

**BOARD MEETING
LOUISIANA BOARD OF VETERINARY MEDICINE**

December 6, 2001

I. CALL TO ORDER

The Board Vice-President, Dr. Robert Lofton, called the meeting to order at approximately 8:50 a.m. On behalf of the Members of the Board, he welcomed the newest member appointed to the Board, Dr. Lonnie (Lon) Randall, Jr.

[Dr. Lofton presided over the Board meeting through agenda item V.C. excluding agenda item III which was presided over by Dr. Walther. Dr. Gowan presided over the remainder of the Board meeting from agenda item VI.A upon his arrival.]

II. ROLL CALL

Roll call was taken by the Board Secretary-Treasurer, Dr. Edwin Davis, with the following results:

Those present were:

Dr. Robert Lofton	Board Vice-President
Dr. Edwin Davis	Board Secretary/Treasurer
Dr. Glenn Walther	Board Member
Dr. Lonnie (Lon) Randall	Board Member
Michael A. Tomino, Jr.	Board General Counsel
Kimberly Barbier	Board Administrative Director
Dr. George Gowan	Board President

[Dr. Gowan arrived at approximately 9:20 am after agenda item V.A.2 was discussed.]

Absent:

None

Guests:

Dr. Mike Cummings LVMA

III. REQUEST FOR REIMSTATEMENT HEARING – J. W. Lambert, DVM

[This agenda item was schedule for 10:30 am. Until that time, the Board continued with agenda item IV.A. Upon arrival of all parties, the Board returned to agenda item III after agenda item V.C.]

The Board recognized Dr. Glenn Walther as presiding officer. Dr. Walther called the hearing to order at approximately 9:55 am. Dr. Lambert was introduced and sworn in. Dr. Lambert had made petition to the Board for consideration of a change to the 1984 Judgement rendered against him by the Board which required the permanent surrender of his DEA registration; his request for reinstatement of the DEA registration. Mr. Tomino presented information and documentation of opposition by the State to the request. Dr. Lambert presented his case. Upon conclusion of the presentations, motion was made by Dr. Lofton to enter executive session for deliberation, seconded by Dr. Randall, and passed unanimously by voice vote. The executive session was closed to the public and only those Board Members on the panel were present.

Motion was made by Dr. Lofton to return to open session, seconded by Dr. Gowan, and passed unanimously by voice vote. The meeting was reopened to the public. Dr. Walther called for a voice vote to grant the request of Dr. Lambert and amend the previous decision of the Board to allow for reinstatement of Dr. Lambert's DEA registration. Dr. Gowan – Nay; Dr. Lofton – Nay; Dr. Davis – Nay; Dr. Randall – Nay; Dr. Walther – Nay. By unanimous voice vote, the Board voted to deny the request.

[The Board returned to agenda item VI.A]

IV. APPROVAL OF MINUTES – October 4, 2001

The Board reviewed the minutes from the October 4, 2001 board meeting. Minor typographical corrections were noted. Motion was made by Dr. Walther to accept the minutes with the noted corrections, seconded by Dr. Davis, and passed unanimously by voice vote.

Mr. Tomino asked for clarification regarding two applicants for licensure who are both employed at LSU-SVM and both requested acceptance of employment to waive retaking of out-of-date national examinations. At the October 4, 2001 meeting the Board accepted the employment qualification of Dr. Hodgkin to waive retaking of the national examinations. The Board clarified that Dr. Hodgkin's employment experience at the School of Veterinary Medicine was hands-on experience in diagnostic and patient care rather than that of the previous applicant who was denied because the employment experience at the Veterinary School was considered to be restricted to classroom academics.

V. FINANCIAL AND CONTRACT MATTERS

A. Financial Reports – September and October 2001

Ms. Barbier presented the financial reports for September and October 2001 for review. Questions were raised regarding the slight overage of rental and legal items. Ms. Barbier will further research these items. After review and discussion, motion was made by Dr. Davis to accept the financial reports as presented, seconded by Dr. Walther, and passed unanimously by voice vote.

