

GEORGIA STATE BOARD OF VETERINARY MEDICINE
Board Teleconference Minutes
Wednesday, April 29, 2020 – 9:30 a.m.

The Georgia State Board of Veterinary Medicine met via teleconference on Wednesday, April 29, 2020. The following members were present:

Board Members Present

Dr. Larry Corry, DVM, Chair
Dr. Henry Bohn, DVM, Vice Chair
Dr. Beckey Malphus, DVM, Board Member
Dr. Wendy Cuevas, DACVPM, Board Member
Dr. Matthew Bradley, DVM, Board Member
Mr. Thomas Culpepper, Consumer Board Member

Staff Present

Adrienne Price, Executive Director
Michelle Hornaday, Board Support Specialist
Charlotte Mason, Licensing Supervisor

Attorney General's Office

Betsy Cohen, Assistant Attorney General

Board Members Absent

No members absent.

Visitors Present

Dr. Doris Miller, DVM, Department of Pathology, State Government Relations, UGA College of Veterinary Medicine
Dr. Jill Lancaster, DVM, President, Georgia Veterinary Medical Association (GVMA)
Betsy Choder, VET Counsel
Cheryl Kennedy, Director of Continuing Education, UGA College of Veterinary Medicine
Susan Blevins, Executive Director, Georgia Veterinary Medical Association (GVMA)

Call to Order: Dr. Corry established that a quorum of the Board was present and called the meeting to order at 9:34 a.m.

OPEN SESSION

Agenda

Dr. Bohn motioned, Dr. Malphus seconded and the Board voted unanimously in favor of the motion to accept the agenda as presented.

Open Session Board Minutes

1. March 24, 2020 Board Teleconference Minutes

Dr. Bohn motioned, Dr. Bradley seconded and the Board voted unanimously in favor of the motion to accept the March 24, 2020 open session Board teleconference minutes as presented.

2. April 28, 2020 Investigative Committee Meeting Minutes

Dr. Bohn motioned, Dr. Bradley seconded and the Board voted unanimously in favor of the motion to accept the April 28, 2020 open session investigative committee minutes as presented.

Licenses to Ratify – February 5, 2020 - April 22, 2020

Dr. Bohn motioned, Dr. Bradley 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 – LEAP Live Webinar for In-Person Credit, Cheryl Kennedy, UGACVM Director of Continuing Education

Dr. Malphus motioned, Dr. Bohn seconded and the Board voted unanimously in favor of the motion to accept LEAP interactive webinars as in-person CE pending approval by the Governor's Office and posting of the emergency rule.

Correspondence – Clinical and Continuing Education Requirements – Kenichiro Yagi, MS, RTV, VTS (ECC) (SAIM), NAVTA President

Dr. Malphus motioned, Dr. Bohn seconded and the Board voted unanimously in favor of the motion to refer the writer to submit the query to the Division Director as the request involves statutory requirements which are not under the Board's authority to circumvent.

Correspondence – U.S. Citizenship and Immigration Services (USCIS) Temporarily Closing Offices to the Public March 18-April 1

The Board accepts the correspondence regarding USCIS, as information.

Correspondence – Is the Board Relaxing the VCPR – Dr. Mary Aboko-Cole, DVM

Dr. Bradley motioned, Dr. Bohn seconded and the Board voted unanimously in favor of the motion to table further discussion for Executive Session.

Correspondence – Telemedicine during the COVID Crises

1. Leticia Dantas, DVM, MS, PhD, UGACVM

Dr. Bohn motioned, Dr. Bradley seconded and the Board voted unanimously in favor of the motion to table discussion for Executive Session.

2. Lee Greenwood, Esq., Legislative Attorney for Best Friends Animal Society

The Board accepts the correspondence from Lee Greenwood, Esq., Legislative Attorney for Best Friends Animal Society, as information.

Correspondence – Request for the Board to Restrict Veterinary Practice – Dr. Brad Cooke, DVM - FYI

The Board accepts the correspondence in reference to restricting veterinary practice, as information, determining that no additional correspondence is necessary as the appropriate response was generated by the Executive Director.

