



# The Ohio Veterinary Medical Licensing Board

77 South High Street, 16th Floor, Columbus, Ohio 43215-6108



## MEETING MINUTES December 11, 2019

### 1. Call to Order:

After opening the meeting with the reading of the Board mission statement, Dr. Kidd, President of the Ohio Veterinary Medical Licensing Board called the December 11, 2019 meeting to order at 08:45 a.m. in room 1914, located at 77 South High Street, 19th Floor, Columbus, Ohio.

### 2. Roll Call:

Dr. Matthew Verbsky, DVM	present
Dr. Craig Miesse, DVM	present
Dr. Cynthia Kidd, DVM	present
Ms. Dianne Jones, RVT	absent
Dr. Nancy O' Connor, DVM	present
Dr. Kimberly Riker-Brown, DVM	present

### Adjudication Hearing: Case#17-18-115 *OVMLB vs Nicole Fraley Garcia, RVT*

Ms. Mowad, Assistant Attorney General (AAG) presented the case against Ms. Fraley Garcia before the board members with a court reporter in attendance at 8:30a.m. Ms. Fraley Garcia was notified of the hearing in accordance with ORC 119, but was not present for the hearing.

**Deliberative session** – At 8:35 a.m., Dr. O'Connor moved to go into deliberative session to deliberate on File #17-18-115 regarding Nicole Fraley Garcia, RVT. Dr. Verbsky seconded the motion. The motion passed by the following roll call vote: Dr. Miesse – aye, Dr. Riker-Brown – aye, Dr. O'Connor – aye, Dr. Verbsky – aye, Dr. Kidd - aye. All attendees left the room, except for the Board members, Lidia Mowad, AAG.

Dr. Kidd announces that the Hearing back in public session at 8:43 a.m.

In the matter of Nicole Fraley Garcia, RVT.3662, Case #17-18-115, Dr. Kidd moved to issue an Adjudication Finding:

- That, pursuant to R.C. 4741.22(A)(24), the Ohio Veterinary Medical Licensing Board may suspend the license to practice veterinary medicine of any registered veterinary technician who violates any order of the Board;
- That Ms. Fraley Garcia currently holds a license as a registered veterinary technician conditioned by a Settlement Agreement with the board on July 11, 2018;

- That the Board has received multiple notifications of Ms. Fraley Garcia's non-compliance with her Ohio Physician's health Program, including most recently on June 11, 2019 when the board was notified by OPHP that Ms. Fraley Garcia had not complied with the recommendations as a result of an evaluation performed at Cornerstone of Recovery in April, 2019.;
- That this non-compliance with OPHP's recommendations is a violation of Ms. Fraley Garcia's Settlement Agreement that she "comply with all terms set forth by OPHP";
- That the board issued a Notice of Opportunity for a Hearing on June 12, 2019 on this basis, Ms. Garcia Fraley did not request a hearing, and the board conducted a Goldman Hearing;
- And that the Board indefinitely suspend Ms. Garcia Fraley's RVT license.

Dr. O'Connor seconded the motion. The motion passed by the following roll call vote: Dr. Miesse – aye, Dr. Riker-Brown – aye, Dr. O'Connor – aye, Dr. Verbsky – aye, Dr. Kidd - aye.

**3. Acknowledge Staff, AAG & Guests:**

Dr. Kidd acknowledged the attendance of Theresa Stir, Executive Director, Lidia Mowad, AAG, Joseph McClain, Licensure Coordinator and guests in attendance.

**4. November Minutes:** Dr. O'Connor moved to approve the November 13, 2019 board minutes. Dr. Verbsky seconded the motion. The motion passed by the following roll call vote: Dr. Miesse – aye, Dr. Riker-Brown – aye, Dr. O'Connor – aye, Dr. Verbsky – aye.

**5. President's Report:** None

**6. Vice President's Report:** None

**7. Secretary's Report:** None

**8. OVMA Liaison:** Jack Advent introduced Dr. Mike Dyer, DVM who chairs the OVMA Legislative Committee. Mr. Advent and Mr. Frash provided a Legislative and Rules Update on those impacting the practice of veterinary medicine.

