

THE OHIO VETERINARY MEDICAL LICENSING BOARD
MEETING MINUTES
June 11, 2008

• **Call to Order:**

Dr. David Koncal, President of the Ohio Veterinary Medical Licensing Board called the June 11, 2008 meeting to order at 8:36 a.m. in the Board room located at 77 South High Street, 31st Floor, Columbus, Ohio.

• **Roll Call:**

Dr. David Koncal	present
Dr. Darrell Gitz	present
Dr. James Hearst	present
Dr. Roger Redman	present
Dr. Janet Small	absent
Renee Jessen, RVT	present
Geoffrey Smith	arrived at 10:52 a.m.

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

Dr. Koncal welcomed Janet Buck and Linda Heidenreich of the OAVT. Dr. Koncal acknowledged the attendance of Theresa Stir, Executive Director, Barry McKew, AAG and Angela Mann, Licensure Coordinator taking minutes for the Board.

• **May 2008 Minutes Approved:**

Ms. Jessen moved to accept the minutes as presented. Dr. Redman seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

• **President's Report:**

Dr. Koncal commented on evidence gathered by Board investigators. He said that it is the investigators job to gather everything they can but it is the Board's job to filter the evidence and consider only that which is germane to the complaint. Ms. Stir and Mr. McKew were asked to monitor the Board on this issue.

• **Secretary's Report:**

There was no secretary's report.

- **OVMA Liaison:**

There was no report from the OVMA liaison.

- **Veterinary Medical Student Loan Program:**

The Board received the additional requested information related to counties of service from all nine applicants. Dr. Koncal stated that Dr. Saville is unable to attend this meeting; however he attended the May 14 meeting and provided his thoughts regarding the candidates for the Board to consider. Upon discussion, Dr. Gitz moved to award the following:

- Dr. David Thomas Brennan - \$15,000.00 for a two year contract.
- Dr. Joshua David Teders - \$15,000.00 for a two year contract.
- Dr. Andrew S. Bowman - \$10,000.00 for one year contract.
- Dr. Mary Mowrer - \$10,000.00 for a one year contract.

Dr. Redman seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

- **Executive Director Report:**

Theresa Stir, Executive Director, forwarded chapter 1 of the OVMLB Policy book to the Board for their review and revision. Dr. Koncal mentioned Policy 1-D states that the Board will send a “cautionary letter”. Dr Koncal has never heard of this procedure. Mr. McKew, AAG, explained to the Board that this type of detailed Policy book is usually for much larger Boards and suggests that OVMLB not have such a descriptive Policy book since most of the requirements are in law. The Board directed Ms. Stir to review and make recommendations for revision to the policies.

Fiscal Update – Ms. Stir informed the Board that a new computer has been approved for Ms. Mann. However, an equipment waiver was required for the copier which has been in the office since January, 2008 prior to the institution of the equipment waiver requirement.

IT Update – Ms. Stir stated that the new shared services agreement may cost the Board less money than what is currently in place. She also mentioned that staff may have to start updating the OVMLB website. Dr. Koncal mentioned that he is impressed with the website and that it has come a long way.

Laws & Rules – The proposed rule (4741-1-11 OAC) regarding continuing education was filed June 6, 2008. There will be a Public Rules hearing at the July Board meeting beginning at 8:30 a.m. Jack Advent, E.D. for OVMA was provided a copy of the rule prior to filing and made a recommendation consistent with the intent of the Board’s vote to acknowledge state association approval of continuing education.

Other – Ms. Stir explained that there may be a slight delay in processing of Board investigations as ODA lost one of their investigators and the position has not been approved to be refilled. However, there are no outstanding investigations at this time.

