Dr. Jerry Lahmers, President of the Ohio Veterinary Medical Licensing Board, called the October 13, 2004, meeting to order at 8:35 a.m. in the Board Room at 77 S. High Street, 31st Floor, Columbus, Ohio.

Dr. Lahmers directed the Executive Secretary to call roll:

Dr. Janet Small  present
Dr. Darrell Gitz  present
Dr. James Burt  present
Janet Buck, RVT  present
Dr. Jerry Lahmers  present
John Bentine  present

Dr. Lahmers acknowledged the attendance of Heather Hissom, Executive Secretary, Donna Fickel, Secretary, Martine Jean, AAG and Matt Lampke, AAG.

Dr. Gitz moved to approve the September 8, 2004 Minutes. Mr. Bentine seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine-aye; Dr. Burt- aye; Dr. Small- aye; Mrs. Buck- aye.

There was no President's report.

There was no secretary’s report.

There was no OVMA report.

Heather Hissom, Executive Secretary, reported that the directives from the last board meeting had been completed. Ms. Hissom reported that the board is now on CAVU. The information is live and accessed via the internet. A link to the license lookup has been placed on the board’s website. Ms. Hissom gave the board a report of the AAVSB annual meeting in Kansas City, MO. Ms. Hissom stated that the FARB board
member forum will be held February 4-6, 2004 in Scottsdale, AZ. Ms. Hissom stated that the NAVLE technical report has been received by the board. The report outlines the technical matters and question reviews for the NAVLE examination. Ms. Hissom stated that OPEP has reported that Dr. Patrick Hysell is in compliance with his treatment contract. Ms. Hissom stated that the board received a CD from the AVMA Council on Education that is available to board members regarding the process for accreditation. Ms. Hissom reported that the case against Robert Kelm has been disposed of in criminal court. Mr. Kelm pled no contest to practicing veterinary medicine without a license and was found guilty. Ms. Hissom reported that several newsletters were sent with the board packets: OAVT newsletter, DEA announcement regarding diversion program, Urban Matters, AG newsletter, and the National Board Report.

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

- 04-05-101 Heidi Henninger
- 04-05-102 Jacqueline Ortiz
- 04-05-103 Jacqueline Hunt
- 04-05-104 Dale Glenn
- 04-05-105 Jeffery & Lynn Minner
- 04-05-106 Cathy Perry
- 04-05-107 Anonymous
- 04-05-108 Ricki Whitacre, DVM
- 04-05-109 Julia Ford
- 04-05-110 Linda Meyers
- 04-05-111 Carol Osborne, DVM
- 04-05-112 Debbie Meyers

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

Mrs. Buck moved to find no violation of R.C. 4741 in the case of 04-05-098, Terry Malone. Mr. Bentine seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Burt- aye; Dr. Small- aye; Mrs. Buck- aye.

Mr. Bentine moved to find no violation of R.C. 4741 in the case of 04-05-101 Heidi Henninger. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine-aeye; Dr. Burt- aye; Dr. Small- aye; Mrs. Buck- aye.
Mrs. Buck moved to investigate alleged violations of R.C. 4741 in the case of 04-05-104, Dale Glenn. Mr. Bentine seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Burt- aye; Dr. Small- aye; Mrs. Buck- aye.

Dr. Small moved to investigate alleged violations of R.C. 4741 in the case of 04-05-107, Anonymous. Mr. Bentine seconded the motion. Dr. Small withdrew the motion.

Dr. Gitz moved to investigate alleged violations of R.C. 4741 in the case of 04-05-107, Anonymous and to acknowledge the allegations as a board filed complaint. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Burt- aye; Dr. Small- aye; Mrs. Buck- aye.

Dr. Gitz moved to investigate alleged violations of R.C. 4741 in the case of 04-05-108, Ricki Whitacre, DVM. Mrs. Buck seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Burt- aye; Dr. Small- aye; Mrs. Buck- aye.

Mr. Bentine moved to investigate alleged violations of R.C. 4741 in the case of 04-05-111, Carol Osborne, DVM. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Burt- aye; Dr. Small- aye; Mrs. Buck- aye.

Mr. Bentine moved to find no violation of R.C. 4741 in the case of 04-05-112, Debbie Meyers. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Burt- aye; Dr. Small- aye; Mrs. Buck- aye.

Dr. Gitz moved to acknowledge the following hearing schedules:
04-04-012 Ellen Imhof, DVM; 03-04-115 Katrina Moore, DVM; 03-03-016 Harjinder Singh, DVM; 04-04-030 James Noonan, DVM; 04-04-012 Marsha Hall, DVM; 04-05-092 Tracy Muehlenbein. Mr. Bentine seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Dr. Burt- aye; Mr. Bentine- aye; Dr. Lahmers- aye.

