

**OHIO VETERINARY MEDICAL LICENSING BOARD
MINUTES**

October 10, 2007

Veterinary Medical Licensing Board Meeting Minutes

Dr. Janet Small, President of the Ohio Veterinary Medical Licensing Board called the October 10th, meeting to order at 08:35 a.m. in the Board Room at 77 S. High Street, 31st Floor, Columbus, Ohio. Call to Order

Dr. Small directed the Executive Director to call roll: Roll Call

Dr. Janet Small	present
Dr. Darrell Gitz	present
Dr. James Burt	absent
Dr. David Koncal	absent
Dr. Roger Redman	present
Renee Jessen, RVT	present
Geoffrey Smith	present

Dr. Small acknowledged the attendance of Theresa Stir, Executive Director, Barry McKew, AAG, Nicole Eaton, OVMA Liaison, Robert Knapp, DVM, Jack Advent and Michelle Holdgreve of the OVMA and Patricia Whalen Shaw, a physical therapist.. Guests were asked to sign the attendance sheet. Attendance Staff, AAG, and Guests

Dr. Redman moved to accept the minutes as presented. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Mr. Smith-absent, Dr. Gitz- aye, Ms. Jessen- aye, Dr. Small-aye. September 2007 Minutes approved

There was no president's report. Pres. Rep.

There was no secretary's report. Sec. Rep.

There was no report from the OVMA liaison. OVMA liaison

Theresa Stir, Executive Director, reported that the directives from the last board meeting had been completed. Exec. Dir. Report

Dr. Gitz moved to accept the proposed IT policy as recommended by the Governor's administration. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Mr. Smith-absent, Dr. Gitz-aye, Ms. Jessen-aye, Dr. Small-aye. IT Policy

Ms. Stir provided a preliminary synopsis of the Board 1st quarter budget and accounts receivables. The OAKS reporting system remains inconsistent. Budget

Ms. Jessen moved to final file the rules as accepted by JCARR. Mr. Smith seconded the motion. The motion passed by a unanimous roll call vote. Rules

Rule 4741-1-14 OAC, regarding the veterinary aide, required amending due to recent legislative changes. Dr. Gitz provided members with recommended changes to conform to the statutory changes as well as would allow an animal aide (new statutory 4741-1-14 OAC

term) to perform venipuncture under the direct supervision of a veterinarian. Dr. Knapp spoke on behalf of the OVMA. Dr. Knapp apologized for any misunderstanding there might have been regarding OVMA's position on the rules recently filed with JCARR. Dr. Knapp appreciates the work the Board does and hopes to maintain open communication. Dr. Knapp expressed that the OVMA was okay with the changes in the rule related to supervision. However, based on a previous position taken by their board, OVMA would have to oppose the drawing of blood by an animal aide. Dr. Small asked if there were additional training, would the OVMA still oppose? Dr. Knapp indicated that he would have to take that issue back to his Board. Dr. Knapp also indicated that Mr. Advent was checking with the AVMA regarding if there were any standardized courses that might be available as well as other state's laws and rules. Linda Heidenreich representing OAVT spoke in opposition to the recommended change. Ms. Heidenreich explained her own educational process and when she was permitted to draw blood on an animal not owned by the school. Dr. Gitz indicated that the law does not stipulate when a student vet tech can or cannot draw blood. Ms. Heidenreich expressed concerns of safety. Dr. Small summed up the discussion in that it appeared that interested parties would be more comfortable if some standardized training could be available for those veterinarians who are not comfortable training the individual. The OVMA has their board meeting at the end of the month and will communicate to the Board their recommendations. Dr. Gitz moved to accept and file Rule 4741-1-14 OAC as proposed. Dr. Redman seconded the motion. The motion passed with the following roll call vote: Dr. Redman-aye, Mr. Smith-aye, Dr. Gitz-aye, Ms. Jessen-no, Dr. Small-aye.

Pet Loss Link

Ms. Stir indicated that the Board office gets a lot of calls from grieving owners of pets and asked for the Board's approval to place a pet loss support link on the web site. Dr. Eaton indicated that the OSU Veterinary School had a very good program offering grief support. The Board approved via consensus.