- **FYI:** Members reviewed without discussion the following:
 - CVTEA Semi-Annual Report (Spring 2008)
 - AVMA Memo: Accreditation of the University College, Dublin Faculty of Veterinary Medicine

- **Requests for Licensure:**

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

Bobbie L. Kenna, DVM; Jarrod D. Thoroman, DVM; Alexandra M. Tyzzer, DVM; Samuel D. Hurcombe, DVM; Kelly C. Willard, DVM; Jennifer M. Hardesty, DVM; Bethany L. Smouther, DVM; Lisa M. Mendenhall, DVM; Terri A. Zachos, DVM; Amy E. Benham, DVM; Carrie L. Bettin, DVM; Casey M. Birkel, DVM; Amy B. Bringardner, DVM; Julie A. Connolly, DVM; Lori A. Davis, DVM; Jessica DeMarco, DVM; Yoyoi Fukuhara, DVM; Emily C. Gabriel, DVM; Erin M. Gannon, DVM; John K. Guarasci, DVM; Raven S. Gulick, DVM; Brady J. Hall, DVM; Diane P. Horowitz, DVM; Aaron J. Ison, DVM; Hannah L. Ison, DVM; Cynthia J. Johnson, DVM; Jonathan K. Kahn, DVM; Justin D. Kieffer, DVM; Joanna Konerman-Fry, DVM; Andrew M. Kreiger, DVM; Heather A. Lasher, DVM; Zachary A. Logan, DVM; Heather A. Moniot, DVM; Kelley M. Pozza-Adams, DVM; Erica L. Row, DVM; Jillian M. Salisbury, DVM; Amanda M. Samson, DVM; Emily A. Schmidbauer, DVM; Carissa A. Scott, DVM; Jessica A. Shelby, DVM; Joshua A. Stern, DVM; Kristina A. VanAutreve, DVM; Kelsey Walker, DVM; Jennifer L. Willcox, DVM; Simona Rikh, DVM; Adam C. Schanding, DVM; Valerie Lyn White, DVM

Dr. Redman seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

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

Katherine E. Wolowiec, RVT; Emese A. Blankenship, RVT; Anne L. McAuliffe, RVT; Gretchen M. Latham, RVT; Ashley L. Anthony, RVT

Dr. Redman seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

- **Consideration of:**

- A. 119's Issued:

Dr. Gitz moved to acknowledge a Notice of Opportunity for a Hearing issued for the following cases.

- 1.) 07-08-147, Carrie Ullmer, DVM
- 2.) 07-08-193, Charles Coleman, DVM
- 3.) 07-08-193, John M. Lies, DVM
- 4.) 08-08-019, Earl F. Arnholt, DVM

Dr. Redman seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

B. Hearings Scheduled:

Dr. Gitz moved to acknowledge the hearings scheduled for the following cases.

- 1.) 07-07-016, Bradley P. Neer, DVM
- 2.) 07-08-130, Maureen Brown, DVM
- 3.) 07-08-147, Carrie Ullmer, DVM
- 4.) 08-08-019, Earl F. Arnholt, DVM

Dr. Redman seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

• **Executive Session, AAG Reports:**

Dr. Redman moved to go into Executive Session at 9:21 a.m. for the Assistant Attorney General Report. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

Dr. Koncal announced the Board meeting back in public session at 9:38 a.m.

- A. 03-03-016, Harjinder Singh, DVM - Dr. Redman moved to dismiss the Adjudication Order and Close the case. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.
- B. 07-08-147, Carrie Ullmer, DVM – Dr. Gitz moved to withdraw the Notice of Opportunity for a Hearing issued to Dr. Ullmer. Dr. Redman seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.
- C. 07-07-016, Precious Lives Animal Hospital – Dr. Redman moved to accept the Settlement Agreement. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.
- D. 07-08-173, Shannon Cawthorn, RVT – Dr. Redman moved to accept the Settlement Agreement. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.
- E. 07-08-130, 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: Dr. Redman-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.
- F. 08-08-019, Earl F. Arnholt, DVM - Dr. Redman moved to accept the Settlement Agreement. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

- **Executive Session, Investigative Reports:**

Dr. Gitz moved to go into executive session at 9:40 a.m. to discuss investigative reports. Dr. Redman seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

Dr. Koncal announced the Board meeting back in public session at 9:46 a.m.

