

**LOUISIANA BOARD OF VETERINARY MEDICINE  
BOARD MEETING  
April 5, 2012**

**Minutes**

**I. CALL TO ORDER – Thursday, April 5 2012**

Board President, Dr. Gary T. Levy, called the meeting to order at 8:30 a.m.

**II. ROLL CALL –**

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

Those present:

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

Guests:

Bland O'Connor, Heather Modicut, LVMA (9:00am-noon)  
Joseph Tabaoda, DVM, Heather Stelly, LSU-SVM (10:00am)  
Robert McLean, DVM, Melissa Tomingas, Audubon Nature Institute (11:30am)  
Fenton Lipscomb, DVM, LVMA (1:00pm)

**III. APPROVAL OF MINUTES**

**A. Board Meeting February 2, 2012**

The Board reviewed the minutes from the February 2, 2012 Board meeting. Motion was made by Dr. Bernard to accept the minutes as presented, seconded by Dr. Green, and passed unanimously by voice vote.

**IV. Pending Administrative Proceedings/Matters Updates**

*Motion was made by Dr. Bernard to go into executive session to discuss issues and receive legal advice and information regarding matters which are required by law to remain confidential, such as impairment cases and status, seconded by Dr. Slaton, and passed unanimously by voice vote.*

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

**V. FINANCIAL MATTERS AND CONTRACTS**

**A. Financial Reports – January and February 2012**

Board Secretary-Treasurer William Green, DVM and Ms. Parrish presented the financial reports for the months of January and February 2012 for review. Motion was made by Dr. Slaton to approve the financial reports as presented, seconded by Dr. Landry, and passed unanimously by voice vote.

**B. Letter of Agreement Renewal FY2013 – 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. No monies are involved in this contract as the applicant pays the examination fee directly to NBVME. The agreement meets all requirements for contracting with Louisiana governmental entities. Motion was made by Dr. Landry, seconded by Dr. Slaton to approve the use of the NAVLE and for renewal of the contract as presented, and to again adopt passage of the NAVLE as a requirement for Louisiana veterinary licensure. Motion passed unanimously by voice vote.

**C. Contract Renewal FY2013 – 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. Bernard to approve renewal of the contract. Motion passed unanimously by voice vote.

**D. Contract Renewal FY2013 – Award Technologies, LLC (Website Consultants)** – Ms. Parrish presented the proposed contract with Award Technologies, LLC 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. Motion passed unanimously by voice vote.

## **VI. REQUEST FOR APPEARANCE**

**A. Licensure Application/Preceptorship Issues (J. Tabaoda, DVM, interested parties)** – Dr. Tabaoda and LSU-SVM student Heather Stelly were introduced to the Board. Dr. Tabaoda discussed the LSU-SVM students' problems with navigating the instructions and form requirements for Louisiana DVM licensure, preceptorship protocol and application for taking the NAVLE through LBVM. Ms. Stelly voiced her personal views on the application process. The Board advised that it would review the current website forms and instructions for any further clarification for applicants. Following discussion, questions and comments, Dr. Tabaoda and Ms. Stelly left the meeting.

## **VII. POLICY, PROCEDURE, AND RULES**

### **A. Rule Making –**

- 1. Notice of Intent - Rules 303, 401, 405, 500, 503 Licensure Procedures, Continuing Veterinary Education, Fees** – An update was given of Notice of Intent of proposed rules relating to implementation of the limited number of times an applicant is eligible to take the NAVLE in Louisiana, more clearly define the status of a Louisiana Active and Inactive license based on qualified retirement or disability, to define the reduced annual license renewal fee for qualified retired or disabled licensee on Inactive status, confirm the annual license renewal fee exemption of licensees on active military duty, and to more clearly define the exemption for annual continuing education requirements for a qualified retired or disabled licensee on Inactive status, and for a licensee on active military duty. Notice was published in the April 20, 2012 *Louisiana Register*.

### **B. Policy and Procedure**

1. Review of pending legislative bills.

2. The Board reviewed NBVME's recent proposal regarding its Proposal for Enhanced Application Process, March 26, 2012. The Board instructed Mr. Tomino to draft a letter to NBVME/Dr. Boyce to submit the Board's opposition to the recent proposal based on the same concerns as stated in its September 8, 2009, letter sent in response to the earlier August 2009 Proposal for Enhanced Application Process, with additional concerns. It appears a major change in the current proposal is for NBVME to directly collect the State's application fee from the NAVLE examination applicant and, thereafter, rebate an amount to the interested state. The Board has legal and practical concerns with such a collection/payment mechanism under Louisiana law. There is also a concern regarding the proposed delegation by the member board of its authority to make the assessment regarding an applicant's qualification for ADA accommodations. Such decision making authority properly rests with Louisiana under its present contract with NBVME, and future contract which was approved as per the Board authority on April 5, 2012. Accordingly, the LBVM cannot legally nor ethically support the delegation of its mandated function of the application process to the NBVME as currently proposed by the organization.
  
