

**BOARD MEETING
LOUISIANA BOARD OF VETERINARY MEDICINE**

April 4, 2002

I. CALL TO ORDER

The Board President, Dr. George Gowan, called the meeting to order at approximately 8:35 a.m.

II. ROLL CALL

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

Those present were:

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

Absent:

None

Guests:

Rachael Miller	Mr. Tomino's Office
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III. FORMAL ADMINISTRATIVE HEARING

A. Case No. 01-0929V - Darryl Dahlquist, DVM

[Agenda item III.A. was schedule for 11:00 am. Until that time, the Board continued with agenda item IV.A. Upon arrival of all parties, the Board returned to agenda item III.A after agenda item VI.C.2.]

Dr. Gowan was introduced as Presiding Officer for the Hearing. Dr. Walther recused himself from the Hearing Panel due to prior knowledge of the facts of the case. Dr. Lofton recused himself from the Hearing Panel as Investigating Board Member in the case. The members of the Hearing Panel consisted of Dr. Gowan, Dr. Davis, and Dr. Randall. Dr. Dahlquist was not represented at the Hearing by counsel but had had legal

representation during the informal resolution process. Dr. Dahlquist made his presentation to the Panel. Mr. Tomino presented, on behalf of the State (Board), the facts of the case, submitted exhibits for review, and presented a proposed Consent Order agreed to by the State and Dr. Dahlquist through his attorney. The Hearing Panel asked questions of Dr. Dahlquist related to the case. Upon conclusion of the presentations and questions, motion was made by Dr. Davis 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 for deliberation.

Motion was made by Dr. Davis to return to open session, seconded by Dr. Randall, and passed unanimously by voice vote. The meeting was reopened to the public. Motion was made by Dr. Davis to accept the Consent Order as presented for this case, seconded by Dr. Randall, and passed unanimously by voice vote.

General discussion regarding the processes used during investigation of complaints, informal resolution of cases, hearing procedures, and the hearing panel was held. No formal motions or action was taken.

[Upon conclusion of agenda item III.A., the Board returned to agenda item VII.A.]

IV. APPROVAL OF MINUTES - January 31, 2002

The Board reviewed the minutes from the January 31, 2002 board meeting. Minor typographical corrections were noted. Motion was made by Dr. Walther to accept the minutes with the noted corrections, seconded by Dr. Lofton, and passed unanimously by voice vote.

V. FINANCIAL AND CONTRACT MATTERS

A. **Financial Reports - January and February 2002**

Dr. Davis and Ms. Barbier presented the financial reports for January and February 2002 for review. After review, general discussion of the financial reports was held. Dr. Randall inquired as to the handling of cash on hand. He was given a brief explanation of the Board's policy of purchasing certificates of deposits with any excess revenue on hand. Ms. Barbier was instructed to forward Dr. Randall a copy of the current balance sheet for the CDs purchased on behalf of the Board. The financial reports were found to be acceptable.

B. Professional Service Contracts

1. Greg Brown, CPA - Ms. Barbier presented the renewal contract for Greg Brown, CPA to provide accounting services to the Board. Ms. Barbier noted there were no changes to the contract from the previous year's contract and that the renewal contract had been reviewed by the contractor and accepted. Dr. Randall inquired if it had been considered to have the accountant do a quarterly financial report instead of monthly, for cost benefits. It was explained that the state (for audits) prefers monthly reports to balance the in-house system since we are a self-generated agency. Motion was made by Dr. Walther to approve the contract as presented, seconded by Dr. Lofton, and passed unanimously by voice vote.

Ms. Barbier was instructed to contact Mr. Brown and ask that he visit with the Board at the June 2002 Board meeting.

2. Onesimus Internet Solutions - Ms. Barbier presented the renewal contract for Onesimus Internet Solutions to provide website services. Onesimus was contracted the previous year to develop the Board's website, and Ms. Barbier noted the only changes to the contract was the elimination of the development clause which is no longer needed and the total sum of the contract had been adjusted. The renewal contract will be for the maintenance and updating of the website as needed. The contractor had reviewed and accepted the renewal contract. Dr. Lofton inquired as to the number of times the website might be visited. Ms. Barbier estimated that the site gets at least thirty to fifty hits per month even though the site is not on any major search engines. Ms. Barbier noted that the website is linked from the State's website and search engine. Dr. Lofton noted that the Board's website was developed because the Governor's Office recommended all state agencies have a website for the public's information. Motion was made by Dr. Lofton to approve the contract as presented, seconded by Dr. Randall, and passed unanimously by voice vote.

