

GEORGIA STATE BOARD OF VETERINARY MEDICINE
Board Teleconference Minutes
Wednesday, August 12, 2020 – 9:30 a.m.

The Georgia State Board of Veterinary Medicine met via teleconference on Wednesday, August 12, 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-Espelid, 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

Mary Brannen, Assistant Attorney General

Board Members Absent

No members absent.

Visitors Present

Dr. Meghan Younkin
Dr. Jill Lancaster, DVM, President, Georgia Veterinary Medical Association (GVMA)
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. Bradley seconded and the Board voted unanimously in favor of the motion to accept the agenda as presented.

Open Session Board Minutes

1. June 17, 2020 Board Teleconference Minutes

Dr. Bohn motioned, Dr. Bradley seconded and the Board voted unanimously in favor of the motion to accept the June 17, 2020 open session Board teleconference minutes as presented.

2. August 11, 2020 Investigative Committee Meeting Minutes

Dr. Bohn motioned, Dr. Bradley seconded and the Board voted unanimously in favor of the motion to accept the August 11, 2020 open session investigative committee minutes as presented.

Licenses to Ratify – June 10, 2020 – August, 5, 2020

Dr. Bohn motioned, Mr. Culpepper 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.

Discussion – International Council for Veterinary Assessment (ICVA) – Fall Testing Window Extended

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

Discussion – American Association of Veterinary State Boards (AAVSB)

1. **Board Basics and Beyond Rescheduled to April 23-24, 2021**
2. **Topics to Discuss - Virtual Annual Meeting**

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

Discussion – CE Provider Program Application

Dr. Malphus motioned, Dr. Bradley seconded and the Board voted unanimously in favor of the motion to refer the CE Provider application to Dr. Cuevas for the purpose of making amendments to the application instructions, and to submit her draft to the full Board at their next meeting, October 21, 2020.

Discussion – 2021 Board Meeting Dates – All meetings to begin at 9:30 a.m.

1. Board Meeting Dates

Wednesday, February 10, 2021
Wednesday, April 14, 2021
Wednesday, June 23, 2021
Wednesday, August 25, 2021
Wednesday, October 20, 2021
Wednesday, December 8, 2021

2. Investigative Committee Meeting Dates

Tuesday, February 9, 2021
Tuesday, April 13, 2021
Tuesday, June 22, 2021
Tuesday, August 24, 2021
Tuesday, October 19, 2021
Tuesday, December 7, 2021

Dr. Malphus motioned, Dr. Bohn seconded and the Board voted unanimously in favor of the motion to accept the 2021 Board Meeting Dates as presented.

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:

- Georgia General Assembly
- Potential Changes Due to Budget Cuts
- ICVA Contract for Species Specific Exam

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.

Board Chair’s Report – L. Corry, DVM

No report presented.

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. Bohn, Dr. Malthus, Dr. Cuevas, Dr. Bradley and Mr. Culpepper.

At the conclusion of Executive Session on Wednesday, August 12, 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

Scheduled Board Interview

11:00 VET200043

Dr. Bradley motioned, Dr. Bohn seconded and the Board voted unanimously in favor of the motion to uphold the previous motion.

Executive Session Board Minutes

1. June 16, 2020 Executive Board Teleconference Minutes
2. August 11, 2020 Investigative Committee Executive Session Minutes

Dr. Bohn motioned, Dr. Bradley seconded and the Board voted unanimously in favor of the motion to accept the June 16, 2020 executive session Board teleconference minutes and the August 11, 2020 executive session investigative committee minutes as presented.

Attorney General's Report – M. Brannen

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

Investigative Committee Report – B. Malphus, DVM

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.

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| VET190082 | Issue a Mitigating Circumstances Letter with terms and conditions as discussed. |
| VET200033 | Close the case with a Letter of Concern regarding surgical patients. |
| VET170012 | Close the case, no action. |
| VET170046 | Issue a Mitigating Circumstances Letter with terms and conditions as discussed for Respondent #1. Close the case, no action for Respondent #2. |

Mr. Culpepper left the meeting at 11:10 a.m. with a quorum of the Board still present.

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| VET170055 | Close the case, no action. |
| VET170056 | Investigative Interview. |
| VET170058 | Close the case with a Letter of Concern regarding medication management. |
| VET170061 | Table pending additional investigation. |
| VET180005 | Close the case with a Letter of Concern regarding professional conduct. |
| VET190054 | Close the case with a Letter of Concern regarding client communication. |
| VET200034 | Table pending additional investigation. |
| VET200054 | Table pending additional investigation. |
| VET200083 | Table pending additional investigation. |
| VET200052 | Close the case with a Letter of Concern regarding euthanasia certification. |
| VET200053 | Investigative Interview. |
| VET200077 | Close the case, no action. |
| VET200082 | Close the case with a Letter of Concern regarding boarding patients. |

VET200086 Table pending additional investigation.
 VET200089 Close the case, no action.
 VET190028 Table pending additional investigation.
 VET200105 Close the case, no jurisdiction.
 VET210002 Close the case, no action.
 VET180048 Refer to Attorney General's Office for Hearing for Revocation or a Voluntary Surrender for violation of a Public Consent Agreement.
 VET200065 Close the case, no action.
 VET200064 Issue a Mitigating Circumstances Letter with terms and conditions as discussed.
 VET180033 Table pending additional investigation.
 VET210004 Close the case due to no jurisdiction.

