

**OHIO VETERINARY MEDICAL LICENSING BOARD**

**MINUTES**

**March 8, 2006**

Dr. Darrell Gitz, President of the Ohio Veterinary Medical Licensing Board, called the March 8, 2006, meeting to order at 8:40 a.m. in West A & B at 77 S. High Street, 31st Floor, Columbus, Ohio.

Call to Order

Dr. Gitz directed the Executive Secretary to call roll:

Roll Call

Dr. Janet Small	present
Dr. Darrell Gitz	present
Dr. James Burt	present
Dr. Jerry Lahmers	absent
Dr. David Koncal	present
Renee Jessen, RVT	present
John Bentine	present

Dr. Gitz acknowledged the attendance of Heather Hissom, Executive Secretary, Donna Fickel, Secretary, and Barry McKew, AAG.

Attendance Staff, AAG

Dr. Koncal moved to approve the February 8, 2006 Minutes. Mr. Bentine seconded the motion. The motion passed by the following roll call vote: Mr. Bentine- aye; Dr. Small- aye; Dr. Koncal- aye; Dr. Burt- abstain; Ms. Jessen- aye.

February 8, 2006 Minutes approved

There was no president's report.

Pres. Rep.

There was no secretary's report.

Sec. Rep.

There was no OVMA report.

OVMA Rep.

Heather Hissom, Executive Secretary, reported that the directives from the last board meeting had been completed. Ms. Hissom reported that the office is in the middle of processing the veterinary renewals and will be caught up in the next couple of weeks. Ms. Hissom stated that file # 05-06-076 had been disposed of in criminal court with Chris Massera pleading guilty to attempting to practice veterinary medicine without a license. Ms. Hissom stated that AAVSB was seeking nominations to the executive board. The forms must be returned to AAVSB in May. Ms. Hissom

Exec. Sec. Report  
Renewals  
05-06-076  
criminal dispo.  
AAVSB Exec. Bd.

reported that the AVMA CVTEA would permit a board member to accompany them on a site visit to Stautzenberger College campus. Dr. Burt moved that Dr. Gitz should accompany CVTEA. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Mr. Bentine-aye; Dr. Small- aye; Dr. Koncal- aye; Dr. Burt- abstain; Ms. Jessen- aye. Ms. Hissom stated that the consolidation language should be introduced sometime next week. The OAVT newsletter was included in the board packets.

AAVSB CVTEA

Consolidation

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

New Complaints Acknowledged

- 06-06-009 Ann Turley
- 06-06-010 Angela Miller
- 06-06-011 Anonymous
- 06-06-012 Vicky Spanos
- 06-06-013 Jeff Bowers
- 06-06-014 Anonymous
- 06-06-015 Denise Buchko
- 06-06-016 Nicole Higgenbotham, DVM (complainant)
- 06-06-017 Robert Nelson
- 06-06-018 Carol Weinert
- 06-06-019 Cloyd Jack
- 06-06-020 Heather Barrick

Mr. Bentine seconded the motion. The motion passed by the following roll call vote: Mr. Bentine- aye; Dr. Small- aye; Dr. Koncal- aye; Dr. Burt-aye; Ms. Jessen- aye.

Dr. Burt moved to investigate the case 06-06-008, complainant Anonymous. Dr. Small seconded the motion. The motion passed by the following roll call vote: Mr. Bentine- aye; Dr. Small- aye; Dr. Koncal-aye; Dr. Burt-aye; Ms. Jessen-aye.

06-06-008 Invest.

Dr. Small moved to investigate alleged violations of R.C. 4741 in the case of 06-06-010, complainant Angela Miller. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Mr. Bentine- aye; Dr. Small- aye; Dr. Koncal-aye; Dr. Burt-aye; Ms. Jessen-aye.

06-06-010 Invest.

Mr. Bentine moved to find no jurisdiction in the case of 06-06-011, complainant Anonymous. Mr. Bentine seconded the motion. The motion passed by the following roll call vote: Mr. Bentine- aye; Dr. Small- aye; Dr. Koncal-aye; Dr. Burt-aye; Ms. Jessen-aye.