Ms. Barbier presented the idea of eventually adding a searchable database page of actively licensed licensees so that other agencies, companies, and the public could search and verify licensees. Ms. Barbier explained how the information might be disseminated reassuring the Board that only the information the Board would want to display would be available and that the Board's master in-house database system would not be accessible from the internet/website. Ms. Barbier suggested the website database only list active licensees with information such as licensee name, license number, date issued, date of expiration, clinic name, clinic address and phone number; no personal information such as home address/phone, social security number, date of birth, etc. would be made available. No formal action was taken on this issue.

3. National Board of Veterinary Medical Examiners – Ms. Barbier asked that this item be added to the agenda. Ms. Barbier presented information regarding the letter of agreement between the Board and NBVME for use of the NAVLE licensing examination for veterinarians. She had noted that the present agreement on file expires at the end of April. NBVME was contacted and the Board office was told that the new agreement letters had been mailed. Ms. Barbier explained that there is no money involved in the agreement since the applicants pay for the cost of the examination directly to the NBVME. Motion was made by Dr. Lofton to approve the use of the NAVLE examination and authorize the Board President, Dr. Gowan, to sign the new agreement upon review by Mr. Tomino, seconded by Dr. Walther, and passed unanimously by voice vote.

VI. POLICY, PROCEDURE, AND RULES

A. **Rule Making**

1. General Update – The Board reviewed the schedule of rule promulgation in progress. No action was taken.

2. Adoption of Rules – There were no rules presented for adoption.

3. Consideration/ Review of Proposed Rules/ Amendments

a. Rule 301 and 303, AAVSB – PAVE Program – Mr. Tomino presented his review of the proposed amendments. Mr. Tomino suggested adoption of the proposed rule amendments as an emergency rule since the first participants of the PAVE program may complete the program as early as September 2002 while the regular rule promulgation process is in progress. Motion was made by Dr. Walther to adopt the rule amendments as an emergency rule effective April 4, 2002 for the maximum time allowed (one hundred twenty days) or until the final rule amendments are published, seconded by Dr. Lofton, and passed unanimously by voice vote. Ms. Barbier was instructed to begin the promulgation process of the rule amendments as motioned at the January 31, 2002 Board meeting.

b. Rule 713, Objective Test Procedures – Mr. Tomino presented proposed rule language. After discussion of the issue, the Board assigned Mr. Tomino to work with Drs. Lofton and Randall to review the laboratory tests issue. This item was deferred to the June Board meeting. The response letter to Dr. French was put on hold.

B. Policy and Procedure

1. Application Procedure, Reference of Character Forms – Mr. Tomino presented proposed changes to the reference of character forms as discussed at the January 31, 2002 meeting. After review of the forms presented and discussion of the issue, motion was made by Dr. Walther to revise the application form requiring the applicant to list names and mailing addresses of the persons to provide the references then the Board office will mail a reference form to the persons providing the references to be completed and returned to the Board office directly and to revise the reference form accordingly and as discussed, seconded by Dr. Lofton, and passed unanimously by voice vote.

C. Practice Act-Related Inquiries/Declaratory Statements

1. New Issues

a. Chiropractic Services – Mr. Tomino presented an inquiry from Ms. Heather Beaudry regarding animal chiropractic services as performed by a lay-individual trained in human chiropractic practices and a draft response letter. Upon discussion of the issue, the response letter was approved as presented.

b. Listing of Laboratory Service Costs on Client's Bill – Mr. Tomino presented an inquiry from Dr. Scott Campbell regarding the requirement of listing costs of laboratory services including the laboratory name and address on a client's bill (La. R.S. 37:1741) and a draft response letter. Upon discussion of the issue, the response letter was approved with revisions.

c. Clarification of Rule 702 – Intravenous Catheter – Mr. Tomino presented an inquiry from Dr. George Robinson requesting clarification of Board Rule 702 – Direct Supervision – specifically can a lay (non-registered) veterinary assistant place an intravenous catheter in a patient under direct supervision. Upon discussion, Dr. Lofton noted that the Board had previously visited this issue. Ms. Barbier found and presented a copy of the December 1999 Board newsletter in which the Board addressed a similar question. Mr. Tomino was instructed to respond to this inquiry with the information presented in the newsletter item.

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

[The Board returned to agenda item III.A. after item VI.C.2. Upon conclusion of item III.A., the Board continued with agenda item VII.A.]

VII. MISCELLANEOUS MATTERS

A. **Applicant Issues**

1. Preceptorship Consideration, Andrew McGraw – The Board reviewed the request of Mr. McGraw to allow him to take a one week break in the middle of his upcoming second session (four weeks) preceptorship due to a family matter. Motion was made by Dr. Lofton to allow the request, seconded by Dr. Walther, and passed unanimously by voice vote.
2. Waiver - Retaking National Examination/Preceptorship, Dr. Jacqueline Davidson – The Board reviewed the request and employment documentation submitted by Dr. Davidson to waive retaking the national examinations due to her previous examinations being greater than five years old and waiver of the preceptorship requirement. Motion was made by Dr. Walther to accept Dr. Davidson's clinical track employment at LSU-SVM to waive retaking the out-of-date national examination and preceptorship requirement, seconded by Dr. Lofton, and passed unanimously by voice vote.

