

OHIO VETERINARY MEDICAL LICENSING BOARD

MINUTES

July 11, 2007

Veterinary Medical Licensing Board Meeting Minutes

Dr. Janet Small, President of the Ohio Veterinary Medical Licensing Board, called the July 11th, meeting to order at 8: 40 a.m. in the Board Room at 77 S. High Street, 31st Floor, Columbus, Ohio.

Call to Order

Dr. Small directed the Executive Director to call roll:

Roll Call

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

Dr. Small acknowledged the attendance of Theresa Stir, Executive Director, Donna Fickel, Executive Secretary, Barry McKew, AAG,

Attendance Staff,
AAG

Dr. Gitz recommended two revisions to the minutes regarding Rule discussion. Dr. Gitz moved to approve the June 11, 2007 Minutes as corrected. Dr. Koncal seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye; Mr. Smith-aye; Dr. Burt-aye; Dr. Gitz- aye; Dr. Koncal- aye; Ms. Jessen- aye.

June 2007
Minutes approved

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

Theresa Stir, Executive Director, reported that the new laptop has arrived and will be utilized for viewing radiological CDs today. Ms. Stir reported that the directives from the last board meeting had been completed.

Exec. Dir. Report

At this time guests arrived and were asked to sign in.

Dr. Gitz moved to go into Executive Session at 8:45 a.m. to discuss Case #06-07-123, complainant Suzette Romig. Dr. Redman seconded the motion. The motion passed by unanimous roll call vote. Dr. Small announced the members out of executive session at 08:50 a.m. and the guests were permitted back in the room. Dr. Gitz moved to withdraw the motion to issue a Notice of Opportunity and find there was No Violation in the Case #06-07-123, complainant Suzette Romig. Dr. Koncal seconded the motion. The motion passed by unanimous roll call vote. Dr. Koncal directed the Executive Director to obtain information from the Ohio Medical Licensing Board to determine how

Executive Session
06-07-123
No Vio

they deal with medical records within a medical practice where there are multiple physicians.

Dr. Redman made a motion to have Dr. Gitz and Dr. Koncal represent the Ohio Veterinary Medical Licensing Board at the AAVSB conference to be held September 28-30, 2007 in Charleston, South Carolina. Ms. Jessen seconded the motion. The motion passed by unanimous roll call vote. AAVSB conference

In keeping with a recent OIG Opinion recommendation, Ms. Stir presented the Board with a copy of the Complaint Process that will be posted on the recently revised OVMLB web site. There were no suggestions for revision. Complaint Process

The members received a copy of the proposed rules and decided to first discuss Rule 4741-1-14 of the Ohio Administrative Code (OAC) regarding animal aides since there was a suggested change from the OVMA related to supervision. After some discussion related to supervision and direct supervision, it was suggested by Dr. Burt that perhaps those duties could be sorted out in an outline format for clarity but for time sake, to continue to keep the rule as a “no change” rule as voted on at the June meeting. The remainder of the Rules were then reviewed. A recommendation was made to Rule 4741-1-21 regarding the maintenance of medical records by a treating practice. Rules

Dr. Gitz moved to accept the recommended amendments to the following Rules of the Ohio Administrative Code in accordance with Section 119.03 of the Ohio Revised Code: 4741-1-01, 4741-1-02, 4741-1-04, 4741-1-05, 4741-1-06, 4741-1-07, 4741-1-09, 4741-1-11, 4741-1-12, 4741-1-19, 4741-1-21, 4741-1-22, and 4741-1-23. Dr. Koncal seconded the motion. The motion passed by unanimous roll call vote. Amended Rules

Dr. Gitz moved to accept the following new rules of the OAC in accordance with Section 119.03 ORC: 4741-1-03, 4741-1-08, 4741-2-01, 4741-2-02, 4741-2-03, 4741-2-04, 4741-3-01, 4741-3-02, 4741-3-03, 4741-3-04, and 4741-3-05. Dr. Koncal seconded the motion. The motion passed by unanimous roll call vote. New Rules

Dr. Gitz moved to rescind the following rules of the OAC in accordance with Section 119.03 ORC: 4741-1-03, 4741-1-13 and 4741-1-16. Dr. Koncal seconded the motion. The motion passed by unanimous roll call vote. Rescinded Rules

