

GEORGIA STATE BOARD OF VETERINARY MEDICINE
Board Zoom Meeting Minutes
Wednesday, February 8, 2023 – 9:30 a.m.

The Georgia State Board of Veterinary Medicine met via Zoom meeting on Wednesday, February 8, 2023. The following members were present:

Board Members Present

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

Staff Present

Adrienne Price, Executive Director
Michelle Hornaday, Board Support Specialist
Meagan Doss, Licensing Supervisor
Arin Megginson, Licensing & Complaints/Compliance Analyst
Toni Moore, Complaints/Compliance Analyst

Board Members Absent

No members absent.

Attorney General's Office

Mary Brannen, Senior Assistant Attorney General

Visitors Present

Barbara Bruigom, The Rescue Ranch
Claudine Wilkins, Wilkins Law
Susan Blevins, Director of Operations, Georgia Veterinary Medical Association (GVMA)
John Sundstrom, DVM

Call to Order: Dr. Bradley established that a quorum of the Board was present and called the meeting to order at 9:32 a.m.

OPEN SESSION

Agenda Dr. Corry motioned, Dr. Wright seconded, and the Board voted unanimously in favor of the motion to accept the meeting agenda as posted.

Open Session Board Minutes

1. December 14, 2022 Board Zoom Meeting Minutes

Ms. Sewell motioned, Dr. Wright seconded, and the Board voted unanimously in favor of the motion to accept the December 14, 2022 Board Zoom Meeting Minutes as presented.

2. January 26, 2023 Rules Committee Zoom Meeting Minutes

Dr. Malphus motioned, Mr. Culpepper seconded, and the Board voted unanimously in favor of the motion to accept the January 26, 2023 Rules Committee Zoom Meeting Minutes as presented.

3. February 7, 2023 Investigative Committee Zoom Meeting Minutes

Mr. Culpepper motioned, Ms. Sewell seconded, and the Board voted unanimously in favor of the motion to accept the February 7, 2023 Investigative Committee Zoom Meeting Minutes as presented.

Licenses to Ratify: December 7, 2022 – February 1, 2023

Mr. Culpepper 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.

Dr. Bradley recognized Dr. Malphus who noted how seamless this renewal cycle was this last biennium and that she appreciates the hard work by the staff of the Board office. She stated that one of her staff had a hiccup, but it was addressed and resolved quickly.

Correspondence – FDA Notice Regarding a Draft Update to Guidance For Industry (GFI) 152

Dr. Cuevas motioned, Dr. Malphus seconded, and the Board voted unanimously in favor of the motion to post the FDA Notice Regarding a Draft Update to Guidance For Industry (GFI) 152 to the Board website.

Correspondence – Comments for BR 700-12-.08 Surgical Standards

Dr. Malphus motioned, Mr. Culpepper seconded, and the Board voted unanimously in favor of the motion to accept the comments on BR 700-12-.08 Surgical Standards as information.

Discussion – American Association of Veterinary State Boards (AAVSB)

1. Mid-December Bulletin
2. FDA Notice Regarding Future Withdrawal of GFI #269
3. Board Basics & Beyond Registration Now Open
4. VetBoard Connect Session – FDA Guidance for Industry No. 263 and No. 256

The Board accepted the correspondence in reference to AAVSB as information.

Dr. Cuevas motioned, Dr. Malphus seconded, and the Board voted unanimously in favor of the motion to post the information regarding the FDA Guidance for Industry No. 263 and No. 256 to the Board website.

Discussion – International Council for Veterinary Assessment (ICVA) – In Focus Newsletter – December 2022

Dr. Corry motioned, Ms. Sewell seconded, and the Board voted unanimously in favor of the motion to accept the correspondence in reference to ICVA, as information.

Discussion – American Veterinary Medical Association (AVMA) – Council on Education Report of Accreditation Actions – November 2022

Dr. Corry motioned, Ms. Sewell seconded, and the Board voted unanimously in favor of the motion to accept the correspondence in reference to AVMA, as information.

