

OHIO VETERINARY MEDICAL LICENSING BOARD

MINUTES

June 13, 2007

Veterinary Medical Licensing Board Meeting Minutes

Dr. Janet Small, President of the Ohio Veterinary Medical Licensing Board, called the June 11th, meeting to order at 8: 35 a.m. in the Board Room at 77 S. High Street, 31st Floor, Columbus, Ohio.

Call to Order

Dr. Small directed the Executive Secretary to call roll:

Roll Call

Dr. Janet Small	present
Dr. Darrell Gitz	present
Dr. James Burt	absent
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, Dr. Nicole Eaton, OVMA liaison, Gary Hill, Ohio Dept. of Agriculture Enforcement Division, Terence Olive, DVM, Columbus State Community College, Carla Mayers Bletsch, DVM, Columbus State Community College, Linda Heidenreich, RVT, OAVT, Barbara Madison, Exec. Secretary, OAVT, Anastasia (Nikki) Myers, RVT, President OAVT, Dennis Bartels, Vet Tech Institute at Bradford School, Angela Beal, DVM, Vet Tech Institute at Bradford School.

Attendance Staff,
AAG, Guests

Dr. Koncal moved to approve the May 8 & 9, 2007 Minutes as submitted. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye; Mr. Smith-aye; Dr. Gitz- aye; Dr. Koncal- aye; Ms. Jessen- aye.

May 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 directives from the last board meeting had been completed. Ms. Stir provided a brief financial report for the month of May and the remainder of the fiscal year which ends June 30, 2007. Ms. Stir reported that funds were encumbered from this fiscal year to allow for some additional expenses that may arise in what is proving to be a very tight budget for the next two years. She is unsure if that opportunity will be available this time next year. Ms Stir provided a legislative update on the bills dealing with licensing and criminal offenses impacting a licensee's ability to practice. She reported that meetings were occurring with interested

Exec. Dir. Report

parties which were proving to be enlightening as the promoters of the bill were not aware that 119 Hearings were provided for license denials, etc. Updates will be provided as information becomes available.

Ms. Stir presented the Board members with a revised synopsis of the requirements for the new limited license. This will be posted on the Board's web site.

The members reviewed the revisions made to the Rules as proposed at the last Board meeting. Guests were permitted to discuss the proposed revisions to Rule 4741-1-14 of the Ohio Administrative Code (OAC) regarding animal aides. After much discussion, Dr. Koncal made a motion to file Rule 4741-1-14 OAC as a "no change" rule. Ms. Jessen seconded. Due to concerns raised in relation to a conflict of interest in violation of the Ethics laws, the motion was withdrawn. In order to allow Dr. Burt to be present and have a say in the matter, Dr. Gitz made a motion to present Rule 4741-1-14 OAC as a "no change" rule for its five-year review. Dr. Redman seconded the motion. The motion passed with the following roll call vote: Dr. Redman-aye; Mr. Smith-aye; Dr. Gitz-aye; Dr. Small-aye; Dr. Koncal-abstain; Ms. Jessen-abstain. Dr. Gitz indicated that the Board will need to address the animal aide issue in the future and hopefully can work out details for a rule modification among all the interested parties. Minor edits were made to the remaining rules. The proposed rules will be presented to the Board at the July meeting for a vote for filing with JCARR.

Rules

The members elected to go out of order of the Agenda to accommodate Mr. Hill to report on the investigative reports. Dr. Redman made a motion to go into executive session at 11:10 a.m. to discuss investigations and the AAG report. Ms. Jessen seconded the motion. The motion carried by a unanimous roll call vote.

Executive Session
Investigative
Report & AAG
Report

Dr. Small announced the members out of executive session at 12:00 p.m.

Dr. Gitz made a motion to issue a Notice of Opportunity for Hearing for violation of Section 4741.22(A) and (AA) of the Ohio Revised Code (ORC) in the case of 07-07-012, complainant Rob and Miranda Pancake. Dr. Redman seconded the motion. The motion passed by unanimous roll call vote.

07-07-012
119 Hearing

Dr. Gitz moved to find no violation of Chapter 4741 ORC in the case of 06-07-092, complainant Jeff Warren. Dr. Redman seconded the motion. The motion passed by unanimous roll call vote.

06-07-092
No Vio

Dr. Gitz moved to approve the following settlements as presented by the AAG:
06-06-019 Dr. Sukhbir Singh
06-07-132 Dr. Peter Voskerchian
06-07-148 Dr. Larry Oldham
Dr. Redman seconded the motion. The motion passed by unanimous roll call vote.