Mrs. Buck moved to approve the following continuing education courses for veterinarians except for Butler-Warren Co. VMA – Veterinary Practice Act & Related Legislation – 9/14/04 – 1 hr:

USDA/APHIS – Basic TB Epidemiology Training – 7/12-15/04 – 31.5 hrs
Stark Co. Academy of VM – Acupuncture – 10/21/04 – 1.5 hrs
VIN -
  2. Organ System & Core Examination, Mod C – 9/1-10/27, 2004 – 16 hrs
OH Wildlife Rehabilitator Assoc – Avian Fracture Repair Workshop – 11/14/04 – 4 hrs
OSU – Meat Science Extension – Stabilization Workshop – 9/14/04 – 5 hrs
MedVet–Veterinary Dentistry Beyond the Cleaning– 9/9/04–1 hr

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

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

CE for RVTs

Pfizer – Science of Sedation – CD ROM – 2 hrs
OAVT – Discovery 2004 – 10/10/04 – 7 hrs

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

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

CE for vets & RVTs

Kristy Newland, RVT – Laboratory Safety – April & May 2004 – 5 sessions @ 2 hrs ea
Ohio Wildlife Rehabilitators Assoc. -
  2. 13th Annual Conf – 11/12-14/04 – hr/hr
Pfizer
  1. Anesthesia & Analgesia, What’s New–10/13/04–1.5 hrs

Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Burt- aye; Dr. Small- aye; Mrs. Buck-aye.
Mrs. Buck moved to approve the following continuing education courses for veterinarians and registered veterinary technicians except the following Pfizer Stress Management – 9/2/04 – 1 hr, Attitude – 8/31/04 – 1 hr, Grief Management – 8/31/04 – 1 hr and Communicating to Win – 9/2/04 – 1.5 hrs.:

Pfizer
1. Improving Your Cytology Skills – 8/31 & 9/1, 2004 – 1 hr ea
2. Dentistry for the RVT – 8/31/04 – 1 hr
4. Critical Care Nursing Skills Workshop – 9/1/04-3 hrs.

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

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

Cleveland Academy of VM–Hills Science Diet–1/19/05 – 4.5 hrs

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

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

USDA/APHIS
1. BSE Surveillance Program Update – 6/24/04 – 2 hrs.
2. 9th Annual Emergency Preparedness Satellite Seminar – 9/16/04 – 3.5 hrs.

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

Mrs. Buck moved to approve the following continuing education courses for veterinarians and registered veterinary technicians:
VIN
MedVet
1. Wound Care – 9/8/04 – 1 hr
2. Pericardial Disease – 9/22/04 – 1 hr

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

Dr. Burt moved to approve licenses for the following: Karen Gillum, Dana Hunley, Lori Ann Milot, Donalyn Suaser, Jack Duncan, Marnin Forman, and Joseph Carter, Jr. Mr. Bentine seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Burt-aye; Dr. Small-aye; Mrs. Buck-aye.

Dr. Small moved to find no violation of R.C. 4741 in the case of 04-05-090, Victoria Hammerly. Mrs. Buck seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine-aye; Dr. Burt- aye; Dr. Small- aye; Mrs. Buck-aye.

Dr. Gitz moved to find no violation of R.C. 4741 in the case of 04-05-094, Janie Pohlman. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine-aye; Dr. Burt-aye; Dr. Small-aye; Mrs. Buck-aye.

Dr. Gitz moved to find no violation of R.C. 4741 in the case of 04-05-095, Jo Gamble. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine-aye; Dr. Burt-aye; Dr. Small-aye; Mrs. Buck-aye.

Dr. Gitz moved to find no violation of R.C. 4741 in the case of 04-05-096, Nancy Shay. Mr. Bentine seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine-aye; Dr. Burt-aye; Dr. Small-aye; Mrs. Buck-aye.

Mr. Bentine moved to investigate alleged violations of R.C. 4741 in the case of 04-05-097, Karen Miller. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine-aye; Dr. Burt- aye; Dr. Small-aye; Mrs. Buck- abstain.

Dr. Gitz moved to find no violation of R.C. 4741 in the case of 04-05-
099, Andrea Isbach. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Burt- aye; Dr. Small-aye; Mrs. Buck- aye.

Mrs. Buck moved to investigate alleged violations of R.C. 4741 in the case of 04-05-100, Debra & Michael Watson. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Burt- aye; Dr. Small-aye; Mrs. Buck- aye.

Dr. Gitz moved to investigate alleged violations of R.C. 4741 in the case of 04-05-102, Jacqueline Ortiz. Mrs. Buck seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Burt- aye; Dr. Small-aye; Mrs. Buck- aye.

