

## **MINUTES, North Carolina Veterinary Medical Board Board Office, Raleigh, North Carolina, April 10, 1998**

President David E. Brooks called the meeting to order at 8:20 A.M. Others in attendance were Board members Drs. George Edward, Joseph Gordon, Herbert Justus, Kenneth Padgett, Amy Lewis and Mrs. Nellie Jones. The Board Attorney, Mr. George Hearn, and Executive Director, Mr. Thomas Mickey were also present.

The Executive Director read the minutes of the January 30, 1998, meeting. On a motion made by Dr. Gordon, seconded by Dr. Lewis, the minutes were approved as corrected.

For those individuals who have not earned their required continuing education by December 31, Dr. Gordon made a motion to allow the Executive Director to grant an extension until March 31, if a justifiable reason exists. The motion was seconded by Dr. Padgett. The motion passed unanimously.

The Board discussed the dates and sites for the remaining tests that the Board will administer this year. No further action was taken.

Mr. Hearn reported on his research into punishment for disciplinary violations, which was requested at the last meeting. No further action was taken.

Dr. Gordon made a motion to have Dr. Edwards and Mr. Mickey represent the Board at the American Veterinary Medical Association

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meeting in Baltimore Maryland in July. The motion was seconded by Dr. Lewis. The motion passed unanimously.

Dr. Gordon made a motion to approve and include as part of the minutes Mr. Hearn's report on practice facility inspection violations. The motion was seconded by Dr. Lewis. The motion passed unanimously.

The Executive Director distributed a financial report to the members of the Board.

**Report of Committee on Investigations No. 1**

- 97042-1-1 Dr. Guy Beretich (Complaint of Mr. Cam A. Perkins) - Disciplinary Action, Letter of Reprimand.
  
- 97050-1-1 Dr. Barrette O. Welch (Complaint of Mr. Thomas O'Hara) - Dismissed, no probable cause.
  
- 97052-1-1 Dr. Ashley Peterson (Complaint of Ms. Mandy Dellinger) - Disciplinary Action, Letter of Caution.
  
- 98002-1-1 Dr. James F. Barwick and Dr. Michael J. House (Complaint of Mr. & Mrs. Kevin Consentini) - Disciplinary Action, Letter of Reprimand.

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97025-1-1 Dr. Richard Gregory Burkett (Complaint of Ms. Karen Keltz) - Ms. Keltz had previously requested that the Committee reopen the case. The Committee decided that the previous decision should stand and did not honor her request.

97046-2-1 Dr. Richard Gregory Burkett (Complaint of North Carolina Veterinary Medical Board) - Continued.

98003-2-1 Dr. Richard Gregory Burkett (Complaint of North Carolina Veterinary Medical Board) - Continued.

Report on Committee on Investigations No. 7

97031-1-7 Dr. Cynthia Burnett (Complaint of Mrs. Sandra Miller) - This complaint was closed in April 1997, with Dr. Burnett entering into a consent order with the Board. As part of the order, Dr. Burnett is to submit reports to the Board at six-month intervals. The Committee reported that the first report was nineteen days late. The Committee recommended that a letter be delivered, by Dr. Padgett, explaining that the reports are expected to be received on time and that if any of the future

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reports are late her veterinary license will be suspended as per the terms of the consent order.

97041-1-7 Dr. John Michael Metz (Complaint of Ms. Jennifer S. Vaughan) - Dismissed, no probable cause.

97039-1-7 Dr. Samuel Green Griffin (Complaint of Mrs. Judith Andruzzi-Brake) - Dismissed, no probable cause.

97049-1-7 Dr. William R. Beck and Dr. Jennifer Lynn Bryant (Complaint of Ms. Marla J. Backhaus) - Dismissed, no probable cause.

98001-1-7 Dr. Joel D. Fisher (Complaint of Mr. Darryl C. Edwards) - Disciplinary action, Letter of Reprimand.

**Report on Committee on Investigations No. 8**

97032-2-8 Dr. Kim Francine Krivit, North Star Equine, (Complaint by the North Carolina Veterinary Medical Board) This complaint was previously dismissed by the Board. The Committee met with Dr. Krivit to clarify some remaining questions

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regarding her practice facility. No further action was taken.