AAG Report
Settlements

Dr. Gitz moved to approve the following settlements as presented by the AAG:
06-06-039-1, 06-06-039-2, 05-06-094 Dr. Lisa Hart
Dr. Redman seconded the motion. The motion passed with the following vote: Dr. Redman-aye, Mr. Smith-aye, Dr. Gitz-aye, Ms. Jessen-aye. Dr. Koncal-abstain

Mr. Hill requested clarification of two issues that the investigators have encountered on several occasions. Investigation Clarifications

a. Equine Dentistry—It was the general consensus of the board members that if an individual certified in equine dentistry may perform teeth floating at the direction and under direct supervision of a veterinarian with or without sedation.

b. RVT & Euthanasia in Animal Shelters—Under a standing order from a licensed veterinarian, an RVT can euthanize a cat abandoned at the shelter without waiting the three days if the owner is unknown.

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

- 07-07-072 Todd Miller
- 07-07-073 Regina Bray
- 07-07-074 Linda Karnes
- 07-07-075 Judy Clark
- 07-07-076 David Critchley
- 07-07-077 Myrna Pangalangan
- 07-07-078 Debora Voytko
- 07-07-079 Anonymous
- 07-07-080 Barb Kimmer
- 07-07-081 Cheryl Bricker
- 07-07-082 Tia Liberati
- 07-07-083 Heidi James
- 07-07-084 Nancy Blake
- 07-07-085 Deborah Balsom
- 07-07-086 Joseph Panico
- 07-07-087 Tim Newland
- 07-07-088 Annette Thompson
- 07-07-089 Gerard Zam
- 07-07-090 Anonymous
- 07-07-091 Tammy Newman
- 07-07-092 Cliff Hoffman

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

Board Consider
New Complaints

Dr. Gitz moved to find no jurisdiction under Chapter 4741 ORC in the case of 07-07-072, complainant Todd Miller and to schedule a compliance inspection for the veterinary practice. Dr. Redman seconded the motion. The motion passed by unanimous roll call vote.

07-07-067
No Juris

Dr. Gitz moved to request records of the veterinarian practice in the case of 07-07-076, complainant David Critchley. Ms. Jessen seconded the motion. The motion passed by unanimous roll call vote.

07-07-076
Req Records

Dr. Gitz moved to find no violation of Chapter 4741 ORC in the case of 07-07-078, complainant Debora Voytko. Dr. Redman seconded the motion. The motion

07-07-078
No Vio

passed by unanimous roll call vote.

Dr. Gitz moved to find no jurisdiction under Chapter 4741 ORC in the case of 07-07-083, complainant Heidi James. Dr. Redman seconded the motion. The motion passed by unanimous roll call vote. 07-07-083
No Juris

Dr. Gitz moved to find no violation of Chapter 4741 ORC due to the age of the complaint in the case of 07-07-084, complainant Nancy Blake. Dr. Redman seconded the motion. The motion passed by unanimous roll call vote. 07-07-084
No Vio

Dr. Gitz moved to find no violation of Chapter 4741 ORC in the case of 07-07-085, complainant Deborah Balsom. Dr. Koncal seconded the motion. The motion passed by unanimous roll call vote. 07-07-085
No Vio

Dr. Koncal moved to request records of the veterinary practice in the case of 07-07-086, complainant Joseph Panico. Dr. Gitz seconded the motion. The motion passed by unanimous roll call vote. 07-07-086
Req Records

Dr. Gitz moved to find no violation of Chapter 4741 ORC in the case of 07-07-087, complainant Tim Newland. Dr. Redman seconded the motion. The motion passed by unanimous roll call vote. 07-07-087
No Vio

Dr. Gitz moved to send case 07-07-090, Anonymous complainant, for further investigation. Dr. Koncal seconded the motion. The motion passed by unanimous roll call vote. 07-07-090
Investigation

Dr. Gitz moved to accept the hearing schedule for case 05-05-024, James Harrison, DVM. Dr. Koncal seconded the motion. The motion passed by unanimous roll call vote. Hearing Schedule

Dr. Koncal moved to accept and approve the patient records submitted by Dr. Robert Mueller for case 06-06-051. Dr. Gitz seconded the motion. The motion passed by unanimous roll call vote. Record Submission

Dr. Gitz moved to go into executive session at 12:45 p.m. to discuss the Hearing Officer Report and Recommendation. Dr. Koncal seconded the motion. The motion passed by unanimous roll call vote. Executive Session
Hearing Officer
R&R

Dr. Small declared the members out of executive session at 12:50 p.m.

