

**LOUISIANA BOARD OF VETERINARY MEDICINE
BOARD MEETING
October 2, 2003**

Minutes

I. CALL TO ORDER -

Board President, Dr. J. Edwin Davis, called the meeting to order at 8:30 a.m.

II. ROLL CALL -

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

Those present:

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

Absent: None

Guests: Dalton and Jeanette McRight, Legislative Auditors (10:00 a.m. appearance)
Maxwell Lea, DVM (1:00 p. m. appearance)

New Board member, Dr. Brent Robbins, was introduced and welcomed by all.

III. FORMAL ADMINISTRATIVE HEARING

A. No formal hearing scheduled.

IV. APPROVAL OF MINUTES

A. August 7, 2003

The Board reviewed the minutes from the August 7, 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 -**

1. July 2003 and August 2003

Dr. Randall and Ms. Parrish presented the financial reports for July and August 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.

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(Agenda item III B was scheduled for 10:00 a.m. Until that time, the Board continued with agenda items III C through VI.C.2 Upon arrival of all parties, the Board returned to agenda item III B.)

B. **FY2003 Legislative Audit Report** – Dalton and Jeanette McRight of McRight and Associates were introduced as the CPA firm contracted through the Office of the Legislative Auditor to perform the annual audits for the Board. Mr. McRight presented an explanation of the audit report prepared for the close of fiscal year 2003 ending June 30, 2003. Mr. McRight acknowledged the report as stating the audit was clean. He proceeded with an explanation of the Board's finances.

C. **FY2005 Maximum Employee Pay Raise Amount** – Ms. Parrish presented projected employee pay raise amounts for FY2005 for consideration by the Board. Additionally, current Civil Service pay grids were presented for administrative assistant and director positions. Following a review and discussion of the proposed maximum amounts, motion was made by Dr. Walther, seconded by Dr. Randall, to allow 10% maximum employee pay raise amounts for FY2005. Motion passed unanimously by voice vote.

D. **Legal Expenses Review** – The current 3-year contract for legal services was reviewed. There was discussion as to the various issues related to the increases in legal services, i.e., volume and complexity of complaint cases, legal opinions solicited on various subjects by the public and licensees, as well as legal expenses incurred that cannot be recouped through fines and disciplinary actions. Motion was made by Dr. Walther, seconded by Dr. Randall, to amend the current contract to cover projected costs through FY2005. Motion passed unanimously by voice vote.

Motion was made by Dr. Walther to go into executive session to discuss issues and receive legal advice regarding potential rule changes and amendments, 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.

VI. POLICY, PROCEDURE, AND RULES

A. **Rule Making**

General Update

There were no updates presented.

Adoption of Rules –

There were no adoption of rules presented.

Consideration/Review of Proposed Rules/Amendments

There were no proposed rules or amendments for consideration presented.

B. **Policy and Procedure**

1. **Professional Reference for DVM Applicants** – Procedures for applicant references were discussed, in particular, minimum time to have known the applicant to provide adequate professional reference as to character, ethics, knowledge, etc. Current procedure and criteria of three professional references was discussed. No action was taken regarding this item.
2. **Externship Notice Form** – Ms. Parrish presented a draft of the Externship Notice Form as per new Rule 714 effective August 20, 2003. Motion was made by Dr. Walther to accept the form as presented, seconded by Dr. Bernard, and passed unanimously by voice vote. Ms. Parrish was instructed to include the form in the December 2003 newsletter, and to forward a copy to appropriate faculty and all 4th year students at LSU-SVM.
3. **Proposed Board Meeting Dates for 2004** – Ms. Parrish presented the proposed dates for Board meetings in 2004. Motion was made by Dr. Walther, seconded by Dr. Bernard, to approve the following dates for Board meetings in 2004: February 5, April 8, June 3, August 5, October 7 and December 2. Motion was passed unanimously by voice vote.

C. **Practice Act-Related Matters/Declaratory Statement Requests**

1. New Issues
Med-Vet Prescription Request from S. Mayer, DVM – Mr. Tomino presented a response to Dr. Mayer's query regarding Med-Vet prescription requests. After discussion of the draft, motion was made for Mr. Tomino to revise the declaratory statement as directed by the Board with the final approval by Dr. Bernard prior to distribution, seconded by Dr. Randall, and passed unanimously by voice vote.

(Agenda item III B was scheduled for 10:00 a.m. Upon arrival of all parties, the Board moved to agenda item III B. Upon conclusion of the presentation, the Board returned to Item IV.C.2)

2. Reviews
Terrebonne Parish Animal Shelter Request for Administration of Vaccine and Tests – Mr. Tomino presented a response to Ms. Robinson of Terrebonne Parish Animal Shelter with regard to administration of vaccines and tests. Motion was made by Dr. Bernard, seconded by Dr. Randall, to distribute the declaratory statement as presented by Mr. Tomino. Motion passed unanimously by voice vote.

