

GEORGIA STATE BOARD OF VETERINARY MEDICINE

Board Meeting Minutes

Professional Licensing Boards

237 Coliseum Drive, Macon, GA

December 10, 2014 * 9:30A.M

Board Members Present

Dr. Larry Corry, President
Dr. Beckey Malphus
Dr. Edsel Davis
Dr. Henry Bohn
Dr. John Sundstrom

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

Heather Lindell, University of Georgia
Matthew Smith, Georgia Farm Bureau
Farrah Newberry, Georgia Mill Producers
Spencer Tall, Georgia Veterinary Medical Association (GVMA)
Jill Lancaster, Georgia Veterinary Medical Association (GVMA)
Scott Piper, Georgia Veterinary Medical Association (GVMA)

Dr. Corry established a quorum and called the meeting to order at 9:36 a.m.

OPEN SESSION

10:00a.m. Public Rules Hearing 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Main Features: The rule is to be repealed.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. Malphus 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. Malphus 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. October 22, 2014 Board Meeting Dr. Malphus motioned, Dr. Davis seconded and the Board voted unanimously in favor of the motion to approve the October 22, 2014 open session minutes.
2. December 9, 2014 Investigative Committee Dr. Malphus motioned, Dr. Davis seconded and the Board voted unanimously in favor of the motion to approve the December 9, 2014 open session minutes.

Licenses to Ratify October 16, 2014 – December 5, 2014

Dr. Sundstrom motioned, Dr. Davis seconded and the Board voted unanimously in favor of the motion to ratify licenses issued from October 16, 2014 – December 5, 2014.

Discussion – Millie Maresh – Accreditation Actions of the AVMA Council on Education

The Board accepts the correspondence in reference to Accreditation Actions of the AVMA Council on Education as information.

Rule Waiver Request – Melinda K. Zerfowski

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

Board Chair's Report – L. Corry

No Report presented to the Board.

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

Mr. Spencer Tally, GVMA Task Force, briefly explained that his organization is currently drafting legislation that will allow veterinarians the ability to access and prescribe certain drugs which are not readily available to them. He requested that the Board provide some input and/or supply them with a list of any compounded drugs that Veterinarians needs to have readily available but currently do not as he would like to present the information to the Georgia Board of Pharmacy Board to request exemptions for those specific drugs. Ms. Heather Lindell explained that should any type of controlled substances be added to the list, any vote to pass the legislation would likely be struck down because it is prohibited by federal regulations to have those drugs readily available. She suggested that the Board consider adding Elspar to the requested list. Dr. Malphus suggested Cyclosporine and Bordetella. A suggestion was made that a clause

regarding 48 hour dispensing of medicine be added to the proposal. Dr. Bohn motioned, Dr. Sundstrom seconded and the Board voted unanimously in favor of the motion to refer the matter to the Attorney General's Office for memo of advice regarding adding Bordetella and other over counter vaccinations to the list of dangerous drugs.

Mr. Scott Piper of GVMA presented a list of proposed changes to Board Rule 700-8-.01 Unprofessional Conduct as it related to the Veterinarian-Client-Patient-Relationship. It was the consensus of the Board that his suggestions will be taken under advisement.

Ms. Newberry briefly discussed the phrase "Readily Available" in Board Rule 700-8-.01 and suggested that it be further defined either in the rule or policies. Dr. Landcaster made comments in reference to who is best able to regulate veterinarians that travel and/or are temporarily setup to provide services as it related to unprofessional conduct and indicated he desired to see regulations which require more accountability by these veterinarians. Dr. Malphus stated that the GVMA may want to offer additional education to licensees and the public regarding the unprofessional conduct rule.

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 Dr. Sundstrom

At the conclusion of Executive Session on Wednesday, December 10, 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

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| 1. October 22, 2014 Board Meeting | Dr. Malphus motioned, Dr. Sundstrom seconded and the Board voted unanimously in favor of the motion to approve the October 22, 2014 executive session minutes. |
| 2. December 9, 2014 Investigative Committee | Dr. Bohn motioned, Dr. Malphus seconded and the Board voted unanimously in favor of the motion to approve the December 9, 2014 open session minutes. |

Applications for Board Review Dr. Malphus motioned, Dr. Bohn seconded and the Board voted unanimously in favor of the motion to accept the following recommendations presented in Executive Session.

