



The Ohio Veterinary Medical Licensing Board

77 South High Street, 16th Floor, Columbus, Ohio 43215-6108



MEETING MINUTES May 12, 2010

- **Call to Order:**

Dr. James Hearst, President of the Ohio Veterinary Medical Licensing Board called the May 12, 2010 meeting to order at 8:31 a.m. in the Board room located at 77 South High Street, 31st Floor, Columbus, Ohio.

- **Acknowledge Staff, AAG & Guests:**

Dr. Hearst acknowledged the attendance of Theresa Stir, Executive Director and Angela Mann, Licensure Coordinator taking minutes for the Board. He welcomed guests, Dr. Scott Darrell Apt, DVM and Antoinette Marsh of the International Camelid Institute. He stated that Barry McKew, AAG, is scheduled to arrive around 9:00 am.

- **Roll Call:**

Renee Jessen, RVT	present
Dr. Paul Stull, DVM	present
Dr. Roger Redman, DVM	present
Dr. Timothy Kolb, DVM	present
Dr. Lisa Mach, DVM	absent (arrived at 8:39 am)
Dr. James Hearst, DVM	present

- **April 2010 Minutes Approved:**

Ms. Jessen moved to approve the April board meeting minutes as written. Dr. Kolb seconded the motion. The motion passed by the following roll call vote: Ms. Jessen-aye, Dr. Stull-aye, Dr. Redman-aye, Dr. Kolb-aye.

- **President's Report:**

There was no report from the President.

- **Secretary's Report:**

There was no report from the Secretary.

- **OVMA Liaison:**

There was no report from the OVMA liaison.

- **OAVT Liaison:**

There was no report from the OAVT liaison.

- **Executive Director Report:**

Rules – Ms. Stir informed the Board that she has not filed the Farm Management Rule. She will do so when she files the Confidential Personal Information (CPI) Rules; which she has drafted for the Board in accordance with Section 1347.15 ORC. Sub HB 648 was passed as a result of the “Joe the Plumber” disclosure snafu and therefore, all agencies, boards and commissions are to develop administrative rules and related policies on accessing CPI. The rules are required to be filed by June 30, 2010. The Board has already approved a policy for accessing CPI (Section 6-K). The proposed rules are basically model rules developed by an Interagency Working Group containing all the language required by the statute. Ms. Stir stated that she needs a motion to file the rules with JCARR and the Public Hearing will then be held at the July Board meeting. Dr. Kolb moved to approve the Rules as written and file with JCARR. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Ms. Jessen-aye, Dr. Stull-aye, Dr. Redman-aye, Dr. Kolb-aye.

Dr. Kolb announced that there is a Public Hearing by the Livestock Committee scheduled to take place in Columbus on May 13, 2010. He stated that he has the information if anyone is interested in attending.

Fiscal – Ms. Stir explained to the Board that the staff are required to take ten (10) unpaid days off during FY11 (Cost Savings Days, CSDs). The Board staff has made a request to the Collective Bargaining Union and DAS to close the office on Friday, November 26th, the day after Thanksgiving using a CSD. The Board has received approval from the union and DAS, but also needs approval from the Board members. Ms. Stir explained that the closure of the office will be posted on the web site, through notification to the OVMA and OAVT and on the Board’s voicemail. The Board members granted their approval to close the office on November 26, 2010.

Ms. Stir noted to the Board members that Ms. Mann will be modifying her work schedule for the summer only and will resume her normal schedule in August.

Ms. Stir provided the Board with an update regarding the budget for FY11 and stated that the development of the budget for FY12-13 will begin soon. She explained that the Board received notice stating that the Board will now be audited annually, rather than every two (2) years and the Boards are now responsible for the auditing fees.

-Dr. Saville of OSU arrived at 8:37 am

-Dr. Mach arrived at 8:39 am

-Barry McKew arrived at 8:54 am

Student Loan Report – Ms. Stir provided the Board with the four (4) applications that the Board received for the Student Loan Repayment Program. After careful review of the applications and discussion between Dr. Saville and the Board, Dr. Redman moved to grant \$20,000.00 to Dr. Christen Daniel, DVM and directed Ms. Stir to request a letter from Logan Strohm’s employer to verify his employment. Dr. Kolb seconded the motion. The motion passed by the following roll call vote: Ms. Jessen-aye, Dr. Stull-aye, Dr. Redman-aye, Dr. Kolb-aye, Dr. Mach-aye.

