

**LOUISIANA BOARD OF VETERINARY MEDICINE
BOARD MEETING
April 7, 2005**

Minutes

I. CALL TO ORDER -

Board President, Dr. Glenn Walther, called the meeting to order at 8:24 a.m.

II. ROLL CALL -

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

Those present:

Glenn Walther, DVM	Board President
Lon Randall, DVM	Board Vice President
Patrick Bernard, DVM	Board Secretary-Treasurer
Mica F. Landry, DVM	Board Member
William H. Green, DVM	Board Member
Michael Tomino, Jr.	Board General Counsel
Wendy Parrish	Board Administrative Director

Absent: None

Guests: Alton Hall, DVM, Patrick Amedee, Attorney, (11:00 am appearance)

III. APPROVAL OF MINUTES

A. Special Board Meeting January 27, 2005

The Board reviewed the minutes from the January 27, 2005 Special Board meeting. Motion was made by Dr. Bernard to accept the minutes as presented, seconded by Dr. Landry, and passed unanimously by voice vote.

B. Public Hearing Rule 1015 January 27, 2005

The Board reviewed the minutes from the January 27, 2005 Public Hearing concerning Rule 1015. Motion was made by Dr. Bernard to accept the minutes as presented, seconded by Dr. Landry, and passed unanimously by voice vote.

C. Public Hearing Rule 1515 January 27, 2005

The Board reviewed the minutes from the January 27, 2005 Public Hearing concerning Rule 1515. Motion was made by Dr. Bernard to accept the minutes as presented, seconded by Dr. Green, and passed unanimously by voice vote.

D. Board Meeting February 3, 2005

The Board reviewed the minutes from the February 3, 2005 Board meeting. Motion was made by Dr. Bernard to accept the minutes as presented, seconded by Dr. Landry, and passed unanimously by voice vote.

E. Special Board Meeting March 3, 2005

The Board reviewed the minutes from the March 3, 2005 Special Board meeting. Motion was made by Dr. Landry to accept the minutes as presented, seconded by Dr. Green, and passed unanimously by voice vote.

IV. FINANCIAL MATTERS AND CONTRACTS

A. **Financial Reports** – January 2005 and February 2005

Dr. Bernard and Ms. Parrish presented the financial reports for January and February 2005 for review. Following discussion of budgeted amounts and expenditures year-to-date, motion was made by Dr. Landry to approve the financial reports as presented, seconded by Dr. Green, and passed unanimously by voice vote.

B. **Contract Renewal FY2006– Professional Examination Services (VTNE)** – Ms.

Parrish presented the proposed contract for national veterinary technician examination services for review. Standard provisions for state contracting was discussed. Ms. Parrish was directed to confer with Mr. Tomino concerning review of provisions to meet all state requirements. Motion was made by Dr. Bernard, seconded by Dr. Landry to approve renewal of the contract following review of all provisions by Mr. Tomino. Motion passed unanimously by voice vote.

C. **Contract Renewal FY2006– Greg Brown, CPA** – Ms. Parrish presented the proposed contract for accounting services for review. No changes were noted from the previous fiscal year contract with a ceiling of \$5,000.00 per year. Motion was made by Dr. Landry, seconded by Dr. Green to approve renewal of the contract following review of all provisions by Mr. Tomino. Motion passed unanimously by voice vote.

D. **Contract Renewal FY2006– Onesimus (website consultants)** – Ms. Parrish presented the proposed contract 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. Landry, seconded by Dr. Bernard to approve renewal of the contract following review of all provisions by Mr. Tomino. Motion passed unanimously by voice vote.

E. **Letter of Agreement Renewal FY2006– National Board of Veterinary Medical Examiners (NAVLE)** – Ms. Parrish presented the proposed letter of agreement with NBVME for the national veterinary licensing examination for review. Changes in the agreement from the previous year were discussed, in particular the limit for re-taking the examination, a provision not supported by current Louisiana statutes and rules. Motion was made by Dr. Bernard, seconded by Dr. Landry to approve renewal of the contract following review of all mandated provisions for state contracts by Mr. Tomino. Motion passed unanimously by voice vote.

