

OHIO VETERINARY MEDICAL LICENSING BOARD MINUTES

February 13, 2008 Veterinary Medical Licensing Board Meeting Minutes

Dr. David Koncal, President of the Ohio Veterinary Medical Licensing Board called the February 13, 2008 meeting to order at 08:35 a.m. in the Board Room at 77 S. High Street, 31st Floor, Columbus, Ohio. Call to Order

Dr. Koncal directed the Executive Director to call roll: Roll Call

Dr. David Koncal	present
Dr. Darrell Gitz	present
Dr. James Hearst	present
Dr. Roger Redman	present
Dr. Janet Small	present
Renee Jessen, RVT	absent
Geoffrey Smith	present

Dr. Koncal acknowledged the attendance of Theresa Stir, Executive Director, and Barry McKew, AAG. Dr. Koncal also welcomed new board member, Dr. Hearst. Acknowledge Staff, AAG

Dr. Small moved to accept the minutes as presented. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Mr. Smith-aye, Dr. Small-aye, Dr. Gitz-aye, Dr. Hearst-aye. January 2008 Minutes approved

Dr. Koncal asked Ms. Stir to discuss a proposed revision to the voting process. Rather than calling a roll call vote for each vote, the President will ask for a general vote in favor of and opposed to. Additionally, any Board member abstaining will be noted. In the event of a contentious issue, a roll call vote will be taken. Dr. Gitz expressed that “no” votes should be documented and the member should be duly recorded. Voting Procedure

There was no president’s report. Pres. Rep.

There was no secretary’s report. Sec. Rep.

There was no report from the OVMA liaison. OVMA liaison
Exec. Dir. Report

Theresa Stir, Executive Director, reported that the directives from the last board meeting had been completed. Directives

Gary Hill, Enforcement Director from the Ohio Department of Agriculture was in attendance for the discussion on Equine Dentistry and Ferriers. Board members were in receipt of a document from the OVMA legal counsel regarding the Board’s recent opinion regarding the practice of equine dentistry by nonveterinarians. After much discussion, it was determined that further research was needed. Dr. Small moved to table the issue to give the AAG time to review the subject matter and to obtain information from other states’ practices. Dr. Redman seconded the motion. The motion passed aye-5, no-0, abstain-0. Dr. Gitz questioned Dr. Koncal’s position on the matter as an OVMA Equine Dentistry & Ferriers

Trustee during their board meeting discussion. Dr. Koncal assured the Board that he refrained from the discussion so as not to present any conflict of interest.

Dr. Small moved to accept the NAVLE scores as presented. Dr. Gitz seconded the motion. The motion passed aye-5, no-0, abstain-0. NAVLE Scores

The Rule Hearing related to the criminal background check rules will be held March 12, 2008. The Ohio schools have been notified and the information is on the board web site. Criminal background check

Ms. Stir provided the Board members copies of the new Travel Policy implemented by the State on February 1, 2008. Additionally, the Governor is implementing tighter constraints related to hiring, equipment purchases, etc. Budget Update

Ms. Stir, at the direction of the Board, prepared a document of previous disciplinary actions taken by the Ohio Veterinary Medical Licensing Board. Disciplinary Rpt.

Ms. Stir provided the Board with correspondence from the AAVSB related to providing deemed status to RACE approved CE opportunities. Members expressed concern regarding distinguishing between scientific and non-scientific CE event. The Board directed Ms. Stir to contact the West Virginia Veterinary Medical Board for guidance in how their state implements the RACE approval. RACE

Ms. Stir provided the Board with the annual report required by law regarding the Veterinary Student Loan Repayment Program. Additionally, Rep. Hite has called a meeting on Feb. 20th to discuss revising the current law related to the program. Vet. Student Loan Prgm.

Ms. Stir sought guidance regarding the need for a designated board representative for media inquiries. Dr. Koncal and Dr. Redman both have had media training. Dr. Gitz asked to table the discussion under New Business. Media

Dr. Small moved to acknowledge receipt of the following new complaints and the file numbers issued: New Complaints

- A. 07-08-193 Tammy Adelhardt
- B. 07-08-194 Melissa Miller
- C. 07-08-196 Beth Sheehan
- D. 07-08-197 Jay Kennedy
- E. 08-08-001 Anonymous
- F. 08-08-002 Benjamin Johnson
- G. 08-08-003 Anonymous
- H. 08-08-004 Anonymous
- I. 08-08-005 Anonymous
- J. 08-08-006 J. Kelly Kosminder
- K. 08-08-007 Michael Haley
- L. 08-08-008 Cheryl Rakich
- M. 08-08-009 Christine Deitrick
- N. 08-08-010 Marsha Tregloan

