

**LOUISIANA BOARD OF VETERINARY MEDICINE
BOARD MEETING
October 4, 2007**

Minutes

I. CALL TO ORDER –

Board President, Dr. Mica F. Landry, called the meeting to order at 8:30 a.m.

II. ROLL CALL –

Roll call was taken by Board Secretary-Treasurer, Dr. Brent D. Robbins, with the following results:

Those present:

Mica F. Landry, DVM	Board President
William H. Green, DVM	Board Vice President
Brent D. Robbins, DVM	Board Secretary-Treasurer
John C. Prejean, DVM	Board Member
Patrick Bernard, DVM	Board Member
Michael Tomino, Jr.	Board General Counsel
Wendy Parrish	Board Administrative Director

Absent:

None

Guests: (11:00am) Susan Eddlestone, DVM, Peter Haynes, DVM, David Senior, DVM, Dale Paccamonti – LSU School of Veterinary Medicine
Craig Guidry, DVM – Louisiana Veterinary Medical Association

III. APPROVAL OF MINUTES

A. Board Meeting August 2, 2007

The Board reviewed the minutes from the August 2, 2007 Board meeting. Motion was made by Dr. Prejean to accept the minutes as presented with the addition of notation of Dr. Robbin's recusal request under VI.B.2, seconded by Dr. Bernard, and passed unanimously by voice vote.

B. Special Board Meeting August 29, 2007

The Board reviewed the minutes from the August 29, 2007 Special Board meeting. Motion was made by Dr. Green to accept the minutes as presented, seconded by Dr. Robbins, and passed unanimously by voice vote.

IV. FINANCIAL MATTERS AND CONTRACTS

A. Financial Reports – July and August 2007

Ms. Parrish and Secretary-Treasurer Dr. Robbins presented the financial reports for the months of July and August 2007 for review. Following discussion, motion was made by Dr. Green to approve the financial reports as presented, seconded by Dr. Prejean, and passed unanimously by voice vote.

B. Legislative Auditor's Report FY2007 – Ms. Parrish presented the legislative auditor's report for FY2007 for review. As all items were in order, no action was taken on this item.

C. FY2009 Budget/Maximum Employee Pay Raise Amount –

Ms. Parrish presented financial history of maximum employee pay raise amounts for the last six fiscal years. Motion was made by Dr. Robbins, seconded by Dr. Bernard to allow a maximum employee pay raise amount of 10% as scale for FY2009. Motion passed unanimously by voice vote.

V. ADMINISTRATIVE PROCEEDINGS

Case No. 07-0316.1V – Marci L. Miranov, DVM - Consent Order (9:00a.m.) – Dr. Green was introduced as presiding officer for the hearing. Dr. Landry recused herself as investigating Board member in the case. The members of the Hearing Panel consisted of Dr. Green, Dr. Robbins, and Dr.

Prejean and Dr. Bernard. The respondent waived appearance at the hearing. Mr. Tomino presented the facts of the case, submitted exhibits for review, and a proposed Consent Order for consideration by the Board. Upon conclusion of the presentations and questions, motion was made by Dr. Robbins, seconded by Dr. Bernard, to enter into executive session for consideration of the proposed consent order presented in the case. Motion 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. Bernard to return to open session, seconded by Dr. Robbins, and passed unanimously by voice vote. The meeting was reopened to the public. Motion was made by Dr. Bernard, seconded by Dr. Robbins to accept the Consent Order as presented for this case. Motion passed unanimously by voice vote

B. Case 07-0116V – Blaine J. Firmin, DVM – Proposed Consent Order (9:30a.m.) - Dr. Green was introduced as presiding officer for the hearing. Dr. Landry recused herself as investigating Board member in the case. The members of the Hearing Panel consisted of Dr. Green, Dr. Robbins, and Dr. Prejean and Dr. Bernard. The respondent waived appearance at the hearing. Mr. Tomino presented the facts of the case, submitted exhibits for review, and a proposed Consent Order for consideration by the Board. Upon conclusion of the presentations and questions, motion was made by Dr. Robbins, seconded by Dr. Bernard, to enter into executive session for consideration of the proposed consent order presented in the case. Motion 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. Robbins to return to open session, seconded by Dr. Prejean, and passed unanimously by voice vote. The meeting was reopened to the public. Motion was made by Dr. Bernard, seconded by Dr. Prejean to accept the Consent Order as presented for this case. Motion passed unanimously by voice vote.