Dr. Gitz moved to find no violation of R.C. 4741 in the case of 04-05-103, Jacqueline Hunt, and to send a letter regarding record keeping. Mrs. Buck seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Burt- aye; Dr. Small-aye; Mrs. Buck- aye.

Dr. Small moved to find no violation of R.C. 4741 in the case of 04-05-106, Cathy Perry. The motion died for want of second.

Mrs. Buck moved to investigate alleged violations of R.C. 4741 in the case of 04-05-106, Cathy Perry. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Burt- aye; Dr. Small-aye; Mrs. Buck- aye.

Dr. Burt moved to go into executive session at 11:00 a.m. for the purpose of reviewing the investigative reports. Mr. Bentine seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mrs. Buck- aye; Mr. Bentine- aye; Dr. Burt- aye; Dr. Small-aye.

Dr. Lahmers declared the board out of executive session at 11:35 a.m.

Dr. Gitz moved to continue the investigation in the case of 04-04-063, Sarah Marlett, and to refer Robert Turney to the prosecutor’s office. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mrs. Buck- aye; Mr. Bentine- aye; Dr. Burt- aye; Dr. Small-aye.

Mrs. Buck moved to accept the response to compliance inspection C/I responses
from Michael Kubera, DVM and Douglas Gates, DVM. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Burt- aye; Mrs. Buck- aye.

Dr. Gitz moved to accept the response to compliance inspection after investigation from Anthony Lesh, DVM, Marsha Wise and Subinderpal Raina, DVM. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Burt- aye; Mrs. Buck- aye; Dr. Small- aye.

Mrs. Buck moved to go into executive session at 11:40 a.m. for purposes of hearing the AAG report. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Burt- abstain; Mrs. Buck- aye; Dr. Small-aye; Dr. Lahmers-aye.

Dr. Burt left the meeting during part of the AAG report.

Dr. Lahmers declared the board out of executive session at 12:25 p.m.

Mr. Bentine moved to approve the settlement agreement in the case of 03-04-137 for Dana King, DVM. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine-aye; Dr. Burt- aye; Mrs. Buck- aye; Dr. Small-aye.

Mrs. Buck moved to approve the settlement agreement in the case of 02-03-122 for Mark McBride, DVM. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine-aye; Dr. Burt- aye; Mrs. Buck- aye; Dr. Small-aye.

Dr. Gitz moved to go into executive session at 1:15 p.m. to discuss the case of 03-03-072 and Bharat Khemsara, DVM. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine-aye; Dr. Burt- aye; Mrs. Buck- aye; Dr. Small-aye.

Dr. Lahmers declared the board out of executive session at 1:20 p.m.

Dr. Gitz moved to issue a letter to Bharat Khemsara, DVM in the case of 03-03-072 stating that he must begin his suspension within thirty (30) days of the date of the new notice and he must advise the board in writing of his suspension start date. Mr. Bentine seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine-aye; Dr. Burt- aye; Mrs. Buck- aye; Dr. Small-aye.
The Board reviewed correspondence from the OVMA thanking the board for meeting regarding the Practice Act, and Kathleen Bailey, DVM regarding record keeping.

Dr. Gitz moved to make no change in the board’s prior decision in the case of 04-04-074, Gale Schnetzer. Mr. Bentine seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Burt- aye; Mrs. Buck- aye; Dr. Small-aye.

Dr. Burt moved to find no violation of R.C. 4741 in the case of 04-04-010, Anna Gygi. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Burt- aye; Mrs. Buck- aye; Dr. Small-aye.

Mrs. Buck moved to find no violation of R.C. 4741 in the case of 04-05-093, Joan Lisowski. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Burt- aye; Mrs. Buck- aye; Dr. Small-aye.

Mrs. Buck moved to amend the 119 in the case of 04-04-062, Rosalind Guhde by omitting the charges of minimum standard of care. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Burt- aye; Mrs. Buck- aye; Dr. Small-aye.

Mr. Bentine moved to pay board members for their time at conferences if the board has approved the member’s attendance. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Burt- aye; Mrs. Buck- aye; Dr. Small-aye.

Dr. Burt moved to approve the euthanasia technician course proposed by the Ohio Federated Humane Societies. Mrs. Buck seconded the motion. The motion passed by the following roll call vote: Dr. Gitz- aye; Mr. Bentine- aye; Dr. Burt- aye; Mrs. Buck- aye; Dr. Small-aye.

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

Dr. Lahmers acknowledged that the next meeting will be held November 10, 2004, 8:30 a.m. on the 31st Floor.

Dr. Burt moved to adjourn the meeting at 2:20 p.m. Dr. Gitz seconded the motion. Dr. Lahmers adjourned the meeting.
Dr. Jerry Lahmers, President

Attested to by:

Heather Hissom
Executive Secretary