

GEORGIA STATE BOARD OF VETERINARY MEDICINE
Board Zoom Meeting Minutes
Wednesday, October 20, 2021 – 9:30 a.m.

The Georgia State Board of Veterinary Medicine met via Zoom meeting on Wednesday, October 20, 2021. The following members were present:

Board Members Present

Dr. Beckey Malphus, DVM, Chair
Dr. Wendy Cuevas, DACVPM, Vice Chair
Dr. Larry Corry, DVM, Board Member
Dr. Matthew Bradley, DVM, Board Member
Dr. William Wright, DVM, Board Member
Ms. Jessica Sewell, RVT
Mr. Thomas Culpepper, Consumer Board Member

Staff Present

Adrienne Price, Executive Director
Charlotte Mason, Licensing Supervisor
Amanda Baggett, Licensing Analyst

Attorney General's Office

Mary Brannen, Assistant Attorney General

Administrative Staff Absent

Michelle Hornaday, Board Support Specialist
Meagan Doss, Complaints/Compliance Analyst

Board Members Absent

No members absent.

Visitors Present

Dr. Keri Riddick, DVM
Susan Blevins, Executive Director, Georgia Veterinary Medical Association (GVMA)
Samantha Chessie

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

OPEN SESSION

Agenda The Board voted to accept the meeting agenda as presented.

Open Session Board Minutes

1. August 25, 2021 Board Zoom Meeting Minutes

Dr. Bradley motioned, Dr. Wright seconded and the Board voted unanimously in favor of the motion to accept the August 25, 2021 Board Zoom Meeting Minutes as presented.

2. October 19, 2021 Investigative Committee Zoom Meeting Minutes

Mr. Culpepper motioned, Ms. Sewell seconded and the Board voted unanimously in favor of the motion to accept the October 19, 2021 Investigative Committee Zoom Meeting Minutes as presented.

Licenses to Ratify: August 18, 2021 – October 13, 2021

Dr. Bradley motioned, Dr. Wright 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 – Continuing Education Requirements Veterinary Technicians - Laura K. Frazier, BA, AAT, RVT

Ms. Sewell motioned, Dr. Wright seconded and the Board voted unanimously in favor of the motion to notify the writer that BR 700-7-.03(3)(iv) is relevant to employees of AVMA accredited institutions, and if the course includes that which is required in BR 700-7-.03(3)(i), and meets all other rule requirements, it will be accepted by the Board.

Discussion – American Veterinary Medical Association (AVMA)

- 1. September 2021 – Watchdog Tracking Report**
- 2. Meet Your Leadership**
- 3. NIFA Veterinary Medicine Loan Repayment Program (VMLRP) – Part 1**
- 4. 2021 National Institute of Food & Agriculture_ Veterinary Services Grant Program (VSGP) Fact Sheet – Part 2**
- 5. VMLRP Fact Sheet_ 2021 – Part 3**
- 6. VMLRP Shortage Situation Nomination Form – Part 4**
- 7. Mandatory Use of DEA Single Sheet 222 Order Forms**

The Board accepts the correspondence in reference to AVMA as information and requested the Executive Director add the information from the National Institute of Food & Agriculture to the website.

Discussion – Governor Active Supervision Certificates Signed

- 1. BR 700-7-0.3-.03. Emergency Rule on Continuing Veterinary Education –_21-08-006**

The Board accepts the correspondence in reference to BR 700-7-0.3-.03. Emergency Rule on Continuing Veterinary Education_21-08-006, as information.

- 2. BR 700-8-.01 Unprofessional Conduct_ 21-07-002**
- 3. BR 700-12-.08 Surgical Standards_ 21-07-003**
- 4. BR 700-12-.09 Examination Area_ 21-07-004**
- 5. BR 700-12-.11 Patient Care_ 21-07-005**

Ms. Sewell motioned, Dr. Wright seconded and the Board voted unanimously in favor of the motion to refer The Governor Active Supervision Certificates – Signed for BR 700-8-.01 Unprofessional Conduct_ 21-07-002, BR 700-12-.08 Surgical Standards_ 21-07-003, BR 700-12-.09 Examination Area_ 21-07-004, and BR 700-12-.11 Patient Care_ 21-07-005, to the Rules Committee to review and thoroughly address the overall impact of the rule amendments to submit to the Governor’s office for review.

