

**LOUISIANA BOARD OF VETERINARY MEDICINE
BOARD MEETING
June 4, 2009**

Minutes

I. CALL TO ORDER –

Board President, Dr. William H. Green, called the meeting to order at 8:35 a.m.

II. ROLL CALL –

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

Those present:

William H. Green, DVM	Board President
Steven V. Slaton, DVM	Board Secretary-Treasurer
Gary T. Levy, DVM	Board Member
Michael Tomino, Jr.	Board General Counsel
Wendy D. Parrish	Board Executive Director

Those absent:

John C. Prejean, DVM	Board Vice President
Mica F. Landry, DVM	Board Member

Guests:

(1:00 appearance) Gordon Pirie, DVM, LVMA Peer Assistance Program Committee, Bruce Eilts, DVM, LVMA President, and Patrick Thistlethwaite, DVM, LVMA Member

III. APPROVAL OF MINUTES

A. Board Meeting April 2, 2009

The Board reviewed the minutes from the April 4, 2009 Board meeting. Motion was made by Dr. Levy to accept the minutes as presented, seconded by Dr. Slaton, and passed unanimously by voice vote.

IV. FINANCIAL MATTERS AND CONTRACTS

A. Financial Reports – March and April 2009

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

B. FY2009 Budget Forecast –

Ms. Parrish presented a budget forecast for FY2009 for review and discussion. Revenues were at 101% of budgeted through April 2009. Overages in budget totals on specific expense items were defined, which included unexpected volume of VTNE examination candidates due to additional accredited program in Louisiana. Ms. Parrish stated that FY2009 Board budget should be close to target. No action was taken on this item.

C. Certificate of Deposit Investment Authority – Ms. Parrish presented a spreadsheet listing purchases of certificates of deposit (CDs) for FY2009 with accrued interest. Motion was made by Dr. Levy, seconded by Dr. Slaton, to authorize Ms. Parrish,

Executive Director, in association with the Board Secretary-Treasurer elect, to make internal fund transfers for the purchase of CDs during FY2010. Motion passed unanimously by voice vote.

D. Compliance Questionnaire for Audit Engagement – The Board reviewed the compliance questionnaire for the engagement of the auditor for the FY2009 audit to be performed after June 30, 2009. The compliance questionnaire answers general questions relative to the Board's actions during the fiscal year. Motion was made by Dr. Slaton, seconded by Dr. Levy to approve the compliance questionnaire as presented. Motion passed unanimously by voice vote.

V. ADMINISTRATIVE PROCEEDINGS

A. Case 09-0225C – Beth Brewster, CAET (10:00am) 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 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. Levy, 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. Levy 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. Levy, seconded by Dr. Slaton to accept the Consent Order as presented for this case, as well as approval for reinstatement to CAET active status, and that of Lead CAET status based on approval of CE courses, taken as part of resolution of consent order. Motion passed unanimously by voice vote.

B. Case 03-0205D – (11:00am) Request for Reinstatement of License – *Motion was made by Dr. Slaton to go into executive session to discuss the character and professional reputation issues of the licensee, as well as an agreement entered into with the Board, seconded by Dr. Levy, and passed unanimously by voice vote.*

The respondent in the case and her witness were introduced to the Board. Pertinent documentation was presented regarding the history of this matter before the Board, and documents submitted to the Board by respondent regarding the request for veterinary license reinstatement.

Upon conclusion of the presentation by the respondent and testimony from her witness, and response to the questions from the Board, the respondent was informed that the Board would take the request under advisement and respond in writing. Respondent exited the meeting.

Upon conclusion of discussion, motion was made by Dr. Slaton to return to regular session, seconded by Dr. Levy, and passed unanimously by voice vote.

Motion was made by Dr. Levy, seconded by Dr. Slaton, to deny the request for reinstatement of veterinary license at this time; however, certain terms and conditions will

be issued and implemented for one year as predicates to re-petitioning the Board at the end of such period. Motion passed unanimously by voice vote.

C. Case 04-0702D – (11:30am) Request for Modification of Supervision –
Motion was made by Dr. Slaton to go into executive session to discuss the character and professional reputation issues of the licensee, as well as compliance with an agreement entered into with the Board, seconded by Dr. Levy, and passed unanimously by voice vote.

Respondent waived personal appearance. The written request for modification of supervision and supporting documentation by the respondent in the case was introduced to the Board for review. Request was made due to pending practice changes of current supervising veterinarian.

Upon conclusion of discussion, motion was made by Dr. Slaton to return to regular session, seconded by Dr. Levy, and passed unanimously by voice vote.

Motion was made by Dr. Levy, seconded by Dr. Slaton, to deny the modification in supervision as outlined in respondent's request, however, alternate avenues regarding supervision will be offered to respondent, or if respondent rejects the alternative avenues, then current decision remains in effect. A letter will be sent to the respondent with the decision made by the Board. Motion passed unanimously by voice vote.

