

**LOUISIANA BOARD OF VETERINARY MEDICINE
BOARD MEETING
June 5, 2014**

Minutes

I. CALL TO ORDER

Board President, Dr. William H. Green, called the meeting to order at 8:39 a.m.

II. ROLL CALL –

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

Those present:

William H. Green	Board President
Steven V. Slaton, DVM	Board Secretary-Treasurer
Patrick R. Bernard, DVM	Board Vice President
John S. Emerson, DVM	Board Member
Fenton Lipscomb, DVM	Board Member
Michael Tomino, Jr.	Board General Counsel
Wendy D. Parrish	Board Executive Director

Absent:

None.

Guests:

Anais LeBlanc, LVMA (8:30-9:00am)

III. APPROVAL OF MINUTES

A. Board Meeting April 3, 2014

The Board reviewed the minutes from the April 3, 2014 Board meeting. Motion was made by Dr. Lipscomb to accept the minutes as presented with correction of two typographical errors, seconded by Dr. Bernard, and passed unanimously by voice vote.

IV. FINANCIAL MATTERS AND CONTRACTS

A. Financial Reports – March and April 2014

Ms. Parrish and Dr. Bernard presented the financial reports for the months of March and April 2014 for review. Following discussion and questions, motion was made by Dr. Emerson to approve the financial reports as presented, seconded by Dr. Bernard, and passed unanimously by voice vote.

B. Budget Forecast FY2014; Certificate of Deposit Investment Authority to Purchase – Ms. Parrish presented a budget forecast for FY2014 for review and discussion. Revenues were at 102% of budgeted through April 2014. Overages in budget totals on specific expense items were defined. Ms. Parrish stated that FY2014 Board budget should be close to target. No action was taken on this item.

Ms. Parrish reviewed rates and accrued interest amounts for certificates of deposit (CDs) for FY2014. Motion was made by Dr. Bernard, seconded by Dr. Slaton, to authorize Ms.

June 5, 2014

Page 2

Parrish, Executive Director, in association with the Board Secretary-Treasurer elect, Dr. Emerson, to make internal fund transfers for the purchase of CDs during FY2015. Motion passed unanimously by voice vote.

C. Compliance Questionnaire for Audit Engagement – The Board reviewed the compliance questionnaire for the engagement of the auditor for the FY2014 audit to be performed after June 30, 2014. The compliance questionnaire answers general questions relative to the Board's actions during the fiscal year. Motion was made by Dr. Bernard, seconded by Dr. Slaton to approve the compliance questionnaire as presented. Motion passed unanimously by voice vote.

V. ADMINISTRATIVE PROCEEDINGS

A. Case 13-1009 V (John Rust, DVM) – Proposed Consent Order (9:00am) – Dr. Bernard was introduced as presiding officer for the proceeding. Dr. Slaton 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. Emerson, seconded by Dr. Lipscomb, to accept the Consent Order as presented for this case. Motion passed unanimously by voice vote.

VI. REQUEST FOR APPEARANCE

A. Louisiana Racing Commission (Bernard M. Cooley, DVM) (11:00am)
Appearance cancelled per Dr. Cooley's request.

VII. DVM ISSUES

Motion was made by Dr. Bernard to go into executive session to discuss confidential matters regarding licensees not subject to public disclosure as per the law, 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. Lipscomb, seconded by Dr. Bernard, and approved unanimously by voice vote, to address the particular DVM and DVM applicant issues.

A. Monica Koll, DVM – Request for Waiver of CE and Renewal Fees – Following review of the documentation and request, motion was made by Dr. Emerson, seconded by Dr. Slaton, to deny request for waiver of CE and renewal fees. Motion passed unanimously by voice vote.

VIII. DVM APPLICANT ISSUES

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

Upon conclusion of executive session, motion was made to return to regular session by Dr. Lipscomb, seconded by Dr. Bernard, and approved unanimously by voice vote, to address the particular DVM and DVM applicant issue.