International Council for Veterinary Assessment (ICVA)

- 1. In Focus Newsletter**
- 2. 2021 Report to Licensing Boards**

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

Petitions for Rule Waiver

- 1. RULWVR BR 700-7-.03 Catherine Lane, Zoetis Pet Care**

Dr. Cuevas motioned, Dr. Wright seconded and the Board voted unanimously in favor of the motion to grant the petition to waive BR 700-7-.03 based on sufficient evidence to substantiate a substantial hardship.

Dr. Wright motioned, Dr. Bradley seconded and the Board voted unanimously in favor of the motion to refer BR 700-7-.03 to the Rules Committee to review the 60-day requirement for program application submissions and the potential for assessing a late fee for any course received inside of that timeframe. The committee may consider amending the rule to include a provision for blanket approval of the late applications which meet the requirements, provided that the application is received during a specified period of time and the fee is submitted.

2. RULWVR BR 700-7-.03(d)(7) & BR 700-7-.04(d)(7) Michelle Goodnight, DVM

Dr. Bradley motioned, Dr. Wright seconded and the Board voted unanimously in favor of the motion to grant the petition to waive BR 700-7-.03(d)(7) & BR 700-7-.04(d)(7) based on sufficient evidence to substantiate a substantial hardship.

Board Member Elections

1. Chairperson

Dr. Bradley motioned, Dr. Wright seconded and the Board voted unanimously in favor of the motion to elect Dr. Cuevas as the Board's Chair.

2. Vice Chairperson

Dr. Malphus motioned, Dr. Wright seconded and the Board voted unanimously in favor of the motion to elect Dr. Bradley as the Board's Vice Chairperson.

3. CE Cognizant

Dr. Malphus motioned, Dr. Wright seconded and the Board voted unanimously in favor of the motion to elect Ms. Jessica Sewell as the Board's CE Cognizant.

4. Application Cognizant

Dr. Bradley motioned, Ms. Sewell seconded and the Board voted unanimously in favor of the motion to elect Dr. William Wright as the Board's Application Cognizant.

5. Investigative Committee

Dr. Bradley motioned, Mr. Culpepper seconded and the Board voted unanimously in favor of the motion to re-elect Dr. Larry Corry, Dr. Beckey Malphus, and Dr. Wendy Cuevas to the Investigative Committee and to elect Ms. Jessica Sewell as an Alternate Committee Member.

Dr. Bradley motioned, Dr. Wright seconded and the Board voted unanimously in favor of the motion to re-elect Dr. Larry Corry as the Chairman of the Investigative Committee.

6. Rules Committee

Dr. Corry motioned, Ms. Sewell seconded and the Board voted unanimously in favor of the motion to re-elect Dr. Beckey Malphus, Dr. Matthew Bradley, and Dr. William Wright to the Rules Committee.

Dr. Bradley motioned, Dr. Corry seconded and the Board voted unanimously in favor of the motion to re-elect Dr. Bradley as the Chairman of the Rules Committee.

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:

- GaPHP Agreement
- Competency Exam for Veterinary Technicians Re-entering Practice
- CE Application Process
- Changes at the Office

Dr. Bradley motioned, Dr. Wright seconded and the Board voted unanimously in favor of the motion to accept the Executive Director's report as presented and that the CE Application Process will incur a fee of \$50 per course.

Board Chair's Report – Dr. Beckey Malphus, DVM

No report presented.

Dr. Wright 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. Malphus, Dr. Corry, Dr. Bradley, Dr. Cuevas, Dr. Wright, Ms. Sewell, and Mr. Culpepper.

At the conclusion of Executive Session on Wednesday, October 20, 2021, 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. August 25, 2021 Executive Session Board Zoom Meeting Minutes**
- 2. October 19, 2021 Executive Session Investigative Committee Zoom Meeting Minutes**

Dr. Bradley motioned, Dr. Wright seconded and the Board voted unanimously in favor of the motion to accept the August 25, 2021 Board Executive Session Zoom Meeting Minutes, and the October 19, 2021 Executive Session Investigative Committee Zoom Meeting Minutes as presented.

Attorney General's Report – M. Brannen

- 1. AG MEMO VET160107**

Mr. Culpepper motioned, Dr. Bradley seconded and the Board voted unanimously in favor of the motion to accept the order as presented.

