

**BOARD MEETING
LOUISIANA BOARD OF VETERINARY MEDICINE**

August 1, 2002

I. CALL TO ORDER

The Board President, Dr. Robert Lofton, called the meeting to order at approximately 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 were:

Dr. Robert Lofton	Board President
Dr. Glenn Walther	Board Secretary-Treasurer
Dr. George Gowan	Board Member
Dr. Lon Randall	Board Member
Kimberly Barbier	Board Administrative Director
Michael A. Tomino, Jr.	Board General Counsel

Absent:

Dr. Edwin Davis	Board Vice-President
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Guests:

Greg Brown, CPA
Pat Thislewaite, DVM, LVMA Board Representative
Sonny Corley, DVM, AAVSB Representative
Michael Strain, DVM, State Representative, Louisiana House of Representatives
Bland O'Connor, Director, LVMA
Bernard Mistretta, DVM, LVMA Board Representative
Michael Groves, DVM, Dean, LSU - SVM

III. APPROVAL OF MINUTES - June 6, 2002

The Board reviewed the minutes from the June 6, 2002 board meeting. Motion was made by Dr. Walther to accept the minutes as presented, seconded by Dr. Randall, and passed unanimously by voice vote.

IV. FINANCIAL AND CONTRACT MATTERS

A. **Financial Reports - May and June 2002**

Mr. Greg Brown, CPA, was introduced as the outside accountant under contract with the Board to prepare monthly financial reports and other various reports as required for the Board. Mr. Brown was asked to give his opinion of the Board's financial situation in which he gave a favorable report of the Board's financial standing at the close of fiscal year 2002. Mr. Brown had no critical suggestions for changes in the handling of the Board's finances. Dr. Walther then presented his review of the financial reports. General questions were answered and discussion of the financial reports was held. The financial reports were found to be acceptable. No motions were made. Mr. Brown was thanked for his attendance at the meeting and his work with the Board.

B. **Professional Service Contracts**

1. Investigations Unlimited - Ms. Barbier presented the renewal contract for Investigations Unlimited to provide investigative and inspection services to the Board. Ms. Barbier noted that there were no significant changes to the contract from the previous year's contract except for related dates and that the contactor had verbally acknowledged to her his acceptance of the contract as presented. Motion was made by Dr. Walther to accept the contract as presented for signature by Dr. Lofton, seconded by Dr. Gowan, and passed unanimously by voice vote.

V. POLICY, PROCEDURE, AND RULES

A. **Rule Making**

1. General Update - The Board reviewed the schedule of rule promulgation in progress. No action was taken.

2. Adoption of Rules - *This item was deferred to executive session at a later time in the meeting.*

3. Consideration/ Review of Proposed Rules/ Amendments

a. Chapter 4 - Retirement Exemption - Dr. Lofton and Ms. Barbier presented some proposed language for amendment of rule 405 with regards to definition of retirement special condition. After general discussion of the issue, Mr. Tomino and Dr. Randall were assigned to work on this rule amendment to be presented to the full Board at the October 3, 2002 Board meeting.

B. Policy and Procedure

1. CAET Course Applicants – Ms. Barbier presented a scenario that had come up regarding the age and education of an applicant for the CAET training course and certification examination. The present Board policy is that the applicant must have reached the age of eighteen years and have obtained a high school education (diploma or GED). After general discussion of the issue, motion was made by Dr. Walther to modify the CAET rules (Chapter 12) to set the age at eighteen years for the application to attend the training course, take the certification examination, and receive full certification, seconded by Dr. Gowan and passed unanimously by voice vote. Mr. Tomino and Ms. Barbier were assigned to work on proposed language to amend the rules to be presented for full Board review at the October 3, 2002 Board meeting.

2. Duplicate Wall Certificates – Ms. Barbier presented a scenario that had come up regarding several veterinarians at a clinic requesting duplicate wall certificates to be displayed at a second location of their practice. Ms. Barbier noted that present Board procedure is to require duplicate certificate requests to be made in writing with an explanation of the reason for a need of a duplicate certificate and payment of the \$25 duplicate certificate fee. She noted that all requests for duplicate wall certificates that had previously been received were due to the original wall certificate being destroyed, such as by a fire, flood, packing. After general discussion of the issue, motion was made by Dr. Walther to set the procedure as presently performed and allow for the presented scenario to be accepted as a reason for issuing a duplicate certificate, seconded by Dr. Randall and passed unanimously by voice vote. Ms. Barbier was instructed in the future to type the word “DUPLICATE” and the date the duplicate certificate is typed on the front of the duplicate certificates at the upper right hand corner under the border.

