

**LOUISIANA BOARD OF VETERINARY MEDICINE
BOARD MEETING
April 2, 2009**

Minutes

I. CALL TO ORDER –

Board President, Dr. William H. Green, called the meeting to order at 8:30 a.m.

II. ROLL CALL –

Roll call was taken by Board Secretary-Treasurer, Dr. Steven V. Slaton, with the following results:

Those present:

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| William H. Green, DVM | Board President |
| John C. Prejean, DVM | Board Vice President |
| Steven V. Slaton, DVM | Board Secretary-Treasurer |
| Mica F. Landry, DVM | Board Member |
| Gary T. Levy, DVM | Board Member (present at 9:10am) |
| Michael Tomino, Jr. | Board General Counsel |
| Wendy D. Parrish | Board Executive Director |

Guests:

Richard Cambre, DVM (USDA APHIS)
Rene Poirrier, DVM (LASART), Martha Littlefield, DVM (LDAF)
Bland O'Connor (LVMA), Fenton Lipscomb, DVM (LVMA)
Sue Kortz (public)
Edward Lilly, Attorney

III. APPROVAL OF MINUTES

A. Board Meeting February 5, 2009

The Board reviewed the minutes from the February 5, 2009 Board meeting. Motion was made by Dr. Prejean to accept the minutes as presented, seconded by Dr. Landry, and passed unanimously by voice vote.

IV. FINANCIAL MATTERS AND CONTRACTS

A. Financial Reports – January and February 2009

Ms. Parrish and Secretary-Treasurer Dr. Slaton presented the financial reports for the months of January and February 2009 for review. Motion was made by Dr. Prejean to approve the financial reports as presented, seconded by Dr. Landry, and passed unanimously by voice vote.

B. Letter of Agreement Renewal FY2010 – National Board of Veterinary Medical Examiners (NAVLE) – Ms. Parrish presented the proposed letter of agreement with NBVME for the national veterinary licensing examination for review. No monies are involved in this contract as the applicant pays the examination fee directly to NBVME. Motion was made by Dr. Prejean, seconded by Dr. Slaton to approve the use of the NAVLE and for renewal of the contract as presented. Motion passed unanimously by voice vote.

C. Contract Renewal FY2010 – Greg Brown, CPA – Ms. Parrish presented the proposed contract for accounting services for review. No changes were noted from the previous fiscal year contract with a ceiling of \$5,000.00 per year. Motion was made by Dr.

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Landry, seconded by Dr. Prejean to approve renewal of the contract. Motion passed unanimously by voice vote.

D. Contract Renewal FY2010 – Onesimus Internet Solutions (Website Consultants) – Ms. Parrish presented the proposed contract for website and internet services for review. No changes were noted from the previous fiscal year contract with a ceiling of \$1,200.00 per year. Motion was made by Dr. Landry, seconded by Dr. Prejean to approve renewal of the contract. Motion passed unanimously by voice vote.

V. GENERAL BUSINESS APPEARANCES

A. LSU-SVM Accreditation/USDA APHIS – (D Paccamonti, DVM, LSU-SVM, no appearance; R Cambre, DVM, USDA/APHIS) (10:30am) Mr. Cambre was introduced to the Board. Information regarding a query from Dr. Paccamonti as to some form a “restricted accreditation” from USDA/APHIS for veterinarians working at LSU-SVM to sign health certificates and perform Coggins tests was presented. Following discussion and questions, the Board decided that in accordance with the Practice Act and Board rules, a veterinarian (involved with LSU-SVM or not) is required to possess an active license to practice veterinary medicine issued by the Board in order to perform and sign health certificates and perform Coggins tests in Louisiana. It is the Board’s understanding that such an active Louisiana license is further necessary to obtain accreditation from USDA. Mr. Tomino was directed to prepare a letter, subject to Board approval, to Dr. Paccamonti and Dr. Cambre.