Dr. Corry motioned, Dr. Wright seconded and the Board voted unanimously in favor of the motion to accept the Attorney General's Report as presented.

Legal Services Memo – Requests for Reconsideration

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

- 1. VET220027** Uphold previous decision.
- 2. VET220043** Rescind the previous motion and issue license.

Investigative Committee Report – L. Corry, DVM

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

- VET210068** Close the case and renew the license.
VET200010 Issue a mitigating circumstance letter with terms and conditions as discussed. If terms and conditions met, close the case.
VET200055 Refer for Peer Review.

VET200067	Issue a mitigating circumstance letter with terms and conditions as discussed. If terms and conditions met, close the case. Renew the license.
VET200097	Schedule an Investigative Interview.
VET210038	Reschedule the Investigative Interview.
VET190028	Table pending additional investigation. Schedule an Investigative Interview.
VET200035	Close the case, insufficient evidence.
VET200066	Close with a letter of concern regarding client communication.
VET200088	Schedule an investigative interview with two Respondents as discussed.
VET200126	Request the Respondent to submit documentation as discussed. Schedule an investigative interview.
VET200128	Close the case.
VET210012	Close with a letter of concern regarding preparation to handle fracas and difficult animals with references to the Georgia Department of Public Health Rabies Control Manual.
VET210019	Close the case.
VET210051	Close the case.
VET210054	Close with a letter of concern regarding possible unlicensed practice with references to information concerning rabies vaccines.
VET210066	Close the case.
VET210086	Refer to the Attorney General's Office for a hearing for Cease and Desist Order.
VET210087	Refer to the Attorney General's Office for an Order for a Mental Physical Examination.
VET210094	Close the case.
VET210096	Close the case with a letter of concern regarding proper reporting protocols and recommendations as discussed.
VET210113	Close the case.
VET220003	Schedule an Investigative Interview.
VET220047	Refer to Investigations.

Dr. Bradley motioned, Ms. Sewell seconded and the Board voted unanimously in favor of the motion to accept the following recommendations made in Executive Session with amendments as discussed:

VET210053	Refer Respondent 1 to the Attorney General's Office for a hearing for cease and desist order. Refer Respondent 2 to the Attorney General's Office for a Public Consent Order with a \$500 fine and reprimand for aiding and abetting unlicensed practice. Must show proof of completion of two (2) hours of Continuing Education on the Georgia Veterinary Practice Act, specifically the scope of practice of veterinarians, veterinary technicians and veterinary assistants.
VET220042	Refer to Attorney General's Office to Mimic IN order. May petition to terminate upon completion of terms and conditions in IN.

Miscellaneous Executive Discussion

1. VET220043 Records Request

Ms. Sewell motioned, Dr. Cuevas seconded and the Board voted unanimously in favor of the motion to release the requested information to the Louisiana Board of Veterinary Medicine as requested.

2. VET190011 Petition for Termination of Order

Dr. Bradley motioned, Dr. Cuevas seconded and the Board voted unanimously in favor of the motion to terminate probation and restore the license to active status.

Applications for Board Review

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

Reinstatements

Applicant 2943331 Reinstatement of the license.

Applicant 2967294 Must complete the (2) hours of LEAP CE.

Applicant 2971246 Refer to Legal Services for a Private Consent Order for Reinstatement of Licensure with a fine of \$200 for unlicensed practice from April 04, 2021 – September 14, 2021. Fine must be paid in full within ninety (90) days of the docket date of the order, CE hours submitted 2021 to satisfy renewal cannot be used to meet the CE requirements for the biennium ending December 31, 2022. Flag for CE Audit.

Renewals

Applicant 29973 Refer to Legal Services for a Private Consent Order with a fine of \$200 for failure to meet CE requirements. Must complete 30 hours of board approved CE and pay the fine within 90 days of the docket date of the order. CE hours submitted satisfy the requirements of the order cannot be used to meet the CE requirements for the biennium ending December 31, 2022. Flag for CE Audit.

Adjournment No further business was discussed and the meeting adjourned at 12:40 p.m.

Minutes recorded by: Adrienne Price, Executive Director

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

Minutes approved on: December 8, 2021

BECKEY MALPHUS, DVM
BOARD CHAIRPERSON

ADRIENNE PRICE
EXECUTIVE DIRECTOR