**9. OAVT Liaison:** None

**10. Executive Director Report:**

A. Directives - Ms. Stir reported that the October 2019 Board Meeting Directives were completed.

B. Ms. Stir presented revised rule 4741-1-23 OAC inclusive of recommended revisions by OVMA. Dr. Kidd moved to file the rule and BIA with CSI. Dr. Riker-Brown seconded the motion. The motion passed by the following roll call vote: Dr. Miesse – aye, Dr. Riker-Brown – aye, Dr. O'Connor – aye, Dr. Verbsky – aye, Dr. Kidd - aye.

C. 17-17-005 – Zachary Schell – Dr. Kidd moved to issue an Automatic Suspension and Notice of Opportunity for a Hearing. Dr. Riker Brown seconded the motion. The motion

passed by the following roll call vote: Dr. Miesse – aye, Dr. Riker-Brown – aye, Dr. O’Connor – aye, Dr. Verbsky – aye, Dr. Kidd - aye.

**11. FYI:** The Board acknowledged the following:

A. AAVSB – Call for Bylaws Amendments

**12. Requests for Licensure:**

A. New Licenses Issued (addendum 1) – Dr. O’Connor moved to approve the following requests for licenses:

FAC.00243	Thomas Kerr
FAC.00242	Ted Sprinkle
FAC.00241	KENNETH THORBERRY
FAC.00238	Wendy R. Koelsch
FAC.00244	Thomas Kerr
FAC.00239	Wendy R. Koelsch
FAC.00240	Wendy R. Koelsch
FAC.00237	Wendy R. Koelsch
FAC.00245	Thomas Kerr
RVT.08780	Barbra Ann Frances Mustard
RVT.08787	Anna Marie Beck
RVT.08791	Chaely Hauser
RVT.08790	Alexandria Lynne Dean
RVT.08782	Kimberly Ann Morrison
RVT.08793	Christopher Anthony Coseglia
RVT.08783	Julia Malanchuk
RVT.08788	Lacey Lynn Chambers
RVT.08792	Taylor Diane Kingston
RVT.08794	Megan Mae Barrett
RVT.08779	Dania Sinclair
RVT.08789	Mackenna Kaylynn Reichart
RVT.08786	Erica Nicole Mikesell
RVT.08785	Valerie Renee Romines
RVT.08784	Stephanie Felgar
RVT.08781	Danielle Majetich
VET.202066	Erika Lindsay Drummond
VET.202069	Meghan Regina Compton
VET.202065	Christine Ann Graham
VET.202068	Kimberly Nicole Claus
VET.202067	Holly Ann Roberts

Dr. Riker-Brown seconded the motion. The motion passed by the following roll call vote:  
Dr. Miesse – aye, Dr. Riker-Brown – aye, Dr. O’Connor – aye, Dr. Verbsky – aye.

**13. Renewals –Veterinarians:**

- A. DVM1 seeking CE waiver – The Board approved the request for CE waiver.
- B. DVM2 seeking CE waiver - The Board approved the request for CE waiver.

**14. Correspondence Received: None**

**15. Consideration Of:**

- A. Medical Records - None
  
- B. Hearing Scheduling Letter: The Board acknowledged the following:
  - 1. 19-20-140 – Victoria Wendt, DVM
  - 2. 19-20-133 – William Trouten, DVM
  - 3. 19-20-152 – Donald Knepper, DVM
  
- C. Notice of Opportunity for Hearing: The Board acknowledged the following:
  - 1. 19-20-133 – William Trouten, DVM
  - 2. 19-20-152 – Donald Knepper, DVM

**16. New Complaints:**

- A. 19-20-178, complainant Anonymous - Dr. Riker-Brown moved to find no jurisdiction of chapter 4741 ORC and to send an advisory letter. Dr. Kidd seconded the motion. The motion passed by the following roll call vote: Dr. Miesse – aye, Dr. Riker-Brown – aye, Dr. O’Connor – aye, Dr. Verbsky – aye.
  