Dr. Gitz moved to accept the following rules of the OAC as “no change” rules in accordance with Section 119.03 ORC: 4741-1-14, 4741-1-15, 4741-1-18, 4741-1-24 and 4741-1-25. Dr. Koncal seconded the motion. The motion passed by unanimous roll call vote. No Change Rules

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

07-07-093	April Batdorf
07-07-094	Kenneth Wolf
07-07-095	Evelyn Friend
07-07-096	Charles Fritz
07-07-097	Harriet Michaels

07-07-098 Delores Miller
 07-07-099 M J Raichyk
 07-07-100 Gary Fox
 07-07-101 Tim O'Brien

Dr. Koncal seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye; Dr. Burt-aye; Dr. Gitz- aye; Dr. Koncal- aye; Ms. Jessen- aye. Mr. Smith was absent for the vote.

No responses requested.

New Comp Resp

Ms. Jessen moved to accept the following Notices of Opportunity for Hearings issued to case #06-07-106, George Anstadt, DVM and 07-07-012, Lewis Motycka, DVM. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye; Dr. Burt-aye; Dr. Gitz- aye; Dr. Koncal- aye; Ms. Jessen- aye. Mr. Smith was absent for the vote.

Consideration Of:
119s

Ms. Jessen moved to approve the proposed suspension dates of Bharat Khemsara, DVM in case #05-06-127. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye; Dr. Burt-aye; Dr. Gitz- aye; Dr. Koncal- aye; Ms. Jessen- aye. Mr. Smith was absent for the vote.

Suspension dates

Dr. Koncal moved to approve the patient records submitted by Dr. Niggemeyer regarding case #06-06-046. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye; Dr. Burt-aye; Dr. Gitz- aye; Dr. Koncal- aye; Ms. Jessen- aye. Mr. Smith was absent for the vote.

Patient Records

Dr. Koncal moved to go into executive session at 9:45 a.m. to discuss an Appeal filed with the Court of Common Pleas and the AAG report. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye; Dr. Burt-aye; Dr. Gitz- aye; Dr. Koncal- aye; Ms. Jessen- aye. Mr. Smith was absent for the vote.

Executive Session
Appeal and AAG
Report

At 10:45 a.m., Dr. Small announced the Board was out of executive session and the Board took a ten minute break.

Break

Ms. Jessen moved to approve the following continuing education requests for veterinarians:

CE Vets

A. MedVet –

1. Advances in Small Animal Surgery – 6/10/07 – 4 hrs
2. Nosocomial Infections in Vet Med – 5/30/07 – 1 hr

B. Veterinary Internal Med – Clinical Pathologic Conf – 6/13/07 – 1 hr

C. ODA – Ohio CWD Program Training – 7/12/07 – 4 hrs

D. Cinn VMA – Veterinary Opthomology – 10/14/07 – 7 hrs

E. VIN

1. Radiation & Surgical Oncology – 9/10-10/1/07 – 6 hrs
2. Nutrition & Adjunctive Therapy in Cancer Patients – 8/1-8/22/07 – 6 hrs

Dr. Koncal seconded the motion. The motion passed by unanimous roll call vote.

Ms. Jessen moved to approve the following continuing education requests for CE RVTs

registered veterinarian technicians:

A. MedVet –

1. In House Lab Testing – 4/14/07 – 1 hr
2. Cardio Respiratory Arrest – 5/11/07 – 1 hr
3. Microscope Care – 6/6/07 – 1 hr
4. Personal Chemo Safety – 5/30/07 – 1 hr
5. Basic Principals of Emergency Response – 8/1-8/15/07; 12/1-12/15/07 –

10 hrs ea

6. Intro to Emergency Response – 6/15-6/30/07; 11/15-11/30/07 – 5 hrs ea
7. Intro to Canine & Feline Behavior – 8/15-8/30/07; 11/15-11/30/07 – 8 hrs

ea

B. VIN

1. Equine Medical Terminology – 8/14-9/7/07 – 2 hrs

Dr. Koncal seconded the motion. The motion passed by unanimous roll call vote.