Discussion – Georgia Professional Health Program, Inc. (Georgia PHP) – GSBVM Wellness Page

Dr. Corry motioned, Dr. Malphus seconded, and the Board voted unanimously in favor of the motion to accept the correspondence in reference to Georgia PHP, as information.

Dr. Cuevas motioned, Dr. Malphus seconded, and the Board voted unanimously in favor of the motion to edit the section title regarding Self-Reports and Adverse events to Georgia PHP, Self-Report and Adverse Event Guidelines on the Board website to make it more easily understood to the general public.

Discussion – HB 33 – State Board of Veterinary Medicine Independent State Agency with Department of Agriculture

At the request of the Board, Susan Blevins stated that HB 33 was read in the Georgia House of Representatives this morning, passed unanimously, and that it was referred to the House Rules Committee.

The Board accepted the correspondence and update in reference to HB 33 as information.

Discussion – Board Rule 700-12-.10. Radiology

1. Georgia Administrative Code 290-5-22-.04 X-Rays in the Healing Arts
2. VET Facility Inspection Form

Dr. Cuevas motioned, Dr. Corry seconded, and the Board voted unanimously in favor of the motion to refer Board Rule 700-12-.10. Radiology to the Rules Committee to determine if changes need to be made in an effort to provide more clear guidance on documentation for radiological equipment, and to determine if amendments should be made to the inspections form.

Discussion – Rules Committee Report – W. Wright

1. Rule 700-14-.04. Restrictions
2. Rule 700-14-.05. Credentials of Licensed Veterinary Technicians

Dr. Malphus motioned, Dr. Corry seconded, and the Board voted unanimously in favor of the motion to refer Rule 700-14-.04. Restrictions, and Rule 700-14-.05. Credentials of Licensed Veterinary Technicians as presented below to the Attorney General’s Office for a Memorandum of Authority and if not objections, vote to post.

Rule 700-14-.04. Restrictions

- (1) Nothing in this chapter shall be construed to permit a licensed veterinary technician to do the following:
 - (a) Make any diagnosis or prognosis;
 - (b) Prescribe any treatments, drugs, medications, or appliances;
 - (c) Perform surgery; or
 - (d) Administer a rabies vaccine to any official vaccinate.
 - (e) Identify himself or herself verbally or in writing with any status other than ‘licensed veterinary technician’ or ‘LVT’ in a professional setting.

Cite as Ga. Comp. R. & Regs. R. 700-14-.04

Authority: Authority O.C.G.A. Secs. [43-1-25](#), [43-50-3](#), [43-50-21](#), [43-50-24](#).

History. Original Rule entitled "Restrictions" adopted. F. Oct. 5, 2006; eff. Oct. 25, 2006.

Rule 700-14-.05. Credentials of Licensed Veterinary Technicians

- (a) A licensed veterinary technician shall use the word “licensed veterinary technician” or the abbreviation of “LVT” immediately following his or her name to designate licensure under Title 43, Chapter 50, Article 1-6 of the Official Code of Georgia Annotated.
- (b) A person or business entity and its employees, agents, or representatives shall not use in connection with that person’s name or the name or activity of the business entity the words “licensed veterinary technician,” the letters “LVT,” or any other words, abbreviations, or insignia indicating or implying, directly or indirectly, that a veterinary technician is provided or supplied, unless such services are provided by or under the direction of a licensed veterinary technician and the supervision of a veterinarian licensed in the State of Georgia.
- (c) A person or business entity shall not advertise or otherwise promote another person as being a “licensed veterinary technician” or “LVT” unless the individual so advertised or promoted is licensed in the State of Georgia.

Mr. Culpepper motioned, Dr. Malphus seconded, and the Board voted unanimously in favor of the motion to accept the rationale for the proposed amendments and new rule promulgation as presented by the Rules Committee in the January 26, 2023 Rules Committee Zoom Meeting Minutes.

Discussion – Proposed Administrative Licensing Policy

Dr. Malphus motioned, Dr. Wright seconded, and the Board voted unanimously in favor of the motion that the Board agrees to proceed with the formulation an administrative licensing policy specific to the Georgia State Board of Veterinary Medicine.