Dr. Gitz seconded the motion. The motion passed aye-5, no-0, abstain-0. New Comp w/o Resp

Dr. Small moved to send to investigation case #08-08-001, complainant Anonymous. Mr. Smith seconded the motion. The motion passed aye-5, no-0, abstain-0. 08-08-001 Investigate

Dr. Redman moved to send to investigation case #08-08-003, complainant Anonymous. Dr. Small seconded the motion. The motion passed aye-5, no-0, abstain-0. 08-08-003 Investigate

Dr. Redman moved to send to investigation the case of 08-08-004, complainant Anonymous. Dr. Gitz seconded the motion. The motion passed aye-5, no-0, abstain-0. Investigation

Dr. Gitz moved to close case #08-08-005, complainant Anonymous, due to not listing an allegation of a violation of Chapter 4741 of the Revised Code. Dr. Redman seconded the motion. The motion passed aye-5, no-0, abstain-0. Close

Dr. Small moved to accept the Notices of Opportunity for Hearing issued in the case of 07-07-076, Harminder Sandhu, DVM. Dr. Gitz seconded the motion. The motion passed aye-5, no-0, abstain-0. Consideration Of: Hearing Notice

Dr. Redman moved to accept the medical records as submitted in the case of 06-07-106, George Anstadt, DVM. Dr. Gitz seconded the motion. The motion passed aye-5, no-0, abstain-0. Med Records

Dr. Redman moved to accept the medical records as submitted in the case of 07-07-005, Angels for Animals. Dr. Gitz seconded the motion. The motion passed aye-5, no-0, abstain-0.

Dr. Redman moved to find inadequate the medical records as submitted in the case of 05-06-108, Daniel Sterns and for a letter describing the inadequacies to be sent to Dr. Stearns. Dr. Gitz seconded the motion. The motion passed aye-5, no-0, abstain-0.

Dr. Redman moved to find inadequate the medical records as submitted in the case of 05-06-076, Bharat Khemsara and for a letter describing the inadequacies be sent to Dr. Khemsara. Dr. Gitz seconded the motion. The motion passed aye-5, no-0, abstain-0.

The Board acknowledged the Hearings Scheduled for cases: 06-07-096 & 06-06-074, Jeffrey Baranack, DVM; 07-08-185, David Fox, DVM; and 07-07-076, Harminder Sandhu, DVM. Hearing Schedule

AAG McKew asked if he could return to the topic of the equine dentistry for a moment now that he has had a chance to comprehend the issue. Mr. McKew advised the Board that the position statement is not within the confines of the law and it is basically a bad policy decision. The Board directed the AAG to draft something for the board to retract the policy and have at the next month meeting. Further discussion Equine Dentistry

Dr. Redman moved to approve the following continuing education requests for veterinarians: CE Vets

A. Cincinnati Veterinary Medical Association

1. Current Topics in Vet Medicine – 1/22/08 – 2 hours
2. Feline Hyperthyroidism – 9/25/07 – 2 hours
3. Current Topics in Ophthalmology – 10/14/07 – 7 hrs.
4. Management of Orthopedic Pain – 11/27/07 – 2 hours
5. Case Prstn: Internal Medicine – 1/22/08 – 2 hrs.

B. Veterinary Referral Clinic – Vet Stem Regenerative Medicine – 2/12/08 & 03/12/08 – 1 hr

C. Pfizer Animal Health Symposium – 01/25-27/08 – 2.5 hrs.

- D. MedVet
 - 1. Ocular Trauma – 01/09/08 – 1 hr.
 - 2. Tracheal Collapse – 12/13/07 – 1 hr.
 - 3. Emergency Medicine, CPR – 12/20/07 – 1 hr.
- E. Vet Oncology & Referral – Clinical Pathologic Conf. – 1/9/08 – 1 hr.
- F. Toledo Veterinary Medical Association
 - 1. Vaccine Protocol in Cats – 10/2007 – 2 hrs.
 - 2. New Technologies for Wound Closure – 02/08/07 – 2 hrs.
 - 3. Strategies & New Advances in Canine Atrophy – 04/21/07 – 2 hrs.
 - 4. Pain Management in the Orthopedic Pt. – 05/09/07 – 2 hrs

Dr. Gitz seconded the motion. The motion passed aye-5, no-0, abstain-0.