A. 08-08-010, complainant Marsha Tregloan – Dr. Redman moved to find no violation of Chapter 4741 ORC. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

B. 08-08-026, complainant Amanda Casarez – Ms. Jessen moved to close the case. Dr. Redman seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

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

A. 08-08-047, complainant Susan Rainey – Dr. Redman moved to find no violation of Chapter 4741 ORC but requested staff to forward the AVMA guidelines regarding the heart stick to the physician in question. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

B. 08-08-048, complainant Thomas Dupps – Dr. Redman moved to table deliberation and request records. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

C. 08-08-049, complainant Diana McClure – Dr. Gitz moved to close the case stating the Board does not have jurisdiction but requested staff to forward the complaint to the Department of Agriculture. Dr. Redman seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

D. 08-08-050, complainant Rex & Frances Tessler – Dr. Gitz 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: Dr. Redman-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

E. 08-08-051, 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: Dr. Redman-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

F. 08-08-052, complainant Kate Churchill – Dr. Redman moved to send a cease and desist letter. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

G. 08-08-053, complainant Anonymous – Dr. Gitz moved to send the case to investigation. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

- H. 08-08-054, complainant John Spano – Dr. Koncal left the room prior to discussing this case. Dr. Gitz moved to table deliberation and request records. Dr. Hearst seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.
- I. 08-08-055, complainant Michael Wagner – Ms. Jessen moved to close the case stating the Board does not have jurisdiction over fees. Dr. Redman seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.
- J. 08-08-058, complainant Beth Conley – 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: Dr. Redman-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.
- K. 08-08-061, complainant Betty Slatton – Dr. Gitz moved to table deliberation and request records. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.
- L. 08-08-063, complainant Anne Russek – Dr. Gitz moved to close the case stating the Board does not have jurisdiction but requested staff to forward the complaint to the Department of Agriculture. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

- **Complaint Responses Received:**

- A. 07-08-147, complainant Mary McKay – Dr. Redman moved to find no violation of Chapter 4741 ORC. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.
- B. 08-08-041, complainant Mark Sims – Dr. Redman moved to find no violation of Chapter 4741 ORC. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.
- C. 08-08-046, complainant Gwenn Harrison - Dr. Redman moved to find no violation of Chapter 4741 ORC. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-no, Dr. Koncal-no.

- **Compliance Inspection:**

- A. 07-07-012, Dr. Gitz moved to send a 5-day letter for Compliance Inspection in accordance with 4741.26 ORC. Dr. Redman seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

Break: 10:35 – 10:50 a.m.

- **Continuing Education Requests - Veterinarians**

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

- A. Boehringer-Ingelheim – New Advances in Canine Cardiology: 5/15/08 = 2 hrs.
- B. Western College of Veterinary Medicine – Reproductive Ultrasonography & Embryo Transfer Workshops: 5/5/08 – 05/10/08 = 36 hrs.
- C. Veterinary Oncology & Referral Clinic – Clinical Pathologic Conference: 5/14/08 = 1 hr.
- D. Great Lakes Veterinary Specialists/Brightheart VI –
 - 1.) Treatment of Canine & Feline Cardiomyopathy: 6/11/08 = .75 hr.
 - 2.) Melanoma Vaccine: 6/11/08 = .75 hr.

Dr. Redman seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

- **Continuing Education Requests – RVT’s**

Ms. Jessen moved to approve the following continuing education requests for registered veterinarian technicians as follows:

- A. Hills Pet Nutrition –
 - 1.) Prescription Diets: 8/26/07 = hour for hour
 - 2.) Veterinary Technical Nutritional Counselor Program: various dates = 5.5 hrs.
- B. Extra Paws RVT Relief Service – Feeding Tubes & Maintenance: various dates = 1 hr.