B. LVMA/Certified Veterinary Assistant Program – (B O’Connor, F Lipscomb, DVM) (11:00am) Mr. O’Connor and Dr. Lipscomb were introduced to the Board. Information regarding a proposed certified veterinary assistant program as advertised in the January/February 2009 LVMA monthly newsletter and the Board’s concerns with the proposed program creating an entity with a certification of authority to practice and the public’s incorrect perception of such was presented. Questions and discussion followed. The Board stated that it is supportive of education in general, however, Mr. O’Connor and Dr. Lipscomb were requested to submit alternatives to the use of certificate, certification, and/or any similar terms which confer such a status or which may be subject to improper perception by the public and forward those possible choices to the Board for review. Mr. Tomino was directed to prepare a letter, subject to Board approval, advising of the Board’s position.

Note: Mr. O’Connor and Dr. Lipscomb left the meeting site at this point.

C. EMAC Query – (R Poirrier, DVM, M Littlefield, DVM) (11:30am) Drs. Poirrier and Littlefield were introduced to the Board. Request was made by Drs. Poirrier and Littlefield as to “possible use of the EMAC resource instead of opening the entire state to all licensed out-of-state veterinarians”. Following discussion, Drs. Poirrier and Littlefield were informed that under present legal authority, the Board cannot grant the request. The Board’s response is consistent with its answer to Drs. Poirrier and Littlefield in previous years regarding the governing legal authority which it is bound to observe. Mr. Tomino was directed to send a letter, subject to Board approval, to Drs. Poirrier and Littlefield, confirming its response.

Note: All guests for General Business Session of the meeting exited, except for Sue Kortz.

Ms. Kortz never timely or properly requested to be on the meeting agenda. Upon her arrival at the scheduled Board meeting, she was welcomed (as any member of the public) to observe the public session portion of the meeting, and she was further informed that the Board had a full agenda (the content of which was published and posted) and she was specifically told that she would not be on the agenda for this meeting due to the matters previously scheduled as per protocol, nor would her complaint be re-opened in any event. Ms. Kortz was earlier notified by letter, dated February 23, 2009, that the investigation of her complaint against a veterinarian had been concluded and the inquiry was closed. She thereafter repeatedly requested an appeal or reconsideration of the complaint. The specifics of her attempts will not be cited in these minutes. However, in response to her requests, it was explained to her (prior to the April 2 meeting and again at the meeting on April 2) that all administrative remedies have been exhausted. However, when a short recess for lunch was called on April 2, she immediately approached the Board and presented documents and began to re-assert her case against the veterinarian. After a few moments, the matter was brought to an end and Ms. Kortz left the meeting. Mr. Tomino was directed to send a letter to Ms. Kortz, subject to Board approval, again advising her the matter is closed and that no more communications, or attempts at communications, by her or anyone on her behalf regarding this matter will be tolerated. The Board is focusing its attention on matters which are currently pending.

VI. ADMINISTRATIVE PROCEEDINGS

A. Case 07-0625.1V – Suzanne Boucher, DVM (12:30pm) Proposed Consent

Order – Dr. Green was introduced as presiding officer for the hearing. Dr. Landry was recused as investigating Board member in the case. The members of the Hearing Panel consisted of Dr. Green, Dr. Prejean, Dr. Slaton and Dr. Levy. The respondent waived appearance at the hearing. Mr. Tomino presented the facts of the case, submitted exhibits for review, and a proposed Consent Order for consideration by the Board. Upon conclusion of the presentations and questions, motion was made by Dr. Prejean, seconded by Dr. Slaton, to enter into executive session for consideration of the proposed consent order presented in the case. Motion passed unanimously by voice vote. The executive session was closed to the public and only those Board members on the panel were present.

Motion was made by Dr. Prejean to return to open session, seconded by Dr. Slaton, and passed unanimously by voice vote. The meeting was reopened to the public. Motion was made by Dr. Prejean, seconded by Dr. Levy to accept the Consent Order as presented for this case. Motion passed by majority by voice vote, with Dr. Slaton voting nay.

