

**BOARD MEETING**  
**LOUISIANA BOARD OF VETERINARY MEDICINE**  
**AUGUST 19, 1998**

I. **CALL TO ORDER**

The meeting was called to order at about 9:20 a.m. by the President, Dr. Anne Guedry.

II. **ROLL CALL**

Those present were:

Dr. Anne Guedry	President
Dr. Dick Walther	Vice-President
Dr. Adrienne Aycock	Secretary-Treasurer
Dr. George Gowan	Member
Dr. Robert Lofton	Member
Mr. Charles Mann	Executive Director
Mr. Michael A. Tomino Jr.	Special Counsel to the Board
Mr. E. Wade Shows	Special Counsel to the Board
Dr. Dennis French	La. Veterinary Medical Association
Mr. Chris Le Grange	La. Veterinary Medical Association

[NOTE: Dr. Walther arrived during consideration of agenda item V.B.; Mr. Tomino was present to provide counsel on agenda item VIII.B and VI.B.4.d (specifically the opinion he rendered on the matter of records and notice), and he did not remain at the meeting after providing this counsel; Mr. Shows was present to provide counsel on matters relating to complaints and court proceedings after 2:00 p.m.; Dr. French and Mr. Le Grange were not present once the Board entered executive session.]

III. **WELCOME AND INTRODUCTION OF ROBERT LOFTON, DVM**

Dr. Robert Lofton was introduced and welcomed as the newly appointed Board member for the 1998-2003 term.

IV. **APPROVAL OF MINUTES**

A. **June 17, 1998**

Dr. Aycock moved to approve the minutes for the June 17, 1998, meeting, seconded by Dr. Gowan, and passed unanimously by voice vote. Dr. Gowan also reported that

the Racing Commission was still reviewing its rule related to a veterinarian's ownership of race horses, a subject recorded in the 6/17/98 minutes.

**B. Correction to 8/20/97 Minutes**

Mr. Mann reported that a question concerning the payment of late renewal fees for persons otherwise exempt due to reaching age 65 prior to August 20, 1997, prompted him to review the minutes of the August 20, 1997, meeting, at which this matter was considered. In reviewing his notes he realized that corrections needed to be made relating to this question and a few other matters concerning license renewal requests. Dr. Aycock moved to approve the correction to the minutes for the August 20, 1997, meeting, seconded by Dr. Gowan, and passed unanimously by voice vote.

V. FINANCIAL AND CONTRACT MATTERS

**A. Financial Statement - June 1998**

The Board reviewed the June 1998 financial statement. Mr. Mann reported that this is an unaudited statement and some adjustments may be made once the audit report is completed. He stated that the statement indicates that expenditures exceeded revenues by \$30,824.36 in fiscal year 1997-98. This was better than he had anticipated, but he warned that legal bills are likely to remain at a level which will present problems in the 1998-99 year. Dr. Aycock moved to accept the June financial statement, seconded by Dr. Lofton, and passed unanimously by voice vote.

**B. Other Revenue Resources Research**

Mr. Mann reported that he had spoken to Karen Rimes, DHH Board Liaison, about other revenue resources which might be available to boards operating from self-generated funds. Ms. Rimes reported that seed money may be available to boards which need operating funds, but she referred Mr. Mann to the Division of Administration for further information. The Division had not provided information to Mr. Mann at the time of the meeting. Mr. Mann reported that this information will be needed by the time of the December Board meeting, which is when the next budget will be considered.

**C. Michael A. Tomino - Contract Ceiling**

Due to increased legal work being referred to Michael A. Tomino, Jr., because of Virginia Anthony's decision to step down as General Counsel, Dr. Aycock moved to increase the contract maximum payment amount to \$20,000.00, seconded by Dr. Walther, and passed unanimously by voice vote.

**D. Investigator Contract Renewal**

Dr. Aycock moved to approve the renewal of the contract with Investigations Unlimited for the period December 1, 1998 - November 30, 1999 (maximum contract payment = \$10,000; hourly rate = \$45.00), seconded by Dr. Walther, and passed unanimously by voice vote.

