

**LOUISIANA BOARD OF VETERINARY MEDICINE
BOARD MEETING
October 1, 2009**

Minutes

I. CALL TO ORDER –

Board President, Dr. William H. Green, called the meeting to order at 8:40 a.m.

II. ROLL CALL –

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

Those present:

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

Those absent: None.

Guests:

Bland O'Connor, Elizabeth Thornton, Bruce Eilts, DVM, LVMA
11:00am – Amy McInnis, Attorney at Law, Michael McElveen, DVM
1:00pm - Hadley Prince, DVM of Animal Angels

A. Board Member Position Change - Dr. Prejean requested to be moved to the Board Member position, and nominated Dr. Steve Slaton to fill the position of Board Vice President. Nomination was accepted by Dr. Slaton. The Board members voted unanimously to approve the position changes of Drs. Prejean and Slaton effective October 1, 2009.

III. APPROVAL OF MINUTES

A. Board Meeting July 30, 2009

The Board reviewed the minutes from the July 30, 2009 Board meeting. Motion was made by Dr. Slaton to accept the minutes as presented, seconded by Dr. Prejean, and passed unanimously by voice vote.

IV. FINANCIAL MATTERS AND CONTRACTS

A. Financial Reports – July and August 2009

Ms. Parrish presented the financial reports for the months of July and August 2009 for review. Due to delays in legislative audit report and accountant's reports, she asked that approval for August financial matters be moved to the December meeting. Motion was made by Dr. Landry to approve the financial report for July as presented, seconded by Dr. Prejean, and passed unanimously by voice vote.

B. FY2009 Legislative Auditor's Report – Ms. Parrish presented the legislative auditor's report for FY2009 for review. The justification for those items over the budgeted amounts were discussed. As all items were in order, no action was taken on this matter.

C. FY 2011 Budget Maximum Employee Pay Raise Amount – Ms. Parrish presented the financial history of maximum employee pay raise amounts for the last eight fiscal years. Motion was made by Dr. Levy, seconded by Dr. Prejean to allow a maximum employee pay raise amount of 10% as scale for FY2011. Motion passed unanimously by voice vote.

V. ADMINISTRATIVE PROCEEDINGS

A. Case 09-0829V – Jeffery Artall, DVM (9:00am) Proposed Consent Order – Dr. Green was introduced as presiding officer for the proceeding. Dr. Landry 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. Prejean, seconded by Dr. Levy, 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. Prejean, and passed unanimously by voice vote. The meeting was reopened to the public. Motion was made by Dr. Slaton, seconded by Dr. Levy to accept the Consent Order as presented for this case. Motion passed unanimously by voice vote.

B. Case 07-0831I (9:30am) – *Motion was made by Dr. Levy 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 and request for an amendment, seconded by Dr. Landry, and passed unanimously by voice vote.*

Upon conclusion of executive session, motion was made to return to regular session by Dr. Prejean, seconded by Dr. Slaton, and approved unanimously by voice vote.

C. Case 10-0716D (11:00am) – *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.*

Upon conclusion of executive session, motion was made to return to regular session by Dr. Landry, seconded by Dr. Slaton, and approved unanimously by voice vote.

VI. GENERAL BUSINESS APPEARANCES

A. Animal Angels, Lake Charles, La (Hadley Prince, DVM) – (1:00pm) Dr. Prince was introduced to the Board members. He shared information as to the facilities and organization of Animal Angels in Lake Charles, as well as the proposed operations and protocol. Questions and discussion were entertained. Upon conclusion of the discussion, Dr. Prince left the meeting.

No action was taken on this mater.

VII. POLICY, PROCEDURE, AND RULES

A. **Policy and Procedure** – None at this time.

B. **Rule Making** –

1. **Continuing Education Rules Review for DVM, RVT, CAET** – An update was given of the rules revisions for continuing education credits for DVMs, RVTs and CAETs and related issues, and the substantive changes made by the Board to the initial published revisions at the August 2009 Board meeting, as well as the responses to interested parties for written comments received. Accordingly, rulemaking will proceed.

No action was taken on this item.

C. **Practice Act and Rules/Related Matters/Declaratory Statements**

1. **Wildcat Foundation** – The Board considered and unanimously approved proposed name of “SpayNation Center”.

2. **Money Judgment/Unprofessional Conduct Query** – The Board considered and unanimously concluded that the issue was more proper with the jurisdiction of the civil court.

3. **Default Texas Student Loan/Unprofessional Conduct Query** – The Board considered and unanimously concluded it lacked regulatory jurisdiction to address merits of Texas student loan, and perhaps administrative jurisdiction may be applied depending on action, if any, taken by the Texas Board of Veterinary Medicine.

4. **Out of State Veterinarian/Performance of Endoscopy on Horses Which May Be Purchased at Horse Sale** – The Board considered and unanimously concluded that a veterinary license in Louisiana is necessary to perform an examination on a horse owned by another.

5. **Update on Query by Layperson Regarding Provision of Equine Massage Therapy Pursuant to a Massage Therapist License** – Such is not allowed as per the Louisiana Veterinary Practice Act. No action necessary at this time.

