

**LOUISIANA BOARD OF VETERINARY MEDICINE
BOARD MEETING
August 7, 2003**

Minutes

I. CALL TO ORDER -

Board President, Dr. J. Edwin Davis, called the meeting to order at 8:30 a.m.

II. ROLL CALL -

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

Those present:

J. Edwin Davis, DVM	Board President
Glenn Walther, DVM	Board Vice President
Lon Randall, DVM	Board Secretary-Treasurer
Patrick Bernard, DVM	Board Member
Robert Lofton, DVM	Board Member
Michael Tomino, Jr.	Board General Counsel
Wendy Parrish	Board Administrative Director

Absent: None

Guests: Maxwell Lea, DVM (1:00 p. m. personal appearance)
 Ronald Harrist, DVM (1:30 p.m. personal appearance)

III. FORMAL ADMINISTRATIVE HEARING

(Agenda item III was scheduled for 9:30 a.m. Until that time, the Board continued with agenda items IV through VI.B.1. Upon arrival of all parties, the Board returned to agenda item III after agenda item VI.B.1)

A. Case Number 03-0224.1V, Lionel Delahoussaye, DVM

Dr. Randall was introduced as Presiding Officer for the hearing. Dr. Bernard recused himself from the hearing panel as investigating Board Member in the case. Dr. Walther also recused himself from the hearing panel due to prior knowledge regarding the subject matter of the complaint. The members of the hearing panel consisted of Dr. Davis, Dr. Randall and Dr. Lofton. Mr. Tomino presented the case, on behalf of the State. Dr. Delahoussaye represented himself. Upon conclusion of the presentations, motion was made by Dr. Lofton to enter executive session, seconded by Dr. Davis and passed unanimously by voice vote. The executive session was closed to the public and only those Board Members on the hearing panel were present during deliberation.

Motion was made by Dr. Lofton to return to open session, seconded by Dr. Davis, and passed unanimously by voice vote. The meeting was reopened to the public. The

August 7, 2003

Page 2

Board found no violation of the law on the part of Dr. Delahoussaye in this matter and the interested parties will be notified in writing of the Board's decision.

(Upon conclusion of agenda item III, the Board returned to agenda item VI.B.2.)

IV. APPROVAL OF MINUTES

A. June 5, 2003

The Board reviewed the minutes from the June 5, 2003 Board meeting. Motion was made by Dr. Walther to accept the minutes as presented with correction of one typographical error, seconded by Dr. Bernard, and passed unanimously by voice vote.

V. FINANCIAL MATTERS AND CONTRACTS

A. Financial Reports -

1. May 2003 and June 2003

Dr. Randall and Ms. Parrish presented the financial reports for May and June 2003 for review. Motion was made by Dr. Walther to approve the financial reports as presented, seconded by Dr. Bernard, and approved unanimously by voice vote.

2. Legal Fees - Discussion was made regarding the increased legal fees for FY2003. It was reported that the number of complaints have increased over the past years, as well as the complexity of issues researched by legal counsel. No budget increase has been made for legal services in the past two fiscal years. Additionally, complaints have been investigated regarding issues of impairment which have required legal intervention without recovery of legal costs from the licensees. Ms. Parrish was asked to provide to the Board at the October 2003 meeting, a history of fees and volume of complaints over the past five years. Mr. Tomino was asked to provide any suggestions for further cost savings to legal fees which would not be detrimental to the quality of current processes in place for processing complaints, declaratory statements and legal issues.

B. Contract for Investigator Services - Ms. Parrish presented the proposed contract with Corporate Security Consultants d/b/a Investigations Unlimited for investigation services. The contracted vendor is the same as prior years and no changes have been made to the contract. Motion was made by Dr. Walther to accept the contract as presented, seconded by Dr. Lofton, and passed unanimously by voice vote.