**E. Internal Funds Transfer Authorization**

Dr. Lofton moved to approve Dr. Guedry and Mr. Mann as authorized persons to make internal funds transfers at City National Bank, seconded by Dr. Aycock, and passed unanimously by voice vote. This authority is used to transfer funds from the checking account for the purchase of certificates of deposit.

**F. General Counsel Consideration**

[NOTE: This item was moved to the end of the agenda; based on a legal opinion which held that the letters of proposal from attorneys were protected under privacy rights, the Board considered the proposals in executive session in accordance with R.S. 42:6(A)(1).] Motion to enter executive session was made by Dr. Gowan, seconded by Dr. Aycock, and passed unanimously by voice vote. Motion to exit executive session was made by Dr. Walther, seconded by Dr. Aycock, and passed unanimously by voice vote. In open meeting, Dr. Walther moved to contract with Michael A. Tomino, Jr., for the position of General Counsel, the terms of such contract to be in accordance with Mr. Tomino's proposal and the Board's request for proposals, seconded by Dr. Gowan, and passed unanimously by voice vote.

**VI. POLICY, PROCEDURE AND RULES**

**A. Policy and Procedure**

1. Board Positions and Duties: The Board reviewed the "Board Positions and Duties" diagram, effective August 1, 1998. The Board discussed the point that members assigned the duties described in the diagram are delegated decision making authority in those areas, understanding that the member can always refer a matter to the full Board for a decision. Dr. Walther moved to accept the positions and duties diagram and to authorize Board members to make decisions in the described areas, seconded by Dr. Aycock, and passed unanimously by voice vote. Dr. Gowan agreed to continue to conduct Drug Reviews as long as Dr. Lofton was working on case 97-0305.1V (see item VIII.B below).

2. Authorize President in Litigation Matters: The Board discussed the need for the Board President to confer with legal counsel and make decisions in matters now before the court. Dr. Lofton moved to authorize the Board President to confer

with board members and legal counsel in accordance with the Open Meetings Law and to make decisions concerning litigation, seconded by Dr. Aycock, and passed unanimously by voice vote. The President may always refer a matter to the full Board for a decision.

**B. Rule Making**

1. Rule Making Process - Information Dissemination: The Board reviewed a procedure for developing rules, which was written particularly to address issues related to disseminating information about proposed rules in a timely fashion. This procedure was presented for discussion purposes only. The matter was deferred until a permanent General Counsel is hired, the concern being that this procedure may become a custom of the Board that could have legal effect.

2. General Update: The Board reviewed the status of proposed rule changes.

3. Adoption of Rules

a. Rule 106 - Investigative Subpoenas: The Board reviewed comments received from Dr. David B. Smythe, Jr., concerning proposed changes to Rule 106 to empower the Board to issue investigative subpoenas and subpoenas duces tecum. After review of the proposed rule, Dr. Lofton moved to defer final adoption until the permanent General Counsel is selected and to approve the response to Dr. Smythe's comments, seconded by Dr. Walther, and passed unanimously by voice vote.

b. Rule 705 - Providing Prescriptions: Dr. Gowan moved to formally adopt, with an effective date of October 20, 1998, the amendment to section 705(G) previously authorized for promulgation and published in a Notice of Intent in the June 20, 1998, *Louisiana Register*, provided there is no adverse action taken on the amendment by the legislature, seconded by Dr. Aycock, and passed unanimously by voice vote.

c. Rules 700 and 707 - Livestock Management Practices: Dr. Gowan moved to formally adopt, with an effective date of October 20, 1998, the amendment to sections 700 and 707 previously authorized for promulgation and published in a Notice of Intent in the June 20, 1998, *Louisiana Register*, provided there is no adverse action taken on the amendment by the legislature, seconded by Dr. Aycock, and passed unanimously by voice vote.

d. Mobile Clinic Rules - Rules 700 and 711 - Update: The Board reviewed the Notice of Intent published in the July 20, 1998, *Louisiana Register*, announcing the changes that had been made to the proposed rules relating to mobile clinics, and providing for a public hearing and comments period for the new changes. The public hearing is scheduled for August 26, 1998.

