

OHIO VETERINARY MEDICAL LICENSING BOARD

MINUTES

May 10, 2006

Dr. Darrell Gitz, President of the Ohio Veterinary Medical Licensing Board, called the May 10, 2006, meeting to order at 8:30 a.m. in the Room 1914 at 77 S. High Street, 19th 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. David Koncal	present
Dr. Roger Redman	present
Renee Jessen, RVT	present
John Bentine	present

Dr. Gitz acknowledged the attendance of Heather Hissom, Executive Secretary, Donna Fickel, Secretary, Barry McKew, AAG and Robert Knapp, DVM, OVMA liaison.

Attendance Staff, AAG

Mr. Bentine moved to approve the April 12, 2006 Minutes. 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; Dr. Redman-aye; Ms. Jessen- aye.

April 12, 2006 Minutes approved

There was no president's report.

Pres. Rep.

There was no secretary's report.

Sec. Rep.

Heather Hissom, Executive Secretary, reported that the directives from the last board meeting had been completed. Ms. Hissom reported that HB 458 was scheduled to have a vote in the Senate Agriculture Committee this morning. An amendment has been prepared regarding limited licensure and will reduce the initial licensure costs significantly. The renewal fees will remain the same with the limited licensure period to run from July of even numbered years to coincide with OSU's academic schedule. Ms. Hissom stated that OPEP reports had been received for both Dr. Frizzell and Dr. Ochterski showing that they are in compliance with their treatment plans. Ms. Hissom stated that copy of a discipline from the board in Kansas was sent to the

Exec. Sec. Report
HB 458 update
OPEP: Frizzell & Ochterski

board members. The Kansas board distributed the discipline to all of the state boards as an example of discipline involving wholesaling of non-prescription medications. Ms. Jessen moved to accept the NAVLE scores. 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; Dr. Redman-aye; Ms. Jessen- aye. Ms. Hissom also stated that there is discussion about introducing legislation to cause all licensing boards to have new applicants fingerprinted. The burden would be on the applicant to have the results sent to the board. There is no timeline for when any such legislation would be introduced. Ms. Hissom also stated that the VTNE and OAVT newsletters had been included in the board packets. Ms. Hissom also reported that she attended a meeting on the avian flu and each state agency must prepare an avian flu plan.

NAVLE scores

Fingerprinting of new applicants

Dr. Knapp stated that the OVMA is optimistic that HB 458 will pass today. Dr. Knapp stated that they are also working on the puppy mill bill as it contains language that would affect veterinarians. The OVMA would also like to invite a member of the board to speak at the Midwest Veterinary Conference next February.

OVMA report

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

New Complaints Acknowledged

- 06-06-046 Carolyn Simmons
- 06-06-047 Jim Carlson, DVM
- 06-06-048A Lisa DeCesare
- 06-06-048 Edward Hoonacki
- 06-06-049A Julie Walkup
- 06-06-049 Stephen Zugay
- 06-06-050 Roger Ellison
- 06-06-051 Garth Falde
- 06-06-052 Carol Mullins
- 06-06-053 Rebecca King
- 06-06-054 Pixie Krumlauf

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; Dr. Redman-aye; Ms. Jessen- aye.

Mr. Bentine moved to table the case of 06-06-050, complainant Roger Ellison, and to request additional information. 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; Dr. Redman-aye; Ms. Jessen- aye.

06-06-050 Table

Dr. Small moved to acknowledge the following hearing schedules 05-05-062, James Harrison, 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; Dr. Redman-aye; Ms. Jessen-aye.

Ack. Hearing Schedules

Dr. Small moved to approve the following continuing education courses for veterinarians: CE for Vets

Veterinary Internal Medicine–Clinical Pathologic Conference–4/12/06 – 1 hr
5th District Equine Practitioners – 4/25/06 – 2 hrs
Ft. Dodge – 2006 Dairy Leaders – 5/3-4/06 – 5 hrs
Assoc of OH Health Commissioners–Public Health Combined Conf-5/15-17/06 – for Regulation of Animal Agriculture

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; Dr. Redman-aye; Ms. Jessen-aye.

