

**GEORGIA STATE BOARD OF VETERINARY MEDICINE**

**Board Meeting Minutes  
Professional Licensing Boards  
237 Coliseum Drive, Macon, GA  
October 22, 2014 \* 9:30A.M**

**Board Members Present**

Dr. Larry Corry, President  
Dr. Beckey Malphus  
Dr. Edsel Davis  
Dr. Henry Bohn  
Mr. Jeff Smith

**Staff Present**

Ms. Adrienne Price, Executive Director  
Mrs. Wanda Jaffe, Licensing Supervisor  
Ms. Tamara Elliott, Board Support Specialist

**Attorney General's Office**

Amelia Baker, Senior Assistant Attorney General  
(via teleconference)

**Visitors Present**

Scott Piper, Georgia Veterinary Medical Association (GVMA)

Dr. Corry established a quorum and called the meeting to order at 9:38 a.m.

**OPEN SESSION**

**09:30AM Public Rules Hearings Repeal Board Rule: 700-4-.01**

**SYNOPSIS OF PROPOSED CHANGES TO THE GEORGIA STATE BOARD OF VETERINARY MEDICINE  
RULE FOR CHAPTER 700-4, TEMPORARY LICENSE, RULE 700-4-.01, TEMPORARY LICENSE.**

**Purpose:** The board does not issue temporary licenses.

**Main Features:** The rule is to be repealed.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS TO THE  
GEORGIA STATE BOARD OF VETERINARY MEDICINE RULE FOR CHAPTER 700-4, TEMPORARY  
LICENSE, RULE 700-4-.01, TEMPORARY LICENSE.**

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

~~700-4-.01 Temporary License. Amended.~~

~~An applicant for a temporary license must have met all qualifications for admission to examination as stated in Chapter 700-2.~~

~~(a) The fee for a Temporary License will be \$15.00.~~

~~(b) A Temporary License may be issued to an examination applicant who:~~

~~1. is a holder of a valid veterinary license in another State, upon receipt of a certification from such State; such license shall have the same force and effect as a permanent license until the time of its expiration;~~

~~2. is a graduate of an accredited veterinary school and is otherwise qualified for the examination, but is not the holder of a license in another state. Such license shall authorize the applicant to work under the supervision of a licensed veterinarian as provided by the Board.~~

~~(c) The Temporary License expires on the date the permanent licenses are issued to persons who have passed the examination which occurred immediately following the issuance of the Temporary License.~~

~~(d) A Temporary License or the holder thereof may be sanctioned as provided in O.C.G.A. Sec. 43-50-27.~~

~~(e) In the event a Temporary License is issued to an applicant who does not take the scheduled examination, the Temporary License may be renewed for one six-month period~~

~~only; provided, however, that no Temporary License shall be renewed or reissued to a~~

~~person who fails to pass the licensure examinations. A Temporary License will not be issued to an examination candidate after that candidate has taken the examination. A Temporary License will not be issued to an examination candidate who has not graduated from an accredited Veterinary College.~~

~~(f) Renewal Fee for a Temporary License will be \$10.00.~~

~~Authority O.C.G.A. Secs. 43-50-21, 43-50-29. Administrative History Original Rule entitled "Temporary License" was filed on October 8, 1974; effective Oct. 28, 1974. Amended: Filed April 16, 1976; effective 6, 1976. Amended: Rule repealed and a new Rule of the same title adopted. Filed September 14, 1983; effective October 4, 1983. Amended: F. Dec. 19, 1990; eff. Jan. 8, 1991.~~

No Public comments were received or offered during the hearing.

Dr. Davis motioned, Dr. Bohn seconded and the Board voted unanimously in favor of the motion to adopt the 700-04-.01 proposed amendment as presented.

Dr. Davis motioned, Dr. Bohn seconded and the Board voted unanimously in favor of the motion that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative.

### **Open Session Board Minutes**

1. August 20, 2014 Board Meeting  
Dr. Bohn motioned, Dr. Davis seconded and the Board voted unanimously in favor of the motion to approve the August 20, 2014 open session minutes.
2. September 4, 2014 Teleconference  
Dr. Bohn motioned, Dr. Davis seconded and the Board voted unanimously in favor of the motion to approve the September 4, 2014 open session minutes.
3. October 21, 2014 Investigative Committee  
Dr. Malphus motioned, Dr. Davis seconded and the Board voted unanimously in favor of the motion to approve the October 21, 2014 open session minutes.

### **Licenses to Ratify August 19, 2014 – October 15, 2014**

Dr. Malphus motioned, Dr. Davis seconded and the Board voted unanimously in favor of the motion to ratify licenses issued from August 19, 2014 – October 15, 2014.

