

**BOARD MEETING  
LOUISIANA BOARD OF VETERINARY MEDICINE**

**January 31, 2002**

**I. CALL TO ORDER**

The Board President, Dr. George Gowan, called the meeting to order at approximately 8:35 a.m.

**II. ROLL CALL**

Roll call was taken by the Board Secretary-Treasurer, Dr. Edwin Davis, with the following results:

Those present were:

Dr. George Gowan	Board President
Dr. Robert Lofton	Board Vice-President
Dr. Edwin Davis	Board Secretary/Treasurer
Dr. Glenn Walther	Board Member
Dr. Lon Randall	Board Member
Kimberly Barbier	Board Administrative Director
Michael A. Tomino, Jr.	Board General Counsel

Absent:

None

Guests:

Dr. Sonny Corley                      AAVSB  
*[Dr. Corley arrived at approximately 12:00 noon.]*

**III. FORMAL ADMINISTRATIVE HEARING**

**A. Case No. 01-0419V – Thomas Armstrong, DVM**

*[Agenda item III.A. was schedule for 10:00 am. Until that time, the Board continued with agenda item III.B. Upon arrival of all parties, the Board returned to agenda item III.A after agenda item VI.A.3.b.]*

Dr. Lofton recused himself from the Hearing Panel. The members of the Hearing Panel consisted of Dr. Gowan, Dr. Davis, Dr. Walther, and Dr. Randall. Mr. Tomino presented, on behalf of the State (Board), the facts of the case, submitted exhibits for review, and presented a proposed Consent Order agreed to by the State and Dr. Armstrong. Dr. Armstrong stated that he had nothing else to add.

Upon conclusion of the presentations, motion was made by Dr. Walther to enter executive session for deliberation, seconded by Dr. Davis, and passed unanimously by voice vote. The executive session was closed to the public and only those Board Members on the panel were present for deliberation.

Motion was made by Dr. Walther to return to open session, seconded by Dr. Davis, and passed unanimously by voice vote. The meeting was reopened to the public. Motion was made by Dr. Davis to accept the Consent Order as presented for this case, seconded by Dr. Randall, and passed unanimously by voice vote.

*[Upon conclusion of agenda item III.A., the Board returned to agenda item VI.B.]*

**B. Case No. 01-0929V – Deferred to later date.**

**IV. APPROVAL OF MINUTES – December 6, 2001**

The Board reviewed the minutes from the December 6, 2001 board meeting. Minor editorial corrections were noted. Motion was made by Dr. Walther to accept the minutes with the noted corrections, seconded by Dr. Lofton, and passed unanimously by voice vote.

**V. FINANCIAL AND CONTRACT MATTERS**

**A. Financial Reports – November and December 2001**

Ms. Barbier presented the financial reports for November and December 2001 for review. After review and general discussion of the financial reports, motion was made by Dr. Walther to accept the financial reports as presented, seconded by Dr. Lofton, and passed unanimously by voice vote.

**VI. POLICY, PROCEDURE, AND RULES**

**A. Rule Making**

1. General Update – The Board reviewed the schedule of rule promulgation in progress. No action was taken.

2. Adoption of Rules – There were no rules presented for adoption.

3. Consideration/ Review of Proposed Rules/Amendments

a. AAVSB – PAVE Program, Rule 301 and 303 – *[Agenda item VI.A.3.a. was deferred to a later time during the meeting. The Board continued with agenda item VI.A.3.b. Upon the arrival of Dr. Sonny Corley, the Board returned to agenda item VI.A.3.a. after item IX.]*

Dr. Sonny Corley spoke to the Board on behalf of the American Association of Veterinary State Boards (AAVSB) regarding the resolution between the American Veterinary Medical Association (AVMA) and AAVSB, the future of the AAVSB Program for the Assessment of Veterinary Education Equivalency (PAVE Program), and the AAVSB Model Practice Act as a resource tool for State Boards.

After general discussion of the topics presented, motion was made by Dr. Lofton to accept the AAVSB PAVE Program in addition to the AVMA ECFVG Program for the qualifying of foreign school graduates towards licensure and approval of the rule amendments as presented for promulgation, seconded by Dr. Walther. After additional discussion, motion was made by Dr. Lofton to table the previous motion until the next board meeting to allow further review of the rule amendments by Mr. Tomino, seconded by Dr. Walther and passed unanimously. Upon further discussion of the issue, motion was made by Dr. Lofton to rescind the motion to table the original motion, seconded by Dr. Walther and passed unanimously. Motion was made by Dr. Lofton to amend the original motion to accept the AAVSB PAVE Program in addition to the AVMA ECFVG Program for the qualifying of foreign school graduates towards licensure and approval of the rule amendments as presented for promulgation subject to legal review and advise of Mr. Tomino and approval by the President, Dr. Gowan, seconded by Dr. Walther, and passed unanimously by voice vote.

*[After conclusion of agenda item VI.A.3.a., the Board returned to agenda item IX.]*

b. Objective Test Procedures, Rule 713 – Mr. Tomino requested this item be added to the agenda. Mr. Tomino presented a draft proposed new rule regarding objective test procedures such as but not limited to laboratory tests, radiographs, and /or ultrasonography as performed by qualified persons other than a veterinarian. After discussion of the proposed rule, revisions were made and the draft was returned to Mr. Tomino for further work. This item was deferred to the next Board meeting for review and discussion.