3. The Board received and reviewed AAVSB's Proposal for Registered Veterinary Technicians (RVT) Contact List for VTNE Job Analysis Survey. The information is being requested by AAVSB to conduct a survey to update domains, tasks, and knowledge areas that comprise the content outline for the VTNE. The stated goal is to ensure that the exam is aligned with the current practice in the veterinary technician profession. The Board instructed Mr. Tomino to draft a letter to AAVSB that while it is supportive of AAVSB's continued effort to provide the most proper examination, the Board must oppose providing some of the information requested due to legal and practical concerns under Louisiana law. However, the Board will submit a copy of its current RVT registration list which will contain names and contact information, but sensitive or confidential information such as birth dates, etc. will not be provided, nor will email addresses as such are not required to be reported in Louisiana at this time. Perhaps AAVSB would have alternative resources for obtaining some of the information from its list of those candidates who have successfully passed the VTNE. There is also a concern regarding directly contacting RVTs for information regarding the content outline for the VTNE so that the exam is aligned with the current practice. In Louisiana, a Registered Veterinary Technician is a paraprofessional working under the direct supervision of a licensed veterinarian. The LBVM respectfully submits that the proper entity to survey regarding AAVSB's query is the practicing veterinarian supervising the paraprofessional RVT. Accordingly, the LBVM cannot legally nor ethically provide the entirety of the information AAVSB has requested.

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

1. Louisiana Purchase Gardens & Zoo Escape Protocol (T. Thomas, DVM) – The Board reviewed the proposed zoo escape and related matters protocol as submitted by Dr. Thomas pursuant to Rule 1305. The Board instructed Mr. Tomino to draft a letter to Dr. Thomas consistent with its conclusions which are that the protocols and plan, in general, meets the minimal requirements of Rule 1305; however, the Board cannot state that the actual application of its provisions in the future by the LA Purchase Gardens and Zoo will necessarily comply with Louisiana law. Accordingly, it is not the intention of this letter to provide an open ended approval of the Zoo

Escape Protocols and Plans. It is suggested that **Louisiana Purchase Gardens & Zoo/Dr. Thomas** maintain an open line of communication with the Board regarding the Zoo Escape Protocols and Plans should any questions arise in the future.

2. Management Service Contract (A Younkin, DVM) – The Board reviewed the proposed management service contract as submitted by Dr. Younkin pursuant to Rule 1015.B. The Board instructed Mr. Tomino to draft a letter to Dr. Younkin consistent with its conclusions which are that the wording of the arrangement, in general, meets the minimal requirements of Rule 1015.B, however, the Board cannot state that the actual interpretation and application of its provisions in the future by the parties will necessarily comply with Louisiana law; the Board does not provide advisory opinions nor legal advices/negotiations to its licensees on such issues; it is of the utmost importance that the veterinarian licensed by the Board maintain actual ownership and control of the everyday practice of veterinary medicine; and the Board will ultimately hold its licensee accountable for any non-compliance with Rule 1015.B, as well as any violations of the Practice Act, Rules and other applicable provisions of Louisiana law regarding the practice of veterinary medicine in this state.
  
4. Updates on miscellaneous matters such as general queries on new Rule regarding Alternative Therapies and Collaborative Practice, drug loss reporting, and confidentiality of medical records items. No change to current authority and protocols were made.

### **VIII. RVT/CAET/RED ISSUES**

**A. Audubon Nature Institute CAET and Lead CAET Status Issues** – Robert McLean, DVM and Ms. Melissa Tomingas of Audubon Nature Institute were introduced to the Board. Discussion was had regarding the proposed utilization of CAETs at the various sites of the Audubon Nature Institute, as well as supervision and controlled substance protocols for euthanasia and chemical capture drugs. Following questions by the Board, Dr. McLean and Ms. Tomingas left the meeting. No action was taken on this item.

### **IX. DVM APPLICANT ISSUES**

- A. George S. Martin, DVM – Request for Reconsideration of Waiver of Retake of National Examination and Preceptorship Requirement** – 1977 graduate of University of Illinois School of Veterinary Medicine, licensed in Colorado, Idaho, Arkansas and previously Louisiana. Following review of the additional documentation submitted by Dr. Martin, motion was made by Dr. Landry, seconded by Dr. Slaton, to approve waiver of retake of the national examination and waiver of preceptorship requirements as the documents provided meet the criteria of full-time clinical veterinary practice for the required periods of time immediately prior to application. Motion passed unanimously by voice vote.
  
