

**LOUISIANA BOARD OF VETERINARY MEDICINE
BOARD MEETING
April 3, 2003**

Minutes

I. CALL TO ORDER -

Board President, Dr. Robert Lofton, called the meeting to order at 8:30 a.m.

II. ROLL CALL -

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

Those present:

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| Robert Lofton, DVM | Board President |
| J. Edwin Davis, DVM | Board Vice President |
| Glenn Walther, DVM | Board Secretary-Treasurer |
| Lonnie Randall, DVM | Board Member |
| Patrick Bernard, DVM | Board Member |
| Michael Tomino, Jr. | Board General Counsel |
| Wendy Parrish | Board Administrative Director |

Absent: None

Guests: None

III. FORMAL ADMINISTRATIVE HEARING

No formal hearing scheduled.

IV. APPROVAL OF MINUTES

A. January 30, 2003

The Board reviewed the minutes from the January 30, 2003 Board meeting. Motion was made by Dr. Walther to accept the minutes as presented, seconded by Dr. Bernard, and passed unanimously by voice vote.

Motion was made by Dr. Walther to go into executive session to discuss issues under Section IX, seconded by Dr. Bernard, and passed unanimously by voice vote. Upon conclusion of discussion of the issues motion was made to return to regular session by Dr. Walther, seconded by Dr. Davis, and approved unanimously by voice vote.

V. FINANCIAL MATTERS AND CONTRACTS

A. **Financial Reports** - January 2003 and February 2003

Dr. Walther and Ms. Parrish presented the financial reports for January and February 2003 for review. It was noted that legal costs and salaries were above budgeted amounts due to volume of legal cases and change of new director. Legal costs are charted and analyzed monthly by Ms. Parrish, Mr. Tomino and Dr. Walther. Interest

rates on certificates of deposit were noted to be accruing at half the rate of the previous year. New monthly report summaries were included for a quick review of monthly budgeted percentages as compared to previous fiscal year budgets. Motion was made by Dr. Walther to approve the financial reports as presented, seconded by Dr. Bernard, and approved unanimously by voice vote.

B. Contract Renewals

Greg Brown, CPA – Ms. Parrish presented the accounting contract with Greg Brown, CPA for review. No changes were noted from previous fiscal year contract with a contract ceiling of \$5,000.00 per year. Motion was made by Dr. Walther and seconded by Dr. Bernard to approve the contract as presented. Motion was approved unanimously by voice vote.

Onesimus Internet Solutions – The website contract was presented for review by Ms. Parrish. An increase in the hourly rate of \$5.00 per hour for updates was noted, as well as a \$50.00 increase per year for the renewal of the website hosting, e-mail and IPS services. The contract ceiling is the same as previous fiscal year of \$1,200.00. Dr. Davis suggested Ms. Parrish look into access for the Board staff to key certain updates by the Board Director rather than the website vendor in an effort to save costs. Motion was made to approve the contract as presented by Dr. Walther, seconded by Dr. Bernard, and approved unanimously by voice vote.

Professional Examination Service (PES) for VTNE – Renewal contract for the examination services for the Veterinary Technician national examination was presented by Ms. Parrish for review. There were no changes noted from the previous fiscal year contract with a contract ceiling of \$25,000. Motion was made by Dr. Walther, seconded by Dr. Davis, to approve renewal of the contract as presented, and passed unanimously by voice vote.

National Board of Veterinary Medical Examiners (NBVME) for NAVLE – Ms. Parrish presented the renewal contract by the NBVME for the national veterinarian licensing examination for review. No monies are involved in the contract. It was noted that the additional contractual language added in past years to be compliant as a third party contractor with the State of Louisiana has been eliminated. Mr. Tomino was asked to review the contract and revise the language as required by the State. Dr. Walther motioned that the contract be approved with the condition that the additional language for contracting with the State of Louisiana be added, seconded by Dr. Davis and approved unanimously by voice vote.