- B. 19-20-181, complainant Michael George - Dr. Riker-Brown moved to find no jurisdiction of chapter 4741 ORC. Dr. O’Connor seconded the motion. The motion passed by the following roll call vote: Dr. Miesse – aye, Dr. Riker-Brown – aye, Dr. O’Connor – aye, Dr. Verbsky – aye.
  
- C. 19-20-183, complainant Aaron Mohrhaus - Dr. O’Connor moved to find no jurisdiction in the matter. Dr. Riker-Brown seconded the motion. The motion passed by the following roll call vote: Dr. Miesse – aye, Dr. Riker-Brown – aye, Dr. O’Connor – aye, Dr. Verbsky – aye.
  
- D. 19-20-185, complainant Board of Pharmacy- Dr. Verbsky moved to find no jurisdiction in the matter. Dr. O’Connor seconded the motion. The motion passed by the following

roll call vote: Dr. Miesse – aye, Dr. Riker-Brown – aye, Dr. O’Connor – aye, Dr. Verbsky – aye.

**17. Complaint Responses Received:**

- A. 19-20-150, complainant Karen Lykes -Dr. Verbsky left the room at 9:25a.m. to abstain from the conversation. Dr. O’Connor moved to find no violation of chapter 4741 ORC. Dr. Kidd seconded the motion. The motion passed by the following roll call vote: Dr. Miesse – aye, Dr. Riker-Brown – aye, Dr. O’Connor – aye, Dr. Verbsky – abstain, Dr. Kidd - aye.
- B. 19-20-163, complainant Erikka Elsbury - Dr. Verbsky left the room at 9:30a.m. to abstain from the conversation. Dr. Riker-Brown moved to find no violation of chapter 4741 ORC. Dr. O’Connor seconded the motion. The motion passed by the following roll call vote: Dr. Miesse – aye, Dr. Riker-Brown – aye, Dr. O’Connor – aye, Dr. Verbsky – abstain, Dr. Kidd - aye.
- C. 19-20-164, complainant Amy Harmicar- Dr. Riker-Brown moved to find no violation of chapter 4741 ORC. Dr. O’Connor seconded the motion. The motion passed by the following roll call vote: Dr. Miesse – aye, Dr. Riker-Brown – aye, Dr. O’Connor – aye, Dr. Verbsky – aye.
- D. 19-20-171, complainant Michele Kerr - Dr. O’Connor moved to find no violation of chapter 4741 ORC. Dr. Riker-Brown seconded the motion. The motion passed by the following roll call vote: Dr. Miesse – aye, Dr. Riker-Brown – aye, Dr. O’Connor – aye, Dr. Verbsky – aye.
- E. 19-20-172, complainant Amy Mitchell - Dr. Riker-Brown moved to find no violation of chapter 4741 ORC. Dr. O’Connor seconded the motion. The motion passed by the following roll call vote: Dr. Miesse – aye, Dr. Riker-Brown – aye, Dr. O’Connor – aye, Dr. Verbsky – aye.
- F. 19-20-173, complainant Amy & Joseph Little - Dr. O’Connor moved to find no violation of chapter 4741 ORC. Dr. Riker-Brown seconded the motion. The motion passed by the following roll call vote: Dr. Miesse – aye, Dr. Riker-Brown – aye, Dr. O’Connor – aye, Dr. Verbsky – aye.
- G. 19-20-174, complainant Marion Ensley - Dr. O’Connor left the room at 9:37a.m. to abstain from the conversation. Dr. Riker-Brown moved to find no violation of chapter 4741 ORC and to send an advisory letter. Dr. Verbsky seconded the motion. The motion passed by the following roll call vote: Dr. Miesse – aye, Dr. Riker-Brown – aye, Dr. O’Connor – abstain, Dr. Verbsky – aye, Dr. Kidd – aye.
- H. 19-20-175A, complainant Rimon Daoud - Dr. Riker-Brown moved to find no violation of chapter 4741 ORC. Dr. O’Connor seconded the motion. The motion passed by the

following roll call vote: Dr. Miesse – aye, Dr. Riker-Brown – aye, Dr. O’Connor – aye, Dr. Verbsky – aye.

