

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, April 16, 2010**

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 the discussion and vote on complaint numbers 2010006-2 and 2009038-5, which involves veterinarians at the North Carolina State University College of Veterinary Medicine

On a motion made by Dr. Marshall, seconded by Mrs. Robinson, the minutes for the January 28 and 29, 2010 meeting were approved.

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At 8:10 a.m., Warren Pendergast, M.D., Medical Director of the North Carolina Physicians Health Program (NCPHP) joined the meeting. Dr. Pendergast presented an update on the status of the North Carolina Veterinary Health Program (NCVHP) since the last Board meeting. After a question and answer period with the Board, he left the meeting at 8:30 a.m.

The Board scheduled a Board meeting for August 24 and 25. The August 24 meeting will start at 4:30 p.m.

Following a presentation by Mr. Hearn and upon motion by Mrs. Robinson, and seconded by Dr. Marshall, the Board voted unanimously to allow Mr. Hearn to file an amicus curiae brief on behalf of the Board in a case pending in the N.C. Court of Appeals concerning the N.C. Respiratory Care Board. One important issue in the case relates to the liability of an occupational licensing board executive director in carrying out official duties.

Mr. Hearn reviewed with the Board his memorandum to Mr. Mickey concerning Board travel policy and reimbursement of Board members and staff for travel and lodging expenses, including the current maximum

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allowances and exceptions to the maximums. Following discussion by the Board, and upon motion by Mrs. Robinson, seconded by Dr. Bull, the Board voted to approve the travel and lodging expenses for the Board members and staff for the June 22 and 23 Committee meetings and June 23 and 24 Board meetings in Asheville, N.C. Exceptions to the reimbursement schedule are approved because: the meeting will be held at the hotel where the North Carolina Veterinary Medical Association is holding its convention; and the Board can interact with and discuss relevant regulatory information with veterinarians, veterinary technicians and others; and the convention location is at a higher cost facility and the Board is not able to secure lodging there at a lower rate. The Board has not conducted a meeting away from its Raleigh office for two years. The motion passed unanimously.

The Executive Director discussed the American Association of Veterinary State Boards' (AAVSB) new testing application requirements and deadlines. A letter is to be sent by Mr. Mickey requesting the AAVSB to reconsider the new application deadlines.

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

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reviewed and discussed the report with him. Dr. Hawkins made a motion, seconded by Mrs. Robinson, to accept the Executive Director's report. The motion passed unanimously.

Ms. Claire Holley, Executive Director, North Carolina Veterinary Medical Association, joined the meeting to discuss Oklahoma House Bill 3202, which concerns equine dentistry. Following discussion, she left the meeting at 10:25 a.m.

The meeting recessed at 10:50 a.m. for a break and reconvened at 10:55 a.m.

Dr. Davidson made a motion to raise the current fee charged by the Board for taking the veterinary state examination to \$250.00, which is the maximum currently allowed by General Statute and Administrative Rule. Dr. Hawkins seconded the motion. The motion passed unanimously.

The Board Investigator presented his report on activities since the last meeting.

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The Board recessed for lunch at 12:15 p.m. and reconvened the meeting at 1:10 p.m.

Dr. Hawkins left the meeting and the Board discussed the March 9, 2010, letter from Ahmed N. Said, DVM to Mr. Hearn concerning Dr. Hawkins. Dr. Davidson made a motion, seconded by Dr. Bull, to reaffirm the previous decision of the Board that Dr. Said has provided no information to show any basis for action by the Board. The motion passed unanimously. Dr. Hawkins rejoined the meeting.

Dr. Jernigan appointed a nominating committee for 2010-2011 officers consisting of Dr. Davidson, Chairman, Dr. Bull and Mrs. Morgan. They will present their report at the next meeting.

The Board discussed the information provided by Ms. Holley concerning Oklahoma House Bill 3202. They elected to continue the discussion of this measure at its next meeting.

Report of Committee on Investigations No. 5.

