

THE OHIO VETERINARY MEDICAL LICENSING BOARD
MEETING MINUTES
September 10, 2008

• **Call to Order:**

Dr. David Koncal, President of the Ohio Veterinary Medical Licensing Board called the September 10, 2008 meeting to order at 8:31 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	present
Renee Jessen, RVT	present
Geoffrey Smith	absent

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

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

• **August 2008 Minutes Approved:**

Dr. Hearst moved to accept the minutes with one correction under old business. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Small-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

• **President's Report:**

Dr. Koncal informed the Board that he and Dr. Redman met with Theresa Stir last month to discuss her evaluation. The Board is pleased with Ms. Stir's performance. He mentioned that the Board would like to have each staff member attend a Board meeting to discuss their duties in the office.

• **Secretary's Report:**

There was no Secretary's report.

• **OVMA Liaison:**

There was no report from the OVMA liaison.

- **OAVT Liaison:**

There was no report from the OAVT liaison.

- **Executive Director Report:**

FY10 & 11 – Ms. Stir informed the Board that she submitted the budget forms to the OBM analyst on September 2, 2008. This information was also mailed to Board members prior to this meeting. Ms. Stir hopes to have an update for the Board at the October Board meeting regarding any recommended changes. Dr. Koncal asked if the budget will allow for an OVMLB staff member to attend the AAVSB conference in 2009. Ms. Stir will review the budget.

Audit Update – Ms. Stir stated that the auditor has not submitted their final report. She is hoping to have it by the October Board meeting to share with the Board. For example, one area of deficiency that has been identified is that the 2007 deposits were not completed in the manner prescribed by law as well as the 2008 deposits during the renewal cycle.

Policy Manual – Members were asked to review Chapter 4 & 5 of the policy manual. Ms. Stir explained that the employee manual (part of policy 5-A) has been updated to incorporate the new OAKS process for Human Resources. Dr. Small asked if the Board had previously approved the employee manual regarding personnel issues. She recalls that this policy came before the Board a few years ago and there was a lot of controversy. She asked Ms. Stir to review past meeting minutes to determine approval status.

Student Loan Repayment Program – Ms. Stir informed the Board that Dr. Gabriel Middleton signed the agreement for a one year service commitment in exchange for \$7500 to be applied towards his student loans. Ms. Stir further explained that a problem arose with the Board of Regents (BOR) and the administration of the fund. The BOR was under the impression that they did not have legal authority to administer the fund. However, after discussion with the OBM analyst and BOR representatives, the BOR is seeking authority from the Controlling Board to receive authorization for the board to administer the fund. Ms. Stir further informed the Board that there has been some discussion of inserting legislative language in the budget bill to have the Board administer and distribute the funds for the student loan program.

Rule Update – Ms. Stir filed Rule 4741-1-01, eliminating the need for notary signature prior to renewal for RVTs, on September 2, 2008. The public rules hearing will be held at the October Board meeting.

Ms. Stir provided the Board with correspondence from Mr. Oberholtzer, the attorney retained by the Ohio Association of Veterinary Technicians (OAVT) regarding Rule 4741-1-14 (Animal Aide). Mr. Oberholtzer is seeking an Attorney General opinion regarding the Rule.

Dr. Gitz moved to get the Assistant Attorney General's opinion for strict implementation. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Small-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

Mr. Oberholtzer plans to attend the October Board meeting and arrive at 1:30 p.m. to discuss his concerns about Rule 4741-1-14 OAC.

2009 Board Meeting Dates – Ms. Stir provided the Board with a calendar for the 2009 Board meetings. She explained to the Board that they will need to choose a date for the November 2009 meeting, as the second Wednesday of that month falls on a state holiday. The Board concurred to schedule the meeting for November 4, 2009. The 2009 Board meeting dates are:

January 14, 2009
February 11, 2009
March 11, 2009
April 8, 2009
May 13, 2009
June 10, 2009
July 8, 2009
August 12, 2009
September 9, 2009
October 14, 2009
November 4, 2009
December 9, 2009

Newsletter – Ms. Stir provided the Board with a revised copy of the newsletter which included an article from the Ohio Department of Agriculture. Dr. Koncal was complimentary of the newsletter. The Board approved the newsletter to include the request from ODA.

• **Requests for Licensure:**

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

Jessica Rose Krueger; Jayme A. Zimmerman; Natalie Nichole Culler; John Anthony Megaro; Sarah Grace Stonel; Luke C. Heider; Aaron R. Myers

Dr. Redman seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Small-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.

