

GEORGIA STATE BOARD OF VETERINARY MEDICINE
Board Meeting Minutes
Professional Licensing Boards
237 Coliseum Drive, Macon, GA
Wednesday, August 17, 2016 - 9:30 a.m.

The Georgia State Board of Veterinary Medicine met on Wednesday, August 17, 2016. The following members were present:

Board Members Present

Dr. Beckey Malphus, Chairperson
Dr. Henry Bohn, Vice Chair
Dr. Edsel Davis, Board Member
Mr. Nic Haynes, Consumer Member

Staff Present

Ms. Adrienne Price, Executive Director
Ms. Kathy Osier, Licensing Supervisor

Attorney General's Office

Kirsten Daughdril, Assistant Attorney General

Board Members Absent

Dr. Larry Corry, Board Member
Dr. John Sundstrom, Board Member

Visitors Present

Scott Piper, Georgia Veterinary Medical Association (GVMA)
Betsy Choder, Veterinary Counsel
Don Riddick, LEAP Provider
Mike Giles, President of the Georgia Poultry Federation
Alex Bradford, Georgia Farm Bureau
Will Bentley, Georgia Cattlemen's Association

Call to Order: Dr. Malphus established a quorum of the Board was present and called the meeting to order at 9:30 a.m.

OPEN SESSION

Agenda The Board accepted the agenda as presented.

Open Session Board Minutes

1) June 22, 2016 Board Meeting Minutes

Dr. Davis motioned, Mr. Haynes seconded and the Board voted unanimously in favor of the motion to approve the June 22, 2016 board meeting minutes as presented.

2) August 11, 2016 Teleconference Minutes

Dr. Bohn motioned, Dr. Davis seconded and the Board voted unanimously in favor of the motion to approve the August 11, 2016 teleconference minutes as presented.

3) August 16, 2016 Investigative Committee Minutes

Mr. Haynes motioned, Dr. Davis seconded and the Board voted unanimously in favor of the motion to approve the August 16, 2016 investigative committee minutes as presented.

Licenses to Ratify June 16, 2016 – August 10, 2016

Dr. Bohn motioned, Dr. Davis seconded and the Board voted unanimously in favor of the motion to ratify the licenses by application and by reinstatement that were issued in accordance with Board Rules and Policies between board meetings.

Correspondence – Mark Mosher – Prescriptions and Prescribing Regarding OCGA § 43-50-3(15)

Dr. Davis motioned, Mr. Haynes seconded and the Board voted unanimously in favor of the motion to send the writer a no legal advice response letter and refer the writer to O.C.G.A. § 43-50-3(15) regarding the practice of veterinary medicine.

Discussion – American Association of Veterinary State Boards (AAVSB) Resolution for Annual Meeting

Proposed Resolution 2016-01

Mr. Haynes motioned, Dr. Davis seconded and the Board voted unanimously in favor of the motion to support the AAVSB Bylaws and Resolution Committee Proposed resolution 2016-01 as presented.

Discussion – Bipartisan Bill Aims To Create National Telemedicine Model

The Board accepted the correspondence in reference Bipartisan Bill Aims To Create National Telemedicine Model as information.

Discussion – Georgia Board of Chiropractic Examiners – Chiropractic Care to Animals

Dr. Davis motioned, Mr. Haynes seconded and the Board voted unanimously in favor of the motion to send a thank you to the Georgia Board of Chiropractic Examiners for sharing this information and requested that Mr. Piper of the GVMA add information to their newsletter to educate the public on the use of the term chiropractic when performing animal manipulation.

Discussion – Lainie Franklin – Update Regarding Petco Groomers Conduct Health Assessments

The Board accepted the correspondence in reference to Update Regarding Petco Groomer Conduct Health Assessments update as information.