Dr. Small moved to approve the following continuing education courses for veterinarians and registered veterinary technicians: CE for Vets & RVT's

ODA – Euthanasia & Disposal for Catastrophic Poultry Disease – 4/11&12/06 – 3.5 hrs
Eastern OH VMA – Zoonosis challenges in Ohio – 5/10/06 – 1.5 hrs
NE OH Equine Practitioners Assoc – Issues in Veterinary Compounding – 5/16/06 – 2 hrs
Charles River Lab – 20th Annual Short Course – 6/12-15/06 – hr/hr
Schering Plough An Health – Culture for the Cure – 4/12&13/06 & 5/10&11/06 – 9.5 hrs ea.
OSU–Laparoscopy Thoracoscopy & Laparoscopic Surgical 6/3&4/06 – 8 hrs
OSU & ODH–Public Health Surveillance Using a One Med Approach– 6/16/06 – 7 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; Dr. Redman-aye; Ms. Jessen-aye.

Dr. Burt moved to issue licenses to Paul Adam Hechko III, Anne Elizabeth Browne, Valerie Natasha Wise, Barbara A. Wolfe, Tracy A. Buckwalter, Gerald Allen Wessner, Stacey Elizabeth Bradley, and Kendall Ann Clay. 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; Dr. Redman-aye; Ms. Jessen-aye. Licenses Issued

Mr. Bentine moved to investigate alleged violations of R.C. 4741 in the case of 05-06-114, complainant Linda 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; Dr. Redman-aye; Ms. Jessen-aye. 05-06-114 Invest.

Dr. Burt moved to investigate alleged violations of R.C. 4741 in the case of 06-06-015, complainant Denise Buchko. 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; Dr. Redman-aye; Ms. Jessen-aye. 06-06-015 Invest.

Mr. Bentine moved to find no violation of R.C. 4741 in the case of 06-06-036, complainants Brett and Joanne DeVore. 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; Dr. Redman-aye; Ms. Jessen-aye. 06-06-036 No Vio.

Dr. Koncal moved to find no violation of R.C. 4741 in the case of 06-06-038, complainant Pamela Crosby. 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; Dr. Redman-aye; Ms. Jessen-aye. 06-06-038 No Vio.

Dr. Burt moved to find no violation of R.C. 4741 in the case of 06-06-040, complainant Karen Bolden. 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; Dr. Redman-aye; Ms. Jessen-aye. 06-06-040 No Vio.

Dr. Koncal moved to find no violations of R.C. 4741 in the case of 06-06-041, complainant Julia Otero. 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; Dr. Redman-aye; Ms. Jessen-aye. 06-06-041 No Vio.

Mr. Bentine moved to find no violations of R.C. 4741 in the case of 06-06-044, complainant Earlene Heise. 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; Dr. Redman-aye; Ms. Jessen-aye. 06-06-044 No Vio.

Dr. Small moved to find no jurisdiction in the case of 06-06-047, complainant Jim Carlson, 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; Dr. Redman-aye; Ms. Jessen-aye. 06-06-047 No Juris.

Mr. Bentine moved to find no violation of R.C. 4741 in the case of 06-06-048, complainant Edward Hoonacki. Dr. Small seconded the motion. Mr. Bentine withdrew the motion before a vote was taken. 06-06-048 No Vio. withdrawn

Mr. Bentine moved to table the case of 06-06-048, complainant Edward Hoonacki, to request additional information. 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; Dr. Redman-aye; Ms. Jessen-aye. 06-06-048 Table for additional information

Mr. Bentine moved to investigate alleged violations of R.C. 4741 in the case of 06- 06-06-141

06-141, complainants Tim & Angela MacDonald. 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; Dr. Redman-aye; Ms. Jessen-aye. Invest.

Dr. Koncal moved to go into executive session at 10:05 to review the investigative reports and hearing the AAG report. 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; Dr. Redman-aye; Ms. Jessen-aye. Exec. Session

Dr. Gitz declared the board out of executive session at 11:10 a.m.

Mr. Bentine moved to find no violation of R.C. 4741 in the case of 05-06-084, complainant Anonymous. 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; Dr. Redman-aye; Ms. Jessen-aye. 05-06-084
No Vio.

