LOUISIANA BOARD OF VETERINARY MEDICINE
BOARD MEETING
February 4, 2021

Minutes

I. CALL TO ORDER

Board President, Dr. Keri Cataldo, called the meeting to order at 8:35 a.m.

II. ROLL CALL –

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

Those present:

Keri A. Cataldo, DVM	Board President
Joseph Bondurant, Jr., DVM	Board Vice President
Alfred G. Stevens, DVM	Board Secretary-Treasurer
Trisha C. Marullo, DVM	Board Member
James R. Corley, DVM	Board Member
Jared B. Granier	Board Executive Director
Stephen H. Vogt	Board General Counsel

Guests:

John Walther	Assistant Commissioner, Animal Health & Food Safety
Bland O'Conner	LVMA
Melanie Talley	LVMA
Legal Counsel for Petitioner case 17-0116 I	
Petitioner case 17-0116 I	

Statement of Obligations was read aloud by Dr. Stevens to all present for the meeting.

III. APPROVAL OF MINUTES

A. Board Minutes December 10, 2020
The Board reviewed the minutes from December 10, 2020. Motion was made to accept the minutes as presented by Dr. Stevens, seconded by Dr. Bondurant, and passed unanimously by voice vote.

IV. FINANCIAL MATTERS AND CONTRACTS

A. Financial Reports – November & December '20 - Mr. Granier and Dr. Stevens presented the financial reports for the months of November and December '20 for review by the Board. Motion was made by Dr. Corley to accept the financial reports as presented, seconded by Dr. Marullo, and passed unanimously by voice vote.

B. Investments – CD Balances - Mr. Granier and Dr. Stevens presented the CD investment figures to the Board. The Board was informed of the purchase of an additional $100,000 CD at EFCU to capitalize on a better interest rate than what the current CDs are earning. Mr. Granier informed the Board that the CD rates are being monitored and as such time the current CDs mature, he will be requesting that the funds be moved into the higher yielding

CDs at the time of maturity. Motion was made by Dr. Corley to accept the financial reports as presented, seconded by Dr. Marullo, and passed unanimously by voice vote.

V. ADMINISTRATIVE PROCEEDINGS

Motion was made by Dr. Bondurant at 8:45am to go into executive session to discuss confidential matters regarding administrative proceedings not subject to public disclosure as per the law, seconded by Dr. Stevens, and passed unanimously by voice vote.

A. **Case 17-0916 I (9:00am) – Proposed Amendment to Current Consent Order** - The licensee, having filed a petition for modification of a Consent Order, appeared at the hearing, with legal counsel. Counsel submitted evidence and argument supporting the petition and allowing credit for out of state employment to run against the term of the Consent Order. Mr. Vogt presented the terms of the Consent Order and history of compliance. After deliberation, the Board granted the licensee's petition, leaving intact all other provisions.

B. **Case 21-1104 V (10:00am) – Proposed Consent Order** - The respondent waived appearance at the hearing. Mr. Vogt and the investigating board member, Dr. Stevens, presented the facts of the case, submitted exhibits for review, and a Consent Order for consideration by the Board. Gist: failure to comply with state and federal laws regarding the maintenance, dispensing, storage and record keeping pertaining to controlled substances and prescription drugs having been sentenced to one misdemeanor violation. For violation of Section 1526 (A) (14) of the Practice Act, Section 705 of the Board Rules and Principle II B of the AVMA's Principles of Ethics, a Consent Order whereby Respondent pays a $1000 fine and reimbursement of investigative costs of $500.

Upon conclusion of executive session at 10:10am, motion was made to return to regular session by Dr. Bondurant, seconded by Dr. Stevens, and approved unanimously by voice vote, to address the two cases listed above.

With respect to Case 17-0916 I, motion was made by Dr. Corley, seconded by Dr. Stevens to accept the proposed terms of amendment to the current Consent Order as presented for this case, specifically related to paragraph 12 of the original Consent Order. Motion passed unanimously by voice vote.

With respect to Case 21-1104 V, Mr. Vogt and Dr. Stevens recused themselves from the meeting. Motion was made by Dr. Corley, seconded by Dr. Bondurant to accept the Consent Order as presented for this case by Mr. Vogt. Motion passed unanimously by voice vote.

VI. DVM, RVT, AND CAET ISSUES

A. ***None at this time.***

VII. DVM APPLICANT ISSUES

Motion was made by Dr. Bondurant to go into executive session to discuss confidential matters regarding licensees and applicants not subject to public disclosure as per the law, seconded by Dr. Stevens, and passed unanimously by voice vote.

A. **William E. Farmer, DVM – Request Waiver of NAVLE Retake and Preceptorship Requirement** – 2006 graduate of Purdue CVM, licensed in IN. The Board reviewed the documentation submitted by Dr. Farmer. Motion was made by Dr. Marullo, seconded by Dr. Corley, to **approve** waiver of retake of the national examination and preceptorship requirements as the documents provided meet the criteria of full-time clinical veterinary practice for the required period of time immediately prior to application, and licensure in good standing in another jurisdiction. Motion passed unanimously by voice vote.