### **Correspondence – Dr. Jo Fisher – Dispensing Heartworm Prevention**

Dr. Malphus motioned, Dr. Davis seconded and the Board voted unanimously in favor of the motion to send a no legal advice response letter referring Dr. Fisher to BR 700-8-.01 (d), the American Veterinary Medical Association (AVMA) regarding the prevailing standard of care and the established standard of care for the physician's practice.

### **Correspondence – Dr. Rennie Wint – DVM Writing Prescriptions**

Dr. Davis motioned, Dr. Malphus seconded and the Board voted unanimously in favor of the motion to refer Dr. Wint's correspondence to the Georgia Board of Pharmacy.

### **Correspondence – Scott Miller – Continuing Education**

Dr. Malphus motioned, Dr. Bohn seconded and the Board voted unanimously in favor of the motion to send a response letter explaining that an "in person" continuing education course requires that one be physically present in the same room of the facilitator. The continuing education webinars are interactive computer generated courses referenced within BR 700-7-.03 (7)(b)(3)(ii).

### **Correspondence – Catherine Bloodworth - Continuing Education**

Dr. Malphus motioned, Mr. Smith seconded and the Board voted unanimously in favor of the motion to send a response letter indicating that blanket approval is granted for any USDA meeting; however the amount of credit awarded is dependent upon whether or not the meeting is "in person" or a webinar. The program is not LEAP approved.

### **Discussion – Dr. Judi Gerstung – Ethics and Boundaries Assessment Services (EBAS) Examination**

Dr. Bohn motioned, Dr. Davis seconded and the Board voted unanimously in favor of the motion to appoint Dr. Malphus to work with Georgia Veterinary Medical Association (GVMA), American Association of Veterinary State Boards (AAVSB) and Dr. Gerstung in reference to EBAS Examination.

### **Discussion – Jonathan Eisenmenger – AAVSB Bylaws Amendment**

The Board accepts as information.

### **Discussion – Mark L. Cushing – Requested Amendment to BR 700-7-.03**

Dr. Malphus motioned, Dr. Davis seconded and the Board voted unanimously in favor of the motion to implement a policy which awards blanket approval of continuing education hours for meetings and programs sponsored by the North

American Veterinary Community (NAVC), Western Veterinary Conference (WVC), and Central Veterinary Conference (CVC).

Dr. Malphus motioned, Dr. Davis seconded and the Board voted unanimously in favor of the motion to refer Board Rule 700-7-.03 to the Attorney General's Office for a memorandum of authority to amend the rule to include North American Veterinary Community (NAVC), Western Veterinary Conference (WVC), and Central Veterinary Conference (CVC) meetings and programs under blanket approval for continuing education hours.

**Discussion – Wall Street Journal State Licensing Boards under Fire**

The Board accepts the correspondence in reference to whether or not licensing boards staffed with business owners and professionals may adequately regulate their own markets without oversight from government employees as information.

**Discussion – Dr. Beckey Malphus – American Association of Veterinary State Boards (AAVSB) Annual Convention Meeting Update**

Dr. Malphus presented the Board with a verbal report on the AAVSB Annual Convention meeting to include notifying the Board of the passing of the AAVSB Executive Director and a general overview of the convention's discussions regarding the unification of foreign equivalency programs, the directive for the RACE Committee to consider other programs in education or LEAP resources, FDA discussions regarding the valid client-patient relationship (VCPR), general information regarding how to conduct investigative interviews, issues surrounding unlicensed practice and best practices when a Board is considering opening up the model practice act.

**Rule Waiver Request – Geils, Joni Po**

Dr. Malphus motioned, Dr. Bohn seconded and the Board voted unanimously in favor of the motion to grant the petition for waiver of Board Rule 700-6-.01.

**Rule Waiver Request – Mikesell, W. Darlene**

Dr. Malphus motioned, Dr. Bohn seconded and the Board voted unanimously in favor of the motion to grant the petition for waiver of Board Rule 700-6-.01.

**2015 Board Meeting Dates**

Dr. Bohn motioned, Dr. Malphus seconded and the Board voted unanimously in favor of the motion to accept the amended 2015 Board Meeting Dates.

**2015 Board Elections**

The Board opted to hold the election of officers during the April 2015 meeting.

**Executive Director's Report – A. Price**

Ms. Price presented the Board with statistical data relevant to the processing of applications, renewals and complaints/compliance. The Board accepts the report as presented.

**Miscellaneous**

**Board Rule 700-8-.01 Unprofessional Conduct** Scott Piper of GVMA provided a verbal synopsis of the feedback he received regarding proposed changes to BR 700-8-.01 from various stakeholders. Dr. Malphus motioned, Mr. Smith seconded and the Board voted unanimously in favor of the motion to refer the proposed amendment to Board Rule 700-8-.01 as presented to the Attorney General's Office for a memorandum of authority and if no objections noted, vote to post.

