

GEORGIA STATE BOARD OF VETERINARY MEDICINE
Board Meeting Minutes
Professional Licensing Boards
237 Coliseum Drive, Macon, GA
February 15, 2017 - 9:30 a.m.

The Georgia State Board of Veterinary Medicine met on Wednesday, February 15, 2017. The following members were present:

Board Members Present

Dr. Henry Bohn, Chairperson
Dr. John Sundstrom, Vice Chair
Dr. Larry Corry, Board Member
Dr. Becky Malphus, Board Member

Staff Present

Mr. Jim Cleghorn, Executive Director, Healthcare III
Ms. Michelle Foster, Board Support Specialist
Ms. Kathy Osier, Licensing Supervisor

Attorney General's Office

Betsy Cohen, Assistant Attorney General

Board Members Absent

Dr. Edsel Davis, Board Member
Mr. Nic Haynes, Consumer Member

Staff Absent

Ms. Adrienne Price, Executive Director, Healthcare II

Visitors Present

1. Scott Piper, Georgia Veterinary Medical Association (GVMA)
2. Jamie Rauscher, RVT, President Georgia Veterinary Technician and Assistant Association
3. Brent Credille, DVM, PhD, DACVIM, Assistant Professor, UGA College of Veterinary Medicine, Food Animal Health and Management Program
4. Betsy Choder, Veterinary Counsel
5. Tess Peavy, DVM

Call to Order: Dr. Bohn established a quorum of the Board was present and called the meeting to order at 9:35 a.m.

OPEN SESSION

Agenda The Board accepted the agenda as presented.

Open Session Board Minutes

1. December 14, 2016 Board Meeting Minutes

Dr. Corry motioned, Dr. Sundstrom seconded and the Board voted unanimously in favor of the motion to approve the December 14, 2016 Board meeting minutes as presented.

2. February 14, 2017 Investigative Committee Minutes

Dr. Sundstrom motioned, Dr. Corry seconded and the Board voted unanimously in favor of the motion to approve the February 14, 2017 Investigative Committee Minutes as presented.

Licenses to Ratify – December 7, 2016 – February 8, 2017

Dr. Corry motioned, Dr. Sundstrom 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 – Dr. Annie Seefeldt, DC (MN) – Travel to Treat Animals

Dr. Malphus motioned, Dr. Sundstrom seconded and the Board voted unanimously in favor of the motion to send the writer a response letter stating that there does not appear to be any provisions in the law for the practice of this activity as a chiropractor in the state of Georgia, not even on a transient or temporary basis. In this state, animal manipulation must be conducted under the direct supervision of a Veterinarian who holds a valid license to practice

in Georgia. Additionally, the Georgia licensed veterinarian must have a valid veterinarian-client-patient relationship in place with the animals that are to receive treatment.

Correspondence – Dr. Steven Hamagel – Consultation Services

Dr. Sundstrom motioned, Dr. Corry seconded and the Board voted unanimously in favor of the motion to send the writer a response letter indicating that O.C.G.A. § 43-50-44(5)(d) allows consultant rendering services for no more than two (2) days per calendar year. The Board recommends applying for licensure in Georgia.

Correspondence – Dr. Christine Bryant – Vet House Call Services

Dr. Sundstrom motioned, Dr. Corry seconded and the Board voted unanimously in favor of the motion to send the writer a response letter indicating there are no specific regulations for house call services for clients and to refer the writer to the DEA concerning carrying medications into client homes.

Discussion – Rony Ghobrial – World Continuing Education Alliance

The Board accepts the correspondence in reference to World Continuing Education Alliance as information.

Discussion – AAVSB

The Board accepts the correspondence in reference to AAVSB as information. It was the consensus of the Board to request that the Executive Director attend the Annual Conference this year as a delegate.

Discussion – ICVA

The Board accepts the correspondence in reference to ICVA as information.

Discussion – Legislative Subcommittee

Dr. Sundstrom motioned, Dr. Malphus seconded and the Board voted unanimously in favor of the motion to accept the list of the Veterinary Practice Act Review Subcommittee members which include:

1. Dr. Sheila Allen, DVM, MS, DACVS, Senior Accreditation Advisor, Association of American Veterinary Medical Colleges
2. Dr. Edsel Davis, DVM, Member, Georgia State Board of Veterinary Medicine
3. Mike Giles, President, Georgia Poultry Federation
4. Dr. Jill Lancaster, DVM, Owner, Plantation Centre Animal Hospital, Macon
5. Dr. Vince Obsitnik, DVM, Chair, GVMA Advocacy Committee
6. Scott Piper, Associate Director, GVMA
7. Jamie Rauscher, RTV, President, Georgia Veterinary Technicians and Assistants Association
8. Dr. John Sundstrom, Subcommittee Chair & Member, Georgia State Board of Veterinary Medicine.