VI. REQUEST FOR APPEARANCE

A. Student Program Regarding Low Cost Spay/Neuter Proposal – Susan Eddlestone, DVM, LSU-SVM (11:00 a.m.) – Dr. Haynes and Dr. Eddlestone presented information subsequent to the previous presentation on August 2, 2007 of the proposed student program regarding low cost/spay-neuter and the grant by HSUS to LSU-SVM and the Board’s decision of September 29, 2007. The revised proposal by the LSU-SVM representatives limits the student program to animals not owned by the public at certain identified shelters with the students assisting faculty veterinarians licensed by the Board. “Assisting” was defined by the LSU-SVM representatives (Drs. Haynes, Eddlestone, Paccamonti and Senior) to include hands-on surgical procedures by the students, and other veterinary care such as examinations, wellness, and vaccinations, under the supervision of faculty veterinarians licensed by the Board at St. Bernard Parish Animal Shelter, Jefferson Parish Animal Shelter, East Baton Rouge Parish Animal Shelter, Denham Springs Animal Shelter, LaSPCA in New Orleans, ARNO in New Orleans, and PAWS in New Orleans. Board members queried the representatives from LSU-SVM regarding the specifics of the revised proposal including supervision, sites, publicly owned animals, client screening, after-care and accountability. Dr. Guidry, representing LVMA, provided the full support of LVMA to the program as presented. Following discussion, the Board informed the attendees that it would take the revised proposed program under consideration. The representatives from LSU-SVM and LVMA left the meeting.

B. Veterinary Medical Recordkeeping – Terry Eades, DVM (1:30p.m.) – This item was cancelled due to Dr. Eades’ inability to attend.

VII. POLICY, PROCEDURE, AND RULES

A. Policy and Procedure –
1. None presented.

B. Practice Act and Rules/Related Matters/Declaratory Statements

C. Rule Making

1. **Final Rule 700, 701, 711 – Veterinary Medical Recordkeeping Mobile Practice Vehicle** – Motion was made by Dr. Bernard, seconded by Dr. Green, to proceed with final rule procedures. Motion passed unanimously by voice vote.

VIII. DVM ISSUES

Motion was made by Dr. Bernard to go into executive session to discuss character and professional reputation issues of the following licensees, seconded by Dr. Green, and passed unanimously by voice vote.

Upon conclusion of discussion of the issues, motion was made to return to regular session by Dr. Green, seconded by Dr. Bernard, and approved unanimously by voice vote.

A. Leonard P. Dalovisio, DVM – Status Change – Following review of request and documentation submitted by Dr. Dalovisio, motion was made by Dr. Bernard, seconded by Dr. Green, to approve status of **Inactive Retired**. Motion passed unanimously by voice vote.

B. Ginger H. Veazey, DVM – Status Change – Following review of request and documentation submitted by Dr. Veazey, motion was made by Dr. Bernard, seconded by Dr. Prejean, to approve status of **Inactive Incapacitated**, and waiver of renewal fees and CE requirements for renewal period 2007-2008. Motion passed unanimously by voice vote.

C. H.W. LeBourgeois, Jr., DVM – Status Change – Following review of request and documentation submitted by Dr. LeBourgeois, motion was made by Dr. Green, seconded by Dr. Bernard, to approve status of **Inactive Retired**. Motion passed unanimously by voice vote.

D. James W. Kyle, DVM – Status Change – Following review of request and documentation submitted by Dr. Kyle, motion was made by Dr. Bernard, seconded by Dr. Robbins, to approve status of **Inactive Retired**. Motion passed unanimously by voice vote.

E. Joseph V. Strother, Jr., DVM – Status Change – Following review of request and documentation submitted by Dr. Veazey, motion was made by Dr. Bernard, seconded by Dr. Prejean, to approve status of **Inactive Incapacitated**, and waiver of renewal fees for renewal period 2007-2008. Motion passed unanimously by voice vote.

F. Louis L. Martin, DVM – Request for Waiver of CE – Following review of request for waiver of CE for veterinarians over 65 years of age submitted by Dr. Martin, motion was made by Dr. Bernard, seconded by Dr. Green, to deny waiver of CE requirements for veterinarians solely on the issue of age based on current statutes and rules. Motion passed unanimously by voice vote.