06-06-011 No Juris.

Mr. Bentine moved to investigate alleged violations of R.C. 4741 in the case of 06-06-014, complainant Anonymous. Ms. Jessen seconded the motion. The motion

06-06-014 Invest.

passed by the following roll call vote: Mr. Bentine- aye; Dr. Small- aye; Dr. Koncal-aye; Dr. Burt-aye; Ms. Jessen-aye.

Dr. Small left the room for discussion of the following case.

Mr. Bentine moved to investigate alleged violations in the case of 06-06-016, 06-06-016 complainant Nicole Higgenbotham, DVM. Ms. Jessen seconded the motion. The motion Invest. passed by the following roll call vote: Mr. Bentine- aye; Dr. Small- abstain; Dr. Koncal-aye; Dr. Burt- aye; Ms. Jessen-aye.

The Board directed Ms. Hissom to write to the complainant, Nicole Higginbotham, DVM. Regarding the board's jurisdiction over unauthorized practice.

Mr. Bentine moved to acknowledge the following 119's issued: 05-05-090 Gary Ack. 119 Junk, DVM; 05-05-072 Beatrice Turk, DVM and 05-06-108 Daniel Stearns, DVM and and Hearing the following hearing schedules: 05-06-090 Gary Junk, DVM; 04-05-129 James Schedules Harrison, DVM and 05-05-067 Terrie Sizemore, DVM. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Mr. Bentine- aye; Dr. Small- aye; Dr. Koncal-aye; Dr. Burt- aye; Ms. Jessen-aye.

Dr. Small moved to accept the suspension dates and facility lease agreement in 05-05-042 the case of 05-05-042, Jorge Rosario-Paris, DVM. Ms. Jessen seconded the motion. The Accept suspension motion passed by the following roll call vote: Mr. Bentine- aye; Dr. Small- aye; Dr. and lease Koncal-aye; Dr. Burt- aye; Ms. Jessen-aye.

Dr. Small moved to approve the following continuing education courses for CE for Vets veterinarians except VetEd – Trends & Solutions in Vet Med, Fair Fees & Wellness – 3/11/06, 4/22/06 and Summit Co. VMA – State of the Humane Society in Summit co. – 4/26/05:

- Killbuck Valley VMA – Heifers are Your Future – 2/21/06 – 2.5 hrs
- ODA – Food Safety Regulatory Essentials – January to May 06 – 80 hrs
- Veterinary Emergency & Critical – Snow Mass Scientific Program – 2/1-5/06 – 12 hrs
- Land o Lakes–Dairy Calf Meeting–2/28/06, 3/01/06 & 3/2/06 – 2.5 hrs ea.
- Veterinary Internal Consultation– Clinical Pathological Conf – 2/8/06 – 1 hr
- Tri State Dairy Nutrition Conf – 4/25&26/06 – hr/hr
- USDA/FSIS – Public Health Vet – 1/23/06 – 3/27/06 – hr/hr
- Summit Co. VMA – 2 hours ea.
  1. Tibial Plateau Leveling osteotomy – 2/3/04
  2. Arrhythmias - 3/30/04
  3. Could It Be Cancer – 4/27/04
  4. Corneal Disease of the Dog & Cat – 5/25/04
  5. Whats New in Urology & Nephrology – 9/25/04
  6. Radiation Therapy – 10/26/04

7. Leptosporosis & Bartonellosis – 11/30/04
  8. Dialated Cardiomyopathy – 1/25/05
  9. Pain Mgt in Small Animals – 3/29/05
  10. Flea Control Myths – 5/31/05
  11. Integrated Therapy in Small Animal Med – 9/27/05
  12. Canine Elbow Displasia – 10/25/05
  13. Avian Influenza – 11/29/05
- VIN - Vet Dental Techniques Mod II – 3/6-4/17/06 – 8 hrs

Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Mr. Bentine- aye; Dr. Small- aye; Dr. Koncal-aye; Dr. Burt-aye; Ms. Jessen-aye.