Discussion – Mike Giles, Georgia Poultry Federation

Mr. Mike Giles, President of the Georgia Poultry Federation, spoke to the Board regarding House Bill 800 that was recently signed by Governor Deal to become effective on July 1, 2016. Mr. Giles shared with the Board that when proposed amendments were being considered to Board Rule 700-8-.01 Unprofessional Conduct in 2015, the Federation suggested language in the Veterinarian/Client/Patient Relationship (VCPR) section that would have acknowledged how veterinary medicine is practiced in the poultry and livestock field on a flock or herd basis. The Attorney General's office advised the board at the time that the Georgia Veterinary Practice Act did not provide the Board with the authority to include language such as this because it was not explicitly included in the VCPR section of the Georgia law. House Bill 800 was introduced to remedy this situation and we are pleased that the legislature and Governor supported the bill. As far as we know, Georgia is the first state in the nation to include explicit language in law that acknowledges how veterinary medicine is routinely practice in animal agriculture. Mr. Giles provided the Board a copy of House Bill 800 and a proposed version of the VCPR section of Board Rule 700-8-.07 which exactly matches the language in House Bill 800 and asked the Board to consider these changes when amending Board Rule 700-8-.07. Mr. Giles thanked the Board for the opportunity to appear before them and stated he looks forward to working with the Board as they consider rule changes to match up with the recent law change. Dr. Malphus thanked Mr. Giles for his presentation to the Board and shared with him that it was never the Board's intention to not allow the industry to do their job on production based animals, particularly with the poultry industry, because the turnover is so quick. There is no way that a veterinarian can be on the farm while a particular group of chickens is there and that the Board needs to define both production, animal foods, and operational production systems before the rule can be amended. She remarked that the Veterinary Feed Directive (VFD) is currently a hot topic with both the AVMA and AAVSB. Dr. Malphus foresees that there will be a lot of discussion and education in the future regarding the VFD. Dr. Malphus asked Mr. Giles if he would submit a draft of a definition for operational production systems. Mr. Giles stated that he would be glad to work on a definition for operational production systems and provide that information back to the Board.

Dr. Haynes motioned, Dr. Davis seconded and the Board voted unanimously in favor of the motion to table further discussion until the next Board meeting.

Dr. Bohn voiced his concerns to the Board regarding individuals that are raising backyard poultry as pets and not as production birds. He indicated that the birds have the potential to become infected with influenza and the owners were not going to be happy when the illness wipes out all of their birds. Dr. Bohn stated that his county requires individuals to apply for a permit in order to have chickens in their back yard and that these individuals need to be informed in no uncertain terms that if their birds become sick from influenza or something similar that they will have no choice but to put down their birds. Dr. Bohn informed Mr. Giles that he thought that his organization would be good place to start the dissemination of information, possibly in conjunction with the Department of Agriculture, and that they could send a letter to the commissioners indicating that they should add information to the permit regarding the repercussions if a backyard poultry bird becomes sick with influenza, etc. Mr. Giles stated that this was a good idea and that his organization did a tremendous amount of outreach to backyard flock owners last year during the avian influenza crisis and most of the outreach was aimed at best management practices, bio security practices to keep the birds healthy and practices to keep them from getting sick in the first place; but it was hard to reach all of the backyard flock owners. Dr. Bohn indicated that he thought it would be good if this information was listed on the permits and that way when individuals sign up for a permit that they would become aware of this information. Mr. Giles stated that is an excellent suggestion and that Dr. Bohn was correct. Any type or version of influenza, even if it's not high path avian influenza, would result in the destroying of the bird as the only option.

Discussion – Veterinary Continuing Education Tracking (VCET) Regulatory Board Guide

Dr. Davis motioned, Mr. Haynes seconded and the Board voted unanimously in favor of the motion to table discussion regarding Veterinary Continuing Education Tracking (VCET) Regulatory Board Guide pending response from AAVSB regarding whether or not the transcript will reflect proof of approval status by the Board.

