

**MINUTES, North Carolina Veterinary Medical Board  
Raleigh, North Carolina, January 28 & 29, 2010**

President Linwood Jernigan, DVM called the regular meeting of the North Carolina Veterinary Medical Board to order at 4:45 p.m. In attendance were the following Board members: Drs. Susan Bull, Michael Davidson, Richard Hawkins, David Marshall, and Dante Martin and Mrs. Katie Morgan. Also present were Board Attorneys Mr. George Hearn and Mr. Lee Craven. Executive Director Mr. Thomas Mickey was present as well.

Dr. Jernigan reviewed with the Board the Governor's and North Carolina Board of Ethics' statement on being aware of and avoiding conflicts of interest.

At the August 2009 Board Meeting Robert J. Meyer, DVM, owner of Neuse River Veterinary Hospital in Wendell, N.C., met with the Board to present information concerning the likelihood that certain horse breeding operations in North Carolina were conducting embryo transfers, ultrasounds and other procedures which might constitute the unlicensed practice of veterinary medicine. Following discussion by the Board, Dr. Jernigan volunteered to review the information available to determine whether it indicated possible acts of unlicensed practice. Mr. Hearn provided website

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information from the internet to Dr. Jernigan about the three horse farms in question. At this meeting, Dr. Jernigan reported to the Board that the website information did not show offers to provide veterinary medical services. Following Dr. Jernigan's report, by consensus, the Board directed Mr. Hearn to write Dr. Meyer and convey the Board's findings. The letter should also ask Dr. Meyer to contact the Board should he obtain other information about unlicensed practice.

Mr. Mickey reported on how the on-line license renewal system has functioned since it was activated in November 2009. No further action was taken.

The Board continued its discussion of possible changes to the Veterinary Practice Act from the last meeting. The Board started a review of the draft language that has been completed.

The meeting was adjourned for dinner at 5:50 p.m. and reconvened at 6:20 p.m.

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The Board continued its review of draft language to revise the Veterinary Practice Act.

The meeting was adjourned at 8:10 p.m.

President Linwood Jernigan, D.V.M., called the regular meeting of the North Carolina Veterinary Medical Board to order at 8:10 a.m. In attendance were Board members Drs. Susan Bull, Michael Davidson, Richard Hawkins, David Marshall, Dante Martin, Mrs. Nancy Robinson, R.V.T. and Mrs. Katie Morgan. Also present were Board Attorneys, Mr. George Hearn and Mr. Lee Craven, and Executive Director, Mr. Thomas Mickey.

Dr. Jernigan reviewed with the Board the Governor's and North Carolina Board of Ethics' statement on being aware of and avoiding conflicts of interest. Dr. Davidson stated that he had a conflict of interest with two items on the agenda. He will abstain from discussion and voting on Animalscan, which operates the Pet Imaging Center at North Carolina State University College of Veterinary Medicine. He will also abstain from the discussion and vote on complaint number 2009038-5, which involves

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veterinarians at the North Carolina State University College of Veterinary  
Medicine

David Bristol, DVM, Acting Dean of the North Carolina State University College of Veterinary Medicine, joined the meeting to discuss recent developments regarding IAMS Pet Imaging Center, LLC (“IAMS”). Since 2002 and until recently IAMS operated an MRI service at NCSU-CVM. Recently IAMS has sold its controlling interest in NC Pet Imaging, LLC to Animalscan. He explained that in 2002 when the Imaging Center first opened, Oscar Fletcher, DVM, Dean of the College of Veterinary Medicine met with the Board to discuss non-veterinary ownership of the Center. At the time, the Board endorsed the concept of a private and public partnership affiliation of IAMS and the NCSU-CVM. Information from Dr. Bristol and Dr. Davidson indicated that the new contract between NCSU-CVM and Animalscan provides more control by NCSU-CVM of the relationship between the parties. Dr. Bristol left the meeting at 8:25 a.m.

Following discussion a motion by Dr. Bull, seconded by Dr. Marshall the Board voted to reaffirm its previous endorsement of this collaborative project between NCSU-CVM and Animalscan for the same public and

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animal health, safety and welfare benefits the Board recognized on September 6, 2002.

On a motion made by Dr. Marshall, seconded by Dr. Davidson, the minutes for the November 5, 2009 meeting were approved.

At 8:30 a.m., Warren Pendergast, M.D., Medical Director of the North Carolina Physicians Health Program (NCPHP), and Joseph P. Jordan, PhD joined the meeting. Dr. Pendergast presented an update on the status of the program since the last Board meeting. After a question and answer period with the Board, they left the meeting at 9:05 a.m.

The meeting recessed at 9:00 a.m. for a break and reconvened at 9:15 a.m.

The Board discussed the January 13, 2010 letter from G. Robert Weedon, DVM, David E. Rice, Health Director, and Jean P. McNeil, DVM requesting that the Board find that students enrolled in BIO 498 at the University of North Carolina at Wilmington (UNC-W) meet the exemption of G.S. 90.187.10(2). This exemption request followed the Board's denial at

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the September 2009 meeting of a similar request for an exemption for UNC-W student volunteers at the New Hanover County Animal Control Services onsite spay/neuter facility. The new element in this request is that the students who are volunteers will be enrolled in BIO 498 taught by Dr. McNeil and Dr. Weedon. After discussion, Dr. Marshall made a motion to affirm the Board's previous decision from the September Board meeting. Dr. Bull seconded the motion. The motion passed unanimously. Mr. Hearn is to write a letter to Dr. Weedon, Mr. Rice and Dr. McNeil about the Board's decision.