Dr. Redman moved to approve the following continuing education requests for CE RVTs registered veterinarian technicians:

- A. MedVet
 - 1. Monitoring Anesthesia – 01/16/08 & 01/25 & 26/08 – 1 hr.
 - 2. Blood Products and Transfusions – 01/10/08 – 1 hr.
- B. OSU Vet Hospital
 - 1. MRSA/MRSI Continued – 2/12/08 – 1 hr.
 - 2. Aortic & Pulmonic Stenosis – 2/11/08 – 1 hr.
 - 3. Injectable Anesthetics – 04/08/08 – 1 hr.
 - 4. Myasthenia Gravis & Assoc. Conditions – 05/13/08 – 1 hr.
 - 5. Interpretation of MRIs and CTs – 07-08-08 – 1 hr.
 - 6. Vet Surgical Pathology for Techs – 08-12-08 – 1 hr.
 - 7. Intrahepatic Shunts – 10/14/08 – 1 hr.
- C. VIN – Reptile Hematology – 03/19 thru 04/11/08 – 3 credits
- D. Vet Med – Intro to Fluid Therapy – 2/15 to 3/1/08 & 7/1 to 7/15/08 – online 5 hrs

Dr. Gitz seconded the motion. The motion passed aye-5, no-0, abstain-0.

Dr. Redman moved to approve the following continuing education requests for CE Vets & RVTs veterinarians and registered veterinarian technicians:

- A. Toledo Veterinary Medical Association
 - 1. Fluid – 01/15/08 – 2 hrs.
 - 2. Fall Seminar – 11/12/06 – 6 hrs.
 - 3. Obesity Management – 05/16/07 – 2 hrs.
 - 4. Vet Medicine – 09/26/07 – 2 hrs.
 - 5. The Small Animal Heart – 11/11/07 – 6 hrs.
- B. Pfizer Animal Health – Demo of Analgesic Tech and Sedation/Anesth – 01/09/08 – 4 hrs.
- C. VIN–The Vets role in handling animal abuse – 10/30/07, 11/06, 12, 20, 27/07, 12/4/07 – 12hr
- D. Hancock Co. Medical Association
 - 1. Dental Disease & Treatment – 01/09/07 – 1.5 hrs.
 - 2. Radiation Therapy- Curative vs. Palliative – 03/13/07 – 1.5 hrs.
 - 3. Common Zoonotic Diseases of Companion Birds – 05/08/07 – 1.5 hrs.
 - 4. Small Animal Ortho/Cruciate Rupture – 09/11/07 – 1 hr.
 - 5. Intestinal Parasites and Zoonosis – 11/13/07 – 1.5 hrs

- E. PASA Vet Healthcare Workshop 2007 – 11/5-10/07, 28.75 hrs.
- F. CVC East Convention – 04/18-21/08 – 29.5 hrs Vets; 25.5 hrs RVTs
- G. OSU Coll of Vet Medicine
 - 1. Equine Lameness and Diagnostic Imaging – 02/8-10/08 – 18hrs
 - 2. Public Health Specialization - (DVM Req. CE hrs for obtaining Mstrs)
- H. KVVMA – “Technology and Sustainability – Can they co-exist in today’s dairy?” – 02/20/08- 2.5 hrs.
- I. Summit Co Vet Medical Association (All 2 hrs.)
 - 1. Renal Disease in the Green Iguana – 01/20/06 – 2 hrs.
 - 2. Neurologic Examination and Lesion Localization – 04/25/06
 - 3. Upper Airway Disease – 05/30/06
 - 4. What’s New in Inhalant Allergy – 09/30/06
 - 5. What’s New in Toxicities – 10/24/06
 - 6. Leptospirosis – 11/28/06
 - 7. The Chameleonic Cataract – 01/30/07
 - 8. Heartworm Disease and the use of Advantage – 04/24/07
 - 9. Canine Oral Melanoma - 05/25/07
 - 10. Neurologic Exam, Differential Diagnosis and Triage – 09/25/07
 - 11. Introduction to Abdominal Ultrasound – 10/30/07
- J. OVMA – Midwest Veterinary Conference – 02/21-24/07 hr/hr
- K. Veterinary Dental Concepts – Peridontal Disease - -1/15 & 1/24/08– 2 hrs.
- L. Eastern Ohio Vet Medical Assoc- Emergency Approach to the Dyspneic Cat- 03/12/08- 1.5 hr
- M. Lilly – New Treatment Options for Canine Sep. Anxiety – 05/15/08 – 1 hr.
- N. Nestle Purina – Wasting Syndromes of Young Cats – 05/15/08 – 1 hr.
- O. Nestle Purina – Osteoarthritis and the Aging Dog – 05/15/08 – 1 hr.
- P. Dan Scott – Managing Pain: Therapy Lasers – 05/17/08 – 1.5 hrs.
- Q. SECUROS – Surgical & Nonsurgical of Osteoarthritis – 05/16/08 – 2 hrs.
- R. Merial – Fibrosarcoma – 05/17/08 – 1.75 hrs

Dr. Gitz seconded the motion. The motion passed aye-5, no-0, abstain-0.