B. Office Lease – Conference Room

Ms. Barbier presented information regarding a room adjacent to the office suite presently occupied by the Board administration office that has just become available. Ms. Barbier proposed the room could be added to the Board's present lease and used as a conference room for Board meetings and administration of examinations. The Board Members adjourned and took a moment to go down and look at the space. Upon returning to the meeting and after further discussion, motion was made by Dr. Davis to authorize Ms. Barbier to pursue addition of the room to the present lease for use as a conference room contingent upon the lessor replacing the carpet (installation of new carpeting), repair and painting of the walls and replacement of missing outlet covers, replacing missing ceiling tiles and the placement of two ceiling fans for adequate air circulation, seconded by Dr. Walther, and passed unanimously by voice vote.

Discussion was held regarding furnishings for the new conference room. Ms. Barbier presented information on various furnishings. Upon review of the furniture information, motion was made by Dr. Walther, contingent on acceptance of the lease amendment for the additional room based on the terms set above by the Board, the purchase of two wood conference tables and eight chairs at a cost not to exceed \$1,500, seconded by Dr. Randall, and passed unanimously by voice vote.

C. Budget – Fiscal Year 2003

Ms. Barbier presented draft budget information for the upcoming fiscal year 2003, July 1, 2002 through June 30, 2003. Ms. Barbier pointed out the increase in operating expenses to include the addition of the new conference room. Amendments to the present fiscal year, 2002, budget were noted including an increase in operating expenses to incorporate the addition of the new conference room to the lease for the last months of the present fiscal year and an amendment to legal expenses to reflect the present contract with Mr. Tomino. After review and discussion of the proposed budget, motion was made by Dr. Walther to approve and

adopt the 2003 budget as presented, seconded by Dr. Davis, and passed unanimously by voice vote.

[The Board returned to agenda item III. After conclusion of agenda item III, the Board continued with agenda item VI.A]

VI. POLICY, PROCEDURE, AND RULES

A. Rule Making

1. General Update – There was no rule promulgation in progress.
2. Adoption of Rules – There were no rules presented for adoption.
3. Consideration/ Review of Proposed Rules/Amendments
 - a. AAVSB – PAVE Program, Rule 301 and 303 – This item was deferred to the next Board meeting.
 - b. Continuing Education, Rule 403 – *[Agenda item VI.B.2 was discussed along with this item.]* Ms. Barbier presented the Continuing Education Policy Statement revised as understood from the October 4, 2001 Board meeting. Discussion was held with regards to limited hours for alternative medicine/therapy programs. Clarification was made that a limit of four hours will be accepted annually in practice management *or* alternative medicine/ therapy programs. The Policy Statement was revised accordingly. Motion was made by Dr. Walther to approve the revised policy statement to be effective upon completion of promulgation of rule amendments, seconded by Dr. Lofton, and passed unanimously by voice vote.

Amendments to Rule 403 were presented to reflect revisions made to the CE Policy Statement. Motion was made by Dr. Lofton to authorize Ms. Barbier to proceed with promulgation of the amendments to Rule 403, seconded by Dr. Davis, and passed unanimously by voice vote.
 - c. Re-promulgation of Rules 1103 and 1115 – Ms. Barbier presented information regarding her review of a copy of the Administrative Code as provided from the *Louisiana Register*. Ms. Barbier had found that rule amendment information sent for publication in the *Register* apparently had not been interpreted as intended causing some missed language removals and omission of intended language. Ms. Barbier presented amendments to Rules 1103 and 1115 (Preceptorship Program) that is required to correct the rules. Ms. Barbier was

instructed by the Board to have Mr. Tomino review all rule amendment information prior to its submission to the *Register* for promulgation. Motion was made by Dr. Walther to authorize Ms. Barbier to promulgate the amendments to Rules 1103 and 1115 to correct the rules, seconded by Dr. Davis and passed unanimously by voice vote.