B. **Katharine C. Shamoun, DVM – Request Waiver of Preceptorship Requirement -** 2019 graduate of NC State CVM, licensed in GA. The Board reviewed the documentation submitted by Dr. Shamoun. Motion was made by Dr. Marullo, seconded by Dr. Corley, to **approve** waiver of the preceptorship requirements as the documents provided meet the criteria of full-time clinical veterinary practice for the required period of time immediately prior to application, and licensure in good standing in another jurisdiction. Motion passed unanimously by voice vote.

C. **Samantha K. Tate, DVM – Request Waiver of Preceptorship Requirement** – 2017 graduate of LSU SVM, licensed in TN, AR, and MS. The Board reviewed the documentation submitted by Dr. Tate. Motion was made by Dr. Marullo, seconded by Dr. Corley, to **approve** waiver of the preceptorship requirements as the documents provided meet the criteria of full-time clinical veterinary practice for the required period of time immediately prior to application, and licensure in good standing in another jurisdiction. Motion passed unanimously by voice vote.

D. **Michael J. Warshaw, DVM – Request Waiver of Preceptorship Requirement** – 2017 graduate of LSU SVM, licensed in MD and DE. The Board reviewed the documentation submitted by Dr. Warshaw. Motion was made by Dr. Marullo, seconded by Dr. Corley, to **approve** waiver of the preceptorship requirements as the documents provided meet the criteria of full-time clinical veterinary practice for the required period of time immediately prior to application, and licensure in good standing in another jurisdiction. Motion passed unanimously by voice vote.

Upon conclusion of executive session, motion was made to return to regular session by Dr. Stevens, seconded by Dr. Bondurant, and approved unanimously by voice vote. All votes related to applicant and licensee issues were made out of executive session.

VIII. POLICY, PROCEDURE, AND RULES

A. **General Update**

1. **LA R.S. 37: §3651 – Licensure for Military & Spouses –** Mr. Vogt presented legislation requiring an addition to the Board Rules meeting the mandate required by the legislature. Legal counsel and Mr. Granier will draft a proposed rule change, amendment or addition at a later date for the Board to vote on. No motion made.

B. **Policy and Procedure**

1. **Continuing Education –** Mr. Granier and Mr. Vogt to the Board the possible need for a new Emergency Rule to be drafted given the on-going effects of the global pandemic on current CE availability. An emergency rule was discussed effective for the CE period of July 1, 2021 to June 30, 2022 (for Renewal period of 2022-2023) which would remove the maximum number of online hours of CE for the '21-'22 CE period, thus allowing licensees (DVMs, RVTs, and CAETs) to complete all required

and approved CE hours via an online delivery method**.** Motion was made by Dr. Stevens to have Mr. Vogt draft an emergency rule with such conditions, seconded by Dr. Marullo, and passed unanimously by voice vote.

C. Declaratory Statements

1. None at this time

D. General Agenda

1. None at this time

E. Consent Agenda Opinions

1. Answered

i. **Telehealth or Telemedicine** - A Practice Query was presented to the Board concerning the "legality of telehealth medicine in Louisiana". In response to the narrow question presented a prior board decision in April 2020, was cited recognizing the telemedicine has a place in the practice of veterinary medicine in the state. Key issues are that a valid VCPR must already exist, professional communication with the client is maintained and record keeping requirements are unchanged.

ii. Ownership of a Veterinary Practice - A Practice Query was presented concerning the allowance of ownership of a veterinary practice by a non-veterinarian. Limiting the response to the provisions of the Board Rules and Practice Act provisions, together with the AVMA Principles of Ethics, the Board advised that under new Rule1015, such ownership is allowed. Veterinarians practicing in such facilities must be licensed by the Board and are subject to the provisions of the Board's regulatory bases.

iii. **Exotic Animals / Wolf-Dog Hybrid** - A Practice Query was submitted by a licensee wanting to know the propriety of veterinary care for an animal thought to be a wolf-dog hybrid. Louisiana legislation removing the prohibition against the possession of wolf-dog hybrids expired on January 1, 1997. There are no provisions in the Practice Act or Board Rules prohibiting the qualified veterinary treatment of such hybrids.

iv. **Drug Charges Effects on Possible RVT Application** - A Question was posed by a potential RVT applicant wanting to know if a record of a felony conviction was an automatic disqualification for future RVT certification. The response given is that the legislative requirement for certification includes, inter alia, evidence of good moral character. A felony conviction as affecting this provision is naturally fact-dependent, may vary from candidate to candidate and from Board to Board, and all factors are considered. However, there is no Practice Act provision or Board Rule providing automatic disqualification for a RVT candidate with a record of an unnamed felony conviction.

v. Ability to Get CAET and Controlled Drugs License - A prospective employer of an unlicensed employee requested information concerning the possible certification of the employee as a CAET, who has a marijuana charge that will be a felony conviction upon the ultimate disposition in state court. The Board was asked if this would be a disqualifying factor for certification.

