

LA Board of Veterinary Medicine – Board Meeting Minutes – May 23, 2023

I. CALL TO ORDER

Board President, Dr. Alfred Stevens, called the meeting to order at 8:30am.

II. ROLL CALL

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

Those present:

Alfred G. Stevens, DVM	Board President
Trisha C. Marullo, DVM	Board Vice President
Larry L. Findley, Sr, DVM	Secretary-Treasurer
Joseph Bondurant, Jr.	Board Member
Keri A. Cataldo-Rogers, DVM	Board Member
Jared B. Granier	Board Executive Director
Stephen H. Vogt	Board General Counsel

Guests:

Melanie Talley	Louisiana Veterinary Medical Association
Dean Oliver Garden	LSU School of Veterinary Medicine
Dr. Bonnie Boudreaux	LSU School of Veterinary Medicine

The Board's Statement of Obligations was read aloud by Dr. Findley to all present for the meeting.

III. APPROVAL OF MINUTES

A. Board Minutes for April 6, 2023

The Board reviewed minutes from April 6, 2023. With no discussion on the minutes as given, motion was made to accept the minutes with the proposed correction by Dr. Marullo, seconded by Dr. Findley, and passed unanimously by voice vote.

Dr. Stevens invited Dean Garden and Dr. Boudreaux to give updates on LSU SVM. Melanie Talley also spoke to the Board on LVMA business and current legislative session items of particular interest to the LVMA.

IV. FINANCIAL MATTERS & CONTRACTS

A. Financial Reports – March & April '23

Mr. Granier presented the financial reports for the months of March and April '23 for review by the Board. Mr. Granier informed the Board that all financial matters are in order with no unordinary expenses with revenues and expenses being within the acceptable variances and the fiscal year-end is expected to have a positive net value. There were no questions regarding financial reports reviewed by the Board members. Motion was made by Dr. Marullo to accept the financial reports as presented, seconded by Dr. Bondurant. With no further discussion, the motion passed unanimously by voice vote.

B. Investments, CDs - FY 2023

Mr. Granier reviewed accrued interest amounts for current certificates of deposit (CDs) for FY2023. Three CDs will mature in June, and Mr. Granier will roll these CDs over and anticipates a continued increase in the interest rates for these three CDs as rates continue to rise. Motion was made by Dr. Cataldo-Rogers, seconded by

Dr. Findley, to accept the investment report as presented. With no further discussion, the motion passed unanimously by voice vote.

C. FY2023 Year-End Budget Amendments

Mr. Granier presented an amended budget for FY2023 for Board review and discussion. FY2023 budgeted figures were adjusted to bring the FY2023 final budget within acceptable variances in accordance with the '22 Legislative Auditor's AUP Reporting. Motion was made by Dr. Findley, seconded by Dr. Marullo to approve the amended budget as presented. Motion passed unanimously by voice vote.

D. FY2024 Budget Amendments

Mr. Granier presented an amended budget projection for FY2024 which has been adjusted to account for increases in legal fees, license management software fee increases, employee retirement expenses and other nominal operating expense increases. Motion was made by Dr. Marullo, seconded by Dr. Findley to approve the amended budgets as presented. Motion passed unanimously by voice vote.

E. Election of Officers

Motion was made by Dr. Bondurant, seconded by Dr. Findley for nominations as follows: Dr. Trisha Marullo, Board President; Dr. Larry Findley, Sr., Board Vice-President; Dr. Keri Cataldo-Rogers, Board Secretary-Treasurer. Motion passed unanimously by voice vote.

Motion was made by Dr. Bondurant to close nominations, seconded by Dr. Marullo and passed unanimously by voice vote. Election for the nominations was held, with unanimous voice votes all in favor of selections.

Motion was made by Dr. Bondurant to install, by acclamation, Dr. Trisha Marullo, as Board President, Dr. Larry Findley Sr. as Board Vice-President, and Dr. Keri Cataldo-Rogers, as Board Secretary-Treasurer for Fiscal Year 2024, seconded by Dr. Cataldo-Rogers and passed unanimously by voice vote, effective August 1, 2023.

F. Contract & Banking Authority (President, Secretary-Treasurer, Director)

Authorization to sign checks drawn on the Board's account was given to Dr. Marullo, Board President-elect, Dr. Cataldo-Rogers, Board Secretary-Treasurer-elect, and Mr. Granier, Executive Director, effective August 1, 2023. Motion was made by Dr. Cataldo-Rogers, seconded by Dr. Marullo and passed unanimously by voice vote.