G. Elaine Frederick DVM – Status Change – Following review of request and documentation submitted by Dr. Frederick, motion was made by Dr. Bernard, seconded by Dr. Green, to approve status of **Inactive Incapacitated**, and waiver of CE requirements for renewal period 2007-2008. Motion passed unanimously by voice vote.

H. James R. Dear, DVM – Status Change – Following review of request and documentation submitted by Dr. Dear, motion was made by Dr. Robbins, seconded by Dr. Bernard, to approve status of **Inactive Retired**. Motion passed unanimously by voice vote.

IX. DVM APPLICANT ISSUES

A. William A. Lindsay, DVM – Request for Waiver of Retake of National Examination and Preceptorship Requirement – 1969 graduate of Ontario Veterinary College, licensed in Wisconsin and Canada. Following review of the documentation submitted by Dr. Lindsay, motion was made by Dr. Green, seconded by Dr. Prejean to waive the retaking of the national examination and the preceptorship requirement as his employment sufficiently meets 5 years of full-time veterinary practice preceding application with the Board. Motion passed by unanimously by voice vote.

B. Forrest G. Franklin, DVM – Request for Waiver of Retake of National Examination and Preceptorship Requirement – 1977 graduate of Colorado State University, licensed in Colorado, Nevada, Washington, Idaho and California. Following review of the documentation submitted by Dr. Franklin, motion was made by Dr. Bernard, seconded by Dr. Green to waive the retaking of the national examination and the preceptorship requirement as his employment sufficiently meets 5 years of full-time veterinary practice preceding application with the Board. Motion passed by unanimously by voice vote.

X. RVT/CAET/RED ISSUES

A. Ranada V. Guidry, RVT – Request for Reinstatement – The Board members reviewed the applicant's request for reinstatement of her Louisiana RVT certificate following non-renewal for two years. Motion was made by Dr. Prejean, seconded by Dr. Robbins to deny the reinstatement request as the applicant must begin the application process anew, including retaking the national veterinary technology examination due to the passage of time since expiration of the registration. Motion passed unanimously by voice vote.

XI. CONTINUING EDUCATION ISSUES

A. DVM CE – Rapid Response Training: Role of Public Health in Multi-Agency Response to Avian Influenza in the US (M Barrington, DVM) - Request for consideration of credit hours of DVM CE for participation in the training seminar. Following review of the request and program outline, motion was made by Dr. Robbins, seconded by Dr. Prejean, to allow a maximum of 13 credit hours of DVM CE for actual attendance. Motion passed unanimously by voice vote.

B. DVM CE - International Veterinary Emergency & Critical Care Symposium (G Stamp, DVM) - Request for consideration of DVM CE credit hours for participation in the VECCS meeting. Following review of the request and program outline, motion was made by Dr. Green, seconded by Dr. Bernard, to allow a maximum of 20 credit hours of CE (annual renewal requirement) for actual attendance. Motion passed unanimously by voice vote.

C. DVM CE – Agroterrorism (online course) through University of Kentucky/Kentucky Department of Agriculture (M Schneider) - Request for consideration of DVM CE credit hours for participation in the online course. Following review of the request and program outline, motion was made by Dr. Green, seconded by Dr. Bernard, to allow a maximum of 4 credit hours of CE for actual attendance. Motion passed unanimously by voice vote.

D. DVM CE – Avian Influenza Response – Training for Responders (D Stacy, DVM) - Request for consideration of DVM CE credit hours for participation in the meeting. Following review of the request and program outline, motion was made by Dr. Prejean, seconded by Dr. Robbins, to allow a maximum of 8 credit hours of CE for actual attendance. Motion passed unanimously by voice vote.

E. DVM CE – Dale Carnegie Business Management Courses (C Albery, A Balkom, DVM) - Request for consideration of DVM CE credit hours for participation in the multi-day business courses for the 2008-2009 renewal period. Following review of the request and program outline, motion was made by Dr. Green, seconded by Dr. Robbins, to allow a maximum of 10 credit hours of CE for actual attendance. Motion passed by majority with Dr. Bernard voting nay.