VI. GENERAL BUSINESS APPEARANCES

A. LVMA Peer Assistance Program – (LVMA represented by G Pirie, DVM, LVMA Peer Assistant Program Committee, P Thistlethwaite, DVM, LVMA Member, and B Eilts, DVM, LVMA President) (1:00pm) Drs. Pirie, Thistlethwaite and Eilts were introduced to all present. Dr. Pirie addressed current Board rules and statutes regarding impairment issues and reporting mandates, the LVMA Peer Review Assistance Program and reporting protocol, and general information and statistics on impairment of professionals. The Board's obligation by law to protect the public (while supporting the cooperating impaired professional) and the LVMA Peer Assistant Program Committee's desire to assist and support the impaired professional, were discussed at length.

Upon conclusion of the discussion, Drs. Pirie, Thistlethwaite and Eilts were informed that the Board would consider the LVMA Peer Assistant Program Committee's request to amend Board rules so as not to require initial, direct reporting to the Board of impaired professionals by those veterinarians participating in the LVMA Peer Assistance Program, as well as initial, direct reporting by the LVMA Peer Assistance Program Committee and its members of those veterinarians participating in the program. The guests then exited the meeting.

After careful consideration, motion was made by Dr. Levy, seconded by Dr. Slaton, that while the Board is supportive of the LVMA Peer Assistant Program Committee's efforts to assist the practitioners, the current rules regarding initial, direct reporting to the Board will remain in effect in order for the Board to discharge its mandate of protecting the public. 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** – An update was given of Notice of Intent of proposed rules for continuing education credits for DVMs, RVTs and CAETs and related issues, published in the May 20, 2009 *Louisiana Register*, along with the deadline to provide written comment by June 18, 2009, with a public hearing, if one is legally required, on June 24, 2009.

No action was taken on this matter at this time.

C. **Rule Making** – None at this time.

VIII. DVM ISSUES

A. **Debbie Guillory, DVM and Veronia Paul-Duncan, DVM – Request for CE Extension** – Following review of request for CE extension for renewal year 2010, motion was made by Dr. Slaton, seconded by Dr. Levy, to deny waiver at this time as there are still 4 months remaining to obtain required CE credits prior to expiration of license. Motion passed unanimously by voice vote.

B. **Abigail N. Smith, DVM – Request for CE Extension** – Following review of request for CE extension for renewal year 2010, motion was made by Dr. Slaton, seconded by Dr. Levy, to deny waiver at this time as there are still 4 months remaining to obtain required CE credits prior to expiration of license. Motion passed unanimously by voice vote.

IX. DVM APPLICANT ISSUES

A. **William Ratterree, DVM – Request for Waiver of Preceptorship Requirement** – 2008 graduate of University of Georgia, licensed in Georgia. Following review of the documentation submitted by Dr. Ratterree, motion was made by Dr. Levy, seconded by Dr. Slaton 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.

B. **Timothy Grande, DVM – Request for Waiver of Retake of National Examination and Preceptorship Requirement** – 2002 graduate of University of California-Davis, previously licensed in California and Kentucky. Following review of the documentation submitted by Dr. Grande, motion was made by Dr. Levy, seconded by Dr. Slaton to approve waiver of retake of the national examination and waiver of preceptorship requirement as the documents meet the criteria of full-time clinical veterinary practice for five years immediately prior to application and valid veterinary medical licensure in another state. Motion passed unanimously by voice vote.

C. **Vernon Newcomb, DVM – Request for Waiver of Retake of National Examination and Preceptorship Requirement** – Dr. Newcomb requested this item be deferred until the July 2009 Board meeting.

D. Gregory R. Schmidt, DVM – Request for Waiver of Preceptorship

Requirement – 2007 graduate of LSU-SVM, licensed in Florida. Following review of the documentation submitted by Dr. Schmidt, motion was made by Dr. Slaton, seconded by Dr. Levy 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.

E. Michael Bradburn, DVM – Request Reconsideration 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 additional documentation submitted by Dr. Bradburn, motion was made by Dr. Levy, 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 as of the June 4, 2009 Board meeting, but will consider waiver upon receipt of documents verifying completion of the five years of full-time clinical veterinary practice as required by law. Motion passed unanimously by voice vote. Dr. Bradburn will be notified accordingly.

F. Preston Hickman, DVM – Request Reconsideration 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 additional documentation submitted by Dr. Hickman, motion was made by Dr. Slaton, seconded by Dr. Levy to approve waiver of retake of the national examination as the documents meet the criteria of full-time clinical veterinary practice for five years immediately prior to application and valid veterinary medical licensure in another state. Motion passed unanimously by voice vote.

X. CONTINUING EDUCATION ISSUES

A. DVM and CAET CE – LASART (4 Programs) (R Adcock, DVM and R Poirrier, DVM) - Request for consideration of credit hours of DVM and CAET CE for participation in LA SART Training Programs (Household Pet Emergency Shelter Training/3 credits; Household Pet Emergency Evacuation Course/3 credits; Animal Emergency Planning for Veterinarians and Animal Businesses/4 credits; Animal Emergency Planning for Emergency Operations Officials/4 credits). Following review of the request and program outlines and presenters, motion was made by Dr. Slaton seconded by Dr. Levy, to allow credit hours for annual license renewal of DVM and CAET CE for actual attendance by the participants. Motion passed unanimously by voice vote.

