

**LOUISIANA BOARD OF VETERINARY MEDICINE
BOARD MEETING
June 5, 2003**

Minutes

I. CALL TO ORDER -

Board President, Dr. Robert Lofton, called the meeting to order at 8:30 a.m.

II. ROLL CALL -

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

Those present:

Robert Lofton, DVM	Board President
J. Edwin Davis, DVM	Board Vice President
Glenn Walther, DVM	Board Secretary-Treasurer
Lon Randall, DVM	Board Member
Patrick Bernard, DVM	Board Member
Michael Tomino, Jr.	Board General Counsel
Wendy Parrish	Board Administrative Director

Absent: None

Guests: Robert A. Holmes, DVM (11:00 a. m. personal appearance)

III. FORMAL ADMINISTRATIVE HEARING

No formal hearing scheduled.

IV. APPROVAL OF MINUTES

A. April 3, 2003

The Board reviewed the minutes from the April 3, 2003 Board meeting. Motion was made by Dr. Walther to accept the minutes as presented, seconded by Dr. Bernard, and passed unanimously by voice vote.

V. FINANCIAL MATTERS AND CONTRACTS

A. **Financial Reports** - March 2003 and April 2003

Dr. Walther and Ms. Parrish presented the financial reports for March and April 2003 for review. Motion was made by Dr. Walther to approve the financial reports as presented, seconded by Dr. Bernard, and approved unanimously by voice vote.

B. **Budget Forecast FY2003** - Dr. Walther and Ms. Parrish presented financial reports outlining budgeted expenses and revenue for FY2003. It was noted that legal costs were above budgeted amounts due to volume of legal cases and complexity of cases and issues presented. Also noted was the additional revenue received from fines and cost recovery which offsets legal expenses. Further discussion regarding legal fees

during executive session was requested. Ms. Parrish stated that barring any unforeseen emergency expenses within the month of June, the Board budget should be below expected expenses for FY2003. The budget was in good standing. No action was taken on this item.

C. Investments Update -

1. CD Update FY2003 - Ms. Parrish presented an update of Certificates of Deposit (CDs) purchased on behalf of the Board during FY2003. It was noted that a large return on the CDs was not expected because of the lower interest rates currently held on CDs. No motion was made.

2. CD Authorization FY2004 - Motion was made by Dr. Walther to authorize Ms. Parrish, Administrative Director, in association with the Board Secretary-Treasurer elect, Dr. Randall, to make internal fund transfers for the purchase of certificates of deposit (CDs) during the fiscal year 2004, seconded by Dr. Bernard, and approved unanimously by voice vote.

VI. POLICY, PROCEDURE, AND RULES

A. Rule Making

General Update

1. Rule 714 - Externship - Mr. Tomino discussed the notification requirement of Rule 714, published as a Notice of Intent in the May 2003 issue of the Register. A Board approved form will be designated for use following final rule adoption and publication.

Adoption of Rules -

There were no proposed rules for adoption presented.

Consideration/Review of Proposed Rules/Amendments

There were no proposed rules or amendments for consideration or review presented.

B. Policy and Procedure

Online veterinary license verification request from John Liggiro of Louisiana Wholesale Pharmacy - Following discussion and due to concern regarding current information, motion was made by Dr. Walther, seconded by Dr. Bernard, that the request for online license verification be denied at this time. Motion passed unanimously by voice vote.

C. Practice Act-Related Matters/Declaratory Statement Requests

1. New Issues - none noted.
2. Reviews
 - a. **Banfield Franchise** - The request for an Attorney General opinion previously submitted by Mr. Tomino regarding the legality of franchised veterinary practices in Louisiana is pending response from the AG.

VII. MISCELLANEOUS MATTERS

A. DVM Issues -

1. **Frank Fitzgerald, DVM** - request for extension through October 2003 to fulfill CE hour requirements for renewal due to change in annual TVMA symposium schedule. Following discussion, Dr. Davis moved to deny the request, seconded by Dr. Walther, and passed unanimously by voice vote. Mr. Tomino was asked to draft a letter to Dr. Fitzgerald regarding the decision of the Board in this regard.

