

GEORGIA STATE BOARD OF VETERINARY MEDICINE
Board Meeting Minutes
Professional Licensing Boards
237 Coliseum Drive, Macon, GA
Wednesday, April 24, 2019 - 9:30 a.m.

The Georgia State Board of Veterinary Medicine met on Wednesday, April 24, 2019. The following members were present:

Board Members Present

Dr. Beckey Malphus, DVM, Chair
Dr. Larry Corry, DVM, Board Member
Dr. Henry Bohn, DVM, Board Member
Dr. John Sundstrom, DVM, Board Member

Staff Present

Adrienne Price, Executive Director
Michelle Hornaday, Board Support Specialist
Jessica Uzzo, Staff Attorney

Board Members Absent

Dr. Edsel Davis, DVM, Vice Chair
Mr. Nic Haynes, Consumer Member

Attorney General's Office

Betsy Cohen, Assistant Attorney General (via teleconference)

Visitors Present

Dr. Keith Harris, DVM, Head, Department of Pathology, UGA College of Veterinary Medicine
Dr. Wendy Cuevas, DVM, Director of Veterinary Services, Georgia Veterinary Medical Association (GVMA)
Betsy Choder, Vet Counsel

Call to Order: Dr. Malphus established that a quorum of the Board was not present and as a result, the members present proceeded with the meeting as a Committee of the Board. The Committee Meeting was called order at 9:33 a.m.

OPEN SESSION

Agenda The Committee recommended accepting the agenda as presented.

Open Session Board Minutes

1. March 27, 2019 Board Teleconference Minutes

Dr. Corry recommended accepting the March 27, 2019 open session Board teleconference minutes as presented.

Betsy Cohen joined the meeting as 9:34 a.m.

2. April 23, 2019 Investigative Committee Meeting Minutes

Dr. Bohn recommended accepting the April 23, 2019 investigative committee meeting minutes as presented.

Licenses to Ratify – February 13, 2019 – April 17, 2019

Dr. Corry recommended to ratify the licenses by application and by reinstatement that were issued in accordance with Board Rules and Policies, between board meetings.

Correspondence – PDMP registration not required for Veterinarians, GA Board of Pharmacy

The Committee accepts the correspondence regarding PDMP registrations for veterinarians as information.

Correspondence – Dr. Jennifer Miller-Bailey, DVM, MS, CVA – Discrepancies on the Veterinary Law

Exam

The Committee tabled discussion for Executive Session.

Discussion – American Hippotherapy Association Outreach – Scope of Practice Education

The Committee accepts the correspondence regarding the American Hippotherapy Association Outreach – Scope of Practice Education as information.

Discussion – American Association of Veterinary State Boards (AAVSB)

1. Call for Resolutions 2019

2. AAVSB Link_ USP_800_ Hazardous Drug Requirements

The Committee accepts the correspondence in reference to AASVB as information.

Discussion - SB 75 – Veterinary Practice Act Title 43 Chapter 50 2019 AS PASSED

The Committee accepts the correspondence in reference to SB 75 – Veterinary Practice Act – Title 43 Chapter 50_2019 – AS PASSED as information.

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 to include the number of Continuing Education applications pending, approved and denied. In addition, she addressed the following topics with the Board:

SB 75

Electronic Submission of Graduation Data from Schools

AAVSB Credentialing Services VAULT Service

Dr. Sundstrom joined the meeting at 9:57 a.m. establishing a quorum of the Board.

Betsy Cohen left the meeting at 10:04 a.m.

Ms. Price asked Staff Attorney Jessica Uzzo, PLB Staff Attorney, if she would like to address the Board concerning NAVLE contract negotiations. Ms. Uzzo explained that the testing contract for the NAVLE and ICVA Species Specific Exams can now be drafted to include five (5) year terms whereas before the contracts were previously limited to one (1) year terms. The ICVA Species Specific exams will soon be computerized which may have an effect on when the exam can be offered and as a result, she wanted the Board to consider if they would prefer that the term of the contract remain as one (1) year or be adjusted to a five (5) year term.

Dr. Corry motioned, Dr. Bohn seconded and the Board voted unanimously in favor of the motion to opt for the one (1) year contract for the ICVA Species Specific exam until which time those exams are fully computerized.

Jessica Uzzo left the meeting at 10:09 a.m.

