

**LOUISIANA BOARD OF VETERINARY MEDICINE
BOARD MEETING
December 6, 2007**

Minutes

I. CALL TO ORDER –

Board Vice President, Dr. William H. Green, called the meeting to order at 8:35 a.m.

II. ROLL CALL –

Roll call was taken by Board Secretary-Treasurer, Dr. Brent D. Robbins, with the following results:

Those present:

William H. Green, DVM	Board Vice President
Brent D. Robbins, DVM	Board Secretary-Treasurer
John C. Prejean, DVM	Board Member
Patrick Bernard, DVM	Board Member
Michael Tomino, Jr.	Board General Counsel
Wendy Parrish	Board Administrative Director

Absent:

Mica F. Landry, DVM	Board President
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Guests:

Newly Elected Commissioner of Agriculture Mike Strain, DVM, made a brief appearance during the Board meeting.

III. APPROVAL OF MINUTES

A. Board Meeting October 4, 2007

The Board reviewed the minutes from the October 4, 2007 Board meeting. Motion was made by Dr. Bernard to accept the minutes as presented, seconded by Dr. Prejean, and passed unanimously by voice vote.

IV. FINANCIAL MATTERS AND CONTRACTS

A. Financial Reports – September and October 2007

Ms. Parrish and Secretary-Treasurer Dr. Robbins presented the financial reports for the months of September and October 2007 for review. Following discussion, motion was made by Dr. Bernard to approve the financial reports as presented, seconded by Dr. Prejean, and passed unanimously by voice vote.

B. Burdget Proposal FY2009 – Ms. Parrish presented a proposed budget for FY2009 (July 1, 2008 through June 30, 2009) for review and discussion. Following questions concerning the contracted investigator, CD interest rates, and categories of revenue, motion was made by Dr. Bernard, seconded by Dr. Robbins, to accept the proposed budget for FY2009 as presented. Motion passed unanimously by voice vote.

V. ADMINISTRATIVE PROCEEDINGS

Case No. 07-0206V – Paula Drone, DVM - Consent Order (9:00a.m.) – Dr. Green was introduced as presiding officer for the hearing. Dr. Landry, the investigating Board member was absent from the meeting. The members of the Hearing Panel consisted of Dr. Green, Dr. Robbins, and Dr. Prejean and Dr. Bernard. 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. Bernard, seconded by Dr. Prejean, 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. Bernard 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. Bernard, seconded by Dr. Prejean to accept the Consent Order as presented for this case. Motion passed unanimously by voice vote.

B. Case 07-0529V – Normie Miller, DVM – Proposed Consent Order (9:30a.m.) - Dr. Robbins was introduced as presiding officer for the hearing. Dr. Green was recused as investigating Board member in the case. The members of the Hearing Panel constituting a quorum, consisted of Dr. Robbins, and Dr. Prejean and Dr. Bernard. 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. Bernard, seconded by Dr. Prejean, 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. Prejean 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. Prejean to accept the Consent Order as presented for this case. Motion passed unanimously by voice vote.

C. Case 08-1127V – Jane Bryan, DVM – Proposed Agreement/Consent Order (10:00a.m.) - Dr. Robbins was introduced as presiding officer for the hearing. Dr. Green was recused as investigating Board member in the case. The members of the Hearing Panel constituting a quorum, consisted of Dr. Robbins, and Dr. Prejean and Dr. Bernard. The respondent waived appearance at the hearing. Mr. Tomino presented the facts of the case, submitted exhibits for review, and a proposed Agreement/Consent Order for consideration by the Board. Upon conclusion of the presentations and questions, motion was made by Dr. Prejean, seconded by Dr. Bernard, 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. Prejean 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. Prejean to accept the Agreement/Consent Order as presented for this case. Motion passed unanimously by voice vote.

VI. POLICY, PROCEDURE, AND RULES

A. Policy and Procedure –

1. None presented.

B. Practice Act and Rules/Related Matters/Declaratory Statements

1. Microchips (H Carruth, CAET, City of Sulphur) – Following review of Mr. Carruth's query regarding micro chipping by animal control agencies, motion was made by Dr. Bernard to instruct Mr. Tomino to respond based on consistency with prior Board decisions on animals owned by the public, seconded by Dr. Prejean. Motion passed unanimously by voice vote.