Motion was made by Dr. Davis to go into executive session to discuss issues under VII.B, seconded by Dr. Bernard, and passed unanimously by voice vote. Upon conclusion of discussion of the issues motion was made to return to regular session by Dr. Walther, seconded by Dr. Davis, and approved unanimously by voice vote.

B. DVM Application Issues

1. **Robert A. Holmes, DVM**, previously licensed in New Mexico and Texas since 1971 and a current faculty member of LSU-SVM since 1983, Dr. Holmes personally appeared before the Board at 11:00 a.m. with requests to waive the national examination and preceptorship requirements based upon previous employment and experience. Following consideration of the documentation and personal interview with Dr. Holmes, Dr. Holmes' particular employment history and experience were found to be equivalent to full time active practice for five years immediately prior to application with the Board. Motion was made by Dr. Walther to approve waiver of the licensing examination as per Board rule 303B4, and waiver of preceptorship requirement as per Board Rule 1105E, seconded by Dr. Bernard, and approved unanimously by voice vote.

2. **Santos Ramirez, DVM**, Dr. Ramirez was unable to personally appear before the Board as scheduled. Dr. Ramirez, a licensed veterinarian in Texas since 1989, requested reconsideration to waive of the national examination and preceptorship requirements based on previous affiliation as an intern, resident, instructor and professor at various veterinary schools. Following review of a letter to the Board from Dr. Ramirez dated April 15, 2003 and of the information provided to the Board regarding previous employment and experience, motion was made by Dr. Walther, seconded by Dr. Bernard, to approve waiver of re-taking the licensing examination as Dr. Ramirez's particular work history and experience were found to be equivalent to full time active practice for five years immediately prior to application with the Board as per Board rule 303B4, and approve waiver of the preceptorship requirement as per Board rule 1105E. Motion passed unanimously by voice vote.

3. **William J. Novak, DVM**, 1985 graduate with DVM licenses in numerous states requested reconsideration to waive retaking the national examination requirement for Louisiana licensure. Following review of a letter from Dr. Novak to the Board dated May 2, 2003 and information provided to the Board regarding

previous employment, experience and status as a diplomate of the American Board of Veterinary Practitioners, Dr. Novak's participar employment history and experience were found to be equivalent to full time active practice for five years immediately prior to application with the Board, motion was made by Dr. Walther, seconded by Dr. Bernard, to approve waiver of re-taking the licensing examination as per Board rule 303B4. Motion passed unanimously by voice vote.

4. **Jeffery Sutton, DVM**, Ross University graduate licensed in Ohio and Mississippi since 1999, requested waiver of re-taking out of date examination and preceptorship requirements based on employment history of previous five years. Upon review of documents provided, it was noted that the examination date and application was within the 5 year parameter. Motion was made by Dr. Davis, seconded by Dr. Bernard, to waive re-taking of the licensing examination and to waive the preceptorship requirement for Louisiana licensure. Motion was passed unanimously by voice vote.

5. **Don Newcomb, DVM**, licensed in various states and formerly licensed in Louisiana, requested waiver of re-taking out of date exam and preceptorship requirements based on employment history throughout the five years prior to application. Motion was made by Dr. Davis, seconded by Dr. Bernard, to request further information from Dr. Newcomb, specifically a timeline of employment history and duties, as well as delineation of job role as trainer, state veterinarian and/or track veterinarian. Motion was passed unanimously by voice vote.

6. **Ronald Harrist, DVM**, licensed and practicing in Mississippi since 1996 as a relief veterinarian at numerous facilities, requested waiver of re-taking out of date examination and preceptorship requirements. Review was made of additional information provided by Dr. Harrist in support of his request for waiver pursuant to Board rule 303B4. Motion was made by Dr. Walther, seconded by Dr. Bernard, to request personal appearance of Dr. Harrist at the August 2003 Board meeting, and to request submission of a timeline to be presented to the Board outlining employment history throughout the five years prior to application. Motion passed unanimously by voice vote.

C. CAET Issues

1. CAET CE Credits - request by Caddo Parish Animal Control for approval for Disease Control & Prevention program given by Michael Dale, DVM. Motion was made by Dr. Walther, seconded by Dr. Bernard, to approve the course for 6 hours of CE for CAETs. Motion was approved unanimously by voice vote.