CE for RVTs

Dr. Small moved to approve the following continuing education courses for registered veterinary technicians:

- VIN – Action Program for Overweight Pets – 1/30-2/20/06 – 3 hrs
- Cincinnati VTA – Radiation Therapy – 3/21/06 – 2 hrs

Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Mr. Bentine- aye; Dr. Small-aye; Dr. Koncal-aye; Dr. Burt-aye; Ms. Jessen-aye.

Dr. Small moved to approve the following continuing education courses for veterinarians and registered veterinary technicians except Vet Pet Ins – How to Improve Practice – 5/19/06; Care Credit – Use Our Tools – 5/20/05; Virbac Animal Health – CET University; VIN- Pharmaceutical Regulatory Review – 3/15-29/06 and Veterinary Dental Concepts – Periodontal Disease – 2/8/06:

CE for Vets & RVT's

- Nestle – What is all this Diet Rest Stuff – 5/19/06 – 2hrs
- Merial – Vaccines – 5/20/06 – 2 hrs
- MWI Vet Pro – The Gold Standard of Oral Vet Care – 5/20/06 – 2 hrs
- Novartis – Treating Allergies – 5/18/06 – 2 hrs
- Pfizer – Arthroscopy I & II – 5/18/06 – 2 hrs
- VIN- Intermediate Fish Medicine – 3/9-4/6/06 – 8 hrs
- MedVet
  - 1. Glaucoma – 1/12/06 – 1 hr
  - 2. Anesthesia Monitoring – 1/19/06 – 1 hr
- Virbac Animal Health – CET University – on line – 2 hrs
- Toledo VMA – Fall Seminar – 11/6/05 – 6 hrs
- Ft. Dodge – Managing Vaccinations Protocols – 1/25/06 – 2 hrs
- OSU Small Animal CE Series –
  - 1. Surgery – 4/18/06 – 2 hrs
  - 2. Ophthalmology – 3/14/06 - 2 hrs
  - 3. Critical Care – 5/16/06 – 2 hrs
- Pfizer – Veterinary Specialty Program – 2/7/06 – 2 hrs

Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Mr. Bentine- aye; Dr. Small-aye; Dr. Koncal-aye; Dr. Burt-aye; Ms. Jessen-aye.

Dr. Burt moved to issue licenses to Meredith Hunt Rash, Denise Amann, Jo Byron, Tracey Decter, Darren Ruff, John Caires, Stephanie Schaefer, Bradley Neer, Jaime Marietti, and Susanna Schwartz. Mr. Bentine seconded the motion. The motion passed by the following roll call vote: Mr. Bentine- aye; Dr. Small- aye Dr. Koncal-aye; Dr. Burt-aye; Ms. Jessen-aye. Licenses Issued

Dr. Small moved to approve the CE submitted with the renewal of Bradley Root, DVM. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Mr. Bentine- aye; Dr. Small- aye Dr. Koncal-aye; Dr. Burt-aye; Ms. Jessen-aye. Bradley Root, DVM: CE accept'd

Dr. Koncal moved to grant a CE waiver to Howard Hartman, DVM. Dr. Small seconded the motion. The motion passed by the following roll call vote: Mr. Bentine- aye; Dr. Small- aye Dr. Koncal-aye; Dr. Burt-aye; Ms. Jessen-aye. CE waiver: Howard Hartman, DVM

Ms. Jessen moved to approve the veterinary renewal of Tom Wilkin, DVM after reviewing his renewal application. Mr. Bentine seconded the motion. The motion passed by the following roll call vote: Mr. Bentine- aye; Dr. Small- aye Dr. Koncal-aye; Dr. Burt-aye; Ms. Jessen-aye. Renewal App. App'd: Tom Wilkin, DVM