1. S.L. Issue license with letter of concern regarding alcohol and professional conduct
2. K.N.L. Issue license with letter of concern regarding shoplifting and professional conduct
3. D.S.V. Refer to the Attorney General's office to issue a Public Consent Agreement for Reinstatement of Licensure with a \$400 for unlicensed practice from January 1, 2013 – September 26, 2014 per policy and must submit proof of twenty (20) hours of CE that cannot be used for the next renewal period. All conditions must be complete prior to the issuance of the license.
4. W.R.D. Renew with letter of concern regarding alcohol and professional conduct. Must provide the Board with a copy of the final disposition of the case.
5. L.M. Renew with letter of concern regarding action in another jurisdiction
6. C.D.R. Renew with letter of concern regarding alcohol and professional conduct and notify the licensee to submit the results of an Alcohol and Drug evaluation within ten (10) business days of receipt of the notification and the Board reserves the right implement sanctions in this case.

Attorney General's Report – A. Baker Dr. Malphus motioned, Dr. Bohn seconded and the Board voted unanimously in favor of the motion to accept the report as presented

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

Investigative Interviews

- VET150016 Dr. Sundstrom motioned, Dr. Bohn seconded and the Board voted unanimously in favor of the motion to table pending the receipt of information regarding protocols for documentation and care of boarded animals at the facility and establish a communication protocol between kennel staff and Veterinarians regarding any issues of Boarding animals.
- VET150002 Dr. Bohn motioned, Dr. Sundstrom seconded and the Board voted unanimously in favor of the motion to close the case with a mitigating circumstance letter to the Respondent regarding documentation, to include client communications and instructions citing Board rule 700-8-.01 (c) and encourage the respondent to refrain from allowing bandages to remain in place in excess of 2-3 days and require 20 hours continuing education regarding basic surgical procedure.
- VET150017 Close case, no action
- VET150012 Close the case with a letter of concern to the respondent citing Board Rule 700-8-.01 (c) and reiterate that prescription should be written and handled by licensed veterinarians
- VET130086 Close the case, no action
- VET150018 Close the case, no action

Discussion Cases

- VET120066 Close the case, no further action required
- VET140068 Close with a letter of concern for the treatment of wild raccoons
- VET140078 Close the case with a letter of concern to the respondent regarding the veterinarian/client/patient relationship (Board Rule 700-8-.01) and instruct the respondent to fully communicate all treatment care options available, even in grave situations to clients, and document said communications in the records
- VET140080 Accept Cease & Desist and close the case
- VET140087 Close the case, no action
- VET140088 Schedule Investigative Interview
- VET140090 Close the case, no action
- VET150013 Close the case, no action
- VET150025 Close the case, no action

Miscellaneous Case

- VET080049 Lift DEA restrictions from the current Consent Agreement

Miscellaneous Discussions

1. Dr. Bohn motioned, Dr. Davis seconded and the Board voted unanimously in favor of the motion to refer the proposed amendments to Board Rule 700-8-.01 to the Attorney General's Office for a memorandum of authority and if no objections, vote to post.
2. Dr. Malphus 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.
3. Dr. Davis motioned, Dr. Sundstrom seconded and the Board voted unanimously in favor of the motion to revise the Reinstatement/Reactivation Policy for Vet Technician to reflect ten (10) hours of continuing education.

Adjournment: No further business, the meeting adjourned at 12:54pm

Minutes recorded by: Tamara Elliott, Board Support Specialist
Minutes reviewed and edited by: Wanda Jaffe, Licensing Supervisor & Adrienne Price, Executive Director
Minutes approved on: February 11, 2015

LARRY CORRY, DVM
BOARD PRESIDENT

ADRIENNE PRICE
EXECUTIVE DIRECTOR