- I. 19-20-175B, complainant Rimon Daoud - Dr. Riker-Brown moved to find no violation of chapter 4741 ORC. Dr. O’Connor seconded the motion. The motion passed by the following roll call vote: Dr. Miesse – aye, Dr. Riker-Brown – aye, Dr. O’Connor – aye, Dr. Verbsky – aye.
- J. 19-20-176, complainant Barbara Kornblum - Dr. Riker-Brown moved to find no violation of chapter 4741 ORC. Dr. O’Connor seconded the motion. The motion passed by the following roll call vote: Dr. Miesse – aye, Dr. Riker-Brown – aye, Dr. O’Connor – aye, Dr. Verbsky – aye.
- K. 19-20-179, complainant Alycia Kraft - Dr. Riker-Brown moved to find no violation of chapter 4741 ORC. Dr. O’Connor seconded the motion. The motion passed by the following roll call vote: Dr. Miesse – aye, Dr. Riker-Brown – aye, Dr. O’Connor – aye, Dr. Verbsky – aye.

**18. Compliance Inspections:**

- A. 2020-18 – Dr. O’Connor moved to accept the results of the inspection correction. Dr. Riker-Brown seconded the motion. The motion passed by the following roll call vote: Dr. Miesse – aye, Dr. Riker-Brown – aye, Dr. O’Connor – aye, Dr. Verbsky – aye.

**19. Request for Reconsideration:** None

**20. Tabled Cases:** None

**21. Assistant Attorney General Report:**

At 9:48 a.m, Dr. O’Connor made a motion to enter into executive session in accordance with ORC 121.22(G)(3) to discuss pending legal matters. Dr. Riker-Brown seconded the motion. The motion passed by the following roll call vote: Dr. Miesse – aye, Dr. Riker-Brown – aye, Dr. O’Connor – aye, Dr. Verbsky – aye.

Dr. Kidd announces that the meeting is back in public session at 9:58 a.m.

- A. 19-19-077 – William O’Roark, DVM - Dr. O’Connor moved to ratify the Settlement Agreement as presented. Dr. Riker-Brown seconded the motion. The motion passed by the following roll call vote: Dr. Miesse – aye, Dr. Riker-Brown – aye, Dr. O’Connor – aye, Dr. Verbsky – aye.
- B. 19-20-102 – Ysabel Wright, DVM - Dr. O’Connor moved to ratify the Settlement Agreement as presented. Dr. Riker-Brown seconded the motion. The motion passed by

the following roll call vote: Dr. Miesse – aye, Dr. Riker-Brown – aye, Dr. O’Connor – aye, Dr. Verbsky – aye.

- C. 19-20-152 – Donald Knepper, DVM - Dr. O’Connor moved to ratify the Settlement Agreement as presented. Dr. Riker-Brown seconded the motion. The motion passed by the following roll call vote: Dr. Miesse – aye, Dr. Riker-Brown – aye, Dr. O’Connor – aye, Dr. Verbsky – aye.

## 22. Investigative Reports:

- A. 19-19-073, complainant Anonymous - Dr. Kidd moved to withdraw the motion for a notice of opportunity for a hearing for violation of chapter 4741 ORC and to send an advisory letter. Dr. O’Connor seconded the motion. The motion passed by the following roll call vote: Dr. Miesse – aye, Dr. Riker-Brown – aye, Dr. O’Connor – aye, Dr. Verbsky – aye.