**Dr. Malphus made a motion, Dr. Davis seconded, and the Board voted to enter into Executive Session in accordance with O.C.G.A. §43-1-19(h)(2) and 43-1-2(k) to deliberate on enforcement matters and to receive information on investigative reports and the Assistant Attorney General's report. Voting in favor of the motion were those present who included Dr. Davis, Dr. Malphus, Dr. Bohn, Dr. Corry, and Mr. Smith.**

**At the conclusion of Executive Session on Wednesday, October 22, 2014, Dr. Corry declared the meeting to be "open" pursuant to the Open and Public Meeting Act O.C.G.A. § 50-14-1 et seq. No votes were taken during executive session.**

**OPEN SESSION**

**Executive Minutes**

1. August 20, 2014 Board Meeting

Dr. Malphus motioned, Dr. Bohn seconded and the Board voted unanimously in favor of the motion to approve the August 20, 2014 executive session minutes.

2. September 4, 2014 Teleconference Dr. Bohn motioned, Dr. Davis seconded and the Board voted unanimously in favor of the motion to approve the September 4, 2014 executive session minutes.
3. October 21, 2014 Investigative Committee Dr. Malphus motioned, Dr. Davis seconded and the Board voted unanimously in favor of the motion to approve the October 21, 2014 executive session minutes.

**Applications**

1. A.I.T. Dr. Malphus motioned, Dr. Davis seconded and the Board voted unanimously in favor of the motion to approve to take the VTNE
2. W.D.M. Dr. Malphus motioned, Dr. Davis seconded and the Board voted unanimously in favor of the motion to approve for reinstatement

**Applicant for Reconsideration**

1. C.L.L. Mr. Smith motioned, Dr. Davis seconded and the Board voted unanimously in favor of the motion to rescind the previous motion and issue a consent agreement for reinstatement of licensure with a fine of \$200 for unlicensed practice, proof of completion of thirty (30) hours of continuing education obtained within the last two (2) years. Hours submitted for reinstatement of licensure shall not be used to satisfy the continuing education requirements for renewal.

**Attorney General's Report – A. Baker** The Board accepts the report as presented

1. M.J.B. Mr. Smith motioned, Dr. Davis seconded and the Board voted unanimously in favor of the motion to close case, no action.

**Investigative Committee Report – E. Davis and B. Malphus** Dr. Bohn motioned, Mr. Smith seconded and the Board voted unanimously in favor of the motion to accept the following recommendations made in Executive Session.

**Investigative Interviews**

1. VET140068 Close with a Letter of Concern regarding record keeping and maintaining a client / patient relationship and to follow to follow Board Rules 700-8-.01 and 700-12-.04
2. VET140081 Close – Letter of concern for advertising and reference O.C.G.A. 43-50-3 (9)(10)(11) and Board Rule 700-8-.01; require respondent to update website and facility sign to clarify the roles of each of the parties listed.
3. VET140024 Close, no action
4. VET140081 Close – Letter of concern for advertising and reference O.C.G.A. 43-50-3 (9)(10)(11) and Board Rule 700-8-.01; require respondent to update website and facility sign to clarify the roles of each of the parties listed.
5. VET140072 Close with letter of concern for medical record keeping referencing Board Rule 700-8-.01 and inform the respondent to include documentation for day to day care of Boarding patients along with all client communication.

**Discussion Cases**

6. VET120052 Close and accept information submitted; respondent has complied with the requirements outlined by the Investigative Committee
7. VET130004 Letter reviewed as added to the file as information. No response is required.
8. VET140032 Close and accept information submitted; respondent has complied with the requirements outlined by the Investigative Committee
9. VET140095 Close with Letter of Concern to the DVM regarding communication. Encourage respondent to explain procedures to be performed on the patient as it is occurring when the client is present in the treatment area and document such communication.
10. VET140098 Close, no action
11. VET150015 Close with letter of concern to make sure all cases; even shelter animals should have a medical record
12. VET150019 Close, no action
13. VET150020 Close with Letter of Concern regarding record keeping and reference Board Rule 700-8-.01. Medical records must reflect all client communications and surgical details.
14. VET150007 Refer to the Attorney General office for a Cease and Desist hearing
15. VET150014 Close, no action complaint not substantiated
16. VET150009 Refer to the Attorney General office for an inpatient Mental Physical Examination to be completed within fourteen (14) days of receipt of the order by a Board Approved evaluator.

No further business, the meeting adjourned at 12:48pm

**Minutes recorded by:** Tamara Elliott, Board Support Specialist  
**Minutes reviewed and edited by:** Wanda Jaffe, Licensing Supervisor & Adrienne Price, Executive Director  
**Minutes approved on:** December 10, 2014

LARRY CORRY, DVM  
**BOARD PRESIDENT**

ADRIENNE PRICE  
**EXECUTIVE DIRECTOR**