6. **Matters Briefly Mentioned, But Not Timely Submitted by Persons for Agenda** – Items deferred to end of meeting, if time permits. If time does not permit, such matters will be deferred to next scheduled Board meeting.

a. Kloster, RVT – Regulatory issues, including CE and related matters

b. LVMA Letter regarding CE pre-approval and personal contact with individual Board members outside of open meetings.

VIII. DVM ISSUES

A. **Frank Klimitas, DVM– Request for Active Status (Reverse Inactive Retired Status)** – Following review of documents submitted for request for license status change, Mr. Tomino presented information regarding statutes and rules concerning reinstatement from Inactive Retired status to Active status. After consideration by the Board, motion was

made by Dr. Landry, seconded by Dr. Prejean, to require Dr. Klinitas to submit 76 credits hours of DVM continuing education taken after July 1, 2008, as well as payment of fees for license renewal from previous years when Inactive/Retired status in the amount of \$750.00 prior to issuance of an Active Louisiana veterinary license for 2009-2010 licensure period. Motion passed unanimously by voice vote.

B. Joseph V. Strother, Jr., DVM – Status Change, Waiver of Fees – Following review of request and documentation submitted by Dr. Strother, motion was made by Dr. Prejean, seconded by Dr. Levy, to approve status of **Inactive Incapacitated**, and waiver of renewal fees for renewal period 2009-2010. Motion passed unanimously by voice vote.

IX. DVM APPLICANT ISSUES

A. Melissa Robinett, DVM – Request for Waiver of Retake of National Examination and Preceptorship Requirement – 1991 graduate of LSU-School of Veterinary Medicine, licensed in California, Texas and Florida. Following review of the documentation submitted by Dr. Robinett, motion was made by Dr. Prejean, 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.

B. Charles Corsiglia, DVM – Request for Waiver of Retake of National Examination and Preceptorship Requirement – 1993 graduate of Auburn University, previously licensed in Kentucky, Colorado, Arkansas and California. Following review of the documentation submitted by Dr. Corsiglia, motion was made by Dr. Levy, seconded by Dr. Prejean 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. Daniel W. Carter, DVM – Request for Waiver of Retake of National Examination and Preceptorship Requirement – 1987 graduate of Auburn University, previously licensed in Kentucky, Florida, Alabama and Georgia. Following review of the documentation submitted by Dr. Carter, motion was made by Dr. Prejean, 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.

D. William Hutchins, II, DVM – Request for Waiver of Retake of National Examination and Preceptorship Requirement – 1999 graduate of Oklahoma State University, previously licensed in Oklahoma, Texas, Washington and New Mexico. Following review of the documentation submitted by Dr. Hutchins, motion was made by Dr. Prejean, 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.

X. CONTINUING EDUCATION ISSUES

A. DVM CE – University of Edinburgh/International Animal Health Program (online) (J Lawrence, DVM) - Request for consideration of 20 credit hours of DVM CE for participation in the online education course in international animal health. Following review of the request and program, motion was made by Dr. Landry, seconded by Dr. Slaton, to allow up to 4 hours credit hours for annual license renewal of DVM for completion of the online course. Motion passed unanimously by voice vote.

B. DVM CE – Dean’s Forum/Banfield, The Pet Hospital (P Haynes, DVM) - Request for consideration of 11.75 credit hours of DVM CE for annual license renewal. Following review of the request, program outline and presenters, motion was made by Dr. Landry, seconded by Dr. Slaton, to allow 11.75 hours credit hours for annual license renewal of DVM for actual attendance by the participant. 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

- 2843 Shanna Louise Seals
- 2844 Heather Noel Garcia
- 2845 Jane Watters Merryman
- 2846 Leslie Hutson Pence
- 2847 Dena Lynn Lodato
- 2848 Livia Blair Frazar
- 2849 Justin Victor Jensen
- 2850 Jae H. Chang
- 2851 Lori Willis Chang
- 2852 Kristofor Clay Toups
- 2853 Lisa Beth Berkowitz
- 2854 Cathy Atkins Olson
- 2855 Jennifer Michelle Mosley
- 2856 Jeffrey David Schumacher
- 2857 Ashley Christine Baker
- 2858 Michael Dylan Hutchison
- 2859 Rinome Serena Singh
- 2860 Michelle Ruth Fecteau
- 2861 BridgetCheree Kelly
- 2862 Amanda Lynn Perkins
- 2863 Leslie Ann Fitzgerald
- 2864 April Denise Brown
- 2865 Daren Elton Tamplin
- 2866 Kristin Claire Barrilleaux

RVT

- 8169 Rebecca Gwen Walker
- 8170 Angelia Lynn Boudreaux
- 8172 Natalie Michelle McDonald

8173 Jennifer Louise Goodwin
8174 Stephanie Marie Chiasson
8175 Brooke AsevedoMartinson
8176 Ashley Nicole Boyce
8177 Ashley Lynn Hunt
8178 Holly Elise George
8179 Jill Elizabeth Souvester
8180 Staci Boyte Choate
8181 Amber Corwin Ebert
8182 Miranda Elizabeth Chastain
8183 Katie Marie Coody
8184 Sara Dawn Starling
8185 Amanda Erin Adkins