Discussion – Ethnicity Question on Application

The Board tabled this discussion until the Executive Director's Report.

Rule Waiver – BR 700-6-.01(2)(c) - Crystal Lee Webb Kile – 2615371

Dr. Malphus motioned, Dr. Sundstrom seconded and the Board voted unanimously in favor of the motion to deny the petition for rule waiver of BR 700-6-.01(2)(c) as the portion of the rule that the petitioner has requested to be waived is a statutory requirement and the Board does not have the authority to waive O.C.G.A. § 43-50-52(a)(2)(C)(i) and (ii) and to advise applicant to submit transcript, curriculum, diploma and graduation information for Board review.

Executive Director's Report – A. Price

Mr. Cleghorn, Executive Director for Healthcare III, delivered Ms. Price's report in her absence, which presented the Board with statistical data relevant to the processing of applications, the number of active and inactive licensees, complaints/compliance matters and renewal.

Mr. Cleghorn continued the report providing information regarding the licensure video introduced during the December 2016 meeting. The Board approved the launch of the application for licensure video and requested that staff notify all of the LEAP providers. He announced to the Board that the video is on the website and the LEAP providers were notified as requested on January 3, 2017.

On behalf of Ms. Price, Mr. Cleghorn indicated that she noted in her report that the Board previously asked if there was a requirement that an individual's ethnicity be identified on an application. After consulting with the Division Director it was indicated that there is no requirement for this information to be on the application; therefore, if the Board desired to remove those types of questions, it may. After further discussion, Dr. Malphus motioned, Dr. Corry seconded and the Board voted unanimously in favor of the motion to remove the ethnicity question from the application.

Dr. Malphus motioned, Dr. Corry seconded and the Board voted unanimously in favor of the motion to accept the Executive Director's Report as presented.

Board Chair's Report

No report given.

Miscellaneous Discussions

1. Position for a Veterinary Technician on the Board

Dr. Bohn introduced Ms. Rauscher as a registered veterinary technician and President of the Georgia Veterinary Technician and Assistant Association and granted her an opportunity to address the Board. Ms. Rauscher began her presentation by addressing the need for a Veterinary Technician to be part of the Board and the importance of having a voice. Dr. Sundstrom explained that the seat has already been created in the statute, but there is no budget for placing a member on the Board. He further explained that the Board is currently trying to find out on how they can get the funding for the position. Ms. Rauscher stated that she potentially made a proposal that this position be an unpaid position for the first year to show the validation and seriousness of it. Ms. Cohen, Assistant Attorney General, clarified that this has to be an appointment by the Governor. Dr. Malphus suggested a letter be written to the Division Director to request clarification on what needs to be done for the Technician seat to be filled. Ms. Cohen remarked that the Board referred this matter to her office for further research during the last Board Meeting and she is presently researching the question. Dr. Bohn suggested Ms. Rauscher get resumes together from interested parties in preparation for a future appointment which the full Board agrees needs to happen.

2. Changing the Title of Veterinary Technicians to Veterinary Nurse

Dr. Sundstrom then brought up a question as to whether or not there should be a change of the title of Veterinary Technicians to Veterinary Nurses. Ms. Rauscher explained that she is part of the National Credentialing Initiative and they are creating a state representative committee similar to the AVMA and the House of Delegates. She stated her involvement for the next three years in these national committees includes working towards opening practice acts in all 50 states, instituting mandatory credentialing which is not required in all states, and getting past the fact that some state Boards do not recognize Veterinary Technicians at all.

Ms. Rauscher further stated that her national involvement does include initiatives to change the title of Registered Veterinary Technician to Registered Veterinary Nurse, which has the support of the nursing community. She clarified that the first step here in Georgia is to get a Technician on the Board. There is such a need for Registered Veterinary Technicians to be heard, to be represented on the Board and to know that the Board is listening. Dr. Bohn assured Ms. Rauscher that she is welcomed to come to every meeting.

Dr. Sundstrom directed the topic of the title change to Mr. Cleghorn. Mr. Cleghorn remarked that the title change has not come before the Georgia State Board of Nursing but it has come before the National Board of Nursing of which he is a member. There may now be some confusion in the training difference between a Veterinary Nurse and a Veterinary Technician, but Mr. Cleghorn feels there will be no resistance from the Nursing Board.