Dr. Redman seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

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

Ms. Jessen moved to approve the following continuing education requests for veterinarians and registered veterinarian technicians as follows:

- A. Pfizer Animal Health –
 - 1.) Implementation of Feline Protocols for Parasite Prevention: 3/28/08 = hour for hour
 - 2.) Slentrol Leader’s Exchange: 6/27/08 – 6/30/10 = 5 hrs.
 - 3.) Teleconference-Beef Calf Pneumonia: 6/3/08 – 6/30/10 = 1 hr.
 - 4.) Convenia (cefovecin sodium) A New Cephalosporin: 5/27/08 & 6/3/08 = 1 hr.
- B. Lima Area Academy of Small Animal Medicine –
 - 1.) Mechanisms of Congestive Heart Failure: 1/8/08 = 1.5 hrs.
 - 2.) Feline Lower Urinary Tract Disease: 3/11/08 = 2 hrs.
 - 3.) Understanding Canine Body Language: 4/8/08 = 1.5 hrs.
 - 4.) Canine Osteosarcoma & Feline Injection Site Sarcoma’s: 5/13/08 = 2 hrs.
- C. The Ohio State University –

- 1.) Royal Canine Symposium: 10/3/08 – 10/5/08 = Lab = 4 hrs. & Lectures = 15 hrs.
 - 2.) Small Animal CE Series: 2008 - 2009 = 2 hrs. each course
 - 3.) One-Medicine Conference: 9/11/08 & 9/12/08 = 7.25 hrs.
- D. Ohio Scientific Education & Research Association (OSERA) – 3rd Animal Forum, Updates on Topics of Interest to Laboratory Animal Veterinarians & RVT's: 6/5/08 = 2.5 hrs.
 - E. IDEXX – Basic to Advanced Blood Film Review: 4/17/08 = 2 hrs.
 - F. Lakeland Community College – Wildlife Rehabilitation Program: 9/6/08 & 9/7/08 = hour for hour

Mr. Smith arrived at meeting: 10:52 a.m.

Dr. Redman seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Mr. Smith-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

- **Correspondence Received:**

- A. The Board reviewed correspondence from Deana Sullivan seeking guidance as to whether a registered veterinary technician is able to dispense oxytocin. The Board directed Ms. Stir to address a written response explaining that oxytocin is considered a "Dangerous Drug" as defined by law (Chapter 4729 of the Ohio Revised Code). Therefore, only a licensed practitioner authorized by law to prescribe, may order the administration of a dangerous drug. In this case, once a veterinarian prescribes the medication, a registered veterinary technician may administer the drug as ordered.
- B. The Board reviewed correspondence from Erik Chase regarding the laws/regulations of a DVM prescribing a non-narcotic legend drug. The Board directed Ms. Stir to address a written response stating that a licensed DVM may not prescribe a non-narcotic legend drug for another human being or him/herself.
- C. The Board reviewed correspondence from Kathleen Nelson, DVM asking who can perform ultrasounds on animals. The Board directed Ms. Stir to address a written response indicating that an unlicensed trained person can perform an ultrasound on an animal, however only a licensed veterinarian can interpret or make a diagnosis.

- **New Business:**

Ms. Stir provided the Board with the NAVLE scores from the April 2008 testing window. Ms. Jessen moved to acknowledge the scores. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Mr. Smith-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

- **Old Business:**

A. Dr. Koncal reminded the Board that they were scheduled to discuss Ms. Stir's evaluation at this meeting. Mr. McKew explained to the Board that they have the option to go into executive session because they will be discussing a personnel issue. Dr. Gitz asked if the discussion could be tabled until next month to include Dr. Small. Under general consensus the Board tabled the discussion until next month.

- **Directives:**

The reading of the meeting directives was deferred.

- **Next Board Meeting:**

Dr. Koncal acknowledged that the next Board meeting will be held July 9, 2008, 8:30 a.m. in the Board room located at 77 South High Street, 31st Floor, Columbus, Ohio.

- **Adjournment:**

Dr. Gitz moved to adjourn the meeting at 11:06 a.m. Dr. Redman seconded the motion. Dr. Koncal adjourned the meeting.

Dr. David Koncal, President

Date

Attested to by:

Theresa Stir, Esq.
Executive Director