In the case of 06-06-024, Robert Dahlhausen, DVM, Dr. Redman made a motion to accept the Hearing Officer's Report and Recommendation. Dr. Koncal seconded the motion, however questions were raised. The motion was withdrawn by Dr. Redman. Dr. Gitz made a motion to accept the Statement of Fact and the Conclusion of Law of the Hearing Officer's Report and Recommendation and to modify the Recommendation to issue a Letter of Reprimand to Robert Dahlhausen, DVM. Dr. Redman seconded the motion. The motion passed by unanimous roll call vote. 06-06-024

At 1:00 p.m., a lunch break was taken for thirty minutes.

Break

Ms. Jessen made a motion to accept the CE approval requests for veterinarians as submitted except for previously reviewed VIN non-scientific:
Med Vet

Continuing Ed
Vets

1. Basic Ophthalmic Exam Techniques Wet Lab – 5/29/07 – 4 hrs
 2. House Dust Mites – 5/16/07 – 1 hr
 3. Advances in Small Animal Surgery – 4/22/07 – 4 hrs
 4. Tibial Tuberosity Advancement – 5/2/07 – 1 hr
- B. Pfizer – Obesity Mgt – 5/3/07 – 1.5 hrs
C. Vet Oncology & Referral Clinic – Clinical Pathologic Conf – 5/9/07 – 1 hr
D. VIN
1. Feline Internal Med Module 3 – 6/20-8/1/07 – 10 hrs
 2. Previously App'd Courses – New dates
 3. Clinical Application of Evidence Based Med – 7/3-8/7/07 – 10 hrs
 4. Previously App'd Courses – New dates-

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

Ms. Jessen made a motion to accept the CE approval requests for registered veterinary technicians as submitted except for previously reviewed VIN non-scientific:

CE RVT

- A. VIN
1. Equine Essentials – Basic Horse Care – 7/3-8/9/07 – 6 hrs
 2. Triage & CPR – 7/10-8/15/07 – 6 hrs
 3. Previously App'd Courses – New dates
- B. Pfizer – Pain Mgt: Physiology & Pharmacologic – 5/7,8,9,20/07 – 2 hrs ea.
C. OSU – CPR Workshop – 6/2/07 – 4 hrs.

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

Ms Jessen made a motion to accept the CE approval requests for veterinarians and registered veterinary technicians as submitted except for the previous reviewed VIN non-scientific:

CE Vet & RVT

- A. Lima Academy of Small Animal Medicine –
1. Immunology – 1/9/07 – 1.5 hrs
 2. Getting the Most – Exploratory Laparotomy – 3/13/07 – 2 hrs
 3. Cancer Case Studies – 4/10/07 – 1.5 hrs
 4. Porphyromonas Bacterin Vaccine – 5/8/07 – 1 hr
- B. Veterinary Dental Concepts – Peridontal Disease – 5/11/07 – 2 hrs
C. Bayer Animal Health – Topics in Zoonosis – 6/19/07 – 2 hrs
D. Dayton Emergency Vet Clinic – Rabies Reporting, Radiation Safety – 5/23&24/07 – 1.5 hrs
E. Butler Animal Health – Controlled Substance – 6/12/07 – 2 hrs
F. OSERA – Laboratory Animal Forum – 6/7/07 – 2 hrs

G. Pfizer –

1. Guided Vet Dentistry – 5/30/07 – 3 hrs
2. Guided Vet Dentistry – 5/31/07 – 6 hrs
3. Guided Vet Dermatology – 5/15,16,17/07 – 3 hrs ea.
4. Most Common Dermatological Diseases – 5/16,17/07 – 1 hr
5. Making the Tech an Integral Part – 5/16/07 – 1 hr
6. Monitoring Reproductive Perf in Dairy Cattle – 5/22,24/07 – 1 hr

