

**OHIO VETERINARY MEDICAL LICENSING BOARD**

**MINUTES**

**April 14, 2004**

Dr. Jerry Lahmers, President of the Ohio Veterinary Medical Licensing Board, called the April 14, 2004, 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. Lahmers directed the Executive Secretary to call roll: Roll Call

Dr. Janet Small	present
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, Martine Jean, AAG and Robert Knapp, DVM, OVMA liaison. Attendance Staff, AAG

Dr. Gitz moved to approve the March 10, 2004 Minutes. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye, Mrs. Buck-aye, Dr. Burt-aye. March 10, 2004 Minutes approved

There was no President's report. Pres. Rep.

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

Dr. Knapp stated that the Practice Act re-write is being sent to the board. It should be received any day. OVMA liaison

Dr. Lahmers postponed continuing the agenda so that Mr. Brian Peshoff, who was at the meeting to discuss a decision of no violation in case 03-04-148, could address the board. Mr. Peshoff presented his case to the Board for re-consideration. The Board chose not to reconsider the case. 03-04-138 Reconsideration

Heather Hissom, Executive Secretary, reported that the directives from the last board meeting had been completed. Ms. Hissom reported that the budget process for 06-07 has started. There will be no more money allocated to the board than it has this year, in fact, funds may be cut. Ms. Hissom reported that the board is still being audited. The audit is scheduled to be completed sometime in April. Ms. Hissom requested the board's opinion regarding the ECFVG survey. The ECFVG is considering giving candidates their clinical credit for participating in a specialty program. The Board directed Ms. Hissom to respond that the Board does not think this is a favorable improvement. Ms. Hissom stated that the 119 was not issued to James Booth, DVM, because the board did not reprimand him during his discipline so he technically answered the renewal questions correctly. Dr. Gitz moved to rescind the 119. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye, Mrs. Buck-aye, Dr. Burt-aye. Ms. Hissom stated that a call was received from a veterinarian stating that Dr. Paul Gardner wanted him to order drugs for him. Dr. Gitz moved to investigate whether Dr. Gardner is practicing veterinary medicine. Mrs. Buck seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye, Mrs. Buck-aye, Dr. Burt-aye. Ms. Hissom stated that the Board received a complaint that Dr. Patrick Hysell is practicing medicine on an expired license. Dr. Small moved to investigate. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye, Mrs. Buck-aye, Dr. Burt-aye. Ms. Hissom stated that there were several newsletters sent to the board: National Board Report, AAVSB Newsletter, Ohio Veterinary Newsletter and Crown Plaza Brochure.

Exec. Sec. Report

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

New Complaints  
Acknowledged

04-04-029 Anna Foulk  
 04-04-030 Michele Dick  
 04-04-031 Doreen Loboda  
 04-04-032 Eleanor Mc Laughlin  
 04-04-033 Patty Smith  
 04-04-034 Karen Green  
 04-04-035 Charles Curie  
 04-04-036 Sandra Dillon  
 04-04-037 Michael Denberg  
 04-04-038 Stephen Thacker  
 04-04-039 Bryan Holmgren  
 04-04-040 Rosanne Fenstermaker  
 04-04-041 Mary Kay Egolf  
 04-04-042 Jennifer Meikle

04-04-043 Lora Withrow  
 04-04-044 Melissa Goetz  
 04-04-045 John Adams  
 04-04-046 Trish Kallam

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

Mrs. Buck moved to find no violation of R.C. 4741 in the case of 04-04-031, Doreen Loboda, and to conduct a compliance inspection. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye; Mrs. Buck- aye; Dr. Burt- aye. 04-04-031  
 No Vio.  
 C/I

Dr. Gitz moved to investigate alleged violations of R.C. 4741 in the case of 04-04-033, Patty Smith. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye; Mrs. Buck- aye; Dr. Burt-aye. 04-04-033  
 Invest.

Dr. Gitz moved to investigate alleged violations of R.C. 4741 in the case of 04-04-035, Charles Curie. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye Dr. Small- aye; Mrs. Buck- aye; Dr. Burt- aye. 04-04-035  
 Invest.

Dr. Gitz moved to find no violation of R.C. 4741 in the case of 04-04-045, John Adams, and to send a letter regarding communication. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye; Mrs. Buck- aye; Dr. Burt- aye. 04-04-045  
 No Vio.

Dr. Small moved to find no violations of R.C. 4741 in the case of 04-04-046, Trish Kallam, and to send a letter regarding releasing records upon request. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye; Mrs. Buck- aye; Dr. Burt- aye. 04-04-046  
 No Vio.