VI. POLICY, PROCEDURE, AND RULES

A. Rule Making

General Update

1. Rule

Adoption of Rules

Consideration/Review of Proposed Rules/Amendments

1. Rule

B. Policy and Procedure

C. Practice Act-Related Matters/Declaratory Statement Requests

1. New Issues - none noted.

2. Reviews

a. **Banfield Franchise** – A request for an Attorney General opinion has been submitted by Mr. Tomino regarding the legality of franchised veterinary practices in Louisiana. The matter is under consideration by the AG office at this time.

VII. MISCELLANEOUS MATTERS

A. DVM Issues – none noted.

Motion was made by Dr. Davis to go into executive session to discuss issues under VII.B, seconded by Dr. Bernard, and passed unanimously by voice vote. Upon conclusion of discussion of the issues motion was made to return to regular session by Dr. Walther, seconded by Dr. Davis, and approved unanimously by voice vote.

B. DVM Application Issues

1. **William J. Novak, DVM**, 1985 graduate with DVM licenses in numerous states submitted a request to waive retaking out of date exam and waiver of preceptorship requirement. Motion was made by Dr. Walther, seconded by Dr. Bernard, to deny waiver of re-taking out-of-date examination due to score not substantial equivalent to Louisiana requirement at the time of application, but approve waiver of preceptorship based on documentation of full time employment in clinical setting for a minimum of 90 days prior to application. Motion was passed unanimously by voice vote.

2. **Jamie J. Schorling**, 4th year student at LSU School of Veterinary Medicine, requested her proposed full year of internship at Angelle Animal Hospital in Boston satisfy the 8 week preceptorship requirement for Louisiana licensure. Ms. Parrish was advised to contact Ms. Schorling regarding the procedures regarding preceptorship facility approval, as well as guidelines and rules for preceptorship qualifications. Motion was made by Dr. Davis, seconded by Dr. Bernard, to consider Angell Animal Hospital as an approved preceptorship facility in the future upon timely receipt of completed documents to the Board, and to deny Ms. Schorling's request for waiver of the preceptorship requirement. Motion passed unanimously by voice vote.

3. **Antoine Saacks, DVM**, 2002 graduate of Washington State University Veterinary School, requested that the Board allow two 4-week preceptorships served during the 4th year of school as satisfying the 8-week preceptorship requirement for Louisiana licensure. Dr. Saacks is currently working in New Orleans at an animal medical facility, but is not currently licensed in Louisiana (or any other state) at this time. Motion was made by Dr. Walther, seconded by Dr. Bernard, to deny the request to waive the preceptorship requirement. Motion was passed unanimously by voice vote.

4. **Blythe Odom**, 4th year student at Mississippi State University Veterinary School, requested that the Board allow two 4-week preceptorships served during the 4th

year of school as satisfying the 8-week preceptorship requirement for Louisiana licensure. Motion was made by Dr. Davis, seconded by Dr. Bernard, to deny the request to waive the preceptorship requirement. Motion was passed unanimously by voice vote.

5. **Ronald Harrist, DVM**, licensed and practicing part time in Mississippi since 1996 as a relief veterinarian at numerous facilities, requested to waive out of date exam and preceptorship requirements. Motion was made by Dr. Walther, seconded by Dr. Bernard, to 1) deny waiver of re-taking out-of-date examination requirement as Dr. Harrist's work history was not equivalent to full time active practice in a clinic for five years immediately prior to application with the Board, and 2) deny waiver of preceptorship requirement due to lack of full time employment in a clinical setting for a minimum of 90 days prior to application. Motion passed unanimously by voice vote.

6. **Gary Sod, DVM**, a graduate of LSU School of Veterinary Medicine in May 2001 and licensed in Virginia, requested consideration of a year long employment at LSU-SMV as an intern as satisfaction for fulfilling the preceptorship requirement for Louisiana licensure. Motion was made by Dr. Walther, seconded by Dr. Bernard, to deny waiver of preceptorship requirement due to lack of full time employment in a clinical setting for a minimum of 90 days prior to application. Motion passed unanimously by voice vote.