10:00 am Board Rule 700-12-.04 Public Rule Hearing

SYNOPSIS OF PROPOSED CHANGES TO THE GEORGIA STATE BOARD OF VETERINARY MEDICINE RULE FOR CHAPTER 700-12, MINIMUM STANDARDS, RULE 700-12-.04, RECORD KEEPING.

Purpose: To further identify the party responsible for maintaining patient records.

Main Features: The rule will further clarify the actions that must be taken as it relates to patient records when a veterinarian retires or sells the veterinary practice.

DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS TO THE GEORGIA STATE BOARD OF VETERINARY MEDICINE RULE FOR CHAPTER 700-12, MINIMUM STANDARDS , RULE 700-12-.04, RECORD KEEPING.

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

Rule 700-12-.04 Record Keeping

(1) Complete, accurate and legible records must be maintained on all animals, or animal groups, including but not limited to, animal owner information, animal identification, and veterinary care (hereinafter referred to as “patient records”).

(a) All patient records must be maintained for a minimum of 3 years (including diagnostic imaging and other patient data) by the veterinarian who provided treatment to the patient or by the veterinary facility where the patient received treatment.

(b) The requirements of subparagraph (a) shall not apply to a veterinarian who has retired or sold his or her professional practice if said veterinarian has notified the client of such retirement or sale and offered to provide the patient records or copies thereof to another veterinarian of the client’s choice or ~~veterinarian must~~ furnished the clients with an established mailing address ~~for~~ to submit a request for obtaining ~~medical~~ patient records.

Cite as Ga. Comp. R. & Regs. r. 700-12-.04

Authority: O.C.G.A. Secs. 43-1-25, 43-50-21, 43-50-41.

History. Original Rule entitled "Record Keeping" adopted. F. Apr. 8, 2004; eff. Apr. 28, 2004.

Written Comments Received

No written comments were received

Public comments received or offered during the hearing

1. Betsy Choder, Veterinary Counsel

I’m opposed to 700-12-.04 as is proposed in part (a) which reads or wants to read, “all patient records must be maintained for a minimum of 3 years (including diagnostic imaging and other patient data) by the veterinarian who provided treatment to the patient” and then it goes on to say “or by the veterinary facility where the patient received treatment.” This rule flies in the face of the AVMA guidelines which specifically state that all veterinary records belong to the practice. I brought this up before in 2011 when the board did take that out of the regulations saying that records belong to the veterinarian, they don’t. It puts the burden back on the veterinarian by placing it in the rule that the veterinarian who provided treatment to the patient maintains the records for 3 years; which if you want your relief vets to be walking away with your medical records or if you want your associate vets to be walking away with your medical records to maintain them for a period of 3 years, that’s great. But again the records cannot be maintained by a veterinarian practicing in any clinic because the records are owned by the practice itself and should be owned solely by the facility. So, I am opposed to the way it is written. I recommend that the Board either remove the wording by the veterinarian who provided treatment to the patient and leave in veterinarian facility or by the owner of the veterinary facility where patient received treatment so that it aligns with other regulations, statutes and the AVMA ethical guidelines. Thank you.

2. Don Riddick, LEAP Provider

Thank you for letting me speak today. I have similar concerns to Betsy’s but they are slightly different. The way it’s written now it does create a conflict as to whether the practicing veterinarian has to audit and make sure that the practice keeps the records for 3 years; which creates this weird kind of quasi ownership right. It also makes it seem like if you are a veterinarian working outside of the practice and you providing care for a neighbor, such as

performing a farm call, or maybe you don't have a practice; but you are still doing veterinary medicine as a licensed practitioner, you may still want a record requirement. So my recommendation to the Board from my attorney's reading is that you keep the second part of the clause that says by the veterinarian facility where the patient received treatment or if not performed at a facility by the veterinarian who provided the treatment of the patient. So if for example a veterinarian goes out and performs veterinary medicine you still get a record of what they did but in that case because it's not associated or affiliated with a practice, the veterinarian would in that case be the practice, and they would have an obligation to keep a record.