Elizabeth Marie Mendenhall; Celeste Susan Gatt; Megan Polly Mosberger

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

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

Andrew D. Mercurio; Ronaldo C. DaCosta; Alessio Vigani; Agnieszka Kent; Cheryl A. London; Carlos R.F. Pinto

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

- **Consideration of:**

Dr. Redman moved to acknowledge the hearing scheduled, the settlement agreement, and medical records received as acceptable in the following cases:

- A. Hearing Scheduled:

- 1.) 07-08-172, Rudy Schneidhorst, DVM

- B. Settlement Agreement:

- 1.) 07-08-193, Charles A. Coleman, DVM

- C. Medical Records:

- 1.) Anstadt Animal Hospital, Tipp City, Ohio

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

- **Executive Session, AAG Reports:**

Dr. Redman moved to go into Executive Session at 9:13 a.m. for the Assistant Attorney General Report. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Small-aye; Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

Dr. Koncal announced the Board meeting back in public session at 9:19 a.m.

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

- A. 08-09-080, complainant Anonymous – Ms. Jessen moved to send the case to investigation. Dr. Redman seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Small-aye; Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

- B. 08-09-086, complainant Ohio Department of Health – Dr. Gitz moved to close the case. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Small-aye; Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

- C. 08-09-089, complainant Richard Dansereau – 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. Small-aye; Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

- D. 08-09-090, complainant Bree Arnett – Dr. Gitz 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. Small-aye; Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

- E. 08-09-091, complainant Michael Kail – 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. Small-aye; Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.
- F. 08-09-093, complainant Kacie Blevins – Dr. Small moved to find no violation of Chapter 4741 ORC. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Small-aye; Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

- **Complaint Responses Received:**

- A. 08-08-068, complainant Dannielle & Jon Reed – Dr. Gitz moved to find no violation of Chapter 4741 ORC. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Small-aye; Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.
- B. 08-08-070, complainant Virginia Fox – Dr. Small 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. Small-aye; Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.
- C. 08-09-077, complainant Dennis & Brenda Canterbury – Dr. Gitz moved to send an advisory letter to the veterinarian. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Small-aye; Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.
- D. 08-09-078, complainant Bruce & Bonnie Ferone – 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. Small-aye; Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.
- E. 08-09-079, complainant Mona Curtis – Dr. Gitz moved to table the case and send another request for actual medical records. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Small-aye; Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.
- F. 08-09-081, complainant Helen Allen – Dr. Redman moved to send the case to investigation. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Small-aye; Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

[The Board took a 5 minute break]

- G. 08-09-082, complainant Norman & Gale Noble – After the Board reviewed the CD x-rays received, Dr. Redman moved to find no violation of Chapter 4741 ORC. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Small-aye; Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.
- H. 08-09-083, complainant Linda Quinn – Dr. Gitz moved to table the case until the November Board meeting. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Small-aye; Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

- I. 08-09-084, complainant Beatriz Porras – After the Board reviewed the x-ray received, Dr. Gitz 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. Small-aye; Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.
- J. 08-09-085, complainant Barbara Nicely – Dr. Redman moved to send the case to investigation. Ms. Jessen seconded the motion. After further discussion, Dr. Redman and Ms. Jessen withdrew their motion to investigate. Dr. Gitz moved to close the case. Dr. Small seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Small-aye; Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.
- K. 08-09-088, complainant Michelle McCue – 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. Small-aye; Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

- **Compliance Inspection:**

- A. Mapleton Veterinary Clinic—Dr. Gitz moved to accept the compliance inspection without any deficiencies. Dr. Redman seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye; Dr. Small-aye; Dr. Gitz-aye; Dr. Hearst-aye; Ms. Jessen-aye.

The Board reviewed tabled correspondence regarding #08-08-062, complainant Kathie Lively - Ms. Jessen moved to send Ms. Lively a written response thanking her for her letter and explaining the results of the Compliance Inspection. Dr. Gitz seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Small-aye; Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

[Break: 10:50 a.m. – 11:08 a.m.]

- **Continuing Education Requests - Veterinarians**

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

- A. Pfizer Animal Health – “When Things Go Wrong in Oncology”: 09/16/08 = 2 hrs.
- B. Hill’s Pet Nutrition – Veterinary Technical Nutritional Counselor Program: various dates = 5.5 hrs.
- C. Cincinnati Veterinary Medical Association –
 - 1.) Management of Dental Disease: 09/23/08 = 2 hrs.
 - 2.) Small Animal Soft Tissue Surgery: 10/19/08 = 7 hrs.
 - 3.) Spectrum of Meningoencephalitis of Unknown Etiology: 11/25/08 = 2 hrs.
- D. Merial LTD –
 - 1.) History of Vaccines: 06/18/08 = 1 hr.
 - 2.) Osteoarthritis Wet Lab: 10/05/08 = 5 hrs.
 - 3.) Vaccinology 2008: 10/28/08, 10/29/08, 10/30/08 = 1.5 hrs. per meeting
- E. Veterinary Information Network (VIN) – Exotic & Emerging Animal Diseases: 10/08/08 – 11/19/08 = 12 hrs.