FYI

The Board was provided the following information:

1. Letter to Youseff's Attorney
2. Letter from American College of Theriogenologists

Rollins, RVT

Dr. Small informed the Board members that Rosalyn Rollins, RVT whose case 07-07-027 was being deliberated on today wished to say a few words to the Board. Mr. McKew, AAG informed the Board that they did not have to allow people, whose cases were before the Board, to speak prior to deliberation. Mr. McKew explained that defendants had an opportunity to make their opposition to the Hearing Officer Report and Recommendation known in writing. Mr. McKew did not try to persuade the Board to not let Ms. Rollins speak, but to provide them with information for future Board meetings. Ms. Rollins admitted to her mistake stating that she has learned from her mistake and would ask that the Board take her court compliance efforts into consideration.

Break

The Board took a ten minute break.

Ms. Jessen moved to acknowledge receipt of the following new complaints and the file numbers issued: New Complaints

- A. 07-08-139 Vicki McPeek

B. 07-08-140 Peggy Poston
 C. 07-08-141 Mandy Hoover
 D. 07-08-142 Rebecca Ault
 E. 07-08-143 Albert Duplace
 F. 07-08-144 Susan Wise
 G. 07-08-145 Anonymous
 H. 07-08-146 Sheila Lepper
 I. 07-08-147 Mary McKay
 J. 07-08-148 Lauren Baumgardt
 K. 07-08-149 Joel Herron
 L. 07-08-150 Colleen Corcoran
 M. 07-08-151 Joseph Bindofer

Dr. Gitz seconded the motion. The motion passed by a unanimous roll call vote.

New Comp w/o
 Resp

Ms. Jessen moved to find no violation of Chapter 4741 ORC in the case of 07-08-139, complainant Vicki McPeek. Dr. Redman seconded the motion. The motion passed by a unanimous roll call vote. Dr. Gitz directed the Executive Director to send a copy of the no vio letter to the veterinarian.

07-08-139
 No Vio

Dr. Redman moved to issue a Cease & Desist letter in the case of 07-08-142, complainant Rebecca Ault. Ms. Jessen seconded the motion. The motion passed by a unanimous roll call vote.

07-08-142
 Cease & Desist

Dr. Gitz moved to send case 07-08-145, complainant Anonymous to investigation. Ms. Jessen seconded the motion. The motion passed by a unanimous roll call vote.

07-08-145
 Investigation

Dr. Redman moved to find no jurisdiction under Chapter 4741 ORC in the case of 07-08-149, complainant Dr. Joel Herron. Ms. Jessen seconded the motion. The motion passed by a unanimous roll call vote.

07-08-149
 No Juris

Ms. Jessen moved to acknowledge the Notice of Opportunity for Hearing for 06-07-155 Cynthia Young, DVM and the Hearing Schedule for 06-06-078 Karen Ganofsky, DVM as submitted. Dr. Gitz seconded the motion. The motion passed by a unanimous roll call vote.

Consideration Of:
 119s & Hearing
 Schedule

Dr. Redman moved to accept the medical records submitted by Jack Niggemyer, DVM as submitted in compliance with the terms of settlement in case #06-06-046 as satisfactory. Dr. Gitz seconded the motion. The motion passed by unanimous roll call vote.

Consideration of Pt.
 Records Submitted

Dr. Redman expressed some concerns with the medical records submitted by Mark Parker, DVM in compliance with terms of the settlement in case #03-03-068. Dr. Redman moved to send an investigator to inspect the medical records. Dr. Gitz seconded the motion. The motion passed by unanimous roll call vote.

At 10:30 a.m. Ms. Jessen moved that the Board go into executive session to discuss the Hearing Officer's Report & Recommendations. Dr. Gitz seconded the

Executive Session

motion. The motion passed by a unanimous roll call vote. Dr. Gitz left the executive session for a portion of the discussion to avoid any conflicts of interest.

At 10:50 a.m., Dr. Small called the Board out of executive session.