Motion was also made by Dr. Cataldo-Rogers to afford Dr. Trisha Marullo, Board President-elect, all the powers associated with the office of the President of the Board including the power to execute contracts and other documents and to conduct business on behalf of the Board effective August 1, 2023, seconded by Dr. Bondurant and passed unanimously by voice vote.

G. End-of-Year Report from Healthcare Professionals' Foundation of LA

Dr. Hammond and Mr. Vanderlick presented HPFLA's 2022 Annual Report to the Board. The report included statistics on referrals, monitoring, relapses, and work data for 2022. Board expressed their pleasure in the partnership between the Board and HPFLA, reiterating the importance of the revival of the Peer Assistance Program in 2021. No motion made or action taken on this matter.

H. Review of Contract Renewals

1. Accounting - Pinell & Martinez, LLC

Mr. Granier presented a renewed three-year contract with Pinell & Martinez, LLC for accounting services from July 1, 2023 to June 30, 2026 with a 10% increase in the overall contract maximum amount. Motion was made by Dr. Findley to accept the renewed contract as presented, seconded by Dr. Marullo. With no further discussion, the motion passed unanimously by voice vote.

2. IT - Client Technology Services, LLC

Mr. Granier presented a renewed contract with Client Technology Services, LLC for general IT services from July 1, 2023 to June 30, 2026. There were no changes to the contract maximum amount. Motion was made by Dr. Cataldo-Rogers to accept the renewed contract as presented, seconded by Dr. Marullo. With no further discussion, the motion passed unanimously by voice vote.

3. IT - Thentia Global Systems USA Inc

Mr. Granier presented a renewed contract with Thentia Global Systems USA, Inc for general IT services from July 1, 2023 to June 30, 2026 with a 10% increase in the overall contract maximum amount. Motion was made by Dr. Marullo to accept the renewed contract as presented, seconded by Dr. Cataldo-Rogers. With no further discussion, the motion passed unanimously by voice vote.

4. Legal - Thibaut, Thibaut & Vogt, LLC

Mr. Granier presented a renewed contract with Thibaut, Thibaut, & Vogt, LLC for legal services from July 1, 2023 to June 30, 2026 with a 27% increase in the hourly rate; however, with the maximum contract amount remaining the same. Negotiations for the proposed contract increase with Mr. Vogt were held in executive session. Upon conclusion of all executive session items and with the Board returned to regular session, motion was made by Dr. Findley to accept the renewed contract with the change of terms, seconded by Dr. Marullo. With no further discussion, the motion passed unanimously by voice vote.

I. Electronic Option for Board Books & Tablet Purchase Approval

Mr. Granier presented a new option for moving the board books that are given to board members prior to the meeting to an online version rather than the current printed and compiled hard copies of the books. Feedback from the board members on the new option was positive. Instruction was given to Mr. Granier to move forward with the proposed electronic board book option. Mr. Granier also proposed tablet options, seeking approval to purchase a tablet for each Board member and legal counsel to use for the electronic Board books. Motion was made by Dr. Findley to approve the purchase of six tablets for use by the Board members and legal counsel, seconded by Dr. Marullo. With no further discussion, the motion passed unanimously by voice vote.

V. STATUTES, RULES, POLICIES & PROCEDURES

A. Rulemaking Projects & Discussions – *More details on all rulemaking projects below can be found at www.lsbvm.org/rulemaking.*

1. LAC 46LXXXV.100.105 ~ Amendment for Petition for Rule Modification

Mr. Granier notified the Board that the Summary Report to the Senate and House Oversight Committees on Agriculture, Forestry, Aquaculture, and Rural

Development received a favourable review. The Final Rule was subsequently reviewed and approved by the Occupational Licensing Review Commission (OLRC) at its May 12th meeting. Pending the receipt of the ratified minutes from OLRC, the Final Rule will be submitted for promulgation into the *Louisiana Register*, volume 49, August edition effective August 20th, 2023. No motion made or action taken on this matter.

2. LAC 46LXXXV.301.801.1201 ~ Repeal of Letter of Reference Requirement for Applicants

Mr. Granier notified the Board that the Notice of Intent was reviewed and approved by the Occupational Licensing Review Commission (OLRC) at its May 12th meeting. The First Report to the Senate and House Oversight Committees on Agriculture, Forestry, Aquaculture, and Rural Development was sent on May 16th, and the Notice of Intent is to be published into the *2023 Louisiana Register*, volume 49, June edition. No motion made or action taken on this matter.