Dr. Bohn motioned, Dr. Davis seconded and the Board voted unanimously in favor of the motion not to adopt the proposed amendment 700-12-.04 as presented and table for further discussion during the next meeting.

Discussion – Rule Waiver/Variance Requests

1) BR 700-2-.02 (2)(d) Sullivan, Daniel

Dr. Bohn motioned, Mr. Haynes seconded and the Board voted unanimously in favor of the motion to grant the petition for rule waiver of Board Rule 700-2-.02(2)(d) based upon the submission of sufficient documentation to substantiate a hardship and presentation of an alternative standard that will afford adequate protection for the public.

Discussion – Proposed Amendment BR 700-7-.03 Continuing Veterinary Education

Rule 700-7-.03 Continuing Veterinary Education

The Georgia State Board of Veterinary Medicine in accordance with the provisions of State Law and for the purpose of establishing certain minimum standards for continuing education in the best interest of and for the protection of the public health, safety and welfare hereby adopts the following rule:

(a) General Requirements:

1. Each veterinarian licensed to practice in the State of Georgia must obtain thirty (30) hours of Board approved continuing education per biennium for license renewal. Effective January 1, 2009, of the thirty (30) hours required, two (2) per renewal period must be acquired in Georgia laws, rules and professionalism. Effective January 1, 2011, of the two (2) hours; one (1) must be acquired in person. Georgia licensees who do not practice in the State of Georgia are not required to meet the two (2) hour requirement in Georgia laws, rules and professionalism.
2. At the time of license renewal, each veterinarian shall certify to the Georgia State Board of Veterinary Medicine that he/she has completed the continuing education required for license renewal.
3. A veterinarian licensed during the first year of a biennium must obtain fifteen (15) hours of continuing education and is not required to meet the two (2) hour requirement in Georgia laws, rules and professionalism. A veterinarian licensed during the second year of a biennium is exempt from obtaining continuing education for that renewal period. After this time period, the entire thirty (30) hours is required for each renewal.
4. In the event that a veterinarian fails to verify or submit documentation of continuing education credits at the same time of renewal of his/her license, the Board will not process his/her renewal until continuing education requirements have been met and proof of such has been received and approved by the Board. If documentation of continuing education is requested and not received by the Board prior to the expiration date, the license will expire.
5. A veterinarian may not carry over continuing education credits from one biennium license renewal period to the next.
6. Each veterinarian must maintain a record of credit hours earned and proof of attendance of such hours for a period of three years from the date of the preceding renewal period and must provide the Board with said documentation upon request.

~~7. Veterinarians who attend programs where more than one course is taught must maintain proof of the courses attended and the number of hours awarded for each course.~~

(b) Approved Continuing Education Programs and Hours:

1. Blanket approval is awarded to any National, State and International veterinary association meetings, United States Department of Agriculture and Georgia Department of Agriculture sponsored meeting, Board Certified Specialties

programs recognized by the American Veterinary Medical Association, all AVMA accredited veterinary college or school sponsored classes and programs, all AAVSB RACE approved programs, any GVMA constituent organization programs, AAHA programs, programs sponsored by the United States or Southern Animal Health Association and any course approved by another state board.

2. Blanket approval ~~does not apply to~~ for any continuing education programs on Georgia laws, rules and professionalism (LEAP) must be approved by the Board.

~~32. Prior approval must be granted for a~~ Any provider offering continuing education courses not offered by a blanket approved organization must submit an application in order to be considered for approval by the Board. Such application requests shall include the following:

- (i) a detailed course outline or syllabus;
- (ii) a current curriculum must be provided for each speaker or lecturer;
- (iii) the procedure to be used for recording attendance;

(iv) the number of continuing education hours for which the course sponsor requests approval; and,

(v) any additional information as deemed necessary by the Board.