The Board Investigator presented his report on activities since the last meeting. Following his report Dr. Davidson made a motion to initiate a Board complaint against Richard E. Keeton, DVM concerning recent felony convictions.

The Board directed Mr. Hearn to prepare a letter to the North Carolina Board of Chiropractic Examiners concerning chiropractors offering to provide services that constitute the delivery of veterinary medicine.

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Mr. Hearn reminded the members of the Board that their Statements of Economic Interest should be filed by April 15. He also proposed a plan that he and Mr. Craven would provide ethics, public records, and other training mandated by recent legislation. They will make presentations at future Board meetings.

The meeting recessed at 10:40 a.m. for a break and reconvened at 10:50 a.m.

Mr. Mickey reported on activities of the Board office since the last meeting. He distributed a financial report to the members of the Board, who reviewed and discussed the report with him. Mrs. Robinson made a motion, seconded by Dr. Hawkins, to accept the Executive Director's report. The motion passed unanimously.

The Board reviewed the November 21, 2009, letter from Ahmed N. Said, DVM concerning Dr. Hawkins. The Board interviewed Dr. Hawkins as part of the review of the letter. Dr. Hawkins left the meeting and the Board discussed Dr. Said's letter and Dr. Hawkins' comments. Dr. Bull made a motion to respond to Dr. Said, stating that his letter provided no

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details that would show cause for a Board action. Mrs. Robinson seconded the motion. The motion passed unanimously. Dr. Hawkins rejoined the meeting.

The Board discussed the December 15, 2009, letter from Shari B. Brown, DVM concerning 1-year and 3-year vaccination protocols. Mr. Hearn is to prepare a letter to her that reflects the Board's discussion and provides general information about her concerns.

Report of Committee on Investigations No. 2.

- 2009037-2 DeWanna R. Anderson, DVM – The Animal Hospital – Mr. & Mrs. Alex Kemper – *Dismissed, no probable cause.*
- 2009039-2 Dennis D. Emerson, DVM – Southside Animal Hospital - Mr. Rodney R. Windsor – *Dismissed, no probable cause.*
- 2009045-2 Mark L. Ayers, DVM – Archdale Animal Clinic & James Gary Yates, DVM – Westchester Veterinary Hospital - Mrs. Carolyn Jones - *Dismissed, no probable cause.*



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2009044-2 Katrina Ann Becker, DVM – Friendly Animal  
Clinic – Guilford College & Ralph Philip Yerex,  
BVMS – Brassfield Animal Hospital – Ms. Anna  
Soudrette– *Continued.*

Upon motion by Mrs. Robinson, seconded by Dr. Hawkins, the Board  
approved the report of Committee on Investigations No. 2.

The Board recessed for lunch at 12:05 p.m. and reconvened the  
meeting at 12:50 p.m.

Report of Committee on Investigations No. 5.

2009022-5 Edith Kathryn Wilder, DVM – Graham Animal  
Hospital, P.A. & Melissa Bame Beagle, DVM –  
Alamance Animal Emergency Hospital – Mr.  
Joseph Eugene Martin – *Letter of Reprimand for  
Dr. Wilder. Letter of Reprimand and \$2,500.00  
civil monetary penalty with factors based upon  
factors in G.S. 90-187.8(b)(1)(2)(5) for Dr.  
Beagle. The assessment of the civil monetary  
penalty and the factors on which it is based was set  
forth in a motion by Dr. Hawkins and seconded*

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Mrs. Morgan seconded the motion. The motion passed unanimously.

- 2009041-5 Guy Beretich, DVM – Vets for Pets Animal Hospital – Ms. Tammy Brundage – *Continued.*
- 2009038-5 Amanda Ardente, DVM & Rae Hutchins, DVM – NCSU, CVM – Mr. & Mrs. George Michaels – *Continued.*
- 2009043-5 Guy Beretich, DVM – Vets for Pets Animal Hospital – Ms. Melanie Johnson – *Continued.*
- 2009032-5 Mark Douglas Ledyard, DVM – Charlotte Street Animal Hospital – Mr. Jay K. Jones – *Letter of Caution.*

Upon motion by Dr. Davidson, seconded by Dr. Bull, the Board approved the report of Committee on Investigations No. 5, with Dr. Davidson abstaining on the vote with respect to complaint number 2009038-5 (Drs. Ardente & Hutchins).

Upon a motion by Mrs. Robinson, seconded by Dr. Bull, the Board approved the actual expenses for this meeting. The motion passed unanimously.

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Dr. Davidson made a motion, seconded by Dr. Davidson, to enter into a closed meeting pursuant to G.S. § 143-318.11(a)(5) to discuss personnel matters, including compensation of Board staff. The motion passed unanimously. At 1:44 p.m., the Board entered into closed meeting and returned to open session at 2:40 p.m.

The Board set the date of the dates of the Board meetings for 2010 to be April 16, June 24, August 27 and November 5.

The Practice Facility Committee reported on their meeting of January 6. No further action was taken.

Upon motion of Dr. Marshall, seconded by Mrs. Morgan, the Board adjourned the meeting at 3:10 p.m.

Respectfully Submitted,

Thomas M. Mickey  
Executive Director