2. CAET CE Credits - request by Caddo Parish Animal Control for approval for online course in Criminal Investigation on Agriculture, Wildlife and Environmental Crimes. Motion was made by Dr. Walther, seconded by Dr.

Bernard, to deny approval of the course based on the material as not relevant within the scope of CAET duties. Motion was approved unanimously by voice vote.

D. RVT Issues

No issues presented.

E. Preceptorship Program, Hands-On Surgery at Site – The Board reviewed the Louisiana Veterinary Referral Center’s qualifications as a fully approved preceptorship facility, and reviewed preceptor summaries regarding hand-on surgery experience. Motion was made by Dr. Walther, seconded by Dr. Bernard to change the status of the Louisiana Veterinary Referral Center’s preceptorship from full to limited due to the limitations of the type of practice and procedures experienced by the preceptees. Motion was approved unanimously by voice vote. Ms. Parrish was asked to draft a letter to the facility in this regard, following approval by Dr. Randall.

Motion was made by Dr. Walther to go into executive session to discuss issues under VII.B, seconded by Dr. Bernard, and passed unanimously by voice vote. Upon conclusion of discussion of the issues motion was made to return to regular session by Dr. Walther, seconded by Dr. Davis, and approved unanimously by voice vote.

F. AAVSB/AVMA, PAVE/ECFVG Programs – Discussion was introduced regarding the feasibility of forming a single, separate entity to provide education equivalency for graduates of foreign universities was discussed. Motion was made by Dr. Walther, seconded by Dr. Bernard, to draft a letter in support of continued efforts by the AAVSB and AVMA to study the feasibility of the formation of a single, separate entity for the PAVE/ECFVG programs. Motion was passed unanimously by voice vote. Ms. Parrish was asked to draft the letter with Dr. Lofton’s approval to be introduced during the July 2003 meeting in Philadelphia by the AAVSB representatives.

G. 2003 Legislative Updates – The Board reviewed various proposed legislative bills summarized by Ms. Parrish and the LVMA which if passed, may impact the veterinary profession. Mr. Tomino noted that he would submit a summary of all applicable legislation to the Board following conclusion of the legislative session.

H. NAVLE Summary of Spring Test Results – A summary of the testing statistics for the Spring 2003 NAVLE testing was presented by Ms. Parrish for review. No action was taken on this matter.

I. NAVLE Test Review – Ms. Parrish presented the invitation of the NBVME to the Board members for review of the 2004 NAVLE examination. No action was taken on this matter.

J. NCEVI Request for DVM CE Credits – Motion was made by Dr. Walther, seconded by Dr. Bernard, to allow 2 credits of CE for DVM to be given for participation in the National Commission on Veterinary Economics Issues online education model. Motion was passed unanimously by voice vote.

K. Annual Meeting Items

1. Election of Officers – Nominations were taken as follows: J. Edwin Davis, DVM, Board President; Glenn Walther, DVM, Board Vice President; Lon Randall, DVM, Board Secretary-Treasurer. Motion was made by Dr. Bernard to close nominations, seconded by Dr. Randall and passed unanimously by voice vote.

Election of officers was held. Motion was made by Dr. Bernard to install Dr. J. Edwin Davis as Board President, Dr. Glenn Walther as Board Vice President, and Dr. Lon Randall as Board Secretary-Treasurer for fiscal year 2004, seconded by Dr. Lofton and passed unanimously by voice vote.

2. Authorization of New Board President – Motion was made by Dr. Bernard to afford Dr. Davis, Board President-elect, all the powers associated with the office of the President of the Board including the power to execute contracts and other documents and to conduct business on behalf of the Board, seconded by Dr. Lofton and passed unanimously by voice vote.

3. Authorization to Sign Checks – Authorization to sign checks drawn on the Board's account was given to J. Edwin Davis, DVM, Board President-elect; Lon Randall, Board Secretary-Treasurer-elect, and Ms. Parrish, Administrative Director effective July 1, 2003.

4. Review of Board Member Positions and Duties – The Board reviewed the current chart of Board positions and duty assignments. No changes were made.