34. Credit hours may be earned as follows:

(i) One (1) hour may be given for each 50 minutes of contact time. Seminars are composed of lectures or labs; welcoming remarks, business sessions, unstructured demonstrations or degree programs are not considered seminars.

(ii) Not more than three (3) hours can be for veterinary audio review. Three (3) hours can be for journal studies where follow-up testing is required. Fifteen (15) hours of interactive computer generated courses will be allowed. Follow-up testing is required.

(iii) Not more than five (5) hours for hospital management.

(iv) A maximum of twenty (20) hours will be allowed for any one meeting

(v) A maximum of twelve (12) hours will be allowed per calendar day.

(vi) A maximum of six (6) hours for veterinarians can be acquired through in house training at the licensees' place of employment.

(vii) A maximum of ten (10) hours can be acquired through in house training for veterinary faculty at AVMA accredited institutions.

(c) Continuing Education Audit:

1. During the renewal period, the Board staff will randomly select up to 25% of its licensees to audit for continuing education compliance. If selected for continuing education audit, each licensee must submit continuing education records to meet the renewal requirements for that license renewal period.

(d) Provider and Sponsor Criteria: All providers and sponsors must provide the following information to the Board if they have not been awarded blanket approval:

1. Each sponsor or provider shall have an administrator whose responsibility is to maintain the criteria for quality in programming.

2. Providers shall use qualified personnel to develop and present the programs, which shall utilize appropriate instructional materials and resources.

3. Providers shall provide to the Board adequate advanced promotional information, material about target audiences, program content, faculty credentials and fees.
4. Providers shall provide a means of registration of the participants at each program and maintain a record of attendance for a period of three years from the date of the program.
5. Providers shall develop policies and procedures for the management of grievances.
6. Providers shall provide each participant with adequate documentation of his/her successful completion of the program. The documentation shall include:
 - (i) Name and license number of participant;
 - (ii) Name of provider;
 - (iii) Name and title of program;
 - (iv) Hours/CEU's completed;
 - (v) Date of completion; and
 - (vi) Authorizing signature.
7. All continuing education providers seeking approval of ~~the~~ continuing education program by the Georgia State Board of Veterinary [Medicine](#) shall submit a Program Approval [Application](#) Form for each program presented. These forms should be submitted 60 days in advance.

Cite as Ga. Comp. R. & Regs. R. 700-7-.03

Authority: O.C.G.A. Secs. [43-1-19](#), [43-1-24](#), [43-1-25](#), [43-50-2](#), [43-50-21](#), [43-50-26](#), [43-50-40](#).

History. Original Rule entitled "Continuing Veterinary Education" was filed November 4, 1988; effective November 24, 1988.

Amended: F. Dec. 19, 1990; eff. Jan. 8, 1991.

Amended: F. Jun. 20, 1997; eff. Jul. 10, 1997.

Repealed: New Rule of same title adopted. F. Apr. 8, 2002; eff. Apr. 28, 2002.

Repealed: New Rule of same title adopted. F. Feb. 6, 2005; eff. Feb. 26, 2005.

Amended: F. Aug. 24, 2007; eff. Sept. 13, 2007.

Amended: F. Sept. 2, 2008; eff. Sept. 22, 2008.

Repealed: New Rule of the same title adopted. F. Aug. 12, 2010; eff. Sept. 1, 2010.

Repealed: New Rule of the same title adopted. F. Jun. 19, 2012; eff. Jul. 9, 2012.

Amended: F. Nov. 5, 2014; eff. Nov. 25, 2014.

Mr. Haynes motioned, Dr. Bohn seconded and the Board voted unanimously in favor of the motion to table discussion regarding Proposed Amendment BR 700-7-.03 Continuing Veterinary Education to draft additional amendments to the rule for review at the next board meeting.

