

OHIO VETERINARY MEDICAL LICENSING BOARD

MINUTES

June 9, 2004

Dr. Jerry Lahmers, President of the Ohio Veterinary Medical Licensing Board, called the June 9, 2004, meeting to order at 8:50 a.m. in South A 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 and Donna Fickel, Secretary. Attendance Staff

Dr. Burt moved to approve the May 12, 2004 and May 25, 2004 Minutes. 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. May 12 & 25, 2004 Minutes approved

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

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

There was no OVMA liaison report. OVMA liaison

Heather Hissom, Executive Secretary, reported that the directives from the last board meeting had been completed. Ms. Hissom reported that the CAVU funds will be available until August 31, 2004. A new schedule showing when the Board will be converted to the system is to be forthcoming. Ms. Hissom stated that budget spreadsheets should have been in the board mailing. Ms. Hissom stated that at this time no fee increase is proposed for the FY 06-07 budget. The Board's budget request is due July 15, 2004. Ms. Hissom stated that the official Audit Exec. Sec. Report
CAVU
Budget
Audit

report has been published. The Board will see updated policy for approval at the July meeting. Ms. Hissom stated that the AAVSB sent updated bylaws for consideration by the member boards. The bylaws will be voted on at the AAVSB annual meeting. Dr. Burt moved to approve the bylaws. 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 the Board received a report of a non-veterinarian, Ralph Schlatter, doing embryo transfer and pregnancy checks. Mrs. Buck moved to investigate the complaint. 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. Ms. Hissom reported that the AAVSB Annual meeting will be held in Kansas City in September. Mrs. Buck moved to send Ms. Hissom and Dr. Gitz to the meeting. 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 copy of the AVMA Wellness Report was included in the board mailing.

AAVSB bylaws

Invest. Embryo
Transfer/ Pregn.
Checks

AAVSB meeting

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

New Complaints
Acknowledged

- 04-04-059 Mark Naddaf
- 04-04-060 Cynthia Earich-Leibert
- 04-04-061 Akemi Woods
- 04-04-062 Rosalind Guhde
- 04-04-063 Sarah Marlett
- 04-04-064 Frank & Peggy Zimmer
- 04-04-065 Barbara Horn
- 04-04-066 Kristin Burns
- 04-04-067 William DeVore
- 04-04-068 Brinda Hollowhorn

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.

Dr. Gitz moved to find no violation of R.C. 4741 in the case of 04-04-060, Cynthia Earich-Leibert. 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.

04-04-060
No Vio.

Dr. Burt moved to investigate alleged violations of R.C. 4741 in the case of 04-04-063, Sarah Marlett. 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.

04-04-063
Invest.

Dr. Burt moved to investigate alleged violations of R.C. 4741 in the case of 04-04-068, Brinda Hollowhorn. 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.

04-04-068
Invest.

Dr. Small moved to acknowledged the 119 issued to file 04-04-058 Drs. John Gordon, William DeHoff, Tera Robbin, Robert Starkey, Jonathon Shiroma. 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.

Ack. 119

Mrs. Buck moved to acknowledge the hearing requests from 04- 04-058 Drs. John Gordon, William DeHoff, Tera Robbin, Robert Starkey, Jonathon Shiroma; 03-04-141 James Lehnerd, DVM & Kim Davis, RVT; 04-04-014 Robert McClung, DVM & Benedict Heydinger, DVM and 03-04-139 Borys Pakush, DVM. 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.

Ack. Hearing
Requests

Dr. Burt moved to go into executive session at 9:25 a.m. to review the report and recommendation of the hearing examiner in the case of Jorge Rosario Paris, DVM. 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 9:30 a.m.

The board tabled discussion and determination of the hearing examiner’s report and recommendation until prior discipline of Dr. Rosario Paris could be reviewed.

Table R&R

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

CE for vets

- Standard Process – Clinical Nutrition in Veterinary Practice – 8/28 & 29/04 – 12 hrs
- MedVet – Physical Rehabilitation in Veterinary Patients – 5/20/04 – 1.25 hrs
- Cincinnati Animal Referral Center – I-131 Therapy for Hyperthyroid in Cats – 5/20/04-2hrs
- Veterinary Internal Med Clinic – Clinical Pathology Conf – 5/12/04 – 1 hr
- Joseph Rinehart, DVM–2004 NEUSAHA Mtg–4/26/04 – hr/hr

OSU – Veterinary Preventive Medicine – 5/7-8/04 – 6.5 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. CE for RVTs

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

MedVet

1. Dermatology – 11/20/03 – 1 hr
2. Principals & Applications of Radiation Oncology – 1/21/04 – 1 hr
3. Small Animal Rehabilitation – 3/18/04 – 1 hr

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. Burt moved to approve the following continuing education courses for veterinarians and registered veterinary technicians: CE for vets & RVTs

Advanstar – Central Veterinary Conference – 8/25-31/04 – hr/hr
INCE Protect Your Practice – various dates – 1 hr ea.
Ft. Dodge- Immunology Made Simple- 6/8-9/04-2 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.