7. **Santos Ramirez, DVM**, licensed in Texas since 1989, requested waiver of out of date exam and preceptorship requirement based on previous affiliation as an intern, resident, instructor and professor at various veterinary schools. Motion was made by Dr. Davis, seconded by Dr. Walther, to 1) deny waiver of re-taking out of date examination requirement as Dr. Ramirez's work history was not equivalent to full time active practice in a clinic for five years immediately prior to application with the Board, and 2) deny waiver of preceptorship requirement due to lack of full time employment in a clinical setting for a minimum of 90 days prior to application. Motion passed unanimously by voice vote.

8. **R. Anthony Rocconi**, 4th year student of Mississippi State University Veterinary School, requested that the Board allow an 8-week preceptorships served during the 4th year of school as satisfying the 8-week preceptorship requirement for Louisiana licensure. Motion was made by Dr. Davis, seconded by Dr. Bernard, to deny the request to waive the preceptorship requirement. Motion was passed unanimously by voice vote.

9. **Elizabeth Cochran, DVM**, request for refund of State Board examination fee submitted previously. Ms. Cochran's request for waiver of re-taking of out of date examination and preceptorship requirement was denied previously and she no longer seeks licensure in Louisiana, and therefore will not take the State Board examination. Ms. Parrish was instructed to refund the sums submitted for the examination since Dr. Cochran has elected not to sit for the examination.

C. CAET Issues

1. CAET License – **Lynn H. Bourque**, Certified Animal Euthanasia Technician course was taken 13 years prior but never certified due to

employment requirements. Motion was made by Dr. Walther, seconded by Dr. Davis, to require re-taking of the CAET course, examination and other procedures as required for current certification by the Board. Motion was approved unanimously by voice vote.

2. CAET CE Credits – request for approval for Radio Communications course, Caddo Parish Animal Control. Motion was made by Dr. Walther, seconded by Dr. Bernard, to deny approval of the radio communications course as not relevant within the scope of CAET duties. Motion was approved unanimously by voice vote.

D. RVT Issues

Kami Guy, CVT – Ms. Guy requested a review by the Board of the scope of RVT duties in an animal boarding business in Louisiana. Ms. Guy was scheduled to appear and address the Board. No discussion was made as Ms. Guy failed to attend the meeting.

E. April Newsletter – Ms. Parrish presented a draft of the April 2003 newsletter. Mr. Tomino was requested to submit an article regarding the preceptorship program for insertion of the newsletter. Motion was made by Dr. Walther, seconded by Dr. Bernard, to accept the newsletter as presented with correction of one minor typographical error and the inclusion of Mr. Tomino’s article. Motion passed unanimously by voice vote.

F. American Association of Veterinary State Boards Annual Conference in Denver – Discussion was made as to interested Board members attendance in July 2003 for the AAVSB conference. Dr. Walther advised that he would contact Ms. Parrish to make arrangements if his schedule allowed attendance. Monies have been budgeted for two attendees. Motion was made by Dr. Walther, seconded by Dr. Davis, to approve Ms. Parrish’s attendance at the July 2003 AAVSB conference. Motion passed unanimously by voice vote.

G. National Disciplinary Data Base (NDDB) – Proposal to discuss possible amendment to the current Practice Act rules regarding actions taken against veterinarians by other state boards was deferred at this time. Ms. Parrish was asked to place this item on the agenda for the next non-fiscal legislative session (2005) for consideration.

H. Other Matters Properly Brought Before the Board

1. Preceptorship Facility Approval – The Cat Practice, New Orleans, LA Motion was made by Dr. Walther, seconded by Dr. Bernard, to approve The Cat Practice as a limited approved facility for preceptorship. Motion passed unanimously by voice vote.

