014, Anonymous, for violations of R.C. 4741.22(Q). Mrs. Buck seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye; Mrs. Buck-aye.

03-03-014  
Issue 119

Dr. Gitz moved to find no violation of R.C. 4741 in the case of 02-02-040, R.D. Ramsyer, DVM. Mrs. Buck seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye; Mrs. Buck- aye.

02-02-040  
No Vio.

Dr. Gitz moved to find no violation of R.C. 4741 in the case of 03-03-004, Carroll Comeau. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye; Mrs. Buck- aye.

03-03-004  
No Vio.

Dr. Foster moved to fine no violation of R.C. 4741 in the case of 03-03-010, Aaron Messer, DVM and to send a detailed letter of explanation to Dr. Messer. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye; Mrs. Buck- aye.

03-03-010  
No Vio.

Dr. Gitz moved to table the case of 03-03-031, Kathryn Belill, DVM, in order to obtain corporate documents. Dr. Foster seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye; Mrs. Buck- aye.

03-03-031  
Table

Mrs. Buck moved to go into executive session at 10:50 a.m. for the purpose of hearing the AAG report. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye; Mrs. Buck- aye.

Executive Session

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

The board acknowledged and reviewed the correspondence received. Correspondence

Dr. Burt moved to investigate the possibility of having ODA conduct compliance inspections on a trial basis and to write a letter to the OVMA board of trustees seeking volunteers for the first inspections. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye; Mrs. Buck- aye. C/I Position

Dr. Foster moved to send a letter to the Sylvania Animal Hospital regarding Diane Schuette and to send a cease & desist letter to Diane Schuette. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye; Mrs. Buck- aye. Sylvania Animal Hosp. & Cease & Desist: Diane Schuette

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

Dr. Lahmers acknowledged that the next meeting will be held July 9, 2003, 8:30 a.m. on the 31<sup>st</sup> Floor. Next meeting

Dr. Burt moved to adjourn the meeting at 12:00 p.m. Dr. Gitz seconded the motion. Dr. Lahmers adjourned the meeting. Adjournment

\_\_\_\_\_  
Dr. Janet Small, President

\_\_\_\_\_  
Date

Attested to by: \_\_\_\_\_  
Heather Hissom  
Executive Secretary