

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, June 10, 2011**

At 8:00 a.m. on June 10, 2011, President Linwood Jernigan, D.V.M. called the regular meeting of the North Carolina Veterinary Medical Board to order. In attendance were the following Board members: Drs. Michael Davidson, Kim Gemeinhardt, Richard Hawkins, David Marshall and Dr. Dante Martin; Mrs. Nancy Robinson, R.V.T., 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 the North Carolina Board of Ethics' statement regarding recognizing and avoiding conflicts of interest.

On motion by Dr. Gemeinhardt, seconded by Mrs. Robinson, the minutes for the April 1, 2011 meeting were approved as corrected.

At 8:04 a.m., Warren Pendergast, M.D., Medical Director of the North Carolina Physicians Health Program (NCPHP), joined the meeting. Dr. Pendergast presented an update of the status of the North Carolina Veterinary Health Program (NCVHP) since the last Board meeting. He also

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, June 10, 2011**

presented information on various treatment plans and options available to participants in the program. The Board reviewed a draft prepared by Mr. Hearn of an agreement between the Board and NCPHP which would renew the parties' Agreement for the continued operation of a Program for Impaired Veterinary Personnel. The Agreement would cover the term August 1, 2011 through January 31, 2012. Dr. Davidson made a motion to approve the Agreement. The motion was seconded by Dr. Martin and passed unanimously. Following this, Mr. Mickey signed the Agreement on behalf of the Board and by Dr. Pendergast, on behalf of NCPHP. Dr. Pendergast left the meeting at 8:25 a.m.

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

Dr. Jernigan appointed Dr. Gemeinhardt to fill the position of Dr. Bull on the Committee reviewing licensing issues in the Veterinary Practice Act and Administrative Rules.

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, June 10, 2011**

Mr. Hearn reviewed with the Board his memo of June 2, 2011 concerning reimbursement for travel and lodging expenses pursuant to the State of North Carolina travel policy. The Board anticipates incurring expenses exceeding State-authorized maximum amounts for food and lodging in Asheville in connection with the Committee and Board meetings scheduled for August 9/10, 2011. Therefore, it will be necessary for the Board to authorize in advance these additional expenditures. The meeting will be held at the same location as the meeting of the N.C. Veterinary Medical Association, allowing the Board to discuss relevant regulatory information with veterinarians and registered veterinary technicians attending the NCVMA convention. The meeting will reasonably enhance the work and functions of the Board. Following discussion, there was a motion by Dr. Davidson, seconded by Dr. Hawkins, pursuant to Mr. Hearn's memorandum of June 2, 2011 to authorize the expenditures for lodging and travel expenses for the meeting up to the amounts actually incurred.

The Board recessed the meeting at 9:05 a.m. for a break and reconvened at 9:25 a.m.

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, June 10, 2011**

Mr. Mickey presented a request to purchase six additional fireproof filing cabinets for the Board office based upon present needs. Following discussion, and pursuant to motion made by Mrs. Robinson, seconded by Mrs. Morgan, the Board approved his request to purchase the six file cabinets. As part of the discussion, the Board recommended that Mr. Mickey continue to study alternative ways to store Board records, including digital copying of records and off-site record storage.

Dr. Elizabeth S. Broome of Mooresville joined the meeting to present concerns about the levels of medical and surgical care provided at spay/neuter facilities in the State. Dr. Broome owns SNIP (“Spay/Neuter Initiative Partnership”) Regional Spay/Neuter Clinic in Mooresville. Dr. Broome voiced an opinion to the Board that a number of non-profit organizations in this State are not conducting spay/neuter facilities appropriately even though they contract with veterinarians to provide the veterinary medical services. She is concerned that all patients should receive the appropriate standard of medical and surgical care that is required of all veterinary practice facilities. Following discussion with Dr. Broome, the Board thanked her for her presentation and she left the meeting. The

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, June 10, 2011**

Board requested that Mr. Mickey write Dr. Broome to thank her for her presentation and to request that she continue to share her concerns with the Board.

