

**GEORGIA STATE BOARD OF VETERINARY MEDICINE**

**Board Meeting Minutes  
Professional Licensing Boards  
237 Coliseum Drive, Macon, GA  
June 17, 2015 - 9:30 a.m.**

The Georgia State Board of Veterinary Medicine met on Wednesday, June 17, 2015. The following members were present:

**Board Members Present**

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

**Staff Present**

Ms. Adrienne Price, Executive Director  
Ms. Tamara Elliott, Board Support Specialist  
Ms. Kathy Osier, Licensing Supervisor

**Attorney General's Office**

Amelia Baker, Senior Assistant Attorney General  
(via teleconference)

**Visitors Present**

Scott Piper, Georgia Veterinary Medical Association (GVMA)

**Call to Order** Dr. Corry requested that Dr. Malphus chair the meeting. Dr. Malphus established a quorum and called the meeting to order at 9:33 a.m.

**OPEN SESSION**

**Agenda** The Board accepted the agenda as presented.

**Board President Election**

**President** Dr. Davis motioned, Dr. Corry seconded and the Board voted unanimously in favor of the motion to nominate Dr. Beckey Malphus as the Board's President effective June 17, 2015.

**Vice President** Dr. Davis motioned, Dr. Sundstrom seconded and the Board voted unanimously in favor of the motion to nominate Dr. Henry Bohn as the Board's Vice President effective June 17, 2015.

**CE Cognizant** Dr. Davis motioned, Dr. Sundstrom seconded and the Board voted unanimously in favor of the motion to nominate Dr. Henry Bohn as the Board's CE Cognizant and Dr. Larry Corry as the Board's alternate CE Cognizant effective June 17, 2015.

**Investigative Committee** It was the consensus of the Board that Dr. Malphus, Dr. Corry and Dr. Davis were to remain on the investigative committee with Dr. Sundstrom serving as an alternate if necessary.

**Open Session Board Minutes**

**1. April 22, 2015 Board Meeting**

Dr. Davis motioned, Dr. Corry seconded and the Board voted unanimously in favor of the motion to approve the April 22, 2015 open session minutes.

**2. June 16, 2015 Investigative Committee**

Dr. Bohn motioned, Dr. Corry seconded and the Board voted unanimously in favor of the motion to approve the June 16, 2015 open session Investigative Committee minutes.

**Licenses to Ratify April 16, 2015 – June 9, 2015**

Dr. Davis motioned, Dr. Bohn seconded and the Board voted unanimously in favor of the motion to ratify licenses issued from April 16, 2015 – June 9, 2015.

**Correspondence – Dr. Tameka Tolliver – Request for Board Opinion**

Dr. Bohn motioned, Dr. Sundstrom seconded and the Board voted unanimously in favor of the motion to notify Dr. Tolliver that it is the pet's owner responsibility to ensure that the cat has received a rabies vaccination; however, Dr. Tolliver is not obligated to write a letter regarding the status of the vaccination if no valid veterinary/client/patient relationship has been established and refer her to BR 700-8-.01.

**Correspondence - Leticia Dantas – Scope of Practice**

Dr. Corry motioned, Dr. Sundstrom seconded and the Board voted unanimously in favor of the motion to refer Ms. Dantas to O.C.G.A. § 43-50-3(11) regarding the practice of veterinary medicine.

**Discussion – AAVSB 2015 Annual Meeting Registration**

Dr. Malphus asked that either Ms. Price or Amelia Baker attend the AAVSB Annual Meeting that will be held September 17 – 19, 2015 in Milwaukee, Wisconsin. Ms. Price indicated that she will submit a request for approval to attend the AAVSB Annual Meeting and report the response at a later date. Dr. Malphus also encouraged other Board Members to consider attending. The Board accepts the correspondence in reference to AAVSB 2015 Annual Meeting Registration as information.

**Discussion – AAVSB Amended Call for Nominations for Upcoming Open Positions**

Dr. Malphus reported that the nomination forms for the AAVSB Board of Directors has been amended and updated. She also reported that the Board has had licensed veterinary technicians, registered technicians, veterinarians and now an Executive Director serve on the Board so if anyone is interested in a Board position with the AAVSB, she would like to encourage anyone to submit a nomination. The Board accepted the correspondence in reference to AAVSB Amended call for nominations as information and declined to submit any nominations at this time.

**Discussion – AAVSB President’s Annual Update**

The Board accepted the correspondence in reference to AAVSB President’s Annual update as information.

**Discussion – AAVSB Recommendations on Proposed Bylaws Amendments**

**Proposed Amendment #1** Dr. Bohn motioned, Dr. Davis seconded and the Board voted unanimously in favor of the motion to support the AAVSB Bylaws Committee’s proposed by law amendment #1 as presented.