## 23. Continuing Education Approval Requests:

Dr. Verbsky moved to accept the following continuing education with changes:

- A. Idexx Laboratories –
  - 1. Feline Cardiopet proBNP – 11/6/2019 = 1 hour
  - 2. Updates in Ticks and Lyme Disease in Ohio – 11/12/2019 = 1 hour
- B. International Hoof Care Summit – 1/21-24/2020 = hour for hour
- C. Northeast Ohio Equine Practitioners Association – Gastric Ulcer Management – 11/13/2019 = 1 hour
- D. Hueston Woods – Hueston Woods Animal Care/ Rehabilitation Program – 11/6/2019 = 2 hours **Non-Medical**
- E. Boehringer Ingelheim – Ticks and Tick Control in Your Backyard – 11/6/2019 = 1 hour
- F. Cincinnati Veterinary Medical Association –
  - 1. Fall Short Course – 10/27/2019 = hour for hour
  - 2. Neurology – 11/19/2019 = 2 hours
- G. Butler and Warren County Veterinary Medical Association – Canine Hyperadrenocorticism – 11/12/2019 = 1 hour
- H. Care Center Dayton –
  - 1. Blood Gas Interpretation – 11/19-20,26/2019 = 1 hour
  - 2. Direct Blood Pressure Monitoring – 10/30 and 11/5/2019 = 1 hour
  - 3. Anesthetic Ventilator – 10/22-23/2019 = 1 hour
  - 4. CRIs Are Your Best Friend – 10/15-16-2019 = 1 hour
  - 5. Anesthetic Induction and Recovery – 9/25, 10/25/2019 = 1 hour
  - 6. Anesthetic Complications – 9/18,24/2019 = 1 hour
  - 7. Monitoring Anesthesia – 9/11,17/2019 = 1 hour
- I. Cincinnati Animal Referral and Emergency – Bandaging Seminar – 10/30/2019 = 1.5 hours

- J. OnCura Partners/ Sequel Diagnostics, LLC – Telemedicine with Remote Guided Ultrasound – 11/13/2019 =1.5 hours
- K. Ohio Dairy Veterinarians – Calf Health Consulting Opportunity on Dairy Farms and Calf Ranches – 1/9-11/2020 = hour for hour
- L. University of Tennessee – Certified Canine Manual Therapy – 4/21-22/2018 = **Hour for Hour**
- M. Cleveland Academy of Veterinary Medicine –
  - 1. Dentistry – 9/11/2019 = **Hour for Hour**
  - 2. Oncology – 10/16/2019 = **Hour for Hour**
  - 3. Exotic Pet Medicine and Surgery – 11/13/2019 = **Hour for Hour**
- N. Pittsburgh Veterinary Specialty & Emergency Center – Feline Frenzy- 12/11/2019 = 2 hours

Dr. O'Connor seconded the motion. The motion passed by the following roll call vote: Dr. Miesse – aye, Dr. Riker-Brown – aye, Dr. O'Connor – aye, Dr. Verbsky – aye.

**24. Euthanasia Course:** None

**25. Old Business:** None

**26. New Business:**

A. Dr. Kidd moved to elect Dr. Verbsky to Board President for 2020. Dr. O'Connor seconded the motion. The motion passed by the following roll call vote: Dr. Miesse – aye, Dr. Riker-Brown – aye, Dr. O'Connor – aye, Dr. Verbsky – aye, Dr. Kidd – aye.

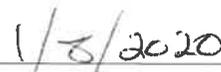
B. Dr. Kidd moved to elect Dr. O'Connor to Board Vice-President for 2020. Dr. Verbsky seconded the motion. The motion passed by the following roll call vote: Dr. Miesse – aye, Dr. Riker-Brown – aye, Dr. O'Connor – aye, Dr. Verbsky – aye, Dr. Kidd – aye.

**27. Adjournment:** The Board adjourned at 10:03 a.m.

**28. Next Board Meeting:**

Dr. Kidd acknowledged that the next Board meeting is scheduled for January 8, 2019, 8:30 a.m. in room 1914, located at 77 South High Street, 19th Floor, Columbus, Ohio.

  
 Dr. Cynthia Kidd, President

  
 Date

Attested to by:

  
 Theresa Stir, Esq.  
 Executive Director