3. Expedited Licensure for Active Military and Spouses; Military Portability Requirements from Presidential Act

Mr. Vogt informed the Board that work is still in progress on the required rule changes concerning the licensing of individuals with military training, licensing endorsements of military spouses and dependents as per La. R.S. 37:3651 as affecting present Rule 307 concerning the expedited issuance of license for individuals with military qualifications and military spouses.

The final rulemaking proposal will be brought before the Board for a vote once completed; however, the Board will act as though its Rules have been amended as per La. R.S. 37:3651, using its discretionary functions. No motion was made, and no further action was taken on this matter at this time.

4. Continuing Education, Defining Online vs. In-Person/Live

Mr. Granier presented to the Board a proposed language change to the rules regarding Continuing Education relative to the definition of online continuing education. The Board also discussed whether licensees should still have to complete at least half of the continuing education hours in-person. A motion was made by Marullo to maintain that licensees must have at least 50% of their CE hours completed in person. Additionally, online participation will be defined to specifically include live, interactive participation. The motion was seconded by Dr. Findley. Comments were received from meeting attendees both in favor of keeping the maximum of online hours and requiring at least 50% in-person as well as in favor of allowing live, interactive CE to count as in-person. With no further discussion, the motion passed unanimously by voice vote. Mr. Granier will draft a Notice of Intent for the Board to review and approve at the August 3, 2023 meeting.

B. Policies and Procedures

1. None at this time

C. Declaratory Statements

1. None at this time

D. General Agenda

1. Standard of Care Regarding Dental Radiography

A licensee posed a question to the Board regarding the standard of care in the mandating of dental radiography prior to dental services in a general practice setting and whether, if so mandated, radiographs are necessary when a tooth is so loose it can be removed without the use of an elevator. Noting the broad, general nature of the query without regard to specific instances which may dictate otherwise using sound professional judgment, the Board declined to mandate the use of radiography as a necessary precedent to the provision of dental circumstances in all situations. The Board also took the opportunity to remind the practice through this answered query that in the branches of veterinary medicine other than equine and livestock dentistry, the only tasks that can properly be delegated to lay assistants and RVTs with proper training are the supragingival scaling and polishing teeth, making and developing dental radiographs, taking impressions, production of dental models and the charting of dental pathology. All other dental operations must be performed by a licensed veterinarian. Rule 710. Nothing in the Board Rules prohibits any person from utilizing cotton swabs, gauze, dental floss, dentifrice, toothbrushes or similar items to clean an animal's teeth.

2. Question About Emergency Critical Care

A provisional opinion was rendered by Board President and general counsel, ratified by the full Board, on an expedited basis, considering a troublesome issue. The general circumstances were that a patient was presented for emergency care, then hospitalized with owner consent for critical care. The owners paid a deposit thought to be sufficient for the contemplated scope of care needed. Despite aggressive care, however, the patient continued to decline. It was the consensus of the attending veterinarian and those consulted that heroic care would be required and notwithstanding the scope of care, the prognosis was guarded. Euthanasia was considered as a humane option under all circumstances. The owners were contacted and briefed on the status of their companion and expressed the desire to come in to the facility to discuss all options. However, they failed to keep the appointment. Repeated attempts to contact the owners failed under circumstances where the identity of one was confirmed via phone call where the owner then discontinued the conversation and failed to respond to follow up calls. The patient continued to deteriorate so that euthanasia was recommended by a specialist given the poor response to prior treatment and the severe decline in the patient's quality of life. The period for formal abandonment and the necessary steps to effect same could not be accomplished in a timely manner to address the patient's suffering. The Board was asked whether, under these circumstances, euthanasia was contrary to the Board's regulatory authorities. The Board responded in the negative. Under the AVMA's ethical principles, euthanasia is considered an ethical procedure. While an owner's consent is required by Board Rule prior to euthanasia in the normal scenario, a licensee is also required to render emergency care to a patient where consent cannot be obtained to stabilize the patient or prevent suffering. Under these particular circumstances, a licensee will not be subject to disciplinary action for conflicting mandates provided an objective basis exists to support the underlying facts given the Board justifying the euthanasia without client authorization. The Board noted its ruling applies only to regulatory liability and may not be applicable under the general civil laws of Louisiana.