Discussion – Board Rule 700-7-0.1-.03 Emergency Rule on Continuing Veterinary Education

Upon finding that the coronavirus pandemic is of imminent peril to the public health, safety, and welfare; and, upon Governor Kemp's Executive Order declaring a public health emergency in the state of Georgia; and based upon the fact that in-person continuing education seminars have been canceled leaving little time for licensees to meet renewal requirements, Dr. Bohn motioned, Dr. Malphus seconded and the Board voted unanimously in favor of the motion to adopt Board Rule 700-7-0.1-.03 Emergency Rule on Continuing Veterinary Education as presented below and promptly refer the amendment to the Governor's Office for review.

The formulation and adoption of this rule does not impose excessive regulatory cost on any licensee; and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-1-25, 43-50-2, 43-50-21, 43-50-40, 43-50-52. Additionally, it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-1-25, 43-50-2, 43-50-21, 43-50-40, 43-50-52 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3)(A), (B), (C), and (D). The formulation and adoption of this rule will impact every licensee in the same manner and each licensee is independently licensed in the field of veterinary medicine.

Rule 700-7-0.1-.03. Emergency Rule on Continuing Veterinary Education

Due to the State of Emergency regarding COVID-19, licensees who apply to renew licenses expiring December 31, 2020, may obtain all continuing education hours online in order to satisfy the continuing education requirements outlined within Rule 700-7-.03.

Authority: O.C.G.A. §§ 43-1-25, 43-50-2, 43-50-21, 43-50-40, 43-50-52, and 50-13-4(b)

Discussion – American Association of Veterinary State Boards (AAVSB)

- 1. Call for Nominations**
- 2. Online License Verifications**

The Board accepts the correspondence in reference to AAVSB, as information.

Discussion – Concessions for Education During Declared Emergencies or Disasters

The Board accepts the correspondence in reference to concessions for education during declared emergencies or Disasters, as information.

Discussion – Newsletter Information from Publishing Concepts, Inc. – David Brown, President

The Board accepts the correspondence in reference to Publishing Concepts, 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:

- Electronic Submission of Graduation Data in Lieu of Transcript
- Georgia General Assembly Proposed Amendments, particularly HB 886 and requested the Board’s input concerning costs associated with a veterinarian implementing the provisions of this bill, should it be signed into law, that may be shared with the Secretary of State.

Dr. Bohn motioned, Mr. Culpepper seconded and the Board voted unanimously in favor of the motion to accept the Executive Director’s report as presented and requested that GVMA attempt to respond to Ms. Price’s request for a cost analysis associated with a veterinarian implementing the bill.

Dr. Malphus requested that Ms. Price email a reminder regarding the cost analysis to the Board and for Dr. Cuevas to provide the information to the Executive Board of the GVMA for their input.

Board Chair’s Report – L. Corry, DVM

No report presented.

Miscellaneous Discussion – A Word of Appreciation – La Trenda Tyler-Jones, Division Director, Professional Licensing Boards Division, Georgia Secretary of State

The Board accepts the correspondence from the Division Director, as information.

Dr. Malphus made a motion, Dr. Bradley 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 investigative reports, pending cases and enforcement matters and to receive the Assistant Attorney General’s report. Voting in favor of the motion were those present who included: Dr. Corry, Dr. Malphus, Dr. Bohn, Dr. Cuevas, Dr. Bradley and Mr. Culpepper.

At the conclusion of Executive Session on Wednesday, April 29, 2020, 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

Discussion – VCPR in Board Rule 700-8-.01(d)(2)(i)

Upon finding that the coronavirus pandemic is of imminent peril to the public health, safety, and welfare; and, upon Governor Kemp’s Executive Order declaring a public health emergency in the state of Georgia; and based upon the and the fact that shelter-in-place mandates and recommended safety precautions for immunocompromised clients may make it unfeasible for the client to bring their animal patient to the veterinarian for an annual examination, Dr. Bradley motioned, Dr. Bohn seconded and the Board voted unanimously in favor of the motion to adopt Board Rule 700-8-0.2-.01 Emergency Rule on Unprofessional Conduct as presented below and promptly refer the amendment to the Governor’s Office for review.

The formulation and adoption of this rule does not impose excessive regulatory cost on any licensee; and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-1-25, 43-50-2, 43-50-21, 43-50-40, 43-50-52. Additionally, it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-1-25, 43-50-2, 43-50-21, 43-50-40, 43-50-52 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3)(A), (B), (C), and (D). The formulation and adoption of this rule will impact every licensee in the same manner and each licensee is independently licensed in the field of veterinary medicine.