Ms. Price then informed the Board of the new processes as it relates to the notarization of documents for Board meetings. Dr. Corry motioned, Dr. Bohn seconded and the Board voted unanimously in favor of the motion to accept the Executive Director’s report as presented.

Agenda The Board accepted the agenda as presented.

Open Session Board Minutes

1. March 27, 2019 Board Teleconference Minutes

Dr. Corry motioned, Dr. Bohn seconded and the Board voted unanimously in favor of the motion to accept the March 27, 2019 open session Board teleconference minutes as presented.

2. April 23, 2019 Investigative Committee Meeting Minutes

Dr. Bohn motioned, Dr. Sundstrom seconded and the Board voted unanimously in favor of the motion to accept the April 23, 2019 investigative committee meeting minutes as presented.

Licenses to Ratify – February 13, 2019 – April 17, 2019

Dr. Corry motioned, Dr. Bohn 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.

Board Chair’s Report – B. Malphus, DVM

No report presented.

Miscellaneous Discussion

1. Notice of Intent Requirement

Betsy Choder addressed the Board regarding renewal applications. She suggested the Board update the Board website with more specific requirements on the submission of the Notice of Intent to Dispense Drugs form.

2. ICVA Species Specific Exam

Dr. Harris posed a question to the Board concerning the purpose of the ICVA Species Specific Exam. Dr. Malphus stated that there are two different Species Specific Exams available to licensure boards: Small Animal, and Equine. The Regulatory Boards use these exams as a measurement for competence in certain

disciplinary matters and for practitioners who have been out of practice for an extended period of time. Ms. Price further clarified that in cases where additional testing is indicated, the licensee is provided the option to take either the NAVLE or the ICVA exam. She reported that due to fixed date testing, opportunities to test are greater with the ICVA than with the NAVLE.

Dr. Sundstrom made a motion, Dr. Bohn seconded, and the Board voted to enter into Executive Session in accordance with O.C.G.A. §§ 43-1-2 (k); 43-1-19 (h) and 50-14-2 (1) to receive and review information pertaining to applications, pending cases, investigative reports and enforcement matters and to receive the Assistant Attorney General’s report. Voting in favor of the motion were those present who included Board members: Dr. Malphus, Dr. Bohn, Dr. Corry and Dr. Sundstrom.

At the conclusion of Executive Session on Wednesday, April 24, 2019, 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

Attorney General’s Report – B. Cohen

Dr. Sundstrom motioned, Dr. Corry seconded and the Board voted unanimously in favor of the motion to accept the Attorney General’s report as presented.

Miscellaneous Executive Discussion

1. **VET190076** Dr. Sundstrom motioned, Dr. Corry seconded and the Board voted unanimously in favor of the motion to issue the license and close the case.

2. **Renewals**
 - a) **VET190027** Dr. Sundstrom motioned, Dr. Bohn seconded and the Board voted unanimously in favor of the motion to close the case with a Letter of Concern regarding action in another jurisdiction (AAJ).

 - b) **VET190072** Dr. Sundstrom motioned, Dr. Bohn seconded and the Board voted unanimously in favor of the motion to refer to Legal Services for a Private Consent Order for Renewal of Licensure with a Private Reprimand for failure to meet CE requirements per BR 700-7-.03.

 - c) **CE Board Rules / Policy** Dr. Sundstrom motioned, Dr. Corry seconded and the Board voted unanimously in favor of the motion to refer BR 700-7-.03 Veterinary Continuing Education, BR 700-7-.04 Veterinary Technician Continuing Education and Continuing Education Audit Board Policy to the Rules Committee.

 - d) **VET190077** Dr. Sundstrom motioned, Dr. Bohn seconded and the Board voted unanimously in favor of the motion to refer to the Attorney General’s Office for a Private Consent Order for Renewal of Licensure with probation for a minimum of five (5) years; quarterly personal, employer, aftercare and psychotherapy reports; practice under direct supervision of a licensed veterinarian; narcotic restrictions for a minimum of two (2) years; monthly urine drug screens and quarterly hair follicle drug screens. May petition to terminate quarterly hair follicle drug screens minimum of two (2) years after the docket date of the order.

3. **Application 1310258** Dr. Corry motioned, Dr. Sundstrom seconded and the Board voted unanimously in favor of the motion to grant the request for Inactive Status.

4. **Records Request – VET100091 / VET100103** Dr. Bohn motioned, Dr. Sundstrom seconded and the Board voted unanimously in favor of the motion to release the requested records to the Florida Board of Veterinary Medicine as permitted by law.