B. Case 09-0212C – Tina Bernard, CAET (1:00pm) Proposed Consent Order –

Dr. Green was introduced as presiding officer for the hearing. Dr. Slaton was recused as investigating Board member in the case. The members of the Hearing Panel consisted of Dr. Green, Dr. Prejean, Dr. Levy and Dr. Landry. The respondent waived personal appearance at the proceeding, but was represented by legal counsel, Mr. Edward Lilly. Mr. Tomino presented a proposed Consent Order for consideration by the Board. Upon conclusion of the presentations and questions, motion was made by Dr. Prejean, seconded by Dr. Landry, to enter into executive session for consideration of the proposed consent order presented in the case. Motion passed unanimously by voice vote. The executive session was closed to the public and only those Board members on the panel were present.

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

VII. POLICY, PROCEDURE, AND RULES

A. Policy and Procedure – None at this time.

B. Practice Act and Rules/Related Matters/Declaratory Statements

1. Continuing Education Rules Review for DVM, RVT, CAET – As instructed by the Board at the February 5, 2009 meeting, Mr. Tomino presented proposed amended and adopted rules for continuing education credits for DVMs, RVTs and CAETs regarding allowing one-half of the required continuing education credits to be taken as compendium/self-help and online continuing education courses with third party grading; continuing education for annual renewal for registered veterinary technicians, and in-house continuing education programs for veterinarians in board certified specialty practices.

Motion was made by Dr. Landry, seconded by Dr. Levy, to adopt the proposed rule amendments and place a timeline of enforcement effective for the July 2009-June 2010 for the 2010-2011 renewal period. Motion passed unanimously by voice vote.

C. Rule Making – None at this time.

VIII. DVM ISSUES

A. Georgia S. Barnette, DVM – Request for Waiver of Late Renewal Fee – Following review of request and documents presented for waiver of late renewal fee by Dr. Barnette, motion was made by Dr. Slaton, seconded by Dr. Landry, to deny waiver of late renewal fee. Motion passed unanimously by voice vote.

IX. DVM APPLICANT ISSUES

A. Jerry Chauncey Latham, DVM – Request for Waiver of Retake of National Examination – 1988 graduate of Tuskegee University, previously licensed in Alabama, Mississippi and Georgia. Dr. Latham has not taken the NAVLE to date, and following review of national examination scores from other states and passing score requirements of Louisiana (standard deviation of 1.0) at the pertinent times for previous CCT/NBE examinations, motion was made by Dr. Landry, seconded by Dr. Slaton, to deny waiver of retaking the national examination. Motion passed unanimously by voice vote.

B. Jake Woods David, DVM – Request for Waiver of Preceptorship Requirement – 2006 graduate of Texas A&M University, licensed in Texas. Following review of the documentation submitted by Dr. David, motion was made by Dr. Landry, seconded by Dr. Prejean to approve waiver of preceptorship requirement as he meets the criteria for waiver due to full time veterinary employment of not less than 90 days immediately prior to application and valid veterinary medical licensure in another state. Motion passed unanimously by voice vote.

C. Jacqueline Leigh Broome, DVM – Request for Waiver of Retake of National Examination – 1988 graduate of Auburn University, licensed in AL, TN, and MS.

Following review of the documentation submitted by Dr. Broome, motion was made by Dr. Landry, seconded by Dr. Prejean to deny waiver of retake of the national examination as the documents do not meet the criteria of full-time clinical veterinary practice for five years immediately prior to application. Motion passed unanimously by voice vote.

D. Michael Bradburn, DVM – Request for Waiver of Retake of National Examination – 2004 graduate of Mississippi State College of Veterinary Medicine, licensed in Florida. Dr. Bradburn's NAVLE score is more than five years old, and following review of the documentation submitted by Dr. Bradburn, motion was made by Dr. Landry, seconded by Dr. Slaton to deny waiver of retake of the national examination as the documents do not meet the criteria of full-time clinical veterinary practice for five years immediately prior to application at the April 2, 2009 Board meeting. However, Dr. Bradburn may resubmit his request at the appropriate time in the future, being July 2009, for further consideration by the Board. Motion passed unanimously by voice vote.

