

**OHIO VETERINARY MEDICAL LICENSING BOARD**

**MINUTES**

**September 10, 2003**

Dr. Janet Small, President of the Ohio Veterinary Medical Licensing Board, called the September 10, 2003, 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. Deborah Foster	present
Dr. Janet Small	present
Dr. Darrell Gitz	present
Dr. James Burt	present
Janet Buck, RVT	absent
Dr. Jerry Lahmers	absent

Dr. Small acknowledged the attendance of Heather Hissom, Executive Secretary, Donna Fickel, Secretary, John Izzo, AAG, and Martine Jean, paralegal. Attendance Staff, AAG

Dr. Burt moved to approve the August 13, 2003 Minutes. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster-aye; Dr. Small- aye. August 13, 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 stated it was time to have the renewal forms printed for veterinary renewals. The same form as last renewal period will be used. Ms. Hissom reported that Dr. Ochterski is still in compliance with his OPEP contract. Ms. Hissom reported that the results of Dr. Overmeyer's drug test were submitted and his test was negative. Ms. Hissom reported that an article regarding Valley Exec. Sec. Report  
Dr. Ochterski:  
OPEP  
Dr. Overmeyer  
Drug test results

View Veterinary Hospital had been sent to the Board reporting that non-veterinarians had ownership interest in the practice. The Board directed Ms. Hissom to send a letter to the owners regarding non-veterinarian ownership of practices. Ms. Hissom requested direction regarding file # 03-04-088 filed by Marla Hatmaker. Ms. Hissom wanted to know if the Board wanted responses from the veterinarians involved. Dr. Burt moved to table files 03-04-088 and 03-04-087 for more information. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt-aye; Dr. Foster-aye; Dr. Small- aye. Ms. Hissom reported that the NBVME Technical Report had been sent to the board for review.

Letter to owners of Valley View An. Hosp.

Table files 03-04-087 and 03-04-088

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

New Complaints Acknowledged

- 03-04-087 John Bradbury, DVM
- 03-04-088 Marla Hatmaker
- 03-04-089 Josie Gould
- 03-04-090 Deborah Givens
- 03-04-091 Michele Enright
- 03-04-092 Jodie Marshall
- 03-04-093 Cherie Morgan
- 03-04-094 Daniel Maurer
- 03-04-095 Lori Hoffman
- 03-04-096 OVMLB
- 03-04-097 Tim & Heidi Wolfgang
- 03-04-098 Michael Liptak
- 03-04-099 Jeanette Reuszer-Phelps
- 03-04-100 David & Sue Wieging
- 03-04-101 Kimberly Danner
- 03-04-102 Kimberly Tadaro

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

Dr. Foster moved to find no jurisdiction in the case of 03-04-094, Daniel Maurer. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye; Dr. Small-aye.

03-04-094  
No Jurisdiction

Dr. Foster moved to investigate alleged violations of R.C. 4741 in the case of 03-04-098, Michael Liptak. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye; Dr. Small-aye.

03-04-098  
Invest.

Dr. Foster moved to accept the patient records submitted by Dr. Mark Parker, file # 01-02-095 and Dr. Virgil McKee, DVM, file # 02-03-082. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt-aye; Dr. Foster- aye; Dr. Small- aye.

Patient Records

Dr. Gitz moved to go into executive session to consider the hearing officer report and recommendation at 9:00 a.m... Dr. Foster seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt-aye; Dr. Foster- aye; Dr. Small- aye.

Executive session

Dr. Small declared the board out of executive session at 9:15 a.m.

Dr. Gitz moved to accept the findings of fact and conclusions of law of the hearing examiner but modify the penalty to a six month suspension with three months suspended, two year probation with no further violations of R.C 4741 to be found, fine of \$250 and hearing costs. Dr. Foster seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt-aye; Dr. Foster- aye; Dr. Small- aye.

01-02-127  
Cynthia Young,  
DVM, Order

Dr. Burt moved to acknowledge the discipline against Curtis Halsted, DVM by the State of New York veterinary board and to send a letter to Dr. Halsted regarding reporting the discipline on his renewal. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt-aye; Dr. Foster- aye; Dr. Small- aye.

Cutis Halsted,  
DVM- ack. disc.

Dr. Burt moved to approve the following continuing education courses for veterinarians except American Holistic VMA – Annual Conference – 9/19-23, which is non-scientific, unless the sponsor shows scientific merit:

CE for vets

- Assoc of OH Health Commissioners – Code Orange
- Securing Ohio’s Public Health During Insecure Times – 9/23-25/03 – hr/hr
- OSU – Camelid Neonatal Clinic – 7/12/03 – 5 hrs.
- OSU – Llama & Alpaca Medicine for Practitioners – 6/28/03 – 7 hrs.
- Ft. Dodge – Island Paradise, Intestinal Parasites & Dirofilaria Immitis – 8/27/03 – 2.5
- Canine Health Foundation – Genes, Dogs & Cancer, 3<sup>rd</sup> Annual Conf – 9/5-7/03 – hr/hr
- APHIS/CDC Laboratory Bio Safety Course –7/29-31/03 – 18 hrs.