- **FYI:**

The Board acknowledged the following without comment:

- A. Memo from the AAVSB regarding Association Activities and Updates for 2010.
- B. Letter from the AVMA stating that the Veterinary Technology program at Brown Mackie College has been granted provisional accreditation.
- C. Ohio Physicians Health Program News: Volume 7, Issue 1.

- **Requests for Licensure:**

- A. Veterinarians (addendum 1) – Ms. Jessen moved to approve the following requests for veterinarian licenses:

Jamie Ann Elizabeth Myers, DVM; Lauren E. Newsom, DVM; Timothy L. Driver, DVM; Theenda L. Greer, DVM; Susan J. Dixon, DVM; Tara S. McCoy, DVM.

Dr. Redman seconded the motion. The motion passed by the following roll call vote: Ms. Jessen-aye, Dr. Stull-aye, Dr. Redman-aye, Dr. Kolb-aye, Dr. Mach-aye.

- B. Registered Veterinary Technicians (addendum 2) – Ms. Jessen moved to approve the following requests for registered veterinary technician licenses:

Rebecca A. Husteck, RVT; Stacey A. Beck, RVT; Jessica L. Weber, RVT; Angeleena F. Slaman, RVT; Lindsay J. Lee, RVT; Amy L. Beyer, RVT; Erica A. Lewis, RVT; Joanne E. Brietkrenz, RVT; Lisa M. Roush, RVT; Julienne L. Calhoun, RVT; Elizabeth Harris, RVT; Stephanie M. McKinster, RVT; Jennifer B. Reichard, RVT; Jamie A. Elliott, RVT; Amanda R. Moulder, RVT; Robert A. Smith, RVT; Cassie R. Gombeda, RVT; Kristin M. Gill, RVT; Madison L. Middleton, RVT; Brandi N. Robison, RVT; Katherine E. McLaughlin, RVT; Erin T. Blevins, RVT; Sarah M. Sheehan, RVT; Monica A. Yoder, RVT; Tiffany A. King, RVT; Sarah M. Doyle, RVT; Amanda R. Swick, RVT; Heather M. Yake, RVT; Dawn M. Komar, RVT; Kelly M. Kockentiet, RVT; Joseph A. Gessler, RVT; Courtney D. Hunt, RVT; Amanda M. Karr, RVT; Timothy I. Combs, RVT; Sarah M. Howard, RVT.

Dr. Redman seconded the motion. The motion passed by the following roll call vote: Ms. Jessen-aye, Dr. Stull-aye, Dr. Redman-aye, Dr. Kolb-aye, Dr. Mach-aye.

- C. Limited Licenses (addendum 3) - Ms. Jessen moved to approve the following requests for limited licenses:

Anthony J. Fischetti, DVM; Angela J. Marolf, DVM.

Dr. Redman seconded the motion. The motion passed by the following roll call vote: Ms. Jessen-aye, Dr. Stull-aye, Dr. Redman-aye, Dr. Kolb-aye, Dr. Mach-aye.

D. The Board reviewed an application for a Registered Veterinary Technician (RVT) certificate. The applicant indicated on the application that she has been convicted of a misdemeanor or felony offense. Dr. Mach moved to approve the application, stating the offense was not drug related, and to issue her RVT certificate. Dr. Redman seconded the motion. The motion passed by the following roll call vote: Ms. Jessen-aye, Dr. Stull-aye, Dr. Redman-aye, Dr. Kolb-aye, Dr. Mach-aye.

- **Renewals – Veterinarians:**

A. Scott D. Apt, DVM, requested to address the Board. [Dr. Stull left the room prior to Dr. Apt speaking]. Dr. Apt explained to the Board that he had a stroke in 2003 and due to health issues he has not been able to practice as a veterinarian. His license was put in “Retired” status and expired on March 1, 2010. Dr. Apt contacted the Board office in April 2010 to ask why he did not receive his renewal application. Board staff explained to him that because his license was in “Retired” status his address was removed from the mailing list. Board staff further explained that he could still renew his license, but would be responsible for paying the late fees, due to renewing after March 1, 2010. Dr. Apt has since completed his renewal application with the proper fee and has been issued his veterinary license. It appears that there was a misunderstanding that has been cleared up.

B. The Board reviewed a request from Evan Blumer, DVM, asking the Board to waive the CE requirements for renewal of his license due to his specialized practice in zoological and wildlife medicine within the programs of his organization, the Wilds. The Board stated that Dr. Blumer should have many opportunities to fulfill the CE requirement to perform in his position. Dr. Redman moved to deny Dr. Blumer’s request for CE waiver. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Ms. Jessen-aye, Dr. Stull-aye, Dr. Redman-aye, Dr. Kolb-aye, Dr. Mach-aye.