E. Preston Hickman, DVM – Request for Waiver of Retake of National Examination and Preceptorship Requirement – 1997 graduate of Kansas State University School of Veterinary Medicine, licensed in KS, NE, OK, MO and CO. Following review of the documentation submitted by Dr. Hickman, motion was made by Dr. Landry, seconded by Dr. Levy to deny waiver of retake of the national examination as the documents do not meet the criteria of full-time clinical veterinary practice for five years immediately prior to application. Motion passed unanimously by voice vote.

F. Carolyn Jean McKinnie, DVM – Reconsideration of Request for Waiver of Retake of National Examination – 1999 graduate of Colorado State University College of Veterinary Medicine, licensed in Colorado, Hawaii and Nevada. Following review of the additional documentation submitted by Dr. McKinnie, motion was made by Dr. Landry, seconded by Dr. Slaton to deny waiver of retake of the national examination as the documents do not meet the criteria of full-time clinical veterinary practice for five years immediately prior to application. Motion passed unanimously by voice vote.

X. CONTINUING EDUCATION ISSUES

A. CAET CE – Cruelty Investigations II (Tangipahoa Animal Control) - Request for consideration of 6 credit hours of CAET CE for participation in the March 16-20, 2009 Cruelty Investigation Training Level II. Following review of the request and program outline and presenters, motion was made by Dr. Landry seconded by Dr. Slaton, to allow a maximum of 6 credit hours for annual license renewal of CAET CE for actual attendance by the CAET. Motion passed unanimously by voice vote.

B. CAET CE – Anti-Violence Workshop (H Carruth, CAET) - Request for consideration of 6 credit hours of CAET CE for participation in the Campaign for Cruelty-Free Calcasieu Inter-Agency Anti-Violence Workshop. Following review of the request and program outline and presenters, motion was made by Dr. Landry seconded by Dr. Slaton, to allow a maximum of 6 credit hours for annual license renewal of CAET CE for actual attendance by the CAET. Motion passed unanimously by voice vote.

C. DVM CE – Elkin Medical Imaging & UltraSource (G Levy, DVM) - Request for consideration of 16 credit hours of DVM CE for annual license renewal. Following review of the request and program outline and presenters, motion was made by Dr. Prejean seconded

by Dr. Landry, to allow up to 16 credit hours for annual license renewal of DVM CE for actual attendance by the DVM. Motion passed unanimously by voice vote.

D. DVM CE – US Dept Homeland Security/FARE (M Barrington, DVM) -

Request for consideration of 12 credit hours of DVM CE for annual license renewal.

Following review of the request and program outline and presenters, motion was made by Dr. Slaton, seconded by Dr. Landry, to deny DVM CE credit hours for annual license renewal of DVM CE due to a lack of timely submission for pre-approval. Motion passed unanimously by voice vote.

E. DVM CE – Companion Animal Cardiology Symposium at LSU-SVM (F Gaschen, DVM) -

Request for consideration of 8 credit hours of DVM CE for annual license renewal. Following review of the request and program outline and presenters, motion was made by Dr. Levy seconded by Dr. Landry, to allow 8 credit hours for annual license renewal of DVM CE for actual attendance by the DVM. Motion passed unanimously by voice vote.

F. DVM CE – Trichomoniasis in LA/LSU Ag Center & LSU-SVM (H Moreau, DVM) -

Request for consideration of 4 credit hours of DVM CE for annual license renewal. Following review of the request and review of current statute and rules, motion was made by Dr. Prejean seconded by Dr. Levy, to allow 4 credit hours for annual license renewal of DVM CE for actual attendance by the DVM. Motion passed unanimously by voice vote.

G. DVM CE – Introductory Abdominal & Cardiac Ultrasound (J Arble, DVM, OK State Univ) -

Request for reconsideration of 14 credit hours of DVM CE for annual license renewal. Following review of the request submitted by Dr. Arble, and review of current statute and rules, motion was made by Dr. Green, seconded by Dr. Levy, to deny credit hours for in-house lectures and due to a lack of timely submission for pre-approval and the in-house format. Motion passed unanimously by voice vote.

