

**LOUISIANA BOARD OF VETERINARY MEDICINE
BOARD MEETING
April 3, 2014**

Minutes

I. CALL TO ORDER

Board President, Dr. William H. Green, called the meeting to order at 8:32 a.m.

II. ROLL CALL –

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

Those present:

William H. Green	Board President
Steven V. Slaton, DVM	Board Secretary-Treasurer
Patrick R. Bernard, DVM	Board Vice President
John S. Emerson, DVM	Board Member
Fenton Lipscomb, DVM	Board Member
Michael Tomino, Jr.	Board General Counsel
Wendy D. Parrish	Board Executive Director

Absent:

None.

Guests:

Amber Langley, DVM (11:00am)
Samuel Monticello, DVM (11:30am)

III. APPROVAL OF MINUTES

A. Board Meeting February 6, 2014

The Board reviewed the minutes from the February 6, 2014 Board meeting. Motion was made by Dr. Bernard to accept the minutes as presented, seconded by Dr. Slaton, and passed unanimously by voice vote.

IV. FINANCIAL MATTERS AND CONTRACTS

A. Financial Reports – January and February 2014

Ms. Parrish and Dr. Bernard presented the financial reports for the months of January and February 2014 for review. Following discussion and questions, motion was made by Dr. Lipscomb to approve the financial reports as presented, seconded by Dr. Bernard, and passed unanimously by voice vote.

B. Letter of Agreement Renewal FY2015, 2016 – National Board of Veterinary Medical Examiners (NAVLE) – After review by legal counsel, Ms. Parrish presented the proposed letter of agreement with NBVME for the national veterinary licensing examination (NAVLE) for review. No monies are involved in this contract as the applicant pays the examination fee directly to NBVME. The agreement meets all requirements for contracting with Louisiana governmental entities. Motion was made by Dr. Emerson, seconded by Dr. Bernard to approve the use of the NAVLE and for renewal of the contract

as presented, and to again adopt passage of the NAVLE as a requirement for Louisiana veterinary licensure. Motion passed unanimously by voice vote.

C. Accounting Services Contract FY2015 – Mary Sue Stages, CPA – Ms. Parrish presented the proposed contract for accounting services for review. No changes were noted from the previous fiscal year contract for accounting services with a ceiling of \$5,000.00 per year. Motion was made by Dr. Bernard, seconded by Dr. Lipscomb to approve renewal of the contract. Motion passed unanimously by voice vote.

D. Contract Renewal FY2015 – Award Technologies, LLC (Website Consultants) – Ms. Parrish presented the proposed contract with Award Technologies, LLC 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. Lipscomb, seconded by Dr. Bernard to approve renewal of the contract. Motion passed unanimously by voice vote.

E. Budget Considerations – Ms. Parrish provided statistical data on budgets for previous fiscal years, as well as recent notices of increases for various Board expenses by various vendors and state agencies. Last fee increase occurred ten years ago. A review of expenses and income of FY2008-2014 was provided. Following discussion, motion was made by Dr. Slaton, seconded by Dr. Emerson to increase fees effective FY2016 not to exceed cap authority in the Louisiana Practice Act as follows:

Active DVM Renewal Fee	\$250
Inactive DVM Renewal Fee	\$125
DVM Application Fee	\$100
Original DVM License Fee	\$250
Late DVM Renewal Fee	\$150
State Board Examination Fee	\$200

Motion passed unanimously by voice vote. Ms. Parrish and Mr. Tomino were instructed to begin rulemaking processes for the increases.

V. POLICY, PROCEDURE, AND RULES

A. General Update - 2014 Legislative Session update; Barrios, LA 4th Circuit Court of Appeals case on general damage award for animal; and LA Bd of Pharmacy's NOI to exclude veterinarians from PMP program reporting per recent law.

B. Policy and Procedure - The FMLA (application to employer-employee relationship existing for a minimum of one year), the EEOC (application to employer-employee relationship on issues based on sex and/or race), and the ADA (application to "qualified" disabilities regarding actual test administration/facilities and reasonable accommodations), including the respective regulations promulgated pursuant to these federal laws, do not apply to the LBVM's jurisdiction regarding the requirements for successful and current licensure examination passage, nor do they apply to the determination of exemptions and/or waivers of licensure examinations and/or the preceptorship program based on information reviewed. Same conclusion is applicable to current existing Louisiana law and regulations on the subject matter.