Dr. Small moved to continue the investigation in the case of 05-06-110, complainant Tom Witt. 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; Dr. Redman-aye; Ms. Jessen-aye. 05-06-110
Invest.

Mr. Bentine moved to issue 119's against Amy Hayward, DVM and Elaine Shey, RVT in the case of 05-06-121, complainant Robert Kauss, for violation of the standard of care. 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; Dr. Redman-aye; Ms. Jessen-aye. 05-06-121
Issue 119's

Dr. Small moved to refer the case of 05-06-126, complainant Chiropractic Board, to the prosecutor for practicing without a license. 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; Dr. Redman-aye; Ms. Jessen-aye. 05-06-126
Refer to Pros.

Ms. Jessen moved to continue the investigation in the case of 05-06-127, complainant Ted Pavlik. 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; Dr. Redman-aye; Ms. Jessen-aye. 05-06-127
Invest.

Dr. Burt moved to find no violation of R.C. 4741 in the case of 06-06-016, complainant Nicole Higgenbotham, DVM. Dr. Redman seconded the motion. The motion passed by the following roll call vote: Mr. Bentine- aye; Dr. Small- abstain; Dr. Koncal-aye; Dr. Burt-aye; Dr. Redman-aye; Ms. Jessen-aye. 06-06-016
No Vio.

Ms. Jessen moved to find no violation of R.C. 4741 in the case of 06-06-145, complainant Deborah Wood. Dr. Small seconded the motion. The motion passed by the 06-06-145
No Vio.

following roll call vote: Mr. Bentine- aye; Dr. Small- abstain; Dr. Koncal-aye; Dr. Burt-aye; Dr. Redman-aye; Ms. Jessen-aye.

Mr. Bentine moved to accept the settlement agreement in the case of 05-05-072, Beatrice Turk, DVM. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Mr. Bentine- aye; Dr. Small- abstain; Dr. Koncal-aye; Dr. Burt-aye; Dr. Redman-aye; Ms. Jessen-aye. 05-05-072
Accept Settlement Agreement

Dr. Small moved to send letters to the following clinics with compliance inspections and a 30 day correction letter to Dr. Barry Carter at Firethorn Equine Services: Drs. Amanda Porter & Kinsel – Creature Comforts; Dr. Neil Bonham – Lancaster Animal Clinic; Dr. Gerald Craig Dunn– Fairfield Pet Hospital; Dr. Loretta Nicholson – Fair Avenue Veterinary Clinic and Drs. John Hartig & Robert Guinan – Morris Veterinary Clinic. Dr. Burt seconded the motion. The motion passed by the following roll call vote: Mr. Bentine- aye; Dr. Small- abstain; Dr. Koncal-aye; Dr. Burt-aye; Dr. Redman-aye; Ms. Jessen-aye. Compliance Inspections

The board directed Ms. Hissom to send Samuel Thomas, DVM a copy of the continuing education provisions in statute and rule to address his concerns with CE. Correspondence

Dr. Small moved to approve American Association on the Human Animal Bond as continuing education for both veterinarians and registered veterinary technicians. 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; Dr. Redman-aye; Ms. Jessen-aye. CE for vets & RVT

Ms. Jessen moved to investigate alleged violations of R.C. 4741 in the case of 06-6-005, complainant Caron Kugler. 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; Dr. Redman-aye; Ms. Jessen-aye. 06-06-005
Invest.

Dr. Burt brought up for discussion Ms. Hissom meeting with representatives from OSU veterinary school. The board directed Ms. Hissom to keep the board president informed of meetings to determine if an emergency board meeting is needed and to send updates via e-mail.

Ms. Hissom read the board directives. Directives

The Board signed licenses.

Dr. Gitz acknowledged that the next meeting will be held June 14, 2006, 8:30 a.m. on the 31st floor of the Riffe Center. Next meeting

Dr. Burt moved to adjourn the meeting at 11:55 a.m. Dr. Small seconded the motion. Dr. Gitz adjourned the meeting. Adjournment

Dr. Darrell Gitz, President

Date

Attested to by:

Heather Hissom
Executive Secretary