VII. **MISCELLANEOUS MATTERS**

A. **DVM Issues –**

1. **James C. Carter, DVM** – request for exemption of renewal fee, CE requirements, and change of status to Inactive Retired. Following review of documentation provided by Dr. Carter, motion was made by Dr. Walther, seconded by Dr. Robbins, to approve the change of status to Inactive Retired and waive CE requirements, but to deny the request to waive fees. Motion passed unanimously by voice vote.

2. **Frank K. Klimitas, DVM** – request for change of license status to Inactive. Following review of documentation provided by Dr. Klimitas, motion was made by Dr. Walther, seconded by Dr. Bernard, to approve change of status to Inactive Incapacitated. Motion passed unanimously by voice vote.

3. **Donald Fletcher, DVM** – request for status change. Following review of documentation provided by Dr. Fletcher, motion was made by Dr. Walther, seconded by Dr. Robbins, to grant change of status to Inactive Retired and waive CE requirements. Motion passed unanimously by voice vote.

4. **Walter Low, DVM** – request to waive fees and CE requirements and for status change. Following review of documentation provided by Dr. Low, motion was made by Dr. Robbins, seconded by Dr. Bernard, to grant waiver of fees and CE requirements, and grant change of status to Inactive Incapacitated. Motion passed unanimously by voice vote.

5. **Robert Stafford, DVM** – request to waive CE requirements for renewal year 2004 for active military duty. Following review of documentation provided by Dr. Stafford, motion was made by Dr. Robbins, seconded by Dr. Bernard, to waive CE requirements for renewal year 2004 due to active military duty. Motion passed unanimously by voice vote.

6. **Elaine Frederick, DVM** – request for waiver of fees and CE requirements, and request for status change. Following review of the documentation submitted by Dr. Frederick, motion was made by Dr. Walther, seconded by Dr. Bernard, to waive fees and CE requirements, and to approve status change to Inactive Incapacitated. Motion passed unanimously by voice vote.

7. **Howard Wilcox, DVM** – request for status change. Following review of documentation submitted by Dr. Wilcox, motion was made by Dr. Walther, seconded by Dr. Robbins, to approve status change to Inactive Retired. Motion passed unanimously by voice vote.

8. **Darrell Hoskins, DVM** – Request to waive late CE fee. Following review of the request submitted by Dr. Hoskins, motion was made by Dr. Robbins to deny waiver of late CE fee, seconded by Dr. Walther, and passed unanimously by voice vote.

B. DVM Application Issues

1. **Wayne Waguespack, DVM**, licensed in Alabama and currently an assistant professor of equine surgery at LSU-SVM, requested waiver of re-taking out of date examination. Review was made of information provided by Dr. Waguespack as to previous employment history. Motion was made by Dr. Walther, seconded by Dr. Bernard, to waive re-taking the national examination requirement as Dr. Waguespack's work history was equivalent to full time active practice in a clinic for five years immediately prior to application with the Board. Motion passed unanimously by voice vote.

2. **Don Newcomb, DVM**, licensed in various states and formerly licensed in Louisiana, requested waiver of re-taking out of date examination and preceptorship requirements based on employment history throughout the five years prior to application. Dr. Newcomb did not respond to the Board's request for personal appearance at the October 2003 Board meeting. No action was taken regarding this item.

3. **Michael S. Bodri, DVM**, previously licensed in Pennsylvania and currently Chair of Biology at Northwestern State University in Natchitoches, requested waiver of re-taking out of date examination based on employment history throughout the five years prior to application. The Board reviewed supporting documentation submitted by Dr. Bodri. Motion was made by Dr. Walther, seconded by Dr. Bernard, to deny waiver of re-taking the national examination. Motion passed unanimously by voice vote.

C. Other Issues

1. **DVM CE Credit, Spay USA** - request by Spay USA for approval for DVM continuing education credits for participation in the October meeting in New Orleans, LA. Motion was made by Dr. Robbins, seconded by Dr. Walther, to deny the course for CE for DVMs. Motion was approved unanimously by voice vote.

2. **CAET CE Credit, Cruelty Investigation Training** - request by Cruelty Investigation Training for approval for continuing education credits for attendance to the program, Cruelty Investigations Training Level I, in September 2003 in Grapevine, TX. Motion was made by Dr. Walther, seconded by Dr. Robbins, to approve the program for 6 credit hours for CAETs. Motion was approved unanimously by voice vote.

3. **Calgary Zoo Animal Health Center, Alberta, Canada** - request for preceptorship facility approval. Motion was made by Dr. Bernard, seconded by Dr. Walther, to approve Calgary Zoo as a limited preceptorship facility. Motion passed unanimously by voice vote.