C. Practice Act, Rules/Related Matters/Declaratory Statements -

1. Eric Storey, DVM with LSU-SVM's submitted query on various prescription/authority issues at school. Motion by Dr. Slaton, seconded by Emerson, passed unanimously by voice vote for Tomino to respond as directed by the Board upon review by Board President.

2. Carly Billeaudeau, DVM's submitted query regarding "Lap of Love" franchise business arrangement for hospice and euthanasia issues. Motion by Dr. Bernard, seconded by Dr. Lipscomb, passed unanimously for Tomino to respond as directed by the Board upon review by Board President.

3. Heather Welsh, DVM's submitted query regarding preventative care clinics and role of lay person techs. Motion by Dr. Bernard, seconded by Dr. Lipscomb, passed unanimously by voice vote for Tomino to respond as directed by the Board upon review by Board President.

4. Brian Ghere, DVM submitted query regarding boarding facility, without veterinarian, administering and charging for intra-nasal Bordatella vaccine. Motion by Dr. Emerson, seconded by Dr. Lipscomb, passed unanimously by voice vote for Tomino to respond as directed by the Board upon review by Board President.

VI. ADMINISTRATIVE PROCEEDINGS

A. Case 04-0702 D – (9:00am) –

The matter was set aside.

VII. DVM APPLICANT ISSUES

Motion was made by Dr. Bernard to go into executive session to discuss confidential matters regarding licensees not subject to public disclosure as per the law, seconded by Dr. Slaton, and passed unanimously by voice vote.

Upon conclusion of executive session, motion was made to return to regular session by Dr. Lipscomb, seconded by Dr. Bernard, and approved unanimously by voice vote, to address the particular DVM applicant issues.

A. Amber L. Langley, DVM (Appearance - 11:00am) - Request to Reconsider Waiver of Retake of National Examination and Preceptorship Requirement

– Dr. Emerson again requested to be recused from consideration of this item. 2008 graduate of Ross University School of Veterinary Medicine, previously licensed in Pennsylvania and Wisconsin. Following discussion and presentation, motion was made by Dr. Lipscomb, seconded by Dr. Slaton, to approve waiver of retake of the national examination as request and supporting information meet the criteria, but deny waiver of preceptorship requirements as the documents provided do not meet the criteria of full-time clinical veterinary practice for the required 90 day period of time immediately prior to application. Motion passed unanimously by voice vote, with Dr. Emerson abstaining from vote.

B. Samuel Monticello, DVM – Request Status Change (Appearance - 11:30am) – 1964 graduate of Texas A&M, previously licensed in Texas. Following discussion

and review of the documentation submitted by Dr. Monticello, first motion was made by Dr. Bernard, seconded by Dr. Slaton, to grant Active license status immediately. Motion failed by voice vote as follows: Yeas – Drs. Bernard and Slaton, Nay – Drs. Green, Emerson and Lipscomb.

Second motion was made by Dr. Emerson, seconded by Dr. Lipscomb, to grant Active DVM license status provided all continuing education credits be submitted for the previous five years prior to the request, as well as fees for the same five year period for Active status. Motion passed by voice vote as follows: Yeas – Drs. Slaton, Bernard, Emerson and Lipscomb, Nay – Dr. Green.

C. Jeanne M. Baines, DVM – Request for Waiver of Retake of National Examination and Preceptorship Requirement – 1983 graduate of University of Pennsylvania, licensed in New York, California, Illinois, and previously licensed in Pennsylvania. Following review of the documentation submitted by Dr. Baines, motion was made by Dr. Emerson, seconded by Dr. Lipscomb, to request further employment documentation in addition to that previously submitted by the applicant, to be reviewed by Ms. Parrish according to Board instruction, Motion passed unanimously by voice vote.

D. Kathryn J. Hamilton, DVM – Request Waiver of Retake of National Examination and Preceptorship Requirement – 1992 graduate of Auburn University College of Veterinary Medicine, licensed in Maryland, Virginia, Rhode Island, Massachusetts, Illinois and Nevada. Following review of the documentation submitted by Dr. Hamilton, motion was made by Dr. Lipscomb, seconded by Dr. Emerson, to approve waiver of retake of the national examination and preceptorship requirements as the documents provided meet the criteria of full-time clinical veterinary practice for the required period of time immediately prior to application. Motion passed unanimously by voice vote.