C. An Ohio veterinarian indicated on his renewal application that he has been convicted of a misdemeanor or felony offense since he last renewed his Ohio license in March 2008. Dr. Redman moved to approve the renewal application, stating the offense was not drug related, and to renew the license. Dr. Mach seconded the motion. The motion passed by the following roll call vote: Ms. Jessen-aye, Dr. Stull-aye, Dr. Redman-aye, Dr. Kolb-aye, Dr. Mach-aye.

- **Consideration of:**

A. A.W. Burger, DVM – The Board acknowledged the Notice of Opportunity for a Hearing.

B. 09-10-069, Orin Ashley, DVM - The Board acknowledged the Notice of Opportunity for a Hearing.

C. 09-10-069, John M. Lies, DVM - The Board acknowledged the Notice of Opportunity for a Hearing.

Ms. Jessen moved to go into Executive Session at 9:25 a.m. to discuss the Assistant Attorney General Reports and pending litigation. Dr. Redman seconded the motion. The motion passed by the following roll call vote: Ms. Jessen-aye, Dr. Stull-aye, Dr. Redman-aye, Dr. Kolb-aye, Dr. Mach-aye.

Dr. Hearst announced the Board meeting back in public session at 10:08 a.m.

- **Assistant Attorney General Report:**

- A. 09-10-069, John M. Lies, DVM – Dr. Redman moved to accept the Settlement Agreement. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Ms. Jessen-aye, Dr. Stull-abstain, Dr. Redman-aye, Dr. Kolb-aye, Dr. Mach-aye.
- B. 10-10-007, Dr. Piotr Kwasnik – Dr. Redman moved to accept the Findings of Fact, the Conclusions of Law and accept the Hearing Officer’s recommendation of one (1) year suspension. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Ms. Jessen-aye, Dr. Stull-aye, Dr. Redman-aye, Dr. Kolb-aye, Dr. Mach-aye.

Ms. Jessen moved to go back into Executive Session at 10:09 a.m. to discuss Investigative Reports. Dr. Redman seconded the motion. The motion passed by the following roll call vote: Ms. Jessen-aye, Dr. Stull-aye, Dr. Redman-aye, Dr. Kolb-aye, Dr. Mach-aye.

Dr. Hearst announced the Board meeting back in public session at 10:30 a.m.

[Break: 10:30 a.m. – 10:41 a.m.]

- **Investigative Reports:**

- A. 09-10-122, complainant Jill Connone – Dr. Redman moved to issue a Notice of Opportunity for a Hearing for violation of Sections 4741.22(A) and (Y) ORC and Rule 4741-1-10 and 4741-1-21(A) OAC. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Ms. Jessen-aye, Dr. Stull-aye, Dr. Redman-aye, Dr. Kolb-abstain, Dr. Mach-aye.
- B. 10-10-005, complainant Dezarae Smith – Dr. Redman moved to find no violation of Chapter 4741 ORC but directed Ms. Stir to issue an advisory letter and schedule a facility compliance inspection. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Ms. Jessen-aye, Dr. Stull-aye, Dr. Redman-aye, Dr. Kolb-aye, Dr. Mach-aye.

- **Public Participation:**

Dr. Hearst asked to go out of order of the agenda to allow their guest, Dee Cheslock, to address the Board. Ms. Cheslock entered the meeting immediately after Executive Session. Ms. Cheslock submitted a request for reconsideration of her case # 10-10-019, which the Board found no violation of Chapter 4741 ORC at their April 2010 meeting. Ms. Jessen moved to deny the request for reconsideration, stating that no new evidence has been submitted. Dr. Kolb seconded the motion. The motion passed by the following roll call vote: Ms. Jessen-aye, Dr. Stull-abstain, Dr. Redman-aye, Dr. Kolb-aye, Dr. Mach-aye.

Ms. Cheslock addressed the Board asking for answers in regards to the death of her cat, JoJo. The Board explained to Ms. Cheslock that they are unable to provide her with the answers that she is seeking. They were not presented with substantial evidence to investigate the case. The Board referred Ms. Cheslock to the OVMA's Peer Review Committee and to the Ohio State University, Pet Owner Support and Counseling Center.