Discussion – Proposed Amendment BR 700-7-.04 Veterinary Technician Continuing Education

Mr. Haynes motioned, Dr. Bohn seconded and the Board voted unanimously in favor of the motion to table discussion regarding Proposed Amendment BR 700-7-.04 Veterinary Technician Continuing to draft amendments to the rule for review at the next board meeting.

Discussion – Policy on Approval of LEAP C.E. Programs

The Board was in agreement to table discussion regarding Policy on Approval of LEAP C.E. Programs for review at the next board meeting pending receipt of additional information from AAVSB and GVMA.

Discussion – Georgia Licensure Video

Mr. Haynes motioned, Dr. Davis seconded and the Board voted unanimously in favor of the motion to request additional amendments to the Georgia Licensure Video to correct the title of the practice act, the statement regarding veterinary technicians practicing veterinary medicine and to add state and/or jurisdictions when speaking about board authority.

Executive Director's Report – A. Price

Executive Director's report presented the Board with statistical data relevant to the processing of applications, the number of licensees and complaints/compliance matters. Ms. Price presented the Board with the requirements for VET Tech License in Alaska as was requested by the Board during the last meeting. She explained that in light of the NC vs. Dental Board case, it was suggested to the Division Director by the Attorney General's Office that the Board's may need to adopt a policy to allow SOS Investigators the authority to issue a Voluntary Cease and Desist Order on behalf of the Board. Ms. Price also provided information regarding the transition from Epiware to Sharepoint, the My License Office Re-engineering and Division Remodel. The Board accepted the Executive Director's report as presented.

Mr. Haynes motioned, Dr. Davis seconded and the Board voted unanimously in favor of the motion to request, that in the future, Ms. Price amend her Executive Director's Report to include additional information to breakdown is the categories of the complaints received.

Board Chair's Report – B. Malphus

Dr. Malphus shared that the Board is currently reviewing the practice act to determine what things need to be revised. Dr. Sundstrom has provided a listing of things that that we need to look at and determine if we want to revise them. She shared that if anybody else out there is looking at the practice act and sees anything that is antiquated or wrong in the practice act it would be a good opportunity now within the next week or two to see what we need to get done and determine if there is a way that we can get it done through housekeeping or whatever you want to call it but we have to turn in the proposed amendments by the end of August if we want any changes to be considered for the upcoming legislative session. Dr. Malphus asked that staff email a copy of Dr. Sundstroms list as shown on epiware so that they can begin to review process. Dr. Malphus also asked staff to email Dr. Bohn a new log in and password for epiware and to cc her on the email.

2016 Board Member Election

1) Board Chair

Mr. Haynes motioned, Dr. Davis seconded and the Board voted unanimously in favor of the motion to appoint Dr. Henry Bohn as the Board's Chair.

2) Vice Chair

Mr. Haynes motioned, Dr. Davis seconded and the Board voted unanimously in favor of the motion to appoint Dr. John Sundstrom as the Board's Vice Chair.

3) Investigative Committee

Dr. Bohn motioned, Mr. Haynes seconded and the Board voted unanimously in favor of the motion to appoint Dr. Beckey Malphus, Dr. Edsel Davis and Dr. Larry Corry as the Board's Investigative Committee

4) Continuing Education Cognizant

Dr. Davis motioned, Mr. Haynes seconded and the Board voted unanimously in favor of the motion to appoint Dr. Henry Bohn as the Board's Continuing Education Cognizant.

Miscellaneous Discussions

1) Mr. Piper shared with the Board the he has recently received numerous phone calls from veterinary technicians seeking licensure who state that their application has been referred for additional review because of the way that the employer is completing the verification of employment form. Dr. Malphus asked why the Board is even looking at the work history of initial applicants? She further stated that it is delaying the licensure process because the applicants do not know what information their employers are indicating on the form. Ms. Price indicated that the same application is being used for both application/examination and reinstatements and as a result, the verification of employment form is included in the application for those individuals who are applying for reinstatement in part to catch unlicensed practice. Question 23 states:

23. Yes No If reinstating your license, have you practiced in Georgia since your license lapsed?
If not reinstating, please check here N/A

Submit the Verification of Employment Form to all employer(s) (Personnel Director, Human Resources Department) you have had within the last 2 years who can provide Verification of your practice as a Veterinarian or Veterinary Technician. If self-employed you still must submit form.