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

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

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

- A. Veterinary Information Network (VIN) –
 - 1.) Equine Diagnostic Imaging & Emergency Medicine: 09/29/08 – 11/05/08 = 6 hrs.
 - 2.) Exceptional Client Skills for Front Desk Staff Module 1: 10/07/08 – 11/13/08 = Not Approved = Non-scientific
 - 3.) Basic Avian Hematology: 09/17/08 & 09/24/08 = 3 hrs.
- B. MedVet Associates –
 - 1.) Patient Positioning for Orthopedic Procedures: 08/20/08 = .5 hr.
 - 2.) Nosocomial Infections & Sterile Technique: 08/18/08 = 1 hr.
 - 3.) Diabetes Mellitus: 08/07/08 = 1 hr.
 - 4.) Oxygen Supply & Flow Rates: 07/23/08 = .5 hr.
 - 5.) Management of Ventilator Patients: 07/21/08 = 1 hr.
 - 6.) CPR & Triage Basics: 07/09/08 = 2 hrs.
 - 7.) Immune Mediated Anemia: 05/15/08 = 1 hr.
- C. Ohio Association of Veterinary Technicians District 7 – Practical Aspects of Small Mammal Medicine: 08/10/08 = hour for hour

Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Small-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.) Day of Derm: 08/03/08 = 2 hrs.
 - 2.) “When Things Go Wrong in Oncology”: 09/15/08 – 09/17/08 = 2 hrs.
- B. Humane Alliance – Techniques/Skills in high volume/high quality spays & neuters: 07/21/08 – 07/24/08 = hr. for hr.
- C. Equine Specialty Hospital – Equine Pediatrics Surgery & Medicine: 10/17/08 = 8 hrs.
- D. American Humane Association – Animal Emergency Services Basic Training: 09/05/08 & 09/06/08 = 14 hrs.
- E. Dr. Emily/Dr. Auvil – Labs & Lectures in Dental Radiology, Emergency Medicine & Soft Tissue Surgeries: 09/13/08 & 09/14/08 = hour for hour
- F. IDEXX – Heartworm Disease in Dogs & Cats: 07/31/08 = 1 hr.
- G. Merial LTD – Vaccines & Vaccination 2008 Facts vs. Fiction: 08/14/08 – 08/15/08 = 1.5 hrs.

- H. Novartis Animal Health US – Simplified Diagnosis: 07/02/08 = Not approved – Non-scientific (unless there is discussion held by a veterinarian)
- I. Fort Dodge Animal Health – “The Unwanted Horse” and “New Thoughts on Vaccinating”: 09/03/08 = 2 hrs.

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

- **Requests for Reconsideration:**

- A. 08-08-016, complainant Eric Nutter – the Board reviewed correspondence from Mr. Nutter requesting the Board to reconsider their decision made at the April 2008 Board meeting ruling no jurisdiction. The Board’s decision stands and they directed Ms. Stir to send Mr. Nutter a letter thanking him for his correspondence.

- **Correspondence Received:**

- A. The Board reviewed correspondence from William R. Lukens, DVM, regarding WTF Wholesale Suppliers Corporation and non-prescription items. The Board directed Ms. Stir to send Dr. Lukens a written response explaining that the Board does not have jurisdiction over this matter.
- B. The Board reviewed correspondence referencing case # 08-08-064 from Kim Bell regarding their decision made at the July 2008 Board meeting ruling no violation. The Board directed Ms. Stir to provide Mr. Bell with a letter thanking him for his correspondence.
- C. The Board reviewed correspondence from Suzanne Wilcox, DVM, seeking guidance regarding the distribution of heartworm prevention. The Board directed Ms. Stir to provide Dr. Wilcox with a written response stating that our law does not state that it is illegal for veterinarians to split medications. However, Dr. Wilcox may want to contact the Pharmacy Board for further guidance.

- **New Business:** None

- **Old Business:**

Dr. Small moved to go into Executive Session to discuss the Executive Director’s evaluation at 11:20 a.m. Dr. Redman seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Dr. Small-aye, Dr. Gitz-aye, Dr. Hearst-aye, Ms. Jessen-aye.

Dr. Koncal called the meeting back into public session at 11:47 a.m.

The Board provided Ms. Stir with her evaluation and each Board member's comments. Dr. Koncal asked Ms. Stir to review all comments and forward them to HR for her personnel folder. Dr. Koncal further explained that the Board would like to hear from each staff member, during the next few Board meetings, what their specific duties are. He would like for Ms. Stir to provide her duties at the October Board meeting. The Board would like Ms. Stir to revise the form for the ED evaluation prior to next year's evaluation to make it more user-friendly and using measurable outcomes.

- **Next Board Meeting:**

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

- **Adjournment:**

Dr. Koncal adjourned the meeting at 11:50 a.m.

Dr. David Koncal, President

Date

Attested to by:

Theresa Stir, Esq.
Executive Director