**Proposed Amendment #2** Dr. Bohn motioned, Dr. Davis seconded and the Board voted unanimously in favor of the motion to support the AAVSB Bylaws Committee proposed bylaw amendment #2 as presented.

**Proposed Amendment #3** Dr. Bohn motioned, Dr. Davis seconded and the Board voted unanimously in favor of the motion to support the AAVSB Bylaws Committee proposed bylaw amendment #3 as presented.

**Proposed Amendment #4** Dr. Bohn motioned, Dr. Sundstrom seconded and the Board voted unanimously in favor of the motion to support the AAVSB Bylaws Committee proposed bylaw amendment #4 as presented.

**Discussion – FDA Veterinary Feed Directive Final Rule**

The Board accepted the correspondence in reference to FDA Veterinary Feed Directive Final Rule as information and determined no action is necessary by the Board at this time.

**Discussion – NAVLE Bulletin of Information for Candidates**

The Board accepted the correspondence in reference to the NAVLE Bulletin of Information for candidates as information.

**Discussion – Veterinary Client Patient Relationship (VCPR) Survey Results**

The Board accepted the correspondence in reference to VCPR survey results as information.

**Open Records Request**

Dr. Davis motioned, Dr. Sundstrom seconded and the Board voted unanimously in favor of the motion to deny the open records request.

**Rule Waiver Request - Keeler, Jennifer Katherine**

Dr. Bohn motioned, Dr. Sundstrom seconded and the Board voted unanimously in favor of the motion to grant the petition for waiver of Board Rule 700-6-.01(2)(c) to the extent that the Board approves the education and course of study as equal to or more stringent than that of a Veterinary Technician.

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

Executive Director’s report presented the Board with statistical data relevant to the processing of applications, renewals and complaints/compliance matters. Ms. Price presented the Board with an update on the response of other state licensing boards to the Supreme Court decision in the North Carolina Board of Dental Examiners vs. Federal Trade Commission case. She also provided a brief oral in-service regarding administrative procedure, typical errors that applicants make during the application process which delays the issuance of the license and provided examples of appropriate board member responses to public inquiries. She requested that the Board members exercise caution when

responding to members of the public regarding their specific applications and/or cases as in most cases the individual(s) has not provided the most accurate information. Ms. Price suggested that the Board members refer individuals to the website to review the statutes, rules and policies and stressed the importance of waiting until all of the information in any specific matter has been reviewed by the full board. She stated that when anyone is in doubt, please refer the individual(s) to the Board office for follow up on their particular application or case. The Board accepts the report as presented.

Dr. Edsel Davis inquired as the reason the staff waited to receive documentation from other states if the license appears to be in good standing. Ms. Price explained that a verification of licensure from other states provides information relevant to any previous disciplinary actions that may have been taken against the license of that individual and without primary source verification from that state the Board may unknowingly issue a license to someone who has an unfavorable history. Dr. Bohn inquired as to whether or not there was some other system in place for states to be notified of any actions taken by other states. Dr. Malphus indicated that she believes that such information may be obtained through the Veterinary Information Verifying Agency (VIVA). Ms. Price indicated that she will research the information regarding VIVA and present the Board with her findings at the next Board Meeting.

Dr. Bohn suggested that a letter be forwarded to the Georgia Veterinary schools regarding the most common mistakes applicants make during the application process. In response to his statement, Mr. Piper offered a suggestion that the Board consider allowing him and the AAVSB to work together in developing a training video for applicants to review as it may help to resolve some of the issues they are having with the application process. Dr. Malphus remarked that AAVSB does have resources available for the development of such a video and indicated she will do some research, see what the development of such a video would entail and report that information back to the Board at the next meeting so that the Board can discuss it further. The Board accepted the report as presented.

#### **Board Chair's Report – B. Malphus**

No report presented

#### **Miscellaneous**

Mr. Scott Piper of the Georgia Veterinary Medical Association mentioned to the Board that his organization honored Dr. Corry with the J.T. Mercer Lifetime Achievement Award during the Emerald Coast Veterinary Conference on Thursday, June 4 at the Sandestin Golf & Beach Resort in Destin, FL. Mr. Piper reported that there is no higher recognition within the GVMA that can be given. The Board Members and staff congratulated Dr. Corry on this achievement.

Dr. Corry inquired as to the reason the Board must approve individuals to re-take the examination. Senior Assistant Attorney General Amelia Baker reminded the Board that the statute, O.C.G.A. §43-50-32(b) requires that the Board review and approve any candidate for the examination who has failed the examination more than three times. She indicated that the statute has not been revised to reflect how the test is currently being administered and was likely worded in that manner when members of the Board were administering the test. It was the consensus of the Board that this part of the statute may need to be revised in the future but the current policy related to this statutory requirement may need to be adjusted to expedite and/or simplify the approval process for re-examination requests.