Representative Shawn Webster, DVM, spoke to the board regarding an amendment that he plans to introduce to be added to the changes to the Veterinary Practice Act. The board reviewed the language and assigned Mr. Bentine to help Representative Webster make changes to the amendment. Mr. Bentine would then take comments and opinions from the board members and relay them to the Representative. Barry McKew, AAG, stated that this type of communication could create a violation of the Open Meetings Act and advised against it. Mr. Bentine and Representative Webster worked on the language during a short break and presented their changes to the board. Mr. Bentine moved to make no objections to the amendment as written. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Mr. Bentine- aye; Dr. Small- aye Dr. Koncal-aye; Dr. Burt-aye; Ms. Jessen-aye. Amendment to Veterinary Practice Act

Dr. Small moved to investigate alleged violations of R.C. 4741 in the case of 05-06-123, complainant Nancy Rhode. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Mr. Bentine- aye; Dr. Small- aye; Dr. Koncal-aye; Dr. Burt-aye; Ms. Jessen-aye. 05-06-123 Invest.

Ms. Jessen moved to investigate alleged violations of R.C. 4741 in the case of 06-06-144, complainant Sandra Jagerski. Dr. Small seconded the motion. The motion passed by the following roll call vote: Mr. Bentine- aye; Dr. Small- aye; Dr. Koncal-aye; Dr. Burt-aye; Ms. Jessen-aye. 06-06-144 Invest.

Dr. Small moved to find no violation of R.C. 4741 in the case of 06-06-146, complainant Margaret Tensing. Dr. Koncal seconded the motion. The motion passed by the following roll call vote: Mr. Bentine- aye; Dr. Small- aye; Dr. Koncal-aye; Dr. Burt-aye; Ms. Jessen-aye. 06-06-146  
No Vio.

Ms. Jessen moved to table the case of 06-06-148, complainants Julie & Brandon Waddle, to obtain missing radiographs. Dr. Small seconded the motion. The motion passed by the following roll call vote: Mr. Bentine- aye; Dr. Small- aye; Dr. Koncal-aye; Dr. Burt-aye; Ms. Jessen-aye. 06-06-148  
Table

Dr. Koncal moved to find no violation of R.C. 4741 in the case of 06-06-003, complainant Richard Thatcher. Mr. Bentine seconded the motion. The motion passed by the following roll call vote: Mr. Bentine- aye; Dr. Small- aye; Dr. Koncal-aye; Dr. Burt-aye; Ms. Jessen-aye. 06-06-003  
No Vio.

Mr. Bentine moved to investigate alleged violations of R.C. 4741 in the case of 06-06-006, complainant Chuck Gillmore. Dr. Small seconded the motion. The motion passed by the following roll call vote: Mr. Bentine- aye; Dr. Small- aye; Dr. Koncal-aye; Dr. Burt-aye; Ms. Jessen-aye. 06-06-006  
Invest.

Dr. Koncal moved to find no violation of R.C. 4741 in the case of 06-06-007, complainant Marge D'Alessandro. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Mr. Bentine- aye; Dr. Small- aye; Dr. Koncal-aye; Dr. Burt-aye; Ms. Jessen-aye. 06-06-007  
No Vio.

Dr. Koncal moved to go into executive session at 11:10 a.m. for the purpose of hearing the AAG report. Dr. Small seconded the motion. The motion passed by the following roll call vote: Mr. Bentine- aye; Dr. Small- aye; Dr. Koncal-aye; Dr. Burt-aye; Ms. Jessen-aye. Exec. Session

Dr. Gitz declared the board out of executive session at 11:20 a.m.

The board reviewed correspondence from Mary Smith regarding case 05-06-120. Correspondence

Dr. Small moved to go into executive session at 11:25 a.m. for the purpose of reviewing the report and recommendation of the hearing examiner in case 04-05-131, Phillip Poore. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Mr. Bentine- aye; Dr. Small- aye; Dr. Koncal-aye; Dr. Burt-aye; Ms. Jessen-aye. Exec. Session

Dr. Gitz declared the board out of executive session at 11:50 a.m.