4. Consideration of New Rules

a. Expired Drugs - Rule 705: The Board considered a rule relating to the prohibition of use of expired drugs. Pharmacy Board rules on expired drugs were reviewed. Discussion raised questions about a time period in which a veterinarian might return or otherwise dispose of expired drugs in his or her possession; the use of expired fluids that have been obtained from human medical facilities; the Food and Drug Administration rules on expired drugs; and whether the Board could make a rule that was less stringent than those promulgated by the Board of Pharmacy. It was noted that Rule 1065 provides that "it shall be considered unprofessional conduct for a veterinarian to violate any ordinance, regulation, rule, and/or law of any local, state or federal government or agency." The Board deferred further consideration of the draft rule until information relevant to the issues raised could be obtained and the selection of the permanent General Counsel is made.

b. Rule 1053 - Corporate/Assumed Names: The Board reviewed and discussed a draft rule relating to the use of corporate and assumed names in the veterinary profession. The draft rule was intended to address the various names that may be used by veterinary practices that are not strictly in adherence with the current rule. The Board deferred further consideration of the draft rule until the selection of the permanent General Counsel is made.

c. Dentistry Rule Changes - Rule 710: The Board reviewed proposed amendments to rule 710 relating to dental operations. Dr. Walther presented his changes relating to livestock dentistry. After discussion, Dr. Aycock moved to authorize the executive director to begin the promulgation process of the amendments as presented, seconded by Dr. Lofton, and passed unanimously by voice vote.

d. Records and Sale of Practice - Rule 701: The Board reviewed and discussed several issues relating to the ownership of medical records and how to provide proper notice to clients concerning a veterinarian's sale of or departure from a practice. The Board reviewed a legal opinion prepared by Michael A. Tomino, Jr., concerning notice and ownership; a draft of proposed rules relating to ownership and notice; and correspondence to inquiring veterinarians about related issues. Upon review of these documents, the Board determined that further consideration needed to be given to Mr. Tomino's legal opinion and the complicated issues involved. The matter was deferred until the next meeting.

e. Declaratory Orders: The Board deferred consideration of a rule relating to declaratory orders until a decision on the permanent General Counsel is made.

f. Grounds for Rehearing: The Board reviewed a draft of proposed rule amendments relating to grounds for rehearing; specifically, amendments that would

place the grounds used in the Administrative Procedure Act within the Board's rules. The matter was deferred until a decision on the permanent General Counsel is made.

g. Review of Rule 705(A)(3): The Board reviewed rule 705(A)(3), which states that "no veterinarian shall prescribe, dispense, administer, or deliver any drug, medicine, chemical or controlled substance except where the criteria of a veterinarian-client-patient relationship has been established." The language appears to contradict the Board's position that over-the-counter products may be sold without the establishment of a veterinarian-client-patient relationship. Discussion suggested that the main purpose of the rule may be to make clear that a veterinarian may not provide any veterinary product, drug, or controlled substance for human use, which is what the second sentence of the rule states. The Board deferred further consideration of this matter until a decision on the permanent General Counsel is made.