C. Practice Act-Related Inquiries/Declaratory Statements

1. New Issues – No new issues presented for review.

2. Reviews

a. Emergency Clinic Referrals – An inquiry from Dr. Robert Gros was previously presented and discussed by the Board. Mr. Tomino presented a draft response letter to the Board. The letter was reviewed and approved to be sent.

VI. MISCELLANEOUS MATTERS

A. DVM Applicant Issues

1. Dr. Alexandra Niemantsverdriet (Merton) - *[This item was deferred until arrival of the applicant. The Board continued with agenda item VI.A.2. The Board returned to this item after item VI.B.2.c.]*

Dr. Niemantsverdriet introduced herself as Dr. Sandra Merton, the married name she uses. Dr. Merton presented her situation and request to the Board and responded to questions from the Board relative to her application for licensure and subsequent practice plans. Dr. Merton was thanked for her attendance at the meeting upon her departure. After general discussion of Dr. Merton's application, motion was made by Dr. Gowan to grant waiver of retaking the national examination and waive the preceptorship requirement, seconded by Dr. Walther, and passed unanimously by voice vote.

[Upon conclusion of item VI.A.1., the Board continued with agenda item VI.C.]

2. Dr. Adrian T. Garritty - The Board reviewed the request from Dr. Garritty for acceptance of his national examination scores which had recently crossed the five year old acceptance time by three months (waiver of retaking the national examination) and waiver of the preceptorship requirement for licensure based on his employment experience. After general discussion of the request, motion was made by Dr. Walther to waive retaking the national examination and waive the preceptorship requirement based on employment experience, seconded by Dr. Randall, and passed unanimously by voice vote.

B. CAET Issues

1. Louisiana Department of Wildlife and Fisheries - *[This item was deferred to a later time in the meeting upon the arrival of the interested parties in this matter. The Board continued with agenda item VI.B.2. The Board returned to this item after agenda item VI.F.2.]*

Interested parties for this matter did not attend the meeting. The Board reviewed the matter based on information available regarding Wildlife and Fisheries personnel attending the Board's CAET training course for certification to be able to obtain and use sodium pentobarbital for euthanasia of confiscated deer. Ms. Barbier noted that the CAET training course would be given within two working days of the Board meeting and it was too late for any of the personnel to apply to take the course. No action was taken on this matter. Interested parties would be contacted regarding attendance at a future Board meeting if this matter is still in need of review.

[Upon conclusion of item VI.B.1, the Board continued with agenda item VI.G.]

2. CE Approval

a. ACCI – Legal Aspects of Investigation; and Relationship Between Investigation and Legislation – The Board reviewed content information for these programs. After general discussion, motion was made by Dr. Walther to deny approval of these programs as continuing education based on the programs content being outside the acceptable scope of CAET responsibility, seconded by Dr. Randall, and passed unanimously by voice vote. Mr. Tomino was assigned to prepare a response letter for approval by Dr. Lofton.

b. ACCI – Animal Health and Husbandry; and Equine Health and Condition Scoring – The Board reviewed content information for these programs. After general discussion, motion was made by Dr. Walther to approve these programs for continuing education, seconded by Dr. Randall, and passed unanimously by voice vote.

c. Dr. David James – Poisonous Potions and Plants; Horse Care – Identifying Problems and Abuse – The Board reviewed content information presented for these programs. After general discussion, motion was made by Dr. Walther to deny approval of these programs based on the programs content being outside the acceptable scope of CAET responsibility, seconded by Dr. Randall, and passed unanimously by voice vote. Mr. Tomino was assigned to prepare a response letter for approval by Dr. Lofton.

[Dr. Lofton called for a short recess. Upon return to session, the Board returned to item VI.A.1 upon arrival of interested parties.]

C. AVMA Opinion on AAVSB-PAVE Program

[This item was deferred until later in the meeting upon arrival of interested parties. The Board continued with agenda item VI.D. Upon arrival of interested parties, the Board returned to this item after item VI.D.]

Dr. Sonny Corley presented information regarding the AAVSB's PAVE program for the assessment of veterinary education of foreign educated veterinarians. General discussion was held between the Board and visitors in attendance. Dr. Michael Groves, who had recently been on the board for the National Board of Veterinary Medical Examiners (examination development board) presented information regarding the development of the pre-qualifying examination used by the PAVE program. General discussion was held. No formal action was taken.