Miscellaneous Executive Discussion

1. VET190011

Dr. Bradley motioned, Dr. Bohn seconded and the Board voted unanimously in favor of the motion to grant the Respondent's request to terminate hair follicle testing and to reduce the frequency of random urine drug screens to quarterly. Notify the Respondent that the Board is pleased with their compliance and encourages them to continue the good work.

2. Board Rules

The Board discussed amending Board Rule 700-7-02 Reinstatement of Expired Licenses and Rule 700-7-03 Continuing Veterinary Education. The amendments are to ensure that the Board Rules are aligned with the statute, up to date by removing repetitive language and serve to prevent any errors in judgment.

- a) BR 700-7-.02. Reinstatement of Expired Licenses

The Board reviewed the proposed amendments and made recommendations to change Board Rule 700-7-02 in order provide clarity to licensees regarding the reinstatement of expired licenses.

Rule 700-7-.02. Reinstatement of Expired Licenses

- (1) ~~Any veterinary or veterinary technician license issued by the Board which has not been renewed by the end of the March 31st established late renewal period shall be administratively lapsed for failure to renew. Such failure to renew shall have the same force and effect as a revocation of said license as provided in Sec. 43-1-19(1) of the Official Code of Georgia Annotated. Licenses that have been administratively lapsed for failure to renew may, in the Board's discretion, must be reinstated; and, as a condition thereof, the Board may impose any disciplinary or corrective method provided by law at the Board's discretion.~~
- (2) For purposes of this regulation, the administrative lapsing of license for failure to renew shall not be treated as a disciplinary action or contested case.
- (3) ~~Any licensed veterinarian or veterinary technician who fails to renew said license for a period of three years or more shall be required, before reinstatement of said license, to submit an application for reinstatement, including~~ To return a license to active status, an individual shall submit a complete application for reinstatement, which shall include, but may not be limited to, the following:
 - (a) ~~a~~ A detailed resume of such licensee's the applicant's work experience since the date said the license was last renewed and in good standing.
 - (b) ~~Applicants for reinstatement must submit p~~ Proof of having completed completion of continuing education within the two years prior to seeking reinstatement as follows:
 - 1) Veterinarians and veterinary faculty must submit proof of having completed a minimum of thirty (30) hours of Board approved continuing education as required in Board Rule 700-7-.03; and,

~~2) veterinarian Veterinary technicians must submit proof of having completed a minimum of ten (10) hours of Board approved continuing education as required in Board Rule 700-7-.04. An applicant for reinstatement who has been practicing outside of the State of Georgia must furnish verification of licensure from all recognized licensing jurisdictions where the applicant is or has been licensed to practice veterinary medicine or veterinary technology.~~

~~(c) An applicant for reinstatement who has been practicing outside of the State of Georgia must furnish verification of licensure from all recognized licensing jurisdictions where the applicant is or has been licensed to practice veterinary medicine or veterinary technology.~~

~~(4) A reinstatement applicant may be required to retake the national examination or a species specific examination if the applicant has not engaged in the active practice of veterinary medicine within the past 5 years. In the application, an applicant seeking reinstatement as a veterinarian or veterinary technician shall be required to answer, under oath, whether the applicant has had any license issued to the applicant revoked, suspended or otherwise sanctioned by any board or agency in Georgia or any other state; and whether the applicant was denied issuance of or, pursuant to disciplinary proceedings, refused renewal of a license by any board or agency in Georgia or any other state. The applicant shall provide the name of the board or agency which revoked suspended, denied, refused renewal of, or otherwise sanctioned the license.~~

~~(5) An applicant seeking reinstatement of a veterinarian or veterinary license shall be required to answer, under oath, whether the applicant has been convicted of a misdemeanor or felony (other than minor traffic violations), or entered a plea of guilty, nolo contendere, or under "First Offender Act."~~

~~(6) Upon evaluation of Applicant's application and other information, the Board may reinstate said license, or at its discretion may condition reinstatement of said license upon conditions acceptable to the Board.~~

Authority: O.C.G.A. §§ 43-1-19(a)(1), (2), (g), 43-1-25, 43-50-21, and 43-50-11043-50-40, 43-50-41(a)(1), 43-50-41(a)(2).

b) BR 700-7-.03. Continuing Veterinary Education

The Board reviewed the proposed amendments and made recommendations to change Board Rule 700-7-03 in order to provide clarification to continuing education requirements for veterinarians and veterinary faculty.