VIII. OTHER BUSINESS

Wall certificates were presented for signature for the following licenses/certificates issued since the previous Board meeting:

DVM	Sarah Jones Young
	Allen Jacques Fuselier
	Karen Ann Romaguosa
	Davis Lawson Moores
	Douglas James Landry
	Sally Kate Scroggs
	Jessica Marie Miller
	Stephen Michael Lee, Jr.
	Lacie Boudreaux Lee

RVT Melissa Kaye Jennings
 Valerie Adele Bordelon

Motion was made by Dr. Davis to go into executive session to discuss issues and receive legal advice regarding potential contested matters, seconded by Dr. Bernard, and passed unanimously by voice vote. Upon conclusion of discussion of the issues motion was made to return to regular session by Dr. Walther, seconded by Dr. Bernard, and approved unanimously by voice vote.

IX. EXECUTIVE SESSION

A. Case No. 02-1281.1 , M. Roberson, DVM – Motion was made by Dr. Walther, seconded by Dr. Bernard, to refund the fine imposed by the Board and agreed upon by Dr. Roberson in Consent Agreement effective June 6, 2002, and to rescind and set aside the disciplinary sanction against Dr. Roberson based upon subsequent review and recent decisions rendered by the Board in cases of similar nature. Such action is conditional on Dr. Roberson’s releasing the Board from any potential claim to avoid any unnecessary litigation. Motion passed unanimously by voice vote. Mr. Tomino was instructed to contact Dr. Roberson and draft an agreement to comply with the Board’s decision.

B. Clerk Position for License Renewal Year 2004 – As in the previous renewal four month period, July through October, Ms. Parrish requested that in lieu of hiring a part time clerk, the Administrative Assistant be allowed a maximum of 2 hours per day for overtime hours to process the renewal paperwork. Motion was made by Dr. Walther, seconded by Dr. Bernard, and approved unanimously by voice vote to allow a maximum of 2 hours overtime each weekday to Ms. Tillman in lieu of hiring and training a new part time clerk for the renewal period 2004.

C. Preceptorship Program, Maximum of 9 hours per day, 6 days per week – Motion was made by Dr. Walther, seconded by Dr. Bernard, to request justification from Dr. Alfred Stevens for the additional hours logged by two students during preceptorship above the daily maximum of 9 hours per day, and allow an exception based on upon adequate justification to count the additional hours each day toward completion of preceptorship hours, and to alter Board forms to emphasize the hourly requirements of the Board rules. Motion was passed unanimously by voice vote. Ms. Parrish was asked to draft a letter to Dr. Stevens to provide the information for review.

D. Ketamine/Telazol Minimum Amount for Animal Capture Agents – Motion was made by Dr. Davis, seconded by Dr. Bernard, to define the minimum amount of animal capture drugs (Ketamine/Telazol) to be held by an animal capture agent to be a maximum of one vial of 10 ml. Motion was passed unanimously by voice vote. Mr. Tomino was asked to compose and publish the information via letter, notice and newsletter article, to all interested parties.

June 5, 2003

Page 8

E. SNIP Van Services – Motion was made by Dr. Walther, seconded by Dr. Bernard, for Mr. Tomino to notify the SNIP program with regards to the aftercare responsibilities of participating veterinarians. Motion was passed unanimously by voice vote.

F. Administrative Director 6 Month Evaluation – Motion was made by Dr. Walther, seconded by Dr. Bernard, to award Ms. Parrish the maximum annual salary increase following her six month review, and to set her annual review in June 2004. Motion passed unanimously by voice vote.

G. Legal Expenses – Motion was made by Dr. Walther, seconded by Dr. Bernard, for Ms. Parrish to provide a case-by-case financial summary (citing case number only) of legal fees for review by the Board each meeting. Motion was passed unanimously by voice vote.

X. ADJOURN

There being no further business before the Board, motion was made by Dr. Davis, seconded by Dr. Bernard, and passed unanimously by voice vote to adjourn. The meeting was adjourned at 2:40 p.m.

MINUTES REIVEWED AND APPROVED BY FULL BOARD ON August 7, 2003.

Lon Randall, DVM
Board Secretary-Treasurer