Dr. Sundstrom motioned, Dr. Bohn seconded and the Board voted unanimously in favor of the motion to refer the matter to the Executive Director to work with the Attorney General's office to revise the language in the re-examination policy in a manner that would expedite the approval process while remaining within the confines of the law.

Dr. Malphus recapped the topics discussed during the Executive Directors report and under miscellaneous topics and instructed Board members to refer applicants or licensees to the Board's email address that is located on the Board website if they have any questions or concerns.

**Dr. Bohn made a motion, Dr. Corry 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. Malphus, Dr. Bohn, Dr. Corry, Dr. Davis, and Dr. Sundstrom.**

**At the conclusion of Executive Session on Wednesday, June 17, 2015, Dr. Malphus 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.**

**Executive Session Board Minutes**

**1. April 22, 2015 Board Meeting**

Dr. Corry motioned, Dr. Bohn seconded and the Board voted unanimously in favor of the motion to approve the April 22, 2015 executive session minutes.

**2. June 16, 2015 Investigative Committee**

Dr. Bohn motioned, Dr. Sundstrom seconded and the Board voted unanimously in favor of the motion to approve the June 16, 2015 executive session Investigative Committee minutes.

**Attorney General's Report – A. Baker**

Dr. Corry motioned, Dr. Bohn seconded and the Board voted unanimously in favor of the motion to accept the following recommendations made in Executive Session:

1. A.H. Accept the Consent Order upon receipt
2. E.S. Rescind pervious motion and renew the license with letter of concern regarding continuing education requirements.
3. H.W. Table pending receipt of medical records from the treating physician
4. B.P. Pending a response and scheduled hearing date

**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**

- VET140087 Case to remain closed due to insufficient evidence to support reopening the case.
- VET140088 Close the case due to insufficient evidence to substantiate the allegations.
- VET150026 Close case with a letter of concern regarding accurate and detailed documentation of client communication and record keeping.
- VET150060 Case to remain open pending receipt and review of copy of the assessment and evaluation completed by the respondent's physician.
- VET150031 Close the case with a letter of concern regarding record keeping. All records should be kept in accordance with Board Rule 700-8-.01(c)(3) with emphasis on cases where adverse events have occurred within the facility.

**Discussion Cases**

- VET130057 Respondent has complied with terms of Board Order. Terminate probation status and lift all restrictions from the respondents license to practice.
- VET140091 Close the case due to insufficient evidence to substantiate the allegations.
- VET150021 Close the case due to insufficient evidence to substantiate the allegations.
- VET150022 Close the case with a letter of concern regarding the appropriate storage and disposal of expired drugs in the practice.
- VET150030 Close the case with no action. The allegations are outside the jurisdiction of the Board.
- VET150047 Close the case with no additional action. The Board voted in prior decision to renew the respondent's license with a letter of concern upon fulfilling the Board's requirements. The licensee has fulfilled the requirement of the Board by submitting information as requested.
- VET150054 Close the case and renews the license with a letter of concern to directing the respondent to become familiar with the Georgia Laws and Board rules for the practice of Veterinary Medicine with particular attention to rules that pertain to delegation of duties to Vet Techs and Veterinary Assistants.

**Applications for Board Review**

Dr. Sundstrom motioned, Dr. Corry seconded and the Board voted unanimously in favor of the motion to accept the following recommendations made in Executive Session:

1. K.M.K. Issue the license.
2. C.S.K. Applicant is approved to take NAVLE however, the Board requires that the applicant complete an extensive remediation plan to include the submission of a notarized statement from each Veterinarian who is agreeing to be a preceptor over a remediation plan which covers all areas of deficiency on the examination and includes preparatory courses on the NBVME website and clinical hours specific to large animal veterinary practice.
3. C.W.J. Refer to Legal Services to issue a Public Consent Agreement for Reinstatement of Licensure with a \$200 fine for unlicensed practice to include language that the continuing education hours submitted with the application or to satisfy the terms of the agreement cannot be applied toward requirements for any subsequent renewals.
4. W.D.S. Refer to Attorney General's office for a Public Consent Agreement for Reinstatement of Licensure with a \$500 fine for unlicensed practice and approve the applicant's request to appear before the Board at the next meeting.
5. J.K.K. Table pending passing of the VTNE

6. T.T.M. Approve to take the VTNE

**Adjournment** No further business was discussed and the meeting adjournment at 12:53 p.m.

**Minutes recorded by:** Tamara Elliott, Board Support Specialist  
**Minutes reviewed and edited by:** Kathy Osier, Licensing Supervisor and Adrienne Price, Executive Director  
**Minutes approved on:** August 12, 2015

BECKEY MALPHUS, DVM  
**BOARD PRESIDENT**

ADRIENNE PRICE  
**EXECUTIVE DIRECTOR**