- **New Complaints (no responses yet requested):**

- A. 10-10-025, complainant Barbara Green – Ms. Jessen moved to find no violation of Chapter 4741 ORC. Dr. Redman seconded the motion. The motion passed by the following roll call vote: Ms. Jessen-aye, Dr. Stull-aye, Dr. Redman-aye, Dr. Kolb-aye, Dr. Mach-aye.
- B. 10-10-027, complainant OVMLB – Dr. Redman moved to issue a Notice of Opportunity for a Hearing for violation of Sections 4741.22(B) and (Q) ORC. Ms. Jessen seconded the Motion. The motion passed by the following roll call vote: Ms. Jessen-aye, Dr. Stull-aye, Dr. Redman-aye, Dr. Kolb-aye, Dr. Mach-aye.
- C. 10-10-028, complainant Anonymous – Ms. Jessen moved to send a Cease and Desist letter. Dr. Redman seconded the motion. The motion passed by the following roll call vote: Ms. Jessen-aye, Dr. Stull-aye, Dr. Redman-aye, Dr. Kolb-aye, Dr. Mach-aye.
- D. 10-10-029, complainant Peter Hill, DVM – Dr. Redman moved to send a Cease and Desist letter. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Ms. Jessen-aye, Dr. Stull-aye, Dr. Redman-aye, Dr. Kolb-aye, Dr. Mach-aye.
- E. 10-10-030, complainant Roy Hively - Ms. Jessen moved to send a Cease and Desist letter. Dr. Kolb seconded the motion. The motion passed by the following roll call vote: Ms. Jessen-aye, Dr. Stull-aye, Dr. Redman-aye, Dr. Kolb-aye, Dr. Mach-aye.
- F. 10-10-031, complainant Rosemary Reljin – Ms. Jessen moved to close the case stating the Board does not have jurisdiction. Dr. Redman seconded the motion. The motion passed by the following roll call vote: Ms. Jessen-aye, Dr. Stull-aye, Dr. Redman-aye, Dr. Kolb-aye, Dr. Mach-aye.

G. 10-10-032, complainant Shari Bleuer – Ms. Jessen moved to find no violation of Chapter 4741 ORC. Dr. Mach seconded the motion. The motion passed by the following roll call vote: Ms. Jessen-aye, Dr. Stull-aye, Dr. Redman-aye, Dr. Kolb-aye, Dr. Mach-aye.

Dr. Stull asked for clarification of a question related to providing prescriptions. The Board directed Ms. Stir to seek counsel from Mr. Winsley, the Director of the Ohio State Board of Pharmacy.

H. 10-10-033, complainant Jeanne Barna – Dr. Redman moved to find no violation of Chapter 4741 ORC. Dr. Kolb seconded the motion. The motion passed by the following roll call vote: Ms. Jessen-aye, Dr. Stull-aye, Dr. Redman-aye, Dr. Kolb-aye, Dr. Mach-aye.

I. 10-10-034, complainant Anonymous – Dr. Mach moved to send the case to investigation. Dr. Kolb seconded the motion. The motion passed by the following roll call vote: Ms. Jessen-aye, Dr. Stull-aye, Dr. Redman-aye, Dr. Kolb-aye, Dr. Mach-aye.

J. 10-10-035, complainant Anonymous – Dr. Kolb moved to find no violation of Chapter 4741 ORC, stating insufficient information in the complaint. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Ms. Jessen-aye, Dr. Stull-aye, Dr. Redman-aye, Dr. Kolb-aye, Dr. Mach-aye.

- **Complaint Responses Received:**

A. 10-10-023, complainant Erich & Ann Mollohan – Dr. Mach moved to find no violation of Chapter 4741 ORC. Dr. Kolb seconded the motion. The motion passed by the following roll call vote: Ms. Jessen-aye, Dr. Stull-aye, Dr. Redman-aye, Dr. Kolb-aye, Dr. Mach-aye.

B. 10-10-024, complainant Ashley Dunham – Dr. Mach moved to find no violation of Chapter 4741 ORC. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Ms. Jessen-aye, Dr. Stull-aye, Dr. Redman-aye, Dr. Kolb-aye, Dr. Mach-aye.

C. 10-10-026, complainant Roxie Douglas – Dr. Mach moved to send the case to investigation. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Ms. Jessen-aye, Dr. Stull-aye, Dr. Redman-aye, Dr. Kolb-aye, Dr. Mach-aye.