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

A. OSU

1. Universal Hip System Workshop – 7/27&28/07 – 17 hrs
2. Antimicrobial Resistance Conf – 8/27/07 – 7.5 hrs

B. Ft. Dodge – New Opportunities in Feline Flea Control – 6/14/07 – 1.5

C. Novartis Animal Health

1. Dairy Symp – various dates for 12 mos.- hr/hr
2. Tips, Tricks & Triumphs in Managing Allergic Pets – 6/11/07 – 1.5 hrs
3. Flea Biology Refresher – on line – 1 hr

D. MedVet –

1. Abdominal Radiology – 11/1-11/28/07 – 10 hrs
2. Companion Animal Dentistry – on line – 5 hrs

E. Pfizer

1. Spruce Creek CE Program – 5/30-5/31/07 – hr/hr
2. Uterine Infections – 6/26 & 6/28/07 – 1 hr
3. Practical Consideration of Endotoxins & Vaccinations – 6/5 & 6/7/07 – 1.5

Dr. Koncal seconded the motion. The motion passed by unanimous roll call vote.

Requests for
Licensure

Ms. Jessen moved to approve the following requests for licensure: Candice Adkins, Bridget Burdick, Abby Foust, Amy Back, Daniel Bishop, Stay Bridges, Jennifer Fields, Beau Holley, Carol Naculich, Lynn Tuer, Claire Beauchamp, Ann Berner, Jeremy Blankenship, Angela Callahan, Joshua Ervin, Dana Gietzen, Charles Hinds, Aiman Labib, Toni Longville, Jennifer Pue-Gilchrist, Kelly Rickabaugh, Ashley Wiese, Ashley Veine-Smith, Sylvia Collier, Mary Catherine Lewis, Bea Schooley, Sarah Easter Strayer, Abi Taylor, April Tolle, Susan Vogel, Julius Brinkis, Randall Scagliotti, Allison Rodgers, Margaret Burris, Keith Dryburgh, Jennifer Fraifogl, Michael Friemoth, Kathryn Gibson, Rachel Hesselschwardt, Jessica Jacoby, Leslie Kelly, Meghan Kilbane, Jennifer Lenz, Jennifer Miller, Peter Olson, Matthew Schroeder, Crystal Schumen, Shannon Strini, Joshua Teders, Todd Axlund, Toby Beck, Erica Gearhart, Kristen Haumschild, Tasha Hicks, Jacob Mathias, Nicholas Mathias, Steven Moody, and Sarah Yauk. Dr. Gitz seconded the motion. The motion passed by unanimous roll call vote.

There were no veterinarian or registered veterinarian technician renewals.	Renewals
Dr. Gitz moved to find no violation of Chapter 4741 ORC in the case of 07-07-047, complainant Roy Shade. Dr. Burt seconded the motion. The motion passed by unanimous roll call vote. Dr. Gitz wished to emphasize the importance of human safety in the consideration of this case.	Comp Responses 07-07-047 No Violation
Dr. Gitz moved to request the records in the case of 07-07-050, complainant Deborah Hudak. Ms. Jessen seconded the motion. The motion passed by unanimous roll call vote.	07-07-050 Req for Records
Dr. Gitz moved to request a response from the veterinarian in the case of 07-07-051, complainant Tina Valli. Ms. Jessen seconded the motion. The motion passed by unanimous roll call vote.	07-07-051 Request response
Dr. Redman moved to send case #07-07-080, complainant Barb Kimmet for further investigation. Ms. Jessen seconded the motion. The motion passed by unanimous roll call vote.	07-07-080 Investigate
Dr. Gitz moved to find no violation of Chapter 4741 ORC in the case of 07-07-082, complainant Tia Liberati. Dr. Koncal seconded the motion. The motion passed by unanimous roll call vote.	07-07-082 No Vio
Dr. Gitz moved to find no violation of Chapter 4741 ORC in the case of 07-07-088, complainant Annette Thompson. Dr. Redman seconded the motion. The motion passed by unanimous roll call vote.	07-07-088 No Vio
Dr. Redman moved to go into executive session at 11:35 a.m. to discuss a pending adjudication. Dr. Gitz seconded the motion. The motion passed by unanimous roll call vote.	Executive Session
At 12:55 p.m., Dr. Small announced the Board out of executive session.	
Ms. Jessen moved to send the case of 06-07-147, complainant OVMLB, to the Prosecutor of Licking County. Dr. Koncal seconded the motion. The motion passed by unanimous roll call vote.	Investigative Rpts 07-07-0147 Prosecutor
Ms. Jessen moved to issue a Notice of Opportunity for a Hearing in the case of 06-07-158, complainant OVMLB. Dr. Koncal seconded the motion. The motion passed by unanimous roll call vote.	06-07-158 119 Hearing
Dr. Gitz moved to find no violation of Chapter 4741 ORC in the case of 07-07-017, complainant Younghee Han. Ms. Jessen seconded the motion. The motion passed by unanimous roll call vote.	07-07-017 No Vio
Dr. Koncal left the room for the discussion of case 07-07-026. Dr. Redman moved to find no violation of Chapter 4741 ORC in the case of 07-07-026, complainant Jennifer Rupp, however to issue an advisory letter related to medical	07-07-026 No Vio

record compliance. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye; Mr. Smith-aye; Dr. Burt-aye; Dr. Gitz-aye; Ms. Jessen- aye. Dr. Koncal abstained.