H. DVM CE – Academy of Veterinary Consultants Summer 2009 Conference (Bovine Medicine) - (M Meaux, DVM) –

Request for consideration of 15 credit hours of DVM CE for participation in Academy of Veterinary Consultants Summer 2009 Conference. Following review of the request and program outline and presenters, motion was made by Dr. Levy, seconded by Dr. Prejean, to allow 15 credit hours for annual license renewal of DVM CE for actual attendance by the DVM. Motion passed unanimously by voice vote.

I. DVM CE – Orthopedic Surgery/Wet Labs (T Guidry, DVM) -

Request for reconsideration of 20 credit hours of DVM CE for annual license renewal. Following review of the request and documents submitted by Dr. Guidry, and review of current statute and rules, motion was made by Dr. Levy seconded by Dr. Slaton, to deny credit hours due to a lack of timely submission for pre-approval and the in-house format. Motion passed unanimously by voice vote.

J. DVM CE – Humane Society Spay/Neuter Surgical Training (D Bishop, DVM) -

Request for reconsideration of 20 credit hours of DVM CE for annual license renewal. Following review of the request submitted by Dr. Bishop, motion was made by Dr. Slaton seconded by Dr. Levy, to allow 20 credit hours for annual license renewal of DVM CE for actual attendance by the DVM. Motion passed unanimously by voice vote.

XI. MISCELLANEOUS MATTERS

A. New Licenses and Certificates Issued:

Wall certificates were presented for signature for the following licenses/certificates issued since the previous Board meeting:

DVM

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| 2811 | Stephanie Fronning |
| 2812 | Gary Lane Sullivan, Jr. |
| 2813 | Blake Joseph Marcello |
| 2814 | Erica Leigh Canon |
| 2815 | Jennifer Acosta Reeb |
| 2816 | Holly Beth Parker-Krieg |

RVT

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|------|--------------------------|
| 8166 | Jennifer Morrison Miller |
| 8167 | Rebecca Waters Wesley |
| 8168 | Misty Michelle Brown |

XII. EXECUTIVE SESSION

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

A. Online Banking (Payroll Account) – Ms. Parrish presented information on online banking service for payroll for review and discussion. No action was taken on this item.

B. Shared Electronic Medical Records/Banfield (S Tate, DVM) - Query submitted regarding the network of computer software which allows client/patient information and records to be shared with network veterinary practitioners. Following discussion, motion was made by Dr. Slaton, seconded by Dr. Landry to direct Mr. Tomino to prepare a written response, subject to Board approval, regarding the Board's decision to approve, in general, shared electronic medical records by network software as long as written consent from an informed client gives the attending veterinarian the right to disclose otherwise protected information/records consistent with the scope of such authorization. Motion passed unanimously by voice vote.

C. MD/Veterinarian Biopsy Procedure (E Zeller, DVM) –Query received regarding licensed physician (ENT) who would like to perform an endoscopic exam/biopsy on his own dog with his own instruments at the veterinarian's facility while the licensed veterinarian performs pre and post procedures, including testing, anesthesia, monitoring and pain management. After discussion, motion was made by Dr. Slaton, seconded by Dr. Landry to direct Mr. Tomino to prepare a written response, subject to Board approval, regarding the Board's decision to recognize the physician's right to perform an endoscopic exam/biopsy on his own dog (Practice Act exemption to veterinary licensure); however, the veterinarian and his staff cannot legally perform, pre and post procedures including, testing, anesthesia, monitoring and pain management, nor can the procedures be performed by the physician at

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the veterinary facility or with the veterinarian's equipment or instruments . Motion passed unanimously by voice vote.

XIII. ADJOURN

There being no further business before the Board, motion was made by Dr. Prejean, seconded by Dr. Slaton, and passed unanimously by voice vote to adjourn. The meeting was adjourned at 3:54 p.m.

MINUTES REIVEWED AND APPROVED BY FULL BOARD on June 4, 2009.

Steven V. Slaton, DVM, Board Secretary-Treasurer