Dr. Small moved to approve the patient records of Rudy Schniedhorst, DVM, file # 02-03-135, and Daniel Yates, DVM, file # 02-03-089. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye; Mrs. Buck- aye; Dr. Burt- aye. Patient Records

The Board acknowledged the hearing schedules issued to 03-04-098 Donald Smith, DVM; 03-03-072 Bharat Khemsara, DVM, 03-03-068 Mark Parker, DVM and 03-04-140 Jodie Smith, DVM. Hearing Schedules

The Board acknowledged the 119 issued to Jodi Smith, DVM, file # 03-04-140. Ack. 119

Dr. Gitz moved to deny the request for reinstatement to Wayne Nichols as no information regarding competency or rehabilitation has been included. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye; Mrs. Buck- aye; Dr. Burt- aye.

Wayne Nichols:  
License  
reinstatement

Dr. Burt moved to deny approval of the veterinary medicine curriculum to St. George's University on the basis that they would prefer to see AVMA accreditation. Mrs. Buck seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye; Mrs. Buck- aye; Dr. Burt- aye.

St. George's Univ.  
Curricul. Denied

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

CE for vets

Cincinnati VMA – Six Most Common Tumor Groups – 3/23/04  
– 3 hrs

Toledo VMA – Look Your Patient in the Eyes – 3/17/0 – 2.5 hrs

AgriLabs–Enteric Diseases of the Bovine–6/2/04 and 7/7/04– 4  
hrs per session

Veterinary Internal Med Consultation & Ref Clinic – Clinical  
Pathologic Conf – 3/10/04 – 1 hr

Manna Pro – Applied Equine Nutrition – 2/18/04 – 2.5 hrs

VIN

1. Too Hot to Trot – 1/29 – 2/12, 2004 – 3 hrs

2. Organ Systems & Core Examination Review, Module  
A – 3/31/ - 5/26/04 – 16 hrs

OSU – AO ASIF Veterinary Course – 5/6-9/04 – 30 hrs

MedVet–Immune Mediated Thrombocytopenia–3/18/0–1.25 hrs.

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

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

CE for RVTs

Ethicon – AALAS Training Series – 3/26/04; 3/12/04; 2/27/04;  
2/6/04; 1/30/04 – 1 hr each

Veterinary Learning Systems–Essentials in Critical Care–3/27-  
28/04;4/3-4/04;5/15-16/04–12 hr ea

VIN

1. How to Organize a Blood Donor Program – 5/1-22/04  
– 3 hrs

2. Fundamentals of Toxicology – 4/1-28/04 – 4 hrs

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

roll call vote: Dr. Gitz- aye; Dr. Small-aye; Mrs. Buck-aye; Dr. Burt- aye.

Mrs. Buck moved to approve the following continuing education courses for veterinarians and registered veterinary technicians, except for VIN Team Based Veterinary Health Care Delivery – 5/11-6/1, 2004 – 6 hrs and Key Practice Indicators – 4/6-27/04 – 6 hrs.; Ethicon Dealing with FDA Audit – 2/24/04 & 2/17/04 – 1 hr ea. and Documentation & Ethics For GLP – 1/27/04 – 1 hr.:

CE for vets & RVTs

Ethicon

1. General Safety & Emergency Procedures – 1/20/04 & 2/5/04 – 1 hr ea
  2. Sterile Suite Etiquette – 3/5/04 – 1 hr
  3. Zoonosis Training – 3/4/04 - .5 hr
  4. GLP for the Technical & Surgical Staff – 3/31/04 – 8 hrs
  5. Good Laboratory Practices for Biomedical Research – 1/22/04 & 1/29/04 – 1 hr ea
- Veterinary Dental Concepts – Periodontal Disease – 1/21; 3/14; 3/24; 3/24, 2004 – 1.5 hrs ea
- Cincinnati VMA – Instrument University – 5/25/04 – 3 hrs
- Pfizer – Bovine Practitioner Tools for Tomorrow’s Opportunities – 12/11/03 – 5.5 hrs
- Reconsider request from – Marsha Heinke, DVM
- Forever Friends Pet Care Center & Hospital – 12/ 10 and 11/2003 – 1.5 hrs.

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

Dr. Gitz moved to approve licenses for the following: Alison Crocker, Leisl Bigge, Charsa Rubin, Erick Mears, Sharon Yaskulski, Kenith Burnett, Carrie Crouse, Kelly Rada and specialty license for Laurene Fomby. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye; Mrs. Buck- aye; Dr. Burt- aye.

License App’d

Dr. Gitz moved to approve the license of Richard Berlinski, DVM. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye; Mrs. Buck- aye; Dr. Burt- aye.