Dr. Gitz moved to approve the following requests for licensure: Katherine Kling, Requests for DVM, Lynnlly Miller, DVM, Jason Streck, DVM and Nancy Ruffing, DVM. Dr. Licensure Redman seconded the motion. The motion passed aye-5, no-0, abstain-0.

Dr. Small moved to go into executive session at 09:50 a.m. for the Assistant Attorney General report on Settlement Agreements and current litigation. Dr. Gitz seconded the motion. The motion passed aye-5, no-0, abstain-0. All guests left the room.

At 10:07 a.m. Dr. Koncal announced the Board back in public session.

Dr. Gitz moved to accept the Settlement Agreement in the case of 06-06-078, Settlement Jennifer Hren-Gaffney, DVM. Dr. Small seconded the motion. The motion passed aye-5, no-0, abstain-0.

The Board took a fifteen minute break.

Break

Dr. Small moved to find no violation of Chapter 4741. ORC in the case of 07-08-178, complainant Harriet Weiss. Dr. Gitz seconded the motion. The motion passed aye-5, no-0, abstain-0. Complaint Resp 07-08-178 No Vio

Dr. Redman moved to find no violation of Chapter 4741 ORC in the case of 07-08-186, complainant Terri Davis. Dr. Small seconded the motion. The motion passed aye-5, no-0, abstain-0. 07-08-186 No Vio

Dr. Redman moved to find no violation of Chapter 4741 ORC in the case of 07-08-190, complainant Megan Bedrava. Dr. Gitz seconded the motion. The motion passed aye-5, no-0, abstain-0. 07-08-190 No Vio

Dr. Redman moved to find no violation of Chapter 4741 ORC in the case of 07-08-191, complainant James Grant. Dr. Small seconded the motion. The motion passed aye-5, no-0, abstain-0. 07-08-191 No Vio

Dr. Redman moved to find no violation of Chapter 4741 ORC in the case of 07-08-192, complainant Mary DiBlasi. Dr. Small seconded the motion. The motion passed aye-5, no-0, abstain-0. 07-08-192 No Vio

Dr. Gitz left the room prior to discussing case 07-08-194. Dr. Redman moved to find no violation of Chapter 4741 ORC in the case of 07-08-194, complainant Melissa Miller with a letter to the veterinarian related to the rabies test pending further research. Dr. Small seconded the motion. The motion passed aye-4, no-0, abstain-Dr. Gitz. 07-08-194 No Vio

Dr. Gitz moved to find no violation of Chapter 4741 ORC in the case of 07-08-196, complainant Beth Sheehan. Dr. Redman seconded the motion. The motion passed aye-5, no-0, abstain-0. 07-08-196 No Vio

Dr. Gitz moved to find no violation of Chapter 4741 ORC in the case of 07-08-197, complainant Jay Kennedy. Dr. Redman seconded the motion. The motion passed aye-5, no-0, abstain-0. 07-08-197 No Vio

Dr. Gitz moved to send to investigation the case of 08-08-006, complainant J. Kelly Kosmider. Dr. Redman seconded the motion. The motion passed aye-5, no-0, abstain-0. 08-08-006 Invest

Dr. Small moved to go into Executive Session at 11:17 a.m. to discuss Investigative Reports. All guests left the room. Dr. Hearst left the room for a portion of the discussion to prevent any potential conflicts of interest. Executive Session

Dr. Koncal called the board back in public session at 11:43 a.m.

Dr. Redman moved to find no violation of Chapter 4741 ORC the case of 07-08-141, complainant Mandy Hoover with an Advisory Letter to the veterinarian regarding inadequacies of the medical records. Dr. Gitz seconded the motion. The motion passed aye-4, no-0, abstain-Dr. Hearst. Investigative Rpts 07-08-141 No Vio

Dr. Small moved to issue a Notice of Opportunity for a Hearing in the case of 07-08-172

08-172, complainant Amy Dunnett for violation of Section 4741.22(W) ORC. Dr. Gitz 119
seconded the motion. The motion passed aye-5, no-0, abstain-0.