Discussion – Georgia Professional Regulation Reform Act (GPRRA) Active Supervision Decisions

- 1. BR 700-2-.02 Application for Licensure for Veterinarians**
- 2. BR 700-6-.01 Application for Veterinary Technician License**

The Board accepts the GPRRA Active Supervision Decisions as information.

Petitions for Rule Waiver – BR 700-6-.01 Darby Rose Brown

Dr. Wright motioned, Dr. Malphus seconded, and the Board voted unanimously in favor of the motion to deny the petition to waive BR 700-6-.01 based on insufficient evidence to substantiate a substantial hardship. May resubmit petition with additional information to include proof of education.

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:

- Annual Ethics Commission Affidavit of Public Officer Filings

Dr. Wright motioned, Dr. Malphus seconded, and the Board voted unanimously in favor of the motion to accept the Executive Director’s report as presented.

Board Chair’s Report – M. Bradley, DVM

No formal report was presented; however, Dr. Bradley thanked the staff for their hard work with the recent license renewal period.

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

At the conclusion of Executive Session on Wednesday, February 8, 2023, Dr. Bradley 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. December 14, 2022 Executive Session Board Zoom Meeting Minutes**
- 2. February 7, 2023 Executive Session Investigative Committee Zoom Meeting Minutes**

Ms. Sewell motioned, Dr. Wright seconded, and the Board voted unanimously in favor of the motion to accept the December 14, 2022 Executive Session Board Zoom Meeting Minutes and the February 7, 2023 Executive Session Investigative Committee Zoom Meeting Minutes as presented.

Attorney General's Report – M. Brannen

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

Legal Services MEMO – Cases for Closure Due to Unresponsiveness

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

1. VET230007

Refer to the Attorney General's Office for a Private Consent Order for License Renewal with a fine of \$500 and completion of thirty (30) hours CE which must include two (2) LEAP CE hour. Proof of completion of the CE hours must be submitted and the fine paid in full within ninety (90) days of the docket date of the order, CE hours submitted to satisfy the terms of the order cannot be used to meet the CE requirements for the biennium ending December 31, 2024. Flag for CE Audit.

2. VET230006

Refer to the Attorney General's Office for a Private Consent Order for License Renewal with a fine of \$250 and completion of ten (10) hours CE which must include one (1) LEAP CE hour. Proof of completion of the CE hours must be submitted and the fine paid in full within ninety (90) days of the docket date of the order, CE hours submitted to satisfy the terms of the order cannot be used to meet the CE requirements for the biennium ending December 31, 2024. Flag for CE Audit.

3. VET220024

Refer to the Attorney General's Office for a Private Consent Order for License Renewal with a fine of \$500 and completion of thirty (30) hours CE which must include two (2) LEAP CE hours. Proof of completion of the CE hours must be submitted and the fine paid in full within ninety (90) days of the docket date of the order, CE hours submitted to satisfy the terms of the order cannot be used to meet the CE requirements for the biennium ending December 31, 2024. Flag for CE Audit.

Investigative Committee Report – L. Corry, DVM

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

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| VET220097 | Reschedule Investigative Interview |
| VET230009 | Close the case with a Letter of Concern regarding professional conduct. |
| VET170009 | Close the case. |
| VET180045 | Close the case, if the Respondent attempts to reinstate, require full Board review. |
| VET200134 | Close the case. |
| VET210001 | Close the case. |
| VET210031 | Close the case. |
| VET220047 | Close the case with a Letter of Concern. |
| VET220049 | Close the case. |
| VET220061 | Close the case. |
| VET220063 | Close the case. |
| VET220064 | Close with a Letter of Concern. |

VET220065 Close the case.
 VET220079 Close the case, standard of care was met.
 VET220140 Close with a Letter of Concern.
 VET230011 Close the case.
 VET230012 Close the case.
 VET230019 Close the case with a Letter of Concern.
 VET230023 Close the case, standard of care was met.
 VET230038 Close the case, standard of care was met.
 VET230042 Close the case with a Letter of Concern. Renew the license.
 VET210065 Close the case due to lack of evidence.
 VET210090 Close the case due to lack of evidence.