Related to this issue, the Board reviewed correspondence from Michael Elbein, an attorney, who was requesting information on whether certain topical fleacides could be sold over the counter. Mr. Elbein's letter included statements from the Arkansas Veterinary Medical Examining Board indicating that non-prescription products may be sold over the counter in that state. The Board agreed with the Arkansas statement.

h. RVT Update: No new information was reported concerning RVT regulations. The AAHA pilot program for training RVTs is still scheduled to begin.

i. Rule 704 - Ketamine: The Board reviewed correspondence between Mr. Mann and Roicy Duhon, President of the Louisiana Animal Control Association, and a draft amendment to rule 704(B) to include Ketamine within that section. Mr. Mann also reported on his meeting with the LACA Board of Directors and Steve Erwin, Program Manager for DHH Controlled Dangerous Substances, concerning the Ketamine issue. This matter arose out of the legislature's action to make Ketamine a schedule III controlled substance in Louisiana, effective June 16, 1998. Animal control agencies, which were using the drug for animal capture and/or restraint, no longer have the drug directly available to them. Discussion on this issue raised concerns about the abuse potential of Ketamine; raised questions why Ketamine was specifically needed by animal control agencies; and the liability of veterinarians who may choose to be the responsible party for supplying the Ketamine under the proposed draft rule. Dr. Lofton moved to defer further consideration of the proposed rules (emergency and permanent) and directed Mr. Mann to seek more specific information from LACA concerning the need for Ketamine, seconded by Dr. Aycock, and passed unanimously by voice vote.

## **C. Legislation Consideration**

1. CAETs and Animal Tranquilization Drugs: This matter is related to the consideration of the proposed rules relating to Ketamine. LACA intends to seek legislation that would allow animal control agents to obtain, maintain, and administer Ketamine under licensing authority provided by the Board of Veterinary Medicine, such licensing authority qualifying an animal control agent to obtain a state controlled dangerous substances license. Steve Erwin of DHH has no objection to such legislation so long as it provides the authority within the certified animal euthanasia technician (CAET) classification. He would object to the creation of a new practitioner classification. The Board deferred consideration of this issue until the information concerning animal control agencies' use of Ketamine is provided and reviewed.

2. CAET/RVT Fee Schedule: The Board reviewed proposed statutory changes to the CAET and RVT fee schedules. At the time changes were made to the DVM statutes providing for fee ceilings, similar changes were not made to the CAET and RVT statutes. Therefore, the Board would be required to obtain legislative approval for any increase in CAET and RVT fees. No objection was raised to the proposed fee changes.

3. Veterinary Exam Fee Language: The Board reviewed proposed changes to the DVM statutes relating to exam fees. The proposed changes are in response to changes developing at the national level on how the veterinary examinations will be administered. The proposed changes would provide proper authority to charge fees that correspond to these changes. Dr. Aycock moved to direct Mr. Mann to work with the General Counsel (once the decision is made) and the Louisiana Veterinary Medical Association on the proposed changes to the CAET, RVT, and DVM fee schedules, seconded by Dr. Lofton, and passed unanimously.

#### **D. Practice Act-related Inquiries and Reviews**

##### 1. Pharmacy Issues

a. MediVet Animal Health Care - K. Walker, DVM: The Board reviewed correspondence related to Dr. Kent Walker's business titled MediVet Animal Health Care. Dr. Walker's July 14, 1998, letter stated that "before any [legend] drugs are dispensed, I will have either established a veterinarian-client-patient relationship or I will speak directly to the patient's primary care provider of veterinary medicine and function as a consultant." Dr. Burk had reviewed this letter and authorized Mr. Mann's July 31, 1998, letter to Dr. Walker. The Board affirmed the July 31 letter as its final response on this matter unless additional information requires further review.

b. Review of Consulting Rules: Mr. Mann stated that the Board of Pharmacy staff has raised a concern that the Board of Veterinary Medicine's rules may allow a veterinarian to operate a de facto pharmacy. The Board of Pharmacy staff has only raised this as a concern, and it has not indicated that it intends to take any action based on this concern. The Board reviewed rules 701(D) and 703 related to this matter. No other action was taken.

c. Sale of Legend Drugs by Non-pharmacists: The Board reviewed correspondence relating to the Board of Pharmacy's jurisdiction over the sale of veterinary legend drugs without a valid prescription by feed stores and other non-pharmacies or wholesale distributors. The Board of Pharmacy has affirmed that it does have jurisdiction over such sales by any business.