Mr. Bentine moved to approve the report and recommendation of the hearing examiner and grant registration to Philip Poore. Dr. Koncal seconded the motion. The motion passed by the following roll call vote: Mr. Bentine- aye; Dr. Small- aye; Dr. 04-05-131  
Approve R&R

Koncal-aye; Dr. Burt-aye; Ms. Jessen-no.

Dr. Burt left the meeting for discussion of the following case.

Mr. Bentine moved to issue a 119 in the case of 05-05-062, complainant Thomas Reinert, for violations of R.C. 4741.22(A) and O.A.C. 4741-1-03(A) and 4741-1-21. Dr. Koncal seconded the motion. The motion passed by the following roll call vote: Mr. Bentine- aye; Dr. Small- aye; Dr. Koncal-aye; Dr. Burt-abstain; Ms. Jessen-aye. 05-06-090 Issue 119

Dr. Koncal left the room for discussion of the following two cases.

Dr. Burt moved to find no violation of R.C. 4741 in the case of 05-06-101, complainant Wendy Sturgis. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Mr. Bentine- aye; Dr. Small- aye; Dr. Koncal-abstain; Dr. Burt-aye; Ms. Jessen-aye. 05-06-101 No Vio.

Ms. Jessen moved to investigate alleged violations of R.C. 4741.22 in the case of 05-06-112, complainant Kim Scott. Dr. Small seconded the motion. The motion passed by the following roll call vote: Mr. Bentine- aye; Dr. Small- aye; Dr. Koncal-abstain; Dr. Burt-aye; Ms. Jessen-aye. 05-06-112 Invest.

Dr. Small moved to investigate alleged violations of R.C. 4741.22 in the case of 05-06-138, complainant Sandy Probst. Dr. Koncal seconded the motion. The motion passed by the following roll call vote: Mr. Bentine- aye; Dr. Small- aye; Dr. Koncal-aye; Dr. Burt-aye; Ms. Jessen-aye. 05-06-138 Invest.

Dr. Koncal moved to investigate alleged violations of R.C. 4741.22 in the case of 05-06-132, complainant Lucinda Best. Dr. Small seconded the motion. The motion passed by the following roll call vote: Mr. Bentine- aye; Dr. Small- aye; Dr. Koncal-aye; Dr. Burt-aye; Ms. Jessen-aye. 05-06-132 Invest.

Dr. Koncal moved to find no violation of R.C. 4741 in the case of 05-06-130, complainant Kathryn Maxwell. Mr. Bentine seconded the motion. The motion passed by the following roll call vote: Mr. Bentine- aye; Dr. Small- aye; Dr. Koncal-aye; Ms. Jessen-aye; Dr. Burt-aye. 05-06-130 No Vio.

Dr. Gitz left during discussion of the following case. Dr. Small chaired the discussion.

Dr. Koncal moved to impose the six month suspension pending in the settlement agreement of case 05-05-009, David Frizzell, DVM. Mr. Bentine seconded the motion. The motion passed by the following roll call vote: Mr. Bentine- aye; Dr. Small- aye; Dr. Koncal-aye; Dr. Burt-aye; Ms. Jessen-aye.

The board directed Ms. Hissom to communicate with the hearing examiners that

they should report to the office monthly a timeline of when reports will be completed.

Dr. Gitz will be writing an article to be published in the OVMA newsletter.

Ms. Hissom read the board directives.

Directives

Dr. Gitz acknowledged that the next meeting will be held April 12, 2006, 8:30 a.m. on the 31<sup>st</sup> Floor. Next meeting

Dr. Burt moved to adjourn the meeting at 12:55 p.m. Dr. Small seconded the motion. Dr. Gitz adjourned the meeting. Adjournment

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Dr. Darrell Gitz, President

\_\_\_\_\_  
Date

Attested to by:

\_\_\_\_\_  
Heather Hissom  
Executive Secretary