Dr. Gordon made a motion to approve the reports presented by the Committee on Investigations Number 1, 7 and 8. The motion was seconded by Dr. Lewis. The motion passed unanimously.

The Board reviewed the practice facility inspection report, conducted by Dr. Padgett and members of the office staff, concerning Cape Fear Valley Animal Hospital, which is owned by Dr. Guy Beretich. Based on the report Dr. Gordon made a motion to issue a summary emergency order and have the faculty shut down, suspend the license of Dr Beretich, and to initiate an Administrative Hearing with the Office of Administrative Hearings. This is pursuant to G.S. 90-186(3). The motion was seconded by Dr. Lewis. The motion passed unanimously.

Dr. Brooks appointed a nomination committee consisting of Dr. Justus, Dr. Edwards, and Mrs. Jones. This committee is to make nominations for President, Vice President and Secretary-Treasurer. They will report back at the next Board meeting.

Dr. Gordon made a motion to approve the license reinstatement request of Dr. Neal Valk. He has submitted the required continuing education and fees. The motion was seconded by Dr. Lewis. The motion passed unanimously.

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The Board reviewed the information received concerning Southeastern Veterinary Exports and their soliciting veterinarians in North Carolina to purchase various heartworm and flea-related products on their behalf. The Board directed the Executive Director to contact the North Carolina Veterinary Medical Association and determine their position on the matter.

The Board reviewed the information received from Carolina Veterinary Specialists, P.L.L.C. concerning the name of their practice, "Southeast Regional Medical Center." The Board determined that their facility does meet the level of service required by the descriptive term, Center, but that the name must include the word animal to comply with G.S. 90.181.1. Dr. Justus made a motion to deny the name, Southeast Regional Medical Center. The motion was seconded by Dr. Lewis. The motion passed unanimously.

The Board reviewed the request, pursuant to 21 NCAC 66 .203, of Dr. David J. DeYoung, Associate Dean and Director of Veterinary Medical Services for the North Carolina State University College of Veterinary Medicine, to change the beginning date of faculty certificate from January 1 to June 1 so as to conform to the academic calendar of the college. Dr. Gordon made a motion to grant the request. The motion was seconded by Dr. Lewis. The motion passed unanimously.

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The Board reviewed the application for licensure from a Mr. Richard J. Wittmann to determine if there was cause to deny him a veterinary license under 21 NCAC 66 .0310. He is expected to graduate from the North Carolina State University, College of Veterinary Medicine in May of this year. Dr. Lewis made a motion to accept his application for license and to grant him one should he successfully pass the North Carolina State Examination. The motion was seconded by Dr. Gordon. The motion passed with Dr. Padgett opposed.

The Board reviewed the request of Dr. Carla Louise Gartrell, a 1988 graduate of Tuskegee University, College of Veterinary Medicine, for an exemption from re-taking the Clinical Competency Test. Based on her previously passing the National Board Exam, Clinical Competency Test, her having worked in the veterinary profession for three of the last five years, and her status as a Diplomate of the American College of Veterinary Internal Medicine, Dr. Lewis made a motion to grant her request. Dr. Gordon seconded the motion. The motion passed unanimously.

The Board reviewed the request of Dr. Anna Baskett, a 1993 graduate of the University of Montreal, School of Veterinary Medicine, for an exemption from taking the Clinical Competency Test. Based on her previously passing the National Board Exam, Clinical Competency Test, her having worked in the veterinary profession for three of the last five years, and her status as a Diplomate of the American College of Veterinary

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Surgeons, Dr. Lewis made a motion to grant her request. Dr. Gordon seconded the motion. The motion passed unanimously.

The Board reviewed the request of Dr. William Perkins Hay, a 1988 graduate of the University of California - Davis, School of Veterinary Medicine, for an exemption from taking the Clinical Competency Test. Based on his previously passing the National Board Exam, Clinical Competency Test, having worked in the veterinary profession for three of the last five years, and status as a Diplomate of the American College of Veterinary Surgeons, Dr. Lewis made a motion to grant her request. Dr. Gordon seconded the motion. The motion passed unanimously.

On a motion by Dr. Gordon, seconded by Dr. Padgett, the Board approved the actual expenses for this meeting.

The meeting was adjourned on a motion by Dr. Gordon and seconded by Dr. Padgett at 12:30 p.m.

Respectfully Submitted,

Thomas M. Mickey  
Executive Director