d. Food and Drug Law Institute: Dr. Lofton moved to authorize Mr. Mann to attend the Food and Drug Law Institute, a two-day seminar being sponsored by the Board of Pharmacy, seconded by Dr. Aycock, and passed unanimously by voice vote. Dr. Aycock also expressed interest in attending the institute depending on the date on which it is finally scheduled.

e. DEA Response to Dispensing Question: The Board reviewed the DEA's August 11, 1998, letter indicating that, according to its regulations, a licensed veterinarian may dispense controlled substances in syringes to be administered by a layperson outside of the presence of the veterinarian. The letter cautioned that "verification is necessary in order to establish the layperson actually owns the animals that will be receiving controlled substances." Concerning the question about whether a licensed veterinarian could dispense an euthanasia solution to a licensed medical doctor for the purpose of euthanizing a pet at home, the DEA indicated that the veterinary standards of the state would determine the acceptability of this practice. The Board had previously decided that this practice would not be acceptable; a preferred action would be for the veterinarian to make a house call to assist or supervise the medical doctor in the administration of the euthanasia solution.

2. Lab Disclosure - Atty. General's Opinion: There was no new information to report on this matter.

3. Animal Behavior Consultation Certification: The Board reviewed information about the Animal Behavior Consultation Certification program administered by the Animal Behavior Society. The question of whether such certification should be required of a layperson performing behavior consultations by direct referral of a licensed veterinarian had been previously considered. After discussion the Board determined that additional information should be gathered. It was suggested that Dr. Bonnie Beaver at Texas A&M be consulted about this matter.

4. Emergency Care: Dr. Walther requested review of the question, "What responsibility does a veterinarian have under the Veterinary Practice Act to provide emergency care?" The Board's opinion was that the veterinarian has a moral and ethical responsibility to treat an animal presented to them as an emergency case, a position supported by the AVMA Principles of Veterinary Medical Ethics, "Emergency Service," which was reviewed for informational purposes. The Board also discussed the practical considerations a veterinarian may face in deciding whether to treat an emergency case. The Board did not reach a firm decision on this issue, but the general consensus was that if an animal is presented as an emergency case at a veterinary facility during operating hours, the animal should be at least stabilized before a determination on continuing treatment is made. If a veterinarian is made aware of an emergency case at other times and places, it would be the veterinarian's decision whether to accept the case.

5. Review of Practice Act Question - Injured Animal/Client Authorization: The Board reviewed a question concerning the presentation of an injured animal at a clinic (bullet wound, broken leg, heartworm positive). The client authorized initial x-ray and provided payment for initial service. After that initial service, the client has been contacted to authorize further treatment, but the client has not returned to provide such authorization. The Board determined that the patient should be stabilized, but that further treatment should be based on the client's authorization. The veterinarian was advised to begin Abandoned Animals Act proceeding; the veterinarian was also advised to seek assistance from the local animal control agency to determine if it could assist in gaining the client's authorization for treatment since animal cruelty or neglect may be an issue.

## **E. License Application and Renewal Issues**

1. Tom Alley, DVM: Dr. Walther moved to approve Dr. Alley's request to upgrade his license status from inactive-retired to active without further documentation of continuing education hours earned, seconded by Dr. Gowan, and approved unanimously by voice vote. Dr. Alley submitted proof of continuing education hours for the period July 1, 1997-June 30, 1998. The only consideration was whether information should be requested for the July 1, 1996-June 30, 1997, period.

2. Continuing Education Documentation Review: The Board reviewed various documents that have been submitted to indicate proof of continuing education hours earned. Mr. Mann stated that the Board's Rule 403(B), which requires proof of "specific subjects attended," has not been strictly met by many of the documents that have been received during the license renewal period; he requested guidance from the Board on how to handle this issue. After discussion, the Board determined that the renewal form can be modified to indicate that the licensee is certifying that they have earned 16 hours of continuing education, and that the Board can provide

an attendance form to be used by licensees which includes the name of the meeting, the specific programs (subjects) attended, name(s) of presenters, and hours earned. Mr. Mann was directed to develop such a form for use next year.