Dr. Redman moved to refer case 07-08-159, complainant Anonymous to the 07-08-159
County Prosecutor. Dr. Gitz seconded the motion. The motion passed aye-5, no-0, Refer to Pros
abstain-0.

Dr. Gitz moved to table the case of 07-08-162 to obtain confirmation that the 07-08-162
facility animal aide was enrolled in the Veterinary Technician program. Dr. Redman Table
seconded the motion. The motion passed aye-5, no-0, abstain-0.

Dr. Redman moved to find no violation of Chapter 4741 ORC in the case of 07- 07-08-181
08-181, complainant Connie Diller. Dr. Small seconded the motion. The motion passed No Vio
by a unanimous roll call vote.

The Board reviewed correspondence from Dr. Neil Sivula regarding animal Correspondence
massage therapists. The Board directed Ms. Stir to send a letter thanking Dr. Sivula Dr. Sivula
for sending his concerns to the Board and that the Board will continue to enforce the law and
rules regulating veterinary practice in Ohio as written.

The Board reviewed correspondence from Stephanie Burk, DVM regarding Dr. Burk/CE
the more detailed continuing education reporting requirement. The Board directed
Ms. Stir to advise Dr. Burk that her hours, as she has them available, would be
acceptable for this renewal. There was some discussion as to how the article was
placed in the newsletter without board discussion as it involved a policy change. It
was determined that there was a miscommunication between Dr. Small and Ms. Stir
and that Dr. Small did not intend for the article to be printed in the newsletter.

Signatures were obtained. Board signature

At 12:20 p.m., Dr. Small moved to go into executive session to discuss tabled Exec. Session
matters. Dr. Redman seconded the motion. The motion passed aye-5, no-0, abstain-0.
At 13:05 p.m., Dr. Koncal declared the board out of executive session.

Dr. Redman moved to send for investigation case #06-07-124, complainant Tabled Matters
Jennifer Hall. Mr. Smith seconded the motion. The motion passed aye-5, no-0, abstain- 06-07-124
0. Invest.

Dr. Koncal left the room for the discussion of case 07-08-168. Dr. Redman 07-08-168
moved to find no violation of Chapter 4741 ORC in the case of 07-08-168, complainant No Vio
Denise Dziak. Dr. Small seconded the motion. The motion passed aye-5, no-0, abstain-
0.

Dr. Redman moved to find no violation of Chapter 4741 ORC in the case of 07- 07-08-175
08-175, complainant Kristen Puhlman. Dr. Gitz seconded the motion. The motion No Vio
passed aye-5, no-0, abstain-0.

Dr. Gitz moved to issue a Notice of Opportunity for a Hearing in the case of 07- 07-07-060
07-060, complainant Carol Mitchell for a violation of Section 4741.22(Y) ORC and Rule 119
4741-1-21 OAC. Dr. Redman seconded the motion. The motion passed aye-5, no-0,

abstain-0.

Dr. Gitz moved to table the case and request from the County Prosecutor the video mentioned in case 07-08-106, complainant Thomas Skelton. Dr. Redman seconded the motion. The motion passed aye-5, no-0, abstain-0. 07-08-106 Request Video

At 1:40 p.m. Dr. Gitz moved to go into Executive Session to discuss personnel matters. Ms. Stir was asked to leave the room for a portion of the discussion. Dr. Koncal declared the board out of executive session at 2:10 p.m. Executive Session

The Board was reminded of the Ethics Training required every two years and provided a schedule for this year's training. Members were also reminded to complete their financial disclosure forms. Their fee will be paid by the OVMLB. New Business Ethics' Training

Dr. Gitz moved that whenever there is a media contact or media-related activity, all Board members are to be notified. Dr. Redman seconded the motion. The motion passed aye-5, no-0, abstain-0. Additionally, Ms. Stir is to seek and partake of media training opportunities. Media

The reading of the meeting directives was deferred. Directives

Dr. Koncal acknowledged that the next meeting will be held March 12, 2008, 8:30 a.m. on the 31st floor of the Riffe Center. Next meeting

Dr. Redman moved to adjourn the meeting at 2:15 p.m. Dr. Koncal adjourned the meeting. Adjournment

Dr. David Koncal, President

Date

Attested to by:

Theresa Stir
Executive Director