V. ADMINISTRATIVE HEARINGS

A. **Case 05-0913D** - Dr. Randall was introduced as presiding officer for the hearing. Dr. Walther recused himself as investigating Board member in the case. The members of the Hearing Panel consisted of Dr. Randall, and Dr. Bernard, Dr. Landry and Dr. Green. The respondent waived appearance at the hearing. Mr. Tomino presented, on behalf of the State, 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. Landry, seconded by Dr. Green, to enter into executive session for deliberation of the facts and 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 for deliberation.

Motion was made by Dr. Landry to return to open session, seconded by Dr. Bernard, and passed unanimously by voice vote. The meeting was reopened to the public. Motion was made by Dr. Bernard, seconded by Dr. Green to accept the Consent Order as presented for this case. Motion passed unanimously by voice vote.

VI. POLICY, PROCEDURE, AND RULES

A. **Policy and Procedure**

None presented

B. **Practice Act-Related Matters/Declaratory Statements**

Alton Hall, DVM – Wellness Clinic – Dr. Hall and his legal counsel, Patrick Amedee, were introduced. Dr. Hall discussed a proposed animal wellness and preventative care clinic program. Questions were posed regarding after-hours care, follow-up care, preventative care versus treatment of disease/conditions. Upon conclusion of the presentation and questions, Dr. Hall was advised the Board would take the matter under consideration and that following a decision, would respond back to him in writing.

C. **Rule Making**

1. Rule 1015 – Management Services Contracts – Rule amendment effective April 20, 2005.

2. Rule 1515 – Registered Equine Dentists, Properly Trained RVTs and Laypersons – Rule amendment effective April 20, 2005.

D. Potential Emergency Rule discussion and adoption of wellness/vaccination clinics (deferred to end of meeting)

VII. DVM APPLICANT ISSUES

A. **Marilyn Rumbaugh, DVM – Request for waiver of out-of-date examination** – 1999 graduate of Ohio State University, previously licensed in California and Oklahoma, currently employed an equine surgeon. Motion was made by Dr. Landry, seconded by Dr. Green to accept the documentation of work history to be equivalent to full time active practice for five years immediately prior to application with the Board

and waive retaking the national examination. Motion passed unanimously by voice vote.

B. Tracy D. Trussell, DVM - Request for waiver of preceptorship requirement - 2004 graduate, previously licensed in Oklahoma, currently employed as a veterinarian at Barksdale Air Force Base Veterinary Services. Motion was made by Dr. Landry, seconded by Dr. Bernard to accept the documentation of work history to be equivalent to full time active practice for 90 days immediately prior to application with the Board and waive the preceptorship requirement. Motion passed unanimously by voice vote.

VIII. CONTINUING EDUCATION ISSUES

A. Denise Porte, DVM - Request for reconsideration of number of CE credit hours for fellowship in animal behavior at University Davis. Following review of the request, motion was made by Dr. Bernard, seconded by Dr. Landry, to grant a maximum of 4 credit hours for participation in the fellowship program. Motion passed unanimously by voice vote.

B. Association of Pet Dog Trainers (APDT) - Request for DVM CE credits for meeting in New Orleans, September 14-18, 2005. Following review of the materials submitted regarding the APDT meeting, motion was made by Dr. Landry, seconded by Dr. Beranrd, to deny CE credit for DVM participation in the program. Motion passed unanimously by voice vote.

IX. 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

2571 Kevin August Hahn

RVT

8121 Sarah Lamenda Clark

8122 Emily Kay Cowell

CAET

T0501 Tammy Heckler Bailey

T0502 Kenneth Louis Babineaux

B. AAVSB Proposed Bylaws and Resolutions - Ms. Parrish presented proposed drafts of AAVSB Bylaws and Resolutions for review and comment. No action was taken on this item.