F. CAET CE – CAET Seminar/Anesthesia/Handling & Capture/Restraint/Euthanasia Drug Usage (DCCooper, DVM, Caddo Parish Animal Control) - Request for consideration of CAET CE credit hours for training presentations by Dr. Cooper. Following review of the request, motion was made by Dr. Robbins, seconded by Dr. Green, to allow 6 credit hours of CE for participation in the courses. Motion passed by majority with Dr. Bernard voting nay.

G. CAET CE – Daylong Cruelty Class by Ft. Worth Police (B Daniel, CAET) - Request for reconsideration of CAET CE credit hours for participation in the course sponsored by Ft. Worth Police/HSUS. Following review of the request and program outline, motion was made by Dr. Robbins, seconded by Dr. Green, to approve 6 credit hours of CE for participation in the presentation. Motion passed unanimously by voice vote.

H. RED CE – National Equine Dental Seminar (B Young, RED) - Request for consideration of RED CE credit hours for National Dental Seminar presented by L Moriarity. Following review of the request and presentation, motion was made by Dr. Green, seconded by Dr. Prejean, to allow 6 credit hours of CE for participation and completion of the training program. Motion passed unanimously by voice vote.

XII. MISCELLANEOUS MATTERS

A. New Licenses and Certificates Issued:

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

DVM

- 2725 Nicholas Argeros Moraites
- 2726 Ashley Ann Martin
- 2727 Kristen Nicole Fulham
- 2728 Jill Laubersheimer Yates
- 2729 Mark Christian Bates
- 2730 Carla Teresa Ezell
- 2731 Dionne April Ferguson
- 2732 Kristi Scott Dukes
- 2733 Laura Lee Poirrier
- 2734 Jennifer Camille Compton Litton
- 2735 Andrew Timothy Daters
- 2736 Madhu Bindu Munthala
- 2737 Patrick Hambrick Taylor
- 2738 Amber Renee' Dickson
- 2739 Theresa Flowers Gosik
- 2740 Alan Michael Kuhn
- 2741 Brian D. Barron
- 2742 William Lonnie Calvert

RVT

- 8144 Erica Ockman Dragon
- 8145 Josephine Margaret Hall
- 8146 Kari Joann O'Connell
- 8147 Chasity Anne Jackson
- 8148 Larissa Devlin
- 8149 Jill Melissa West

CAET

9389	Cindy Louise Bergen
9390	Juston W. Baker
9391	James H. Evans, Jr.
9392	Patricia Lillie Guillory
9393	Suzanne H. Little
9394	Daniel Sloan Piatkiewicz
9395	Jessica Parker Scallon
9396	Laura A. Underwood-Schillingford
9397	Daniel Roy Hebert
9398	Kenneth Robert Sasser
9399	Jannelle Lindsay Allen
9400	Amy Lyn Bormann
9401	Angelle Michelle Fulton
9402	Rocquel Denea' Raniey
9403	Lori Elizabeth Wheat
9404	Kathleen Michelle Schroeder
9405	Angela D. Sullivan Hartman
9406	David Beckwith
9407	Rhonda Wynn Comer
9408	Mary Garcia Morris
9409	Ann Francis Bourgeois
9410	Davin Michael Miller
9411	Iris Marie Ashton
9412	Guylon Ray Youngblood
9413	Sabrina Lynn White
9414	James Arthur, Jr.

B. Board Meeting Dates 2008 –Ms. Parrish presented proposed Board meeting dates for 2008. Motion was made by Dr. Bernard, seconded by Dr. Green to accept the proposed dates as presented. Motion passed unanimously by voice vote.

XIII. EXECUTIVE SESSION

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

A. Student Program Regarding Low Cost Spay-Neuter Proposal – Susan Eddlestone, DVM, LSU-SVM – Motion was made by Dr. Bernard, seconded by Dr. Robbins, that the revised proposed program as presented on October 4, 2007, complies with the law subject to the following terms, limitations, and conditions.

First, the regular student's role shall be limited to assisting a licensed faculty veterinarian in a support capacity during assessment, diagnosis, treatment, and surgery in the shelters listed above on shelter animals only. For example, observation of procedures and services by the student and the performance of menial support tasks to assist the licensed faculty veterinarian are legally permissible. However, the licensed faculty veterinarian must be the primary veterinarian, or surgeon of record, in all situations. To allow the student to perform beyond the support capacity would, in effect, permit the student to enter into the realm of veterinary practice without first having to meet the requirements necessary to have a license as established by the Louisiana Veterinary Practice Act and the Board's Rules.