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

Request for reconsideration of 12 credit hours of DVM CE for annual license renewal. Following review of the request, additional information, program outline and presenters, motion was made by Dr. Slaton, to uphold the denial of DVM CE credit hours for annual license renewal of DVM CE due to a lack of timely submission for pre-approval. No second. Motion was made by Dr. Levy, to approve DVM CE credit hours for annual license renewal of DVM CE. No second. Therefore, previous motion passed on April 2, 2009 which denied DVM CE credit remains in effect.

C. DVM CE – LA Veterinary Referral Center, Current Topics in Veterinary Internal Medicine (K Arceneaux, DVM) - Request for consideration of 4 credit hours of DVM CE for annual license renewal. Following review of the request submitted by Dr. Arceneaux, and review of current statute and rules, motion was made by Dr. Slaton, seconded by Dr. Levy, 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.

D. 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 additional information and request submitted by Dr. Arble, and review of current statute and rules, motion was made by Dr. Slaton, seconded by Dr. Levy, to uphold the denial of credit hours for in-house lectures due to a lack of timely submission for pre-approval and the in-house format. Motion passed unanimously by voice vote.

E. DVM CE – Louisiana Veterinary Medical Association Summer 2009 Conference – Request for consideration of 8 credit hours of DVM CE for participation in the LVMA Summer 2009 Conference. Following review of the request and program outline and presenters, motion was made by Dr. Slaton, seconded by Dr. Levy, 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 – FRANK: Interactive Veterinarian-Client Communication Workshop (M Cornett, DVM) - Request for consideration of 12.5 credit hours of DVM CE for annual license renewal. Following review of the request, program outline and presenters submitted by Dr. Cornett, motion was made by Dr. Slaton seconded by Dr. Levy, to allow 12.5 credit hours 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

2817	Jake Woods David
2818	Emily Kathryn Champion
2819	Elizabeth Ann Pike Kappus
2820	Lauren Kathryn Popiolek
2821	Florence Bonilla Boudreaux
2822	William Matthew Honea
2823	Justin Claude Roberts
2824	Cassidee R. Landry

CAET

9451	Scott Bognar
T0901	Sherry Ann Bourque
T0902	Rita Lynn Cavanaugh

B. Election of Officers, Authorization to Sign Checks (President, Secretary-Treasurer, Administrative Director), Review of Board Member Positions – Deferred until July 2009 Board meeting.

XII. EXECUTIVE SESSION

Motion was made by Dr. Levy 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. Slaton, seconded by Dr. Levy, and approved unanimously by voice vote.

A. Administrative Director Annual Review – Motion was made by Dr. Levy, seconded by Dr. Slaton, to award Ms. Parrish an annual salary increase of 7% following her annual review. Motion passed unanimously by voice vote.

B. Treatment of Wildlife Pets (J LaCour, DVM) - Following review of Dr. LaCour's query regarding treatment of wildlife pets in Louisiana, motion was made by Dr. Slaton for Mr. Tomino to prepare a proposed response to the query which is consistent with the Board's decision and legal authority, to be approved by a Board member, seconded by Dr. Levy. Motion passed unanimously by voice vote.

C. LSU-SVM Shelter Medicine, Additional Shelters (W Wolfson, DVM) – Following review of Dr. Wolfson's correspondence concerning additional shelter medicine facilities, consultations and the LSU-SVM Shelter Medicine Program, motion was made by Dr. Slaton for Mr. Tomino to prepare a proposed response to the query which is consistent with the Board's decision and legal authority, to be approved by a Board member, seconded by Dr. Levy. Motion passed unanimously by voice vote.

D. Equine Hyperbaric Oxygen Therapy Chamber (GI Sweeney, Jr.) - Following review of Mr. Sweeney's query regarding purchase and utilization of a hyperbaric oxygen therapy chamber by a non-veterinarian entity, Evangeline Training Center, motion was made by Dr. Levy, seconded by Dr. Slaton, for Mr. Tomino to prepare a proposed response to the query outlining the legal authority whereby the practice of veterinary medicine must be performed by a Louisiana licensed veterinarian (of which the use of a hyperbaric oxygen therapy chamber constitutes the practice of veterinary medicine for which a license is required), and ownership of a veterinary practice in Louisiana is limited to a Louisiana licensed veterinarian(s), to be approved by a Board member. Motion passed unanimously by voice vote.

XIII. ADJOURN

There being no further business before the Board, motion was made by Dr. Levy, seconded by Dr. Slaton, and passed unanimously by voice vote to adjourn. The meeting was adjourned at 4:35 p.m.

MINUTES REIVEWED AND APPROVED BY FULL BOARD on July 30, 2009.

Steven V. Slaton, DVM, Board Secretary-Treasurer