C. AAVSB Annual Meeting (September 9-11, 2005, Kansas City, MO) – Discussion was made regarding attendance and participation by Board members and the Administrative Director to the annual conference. Ms. Parrish noted that information from AAVSB would be forthcoming in the near future, and that adequate monies were in the FY2005 budget to cover expenses. Both Drs. Landry and Green expressed interest in attending. Motion was made by Dr. Bernard, seconded by Dr. Landry to approve attendance by Drs. Landry, Green and Ms. Parrish provided sufficient funds were in the budget to cover all costs (registration, hotel, travel, meals). Motion passed unanimously by voice vote.

D. LA State Veterinarian/Public Health - Ms. Parrish presented information submitted by Dr. Littlefield-Chabaud regarding upcoming proposed amendments to the statutes regarding rabies and the Rabies Compendium 2005. No action was taken on this item.

E. Computer Upgrade (Hardware/Software) – Ms. Parrish discussed computer system problems incurred, many due to the outdated system and older programs utilized by the Board office (5+ years, Windows 98). A vendor recommended by DHH Information Services has been contacted to present proposals for replacement and upgrades to the system. Ms. Parrish is to submit further information and pricing for consideration during future Board meetings. No action taken on this item.

X. EXECUTIVE SESSION

Motion was made by Dr. Landry to go into executive session to discuss issues and receive legal advice regarding potential contested matters, seconded by Dr. Green, 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. Bernard, and approved unanimously by voice vote.

A. William Baker, DVM Rabies Vaccination Query – Mr. Tomino presented a response to Dr. Baker's query regarding administration of rabies vaccination by Registered Veterinary Technicians for review. Motion was made by Dr. Landry, seconded by Dr. Green, to approve the response as presented. Motion passed unanimously by voice vote.

B. LSU-SVM Equine Dentistry Training Program – Mr. Tomino presented correspondence with Dr. Rusty Moore of LSU-SVM regarding the proposed equine dentistry training program for properly trained Registered Veterinary Technicians and laypersons. Due to the timeliness in receiving a response from LSU-SVM on the effective date of a Board approved training program, Dr. Bernard was asked to contact appropriate staff/administration in an attempt to complete the Board approved training program to coincide with the effective date of the amended Rule 1515, being potentially April 20, 2005.

C. Jacqueline D. Simon, DVM - Euthanasia Consent at Animal Shelter - Mr. Tomino presented a response to Dr. Simon's query regarding euthanasia consent at animal shelters for review. Motion was made by Dr. Landry, seconded by Dr. Green, to approve the response as presented. Motion passed unanimously by voice vote.

D. Ken Venable, Horse Breeder - Ultrasound Equipment - Mr. Tomino presented information regarding a response to Mr. Venable's query pertaining to the use of non-invasive ultrasound equipment by a non-veterinarian on one's own horses. Motion was made by Dr. Landry, seconded by Dr. Bernard, to direct Mr. Tomino to respond to Mr. Venable's query as directed by the Board. Motion passed unanimously by voice vote.

E. Ednadeen Corley, DVM - Custody of Medical Records of Closed Practice - Mr. Tomino presented information regarding Dr. Corley's query pertaining to medical records custodian of another veterinarian's closed veterinary practice. Motion was made by Dr. Landry, seconded by Dr. Green, to direct Mr. Tomino to respond to Dr. Corley's query as directed by the Board. Motion passed unanimously by voice vote.

XI. DISCUSSION OF WELLNESS OR PREVENTATIVE CARE CLINIC ISSUES WITH VIEW TOWARD RULEMAKING EFFORT - Motion was made by Dr. Bernard, seconded by Dr. Landry, to adopt the Emergency Rule discussed effective April 11, 2005 and to direct Mr. Tomino and Ms. Parrish to proceed with emergency rule procedures regarding Rule 711, Veterinary Practice, Wellness and Preventative Care Clinics. Motion passed unanimously by voice vote.

XII. ADJOURN

There being no further business before the Board, motion was made by Dr. Green, seconded by Dr. Bernard, and passed unanimously by voice vote to adjourn. The meeting was adjourned at 2:10 p.m.

MINUTES REIVEWED AND APPROVED BY FULL BOARD ON June 2, 2005.

Patrick Bernard, DVM, Board Secretary-Treasurer