- A. Sharon Heins Miller, DVM – Request Reconsideration for Waiver of Retake of National Examination and Preceptorship Requirement** – 1991 graduate of North Carolina University College of Veterinary Medicine, licensed in North Carolina and Georgia. Following review of the additional documentation submitted by Dr. Miller, motion was made by Dr. Lipscomb, seconded by Dr. Bernard, to approve waiver of retake of the national examination and preceptorship requirements as the documents provided 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.
- B. Kelly A. Clements, DVM – Request Status Change** – 1995 graduate of Texas Colorado State University, previously licensed in 20 other states. Following discussion and review of the documentation submitted by Dr. Clements, motion was made by Dr. Emerson, seconded by Dr. Lipscomb, to approve waiver of retake of the national examination and preceptorship requirements as the documents provided meet the criteria of full-time clinical veterinary practice for the required period of time immediately prior to application. Motion passed by majority vote as follows: Yeas – Drs. Green, Bernard, Emerson and Lipscomb, Nays – Drs. Slaton
- C. Jayme Powell Lauderdale, DVM – Request for Waiver of Retake of National Examination and Preceptorship Requirement** – 2006 graduate of Colorado State University, licensed in Arizona, Texas and North Carolina. Following review of the documentation submitted by Dr. Lauderdale, motion was made by Dr. Lipscomb, seconded by Dr. Bernard, to approve waiver of retake of the national examination and preceptorship requirements as the documents provided 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.
- D. Claudia A. McNair, DVM – Request Waiver of Retake of National Examination and Preceptorship Requirement** – 1990 graduate of Virginia Tech College of Veterinary Medicine, licensed in South Carolina, North Carolina and Virginia. Following review of the documentation submitted by Dr. McNair, motion was made by Dr. Lipscomb, seconded by Dr. Emerson, to defer the waiver request due to insufficient and incomplete documentation from Dr. McNair regarding employment. Dr. McNair is to be contacted for additional information and documentation. Motion passed unanimously by voice vote.
- E. Holly Lynn Pappas, DVM – Request for Waiver of Retake of National Examination and Preceptorship Requirement** – 2002 graduate of Ohio State University Veterinary College, licensed in Illinois and Texas. Following review of the documentation submitted by Dr. Pappas, motion was made by Dr. Lipscomb, seconded by Dr. Bernard, to approve waiver of retake of the national examination and preceptorship requirements as the documents provided 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. Keith Albert Taraba, DVM – Request for Waiver of Retake of National Examination and Preceptorship Requirement** – 2002 graduate University of Missouri, licensed in California, Missouri and Texas. Following review of the documentation submitted by Dr. Taraba, motion was made by Dr. Emerson, seconded by Dr. Lipscomb, to approve waiver of retake of the national examination and preceptorship requirements as the documents provided 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. Michelle C. Woodward, DVM – Request for Waiver of Retake of National Examination and Preceptorship Requirement** – 2009 graduate of University of Tennessee, licensed in Tennessee. Following review of the documentation submitted by Dr. Woodward, motion was made by Dr. Lipscomb, seconded by Dr. Bernard, to approve waiver of retake of the national examination and preceptorship requirements as the documents provided 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.
- H. Julia Vivana Coutin, DVM – Request for Waiver of Preceptorship Requirement** – 2010 graduate of LSU School of Veterinary Medicine, licensed in Florida. Following review of the documentation submitted by Dr. Coutin, motion was made by Dr. Emerson, seconded by Dr. Lipscomb, to approve waiver of preceptorship requirements as the documents provided 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.
- I. Erin Rebekah Daniels, DVM – Request for Waiver of Preceptorship Requirement** – 2010 graduate of LSU School of Veterinary Medicine, licensed in Massachusetts and Virginia. Following review of the documentation submitted by Dr. Daniels, motion was made by Dr. Lipscomb, seconded by Dr. Bernard, to approve waiver of preceptorship requirements as the documents provided 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.
- J. Kamalailiahi Casey Neizmen Easley, DVM - Request for Waiver of Preceptorship Requirement** – 2011 graduate of Mississippi State University College of Veterinary Medicine, licensed in Mississippi. Following review of the documentation submitted by Dr. Easley, motion was made by Dr. Lipscomb, seconded by Dr. Emerson, to approve waiver of preceptorship requirements as the documents provided 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.
- K. Jennifer Rose Given, DVM - Request for Waiver of Preceptorship Requirement** – 2013 graduate of University of Georgia College of Veterinary Medicine, licensed in New York. Following review of the documentation submitted by Dr. Given, motion was made by Dr. Bernard, seconded by Dr. Slaton, to approve

waiver of preceptorship requirements as the documents provided 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.