Miscellaneous Executive Discussion – VET230085

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

Applications for Board Review

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

Initial Applications

Applicant 3062397 Refer to Legal Services for a Public Consent Order for License Renewal with a fine of \$500 for failure to disclose action in another jurisdiction on the renewal application. Fine must be paid within 90 days of the docket date of the order. Flag for CE Audit.

Applicant 3062394 Issue license with a Letter of Concern regarding disciplinary action in another jurisdiction.

Arrests

VET230088 Renew the license with a Reservation of Rights letter. Must provide a certified copy of the final disposition within ten (10) days of adjudication.

VET230064 Refer to Legal Services for a Public Consent Order for License Renewal with a fine of \$500 for failure to disclose entering treatment for drugs. Fine to be paid within 90 days of the docket date of the order. Flag for CE audit. The Board reserves the right to take disciplinary action pending the outcome of any outstanding cases.

CE Audit

VET230083 Refer to Legal Services for a Public Consent Order for License Renewal with a fine of \$500 for failure to meet CE requirements in accordance with Board Rules. Terms and conditions to include one (1) hour LEAP CE and a payment of fine to be completed within 90 days of the docket date of the order. CE submitted to satisfy the terms of the order cannot be used to meet the CE requirements for the biennium ending December 31, 2024. Flag for CE Audit.

VET230087 Refer to Legal Services for a Public Consent Order for License Renewal with a fine of \$250 for failure to meet CE requirements. Terms and conditions to include one (1) hour LEAP CE and a payment of fine to be completed within 90 days of the docket date of the order. CE submitted to satisfy the terms of the order cannot be used to meet the CE requirements for the biennium ending December 31, 2024. Flag for CE Audit.

Reinstatements

Applicant 3063651 Reinstatement license with a Letter of Concern regarding unlicensed practice.

Thomas Culpepper left the meeting at 12:30 p.m. with a quorum of the Board still present.

Applicant 3066842 Reinstatement license with a Letter of Concern regarding unlicensed practice and use of the veterinary technician title without a valid license.

Renewals

VET230048 Refer to Legal Services for a Public Consent Order for License Renewal with a fine of \$500 for failure to disclose action in another jurisdiction on the renewal application. Fine must be paid within 90 days of the docket date of the order. Flag for CE Audit.

VET230089 Renew the license with a Letter of Concern regarding criminal history. Must provide certified documentation of completion of probation within ten (10) days of termination date.

VET230093 Renew the license with a Reservation of Rights letter.

Applicant 964496 Refer to Legal Services for a Private Consent Order for License Renewal with a fine of \$250 and the completion of one (1) LEAP Continuing Education hour. Proof of completion of the CE hour must be submitted and the fine paid in full within ninety (90) days of the docket date of the order, one (1) LEAP CE hour submitted to satisfy the terms of the order cannot be used to meet the CE requirements for the biennium ending December 31, 2024. Flag for CE Audit.

VET230091 Renew the license and close the case.

Applicant 1114121 Refer to Legal Services for a Private Consent Order for License Renewal with a fine of \$500 (false attestation on renewal application a \$250 fine and failure to complete of one (1) LEAP CE requirements for biennium 2022, \$250 fine). Proof of completion of the one (1) LEAP CE hour must be submitted and the fine paid in full within ninety (90) days of the docket date of the order. CE hour(s) submitted to satisfy the terms of the order cannot be used to meet the CE requirements for the biennium ending December 31, 2024. Flag for CE Audit.

Wendy Cuevas left the meeting at 12:57 p.m. with a quorum of the Board still present.

Adjournment No further business was discussed, and the meeting adjourned at 1:07 p.m.

Minutes recorded by: Michelle Hornaday, Board Support Specialist

Minutes reviewed by: Adrienne Price, Executive Director & Meagan Doss, Licensing Supervisor

Minutes approved on: April 5, 2023

MATTHEW BRADLEY, DVM
BOARD CHAIRPERSON

ADRIENNE PRICE
EXECUTIVE DIRECTOR