CAET

9452 Sherry Ann Bourque
9453 Rita Lynn Cavanaugh
9454 Rebecca Ann Crepple
9455 Lauren Cunningham
9456 Tamra Marie Dardenne
9457 Michael Stanton Edmunds
9458 Charles Wehman Fitz, Jr.
9459 Derrick Frank
9460 Candice Lorrie George
9461 Hannah Grace Haley
9462 John Jefferson Jones, Jr.
9463 Florence Kay LaBorde
9464 Angela Dawn Little
9465 Ronald Lee Miles
9466 Brandon Ronald Mims
9467 Robert Allen Morel, Sr.
9468 Matthew Corey Pepper
9469 Michelle Davies Rahm
9470 Jennifer Joy Ranero
9471 Katina Michelle Richard
9472 David Nicolas Ruiz
9473 Rayburn Dean Thibodeaux
9474 Alfred Hunter Yeatts, III
9475 Susan Catherine Zeringue
9476 Sheila Marie Deville
9477 Jason S. Smith
9478 Mary Matilda Plumbee
9479 Kristen Michelle Doss
9480 John Mitchell Landry
9481 Troy Keith Gallo
9482 Stephanie Nicole McKay
9483 Leta Delay Hopkins
9484 Conrad DereckHarlan
9485 Valerie Jean Hale

9486	Melissa Dawn Bearden
9487	Travis Jashun Clark
9488	Lawrence Cutwright
9489	Monique Elizabeth Couvier
9490	Keisha Marie Duhon
9491	Wendy Reimer
9492	Gail Ann Salvadras
9493	Jason Wade Ellis
9494	Robert L. Everett
9495	John David Ferguson
9496	Teresa Nolan Boudreaux
9497	Megan Marie Choate
9498	Lillie Marie Landaiche
9499	George Edward Downing, III

B. Board Meeting Dates 2010 –Ms. Parrish presented proposed Board meeting dates for 2010. Motion was made by Dr. Landry, seconded by Dr. Levy to accept the proposed dates as presented to be printed in the Board’s December 2009 newsletter and published in the *Louisiana Register*. Motion passed unanimously by voice vote.

C. AAVSB Annual Meeting Update – Ms. Parrish commented on the AAVSB program attended in Minneapolis on September 23-27, 2009. No action was taken on this item.

XII. OTHER MATTERS PROPERLY BROUGHT BEFORE THE BOARD

Any matters not timely set on the agenda are deferred to the end of the meeting, if time permits. If time does to permit, then matters are to be scheduled for the December 2009 Board meeting.

XIII. EXECUTIVE SESSION

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

A. Evangeline Training Center – Motion was made by Dr. Slaton, seconded by Dr. Levy, to contact the Evangeline Training Center principals and request their appearance before the Board at the December 2009 Board meeting to discuss the status of any proposed equine hyperbaric chamber program. Motion passed unanimously by voice vote.

B. Administrative Assistant Position – Ms. Parrish updated the Board on current staffing and the recent employment of Ms. Amanda Griffin to fill the Administrative Assistant position. No action was taken on this item.

C. Contract Amendment for Legal Services – Ms. Parrish noticed and presented current expenses and budgeted amounts for the current contract for legal services. Due to the unforeseen additional hours worked by legal counsel as a result of increase in volume of inquiries made regarding the Veterinary Practice Act, increase in volume and complexity

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of cases under review and before a hearing panel, and the impact of proposed and/or new legislative issues, motion was made by Dr. Slaton, seconded by Dr. Levy, to amend the contract for legal services by \$70,000 through FY2010. Motion passed unanimously by voice vote.

XIV. MATTERS OTHERWISE DEFERRED

A. Veterinary Technicians (C Kloster, RVT) – Following review of query by Ms. Kloster regarding regulation of RVTs and CE requirements, motion was made by Dr. Slaton, seconded by Dr. Prejean, to invite Ms. Kloster to attend the December 2009 Board meeting to present her query and further questions for discussion. Motion passed unanimously by voice vote.

B. Continuing Education Pre-Approval Processes, Board Member Personal Contact Protocol (LVMA) – LVMA submitted written questions regarding pre-approval of CE credits for DVMs, as well as protocol for direct contact with individual Board members regarding board business outside of open meetings. Discussion followed. Motion was made by Dr. Levy, seconded by Dr. Slaton, that written response to the questions will be submitted to LVMA as agreed upon and signed by all Board members. Motion passed unanimously by voice vote.

XV. ADJOURN

There being no further business before the Board, motion was made by Dr. Prejean, seconded by Dr. Slaton, and passed unanimously by voice vote to adjourn. The meeting was adjourned at 4:13 p.m.

MINUTES REIVEWED AND APPROVED BY FULL BOARD on December 3, 2009.

Gary Levy, DVM, Board Secretary -Treasurer