E. Sharon H. Miller, DVM – Request for Waiver of Retake of National Examination and Preceptorship Requirement – 1991 graduate of North Carolina University College of Veterinary Medicine, licensed in North Carolina and Georgia. Following review of the documentation submitted by Dr. Miller, motion was made by Dr. Lipscomb, seconded by Dr. Bernard, to deny the waiver request due to insufficient and incomplete documentation from Dr. Miller regarding employment. Dr. Miller is to be contacted for additional information and documentation. Motion passed unanimously by voice vote.

F. Brook Anthony Niemic, DVM – Request for Waiver of Retake of National Examination and Preceptorship Requirement – 1994 graduate University of California, Davis, licensed in California and previously licensed in Nevada. Following review of the documentation submitted by Dr. Niemic, motion was made by Dr. Lipscomb, seconded by Dr. Bernard, to approve waiver of retake of the national examination and preceptorship requirements as the documents provided meet the criteria of full-time clinical veterinary practice for the required period of time immediately prior to application. Motion passed unanimously by voice vote.

G. James R. Carson, IV, DVM – Request for Waiver of Preceptorship Requirement – 2012 graduate of LSU School of Veterinary Medicine, previously licensed in Texas and currently licensed in Florida. Following review of the documentation submitted by Dr. Carson, motion was made by Dr. Lipscomb, seconded by Dr. Emerson, to request further employment documentation in addition to that previously submitted by the applicant, to be reviewed by Ms. Parrish according to Board instruction, Motion passed unanimously by voice vote

H. David A. Rosiek, DVM – Request for Waiver of Preceptorship Requirement – 2013 graduate of Ross University School of Veterinary Medicine, licensed in Texas, Virginia and Colorado. Following review of the documentation submitted by Dr. Rosiek, motion was made by Dr. Bernard, seconded by Dr. Slaton, to approve waiver of preceptorship requirements as the documents provided meet the criteria of full-time clinical veterinary practice for the required period of time immediately prior to application. Motion passed unanimously by voice vote.

I. Natalie L. Simmons, DVM – Request for Waiver of Preceptorship Requirement – 2013 graduate of University of Missouri-Columbia College of Veterinary Medicine, licensed in Missouri and Ohio. Following review of the documentation submitted by Dr. Simmons, motion was made by Dr. Slaton, seconded by Dr. Bernard, to deny waiver of preceptorship requirements as the documents provided do not meet the criteria of full-time clinical veterinary practice for the required period of time immediately prior to application. Motion passed unanimously by voice vote.

VIII. DVM ISSUES

A. Richard Hidalgo, DVM – Request for Waiver of Late CE Fees – Following review of the documentation and request, motion was made by Dr. Slaton, seconded by Dr. Bernard, to deny request for waiver of Late CE Fee. Motion passed unanimously by voice vote.

IX. CONTINUING EDUCATION ISSUES

A. **American Veterinary Chiropractic Association (M. Jobert, DVM)** – Following review of the documentation submitted by Dr. Jobert, motion was made by Dr. Slaton, seconded by Dr. Bernard, to approve the programs for Louisiana DVM CE credits. Motion passed unanimously by voice vote.

X. 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

3184	Williams	Heather Elizabeth
3185	Buchert	Mark Randall
3186	Collins	Emily Sue
3187	Vaughan	Sarah Ann

3188	Elstrott	Kathleen L.
3189	Perez	Carlos A.
3190	Aguettant	Lindsay Ann
3191	Watson	Brandy Centrell
3192	Faller	Maura Christine
3193	Edmond	Ann Juliette
3194	Galley	Monty James

RVT

8184	Day	Brandon Cornel
8185	Kidder	April Fae

CAET

9692	Callahan	Charles Duane
9693	Trahan	Maya Renee

XI. EXECUTIVE SESSION

Motion was made by Dr. Bernard 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. Bernard, seconded by Dr. Emerson, and approved unanimously by voice vote.

No action was taken.

XII. ADJOURN

There being no further business before the Board, motion was made by Dr. Bernard, seconded by Dr. Lipscomb, and passed unanimously by voice vote to adjourn. The meeting was adjourned at 2:23 p.m.

MINUTES REVIEWED AND APPROVED BY FULL BOARD on June 5, 2014.

Patrick Bernard, DVM, Board Secretary-Treasurer