Hearing Off R&R

Dr. Redman moved to accept the Findings of Fact and the Conclusions of Law in the Hearing Officer's Report and Recommendation for case #04-05-129, defendant James Harrison, DVM. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Mr. Smith-aye, Dr. Gitz-abstain, Ms. Jessen-aye, Dr. Small-aye. Dr. Redman moved to modify the recommendations of the Hearing Officer's Report & Recommendation to suspending for thirty (30) days James Harrison's license to practice veterinary medicine and Dr. Harrison must pay a one thousand dollar (\$1000.00) fine. Ms. Jessen seconded the motion. The motion passed by the following roll call vote: Dr. Redman-aye, Mr. Smith-aye, Dr. Gitz-abstain, Ms. Jessen-aye, Dr. Small-aye.

04-05-129

James Harrison,
DVM

Dr. Redman moved to accept the Findings of Fact and the Conclusions of Law in the Hearing Officer's Report and Recommendation for case #07-07-027, defendant Rosalyn Rollins, RVT. Ms. Jessen seconded the motion. The motion passed by a unanimous roll call vote. Dr. Redman moved to modify the recommendations of the Hearing Officer's Report & Recommendation to suspending for three (3) months Ms. Rollins' registration to practice veterinary medicine as an RVT. All the other recommendations for probationary terms are to be accepted. Dr. Gitz seconded the motion. The motion passed by a unanimous roll call vote.

07-07-027

Rosalyn Rollins,
RVT

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

CE Vets

A. Merial Ltd.

1. Fibrosarcoma : The Big, Bad & Ugly – 10/3/07 – 1 hr
2. Feline Vaccination in 2007 – 9/18/ & 19/07 – 1 hr

B. Ohio Association of Health Commissioners – 9/25-28/07 – hr for hr

C. ODA –

1. Bioterrorism Conference – 3/30-31/06 - 8 hrs
2. OH Food Emergency Response Plan – 3/8/06 – 6 hrs
3. OH Pandemic Flu Summit – 2/17/06 – 3 hrs
4. Multi State Partnership – 3/23/06 – 6 hrs

D. AAHA – The Art of Veterinary Practice – 1/24-27/07 – hr for hr

E. Miami Valley VMA

1. Back to the Basics of Dermatologic Work UP – 11/6/07 – 2 hrs.
2. Current Topics in Hematology – 10/2/07 – 2 hrs

F. OVMA

1. Intermediate to Advanced Echocardiography – 9/30/07 – 6 hrs
2. Introduction to Abdominal Ultrasound – 9/29/07 – 6 hrs

G. Veterinary Internal Med – Clinical Pathologic Conf – 9/12/07 – 1hr

H. VIN

1. Equine Neonatology – 10/14-11/4/07 – 10 hrs
2. Feline Internal Medicine – 10/31-12/12/07 – 10 hrs
3. Equine Reproductive Ultrasound – 11/4-12/2/07 – 8 hrs
4. Advanced Equine Reproductive Ultrasound – 12/2/07-1/27/08 – 12 hrs

Dr. Gitz seconded the motion. The motion passed by a unanimous roll call vote.

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

- A. Metropolitan Vet Hospital – Chemotherapy Handling & Safety – 8/8/07 – 1 hr
 - B. CARE Center – Treatment of the Shock & Post Emergent – 10/16/07 – 2 hrs
- Dr. Gitz seconded the motion. The motion passed by a unanimous roll call vote.

Ms. Jessen moved to approve the following continuing education requests for CE Vets & RVTs veterinarians and registered veterinarian technicians:

- A. OVMA – Triage, Emergency Care & CPR – 11/10/07 – 6 hrs
- B. IDEXX Labs
 - 1. Evaluation of Your Blood Film – 6/14/07 – 1 hr
 - 2. Building Your Feline Dentistry Practice – 9/7/07 – 1 hr (real time)
- C. Vet Med Team
 - 1. Managing Canine Pain (on line) 10/1-10/15/07 – 5 hrs
 - 2. Endocrinology in Dogs & Cats – (on line) 9/1-9/28/07 – 20 hrs
- D. Columbus Academy of VM
 - 1. Newer Thoughts/Heart Failure in Dogs – 10/4/07 – 1 hr
 - 2. Canine Emesis – 9/16/07 – 1 hr
- E. Easy Care – Hoof Care Clinic – 1/20,21,23,24/07 – 20 hrs
- F. Society of Toxicologic Pathology – 26th Ann Symposium – 6/10-14/07 – hr/hr
- G Nutramax Labs – Joint & Liver Health – 9/26/07 – 2 hrs
- H. Am. College of Vet Anesthesiologists – Abstract Presentation – 9/27/07 – hr/hr
- I. Geauga Soil & Water Conservation – Business Facility & Environmental Mgt 10/15/07; 11/1/07; 11/8/07; 11/15/07 – hr for hr
- J. Ft. Dodge – Leptospirosis – 9/11/07, 10/2/07 – 2 hrs ea.
- K. Pfizer
 - 1. Feline Heartworm Disease – 9/13/07– 2 hrs
 - 2. Pain Mgt, Sedation & Anesthesia Tech – 5/8/07; 9/12/07 – 1.5 hrs.
 - 3. Current Tech in Vet Dentistry – 7/11/07 – 1.5 hrs
 - 4. Current Sedation Tech – 8/21&22/07 – 3 hrs
- L. VIN
 - 1. Immobilization of Exotic Hoof Stock – 9/14-12/5/07 – 6 hrs
 - 2. Intro to Canine Rehab – 11/5-19/07 – 4 hrs

Dr. Gitz seconded the motion. The motion passed by a unanimous roll call vote.

Matt Ditchey, Attorney at Law who sits on the board of Angels for Animals asked to speak to the Board regarding Case #07-07-005, complainant Dr. Suzanne Wilcox. Mr. Ditchey provided a brief explanation of the organization and the relationship with Ms. Less and Angels for Animals. Mr. Ditchey explained the efforts and progress that Angels for Animals is making regarding their medical records.

Ms. Jessen moved to approve the provisional license for Kelly Willard. Dr. Gitz seconded the motion. The motion passed by a unanimous roll call vote.

Requests for
Licensure

There were no veterinarian or RVT renewals.

Dr. Redman moved to go into executive session at 11:20 a.m. for the Assistant Executive Session

Attorney General report on Settlement Agreements. Dr. Gitz seconded the motion. The AAG Report motion passed by unanimous roll call vote. All guests left the room.

At 11:30 a.m. Dr. Small announced the Board back in public session. Settlements

Ms. Jessen moved to approve and accept the Settlements for Case(s) 06-07-106, George Anstadt, DVM, 07-07-025, Eric Schertel, John Gordon, Robert Starkey, Jonathon Shiroma, William DeHoff, DVM, 06-07-158, Frank Pellegrini, DVM and 07-07-039, Jerry Harris, DVM. Dr. Gitz seconded the motion. The motion passed by a unanimous roll call vote.

Dr. Redman moved to find no violation of Chapter 4741 ORC in the case of 07-08-118, complainant Vicki Knapp. Ms. Jessen seconded the motion. The motion passed by a unanimous roll call vote. Comp Responses
07-08-118
No Violation

Dr. Redman moved to find no violation of Chapter 4741 ORC in the case of 07-08-129, complainant Edward Wine. Ms. Jessen seconded the motion. The motion passed by a unanimous roll call vote. 07-08-129
No Vio

Dr. Gitz moved to send case #07-08-130, complainant Patricia Colmar to investigation. Ms. Jessen seconded the motion. The motion passed by a unanimous roll call vote. 07-08-130
Invest

Dr. Gitz moved to find no violation of Chapter 4741 ORC in the case of 07-08-131, complainant Nicole Puccini. Dr. Redman seconded the motion. The motion passed by a unanimous roll call vote. 07-08-131
No Vio

Dr. Gitz moved to subpoena the medical records from the veterinarian in the case of 07-08-135, complainant Don Witt. Ms. Jessen seconded the motion. The motion passed by a unanimous roll call vote. 07-08-135
Subpoena records

Dr. Gitz moved to send case #07-08-138, complainant Pat Kempton, to investigation. Ms. Jessen seconded the motion. The motion passed by a unanimous roll call vote. 07-08-138
Investigation

At 12:00 a.m., Dr. Gitz moved to go into executive session to discuss the Investigative Reports. Dr. Redman seconded the motion. The motion passed by a unanimous roll call vote. Executive Session
Investigative Rpts

At 12:35 p.m., Dr. Small announced the Board out of executive session.