3. Any Special Requirements for Clinical Property Lease

A licensed veterinarian, the current owner of a veterinary facility, asked the Board whether his role as potential lessor of his facility to a veterinary practice

would subject himself to regulatory exposure for the operations conducted by the potential lessee, with whom he would have no professional relationship. He was reminded that since Rule 1015 was amended the individual practitioner is held accountable to the Board for acts constituting the actual practice of veterinary medicine (including any required equipment for a defined facility) irrespective of the ownership of a facility wherein veterinary medicine is practiced. The ownership and potential lessor status per se does not subject individuals to the regulatory authority of the Board with the caveat that it is unethical to promote, aid or abet the practice of veterinary medicine by an unlicensed person or any illegal or unethical act by a licensed veterinarian. Rule 1029.

E. Consent Agenda Opinions – Answered

1. What Steps Are Necessary to Practice Equine Dentistry in LA

A foreign national immigrating to the US asked the Board what was required to practice “equine dentistry” in Louisiana as a non-veterinarian. The inquirer was informed that the practice of equine dentistry is included within the definition of “the practice of veterinary medicine” in the Practice Act so that one must be a licensed veterinarian or employed by a licensed veterinarian with approved training and under supervision to perform those tasks coming within the statutory definition of the practice of veterinary medicine. The inquirer was given the citation to the Board’s website wherein the applicable rules and statutory provisions can be found: www.lsbvm.org under the “practice act” tab.

2. Transfer of Ownership of Patient and Patient Records

The purchaser of a horse inquired of the board whether the right of current ownership required a prior veterinarian to provide records for prior treatment under circumstances where the prior owner/client would not provide authorization for the release of those records. The purchaser was advised that under these circumstances the licensed veterinarian providing pre-purchase veterinarian care must hold to the principles of confidentiality and cannot release the records or the content of those records to the purchaser.

3. Licensing Requirements for Out-of-State Consulting Veterinarian

The Board received a three-party query from an out of state veterinarian: 1. Does a veterinarian need a Louisiana license to provide consultation services to a Louisiana licensee for a Louisiana patient? 2. If no Louisiana license is required, can the consultant be licensed solely in a foreign country? 3. Can a person who is not a licensed veterinarian, or a corporation, own part of or all of a veterinary practice? The Board responded that an exception to the license requirement for “the practice of veterinary medicine” is found in the Practice Act: “A veterinarian regularly licensed in another state consulting with a licensed veterinarian in this state”. A Louisiana license is not required for consultation but is required for any “hands on” services provided to the patient. Further, the attending licensee must first establish the VCPR and the consulting veterinarian cannot provide any service that would ordinarily constitute the “practice of veterinary medicine” under the Practice Act. The consultant cannot directly consult with the owner or his agent. This exception to the license requirement is available only to veterinarians licensed by another state and not another country. And, ownership of a whole or part of a veterinary practice by a non-licensee is no longer forbidden in Louisiana as the licensee actually providing the decision making and veterinary services is answerable to the Board irrespective of the interests of the owners of the practice.

4. Regulations Around Selling or Closing a Veterinary Clinic

The heir of a deceased licensed veterinarian inquired of the Board of any regulatory prohibitions for the sale of the facility to a non-veterinarian and, failing the ability to sell, any regulatory requirements for closing the practice. The Board advised that the ownership by a non-licensuree of a facility wherein veterinary medicine is practiced is no longer prohibited and was directed to the FDA and DEA concerning the preservation, storage and return of prescription drugs and controlled substances.

5. Board Decision About CBD/THC as Discussed at April Meeting

A licensee inquired about the answer to a practice query concerning the use, sale and merchandising of products containing CBD which was scheduled to be discussed at the April 2023 meeting. This question was posed before the minutes for the April meeting were published. The licensee was informed that the Board has not changed its position on these issues since considered in August of 2022, which referred to prior Board action as well. The lengthy opinion was again referred to on this complex issue. (See April 2023 Board minutes)

6. Specifications on Regulations for Alternative Therapy & Collaborative Treatment

A consumer asked the Board what was generally required to provide alternative therapy for her horse in a regulatory context, where the proposed provider is not a licensed veterinarian. She was cited the provisions of Rule 712, which lists those services constituting Alternative Therapies and Collaborative Treatments and the circumstances under which a non-veterinarian can provide them without running afoul of the Practice Act and Board Rules—generally the practitioner must provide services under the order of the attending veterinarian who has first established the VCPR, direct supervision (on premises) by the prescribing veterinarian is required, the owner must give informed and written consent to those services, the layperson (person not licensed by the Board) must have certification from the regulatory authority governing his practice or have a level of education acceptable to the Board in the area of the therapy or treatment. The prescribing attending veterinarian is then directly responsible and answerable to the Board for the treatment of the patient and is responsible for ongoing evaluation, diagnosis and prognosis of the patient, along with the responsibility of maintaining confidentiality. See the entirety of Rule 712.