Second, the direct supervision which is defined as “continuous, visual, and on-site supervision” may only be performed by a faculty veterinarian licensed by, and accountable to, the LBVM as per its regulatory authority.

Accordingly, the licensed faculty veterinarian and the program shall comply with all requirements established by the Louisiana Veterinary Practice Act and the LBVM’s Rules regarding the practice of veterinary medicine including, but not limited to, such practice standards as a proper surgical facility, record keeping, aftercare, prescriptions, drug/device maintenance, etc. The faculty veterinarian as a licensed veterinarian shall be ultimately responsible, and accountable to the LBVM, for the duties, actions, or work performed by the student; however, at no time shall the student’s role extend beyond assisting the licensed faculty veterinarian in a support capacity during assessment, diagnosis, treatment, and surgery in the shelters listed above on shelter animals only.

Third, the revised program shall encompass the care, treatment, and/or surgery of one shelter animal at a time at St. Bernard Parish Animal Shelter, Jefferson Parish Animal Shelter, East Baton Rouge Parish Animal Shelter, Denham Springs Animal Shelter, LaSPCA in New Orleans, ARNO in New Orleans, and PAWS in New Orleans. Again, the licensed faculty veterinarian must be the primary veterinarian, or surgeon of record, in each individual situation.

Fourth, prior to commencement of the program, the supervising faculty veterinarian licensed by the Board must provide the LBVM with a copy of the policy and procedure, including medical protocol, regarding the program to be followed at the shelters identified above. In addition, a copy of the agreement between LSU-SVM and each shelter identified above shall be submitted to the LBVM.

Fifth, the supervising faculty veterinarian licensed by the Board shall present the LBVM with a written request to add a shelter to the list identified above, as well as any future intention to further modify the program as verbally presented on October 4, 2007. Such written request shall be submitted to and reviewed the LBVM prior to any implementation by LSU-SVM.

Motion passed unanimously by voice vote.

B. Paid Endorsement/Dog Food (T Wexler, DVM) – Following review of Dr. Wexler’s query regarding paid endorsement for dog food products, motion was made by Dr. Bernard that the facts as submitted violate the legal prohibition against non-veterinarians and veterinary business practice ventures, and directed Mr. Tomino to prepare a response subject to Board review and approval, seconded by Dr. Robbins. Motion passed unanimously by voice vote.

C. Prescriptions/Records Production/Refusal to Treat (L Brabham, DVM) – Following review of Dr. Brabham’s query regarding prescriptions, record production and refusal to treat, motion was made by Dr. Bernard to accept the proposed response to the query as presented by Mr. Tomino based on prior Board decisions, seconded by Dr. Robbins. Motion passed unanimously by voice vote.

D. Prescription Refills/Heartworm Medication and Testing (B Mayer, DVM) – Following review of the query regarding yearly prescription refills for heartworm medications and testing, motion was made by Dr. Bernard that the prescriptive timeline for heartworm prevention medicine shall coincide with annual examination dates of subject patients, and directed Mr. Tomino to prepare a response subject to Board review and approval, seconded by Dr. Robbins. Motion passed unanimously by voice vote.

E. Prescription Policy/Protocol for Internet Pharmacies (Metairie Small Animal Hospital/A Kennedy) – Following review of Ms. Kennedy’s query regarding prescriptions and protocol for internet pharmacies, motion was made by Dr. Bernard that the Board does not provide advisory opinions and directed Mr. Tomino to prepare a response subject to the Board’s review and approval, seconded by Dr. Robbins. Motion passed unanimously by voice vote.

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F. Rabies/Sanitation Code – Following numerous inquiries, Mr. Tomino presented updated information regarding the Louisiana sanitation code with regards to rabies vaccination which revealed no substantive changes to past legal authority on one-year or three-year vaccinations/vaccines. No action was taken on this item.

XIV. ADJOURN

There being no further business before the Board, motion was made by Dr. Bernard, seconded by Dr. Prejean, and passed unanimously by voice vote to adjourn. The meeting was adjourned at 2:23 p.m.

MINUTES REIVEWED AND APPROVED BY FULL BOARD on December 6, 2007.

Brent D. Robbins, DVM, Board Secretary-Treasurer