2. Microchips (G Kurdian) – Following review of Ms. Kurdian's query regarding micro chipping by animal control agencies and humane societies, motion was made by Dr. Bernard to instruct Mr. Tomino to respond based on consistency with prior Board decisions on animals owned by the public, seconded by Dr. Prejean. Motion passed unanimously by voice vote.

3. **Prescription Policy (A Kennedy, of MSAH)** – Following review of Ms. Kennedy’s query regarding prescription policy of the animal hospital, motion was made by Dr. Bernard for Mr. Tomino to respond that the Board could not legally provide an advisory opinion on office documents and to refer Ms. Kennedy to previous Board statements/articles and to seek private legal counsel to advise on specific policy and forms, seconded by Dr. Robbins. Motion passed unanimously by voice vote.

4. **Paid Endorsement/Dog Food (T Wexler, DVM)** – Following review of Dr. Wexler’s query regarding a proposal regarding paid endorsement for dog food products, motion was made by Dr. Bernard for Mr. Tomino to prepare a response consistent with the Board’s discussion and decisions, to be approved by a Board member, seconded by Dr. Robbins. Motion passed unanimously by voice vote.

5. **Out of State Consultant (J S Fryer, DVM)** – Following review of Dr. Fryer’s query regarding veterinary consultations by out of state veterinarians, motion was made by Dr. Bernard to accept the proposed response to the query as presented by Mr. Tomino which is consistent with prior Board decisions and legal authority, seconded by Dr. Prejean. Motion passed unanimously by voice vote.

6. **???? Veterinary Genetic and Reproductive Services (D Paccamonti, DVM, LSU-SVM)** – Following review of Dr. Paccamonti’s query regarding veterinary genetic and reproductive services by a non-licensed DVM, motion was made by Dr. Bernard to invite both Dr. Ferguson and Dr. Paccamonti to the February 2008 Board meeting for further clarification of services performed, seconded by Dr. Prejean. Mr. Tomino was directed to contact both parties for presentation at the meeting. Motion passed unanimously by voice vote.

7. **Return of Prescription Medications (D LeCompte, DVM)** – Following review Dr. LeCompte’s query regarding the return of prescription medications by the client for credit, motion was made by Dr. Bernard for Mr. Tomino to prepare a proposed response to the query which is consistent with the Board’s discussion and legal authority, to be approved by a Board member, seconded by Dr. Prejean. Motion passed unanimously by voice vote.

8. **Active Licensure of Instructor of Veterinary Technology Program (M Woodard, DVM)** – Following review of Dr. Woodard’s query regarding active Louisiana licensure of instructors at accredited veterinary technology programs, motion was made by Dr. Bernard for Mr. Tomino to prepare a proposed response to the query which is consistent with the Board’s discussion and legal authority, to be approved by a Board member, seconded by Dr. Prejean. Motion passed unanimously by voice vote.

9. **Heartworm Prescriptions for Animal Control Shelter (J Miller, DVM)** – Following review of Dr. Miller’s query regarding filling of heartworm prescriptions for shelter pets without veterinary patient client relationship, motion was made by Dr. Bernard for Mr. Tomino to prepare a proposed response to the query which is consistent with the Board’s discussion and legal authority, to be approved by a Board member, seconded by Dr. Prejean. Motion passed unanimously by voice vote.

10. **Rabies Vaccination (J DeVun, DVM)** – Following review of Dr. DeVun’s query regarding rabies vaccination timelines, motion was made by Dr. for Mr. Tomino to prepare a proposed response to the query which is consistent with the Board’s discussion and legal authority, to be approved by a Board member, seconded by Dr. Prejean. Motion passed unanimously by voice vote.

C. **Rule Making**

1. **Rule 700, 701, 711 – Veterinary Medical Recordkeeping Mobile Practice Vehicle** – Review of final rule effective November 20, 2007. No action taken on this item.

VII. DVM ISSUES

A. Ethern Lee Morris, DVM – Request for Waiver of Late Fee – Following review of request and documentation submitted by Dr. Morris, and in consideration of his particular circumstances, motion was made by Dr. Robbins, seconded by Dr. Bernard, to approve waiver of the late renewal fee for renewal period 2007-2008. Motion passed unanimously by voice vote.

B. Gary L. Norwood, DVM – Request for Waiver of Late Fee – Following review of request and documentation submitted by Dr. Norwood, and in consideration of his particular circumstances, motion was made by Dr. Prejean, seconded by Dr. Robbins, to approve waiver of the late renewal fee for renewal period 2007-2008. Motion passed unanimously by voice vote.