7. Is It Acceptable to Release Personal Client Information if Subpoenaed

May a veterinarian release confidential records if those are subpoenaed by a court irrespective of client/authorized representative consent? This was posed by a licensee, who was informed that under the AVMA's principles of ethics, adopted by the board, and under Board Rules the prohibition against the release of medical records or the content of medical records without the authorization of the client or his authorized representative does not apply when otherwise "required by law". A subpoena properly issued by a court with jurisdiction meets that exception. The inquirer was advised to notify the client of the receipt of the subpoena so that the client may have the opportunity to contest the production in court, unless the court ordering the subpoena directs otherwise.

8. Conditions Under Which Practicing with a Faculty License is Acceptable

The Board was asked if a faculty licensee could exercise his privileges off site of the LSU-SVM. The Board responded that the Rule allowing an active faculty licensee to practice veterinary medicine "...for all aspects of his employment at

LSU-SVM’ requires to the scope of employment by LSU-SVM and is not a geographical limitation.

9. Is It Legal to Practice on an Animal Without UTD Rabies

A consumer who had requested her companion receive certain care from a licensee, including vaccinations that were not provided, asked the board whether it was “legal” to treat a dog where the dog was not up to date on Rabies vaccinations where the administration of Rabies vaccine was not a part of that treatment. The consumer was advised that the control of rabies is not a primary regulatory function of the Board, but is a part of the Sanitation Code—La. R.S. 40:4 et seq.) and general revised statutes for Louisiana, administered by the LA Department of Health, to which the consumer was referred for an authoritative answer. The inquirer was advised that from a regulatory perspective, it is not impermissible for a licensee to treat a patient subject to the Rabies control laws which is not up to date on required vaccinations, but that absent an emergency a veterinarian is free to decline to accept employment under those conditions. Other matters and criticisms of the veterinarian mentioned within the query were referred to the complaint process to allow a response by the veterinarian for the fact-sensitive protocol of complaints.

F. Consent Agenda Opinions – Proposed

- 1. None at this time

G. Consent Agenda Opinions - Expedited / Emergency Opinions

- 1. None at this time

After review and discussion of all General Agenda and Consent Agenda Opinion items, motion was made by Dr. Cataldo-Rogers, seconded by Dr. Marullo, to ratify all opinions given. Motion passed unanimously by voice vote.

VI. MISCELLANEOUS MATTERS

A. New Licenses and Certificates Issued

Mr. Granier reported all new licenses and certificates issued - 37 total listed below - from 03/11/23 to 05/05/23. Motion was made by Dr. Marullo to accept and ratify all issued licenses as given, seconded by Dr. Cataldo-Rogers, and passed unanimously by voice vote.

License No.	Name	Type	Issued On
9890	Kayli Ebarb	CAET - Active - Full	03/17/2023
30068	Ginger Herron	CAET - Active - Full	03/15/2023
30069	Taylor Leach	CAET - Active - Full	03/16/2023
30070	Lindbergh Williams	CAET - Active - Full	03/17/2023
30072	Darnell Sparrow	CAET - Active - Full	03/22/2023
30073	Christopher Matheny	CAET - Active - Full	04/04/2023
30074	Susan Stanford	CAET - Active - Full	04/19/2023
10159	Lindsay Bonnette	DVM - Active	03/13/2023
10160	Murphy Sachse	DVM - Active	03/13/2023
10161	Sabrina Hurst	DVM - Active	03/29/2023
10162	Matthew Barnhart	DVM - Active	04/10/2023