VI. POLICY, PROCEDURE, AND RULES

A. Rule Making

General Update

1. There were no updates presented.

Adoption of Rules -

Rule Amendments 405, 503, 714, 1201 will be published as adopted rules in the August 2003 issue of the Louisiana Register. A Board approved form for Rule 714 externs will be designated for use following final rule adoption and publication.

Consideration/Review of Proposed Rules/Amendments

There were no proposed rules or amendments for consideration presented.

B. Policy and Procedure

1. Faculty Licenses – Mr. Tomino was asked to review the current policies regarding faculty licenses and continuing education requirements for faculty licenses. Ms. Parrish was asked to survey fellow state boards (AL, TX, FL, MS, TN) regarding various types of licenses (active, inactive, faculty) and requirements thereof. Results of the research and review are to be presented to the Board during the October 2003 meeting.

2. Louisiana Department of Agriculture & Forestry, Public Health website – Motion was made by Dr. Walther, seconded by Dr. Bernard, to approve the listing of the Louisiana Board of Veterinary Medicine website address as a link on the Public Health website under veterinary links. Motion passed unanimously by voice vote.

C. Practice Act-Related Matters/Declaratory Statement Requests

1. New Issues

a. Senate Concurrent Resolution 104, Active Military Licensing Exemptions, was reviewed by the Board for implementation and with regard to current licensing fees and the continuing education requirement exemption stipulations for active military duty. No action was taken on this item.

b. DVM Continuing Education Policy Statement regarding ultrasonography – The Board reviewed the current parameters for alternative medicine/therapy credit for continuing education. Motion was made by Dr. Walther, seconded by Dr. Bernard, to add the term “therapeutic” ultrasonography to the CE Policy Statement to differentiate from diagnostic ultrasonography. Motion passed unanimously by voice vote.

c. Farrier Use of Rompun – Motion was made by Dr. Bernard and seconded by Dr. Walther, for Mr. Tomino to draft a response to the query regarding the use of Rompun by farriers in Louisiana as outlined by the Board. The motion passed unanimously by voice vote.

d. Equinology – Equine Massage. Mr. Tomino presented a response to the query regarding equine massage in Louisiana. Motion was made by Dr. Walther, seconded by Dr. Bernard, to accept the declaratory statement as presented. Motion passed unanimously by voice vote.

e. Terrebonne Parish Animal Shelter – Administration of vaccines by staff personnel. Motion was made by Dr. Randall, seconded by Dr. Bernard, for Mr. Tomino to research the issue of administration of vaccines at the shelter for further discussion by the Board at the October 2003 Board meeting. Motion was approved unanimously by voice vote.

2. Reviews

a. **Banfield Franchise** – No response has been received to the request for an Attorney General opinion previously submitted by Mr. Tomino concerning the legality of franchised veterinary practices in Louisiana.

(Dr. Bernard was excused at 1:00 p.m. for a personal appointment.)

(Agenda item VII.E was scheduled for 1:00 p.m. Upon arrival of Maxwell Lea, DVM, the Board moved to agenda item VII.E.)

(Agenda item VII.F was scheduled for 1:30 p.m. Upon arrival of Ronald Harrist, DVM, the Board moved to agenda item VII.B.1.)

VII. MISCELLANEOUS MATTERS

A. DVM Issues –

1. **James C. Carter, DVM** – request for exemption of renewal fee, CE requirements, and change of status to Inactive Retired. Motion was made by Dr. Walther, seconded by Dr. Lofton, to table the decision on the exemption until the October 2003 Board meeting. Motion passed unanimously by voice vote.

2. **Frank K. Klimitas, DVM** – request for change of license status to Inactive. Motion was made by Dr. Walther, seconded by Dr. Lofton, to table the decision on the change of status until the October 2003 Board meeting. Motion passed unanimously by voice vote.

3. **Billy M. Burkett, DVM** – request for extension for CE requirements. Following review of the request for time extension, motion was made by Dr. Randall, seconded by Dr. Walther, to deny extension of time to procure continuing education credits for licensure renewal. Motion passed unanimously by voice vote.

