



South Carolina Department of Labor, Licensing and Regulation

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South Carolina Board of Veterinary Medical Examiners

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Minutes of the South Carolina Board of Veterinary Medical Examiners
Regular Meeting
July 24, 2008

Synergy Business Park, Kingstree Building, Room 108
110 Centerview Drive, Columbia, South Carolina

Board members present were:

Paul D. Patrick, D.V.M., Chairman
James M. Harris, D.V.M., Vice-Chairman
Stephen G. Colquhoun, D.V.M.
Glen B. Haynes, D.V.M.
Albert W. Platt, III, D.V.M.
Vanessa B. Brooks, D.V.M.
Christine Hartman, L.V.T.

Board Members excused absences were noted for:

Cindy W. Nord, PhD, Public member
David M. Oliver, D.V.M

Staff and Others present were:

Rodney Ashcroft
Ruby Brice, Former OHMRP-ADD
Kate K. Cox, Board Administrator
Sharon Dantzler, Advice Attorney to the Board
P.C. Faglie, LLR Investigations and Enforcement
Eric Gore – Gore Court Reporting
Magdalene W. Moton, Board Administrative Assistant
George Patterson, LLR Investigations and Enforcement
Marcia Rosenberg
James Saxon - LLR Hearing Advice Attorney
Sondra Stephenson, Former Administrator

CALL TO ORDER:

The Regular Session of the South Carolina Board of Veterinary Medical Examiners was held at the Synergy Office Park, Kingstree Building, 110 Centerview Drive, Room 111, in Columbia, South Carolina. Whereas, proper notice of date, time, place and agenda information having been properly provided to THE STATE NEWSPAPER and ASSOCIATED PRESS and proper notice also having been posted at the LLR Office Building 24 hours prior to the time scheduled for the meeting and a quorum having been noted as present, Chairman Dr. Patrick called the meeting to order at 9:05 a.m. All votes referenced herein were unanimous unless otherwise noted.

APPROVAL OF AGENDA:

Motion: A motion was made by Dr. Platt to approve the Agenda as presented. Dr. Haynes seconded the motion. The motion passed.

APPROVAL OF MINUTES:

Motion: A motion was made by Dr. Haynes to accept the April 3, 2008 minutes with the corrections in paragraph five (5) on Page 2 to replace the word “innovation” with “intubation” and to add the Disciplinary Section into the Minutes in order to add the Investigative Review Committee (IRC) Report for April, if there was one. Dr. Harris seconded the motion. The motion passed

INTRODUCTION OF NEW BOARD ADMINISTRATOR AND ADMINISTRATOR’S REPORTS:

Introduction:

Ms. Stephenson, former Board Administrator, introduced new Board Administrator, Kate K. (Kitty) Cox. In her introduction, she reported that Mrs. Cox, in addition to serving now as Board Administrator for the Board of Veterinary Medical Examiners, also serves as the Board Administrator for the Board of Professional Counselors, Marriage and Family Therapists, & Psycho-Educational Specialists Board and for the Occupational Therapy Board. Ms. Cox has been with the Agency from its beginning and has had supervisor and manger experience throughout her career.

Administrative Report:

Mrs. Cox greeted the Board. She reported to the Board about the administrative issues at LLR to reallocate staff and move offices due to the finalization of the LLR Licensure Study; the totals for licensees to date; the prospect of online veterinary and animal health technician jurisprudence exams; the upcoming AAVSB September 2008 Meeting; the upcoming biennial license renewals; and status of pending Board Regulations. She reported the timeout date for the pending Regulations is March 31, 2009. She stated, if no actions are taken by the Legislature or the Governor on the new Regulations, they will be published in the *State Register* on the fourth Friday after the timeout date; and they would take effect at that time. She stated that she will be conducting a review of all complaint issues and tracking them with investigation and enforcement reports.

Mrs. Cox asked if any Board members needed picture identifications for the Agency.

Financial Report:

Mrs. Cox stated that the Financial Report is provided as information. She noted for the record that revenue is collected biennially and is expended over a two-year period. She reported that she reviews the Board’s budget monthly and each year with LLR.

DISCIPLINARY ISSUES:

Investigative Review Committee Report:

The Investigative Review Committee Report (IRC) was given By Chairman Dr. Patrick. The IRC report, as per the June 25, 2008 IRC meeting, was to dismiss seven (7) alleged complaints, dismiss one (1) complaint with a Cease & Desist Letter, issue three (3) letters of caution, and authorize one (1) Formal Complaint to be issued.

Motion: A motion was made by Dr. Colquhoun to accept the June 25, 2008 IRC recommendations. Dr. Brooks seconded the motion. The motion passed.

IRC Expert Reviewers:

With discipline being discussed, it was reported that expert reviewers will now be requested to serve at the discretion of the IRC members or by the Board. The Board has been asked to provide recommended names of veterinarians to serve as possible expert reviewers. Dr. Platt and Dr. Brooks were asked to formulate curriculum vitae for expert reviewers and submit this to Mrs. Cox. It was reported the formulated curriculum vitae will be presented at the October 23, 2008 Board meeting by Dr. Platt and Dr. Brooks.

LEGAL:

There was no Legal Business.

REVIEW OF APPLICATIONS FOR APPLICANTS:

Chairman Dr. Patrick gave the Opening Statement in the Review of Application for Applicant, Polly Anne Glover, D.V.M.