L. Amy Katherine James, DVM – Request for Waiver of Preceptorship

Requirement – 2010 graduate of LSU School of Veterinary Medicine, licensed in Nevada and South Carolina. Following review of the documentation submitted by Dr. James, motion was made by Dr. Slaton, seconded by Dr. Bernard, to approve waiver of preceptorship requirements as the documents provided 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.

M. Molly Potekhen Miller, DVM – Request for Waiver of Preceptorship

Requirement – 2013 graduate of University of Pennsylvania, licensed in Massachusetts. Following review of the documentation submitted by Dr. Miller, motion was made by Dr. Emerson, seconded by Dr. Lipscomb, to approve waiver of preceptorship requirements as the documents provided 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.

N. Krystal Lee Price, DVM – Request for Waiver of Preceptorship

Requirement – 2012 graduate of Colorado State University, licensed in Pennsylvania. Following review of the documentation submitted by Dr. Price, motion was made by Dr. Slaton, seconded by Dr. Bernard, to approve waiver of preceptorship requirements as the documents provided 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.

O. Lacey Lee Werczynski, DVM – Request for Waiver of Preceptorship

Requirement – 2013 graduate of Ross University, licensed in Kentucky and Texas. Following review of the documentation submitted by Dr. Werczynski, motion was made by Dr. Lipscomb, seconded by Dr. Emerson, to approve waiver of preceptorship requirements as the documents provided 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.

IX. POLICY, PROCEDURE, AND RULES

A. General Update – Proposed Notice of Intent – Rules 501 and 505 – Fees. Motion was made by Dr. Bernard, seconded by Dr. Emerson to proceed with rule making protocol for the proposed rules subject to future and proper timeline for receipt and consideration of public comment pursuant to the Administrative Procedures Act. Motion passed unanimously by voice vote.

B. Policy and Procedure -

1. Tomino presented a proposed general Disclaimer Statement for insertion on the Board's website regarding approved continuing education. Motion made by Slaton, seconded by Emerson, to approve insertion of proposed disclaimer on the website. Motion passed unanimously by voice vote.

2. Brief update on the Federal matters regarding Fairness to Pet Owners Act and the Veterinary Medicine Mobility Act. No action taken.

C. Practice Act, Rules/Related Matters/Declaratory Statements –

1. Query regarding advertising for animal chiropractic services by an animal chiropractor. Motion made by Dr. Lipscomb, seconded by Dr. Bernard, for Tomino to prepare a reply reflective of Board's following concerns and decision regarding the topic, subject to Board review and approval, which was unanimously approved by voice vote. Advertising, generally speaking, is lawful as long it is not misleading. However, under the applicable legal authority, an animal chiropractor does not have direct patient access. Any animal chiropractic services provided are based on "referral from the attending veterinarian." It is unlawful for an animal chiropractor to "screen" (first see or, in medical terminology, have direct patient access) an animal to determine if there is a need for chiropractic, and then seek a referral for the chiropractic service from the patient's attending veterinarian. In short, to advertise as an "animal chiropractor" could be reasonably misunderstood by the general public as direct access to such services. The potential for such abuse cannot be tolerated because with "animal chiropractic/direct patient access" there is no licensing of the animal chiropractor by the Board which means no accountability, nor protection for the public and the animals through regulation. There is accountability and protection of the public and the animals through Rule 712. The true, entry-level target consumer of chiropractic services are the local veterinarians who can refer their patients to the animal chiropractor within the scope and context of Rule 712. Therefore, it appears that contact or direct marketing (mail, telephone, and/or IT communication) to the local veterinarians of an animal chiropractor's identity and the services he offers would be more proper than an advertisement applicable to the general public which the Board concludes would be misleading and a violation of the law.

2. Issue arose regarding schools with veterinary technician programs requesting Board approval of preceptorship (veterinarian) program at veterinary practices for the veterinary technician student internship required for graduation. Motion made by Dr. Slaton, seconded by Dr. Bernard, that interested persons be apprised the preceptorship program is a requirement for licensure as a veterinarian and is not implemented nor monitored by the Board as a criteria for veterinary technician internship. The motion was unanimously approved by voice vote.

X. CONTINUING EDUCATION ISSUES

A. Equine Dental Providers of America (EDPA) – Following review of the request for RED CE credits for participation in the program, motion was made by Dr. Lipscomb, seconded by Dr. Slaton, to allow CE credits for LA REDs, with the disclaimer that the "CE is approved for educational purposes only and advised that it does not, nor should it be interpreted, to mean that the LBVM endorses the subject matter and/or that its application is lawful in the actual practice of veterinary medicine in Louisiana. Motion passed unanimously by voice vote.