D. RVT/CAET Issues

No issues presented.

E. Veterinary Board Informational Brochures – Ms. Parrish presented samples of informational brochures distributed by the California Veterinary Board regarding duties of the veterinary boards, and the role of the registered veterinary technicians. Discussion was made as to production of educational materials by the Board to be distributed to statewide veterinarians for client education, or as possible articles for upcoming newsletters. No action was taken regarding this item.

F. Maxwell Lea, DVM, State Veterinarian, Request for administration of Capture Drugs by Deer Farmers (personal appearance, 1:00 p.m.) –

Dr. Lea presented detailed information regarding use of Schedule III drugs (Ketamine and Telazol) by deer farmers to facilitate transport and management of deer herds. Discussion ensued as to clarification of deer farmer license requirements and parameters, volume of herds and number of deer farmers, various methods of identification of captured animals, and specific types of animals designated for capture by the licensed deer farmer. Additional items considered were training and education requirements of deer farmers in the administration of the drug and usage log documentation, specific capture drugs to be administered, and prescription and refill procedures. Motion was made by Dr. Walther, seconded by Dr. Bernard, for Mr. Tomino to draft the proposed rules as directed by the Board and with final approval by Dr. Walther, and in addition, that Mr. Tomino submit the proposed rules to DEA for comment, promulgation and publication of notice of intent contingent upon DEA approval. Motion passed unanimously by voice vote.

VIII. OTHER BUSINESS

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

DVM

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| 2470 | Joyce Carter |
| 2471 | Tara Eve Thompson |
| 2472 | Craig Clement Lamarsh |
| 2473 | Reagan Lauren Wilson |
| 2474 | Michael Ryan Guidry |
| 2475 | Morgan L. Singletary |
| 2476 | Tiffany Barnes Weber |
| 2477 | Deirdre Diane Huff |
| 2478 | Kyle Joseph Shaw |
| 2479 | Walter Grant Haines |
| 2480 | Richard Anthony Rocconi |
| 2481 | Fredrick Kevin Walters |
| 2482 | Aubre Michelle Harper |

2483 Jill Elizabeth Krzycki
2484 Kenneth L. Ransom
2485 Elizabeth Ashley Guidry
2486 Jeffrey Dale Sutton
2487 Nicole Elise Burn

RVT

8111 Stephanie L. Smith
8112 Jennifer Sonja Limon
8113 Jenny Lynn Dugger Smith

CAET

9291 Marilyn Ann Latimer
9292 Lynn H. Bourque
9293 James Christopher Davis
9294 Billy David Dwyer
9295 Christien Eve Francois
9296 David Corley Hayden, Jr.
9297 Sherry Marie Keller
9298 Lori Marie LeBleu
9299 Mary Anne W. Rando
9300 Lisa Marie Rogers
9301 John Larry Savage
9302 Caniazik Mildan Sherman
9303 Lisa A. Smith
9304 Kathy R. Kline
9305 Randall John Hanks, Jr.
9306 Patricia J. Prescott
9307 Barbara L. McKenzie
9308 Willie Jenkins, III
9309 Patricia Ann Spicer
9310 Ervin Dwight Knox
9311 Randy Lee Adams
9312 Carla DeAnne Brown

IX. EXECUTIVE SESSION

Motion was made by Dr. Walther 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.

A. Windy Vallory, Request for CAET Temporary Certificate – Motion was made by Dr. Walther, seconded by Dr. Bernard, to reconsider and approve the request by Ms. Vallory for a temporary CAET certificate following documentation of training by a veterinarian on Board approved forms. Motion was passed unanimously by voice vote.

B. Tamala Hamm, CAET Applicant – Motion was made by Dr. Walther, seconded by Dr. Randall, to approve the proposed agreement as presented by Mr. Tomino with

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regards to Ms. Hamm's application for CAET certification. Motion passed unanimously by voice vote.

C. **Douglas Pesnell, DVM, Embryo Transfer Venture** – Motion was made by Dr. Walther, seconded by Dr. Randall, to approve the proposed declaratory statement of Mr. Tomino as directed by the Board and reviewed by Dr. Bernard in regards to Dr. Pesnell's query regarding an embryo transfer venture operating in Louisiana. Motion passed unanimously by voice vote.

X. **ADJOURN**

There being no further business before the Board, motion was made by Dr. Walther, seconded by Dr. Bernard, and passed unanimously by voice vote to adjourn. The meeting was adjourned at 2:37 p.m.

MINUTES REIVEWED AND APPROVED BY FULL BOARD ON December 4, 2003.

Lon Randall, DVM
Board Secretary-Treasurer