Richard Berlinski, DVM: license app’d

Dr. Gitz moved to approve the license of Terah Robbin, DVM and to issue a 119 for practicing without a license. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr.

Terah Robbin,

Small- aye; Mrs. Buck- aye; Dr. Burt- aye.

DVM: license app'd  
and 119 issued

Mrs. Buck moved to issue 119(s) to the responsible employer of Dr. Robbin for permitting practice without a license. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye; Mrs. Buck- aye; Dr. Burt- aye.

119 to responsible  
employer of Dr.  
Robbin

Dr. Gitz moved to grant a continuing education waiver to William Taylor, DVM. Dr. Taylor will need seventeen (17) additional hours next renewal. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye; Mrs. Buck- aye; Dr. Burt- aye.

William Taylor,  
DVM- CE Waiver  
granted

Dr. Gitz moved to approval the renewal of J. Michael Barnes, DVM. Dr. Small moved to second the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye; Mrs. Buck- aye; Dr. Small- aye.

J. Michael Barnes,  
DVM-app. renewal

Dr. Gitz moved to grant a continuing education waiver to George Aanstadt, DVM. Dr. Aanstadt will need twenty (20) additional hours next renewal. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye; Mrs. Buck- aye; Dr. Burt- aye.

George Aanstadt,  
DVM- CE waiver  
granted

Dr. Gitz moved to grant a continuing education waiver to Wayne Sharp, DVM. Dr. Sharp will need thirty (30) additional hours next renewal. Mrs. Buck seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye; Mrs. Buck- aye; Dr. Burt- aye.

Wayne Sharp,  
DVM- CE waiver  
granted

Mrs. Buck moved to approve the registration for Lita Sears. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye; Mrs. Buck- aye; Dr. Burt- aye.

Lita Sears- RVT  
Registration app'd

Dr. Gitz moved to find no violation of R.C. 4741 in the case of 03-04-149, Mike Bradley, but to schedule a compliance inspection. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye; Mrs. Buck- aye; Dr. Burt- aye.

03-04-149  
No Vio./ C/I

Dr. Gitz moved to find no violation of R.C. 4741 in the case of 04-04-005, Joanne Green, but to advise regarding release of records upon request. Mrs. Buck seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye; Mrs. Buck- aye; Dr. Burt- aye.

04-04-005  
No Vio.

Mrs. Buck moved to find no violation of R.C. 4741 in the case of 04-04-009, Brian Molnar. Dr. Small seconded the motion. The motion passed

by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye; Mrs. Buck- aye; Dr. Burt- aye.	04-04-009 No Vio.
Dr. Gitz moved to find no violation of R.C. 4741 in the case of 04-04-016, Dick Grupe, but to send a letter regarding client communication. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye; Mrs. Buck- aye; Dr. Burt- aye.	04-04-016 No Vio.
Dr. Gitz moved to table the case of 04-04-018, Dominique Robert, to request films from the pneumocystogram. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye; Mrs. Buck- aye; Dr. Burt- aye.	04-04-018 No Vio.
Mrs. Buck moved to find no violation of R.C. 4741 in the case of 04-04-020, Kris Pasqualone. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye; Mrs. Buck- aye; Dr. Burt- aye.	04-04-020 No Vio.
Dr. Gitz moved to find no violation of R.C. 4741 in the case of 04-04-021, Linda Nelson, but to send a letter regarding client communication. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye; Mrs. Buck- aye; Dr. Burt- aye.	04-04-021 No Vio.
Dr. Gitz moved to find no violation of R.C. 4741 in the case of 04-04-025, Karen Haberecht. Mrs. Buck seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye; Mrs. Buck- aye; Dr. Burt- aye.	04-04-025 No Vio.
Dr. Gitz moved to find no violation of R.C. 4741 in the case of 04-04-026, Robert Harris. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye; Mrs. Buck- aye; Dr. Burt- aye.	04-04-026 No Vio.
Dr. Gitz moved to find no violation of R.C. 4741 in the case of 04-04-028, Grace Antisdale. Mrs. Buck seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye; Mrs. Buck- aye; Dr. Burt- aye.	04-04-028 No Vio.
Dr. Gitz moved to find no violation of R.C. 4741 in the case of 04-04-029, Anna Foulk. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye; Mrs. Buck- aye; Dr. Burt- aye.	04-04-029 No Vio.
Dr. Small moved to table the case of 04-04-030, Michele Dick, for more information. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye; Mrs. Buck- aye; Dr.	04-04-030