Dr. Bohn motioned, Dr. Davis seconded and the Board voted unanimously in favor of the motion to amend the application process to eliminate the employment verification requirement for new applicants by clarifying the language on the application to reflect that applicants who have never held a license do not have to complete the verification of employment form.

Mr. Piper asked the Board if by amending the application would help all of those who are currently hung up in this process. Ms. Price stated, no, as the Board has already voted on their cases. Those individuals would have to respond to the legal department if they dispute unlicensed practice and legal will present their case back to the Board to consider rescinding the motion.

2) Mr. Riddick stated to the Board that he gets a lot of questions on the issue of microchips that he wanted to present to the Board. He stated that he is located right by Fort Benning and what happens is a patient with a Microchip comes and the chip may list that the patient belongs to a soldier even though the soldier has given the dog to someone else. So when it shows up as a different owner while we are trying to establish the Veterinarian/Client/Patient Relationship (VCPR) there presents an ownership issue. Typically we use bailment law as a general rule and that is what I tell everybody that they have to do. Does the Board have any type of opinion on what you would like veterinarians to do before providing veterinary medicine to that patient when there is a clear piece of evidence that disputes ownership? He states he asks because they are not able to call up the owner who may be in Afghanistan or where ever to ask them did they give their dog to this person. All we have is this microchip and someone who says that the patient is theirs. Dr. Malphus stated that there is nothing in the rules that says anything other than conduct yourself in a professional manner.

Ms. Choder stated that because animals are seen as property in the state of Georgia; and a veterinarian doesn't have under the rules or regulations any required reporting of anything, practically, except drug or alcohol abuse, she usually tells people that when they have their registration form completed, the burden of ownership goes on that client to say 'yes,' this is my property. She states that means that veterinarians should have a specific line on the bottom of the registration form asking if the client is the owner of this pet. If they initial it yes, and the veterinary finds out from the microchip the owner is registered to someone else, does the veterinarian want the burden then of having to determine ownership of property? She stated absolutely not. Not to mention extending that responsibility to a veterinary assistant or veterinary technician. Ms. Choder remarked that this sort of thing happens a lot in divorces, custody cases, whatever, so again it comes down to how much information is put on the client intake form. It should say who can pick up this pet which means that veterinarians get away from the custody issue as a result of the divorces, the domestic violence. She indicated that she does not think that it should be the responsibility of the veterinarian to determine true ownership of property. So even though it comes up, she wouldn't release that animal to anyone else after the client signs that they are the true owner. It happens in adoption or rescue. It happens a lot. Mr. Piper also indicated to the Board that he gets asked this question a lot too by veterinarians. Dr. Malphus indicated that the rules are silent on this issue but she feels it is safe to say that the Board feels that information regarding ownership of the animal should be included on the patient registration or intake forms.

Mr. Haynes made a motion, Dr. Bohn 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. Davis, and Mr. Haynes.

At the conclusion of Executive Session on Wednesday, August 17, 2016, 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.

OPEN SESSION

Executive Session Board Minutes

1) **June 22, 2016 Board Meeting Minutes**

Dr. Bohn motioned, Dr. Davis seconded and the Board voted unanimously in favor of the motion to approve the June 22, 2016 board meeting executive minutes as presented.

2) **August 11, 2016 Teleconference Minutes**

Dr. Bohn motioned, Dr. Davis seconded and the Board voted unanimously in favor of the motion to approve the August 11, 2016 teleconference executive minutes as presented.