B. Integrative Veterinary Medicine Institute (IVMI) – Following review of the request for DVM CE credits for participation in the program, motion was made by Dr. Emerson, seconded by Dr. Bernard, to allow CE credits for LA DVMs. Motion passed unanimously by voice vote.

C. Patients to Profits/ Veterinary Education Network (Student VMA) - Following review of the request for DVM CE credits for participation in the program, motion was made by Dr. Slaton, seconded by Dr. Bernard, to allow CE credits for LA DVMs. Motion passed unanimously by voice vote.

D. LVMA 2014 Winter Meeting/ RVT Program – Following review of the request for approval of RVT CE credits for participation in the “The Practice Act in Regards to Technicians: A Round Table Discussion” , motion was made by Emerson, seconded by Dr. Bernard, to deny approval of RVT CE credits due to the program not being timely submitted for review. 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

3195	Bovino	Robert Lawrence
3196	Carson, IV	James Renwick
3197	Rosiek	David Alan
3198	Baines	Jeanne M.
3199	Easley	Craig Cassell
3200	Cross	Nicholas Patrick
3201	Malbrue	Raphael Anthony
3202	Mouton	Rhett Michael
3203	McWhorter	Lindsey Anne
3204	Johnson	Kacey Miles
3205	Ducote	Leah Stewart
3206	Dessauer	Jenna Henssler
3207	Glenn	Joelle Cristin
3208	Simmons	Natalie Lynn

RVT

8034	Greaber	Rachel Simon
8279	Lefebvre	Lauren Magdalen

CAET

9674	Adams	Gerald James
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B. Election of Officers – Nominations were taken as follows: Steven Slaton, DVM, Board President; Patrick Bernard, DVM, Board Vice-President; John Emerson, DVM, Board Secretary-Treasurer. Motion was made by Dr. Lipscomb to close nominations, seconded by Dr. Bernard and passed unanimously by voice vote.

Motion was made by Dr. Lipscomb to install, by acclamation, Dr. Steven Slaton as Board President, Dr. Patrick Bernard as Board Vice-President, and Dr. John Emerson as Board Secretary-Treasurer for fiscal year 2015, seconded by Dr. Bernard and passed unanimously by voice vote, effective August 1, 2014.

D. Authorization to Sign Checks (President, Secretary-Treasurer, Executive Director), Review of Board Member Positions – Motion was made by Dr. Lipscomb to afford Dr. Steven Slaton, 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, 2014, seconded by Dr. Bernard and passed unanimously by voice vote.

Authorization to sign checks drawn on the Board's account was given to Dr. Slaton, Board President-elect, Dr. Emerson, Board Secretary-Treasurer-elect, and Ms. Parrish, Executive Director, effective August 1, 2014.

E. AAVSB Annual Meeting, St. Petersburg, FL (September 11-14, 2014) – Dr. Slaton stated that he would attend the annual AAVSB meeting as the representing member for the Louisiana Board. Ms. Parrish will not attend due to anticipated staffing absences in the Board office at that time. No action was taken on this item.

F. CAET Program June 12, 2014 Training – Ms. Parrish provided an update on the next training program has been scheduled for Thursday, June 12, 2014, to train at the City of Alexandria Animal Control. No action was taken on this item. Dr. Lipscomb will provide the euthanasia portion of the training program.

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. Lipscomb, 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. Emerson, and approved unanimously by voice vote.

A. Administrative Assistant Annual Review – Ms. Parrish requested input from the Board members regarding the annual review for the current Administrative Assistant. Formal review will be performed by Ms. Parrish incorporating comments received, and any merit increase will be awarded to Ms. Griffin effective July 1, 2014.

B. Executive Director Annual Review – Annual review was performed of the Executive Director. A copy of the evaluation was given Ms. Parrish. Merit increase of 3% was awarded to Ms. Parrish effective July 1, 2014.

XIII. ADJOURN

There being no further business before the Board, motion was made by Dr. Bernard, seconded by Dr. Lipscomb, and passed unanimously by voice vote to adjourn. The meeting was adjourned at 2:25 p.m.

MINUTES REVIEWED AND APPROVED BY FULL BOARD on August 7, 2014.

John Emerson, DVM, Board Secretary-Treasurer