H. VIN

1. Large Animal Parasitology - 7/26-8/17/07 – 3 hrs
2. Previously app'd programs with new dates

I. OSU

1. Vet Laser Surgery – 9/15&16/07 – 10 hrs
2. Basic & Advanced Vet Ultrasound – 8/25&26/07 – 6.5 hrs
3. Small Animal CE Series – 9/18, 10/16, 11/20, 12/18/ 2007; 1/15, 3/18, 4/15, 5/20/2008 – 2 hrs ea.
4. Royal Canin OSU Symposium – Emergency & Critical Care – 10/6&7/07 – 15 hrs
5. Equine Semen & Breeding Mgt – 12/6-9/07 – 29.5 hrs
6. Laparoscopic Surgery – 6/1&2/07 – 12 hrs
7. Small Animal Video Otoscopy – 11/4/07 – 7 hrs

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

Ms. Jessen moved to approve issuing veterinary licenses for Liza McVicker, Alexander Mullen, Carrie Ullmer, Tracy Davis, David Munoz, Randall Scabliotti, Crystal Shank, Robin Winenger, Tara Calcei, Ann Baltzell, Andrew Bowman, Gretchen Goode, Courtney Johnson, Andrew Mack, Mary Mowrer, Christina Ralston, Brian Rizzo, Lauren Terihay, Kerri Thiel, Aaron Wise, Nancy Kennedy, Mariah Frank, Fidan Kaptan, Sarah Bisgard, Emily Neenan, Sonia Glick-Ullum, Beatriz Woodall, Emily Harrison, Julie Hunt, Gregory Miller, Dennis Summers, Cameron Adams, Melanie Bender, Ian Hawkins, Kimberly Smith, Brendan Sheehan, William Hollis, Andrea Moehlman, Duncan Peters, Cynthia Strelec, Michelle Backlund, Rachael Davis, Courtney Duncan, Morgan Peterman, Janelle Tarr, Richard Mackey, Eric Davis. The motion was seconded by Dr. Koncal. The motion passed by unanimous roll call vote.

Requests for
Licensure

The Board received a request from Beth McElravy, DVM to accept her graduate courses as continuing education hours. Ms. Jessen moved to direct the Executive Director to send Dr. McElravy a letter requesting the titles and descriptions of the courses she has taken that would permit a waiver by the Board. Dr. Gitz seconded the motion. The motion passed by unanimous roll call vote.

Renewal Vet/Req
for CE Waiver

Dr. Gitz moved to find no violation of Chapter 4741 ORC in the case of 07-07-052, complainant Lauri Thornburg. Dr. Koncal seconded the motion. The motion passed by unanimous roll call vote. Complaint Resp. 07-07-052 No Vio.

Dr. Gitz moved to send the case 07-07-060, complainant Carol Mitchell, for investigation. Dr. Redman seconded the motion. The motion passed by unanimous roll call vote. 07-07-060 Investigation

Dr. Redman moved to find no violation of Chapter 4741 ORC in the case of 07-07-061, complainant Kathy Rindfleisch. Dr. Gitz seconded the motion. The motion passed by unanimous roll call vote. 07-07-061 No Vio

Ms. Jessen moved to send the case 07-07-065, complainant Robert Cantey, for further investigation. Dr. Koncal seconded the motion. The motion passed by unanimous roll call vote. 07-07-065 Investigation

Dr. Koncal moved to find no violation of Chapter 4741 ORC in the case of 07-07-068, complainant Mary Pacinda. Dr. Gitz seconded the motion. The motion passed by unanimous roll call vote. 07-07-068 No Vio.

Dr. Koncal moved to find no violation of Chapter 4741 ORC in the case of 07-07-070, complainant Dawn Preston. Dr. Gitz seconded the motion. The motion passed by unanimous roll call vote. 07-07-070 No Vio.

Dr. Gitz moved to send the case of 07-07-073, complainant Regina Bray for further investigation. Dr. Koncal seconded the motion. The motion passed by unanimous roll call vote. 07-07-073 Investigation

Dr. Gitz moved to find no violation of Chapter 4741 ORC in the case of 07-07-074, complainant Linda Karnes. Dr. Koncal seconded the motion. The motion passed by unanimous roll call vote. 07-07-074 No Vio

Dr. Koncal moved to direct the Executive Director to request the x-rays from the owner of the animal in case 07-07-077, complainant Myrna Pangalangan. Dr. Gitz seconded the motion. The motion passed by unanimous roll call vote. 07-07-077 Request X-ray

Ms. Jessen moved to send the case of 07-07-081, complainant Cheryl Bricker, to investigation. Dr. Koncal seconded the motion. The motion passed by unanimous roll call vote. 07-07-081 Investigation

Dr. Koncal moved to issue a thirty-day correction letter of the identified deficiencies from the compliance inspection to Dr. John Ulrich. Ms. Jessen seconded the motion. The motion passed by unanimous roll call vote. Compliance Inspections 30 day correction

Dr. Gitz moved to accept and approve the Compliance Inspection of the practice of Dr. Randall Gage. Dr. Koncal seconded the motion. The motion passed by unanimous roll call vote. Acceptance

Correspondence

Dr. Gitz moved to refer the case 07-07-022 and correspondence received from Jamie Babb to the local prosecutor for the unlicensed practice of veterinary medicine. The motion was seconded by Ms. Jessen. The motion was approved by unanimous roll call vote.