3. Preceptorship Request: The Board reviewed Rachel Saacks's request for the Board to accept Zoo Atlanta as a preceptorship facility. The question was whether the zoo could be considered a "private clinical practice situation." Dr. Lofton moved to direct the Board office to review the approval of Zoo Atlanta through standard Board procedures once a Practice Assessment Questionnaire is received, seconded by Dr. Walther, and passed unanimously by voice vote.

## VII. MISCELLANEOUS MATTERS

**A. Preceptorship Commendation - J. LaCour, DVM:** The Board reviewed a letter from a preceptee who had worked with Dr. James LaCour, which praised Dr. LaCour's commitment to teaching and mentoring students. The Board directed Mr. Mann to write a letter of commendation to Dr. LaCour.

**B. Newsletter:** The Board reviewed a draft of the September 1998 newsletter. The Board particularly discussed the response concerning the petition, finally determining that it is important that the licensed veterinarians receive a direct response from the Board given the mailings that they have received from the petitioners. Dr. Lofton moved to approve the newsletter draft, seconded by Dr. Aycock, and passed unanimously by voice vote.

**C. Petition-related Matters:** Dr. French and Mr. Le Grange informed the Board of the LVMA's process in dealing with the petition that had been circulated among licensees.

**D. CAET Course Report:** Mr. Mann presented a brief report on the 1998 CAET Course. A small financial loss is anticipated. The fee for the course may need to be raised in the future.

**E. Pay Ranges:** The Board reviewed proposed pay ranges for office staff. Dr. Gowan moved to approve the pay ranges as presented, seconded by Dr. Lofton, and passed unanimously by voice vote.

**F. Clerk Position:** Mr. Mann reported that the clerk position would be vacant effective August 21, 1998. He was awaiting Civil Service approval to increase the number of hours authorized for the position.

**G. Proposed 1999 Meeting Dates:** The Board reviewed proposed meeting dates for 1999. The proposed February 3 date was changed to February 17. The Board decided to review the dates again at the next regular meeting.

**VIII. DISCIPLINARY MATTERS**

**A. Schedule Public Hearing - 98-1124V:** The Board was informed that a public hearing must be scheduled in this matter. A date of November 11, 1998, 10:00 a.m., was set. No facts or other details of the case were discussed.

**B. V. Pettigrew, DVM - 97-0305.1V:** Dr. Walther, presiding officer for the hearing scheduled in this case, and Michael A. Tomino, Jr., Special Counsel to the Board, reviewed the ruling that had been issued which recused James Burk, DVM, as the Complaint Review Committee Chair and called for the empaneling of a new committee. Because of this decision, the hearing scheduled for August 20, 1998, was canceled. Dr. Lofton was authorized to chair a new Complaint Review Committee for this case. No facts or details of the case were discussed.

**IX. EXECUTIVE SESSION**

It was moved by Dr. Gowan to enter executive session to discuss state exam revisions, licensure issues related to professional competence and physical health, drug reviews, complaint cases, including issues that may pertain to litigation and for which legal advice is needed, seconded by Dr. Aycock, and passed unanimously by voice vote. Upon return to the public record by motion by Dr. Walther, seconded by Dr. Aycock, the following action was reported:

**A. State Exam Revisions Review:** This matter was deferred.

**B. Licensure Issues Related to Health or Competency**

1. Donna Bishop, DVM: Dr. Gowan moved to deny Dr. Bishop's request that the Board accept her NBE and CCT passing scores from 1990 and 1989, respectively, seconded by Dr. Walther, and passed unanimously by voice vote. Therefore, Dr. Bishop must take the national examinations and satisfy all other licensing requirements.

2. Walter Low, DVM: Dr. Lofton moved to waive license renewal fees and continuing education requirements for Dr. Low based on documentation received concerning incapacity, seconded by Dr. Walther, and passed unanimously by voice vote.