4. **Andrew L. McGraw, DVM** – request to waive fees for active military duty. Following review of documentation provided by Dr. McGraw and pursuant to Senate Concurrent Resolution 104, motion was made by Dr. Walther, seconded by

Dr. Lofton, to waive renewal fees due to active military duty. Motion passed unanimously by voice vote.

5. **Tracy R. Pierce, DVM** - request to waive fees for active military duty. Following review of documentation provided by Dr. Pierce and pursuant to Senate Concurrent Resolution 104, motion was made by Dr. Walther, seconded by Dr. Lofton, to waive renewal fees due to active military duty. Motion passed unanimously by voice vote.

6. **Gregory A. Thomas, DVM** - request for extension for CE requirements. Following review of the documentation submitted to establish special circumstances in support of the request for extension of time for continuing education credits for licensure renewal, motion was made by Dr. Walther, seconded by Dr. Randall, to allow an extension to November 1, 2003 for Dr. Thomas to obtain CE requirements with submission of the late fee. Motion passed unanimously by voice vote.

B. DVM Application Issues

1. **Ronald Harrist, DVM**, personal appearance, a licensed and practicing in Mississippi since 1996 as a relief veterinarian at numerous facilities, requested waiver of re-taking out of date examination and preceptorship requirements. Dr. Harrist presented his work history and job duties for the five years. Review was made of additional information and motion was made by Dr. Randall, seconded by Dr. Walther, to waive re-taking the examination requirement as Dr. Harrist's work history was equivalent to full time active practice in a clinic for five years immediately prior to application with the Board. Motion passed unanimously by voice vote.

(Upon conclusion of agenda item VII.F, the Board returned to agenda item VII.A.1.)

2. **Don Newcomb, DVM**, licensed in various states and formerly licensed in Louisiana, requested waiver of re-taking out of date exam and preceptorship requirements based on employment history throughout the five years prior to application. Additional information submitted was reviewed by the Board. Motion was made by Dr. Walther, seconded by Dr. Bernard, to request personal appearance of Dr. Newcomb at the October 2003 Board meeting, and to request submission of a timeline to be presented to the Board outlining employment history throughout the five years prior to application. Motion passed unanimously by voice vote.

3. **Morgan Singletary, DVM**, recent graduate of Mississippi State University Veterinary School, requested waiver of the maximum 9 hour/day rule for preceptorship requirements. The Board reviewed supporting documentation of the preceptee, Marion Rovira, DVM. Motion was made by Dr. Walther, seconded by

Dr. Lofton, to allow the 9+ hour/day scheduled during the 8-week preceptorship to fulfill the requirements. Motion was passed unanimously by voice vote.

C. CAET Issues

1. CAET CE Credits – request by Louisiana Animal Control Association for approval for CAET continuing education credits for participation in the annual LACA program and training given in August 2003 at LSU-SVM. Motion was made by Dr. Walther, seconded by Dr. Lofton, to approve the course for 6 hours of CE for CAETs. Motion was approved unanimously by voice vote.

2. CAET CE Credits – request by Cooper Animal Hospital for approval for continuing education credits for attendance to the program on livestock handling and capture, animal restraint and capture, anesthesia and drug dosage, and wildlife capture. Motion was made by Dr. Walther, seconded by Dr. Randall, to approve the program for 6 credit hours for CAETs. Motion was approved unanimously by voice vote.

3. Windy Duplessis Vallory – request for reinstatement of CAET certificate. Following review of the request for reinstatement, motion was made by Dr. Walther, seconded by Dr. Randall, to deny reinstatement of Ms. Vallory's expired certificate and to deny issuance of temporary certification. Motion passed unanimously by voice vote. Mr. Tomino was directed to correspond with Ms. Vallory to this regard.

D. RVT Issues

No issues presented.