10163	Marley McInnis	DVM - Active	04/11/2023
10164	Janna Foret	DVM - Active	04/19/2023
10165	Gunnar Dunnam	DVM - Active	04/24/2023
10166	Brittany Losey	DVM - Active	05/01/2023
Faculty 1024	Hugo Gonzalez Jassi	DVM - Faculty	03/16/2023
Faculty 1102	Regan Lee	DVM - Faculty	03/14/2023
Faculty 1103	DAVID TILLSON	DVM - Faculty	03/16/2023
Faculty 1104	Paulo Novelo	DVM - Faculty	03/20/2023
Faculty 1105	Sarang Im	DVM - Faculty	03/20/2023
Faculty 1106	Barbara Ontiveros Sanchez	DVM - Faculty	03/21/2023
Faculty 1107	Devin Osterhoudt	DVM - Faculty	03/22/2023
Faculty 1108	Syon Link	DVM - Faculty	03/22/2023
Faculty 1109	Timothy Brunner	DVM - Faculty	04/03/2023
Faculty 1110	Navjit Mahal	DVM - Faculty	04/03/2023
Faculty 1111	Nicholas Linzner	DVM - Faculty	04/17/2023
Faculty 1112	Phonchien Gau-Pan	DVM - Faculty	04/19/2023
Faculty 1113	Megan Donovan	DVM - Faculty	04/25/2023
Faculty 1114	Jenna Dockweiler	DVM - Faculty	04/27/2023
Faculty 1115	Kimery Hankins	DVM - Faculty	05/02/2023
Faculty 17	Kelli Beavers	DVM - Faculty	05/02/2023
20071	Sidney Miller	RVT - Active	03/21/2023
20072	Brittany Babin	RVT - Active	04/28/2023
20073	Jennifer Ezekiel	RVT - Active	05/01/2023
20074	Allison Rodriguez	RVT - Active	05/01/2023
20075	Amanda Pater	RVT - Active	05/01/2023
20076	Sarah Richoux	RVT - Active	05/01/2023

B. Office Updates – Applications, Renewals, Complaints

Mr. Granier reported to the Board statistics on applications, current licensee counts, and complaints as seen below from 03/11/23 to 05/05/23. No motion was made, and no further action was taken on this matter.

NEW APPLICATIONS from 03/11/23 to 05/05/23			
Submitted Applications		Approved Applications	
Animal Euthanasia Technician	0	Animal Euthanasia Technician	7
Veterinarian	11	Veterinarian	8
Veterinarian - Faculty	18	Veterinarian - Faculty	16
Veterinary Technician	11	Veterinary Technician	6
Grand Total	40	Grand Total	37

CURRENT ACTIVE LICENSES	Count
Certified Animal Euthanasia Technician	180
CAET - Active - Full	159
CAET - Active - Lead	21
Doctor of Veterinary Medicine	1744
DVM - Active	1732

DVM - Inactive - Disabled	1
DVM - Inactive - Retired	11
DVM - Military - Active Status	0
Doctor of Veterinary Medicine - Faculty	156
DVM - Faculty - Active	156
Registered Veterinary Technician	354
RVT - Active	354
Grand Total	2434

COMPLAINTS			
<i>From 03/11/23 to 05/05/23</i>		<i>Still On-Going / Active</i>	
Complaints Received	10	Pending Cases (licensees)	23
Complaints Closed	0	Pending Cases (non-licensees)	7
Consent Orders Issued	0	Consent Orders	3
Consent Orders Closed	0	Other Negative Actions *	0
Other Negative Actions *	1	Other Negative Actions *	1
* Other negative actions include, formal reprimands, informal reprimands, cease and desist notices, etc.			

C. AAVSB Annual Meeting – Kansas City, MO on Sept. 28th - 30th, 2023

Mr. Granier reminded the Board of the AAVSB's 2023 Annual conference being held in Kansas City, Missouri on September 28th to 30th. In addition to the annual meeting, the AAVSB is holding a two-day Board Basics & Beyond training for new board members as is usually held in the spring. Mr. Granier's attendance is funded by the AAVSB as he is a committee member on the AAVSB Student Outreach Task Force. Mr. Vogt's attendance would also be funded by the AAVSB's legal fund. The AAVSB would fund two other attendees - the voting delegate and the alternate voting delegate from the Board. Dr. Findley along with the two new board members expected to be appointed by the Governor to start their terms on August 1st, 2023. Motion was made by Dr. Bondurant, seconded by Dr. Findley, to approve travel to attend the conference for Mr. Granier and all interested Board members. Motion passed unanimously by voice vote.

D. CAET Course Scheduled for October 12, 2023 in Alexandria, LA

Mr. Granier reminded the Board of scheduled CAET training course to be held on October 12, 2023 in Alexandria, LA. No motion made or action taken on agenda item.