B. Policy and Procedure

1. Procedure – Closing of Practice and Patient Records

Dr. Davis and Mr. Tomino presented a proposed new Rule regarding guidelines for handling patient records relative to closure or sale of a practice. After some discussion, it was decided to table this issue until possibly sometime in the future if needed. No action was taken.

2. DVM CE Policy Statement

[Agenda item VI.B.2 was discussed along with agenda item VI.A.3.b.]

C. Practice Act-Related Inquiries/Declaratory Statements

1. New Issues

a. Equine Massage – Mr. Tomino presented a draft response to the inquiry received from Doe Harden regarding performing equine massage therapy. The response was revised and approved.

b. Prescription Policy Review – A written policy regarding prescriptions was submitted to the Board office by Dr. Doug Brandon requesting review and approval of the policy by the Board. Mr. Tomino noted that the Board does not have authority to give advisory opinions on the operation of one's practice. No action was taken on this issue.

c. AVMA Taskforce for Dispensing and Prescribing Drugs – The Board discussed a memo forwarded to the Board office from the LVMA regarding the AVMA's new taskforce committee to review issues veterinarians find regarding the dispensing and prescribing of drugs. After some discussion, this matter was tabled for future review. No action was taken.

d. Pet Med Express Update – Mr. Tomino informed the Board that Pet Med Express had responded to a Cease and Desist Letter sent to them. No further action has been taken by the Board.

2. Reviews – There were no previous issues for review.

VII. MISCELLANEOUS MATTERS

A. **Applicant Issues**

1. Veterinarians

- a. Cpt. Eric Lombardini, DVM, Alternative to Preceptorship Requirement – The Board reviewed additional information submitted by Dr. Lombardini with regards to an alternative method of fulfilling the preceptorship requirement for Louisiana licensure. Dr. Lombardini's alternative of working weekends and holidays under direct supervision of local licensed veterinarians for an extended period of time was considered. Motion was made by Dr. Davis to deny the request based on Board Rule 1103 and 1105, sporadic hours would not be acceptable and Dr. Lombardini's previous experience is not acceptable, seconded by Dr. Walther, and passed unanimously by voice vote.

- b. Dr. Narender Cheemerla, Waiver of Preceptorship Requirement – The Board reviewed the employment information submitted by Dr. Cheemerla for consideration to waive the preceptorship requirement. Motion was made by Dr. Lofton to deny the request based on Rule 1105.D and require the full eight week preceptorship be performed, seconded by Dr. Davis, and passed unanimously by voice vote.

B. **Preceptorship**

1. Practice Assessments

- a. Limited Approval, Central Texas Veterinary Internal Medicine PC – The Board reviewed the Practice Assessment Questionnaire submitted by the facility. After review and discussion, motion was made by Dr. Walther to grant limited approval to the facility, seconded by Dr. Lofton, and passed unanimously by voice vote.

C. **Licensee Issues**

1. Renewals

- a. Dr. Raymond Frederick – Late Renewal Fee Refund – The Board reviewed the request for refund of the late renewal fee paid. Motion was made by

Dr. Lofton to deny the request, seconded by Dr. Randall, and passed unanimously by voice vote.

b. Dr. Travis Cigainero – Late Renewal Fee Refund – The Board reviewed the request for refund of the late renewal fee paid. Motion was made by Dr. Lofton to deny the request, seconded by Dr. Randall, and passed unanimously by voice vote.

c. Dr. Scott Griffith – Late Renewal Fee Refund – The Board reviewed the request for refund of the late renewal fee paid. Motion was made by Dr. Walther to deny the request, seconded by Dr. Randall, and passed unanimously by voice vote.

