

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, March 19 & 20, 2009**

President Linwood Jernigan, D.V.M., called the regular meeting of the North Carolina Veterinary Medical Board to order at 4:05 p.m. In attendance were the following Board members: Drs. Susan Bull, Michael Davidson, David Marshall, and Dante Martin, Mrs. Nancy Robinson, R.V.T. and Mrs. Katie Morgan. Also present were Board Attorneys Mr. George Hearn and 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 conflicts of interest.

Following discussion, Dr. Jernigan formed a new Committee on Investigations (Number 6) consisting of Dr. Davidson, Chairman, Dr. Hawkins and Mrs. Morgan. This Committee will review cases concerning discrepancies the Board staff identify on applications and renewals.

The Board discussed the role of veterinary technicians in veterinary practice facilities as well as possible revisions to Veterinary Practice Act that would enhance and expand the duties of a registered veterinary technician.

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The meeting was adjourned at 5:50 p.m.

President Linwood Jernigan, D.V.M., called the regular meeting of the North Carolina Veterinary Medical Board to order at 8:04 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 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 conflicts of interest.

Warren Pendergast, M.D., Medical Director, North Carolina Physicians Health Program (NCPHP), joined the meeting. He presented an update on the status of the program since the last Board meeting. After a question and answer period with the Board, he left the meeting at 8:30 a.m.

On a motion made by Dr. Davidson, seconded by Mrs. Robinson, the minutes for the January 23, 2009, meeting were approved as corrected.

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The Executive Director distributed the Investigator's report on his activities since the last meeting.

The Executive Director reported on activities of the Board office since the last meeting and distributed a financial report to the members of the Board. Dr. Bull made a motion to approve the Executive Director's report. Mrs. Morgan seconded the motion. The motion passed unanimously.

Dr. Jernigan appointed a nominating committee for 2009-2010 officers consisting of Dr. Davidson, Chairman, Dr. Bull and Dr. Martin. They will present their report at the next meeting.

The meeting of the Board recessed at 9:01 a.m. for a break, and reconvened at 9:11 a.m.

At 9:11 a.m. Carl Williams, DVM, State Public Health Veterinarian at the Division of Public Health-North Carolina Department of Health and Human Services joined the meeting. He presented information about rabies in North Carolina. He also shared with the Board proposed legislation

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(Senate Bill 674) which would update the rabies law of North Carolina to conform to the Compendium of Animal Rabies Prevention and Control. Dr. Williams left the meeting at 10:12 a.m.

The meeting of the Board recessed at 10:12 a.m. for a break, and reconvened at 10:18 a.m.

Mr. Dale Gavitt joined the meeting to discuss equine dentistry in North Carolina. He would like the Veterinary Practice Act to be amended so that the floating of teeth using manual tools without sedation would not require a veterinary license. Mr. Gavitt left the meeting at 10:34 a.m.

The Board discussed equine dentistry and the request of Mr. Gavitt. The Board agreed to seek information from other states and professionals.

The meeting of the Board recessed at 11:24 a.m. for a break, and reconvened at 11:30 a.m.

The Board reviewed the material received from Robert O'Neil, DVM, Chairman of the Florida Board of Veterinary Medicine concerning disciplinary actions and fines. The Board will review information from

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other states concerning the number of complaints, types of disciplinary actions and number and amounts of fines. The Executive Director will thank Dr. O'Neil for the useful information.

Dr. Bull made a motion to enter into a closed meeting pursuant to G.S. § 143-318.11(a)(5), to discuss current and future employment compensation of Board staff. Mrs. Morgan seconded the motion. The motion passed unanimously. At 12:20 p.m., the Board entered into closed meeting.

The Board returned to open session at 12:40 p.m.

The Board briefly reviewed the letter from Ms. Linda Worth, Warren County Manager, concerning the administering of medical treatment to stray animals. As suggested by legal counsel, the Board referred this letter to the Committee on Investigations No. 5 for consideration as part of a pending case. Dr. Davidson made a motion that the Executive Director inform Ms. Worth of such. Dr. Bull seconded the motion. The motion passed unanimously.

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Upon a motion by Dr. Davidson, seconded by Dr. Hawkins, the Board approved the actual expenses for this meeting. The motion passed unanimously.

Report of Committee on Investigations No. 2.

- 2008026-2 Marat Semenovich Dubrovsky, VV - Nicks Road Veterinary Clinic - (complaint of Mr. Elliot M. Cramer) – Dismissed, no probable cause.
- 2008042-2 Dennis Kay Johnson, DVM – Greenville Veterinary Hospital – (complaint of Ms. Cynthia Robinson) – The Committee made a finding of probable cause under 21 NCAC 66 .0601(g) and directed legal council to file a Notice of Hearing.
- 2008046-2 Tim Strickland, DVM & Mitchell L. Spindale, DVM – Animal Hospital West and Animal Ark Veterinary Hospital – (complaint of Mr. & Mrs. David Love) – The Committee dismissed the portion of the complaint against Dr. Spindale and issued Dr. Strickland a letter of caution.

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2008048-2 David L. Barkman, DVM – Highland Animal Hospital – (complaint of Mr. John R. Laws, II) – Disciplinary action, letter of caution.

2008048-2 George R. Silver, Jr., DVM (complaint of Ms. Eileen L. Kerlin) – The Committee, at the request of legal counsel, reconsidered its previous decision to issue a letter of caution. The Committee then found a finding of probable cause and dismissed the complaint.

Mrs. Robinson made a motion to approve the Committee on Investigations No. 2 report. Dr. Martin seconded the motion. The motion passed unanimously.

Report of Committee on Investigations No. 5.

2008008-5 Jennifer D. Rodriguez, DVM – Manchester Animal Hospital & Jack Dale Brown, DVM – Northgate Animal Hospital – (Complaint of Ms. Kathleen M. Sadocha) The Committee decided to issue Dr. Rodriguez a letter of caution and Dr. Brown a letter of reprimand.

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- 2008047-5 Donald Lee Zehr, DVM – Hendersonville
Veterinary Hospital – (Complaint of Mr. Terry
Ruscin) - Dismissed, no probable cause.
- 2008049-5 Lawren Louise Durocher, DVM – Carolina
Veterinary Specialist Referral Animal Hospital
Winston Salem – (Complaint of Dr. & Mrs. Jeff
Clevenger) – Disciplinary action, letter of caution.

Dr. Bull made a motion to approve the Committee on Investigations No. 5 report. Dr. Marshall seconded the motion. The motion passed unanimously.

Mrs. Robinson made a motion to have staff and legal counsel consult with Dr. Carl Williams on a proposed amendment to Senate Bill 674 that would allow registered veterinary technicians to administer rabies vaccine under the indirect supervision of a licensed veterinarian. Dr. Martin seconded the motion. The motion passed unanimously.

The meeting was adjourned at 2:41 p.m. by unanimous vote upon a motion by Dr. Davidson and seconded by Dr. Hawkins.

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Respectfully Submitted,

Thomas M. Mickey
Executive Director