3) **August 16, 2016 Investigative Committee Minutes**

Dr. Bohn motioned, Dr. Davis seconded and the Board voted unanimously in favor of the motion to approve the August 16, 2016 investigative committee executive minutes as presented.

Attorney General's Report – K. Daughdril

Dr. Davis motioned, Mr. Haynes seconded and the Board voted unanimously in favor of the motion to accept the Attorney General's report as presented. Assistant Attorney General Daughdril announced to the Board that today would

be her last meeting as the Board's Attorney because she has decided to work on a part-time basis. The Board acknowledged her statement and expressed that they were just getting used to her and hates to see her go. Dr. Malphus inquired as to who would be her replacement. Ms. Daughdril reported that she is not certain; however, she is told that the next attorney will be someone who will be experienced in matters of the Board.

Executive Discussion

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

- 1) K.S.M. Rescind previous motion and issue license.

Investigative Committee Report – E. Davis and B. Malphus

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

- VET140061 Table pending additional investigation and results of a follow up inspection.
VET140062 Close the case with no action.
VET140083 Obtain medical records from the respondent and any collaborative documentation from the complainant to support the allegations presented to include copies of any additional evaluations or assessments of the patient..
VET150023 Table pending additional investigation and the results of a follow up inspection.
VET160038 Close the case with no action.
VET160046 Close the case with no action.
VET160064 Notify the respondent of the violations observed in the recent inspection and that those violations should be corrected within two (2) months of notification. Schedule a second inspection to confirm compliance with recommendations made by the Board. Obtain additional information form the complainant to support additional allegations in the case.
VET160109 Close the case and recommend that the respondent consider offering an independent necropsy to clients as an option cases where cause of death is not known.
VET160111 Table pending receipt of full necropsy report.
VET150002 Table pending proof of completion of 20 hours of continuing education in the area of surgery.

Discussion Cases:

- VET150057/VET160012 To clarify the referral made to the Attorney General's Office. The findings of facts of the order should include references to violations of Board Rules 700-8.01 (e) and BR 700-12-.07 (g), more specifically aiding and abetting unlicensed practice, a prescription violation and providing care without establishing a VCPR in accordance with statutes and rules.
- VET160112 Table pending discussion with the full Board.

Applications for Board Review

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

- 1) J.C. Notify the applicant to cause the submission of a letter of retraction from the employer regarding the verification of licensure to clarify if there was any practice as a Veterinary Technician. If the retraction letter is received may issue the license.
- 2) L.F.C. Notify the applicant to cause the submission of a letter of retraction from the employer regarding the verification of licensure to clarify if there was any practice as a Veterinary Technician. If the retraction letter is received may issue the license.
- 3) N.G. Issue the license.
- 4) K.H. Notify the applicant to cause the submission of a letter of retraction from the employer regarding the verification of licensure to clarify if there was any practice as a Veterinary Technician. If the retraction letter is received may issue the license.
- 5) H.B.S. Issue the license.
- 6) M.L.T. Notify the applicant to cause the submission of a letter of retraction from the employer regarding the verification of licensure to clarify if there was any practice as a Veterinary Technician. If the retraction letter is received may issue the license.
- 7) L.M.V. Issue the license.

Miscellaneous Discussions

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

- 1) VET160112 Refer to the Attorney General’s Office for an Order of Mental Physical Examination to be completed within fourteen (14) days of release from incarceration. Allow Attorney General to amend language in the order to detail the assessment data which must be addressed within in the results of the examination. The Board will accept a voluntary surrender of license in lieu of results of a Mental Physical Examination. Hand serve both options.

Adjournment No further business was discussed and the meeting adjournment at 1:14 p.m.

Minutes recorded by: Kathy Osier, Licensing Supervisor
Minutes reviewed and edited by: Adrienne Price, Executive Director
Minutes approved on: October 19, 2016

BECKEY MALPHUS, DVM
BOARD CHAIRPERSON

ADRIENNE PRICE
EXECUTIVE DIRECTOR