[The Board adjourned for lunch at approximately 12:15 pm. The Board returned to session at approximately 1:45 pm and continued with agenda item VI.E.]

D. LBVM Newsletter Articles

The Board reviewed proposed items for publication in the August. Motion was made by Dr. Walther to approve the articles as revised for publication in the August newsletter, seconded by Dr. Randall, and passed unanimously by voice vote.

[Upon arrival of all interested parties, the Board returned to agenda item VI.C.]

E. AAVSB Annual Conference Summary

Dr. Walther gave a summary of his attendance at the AAVSB Annual Conference, Delegates Meeting on July 15, 2002. No formal action was taken.

F. DVM Issues

1. Dr. Wayne Rogers - CE Acceptance - The Board reviewed the request of Dr. Rogers for acceptance of additional practice management continuing education hours to complete the 16 hour requirement for renewal of this Louisiana license based on a recent family tragedy that has kept him from being able to attend more CE. Motion was made by Dr. Walther to waive the deficient hours and renew Dr. Rogers license for 2003 based on a hardship, seconded by Dr. Gowan, and passed unanimously by voice vote.

2. Dr. Carl Shaia - CE Special Condition Request - The Board reviewed the request of Dr. Shaia for acceptance of all 16 hours of required CE hours to renewal his Louisiana license be taken by compendium based on military status overseas. The Board reviewed the rules for military special condition. Due to some confusion regarding the request being made, no action was taken on this issue. Ms. Barbier was instructed to contact Dr. Shaia for more information.

G. Other Matters Properly Brought Before the Board

Dr. Lofton presented a proposal submitted by Ms. Jeannette Ferro regarding companion animal overpopulation and protection. After review and discussion of the proposal, the Board concluded that it is not within the Board's jurisdiction to endorse or pursue such legislation. No formal action was taken.

VII. OTHER BUSINESS

A. Wall certificates were presented for signature for the following new licenses/certificates issued since the June 6, 2002 board meeting:

<u>DVM License No.</u>	<u>Issued</u>
2388 Leslie Lynn Birke, DVM	6/7/2002

2389	Jacqueline Ruth Davidson, DVM	6/12/2002
2390	Jennifer Allison Frey, DVM	6/14/2002
2391	Jason Shaun St.Romain, DVM	6/26/2002
2392	Andrew Lee McGraw, DVM	6/28/2002
2393	Alison Green Hanson, DVM	7/1/2002
2394	Barbara Gandy Still, DVM	7/1/2002
2395	Jonathan Paul Jenkins, DVM	7/2/2002
2396	Jason Matthew Leonard, DVM	7/2/2002
2397	Robert Charles Doak, DVM	7/3/2002
2398	James Michael Lasiter, DVM	7/3/2002
2399	Erin Marie Pierson, DVM	7/9/2002
2400	Kevin Conrad Bieber, DVM	7/10/2002
2401	Amanda Louisa Evans, DVM	7/10/2002
2402	Tiffany Marie Wolf, DVM	7/11/2002
2403	Deborah Smith Faludi, DVM	7/17/2002
2404	Maria Schneider Mitchell, DVM	7/18/2002
2405	Amanda Casterlin Newman, DVM	7/19/2002
2406	William Claude Mayer, DVM	7/22/2002
2407	Maria Margarita Rivera, DVM	7/22/2002

VIII. EXECUTIVE SESSION

Motion was made by Dr. Walther to enter executive session to discuss miscellaneous legal issues, and any other matters properly brought up, seconded by Dr. Gowan, and passed unanimously by voice vote. Motion was made by Dr. Gowan to return to open session, seconded by Dr. Randall and passed unanimously by voice vote. Upon return to open session the following action was taken:

a. Emergency Rule - LAC 46:LXXXV.301 and 303, Licensure Requirements (PAVE Program) [*This item was moved from open meeting session, agenda item V.A.2, to executive session.*] Motion was made by Dr. Walther to re-adopt the emergency rule as previously published for another 120 days or until the final rule promulgation of the amendments is complete, seconded by Dr. Gowan, and passed unanimously by voice vote.

b. PAVE Program Concerns - The Board reviewed a draft response letter to the Governor regarding concerns submitted relative to the licensing of foreign educated veterinarians. The letter was approved as presented for signature by Dr. Lofton.

IX. ADJOURN

There being no further business before the Board, the meeting was adjourned at approximately 2:40 pm.

MINUTES REVIEWED AND APPROVED BY FULL BOARD ON OCTOBER 3, 2002.

Glenn Walther, DVM
Board Secretary/Treasurer