Burt- aye.	Table for info.
Dr. Lahmers noted that lunch arrived.	
Dr. Gitz moved to find no violation of R.C. 4741 in the case of 04-04-032, Eleanor McLaughlin. Mrs. Buck seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye; Mrs. Buck- aye; Dr. Burt- aye.	04-04-032 No Vio.
Dr. Gitz moved to find no violation of R.C. 4741 in the case of 04-04-034, Karen Green. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye; Mrs. Buck- aye; Dr. Burt- aye.	04-04-034 No Vio.
Dr. Burt moved to find no violation of R.C. 4741 in the case of 04-04-038, Stephen Thacker. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye; Mrs. Buck- aye; Dr. Burt- aye.	04-04-038 No Vio.
Dr. Small moved that the Board go into executive session at 2:33 p.m. for the purpose of reviewing the investigative reports. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye; Mrs. Buck- aye; Dr. Burt- aye.	Executive Session
Dr. Lahmers declared the Board out of executive session at 4:10 p.m.	
Mrs. Buck moved to send a letter regarding recordkeeping and perform a follow-up compliance inspection in the next six months in the case 04-04-001, Cheryl Engle. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye; Mrs. Buck- aye; Dr. Burt- aye.	04-04-001 No Vio./ C/I
Dr. Gitz moved to issue a 119 for violations of R.C. 4741.22(A) and 4741-1-03(A) in the case of 03-04-139, Elizabeth Hunter Jones. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye; Mrs. Buck- aye; Dr. Burt- aye.	03-04-139 Issue 119
Mrs. Buck moved to issue a 119 for violations of R.C. 4741.19(c) in the case of 03-04-141, Kelly O'Donnell. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye; Mrs. Buck- aye; Dr. Burt- aye.	03-04-141 Issue 119
Mrs. Buck moved to send a 30 day compliance inspection letter in	03-04-117



the case 03-04-117, Irene Aschenbener. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye; Mrs. Buck- aye; Dr. Burt- aye. 30 day C/I ltr.

Mrs. Buck moved to send a 30 day compliance inspection letter in the case of 03-04-084, Ruby Clingerman. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye; Mrs. Buck- aye; Dr. Burt- aye. 03-04-084  
30 day C/I ltr.

Dr. Gitz moved to issue a 119 for violations of R.C. 4741.22(A) and 4741-1-03(B)(6)(c) in the case 04-04-014, Kimberly Lupica. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye; Mrs. Buck- aye; Dr. Burt- aye. 04-04-014  
Issue 119

Dr. Gitz left the room for discussion of the following case.

Dr. Burt moved to send a letter regarding recordkeeping in the case 04-04-013, OVMLB. Mrs. Buck seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye; Mrs. Buck- aye; Dr. Burt- aye. 04-04-013  
Letter re:  
recordkeeping

Dr. Burt moved to table the following investigative reports until next month: 03-04-101 Kimberly Danner; 03-04-087 & 03-04-088 John Bradbury, DVM; 03-04-133 OVMLB; 03-04-137 Sarah Gillis; 03-04-142 Anonymous; 03-04-151 James Sumner; 04-04-004 Anonymous. Mrs. Buck seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye; Mrs. Buck- aye; Dr. Burt- aye. Table remaining  
Investigations until  
May

Mrs. Buck moved to accept the compliance letters from Dr. Harold Albert and Dr. Stuart Durbridge. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye; Mrs. Buck- aye; Dr. Burt- aye. C/I letters

Mrs. Buck moved to go into executive session at 4:15 p.m. to hear the AAG report. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye; Mrs. Buck- aye; Dr. Burt- aye. Executive Session

Dr. Lahmers declared the board out of executive session at 4:35 p.m.

Dr. Gitz moved to approved the settlement agreement of Dr. Susan Metz, file # 03-03-007. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Small- aye; Mrs. Buck- aye; Dr. Burt- aye. 03-03-007  
Settlement  
Agreement App'd

The Board acknowledged and reviewed the correspondence received from Ronald Budz, DVM – suspension; Marcia Rosenberg re: Dr. Stanley Gornitsky and George Uhrmann, Jr., DVM. Correspondence

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

Dr. Lahmers acknowledged that the next meeting will be held May 12, 2004, 8:30 a.m. on the 31<sup>st</sup> Floor. Next meeting

Dr. Burt moved to adjourn the meeting at 4:45 p.m. Dr. Small seconded the motion. Dr. Lahmers adjourned the meeting. Adjournment

\_\_\_\_\_  
Dr. Jerry Lahmers, President

\_\_\_\_\_  
Date

Attested to by:

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