Jamie Babb

Ms. Jessen moved to refer the letter received from Dr. Wirt to the county prosecutor for the unlicensed practice of veterinary medicine by the individual named in the letter. Dr. Redman seconded the motion. The motion passed by unanimous roll call vote.

Dr. Robert Wirt

The board signed licenses.

Bd. Signatures

Dr. Redman moved to go into executive session at 3:20 p.m to discuss investigative reports previously tabled. Ms. Jessen seconded the motion. The motion passed by unanimous roll call vote.

Matters Tabled
Executive Session
Inv Rpts

Dr. Small declared the board out of executive session at 4:05 p.m.

Dr. Koncal moved to issue a Notice of Opportunity for Hearing in the case of 06-07-106, complainant Ashley Parks. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye; Mr. Smith-aye; Dr. Gitz-no; Dr. Koncal-aye; Ms. Jessen-aye.

06-07-106
119 hearing

Ms. Jessen moved to issue a Notice of Opportunity for Hearing in the case of 06-07-123, complainant Suzette Romig. Dr. Redman seconded the motion. The motion passed by unanimous roll call vote.

06-07-123
119 hearing

Dr. Koncal moved to find no violation of Chapter 4741 ORC in the case of 06-07-154, Anonymous complainant. Dr. Redman seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye; Mr. Smith-aye; Dr. Gitz-aye; Dr. Koncal-aye; Ms. Jessen-no.

06-07-154
No VioComplaint
Responses

Dr. Gitz moved to find no violation of Chapter 4741 ORC in the case of 07-07-032, complainant Anne Peterman. Ms. Jessen seconded the motion. The motion passed by unanimous roll call vote.

07-07-032
No Vio

Dr. Gitz moved to find no violation of Chapter 4741 ORC in the case of 07-07-042, complainant Lori Brown. Dr. Redman seconded the motion. The motion passed by unanimous roll call vote.

07-07-042
No Vio

Dr. Gitz moved to find no violation of Chapter 4741 ORC in the case of 07-07-043, complainant Lori Brown. Dr. Redman seconded the motion. The motion passed by unanimous roll call vote.

07-07-043
No Vio

Dr. Gitz moved to find no violation of Chapter 4741 ORC in the case of 07-07-057, complainant John Druckemiller. Dr. Redman seconded the motion. The motion passed by unanimous roll call vote.

07-07-057
No Vio

Dr. Redman moved to find no violation of Chapter 4741 ORC in the case of 07-07-040, complainant Melissa Krilosky. Dr. Koncal seconded the motion. The motion passed by unanimous roll call vote. 07-07-040 No Vio

Dr. Gitz moved to retable the case of 07-07-063, complainant Barbara Jones and request any other records related to this case. Dr. Koncal seconded the motion. The motion passed by unanimous roll call vote. 07-07-063 Req Records

Dr. Gitz moved to table the review of patient records submitted in the case of 05-06-108, Daniel Sterns, DVM. Dr. Redman seconded the motion. The motion passed by unanimous roll call vote. 05-06-108 Tabled

Dr. Gitz moved to close case 07-07-075, complainant Judy Clark and not reopen the previous case that was found not to be in violation of Chapter 4741 ORC. Dr. Redman seconded the motion. The motion passed by unanimous roll call vote. 07-07-075 Close complaint

Due to time constraints Ms. Stir did not review the Board Directives. Directives

Dr. Small acknowledged that the next meeting will be held July 11, 2007, 8:30 a.m. on the 31st floor of the Riffe Center. Next meeting

Dr. Koncal moved to adjourn the meeting at 4:30 p.m. Ms. Jessen seconded the motion. Dr. Small adjourned the meeting. Adjournment

Dr. Janet Small, President

Date

Attested to by:

Theresa Stir
Executive Director