- **Compliance Inspection:**

A. 09-10-088, Herbert Topp, DVM – The Board stated the findings of the compliance inspection to be acceptable.

- **Request for Reconsideration:**

A. 09-10-064, complainant Cynthia Wilmot – Dr. Mach moved to deny the request for reconsideration. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Ms. Jessen-aye, Dr. Stull-aye, Dr. Redman-aye, Dr. Kolb-aye, Dr. Mach-aye.

- B. 10-10-002, complainant Patricia Vairetta – Ms Jessen moved to deny the request for reconsideration. Dr. Redman seconded the motion. The motion passed by the following roll call vote: Ms. Jessen-aye, Dr. Stull-aye, Dr. Redman-aye, Dr. Kolb-aye, Dr. Mach-aye.
- C. 10-10-006, complainant Multiple Veterinary Specialists – Dr. Mach moved to deny the request for reconsideration. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Ms. Jessen-aye, Dr. Stull-aye, Dr. Redman-aye, Dr. Kolb-aye, Dr. Mach-aye.

[Break: 11:37 a.m. – 11:44 a.m.]

• **Continuing Education Requests - Veterinarians**

Dr. Mach moved to approve the following continuing education requests for veterinarians as follows:

- A. Metropolitan Veterinary Hospital – 2010 Spring Conference: 4/11/10 = 4.5 hours
- B. Toledo Vet Medical Association – Behavior of Aging Pets: 4/6/10 = 2 hours
- C. ProMedica Health – 19th Annual Diagnostic Ultrasound Symposium: 3/6/10 = 6 hours
- D. Lima Area Medical Education Development, Inc. –
- 1.) Echo Conference: 3/17/10 = 1 hour
 - 2.) Pulmonary Hypertension: 3/25/10 = 1 hour
 - 3.) 10th Annual Cardiovascular Symposium: 5/15/10 = HOLD: Request Syllabus & time for each lecture

Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Ms. Jessen-aye, Dr. Stull-aye, Dr. Redman-aye, Dr. Kolb-aye, Dr. Mach-aye.

• **Continuing Education Requests – RVT’s – NONE**

• **Continuing Education Requests – Veterinarians and RVT’s:**

Dr. Mach moved to approve the following continuing education requests for veterinarians and registered veterinary technicians as follows:

- A. Lima Area Academy of Small Animal Medicine –
- 1.) Basis of Puppy & Kitten Behavior & Problem Preventions: 3/9/10 = 1.5 hours
 - 2.) Diagnostic Clinical Microbiology: 4/13/10 = 1.5 hours
- B. Boehringer-Ingelheim Vetmedica – Diagnosis & Treatment of Feline Diabetics: 4/7/10 = 1 hour
- C. Eastern Ohio Veterinary Medical Association – Introduction of Digital Imaging and Alternate Imaging: 5/12/10 = 1.5 hours

- D. Humane Society – Video Euthanasia Training Program produced by Animal Care Training (ACT): Non-scientific

Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Ms. Jessen-aye, Dr. Stull-aye, Dr. Redman-aye, Dr. Kolb-aye, Dr. Mach-aye.

- **Correspondence Received:**

- A. The Board reviewed correspondence received from Terri Sizemore, DVM regarding a public records request from Patricia Vairetta. No response required.
- B. The Board reviewed correspondence received from Elaine Nowery regarding veterinary assistant guidelines. The Board directed Ms. Stir to provide Ms. Nowery with a written response explaining that a veterinary assistant can hold the mask down on an animal but cannot regulate the anesthetic agent. Additionally, Ms. Stir is to provide the most recent newsletter which addresses the handling of controlled substances by animal aides.
- C. The Board reviewed correspondence received from Barbara Baker, Associate Director of the International Camelid Institute, regarding educational materials for camelid owners.

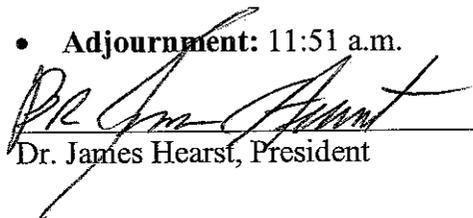
- **Old Business:** NONE

- **New Business:** NONE

- **Next Board Meeting:**

Dr. Hearst acknowledged that the next Board meeting is scheduled for June 9, 2010, 8:30 a.m. in the Board room located at 77 South High Street, 31st Floor, Columbus, Ohio.

- **Adjournment:** 11:51 a.m.



Dr. James Hearst, President

6/9/2010

Date

Attested to by:



Theresa Stir, Esq.
Executive Director