3. James Witcher, DVM: Dr. Walther moved to accept Dr. Witcher's request for inactive-incapacitated status and approve the waiver of license renewal fees, seconded by Dr. Aycock, and passed unanimously by voice vote.

4. M. A. Welch, DVM: Dr. Aycock moved to approve Dr. Welch's request for waiver of license renewal fees and continuing education based on inactive-incapacitated status, seconded by Dr. Walther, and passed unanimously by voice vote.

**C. Drug Reviews:** Dr. Gowan did not have any information to report on drug reviews.

**D. Complaints - Veterinary**

1. E. M. Williams, DVM - Case No. 0506V: Dr. Aycock moved to accept the Complaint Review Committee's report and findings of no violation in this case, seconded by Dr. Lofton, and passed unanimously by voice vote. Dr. Walther, Complaint Chair in this case, abstained from voting.

2. M. Susan Olivier, DVM - Case No. 98-0604V: Dr. Aycock moved to accept the Complaint Review Committee's report and findings of no violation in this case, seconded by Dr. Lofton, and passed unanimously by voice vote. Dr. Walther, Complaint Chair in this case, abstained from voting.

3. Elizabeth Penton, DVM - Case No. 98-0323.2V: Dr. Aycock moved to accept the Complaint Review Committee's report and findings of no violation in this case, seconded by Dr. Lofton, and passed unanimously by voice vote. Dr. Walther, Complaint Chair in this case, abstained from voting.

4. Joseph Fereday, DVM - Case No. 98-0616V: Dr. Aycock moved to accept the Complaint Review Committee's report and findings of no violation in this case, seconded by Dr. Lofton, and passed unanimously by voice vote. Dr. Walther, Complaint Chair in this case, abstained from voting.

5. Charles Jennings, DVM - Case No. 98-0601.2V: Dr. Aycock moved to accept the Complaint Review Committee's report and findings of no violation in this case, seconded by Dr. Lofton, and passed unanimously by voice vote. Dr. Walther, Complaint Chair in this case, abstained from voting.

6. Brent Helouin, DVM - Case No. 98-0515V: Dr. Aycock moved to accept the Complaint Review Committee's recommendations in this case and the terms of the Consent Order agreed to by Dr. Helouin, seconded by Dr. Lofton, and passed unanimously by voice vote. Dr. Walther, Complaint Chair in this case, abstained from voting.

7. Roy Hock, DVM - Case No. 98-0601.1V: Dr. Lofton moved to amend the Complaint Review Committee's recommendations by requiring an additional two hours of continuing education in record keeping, seconded by Dr. Aycock, and

passed unanimously by voice vote. Dr. Aycock moved to accept the Complaint Review Committee's recommendations in this case and the terms of the Consent Order, as amended, seconded by Dr. Lofton, and passed unanimously by voice vote. Dr. Walther, Complaint Chair in this case, abstained from voting on both motions relating to this case.

**E. Court Proceedings Updates**

1. David B. Smythe v. LBVM - No. 442537: No action was taken on this matter. The court has still not rendered a decision.
2. Nicholas J. Milazo v. LBVM - No. 437496: No action was taken on this matter.
3. Albert LaGraize v. LBVM - No. 451317: The Board reviewed various documents which have been filed with the court in this matter. No other action was taken.
4. Louisiana Board of Veterinary Medicine v. Louisiana State Racing Commission, et al (William Schexnaider), Suit 95-1348, Orleans Parish Civil Court - Rule for Contempt: Mr. Shows reported on his efforts to resolve this matter against Mr. Schexnaider. The Board directed Mr. Shows to continue those efforts.

**XI. ADJOURN**

The meeting was adjourned at approximately 5:15 p.m. on motion by Dr. Gowan, seconded by Dr. Walther, and passed unanimously by voice vote.

APPROVED BY:

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Adrienne Aycock, DVM  
Secretary/Treasurer