B. **Licensee Issues**

1. Inactive/Expired Licensees with Louisiana Addresses – The Board reviewed a list of licensees whose licenses have expired or were renewed with an inactive status but who have an address in Louisiana on file. After some discussion, no formal action was taken on this issue. The procedure was revised to include Board review of the list annually.
2. CE Consideration, Dr. Carl Shaia – The Board reviewed the request from Dr. Shaia to defer the required CE to renew his Louisiana license. Motion was made by Dr. Davis to defer the CE and renewal deadline to November 30, 2002 to allow Dr. Shaia to obtain the CE as indicated in his request, seconded by Dr. Walther, and passed unanimously by voice vote.
3. Activate Retired License, Dr. John Broussard – The Board reviewed the request from Dr. Broussard to reinstate his inactive-retired status license to active status to allow him to practice part-time at the race track. After review of Dr. Broussard's renewal history, motion was made by Dr. Walther to require Dr. Broussard to provide proof of attendance for the forty-eight hours of continuing education covering the three years that Dr. Broussard's license was retired; suggesting that as many hours as possible should be done in equine medicine/surgery topics; motion was seconded by Dr. Randall, and passed unanimously by voice vote.

C. Necropsies

The Board reviewed the information Ms. Barbier had obtained as instructed at the January 31, 2002 meeting from the AVMA – Professional Liability Insurance Trust regarding the requirement and liability of performing necropsies. No formal action was taken on this matter.

D. CAET Issues

1. Acceptable Euthanasia Methods – The Board reviewed information obtained by Ms. Barbier as per instruction given at the January 31, 2002 Board meeting regarding animal euthanasia by use of cold-carbon monoxide gas chambers and sodium pentobarbital via intra-cardiac administration. No formal action was taken on this matter.

E. April Newsletter Articles

The Board reviewed proposed articles for the April newsletter. Motion was made by Dr. Walther to publish the articles with noted corrections/revisions, seconded by Dr. Randall, and passed unanimously by voice vote.

With regards to the article to be published relative to specialty certification, Ms. Barbier inquired as to how the Board would want to register specialty certification as requested by the licensee for acknowledgment. Ms. Barbier suggested adding a section, Special Competence Status, to the renewal form so the licensee can indicate the speciality certification they hold and with what AVMA recognized organization. This information would be entered in the licensee file for reference. The suggested option was accepted.

F. AAVSB Annual Meeting

Ms. Barbier was authorized to attend the Administrators' Forum and the Delegate Assembly of the AAVSB Annual Meeting to be held July 13-16, 2002 in Nashville, Tennessee. Dr. Lofton or Dr. Walther may also attend if schedules permit. Ms. Barbier was instructed to make arrangements for herself and at least one Board Member to attend.

G. Other Matters Properly Brought Before the Board

There were no other matters brought before the Board.

VIII. OTHER BUSINESS

A. Wall certificates were presented for signature for the following new licenses/certificates issued since the January 31, 2002 board meeting:

<u>DVM License No.</u>		<u>Issued</u>
2369	Nancy Ann Buonpane, DVM	2/1/2002
2370	Scott Douglas Campbell, DVM	2/7/2002
2371	Jeffrey Michael Brant, DVM	2/7/2002
2372	Kari Elaine Graham, DVM	2/21/2002
2373	Elisabeth Anne Broussard, DVM	2/28/2002
2374	Roxy J. Leslie, DVM	3/1/2002
2375	Kirk Andrew Ryan, DVM	3/18/2002

<u>RVT Certificate No.</u>		<u>Issued</u>
8097	Dawn Plauche Goyer, RVT	4/1/2002

IX. EXECUTIVE SESSION

Motion was made by Dr. Walther to enter executive session to discuss personnel matters and any other matters properly brought up, seconded by Dr. Davis, and passed unanimously by voice vote. Motion was made by Dr. Davis to return to open session, seconded by Dr. Lofton and passed unanimously by voice vote. Upon return to open session the following action was taken:

1. Merit Review, Kimberly Barbier, Administrative Director - The Board issued a favorable evaluation of Ms. Barbier's position with the Board and granted a 4% merit pay raise.

X. ADJOURN

There being no further business before the Board, motion was made by Dr. Davis to adjourn, seconded by Dr. Walther, and passed unanimously by voice vote. The meeting was adjourned at approximately 1:45 pm.

MINUTES REVIEWED AND APPROVED BY FULL BOARD ON JUNE 6, 2002.

J. Edwin Davis, DVM
Board Secretary/Treasurer