3. Reporting as Veterinary Technician vs. Veterinary Assistant on Applications

Dr. Bohn initiated a discussion about the fact that many applicants for licensure as a Veterinary Technician licensure are working as Veterinary Assistants. However, on the Veterinary Technician application, when asked what position the applicant currently holds in their place of employment they report working as a Veterinary Technician instead of a Veterinary Assistant which halts the application process because it appears they are engaging in unlicensed practice. Dr. Bohn asked Ms. Rauscher if she would help educate the

technicians and assistants with the fact that an individual would need to be licensed in order to be referred to as Veterinarian Technician.

4. Veterinary Feed Directive - Dr. Brent Credille, DVM, PhD, DACVIM, Assistant Professor, UGA College of Veterinary Medicine, Food Animal Health and Management Program

Dr. Credille addressed the Board on the topic of the Veterinary Feed Directive, which concerns regulations with antibiotics and feed additives. He provided background for the VFD by explaining that in December 2013, the FDA published a report, Final Guidance 213, creating the Veterinary Feed Directive, which has influenced drug availability, who can purchase specific medications and how these different medications are classified. Dr. Credille continued that the FDA Final Guidance 209, also a contributor to the VFD rules, did not see the use of antimicrobials in feed to promote growth and improve feed efficiency as judicious use. Moreover, the fact that the majority of these products were available over the counter was found to be unreasonable.

Dr. Credille stated that the VFD originated over concerns about antimicrobial resistance and he explained that in the United States human population; there are about two million antimicrobial resistant infections per year. Of those two million people about 23,000 deaths occur. In addition, there is about a \$55 billion annual increase in costs transferred to the healthcare industry. Dr. Credille reported that in 2013, due to the concern about resistance, the CDC published a report called "Antimicrobial Threats to the US." In that report, they ranked 18 different organisms from urgent to serious to concerning. He said the report defined that of the 18 pathogens they ranked in that publication, four were clearly linked to the food supply and two could be directly linked to animals.

Dr. Credille described the resultant effects by explaining that with the VFD, any cattleman who is currently using a medical antimicrobial in feed or water in their operation, (poultry, swine, cattle, honeybees and fish) would be subject to the VFD regulations and with that, these producers would have to have a veterinarian, a valid veterinary/client relationship and go by the guidelines established in Georgia. In addition, the producers must meet the VFD requirements before the products would be available. He assured the Board that these changes are good and make veterinarians more involved and added that there are logistical concerns because certain areas of the state are underserved. Dr. Credille related that this is something that the FDA pushed through, not the veterinarians and that stricter regulation is on the way for Georgia. Those primarily affected will be the cattle and stocker producers. He concluded his presentation by stating that another change coming is that some of the co-ops are going to be required to place veterinarians on staff.

Dr. Malphus made a motion, Dr. Sundstrom 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. Becky Malphus, Dr. Henry Bohn, Dr. Larry Corry and Dr. John Sundstrom.

At the conclusion of Executive Session on Wednesday, February 15, 2017, Dr. Bohn 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

Applicant Interview

- 1) **T.P.** Dr. Sundstrom motioned, Dr. Malphus seconded and the Board voted unanimously in favor of the motion to issue the license.

Executive Session Board Minutes

1. December 14, 2016 Board Meeting Executive Session Minutes

Dr. Sundstrom motioned, Dr. Corry seconded and the Board voted unanimously in favor of the motion to approve the December 14, 2016 Executive Session Minutes as presented.

2. February 14, 2017 Investigative Committee Executive Session Minutes

Dr. Sundstrom motioned, Dr. Corry seconded and the Board voted unanimously in favor of the motion to approve the February 14, 2017 Investigative Committee Executive Session Minutes as presented.

Attorney General's Report – B. Cohen

Dr. Malphus motioned, Dr. Sundstrom seconded and the Board voted unanimously in favor of the motion to accept the Attorney General's Report as presented and the following recommendations made in Executive Session.

1) S.G.H. Accept the Public Consent Order for Reinstatement as presented.