E. Info Presentation from Relief Vet Med Assoc on Temp Licenses

Mr. Granier presented a comment received from the Relief Veterinary Medical Association in which a request was made for the Board to consider temporary licensure for relief veterinarians to practice veterinary medicine in the state in addition to the consideration of reciprocity. Mr. Granier also presented to the Board his response to the inquiry indicating that the Board has had similar requests for temporary licensure in the past and has chosen to stand by its current rule which allows for temporary licensure only during a public health emergency as declared by the governor of Louisiana. Rule 309. Additionally communicated was that the Board has already started to take steps to dramatically reduce the burdens for full licensure, including: 1 - the repeal and removal of the preceptorship program and

requirement for DVM licensure (effective April '23), 2 - the NAVLE waiver language change effective approved by the legislature (effective October '22), and 3 - the recent vote by the Board to repeal the requirement for letters of recommendation (currently in the rulemaking process, possible effective date still to be determined). No motion was made, and no further action was taken on this matter.

VII. CONTINUING EDUCATION ISSUES

A. None at this time

Motion was made by Dr. Bondurant to go into executive session to discuss confidential matters regarding licensees and applicants not subject to public disclosure as per the law, seconded by Dr. Marullo, and passed unanimously by roll call voice vote.

VIII. ADMINISTRATIVE HEARINGS

A. 21-1006 I

A licensee practicing under the terms of a Consent Order, which had been modified by the Board during the term of treatment and a maintenance contract with HPFL to ease restrictions, breached the terms of the maintenance contract for the treatment of addiction with HPFL and the eased terms of the current CO with the Board. A hearing was scheduled under the confidential provisions of the Practice Act to determine what sanctions the Board would impose on the license. The licensee offered testimony at the hearing, as did the licensee's employer at the time of the breach, along with representatives of HPFL. After much discussion and debate and considering the unusual circumstances presented to the Board, the license to practice veterinary medicine was suspended by the Board anew under a 5 year consent order, with the suspension stayed as long as the licensee successfully and without exception participated in a peer assistance program administered by HPFL, which includes enhanced drug screening qualitatively and quantitatively, restricted employment and enhanced supervision, the impositions of fines and reimbursement to the Board of investigative costs, and other restrictions. Motion was made by Dr. Bondurant, seconded by Dr. Cataldo-Rogers, to accept Consent Order. Motion passed unanimously by voice vote.

IX. LICENSING ISSUES

A. Keith Jarrett, III, DVM –Continuing Education Review

The Board reviewed supplemental documentation submitted by Dr. Jarrett with a request to accept participation in a residency as fulfilling the continuing education requirements for license renewal. Motion was made outside of executive session by Dr. Bondurant, seconded by Dr. Cataldo-Rogers, to approve Dr. Jarrett's request. Motion passed unanimously by voice vote.

X. APPLICANT ISSUES

A. Jeff Brouman, DVM – Waiver Request of NAVLE Retake

The Board reviewed supplemental documentation submitted with the application for licensure from Dr. Brouman. Motion was made outside of executive session by Dr. Bondurant, seconded by Dr. Cataldo-Rogers, to approve the requested waiver of the national exam retake requirement as the documents provided supported the waiver criteria for the required period of time immediately prior to application, and registration in good standing in another jurisdiction. Motion passed unanimously by voice vote.

B. Charles Buchanan, DVM – Waiver Request of NAVLE Retake

The Board reviewed supplemental documentation submitted with the application for licensure from Dr. Buchanan. Motion was made outside of executive session by Dr. Bondurant, seconded by Dr. Cataldo-Rogers, to approve the requested waiver of the national exam retake requirement as the documents provided supported the waiver criteria for the required period of time immediately prior to application, and registration in good standing in another jurisdiction. Motion passed unanimously by voice vote.

C. Kaitlynn Freeman, RVT – Waiver Request of VTNE Retake

The Board reviewed supplemental documentation submitted with the application for licensure from Ms. Freeman. Motion was made outside of executive session by Dr. Bondurant, seconded by Dr. Cataldo-Rogers, to approve the requested waiver of the national exam retake requirement as the documents provided supported the waiver criteria for the required period of time immediately prior to application, and registration in good standing in another jurisdiction. Motion passed unanimously by voice vote.

D. *Waiver for this applicant was removed from agenda due to incomplete application*

E. Lindsey Graham, DVM – Waiver Request of NAVLE Retake

The Board reviewed supplemental documentation submitted with the application for licensure from Dr. Graham. Motion was made outside of executive session by Dr. Bondurant, seconded by Dr. Cataldo-Rogers, to approve the requested waiver of the national exam retake requirement as the documents provided supported the waiver criteria for the required period of time immediately prior to application, and registration in good standing in another jurisdiction. Motion passed unanimously by voice vote.