2. Impairment Program – Dr. Lofton requested that the discussion of an impairment program be placed on the agenda during a future Board meeting. Mr.

Tomino and Dr. Walther were asked to present information gathered in their studies and efforts on this topic. No motion was made.

VIII. **OTHER BUSINESS**

New Licenses Issued - Certificates Signed

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| DVM | Lee An Curtis |
| | Reginald Leo McIntyre |
| | Ginger Page Smith |
| | Samuel Frierson Morehead |
| RVT | Danielle Babineaux Folse |
| | Susanna Waldman-Barnett |
| | Ashley Elaine Wilson |
| | Jared Louis Durr |

Motion was made by Dr. Davis to go into executive session to discuss issues and receive legal advice regarding potential contested matters, seconded by Dr. Bernard, and passed unanimously by voice vote. Upon conclusion of discussion of the issues motion was made to return to regular session by Dr. Davis, seconded by Dr. Bernard, and approved unanimously by voice vote.

IX. **EXECUTIVE SESSION**

A. Case No. 03-0205D – Motion was made by Dr. Walther, seconded by Dr. Davis, to accept the agreement in the aforementioned case as presented by Mr. Tomino. Motion was approved by unanimously by voice vote.

B. Declaratory Statement, Disclosure of Lab Costs – Motion was made by Dr. Walther, seconded by Dr. Bernard, to accept the declaratory statement to Michael Edwards, DVM, regarding disclosure of lab costs as presented by Mr. Tomino. Motion was approved unanimously by voice vote.

C. Declaratory Statement, Physical Therapy – Motion was made by Dr. Walther, seconded by Dr. Davis, to approve the declaratory statement to Robin Judice, Physical Therapist, as presented by Mr. Tomino. Motion was approved unanimously by voice vote.

D. Declaratory Statement, Radiograph/Splint Standard of Care – Motion was made by Dr. Walther, seconded by Dr. Bernard, to approve the declaratory statement to Lelia Causbie, DVM, regarding radiographs of splints as presented by Mr. Tomino. Motion was approved unanimously by voice vote.

E. Declaratory Statement, St. Charles Humane Society Spay/Neuter Program – Motion was made by Dr. Walther, seconded by Dr. Davis, to approve the declaratory statement to Ms. Nassar regarding the St. Charles Humane Society Spay/Neuter Program as presented by Mr. Tomino following verification by Mr. Tomino that a

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licensed veterinarian would be performing the spay/neuter procedures. Motion was approved unanimously by voice vote.

F. Declaratory Statement, Professional Bull Riding (PBR)/Rodeo Events – Motion was made by Dr. Walther, seconded by Dr. Bernard, to instruct Mr. Tomino to prepare a letter in reply to J.R. Berry, DVM, regarding the limited exception to Louisiana licensure requirement if the visiting veterinarian is licensed in another state and is the full-time regular employee of the owner of the animal to which he is providing veterinary medical services. Motion was approved unanimously by voice vote.

G. Preceptorship Program – Motion was made by Dr. Walther, seconded by Dr. Bernard, to direct Mr. Tomino and Dr. Lofton to reply to each preceptee in writing according to standard Board procedure, as to the Board's decision and interpretation of the preceptorship program policies and procedures, and to reply to administration of LSU-School of Veterinary Medicine regarding the same, extending formal invitation to the school and its legal counsel to attend the next scheduled Board meeting. Motion was approved unanimously by voice vote. Ms. Parrish and Mr. Tomino were requested to request an audience with the 4th year veterinary school students annually in the fall to review licensure procedures.

X. ADJOURN

There being no further business before the Board, motion was made by Dr. Davis, seconded by Dr. Bernard, and passed unanimously by voice vote to adjourn. The meeting was adjourned at 1:55 p.m.

MINUTES REIVEWED AND APPROVED BY FULL BOARD ON June 5, 2003.

Glenn R. Walther, DVM
Board Secretary-Treasurer