Ms. Jessen moved to find no violation of Chapter 4741 ORC in the case of 07-07-029, complainant William Casner. Dr. Gitz seconded the motion. The motion passed by unanimous roll call vote.

07-07-029
No Vio

Dr. Gitz moved to issue a Notice of Opportunity for Hearing in the case of 07-07-039, complainant Lu Daugherty. Dr. Redman seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye; Mr. Smith-aye; Dr. Burt-aye; Dr. Gitz- aye; Ms. Jessen- aye. Dr. Koncal abstained.

07-07-039
Issue 119

Ms. Jessen moved to issue a Notice of Opportunity for Hearing in the case of 07-07-056, complainant Katie Quallen. Dr. Gitz seconded the motion. The motion passed by unanimous roll call vote.

07-07-056
Issue 119

Dr. Koncal left the room for the discussion of case 07-07-006, complainant anonymous. The Board directed the Executive Director to prepare a Notice of Opportunity for Hearing in the case of 07-07-006, complainant anonymous and bring to the August meeting for review by the Board members. Dr. Redman moved to table the case of 07-07-006, complainant anonymous. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye; Mr. Smith-aye; Dr. Burt-aye; Dr. Gitz- aye; Ms. Jessen- aye. Dr. Koncal abstained.

07-07-006
Tabled

No compliance inspection follow up or responses.

Compliance Insp
follow up & resp

The Board received correspondence regarding the case of 07-07-013, complainant Bonnie Huffman. After further discussion and review, the Board did not find reason to overturn their previous decision of no violation of Chapter 4741 of the ORC.

Correspondence
07-07-013

The Board received correspondence regarding the case of 07-07-033, complainant Marlene Strayer. After further discussion and review, the Board did not find reason to overturn their previous decision of no violation of Chapter 4741 of the ORC.

07-07-033

The Board received correspondence regarding the case of 03-03-034 & 07-07-075, complainant Judy Clark. Dr. Gitz moved to table further discussion of this case until next board meeting. Dr. Koncal seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye; Mr. Smith-aye; Dr. Burt-aye; Dr. Gitz-aye; Dr. Koncal- aye. Ms. Jessen was absent for the vote.

03-03-034 &07-07-
075 Table

The Board received an inquiry from Linda Aglair regarding what does the term “up to date” shots mean when boarding an animal. The Board directed the Executive Director to send a response stating that the board does not have jurisdiction over grooming or boarding facilities and it is up to the boarding facility to establish their standards. vaccination inquiry

The Board received an inquiry regarding the extent of practice for someone certified in equine aromatherapy. The Board directed the Executive Director to respond to the individual by outlining sections of the law, specifically that the use of aromatherapy to treat a medical condition is the practice of veterinary medicine and would be a violation of the practice act if not performed under the supervision of a veterinarian. Equine Aromatherapy Ques

The board signed certificates of licensure. Bd. Signatures

Dr. Redman moved to find no violation of Chapter 4741 ORC in the case of 07-07-063, complainant Barbara Jones, however a compliance inspection is to be performed with an emphasis on medical records. Dr. Burt seconded the motion. The motion passed by unanimous roll call vote. Matters Tabled 07-07-063 No Vio

Dr. Koncal left the room for the discussion of patient records submitted in the case of 05-06-108, Dr. Stearns. The Board will keep the matter tabled. 05-06-108 Tabled

Ms. Stir reviewed the directives from the meeting. Directives

Dr. Small acknowledged that the next meeting will be held August 8, 2007, 8:30 a.m. on the 31st floor of the Riffe Center. Next meeting

Dr. Burt moved to adjourn the meeting at 1:35 p.m. Dr. Small adjourned the meeting. Adjournment

Dr. Janet Small, President

Date

Attested to by:

Theresa Stir
Executive Director