The Board cited section 1553 of the Practice Act proscribing certification of candidates with a "felony record involving controlled dangerous substances…", and Board Rule 1201 D requiring prior to certification the candidate must successfully pass a background check and have "no previous convictions involving dangerous and/or controlled substances". However, no assurances, positive or negative, can be given regarding future potential certification.

2. **Proposed**
   i. None at this time.

IX. PRECEPTORSHIP ISSUES

A. None at this time

IX. CONTINUING EDUCATION ISSUES

A. The Foundations of Wildlife Chemical Capture – Mr. Granier presented a continuing education request for review and approval for CE hours for DVMs, RVTs, and CAETs as well as approval as a chemical capture course for deer farmers in the state of Louisiana licensed by the LDAF. Following review of the request and program outline of the online course being offered as CE for DVMs, RVTs, and CAETs as well as chemical capture training for deer farmers, motion was made by Dr. Bondurant, seconded by Dr. Stevens, to approve CE request for a maximum of 20 hours in any given CE period. Motion passed unanimously by voice vote.

IX. MISCELLANEOUS MATTERS

A. Delegation of Authority Regarding Prevention of Sexual Harassment Training - Mr. Granier presented to the Board the resolution proposed by the LDAF which delegates the Board's authority and obligations relative to the prevention of sexual harassment as such that the Board adopts the sexual harassment policy of the LDAF and delegates to the LDAF its obligation to maintain records and compile report related to the annual sexual harassment training of its staff and board members. Furthermore, the adopted resolution delegated the Board's obligation to accept and investigate complaints involving sexual harassment to the LDAF. Motion was made by Dr. Corley, seconded by Dr. Stevens, to accept resolution from the LDAF. Motion passed unanimously by voice

B. New Licenses and Certificates Issued - Wall certificates were presented for signature for the following licenses/certificates issued since the previous Board meeting (license issue dates from 11/18/20 to 01/21/21). No motion made pertaining to the licenses and certifications issued.

DVM

2926	Kelly Frances	Broussard
3798	Erin Lee	Katribe
3799	Thomas Bruce	Little
3800	William Evan	Farmer
3801	Dale Lee	Paccamonti
3802	Tiffany Marie	Mavromatis

Faculty DVM

Faculty 218	Michelle Katlyn	LaRue
Faculty 219	Paula April	Johnson
Faculty 220	Michele McCabe	Walls
Faculty 221	Igor	Yankin

RVT

8514	Giovanni Ludovic	Gerrets
8515	Christy Marie	Cole
8516	Tessa Lynne	Reeves
8517	Jennifer L.	Dugas
8518	Laura Ann	Pritchett

CAET

None at this time

C. **Licensure Issue – Reported Out-of-State Conviction -** Board made no motion and deferred this agenda item, as Mr. Vogt informed the Board that there has still been no further progress made in the reported conviction. The Board will continue to re-visit of this matter at future Board meetings until so time as there is actionable details discovered. No motion made on matter.

D. **Licensure Issue – Requirement for Specific Duty** – The Board continued in its discussions regarding the full licensure of pathologists providing in state services and out of state services to Louisiana veterinarians and their clients/patients. Mr. Vogt led discussions regarding same and the continuing analysis of the issue. No motion made on matter.

E. **Unlicensed Practice of Veterinary Medicine –** Board options for prohibiting an individual practicing veterinary medicine without a license, including a potential civil court action and/or injunction were discussed. No motion was made.

F. **2020 ICVA Report to Licensing Boards -** Mr. Granier presented the 2020 ICVA Report to the Board for review. No action taken on this matter.

G. **AAVSB Call for By-Laws & Nominations; '21 Conference; VTNE Scheduling; CE Tracking –** Mr. Granier presented the AAVSB information related to proposed by-law amendments, leadership nominations and upcoming conference schedule(s). No action taken on this matter.

H. **AAVSB Model Regulation for Scope of Practice of RVTs –** Mr. Granier presented the AAVSB's Model Regulation for RVT scope of practice. The Board discussed the numerous conflicts of the model regulation as it relates to the LA Veterinary Practice Act. No action was taken on this item.

I. **AAVSB Standards & Policies for New PAVE for Veterinary Technicians (RVTs) -** Mr. Granier presented the Standards and Policies for a new PAVE for Veterinary Technicians from AAVSB. No action was taken on this item.

J. **AAVSB Query – Veterinarians Administering COVID Vaccinations to Humans -** Mr. Granier presented summary of responses from national veterinary licensing boards related to licensed veterinarians being allowed to administer the COVID-19 vaccinations to

humans. No action was taken on this item.

X. EXECUTIVE SESSION

A. None at this time.

XI. ADJOURN

There being no further business before the Board, motion was made by Dr. Marullo, seconded by Dr. Bondurant, and passed unanimously by voice vote to adjourn. The meeting was adjourned at 1:30pm.

MINUTES REVIEWED AND APPROVED BY FULL BOARD on April 1, 2021.

Alfred G. Stevens, DVM, Board Secretary-Treasurer