Dr. Gitz moved to find no violation of Chapter 4741 ORC in the case of 06-07-113, complainant Virginia Faubel. Dr. Redman seconded the motion. The motion passed by a unanimous roll call vote. 06-07-113
No Vio

In the case of 06-07-163, complainant Anonymous, Ms. Jessen moved to close for lack of sufficient evidence to support the allegations. However, letters of concern regarding medical documentation are to be sent to Drs. A & B. Additionally, the case should be referred to the Kentucky Veterinary Examiners Board for potential action against a DVM issuing drugs without a valid veterinary-client relationship. Dr. Redman 06-07-163
Close

seconded the motion. The motion passed with a unanimous roll call vote.

Ms. Jessen moved to find no violation of Chapter 4741 ORC in the case of 07-07-081, complainant Cheryl Bricker. Dr. Redman seconded the motion. The motion passed with a unanimous roll call vote. 07-07-081 No Vio

Dr. Gitz moved to find no violation of Chapter 4741 ORC in the case of 07-07-090, complainant Anonymous. Dr. Redman seconded the motion. The motion passed by unanimous roll call vote. 07-07-090 No Vio

Dr. Gitz moved to find no violation of Chapter 4741 ORC in the case of 07-07-101, complainant Mr. & Mrs. Tim O'Brien. Ms. Jessen seconded the motion. The motion passed by a unanimous roll call vote. The Executive Director was instructed to send a copy of the Rule for Recordkeeping (Rule 4741-1-21 OAC) to the veterinarian. 07-07-101 No Vio

In the case of 07-07-005, complainant Dr. Suzanne Wilcox, Dr. Gitz moved to accept a Consent Agreement for a term of one (1) year for quarterly medical record submissions. Dr. Redman seconded the motion. The motion passed by a unanimous roll call vote. 07-07-005 Consent Agreement

Dr. Gitz moved to accept the results of the Compliance Inspection performed at Animal Hospital of Hamilton Ave. Ms. Jessen seconded the motion. The motion passed by a unanimous roll call vote. Compliance Insp

There was no Board correspondence. Correspondence

Dr. Gitz moved to request additional records in the case of 07-07-050, complainant Deborah Hudak. Dr. Redman seconded the motion. The motion passed by a unanimous roll call vote. Tabled Matters 07-07-050 Req records

Dr. Gitz move to send to investigation the case of 07-07-076, complainant David Critchley. Ms. Jessen seconded the motion. The motion passed by a unanimous roll call vote. 07-07-076 Investigation

Dr. Gitz moved to find no violation of Chapter 4741 ORC in the case of 07-08-109, complainant Kyle Johnson. Dr. Redman seconded the motion. The motion passed by a unanimous roll call vote. 07-08-109 No Vio

The CE approval for Constance Goldman, RVT will remain tabled until she submits the requested information elaborating on the continuing education hours. RVT hrs tabled

The board signed certificates of licensure. Bd Signatures

The Board members were provided with the e-mail from the Prosecutor in the Old Business Alexia Maclae case which provided rationale for why the Prosecutor's office did not move forward on the case.

The reading of the meeting directives was deferred. Directives

Dr. Small acknowledged that the next meeting will be held November 14, 2007, Next meeting 8:30 a.m. on the 31st floor of the Riffe Center.

Dr. Gitz moved to adjourn the meeting at 12:50 p.m. Dr. Small adjourned the Adjournment meeting.

Dr. Janet Small, President

Date

Attested to by:

Theresa Stir
Executive Director