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- 2009041-5 **Guy Beretich, DVM** (Vets for Pets Animal Hospital) – Ms. Tammy Brundage | *probable cause found; referred to administrative hearing.*
- 2009043-5 **Guy Beretich, DVM** (Vets for Pets Animal Hospital) – Ms. Melanie Johnson | *probable cause found; referred to administrative hearing.*
- 2009042-5 **Guy Beretich, DVM** (Vets for Pets Animal Hospital) – Ms. Sara Hobson | *probable cause found; referred to administrative hearing.*
- 2009038-5 **Amanda Ardente, DVM** and **Rae Hutchins, DVM** (NCSU CVM) Mr. and Mrs. George Michaels | *Letter of Caution.*
- 2009049-5 **Robert F. Messenger, DVM** (Carolina Veterinary Specialty – Huntersville) – Mr. and Mrs. Samuel Reid | *Dismissed, no probable cause.*
- 2010001-5 **Cecil F. Brown, DVM** (Seagrove Animal Hospital) – Ms. Penny Tostoe | *Dismissed, no probable cause.*
- 2009047-5 **Janet Eileen Distler, DVM** and **James Ryan Ward, DVM** (Highland Animal Hospital) – Ms. Jennifer Downing | *Withdrawn.*
- 2010003-5 **David Charles Brazik, DVM** (Leland Veterinary Hospital) – Mrs. J. D. Thompson | *Dismissed, no probable cause.*
- 2009053-5 **Jennie Hernandez, DVM** and **Emily Purvis, DVM** (Mills River Animal Clinic); **Fred Rosen,**

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DVM and Guy McKee, DVM (Western Carolina Regional Animal Hospital) – Ms. Anne Grant | *Dismissed, no probable cause.*

2010010-5 **Cynthia L. Almond, DVM** (Rowan Animal Clinic) – Ms. Christine Granniss | *Withdrawn.*

20100018-5 **Tracy Lee Borst, DVM** (North Wake Animal Hospital) – Mr. Scott M. Clark | *Continued.*

Upon motion by Dr. Marshall, seconded by Mrs. Morgan, 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 and Hutchins).

Report of Committee on Investigations No. 2.

2009044-2 **Katrina Ann Becker, DVM** (Friendly Animal Clinic – Guilford College) and **Ralph Philip Yerex, BVMS** (Brassfield Animal Hospital) – Ms. Anna Soudrette | *Dismissed, no probable cause.*

2009051-2 **Charles E. Franklin, DVM** (Academy Animal Hospital) – Charles W. Enloe, DVM | *Continued.*

2009050-2 **Alica Marie Hunsucker, DVM** (Saving Lives Spay/Neuter Animal Clinic) – Mr. and Mrs. Ricky Corbett | *Dismissed, no probable cause.*

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2009046-2 **Soren David Windram, DVM** (New Hope Animal Hospital) and **Jack Gregory Gallagher, DVM** (Veterinary Surgical Referral Practice, P. A.) – Ms. Gail Ross | *Dismissed, no probable cause.*

Kevin McGinnis Clarke, DVM (Veterinary Surgical Referral Practice, P. A.) – Ms. Gail Ross | *Withdrawn.*

2010004-2 **Samuel Green Griffin, DVM** (Albemarle Animal Clinic) – Ms. Janet Saley | *Letter of Reprimand.*

Keri Frick Shaver, DVM (Albemarle Animal Clinic) – Ms. Janet Saley | *Letter of Caution.*

2009054-2 **Anne Shirley Baskett, DVM** and **William Perkins Hay, DVM** (Tryon Equine Hospital) – Ms. Pamela Carlson | *Dismissed, no probable cause.*

Dr. Martin had to leave the meeting.

2010002-2 **Anne P. Mitchell, DVM** (North Elm Animal Hospital) – Ms. Melissa Steele Martin | *Letter of Caution.*

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2010013-2 **Robert W. Ridgeway, DVM** (Emergency Pet Hospital of Craven-Carteret) – Ms. Shawna Zimmerman | *Continued.*

2010006-2 **Karyn A. Harrell, DVM, Steven Lawrence Marks, BVSc, Crystal Lester Singleton, DVM, Brian Joseph Trumpatori, DVM, Kieri Jermyn, BVSc, Sarah Elizabeth Musulin, DVM, Simon Charles Roe, BVSc (NCSU, CVM)** – Ms. Barbara Currie | *Continued.*

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

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

Upon motion of Dr. Davidson, seconded by Dr. Bull, the Board adjourned the meeting at 3:30 p.m.

Respectfully Submitted,

Thomas M. Mickey
Executive Director