E. Maxwell Lea, DVM, State Veterinarian – Dr. Lea presented information regarding use of Schedule III drugs by the deer farmers to facilitate transport and management of deer herds. The Louisiana Wildlife & Fisheries Policy Manual on Immobilization and Euthanasia dated May 20, 2003 was presented to the Board for reference. Discussion ensued as to current practices, needs and oversight of immobilization drug use on deer. Upon his exit, the Board informed Dr. Lea it would take the matter under advisement and notify him of any decision. Mr. Tomino was asked to research the law regarding this issue. Mr. Tomino will present the results of the research at the October 2003 Board meeting for review.

(Upon conclusion of agenda item VII.E, the Board moved to agenda item VII.B.1.)

F. Preceptorship Facility Approval –

1. The Board reviewed the qualifications of **Lincoln Park Zoo** in Chicago, IL. Motion was made by Dr. Walther, seconded by Dr. Lofton to approve the zoo as a limited preceptorship facility. Motion was approved unanimously by voice vote.

2. The Board reviewed the request and qualifications from Mark Cousins, DVM to change the **The Cat Practice** in New Orleans, LA from a limited approved preceptorship facility to full approval. Motion was made by Dr. Walther, seconded by Dr. Lofton to approve the change from a limited preceptorship facility to a full approved facility. Motion was approved unanimously by voice vote.

G AAVSB Annual Meeting 2003 in Denver – Ms. Parrish reviewed the benefits of her participation in the annual meeting of AAVSB. She delineated the topics covered and current trends of state veterinary boards as presented at the event.

H. NAVLE Revised Species Specific Examinations – Ms. Parrish advised of the updated NAVLE species specific (equine and companion animal) examinations available to the state boards. Additionally, it was suggested these examinations be considered for use in cases of impairment and/or competency issues as required by other state boards.

I. August 2003 Newsletter – Ms. Parrish presented a draft of the LBVM August 2003 newsletter. Motion was made by Dr. Walther and seconded by Dr. Randall, to approve the publication of the newsletter as presented. Motion passed unanimously by voice vote.

J. Emergency Preparedness Processes Requested by Office of State Veterinarian – Following a request to the Board by Dr. Maxwell Lea, Mr. Tomino was directed by the Board to study the processes necessary to allow out-of-state veterinarians to practice in Louisiana when called in by the State and/or Federal entities to cover emergencies and/or disasters. Mr. Tomino is to present the findings to the Board at the October 2003 Board meeting.

VIII. OTHER BUSINESS

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

DVM

2445	Bonnie Lynn Louque
2446	Lori Michelle Steele
2447	Kathryn Roper Camp
2448	Nathan Arthur Hoyt
2449	Ashley Christine Braniff
2450	Laura Nicole Bosch
2451	Antoine Michele Saacks

August 7, 2003

Page 8

2452 Laurie Spears LeBlanc
2453 Denise McGhan Jones
2454 Jennifer Lynn Simon
2455 Larry Lynn Findley, Jr.
2456 Joseph Allen Smith
2457 Monique M. Matherne
2458 Andree Marie Dauterive
2459 Terry John Cheramie
2460 Katie Carville Berthelot
2461 Carrie Anne Schultz
2462 Angelle Dyon Sanders
2463 Jessica Jung Hui Lin
2464 Jane Elizabeth Smiley
2465 Santos Ramirez
2466 Michael Richard Haney
2467 Christina Blythe Odom
2468 Robert Antell Holmes
2469 Kimberly Fay Deskin

RVT

None

CAET

None

IX. EXECUTIVE SESSION

No items for discussion.

X. ADJOURN

There being no further business before the Board, motion was made by Dr. Walther, seconded by Dr. Randall, and passed unanimously by voice vote to adjourn. The meeting was adjourned at 2:45 p.m.

MINUTES REIVEWED AND APPROVED BY FULL BOARD ON October 2, 2003.

Lon Randall, DVM
Board Secretary-Treasurer