Rule 700-8-0.2-.01. Emergency Rule on Unprofessional Conduct.

[During the State of Emergency regarding COVID-19 and up to 120 days thereafter, Rule 700-8-.01\(d\)\(2\)\(i\)’s requirement that a veterinarian has examined the animal within the last twelve \(12\) months in order to establish a VCPR, shall be extended to a period of eighteen \(18\) months. The remainder of the rule shall remain in effect.](#)

[Authority: O.C.G.A. §§ 43-1-25, 43-50-2, 43-50-21, 43-50-40, 43-50-52, and 50-13-4\(b\)](#)

Correspondence – Is the Board Relaxing the VCPR – Dr. Mary Aboko-Cole, DVM

Dr. Bohn motioned, Dr. Bradley seconded and the Board voted unanimously in favor of the motion to notify the writer that the Board voted to refer an emergency rule on VCPR to the Attorney General’s Office for review. It is recommended that the writer monitor the Board website for new rule postings, if approved.

Correspondence – Telemedicine during the COVID Crises

1. Leticia Dantas, DVM, MS, PhD, UGACVM

Dr. Bohn motioned, Dr. Bradley seconded and the Board voted unanimously in favor of the motion to notify the writer that the Board sympathizes with their situation during this pandemic, but the VCPR cannot be established solely by electronic means.

Executive Session Board Minutes

- 1. March 24, 2020 Board Teleconference Minutes**
- 2. April 28, 2020 Investigative Committee Executive Session Meeting Minutes**

Dr. Bohn motioned, Dr. Bradley seconded and the Board voted unanimously in favor of the motion to accept the March 24, 2020 executive session Board teleconference minutes and the April 28, 2020 open session investigative committee minutes as presented.

Attorney General's Report – B. Cohen

Dr. Bohn motioned, Mr. Culpepper seconded and the Board voted unanimously in favor of the motion to accept the Attorney General's report as presented.

Miscellaneous Executive Discussion – VET200035

Dr. Bradley motioned, Dr. Bohn seconded and the Board voted unanimously in favor of the motion to rescind the previous motion to refer to the Attorney General's Office, and refer to Investigations as discussed.

Investigative Committee Report – B. Malphus, DVM

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

- VET170036** Close the case with a Letter of Concern.
- VET190092** Table for pending results of Peer Review.
- VET180013** Close the case with a Letter of Concern.
- VET180013** Close the case with a Letter of Concern.
- VET180079** Table pending further investigation.
- VET190103** Close the case, no action.
- VET200005** Dr. Bohn motioned, Dr. Bradley seconded and the Board voted unanimously in favor of the motion to refer to the Attorney General's Office for a Public Consent Order and reprimand for unprofessional conduct for a failure to conform to the minimal standards of acceptable and prevailing veterinary medical practice with terms and conditions as discussed.
- VET170076** Table pending further investigation.
- VET190092** Table pending further investigation.
- VET190096** Schedule for an Investigative Interview.
- VET200045** Close the case with a Letter of Concern.
- VET200056** Schedule for an Investigative Interview.
- VET200065** Schedule for an Investigative Interview.

Applications for Board Review

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

- Applicant 2852027** Issue the license with a Letter of Concern regarding false attestation on application, unprofessional conduct and criminal history.

- Applicant 2863637** Issue the license with a Letter of Concern regarding criminal history and unprofessional conduct.
- Applicant 2818320** Deny based on a failure to meet statutory requirements for licensure [O.C.G.A. § 43-50-52(d)].
- Applicant 2860607** Issue the license with a Letter of Concern regarding disciplinary action in other jurisdictions.
- Applicant 2841516** Reinstate the license.

Dr. Malphus left the meeting at 12:21 p.m.

Adjournment No further business was discussed and the meeting adjourned at 12:37 p.m.

Minutes recorded by: Michelle Hornaday, Board Support Specialist
Minutes reviewed by: Charlotte Mason, Licensing Supervisor & Adrienne Price, Executive Director
Minutes approved on: June 17, 2020

LARRY CORRY, DVM
BOARD CHAIRPERSON

ADRIENNE PRICE
EXECUTIVE DIRECTOR