F. *Waiver for this applicant was removed from agenda due to incomplete application*

G. Meredith Williams, RVT – Waiver Request of VTNE Retake

The Board reviewed supplemental documentation submitted with the application for licensure from Ms. Williams. Motion was made outside of executive session by Dr. Bondurant, seconded by Dr. Cataldo-Rogers, to approve the requested waiver of the national exam retake requirement as the documents provided supported the waiver criteria for the required period of time immediately prior to application, and registration in good standing in another jurisdiction. Motion passed unanimously by voice vote.

H. Heidi Zurawka, DVM – Waiver Request of NAVLE Retake

The Board reviewed supplemental documentation submitted with the application for licensure from Dr. Zurawka. Motion was made outside of executive session by Dr. Bondurant, seconded by Dr. Cataldo-Rogers, to approve the requested waiver of the national exam retake requirement as the documents provided supported the waiver criteria for the required period of time immediately prior to application, and registration in good standing in another jurisdiction. Motion passed unanimously by voice vote.

XI. EXECUTIVE SESSION

A. Civil Litigation, Equine Dentistry, O. Nyzhnyk (*Suit No. 2021-9164 A*)

The Board was briefed on the status of its suit against an individual practicing equine

dentistry without a license as a veterinarian and outside the employment of a veterinarian by general counsel.

B. Potential Practice Act Violation by Non-Licensee (Case #23-1219N)

The Board received notice of a possible violation of the Practice Act by an unlicensed individual performing prohibited acts absent licensure or employment by a veterinarian. The Board was briefed on the status of the investigation. No action was authorized at this time.

C. Potential Practice Act Violation by Non-Licensee (Case #23-0225N)

A complaint was filed against an individual alleging the practice of veterinary medicine without a license. The board was briefed on the progress of the investigation of the complaint and the effects of participation in the Department of Justice Licensing Review process.

D. Potential Practice Act Violation by Non-Licensees (Case #23-0213N)

A complaint was filed against an individual alleging the practice of veterinary medicine without a license. The board was briefed on the progress of the investigation of the complaint and the effects of participation in the Department of Justice Licensing Review process. An advisory letter was authorized.

E. Potential Practice Act Violation by Non-Licensees (Case #23-0212N)

A complaint was filed against an individual alleging the practice of veterinary medicine without a license. The board was briefed on the progress of the investigation of the complaint and the effects of participation in the Department of Justice Licensing Review process. An advisory letter was authorized.

F. Potential Practice Act Violation by Non-Licensees (Case #23-0211N)

A complaint was filed against an individual alleging the practice of veterinary medicine without a license. The board was briefed on the progress of the investigation of the complaint and the effects of participation in the Department of Justice Licensing Review process. An advisory letter was authorized.

G. Petition for Rule Repeal by Pelican Institute/Stooksbury/Breen

A hearing was scheduled for Board Ruling on a petition to repeal part of a Rule which outlines in what circumstances an out of state applicant for licensure (DVM) is eligible to apply for a waiver of the retake of the NAVLE where the passing score is more than 5 years old. The board heard oral argument from counsel for the petitioners and was briefed in executive session on all issues by general counsel. After returning to open session, the Board voted unanimously to deny the petition. Counsel was instructed to inform counsel for the petitioners of the rationale behind the decision as is required by law and Board Rule.

H. Annual Review – Board Office Staff

Mr. Granier received input from the Board members regarding the review for the current Administrative Assistant. Formal review will be performed by Mr. Granier, and any merit increase will be awarded to Ms. May effective July 1, 2023.

Annual review was performed of the Executive Director. A copy of the evaluation was given to Mr. Granier, and any merit increase will be awarded to Ms. Granier effective July 1, 2023.

Upon conclusion of all discussions in executive session, motion was made to return to regular session by Dr. Bondurant, seconded by Dr. Cataldo-Rogers, and approved unanimously by voice

vote. All votes and action taken related to administrative hearings, applicant issues, licensee issues, and personnel reviews above were made out of executive session. Motion was made by Dr. Bondurant to approve in globo all waivers for applicant and licensee issues, seconded by Dr. Cataldo-Rogers. Motion passed unanimously by voice vote.

XII. ADJOURN

There being no further business before the Board, motion was made to adjourn by Dr. Findley, seconded by Dr. Bondurant, and passed unanimously by voice vote. The meeting was adjourned at 3:55pm.

Minutes reviewed and approved by full board on October 5, 2023.



Keri Cataldo-Rogers, DVM, Board Secretary-Treasurer