5. **CE Provider Application** Dr. Sundstrom motioned, Dr. Corry seconded and the Board voted unanimously in favor of the motion to approve the CE Program application for two (2) LEAP CE credit and five (5) Hours CE credit for a total of seven (7) Hours of CE.

6. **Correspondence – Dr. Jennifer Miller-Bailey, DVM, MS, CVA – Discrepancies on the Veterinary Law Exam** Dr. Bohn motioned, Dr. Sundstrom seconded and the Board voted unanimously in favor of the motion to thank the writer for the information and inform her that the Board Rules are

clear as to what is required of a veterinarian as it relates to the release of medical records and encourage her to please review the rules as she is completing the law examination for licensure.

7. **VET190034** Dr. Sundstrom motioned, Dr. Corry seconded and the Board voted unanimously in favor of the motion to rescind previous motion, grant request to withdraw application for renewal and license will lapse by operation of law.

Executive Session Board Minutes

1. March 27, 2019 Executive Board Teleconference Minutes

2. April 23, 2019 Executive Investigative Committee Minutes

Dr. Bohn motioned, Dr. Sundstrom seconded and the Board voted unanimously in favor of the motion to accept the March 27, 2019 executive session Board teleconference minutes and the April 23, 2019 executive session investigative committee meeting minutes as presented.

Investigative Committee Report – L. Corry, DVM

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

- VET180056** Close the case.
- VET190019** Close the case.
- VET190031** Close the case.
- VET180055** Close the case. Place hold on licensing record for future reinstatement to revisit this case.
- VET180065** Close the case.
- VET190035** Close the case with Letter of Concern regarding the release of records [BR 700-8-.01(c)(5)].
- VET190050** Close with a Letter of Concern to improve client communication.
- VET180022** Close the case.
- VET180023** Close the case.
- VET180025** Close with a Letter of Concern for proper disposal of expired medication and inappropriate use of Veterinary Technician title for Veterinary Assistant Staff.
- VET180046** Close the case.
- VET180063** Schedule Investigative Interview
- VET180070** Close the case.
- VET190024** Close the case.
- VET190033** Close the case.
- VET190043** Close the case.
- VET190046** Table pending additional investigation.
- VET190051** Close the case.
- VET190074** Table pending receipt of records and discharge summary.
- VET190075** Refer to the Attorney General's Office for a hearing based on action in another jurisdiction. The Board will accept a Public Consent Order with fine \$500 and reprimand. Respondent must notify the Board when the term of probation and other requirements are satisfied in the other jurisdiction.

VET180073 Close the case.

VET190042 Refer to the Attorney General's Office for an Order of Mental/Physical evaluation.

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.

Application 2744832 Applicant must submit current treatment records and proof of documented sobriety. If not received within 30 days, request MPE.

Application 2780482 Refer to Legal Services for a Public Consent Agreement for Reinstatement of Licensure with a fine of \$600 for unlicensed practice from January 1, 2016 to January 4, 2019. Continuing education hours submitted for reinstatement of license cannot be used for the upcoming renewal period; and flag for CE audit.

Application 2790768 Reinstate license.

Application 1139420 Refer to Legal Services for a Private Consent Order for Renewal of Licensure for failure to complete CE requirements as outlined per Board rule 700-7-.03; must submit proof of completion of two (2) LEAP CE Hours within 90 days of order docket date; continuing education hours submitted to satisfy the terms of the order or the requirements for the previous renewal cycle cannot be used for the upcoming renewal period; and flag for CE audit.

Application 33890 Refer to Legal Services for a Private Consent Order for Renewal of Licensure for failure to complete CE requirement as outlined per Board Rule 700-7-.03.

Dr. Sundstrom motioned, Dr. Corry seconded and the Board voted unanimously in favor of the motion for staff to send correspondence to CE provider per discussion requesting specific breakdown on CE Certificates given to course attendees to indicate the exact hours taken for the Program offered.

Adjournment No further business was discussed and the meeting adjourned at 3:13 p.m.

Minutes recorded by: Michelle Hornaday, Board Support Specialist
Minutes reviewed and edited by: Adrienne Price, Executive Director
Minutes approved on: June 19, 2019

BECKEY MALPHUS, DVM
BOARD CHAIRPERSON

ADRIENNE PRICE
EXECUTIVE DIRECTOR