Dr. Foster seconded the motion. The motion passed by the following

roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye; Dr. Small –aye.

CE for vets &  
RVTs

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

Eastern OH VMA – Hematology & Cytology:Case Discussion –  
9/24/03 – 1.5 hrs

International Veterinary Seminars – Techniques in Critical Care –  
10/10-12/03 – hr/hr

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

Licenses App'd

Dr. Gitz moved to approve licenses for the following: Todd R. Birkle, Tamara M. Da Costa Gomez, Joan C. Schoengart, Robert Michael Cook, Amanda Ruth Huizer, Heather J. Bailey, Eric Alan Wolff, Lyubomyr Turchyn, and Kristi R. Hanna. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye; Dr. Small- aye.

03-04-075  
No Vio.

Dr. Gitz moved to table the case of 03-04-075, David Lahti, to obtain original records from subsequent treating veterinarian. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye; Dr. Small- aye.

03-04-077  
No Vio.

Dr. Burt moved to find no violation of R.C. 4741 in the case of 03-04-077, Karen Connison. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye; Dr. Small- aye.

03-04-078  
No Vio.

Dr. Foster moved to find no violation of R.C. 4741 in the case of 03-04-078, Margaret Champ. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye; Dr. Small- aye.

03-04-079  
No Vio.

Dr. Foster moved to find no violation of R.C. 4741 in the case of 03-04-079, Jackie Encl. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt-aye; Dr. Foster- aye; Dr. Small- aye.

Dr. Foster moved to find no violation of R.C. 4741 in the case of 03-04-080, Debbie Ferree. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye; Dr. Small-aye.

03-04-080  
No Vio.

Dr. Gitz moved find no violation of R.C. 4741 in the case of 03-04-083, Donna Shisler. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye; Dr. Small-aye.

03-04-074  
No Vio.

Dr. Burt moved to table the case of 03-04-084, Ruby Klingerman, for radiographs. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye; Dr. Small-aye.

03-04-084  
Table

Dr. Gitz moved to investigate the case of 03-04-085, Jane Ann Miller. Dr. Foster seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye; Dr. Small-aye.

03-04-085  
Invest.

Dr. Gitz moved to find no violation of R.C. 4741 in the case of 03-04-086, Shirley Ayers. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye; Dr. Small-aye.

03-04-086  
No Vio.

Dr. Gitz move to find no violation of R.C. 4741 in the case of 03-04-090, Deborah Givens. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye; Dr. Small-aye.

03-04-090  
No Vio.

Dr. Gitz moved to find no violation in the case of 03-04-091, Michele Enright. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye; Dr. Small-aye.

03-04-091  
No Vio.

Dr. Foster moved to find no violation in the case of 03-04-093, Cherie Morgan. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye; Dr. Small-aye.

03-04-093  
No Vio.

Dr. Gitz moved that the Board go into executive session at 11:10 a.m. for the purpose of hearing the AAG report. Dr. Foster seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye; Dr. Small- aye.

Executive Session

Dr. Small declared the Board out of executive session at 11:25 a.m.

Dr. Small noted that lunch arrived.

The Board acknowledged and reviewed the correspondence received.

Correspondence

Dr. Gitz moved to grant a CE waiver to Dr. William McClymonds for 14 hours to be made up next renewal. Dr. Foster seconded the motion.

CE waiver granted:  
William

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

Dr. Gitz moved to respond to the letter from Stewart Smith, DVM by stating the the Board does not have jurisdiction over billing and that he does not have to write a prescription to a third party (i.e. specific pharmacy). Dr. Foster seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye; Dr. Small- aye. Letter to Dr. Stewart Smith

The Board directed Ms. Hissom to respond to the Physical Therapy Board inquiry regarding collaborative practice with the Board's concerns. PT Board re: Collaborative pract.

Dr. Gitz moved to file an injunction in the case of 03-03-031, Kathryn Belill, DVM. Dr. Foster seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye; Dr. Small- aye. 03-03-031 Injunction

Dr. Foster moved to reaffirm the Board's decision in file 02-03-138, Richard Grossberg. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye; Dr. Small- aye. 02-03-138 No Vio.

Dr. Gitz moved to approve the Memorandum of Understanding with ODA. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Dr. Foster- aye; Dr. Small- aye. MOU app'd

Dr. Burt requested that Ms. Hissom present the board with a quarterly update of expenses at the next board meeting.

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

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

Dr. Burt moved to adjourn the meeting at 11:00 a.m. Dr. Foster seconded the motion. Dr. Small adjourned the meeting. Adjournment

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

\_\_\_\_\_  
Date

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

Executive Secretary