Investigative Committee Report – B. Malphus

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:

- VET100074** Respondent has satisfied with the terms of the current order. Terminate probation as requested and return license to active status.
- VET150011** Send mitigating circumstance letter to respondent who must submit a copy of detailed controlled substance logs prior to August 15, 2017. Close case upon receipt and review of controlled substance logs.
- VET160100** Close with letter of concern to strongly encourage the facility to do better in the area of obtaining or requiring preoperative screenings, especially in critical patients and to obtain or create an anesthesia form to record vital signs during surgery.
- VET140083** Close with a letter of concern to improve communications with clients making sure that they understand the risks and advantages of various procedures and obtain owner signatures.
- VET160025** Close the case with no violation in the standard of care.
- VET160112** Retry hand service and send certified mail. If service is refused and certified mail is unclaimed, deny renewal and summarily suspend.
- VET170016** Close the case with no violation in the standard of care.
- VET170021** Table discussion pending further follow up with the client owners to obtain a copy of the insurance policy/contract and determine if the Insurance Commissioner of Georgia approves of the policy/contract. Refer case back to the Investigative Committee with findings and to determine if additional actions are required.
- VET170022** Close the case with no violation in the standard of care.
- VET170024** Close the case with no violation in the standard of care.
- VET170026** Respondent may complete an outpatient evaluation with the understanding that an additional evaluation and or treatment may be recommended.
- VET170028** Close with letter of concern asking that the respondent make sure that clients understand all the possible complications and obtain a signed consent expression that possible complications were discussed and understood.
- VET160002** Table discussion until April 18, 2017 Investigative Committee Meeting.
- VET160081** Table discussion until April 18, 2017 Investigative Committee Meeting.
- VET160084** Table discussion until April 18, 2017 Investigative Committee Meeting.
- VET160085** Table discussion until April 18, 2017 Investigative Committee Meeting.
- VET160095** Table discussion until April 18, 2017 Investigative Committee Meeting.

Dr. Malphus requested that staff add a sentence in the investigative interview letters which requests that the respondents bring their original records with them when they come to an investigative interview.

Assistant Attorney General Cohen further suggested that when staff generates letters requesting a mental physical examination that the letters include more information as to the reason the Board is requesting the evaluation and specify whether or not the Board wants an inpatient or outpatient evaluation to be conducted.

Miscellaneous Executive Discussions

1. Open Records Request – A.S.

Dr. Malphus motioned, Dr. Sundstrom seconded and the Board voted unanimously in favor of the motion to send the writer a response letter stating that seven (7) CE applications were reviewed by the Board and six (6) were approved.

Applications for Board Review

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

Initial Applications

- J.A.B.** Issue the license with a letter of concern regarding criminal history.
- I.E.F.** Issue the license with a letter of concern regarding criminal history.
- D.S.** Issue the license.

Inactive Status Requests

- R.E.D.** Require renewal with the Board waiving the renewal fee. Licensee should then reapply for inactive status.
- H.S.W.** Require renewal with the Board waiving the renewal fee. Licensee should then reapply for inactive status.

Reinstatements

- J.H.A.** Refer to Legal Services to issue a Public Consent Agreement for reinstatement of licensure with a \$400 fine for unlicensed practice from January 1, 2015 to December 5, 2016. Applicant must submit proof of at least 10 hours of Board approved CE obtained within the last two years and CE's submitted for reinstatement cannot be used towards the upcoming renewal period.
- R.D.B.** Refer to Legal Services to issue a Public Consent Agreement for reinstatement of licensure with a \$400 fine for unlicensed practice from January 1, 2015 to October 21, 2016 and CE's submitted for reinstatement cannot be used towards the upcoming renewal period.
- K.E.L.** Refer to Legal Services to issue a Public Consent Agreement for reinstatement of licensure with a \$400 fine for unlicensed practice from January 1, 2015 to January 6, 2017 and CE's submitted for reinstatement cannot be used towards the upcoming renewal period.
- T.B.M.** Refer to Legal Services to issue a Public Consent Agreement for reinstatement of licensure with a \$400 fine for unlicensed practice from January 1, 2015 to January 9, 2017 and CE's submitted for reinstatement cannot be used towards the upcoming renewal period.
- L.E.W.** Refer to Legal Services to issue a Public Consent Agreement for reinstatement of licensure with a \$800 fine for unlicensed practice from January 1, 2013 to December 19, 2016. Applicant must submit proof of at least 10 hours of Board approved CE obtained within the last two years and CE's submitted for reinstatement cannot be used towards the upcoming renewal period.

Adjournment No further business was discussed and the meeting was adjourned at 2:10 p.m.

Minutes recorded by: Michelle Foster, Board Support Specialist
Minutes reviewed and edited by: Kathy Osier, Licensing Supervisor & Adrienne Price, Executive Director
Minutes approved on: April 19, 2017

HENRY BOHN, DVM
BOARD CHAIRPERSON

ADRIENNE PRICE
EXECUTIVE DIRECTOR