*[Upon arrival of all parties, the Board returned to agenda item III.A.]*

**B. Policy and Procedure**

1. General discussion was held regarding veterinarians whose licenses have expired but who may still be located in Louisiana. Ms. Barbier referred to a procedure approved at a previous Board meeting regarding sending out notification request letters after the renewal periods to those licensees whose licenses were not renewed (expired) but who have a Louisiana, home and/or clinic, address on file. At that time, no provision was made for the results of this notification to be reviewed by any one Board Member or the full Board or for any action to be taken. Dr. Lofton requested that the list of these individuals be presented to the full Board from this time on.

**C. Practice Act-Related Inquiries/Declaratory Statements**

1. New Issues

a. Letters of References – Mr. Tomino presented a situation where by reference forms, which are required by the Board for an applicant for certification and licensure, were submitted by veterinarians that did not personally know the applicant the reference forms were submitted for. After discussion of this issue, Mr. Tomino and Ms. Barbier were instructed to revise the present reference forms for review and acceptance by the Board to help eliminate the above scenario from happening. Mr. Tomino was instructed to prepare an article for the Board's newsletter regarding the completion of reference forms for applicants for licensure or certification.

b. Release of Records – Mr. Tomino presented an inquiry that was submitted to the Board office regarding the release of medical record copies to a client for an animal when the client owes a large sum of money for services rendered; can the veterinarian refuse to release copies of the record until payment of the outstanding balance is made. Ms. Barbier was instructed to inform the veterinarian appropriately based on Board rules for providing copies that copies of medical records cannot be withheld from a client upon the client's request even if there is money owed by the client.

2. Reviews – There were no previous issues for review.

## VII. MISCELLANEOUS MATTERS

### A. **Applicant Issues**

1. Preceptorship Consideration, Erin Pierson – The Board reviewed the request of Ms. Pierson to accept her performance of a school required preceptorship she has scheduled at three Board-approved facilities for two weeks each (six weeks total). Motion was made by Dr. Walther to deny the request based on Board Rule 1105.C., seconded by Dr. Lofton, and passed unanimously by voice vote.

2. Out of Date National Examination Scores, Dr. Kari Graham – The Board reviewed the application of Dr. Graham for veterinary licensure noting that Dr. Graham took the national examinations in December 1996 and graduated veterinary school in May 1997 making the national examination scores five years old in December 2001; but Dr. Graham does not have five years experience to waive retaking the out-of-date examinations and falls within a gray area in the Rules. Motion was made by Dr. Lofton to accept Dr. Graham's out-of-date passing scores on the national examination towards licensure based on precedence set by previous Boards, seconded by Dr. Davis, and passed unanimously by voice vote.

### B. **Preceptorship**

1. Limited Approval Review, LaCour Veterinary Services – The Board reviewed the Practice Assessment Questionnaire submitted by the facility. After review and discussion, motion was made by Dr. Walther to grant limited approval to the facility, seconded by Dr. Davis, and passed unanimously by voice vote.

### C. **Continuing Education**

1. CAET Program Approval – The Board reviewed program information submitted by St. Tammany Parish Animal Control for a program to be presented to CAETs by Dr. Christine McDonald entitled "Euthanasia by SP Injection" for six contact hours. Motion was made by Dr. Lofton to accept the CE program for CAETs, seconded by Dr. Walther, and passed unanimously by voice vote.

### D. **Other Matters Properly Brought Before the Board**

1. Mr. Tomino presented information regarding a situation that had developed with regards to an animal control facility in Caddo Parish. The attorney representing humane organizations in the area had contacted the Board office on

two instances requesting information on regulation of the animal control facility, use of cold-carbon monoxide gas chambers, and recently on injection of sodium pentobarbital (SP) for euthanasia of animals via intra-cardiac administration without sedating the animal first. He was given general information verbally by the Board office. Then instructed to put his request for further information in writing per discussion of the matter by the Board office with Mr. Tomino. No written request had been received. Ms. Barbier was instructed by the Board to contact the American Humane Society and get their guidelines/recommendations regarding the use of cold-carbon monoxide gas chambers and intra-cardiac SP injection procedures.

2. Mr. Tomino presented the Board with a review of various closed complaint cases that had been found with no violations for informational purposes. No formal action was taken.

a. General discussion was held relative to providing after hours care. No motions were made.

b. General discussion was held regarding accountability and liability of perform necropsies. No motions were made. Ms. Barbier was instructed to contact the AVMA – Insurance Trust about their requirements/guidelines for necropsies.

c. General discussion was held regarding lack of communication between the veterinarian and client. Mr. Tomino suggested re-running his previous article on communication in the Board's newsletter.

### VIII. OTHER BUSINESS

A. Wall certificates were presented for signature for the following new licenses/certificates issued since the December 6, 2001 board meeting:

<u>DVM License No.</u>		<u>Issued</u>
2368	Kevin A. Jones, DVM	12/20/2001

*[Upon conclusion of agenda item VI.A.3.a., the Board returned to item IX.]*

### IX. EXECUTIVE SESSION

There were no items to be brought before the Board in executive session.

X. ADJOURN

There being no further business before the Board, motion was made by Dr. Davis to adjourn, seconded by Dr. Randall, and passed unanimously by voice vote. The meeting was adjourned at approximately 1:20 pm.

MINUTES REVIEWED AND APPROVED BY FULL BOARD ON APRIL 4, 2002.

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J. Edwin Davis, DVM  
Board Secretary/Treasurer