Dr. Jernigan announced the appointment of a new Committee on Investigations No. 1. The members of the Committee will be Dr. Marshall, Chair; Dr. Jernigan; and Dr. Gemeinhardt.

The Board took a break at 10:55 a.m. and reconvened at 11:20 a.m.

The Nominations Committee reported the following nominations for officers for the year July 1, 2011 through June 30, 2012: Dr. Jernigan, President; Dr. Hawkins, Vice President; and Dr. Martin, Secretary-Treasurer. Upon motion by Dr. Davidson, seconded by Mrs. Robinson, the Board elected by acclamation Dr. Jernigan, Dr. Hawkins and Dr. Martin to their respective offices for 2011-2012.

Report of Committee on Investigations No. 5

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, June 10, 2011**

2011003-5 **Gary C. White, DVM** (Catawba Heights Animal Hospital) – Ms. Lisa G. Hargate | *Letter of Reprimand.*

2011006-5 **Michael J. Heinen, DVM** (Lake Normal Animal Hospital, P.A.) – Mr. Pedro Martinez | *continued.*

2011009-5 **Elizabeth B. Herring, DVM** – NCVMB | *Letter of Reprimand.*

2011008-5 **Bentley Stephenson, DVM** (Reilly Road Animal Hospital) – Mr. & Mrs. Sammy Nassar | *Letter of Caution.*

Upon motion by Dr. Davidson, seconded by Dr. Marshall, with Dr. Marshall announcing that he is recusing himself with respect to that part of the vote relating to the Dr. Elizabeth B. Herring report, complaint No. 2011009-5, the Board approved the report of Committee on Investigations No. 5.

The meeting recessed at 12:10 p.m. for a break and reconvened at 12:40 p.m.

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, June 10, 2011**

Report of Committee on Investigations No. 6

2011002-6 **Jessica Ruth Byerly, RVT** – NCVMB | *probable cause found on all violations of Veterinary Practice Act and Board Rules alleged in the Board-initiated complaint. A Notice of Hearing is to be issued, however, should Ms. Byerly wish to resolve the complaint by entering into a consent order the Committee will consider her request.*

2011005-6 **Mitzi Denise Elliot, DVM** – NCVMB | *probable cause found on all violations of Veterinary Practice Act and Board Rules alleged in the Board-initiated complaint. A Notice of Hearing is to be issued, however, should Dr. Elliot wish to resolve the complaint by entering into a consent order the Committee will consider her request.*

Upon motion by Dr. Gemeinhardt, seconded by Mrs. Robinson, the Board approved the report of Committee on Investigations No. 6.

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, June 10, 2011**

Report of Committee on Investigations No. 9

2010046-9 **Ruth Bulluck Rountree, DVM** (Goose Creek
Animal Hospital) – & Ms. Brenda Quinn |
Dismissed, *no probable cause*.

2011010-9 **Diane K. Schaller, DVM** (Willow Creek Animal
Hospital) – Ms. Teresa White | *Dismissed, no
probable cause*.

Upon motion by Dr. Hawkins, seconded by Dr. Martin, the Board
approved the report of Committee on Investigations No. 9.

Mr. Mickey reminded the Board that the Board has agreed to make a
presentation at a meeting of the NCVMA on Friday, August 12, at
approximately 11:30 a.m. The presentation topics will include a question
and answer session with NCVMA attendees, including a discussion of the
functioning of the Board; how complaints are reviewed and decided;
practice facility inspections; and other matters frequently dealt with by the
Board.

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, June 10, 2011**

Upon motion of Mrs. Robinson, seconded by Dr. Martin, the expenses for this Board meeting were approved.

Dr. Jernigan announced that at the conclusion of the resolution of the above cases reported by Committee on Investigations No. 6 that this Committee will no longer receive more assignments and its work will be concluded. Cases that otherwise might have been assigned to Committee on Investigations No. 6 will henceforth be assigned to Committee on Investigations No. 1.

The Board having no further business, upon motion of Dr. Hawkins, seconded by Dr. Martin, the meeting was adjourned at 1:50 p.m.

Respectfully Submitted,

Thomas M. Mickey
Executive Director