d. Dr. W. Randal Kilgore – Late Renewal Fee Refund – The Board reviewed the request to refund the late renewal fee paid. Motion was made by Dr. Randall to deny the request, seconded by Dr. Lofton, and passed unanimously by voice vote.

e. Dr. Odile Holahan – Waiver of Late Renewal Fee – The Board reviewed the request to waive payment of the late renewal fee. Motion was made by Dr. Randall to deny the request, seconded by Dr. Walther, and passed unanimously by voice vote.

f. Dr. Trent Fogleman, Acceptance of Continuing Education – The Board reviewed the second request and additional documentation submitted for acceptance of a human medicine residency in gynecology and obstetrics for CE to renew a veterinary license. Motion was made by Dr. Walther to deny the request based again on previous reasons stated, seconded by Dr. Lofton, and passed unanimously by voice vote.

g. Dr. Vernon Pettigrew, Late Renewal Fee Refund – The Board reviewed the request for refund of the late renewal fee paid based on the cancellation of a scheduled program due to the national tragedy. Motion was made by Dr. Lofton to grant the refund, seconded by Dr. Randall, and passed unanimously by voice vote.

D. Newsletter Items

The Board reviewed articles proposed for the upcoming newsletter. An informative article regarding submission of renewals is to be worked on to shorten it and presented for publication in a later issue closer to the next renewal period. Other items presented were approved for publication in the December 2001 issue.

E. Other Matters Properly Brought Before the Board

1. Dr. Randall requested a change in the meeting date for the next Board meeting from February 7, 2002 to January 31, 2002. Board Members and Counsel will check calendars and contact the Board office with a consensus of the change.
2. Dr. Lofton requested the starting time for all Board meetings be changed from 9:00 am to 8:30 am. All Board Members were in agreement.

VIII. OTHER BUSINESS

A. Wall certificates were presented for signature for the following new licenses/certificates issued since the October 4, 2001 board meeting:

<u>DVM License No.</u>		<u>Issued</u>
1414 *	Dan Winston Dessauer, DVM	10/16/2001
2365	Ezra Clay Hodgin, III, DVM	10/17/2001
2366	Melinda Sue Camus, DVM	11/21/2001
2367	Ashley Holm, DVM	12/5/2001

* reissued

<u>RVT Certificate No.</u>		<u>Issued</u>
8096	Lori Michelle Miller, RVT	10/9/2001

XI. EXECUTIVE SESSION

Motion was made by Dr. Walther to enter executive session for discussion of miscellaneous matters properly brought before the Board, seconded by Dr. Randall, and passed unanimously by voice vote. The executive session was closed to the public. Motion was made by Dr. Lofton to return to open session, seconded by Dr. Walther, and passed unanimously by voice vote. The meeting was re-opened to the public. The following actions were taken and motions made:

1. Ms. Barbier had presented the Board with the annual evaluation of Ms. Tisha Turner, Administrative Assistant. Motion was made by Dr. Lofton to grant Ms. Turner a 3% cost of living raise, seconded by Dr. Randall, and passed unanimously by voice vote.
2. Motion was made by Dr. Davis to authorize Mr. Tomino to prepare rule amendments with regards to objective test procedures (diagnostic testing and ultrasonography), seconded by Dr. Randall and passed unanimously by voice vote.

3. Motion was made by Dr. Lofton to authorize Mr. Tomino to prepare an article for the December newsletter after review and approval by Dr. Gowan to educate licensees with regards to advertising specialties and the implementation of Board Rule 1063, specialty certification/limited licensure, seconded by Dr. Randall, and passed unanimously by voice vote.

X. ADJOURN

There being no further business before the Board, motion was made by Dr. Davis to adjourn, seconded by Dr. Randall, and passed unanimously by voice vote. The meeting was adjourned at approximately 3:00 pm.

MINUTES REVIEWED AND APPROVED BY FULL BOARD ON JANUARY 31, 2002.

J. Edwin Davis, DVM
Board Secretary/Treasurer