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:

Rule 700-7-.03. Continuing Veterinary Education

(a) General Requirements:

1. Each veterinarian and veterinary faculty member licensed to practice in the State of Georgia must obtain thirty (30) hours of Board approved continuing education per biennium for license renewal.
 - (i) Of the thirty (30) hours required, two (2) per renewal period must be acquired in Georgia laws, rules and professionalism, ~~one (1) of which must~~ may be acquired in person or by live, interactive webinars that include measures to ensure active participation throughout the course. 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; and
 - (ii) ~~Effective January 1, 2017, e~~Eighteen (18) of the thirty (30) hours must include scientific subject matter. Scientific subject matter includes all conventional medical and surgical sub-categories that are evidence based in addition to the science of diagnosis, treatment and prevention of disease as it relates directly to patients and includes a comprehensive range of the practice of veterinary medicine.

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 and veterinary faculty members 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~~ Veterinarians and veterinary faculty members 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 or a veterinary faculty member 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.
5. If documentation of continuing education is requested in conjunction with any audit and not received by the Board on or before the deadline date provided~~prior to the expiration date~~, the licensee will be subject to disciplinary action~~expire~~.
- ~~5.~~
- ~~6~~5. A veterinarian or veterinary faculty member may not carry over continuing education credits from one biennium license renewal period to the next.
- ~~7~~6. Each veterinarian or veterinary faculty member 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.
- ~~8~~7. Veterinarians or veterinary faculty members 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. ~~Blanket approval does not apply to any continuing education programs on Georgia laws, rules and professionalism.~~
2. Blanket approval does not apply to any continuing education programs on Georgia laws, rules and professionalism (LEAP). All continuing education courses on Georgia laws, rules and professionalism (LEAP) courses and ~~or any other (non-LEAP) continuing education course~~ which is not offered by a blanket approved organization must be awarded Board approval before the course is offered.
3. Providers may be awarded Board approval for a continuing education course by submitting the following for consideration by the Board:
 - (i) A continuing education application form;
 - (ii) A detailed course outline or syllabus;
 - (iii) A current curriculum must be provided for each speaker or lecturer;
 - (iv) The procedure to be used for recording attendance; and,
 - (v) The number of continuing education hours for which the course sponsor

requests approval.

4. In addition to the LEAP requirements, the remaining 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) 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) A maximum of twelve (12) hours will be allowed per calendar day.
 - (iv) A maximum of six (6) hours for veterinarians can be acquired through in house training at the licensees' place of employment.
 - (v) A maximum of ten (10) hours can be acquired through in house training for veterinary faculty at AVMA accredited institutions. For the purposes of this rule, "in house training" refers to programs that are only offered to employees of the institution.
 - (vi) A maximum of three (3) hours can be acquired by licensees who conducted peer reviews for the Board.
 - (vii) Two (2) hours of continuing education credit per lecture for a subject area, regardless of the number of times the licensee presents the course, for a maximum of five different subjects.

(c) Continuing Education Audit:

1. During the renewal period, the Board staff will randomly select ~~up to 25%~~ a percentage of its licensees to audit for continuing education compliance.
2. 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 to include the date and time each individual course was offered;
- (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 shall submit a current Program Approval Form for each program presented to include all program materials requested. These forms must be complete and should be submitted 60 days in advance in order to be considered by the Board.

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

Authority: O.C.G.A. §§ ~~43-1-25, 43-50-2, 43-50-21, 43-50-40, 43-50-52.~~

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.

Amended: F. May 26, 2017; eff. June 15, 2017.

Amended: F. Mar. 16, 2018; eff. Apr. 5, 2018.

Dr. Bradley motioned, Dr. Bohn seconded and the Board voted unanimously in favor of the motion to refer BR 700-7-.02. Reinstatement of Expired Licenses and BR 700-7-.03. Continuing Veterinary Education to the Attorney General's Office for final authority and if no objections, vote to post.

3. VET200044

Dr. Bohn motioned, Dr. Bradley seconded and the Board voted unanimously in favor of the motion to grant the request to remove the supervised practice requirement from the terms of the proposed Consent Order for Reinstatement of Licensure and to accept the Order as presented upon receipt.

Applications for Board Review

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

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| Applicant 2879688 | Issue license. |
| Applicant 2867305 | Issue license with Letter of Concern regarding professional conduct and criminal history. |
| Applicant 2884472 | Issue license. |
| Applicant 2869755 | Issue license with Letter of Concern regarding professional conduct and criminal history. |
| Applicant 2870196 | Issue license with Letter of Concern regarding false attestation on application and disciplinary action by another jurisdiction. |

Reinstatement

Applicant 2854901 Issue license.

Adjournment No further business was discussed and the meeting adjourned at 12:03 p.m.

Minutes recorded by: Michelle Hornaday, Board Support Specialist

Minutes reviewed by: Charlotte Mason, Licensing Supervisor & Adrienne Price, Executive Director

Minutes approved on: September 2, 2020

LARRY CORRY, DVM
BOARD CHAIRPERSON

ADRIENNE PRICE
EXECUTIVE DIRECTOR