VIII. DVM APPLICANT ISSUES

A. Tara G. Ooms, DVM – Request for Waiver of Retake of National Examination and Preceptorship Requirement – 2002 graduate of University of Illinois, licensed in Illinois. Following review of the documentation submitted by Dr. Ooms, motion was made by Dr. Bernard, seconded by Dr. Robbins to waive the retaking of the national examination and the preceptorship requirement as her employment sufficiently meets 5 years of full-time veterinary practice preceding application with the Board. Motion passed by unanimously by voice vote.

IX. RVT/CAET/RED ISSUES

A. None presented.

X. CONTINUING EDUCATION ISSUES

A. DVM CE – IVSeminars Video Vet CE (S Nicholson, DVM) - Request for consideration of credit hours of DVM CE for video veterinary education programs. Following review of the request and program outline, motion was made by Dr. Robbins, seconded by Dr. Prejean, to allow a maximum of 4 credit hours per video program of DVM CE for participation, noting that a maximum of 4 credit hours for compendium programs are allowed per renewal year. Motion passed unanimously by voice vote.

B. DVM CE – Small Ruminant Health Management (J Miller, DVM) - Request for consideration of DVM CE credit hours for participation in the ruminant health management at LSU-SVM Pathobiological Sciences. Following review of the request and program outline, motion was made by Dr. Robbins, seconded by Dr. Bernard, to allow a maximum of 10 credit hours of CE for actual attendance by DVMs. 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

2743	William Arthur Lindsay
2744	Adam Robert Albarado
2745	Forrest Goerge Franklin
2746	Peter Michael VanDuzee
2747	Hannah Clare Wellman

B. Customer Satisfaction Questionnaire Comments – Ms. Parrish presented a summary of the customer service questionnaire comments from October 2006 through October 2007. Mr. Tomino submitted several letters/cards from persons who filed complaints with satisfactory comments regarding the Board's work. All comments were reviewed by the Board members. The majority of the responses were positive and the results will be mailed to the appropriate state agency for reporting purposes. No action was taken on this item.

C. December 2007 Newsletter Draft – Ms. Parrish presented a draft of the December 2007 newsletter for review. Motion was made by Dr. Bernard, seconded by Dr. Robbins, to approve the newsletter for publication as presented, with the addition of an article by Mr. Tomino regarding rabies vaccination timelines. Motion passed unanimously by voice vote.

XII. EXECUTIVE SESSION

Motion was made by Dr. Bernard to go into executive session to discuss issues and receive legal advice regarding potential contested matters and personnel matters, seconded by Dr. Robbins, and passed unanimously by voice vote. Upon conclusion of discussion of the issues, motion was made to return to regular session by Dr. Bernard, seconded by Dr. Prejean, and approved unanimously by voice vote.

A. Annual Review of Administrative Assistant – Following summary of performance and recommendation by Ms. Parrish to award Ms. Landry an increase for her continued work, ethics and performance throughout the previous year, motion was made by Dr. Robbins, seconded by Dr. Bernard, to award Ms. Landry an increase of 7% effective December 2, 2007. Motion passed unanimously by voice vote.

B. LSU-SVM Student/HSUS Grant Program – Based on current events regarding LSU-SVM Student/HSUS Grant Program, such as the requested addition of the Dixon facility, the contents of the school-submitted course syllabus and uniform shelter agreement, the quorum of the Board unanimously agreed to invite Drs. Haynes, Tabaoda, Eddlestone, Senior and Woolfson of LSU-SVM, Commission of Agriculture Mike Strain, DVM, and Dr. Craig Guidry, current LVMA President, to a special meeting to be scheduled in January 2008 for the purpose of further addressing the program. Motion was made by Dr. Bernard to extend the invitation to appropriate parties and schedule the special Board meeting, seconded by Dr. Robbins, and approved by unanimous voice vote.

XIII. ADJOURN

There being no further business before the Board, motion was made by Dr. Bernard, seconded by Dr. Robbins, and passed unanimously by voice vote to adjourn. The meeting was adjourned at 3:28 p.m.

MINUTES REIVEWED AND APPROVED BY FULL BOARD on February 7, 2008.

John C. Prejean, DVM, Board Secretary-Treasurer