- B. Debra Hagerman-Rogers, DVM – Request for Reconsideration of Waiver of Retake of National Examination and Preceptorship Requirement** – 1991 graduate of North Carolina State University School of Veterinary Medicine, licensed in North Carolina, Kentucky and Florida. Following review of the additional documentation submitted by Dr. Hagerman-Rogers, motion was made by Dr. Bernard, seconded by Dr. Slaton, to approve waiver of retake of the national examination and waiver of preceptorship requirements as the documents provided

meet the criteria of full-time clinical veterinary practice for the required periods of time immediately prior to application. Motion passed by majority vote, with Dr. Levy voting Nay.

- C. Sonya L. Saldana, DVM – Request for Waiver of Retake of National Examination and Preceptorship Requirement** – 1987 graduate of Texas A&M University School of Veterinary Medicine, licensed in Texas. Dr. Saldana has not taken the NAVLE to date, and following review of national examination scores from other states and passing score requirements of Louisiana (standard deviation of 1.0) at the pertinent times for previous CCT/NBE examinations, motion was made by Dr. Landry, seconded by Dr. Bernard, to deny waiver of retaking the national examination. Motion passed by majority vote, with Dr. Green abstaining.
- D. Eric T. Anderson, DVM – Request for Waiver of Retake of National Examination and Preceptorship Requirement** – Dr. Anderson has withdrawn application for Louisiana DVM licensure. No action taken on this item.
- E. Erica M. Ossi, DVM – Request for Waiver of Preceptorship Requirement** – 2008 graduate of North Carolina State University School of Veterinary Medicine, licensed in North Carolina, Florida, Delaware and Arkansas. Following review of the documentation submitted by Dr. Ossi, motion was made by Dr. Landry, seconded by Dr. Green, to approve waiver of preceptorship requirement as the documents meet the criteria of full-time clinical veterinary practice for the required period of time immediately prior to application. Motion passed unanimously by voice vote.
- F. Ashley N. Leggitt, DVM – Request for Waiver of Preceptorship Requirement** – 2010 graduate of LSU School of Veterinary Medicine, licensed in Texas. Following review of the documentation submitted by Dr. Leggitt, motion was made by Dr. Green, seconded by Dr. Landry, to approve waiver of preceptorship requirement as the documents meet the criteria of full-time clinical veterinary practice for the required period of time immediately prior to application. Motion passed unanimously by voice vote.
- G. Ross F. Goldman, DVM – Request for Waiver of Preceptorship Requirement** – 2011 graduate of University of Edinburgh School of Veterinary Medicine, licensed in Oklahoma. Following review of the documentation submitted by Dr. Goldman, motion was made by Dr. Green, seconded by Dr. Landry, to approve waiver of preceptorship requirement as the documents meet the criteria of full-time clinical veterinary practice for the required period of time immediately prior to application. Motion passed unanimously by voice vote.

**X. REQUEST FOR APPEARANCE**

**A. Prescription Monitoring Program (F. Lipscomb, DVM, LVMA)** – Dr. Lipscomb was introduced to the Board, and presented information to be submitted to the Louisiana Board of Pharmacy by LVMA regarding veterinarians' participation and the proposed definition of "negligible amount" under the PMP reporting requirements. Following discussion, questions and comments, Dr. Lipscomb left the meeting.

**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**

3026 Audrey Lillian Poynor  
3027 Holland Ann Gaines  
3028 Rosie Claire Kelley  
3029 Monica Rachelle Crowe  
3030 Christina Caitlin MacKenzie  
3031 Gary Andrew Sod  
3032 Kristina Gorcarovs Gran

**RVT**

8231 Deidra LaVaughn Truss  
8232 Shannon Lee Connors  
8233 Michelle Leigh Minnick

**CAET**

9599 Michelle M. Rozas  
9600 Brittany L. Fontenot  
9601 David Markus Stevenson  
9602 Layla D.A. Redmond  
9603 Kathryn Baldini Zapf  
9604 Mary Elizabeth Gray

**B. CAET Program Recap of March 2012 Training** – Dr. Levy and Ms. Parrish provided an update on the March 2, 2012 CAET Training program in Alexandria, LA. The next training program has been scheduled for Friday, July 20, 2012. Dr. Landry volunteered to train and the site will be Lafayette Parish Animal Control. No action was taken on this item.

**XII. OTHER MATTERS PROPERLY BROUGHT BEFORE THE BOARD**

None presented.

**XIII. EXECUTIVE SESSION**

*Motion was made by Dr. Green 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. Bernard, seconded by Dr. Green, and approved unanimously by voice vote.*

No action taken.

**XIV. ADJOURN**

There being no further business before the Board, motion was made by Dr. Landry, seconded by Dr. Green, and passed unanimously by voice vote to adjourn. The meeting was adjourned at 3:37 p.m.

**April 5, 2012**  
**Page 7**

MINUTES REVIEWED AND APPROVED BY FULL BOARD on June 7, 2012.

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William H. Green, DVM, Board Secretary-Treasurer