Ms. Moton, Board's Administrative Assistant, summarized the examination application of Polly Anne Glover, D.V.M. The applicant was present but not represented by legal counsel. The Applicant stipulated and admitted to the fact of her "yes" response to Question 2, "Have you ever been arrested, convicted or found guilty, regardless of adjudication, of a crime (other than a minor traffic violation) in any jurisdiction?" on her application. The Board considered the matter.

Motion: Dr. Platt moved to accept Polly Anne Glover, D.V.M. as an eligible candidate for state examination. Dr. Harris seconded the motion. The motion carried.

Chairman Dr. Patrick gave the Opening Statement in the Review of Application for Applicant, Rachel Ann Para, L.V.T.

Ms. Moton, Board's Administrative Assistant, summarized the examination application of Rachel Ann Para, L.V.T. The applicant was not present and was not represented by legal counsel. The Applicant failed to meet the requirements for licensure based on the fact that she has not earned an animal health technology degree from an accredited AVMA college, §40-69-230 (d) (2) and Regulation 120-10.4 (A) (1). The Board considered the matter.

Motion: Dr. Platt moved that the Ms. Para's application for licensure be null and void pending a request from the Applicant. Dr. Harris seconded the motion. The motion carried.

Ms. Hartman stated in review of the Applicant's resume, Ms. Para indicated that she was licensed as a licensed veterinary technician in the state of South Carolina. Discussion followed on this issue.

Motion: A motion was made by Dr. Platt that Sharon Dantzler, LLR's Legal Counsel sends a letter of Cease and Desist to Ms. Para. The motion received a second. The motion carried.

Dr. Brooks asked that in the future, can the Board's staff make credentialing decisions (in compliance with the Practice Act) for applicants applying for licensure to eliminate the Board's review. Ms Dantzler advised the Board that it is the Board's authority to deny an applicant's request for licensure. The staff can state that application requirements are still pending.

UNFINISHED BUSINESS:

There was no unfinished business.

NEW BUSINESS:

IRC Operational Training Update:

Mrs. Cox reported on the June 26, 2008, Second IRC Operational Training. She reported that Vanessa Brooks, D.V.M., Donald Gamble, D.V.M., Albert Glenn, D.V.M., Carol Springs, D.V.M., and Roger Troutman, D.V.M. took part in the training. Dr. Brooks asked about earning continuing education hours for those in attendance for IRC Operational Training. Ms. Dantzer, LLR Counsel, stated, "Under current Regulations, 120.4.2 (A), it would be difficult but once new Regulations are in effect, the Board may wish to review them to consider if such trainings can be used as continuing education credits."

Mrs. Cox stated that the next date for training has not been scheduled. She noted the LLR building is undergoing renovations and the availability of meeting rooms are being impacted.

Request for Blood Test Interpretation:

A letter requesting blood test interpretation was presented to the Board. Discussion followed.

Motion: A motion was made by Dr. Haynes to go into executive session to discuss the request for blood test interpretation. The motion was seconded by Dr. Harris. The motion carried. Time recessed was 10:15 a.m.

Motion: Dr. Haynes moved that the Board reconvene in public session. The motion was seconded by Dr. Platt. The motion carried. Meeting reconvened at 10:25 a.m.

Motion: Dr. Colquhoun moved that LLR's Legal Counsel respond to requestor of blood test interpretations. The motion was seconded by Dr. Harris. The motion carried.

Policy Statement Discussion:

Discussion was held on the difficulty in interpreting the "Off Label Medications" policy statement. Dr. Colquhoun asked Board members to submit to him questions and comments pertaining to the "Off Label Medications" discussion and he would study the matter.

PUBLIC COMMENT:

There was public comment earlier in the meeting regarding the complaint, investigation, and enforcement process, as well as the reporting of Formal Complaints, by Marcia Rosenberg and by Rodney Ashcroft. Public comment is reserved for this time in the Agenda.

Ms. Rosenberg questioned a lengthy delay in three (3) Formal Complaints that had not been served to licensees. Ms. Dantzer, LLR's Legal Counsel, stated that there could be several reasons for such delays such as missing witnesses, the final review in legal, non-communication with staff, change in attorneys, etc. She again stated that upon receipt of a Freedom of Information Act (FOIA) request, Formal Complaints are released. Mrs. Cox stated she is conducting an audit in tracking such delays. Mrs. Cox also stated that she

will continue to track (audit) the complaint/disciplinary process and timeframes and to report her findings. Ms. Rosenberg thanked the Board. The Board and Mrs. Cox received these comments as information.

ANNOUNCEMENTS:

Mrs. Cox reminded the Board members of the American Association of Veterinary State Boards' (AAVSB) Conference to be held September 18 - 20, 2008 in Newport Beach, California.

Motion: A motion was made by Dr. Harris to nominate Dr Colquhoun as a delegate to the AAVSB Conference. The motion was seconded by Dr. Patrick. The motion carried.

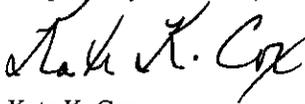
Dr. Patrick is to advise Board Administrator of his intent to attend the AAVSB Conference. Ms. Cox said she would be in contact about travel permissions and schedules.

It was announced the next meeting of the South Carolina Board of Veterinary Medical Examiners will be held on Thursday, October 23, 2008.

ADJOURNMENT:

There being no further business the meeting was adjourned at 10:40 a.m.

Respectfully submitted,



Kate K. Cox
Administrator