Dr. Gitz moved to approve the license of Jason Risely, DVM. 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. Jason Risely, DVM: License app'd

Dr. Gitz moved to approve licenses for the following: Jason E. Hammelman, Joe Fuduric, Stacy L. Knoll, Kelly A. Moore, Moira A. Roberts, Tiffany M. Wolf, A. North Fletcher, L. Nicki Green, Melissa P. James, Sara K. Tippins, Lee T. Winnett, Ines D. Bras, Jessica M. Stern, Teresa A. Burns, and Angela J. Halton. 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. License App'd

Dr. Burt moved to find no violation of R.C. 4741 in the case of 04-04-047, Eric Smith, and to send a cease & desist letter to Dr. Parsons. 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. 04-04-047 No Vio. And Cease & Desist

Dr. Burt moved to find no violation of R.C. 4741 in the case of 04-04-050, Eddie Payne. 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.

04-04-050
No Vio.

Dr. Gitz moved to find no violation of R.C. 4741 in the case of 04-04-051, Christina Black. 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.

04-04-051
No Vio.

Dr. Burt moved to table the case of 04-04-056, Renee Baus and to request radiographs from the complainant. 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.

04-04-056
Table for rads.

Mrs. Buck moved to find no violation in the case of 04-04-041, Mary Egolf. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Lahmers- aye; Mrs. Buck- aye; Dr. Burt- aye.

04-04-041
No Vio.

Dr. Gitz moved to find no violation of R.C. 4741 in the case of 04-04-067, William DeVore. 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.

04-04-067
No Vio.

Dr. Gitz moved to accept the compliance inspection response of Dr. Tad Sullivan. 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 response
accepted

Dr. Burt moved to go into executive session at 10:50 a.m. for the purpose of hearing the attorney general's 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 10:55 a.m.

Dr. Gitz moved to accept the settlement agreement of Jodi Smith, DVM, file # 03-04-140. 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.

03-04-140
Settlement Agr'mt

Dr. Burt moved that Mrs. Buck should speak at Discovery 2004 for the OAVT. 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.

Correspondence

Dr. Gitz moved to uphold the previous finding in the case of 04-04-032, Eleanor McLaughlin and not to reopen the case. 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.

04-04-032
No new info.

The board acknowledged the correspondence from Jeffrey Rosa regarding the excellent care received from Dr. Christine Simko Monfort.

Dr. Small moved to approve the patient records of 02-03-082 Virgil McKee, DVM and 02-03-008 Timothy Renn, DVM. 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
App'd

Mrs. Buck moved to go into executive session at 11:00 a.m. to hear the tabled investigative reports. 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.

Executive Session

Dr. Lahmers declared the board out of executive session at 11:25 a.m.

Dr. Burt moved to find no violation of R.C. 4741 in the case of 04-04-004, Anonymous. 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.

04-04-004
No Vio.

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

Dr. Burt moved to issue a 119 for violations of R.C. 4741.22(A) and (AA) and O.A.C. 4741-1-03 (B)(3)(b), (B)(5)(h), (B)(8), (B)(9), (B)(6)(a) and (c) in the case 04-04-022, Bradley Neusmeyer. 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.

04-04-022
Issue 119

Dr. Gitz moved to investigate alleged violations of R.C. 4741 in the case of 04-04-030, Michelle Dick. 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.

04-04-030
Invest.

Dr. Gitz moved to send a letter to the OVMA requesting a P.A. revisions

meeting with representatives of the Practice Act Task Force in July. 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.

Each board member will come with completed lists of Practice Act issues to July meeting to be consolidated into one list.

Dr. Lahmers noted that lunch arrived.

Mrs. Buck moved to go into executive session at 11:50 a.m. for the purpose of reviewing the hearing officer’s report and recommendation for Jorge Rosario Paris, DVM. 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.

Executive Session

Dr. Lahmers declared the board out of executive session at 11:55 a.m.

Dr. Gitz moved to accept the findings of fact and conclusions of law and to modify the recommendation of the hearing officer in the case of 02-03-113, Jorge Rosario Paris, DVM. Dr. Rosario Paris shall receive a 30 day suspension with 30 days suspended, minimum of 3 hours of continuing education in othopedics/fracture repair at a nationally recognized meeting within one year, fine of \$250, and pay the costs of the hearing. 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.

02-03-113
Adjudication Order
Jorge Rosario Paris,
DVM

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

Directives

Dr. Lahmers acknowledged that the next meeting will be held July 14, 2004, 8:30 a.m. on the 31st Floor.

Next meeting

Dr. Burt moved to adjourn the meeting at 12:00 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