

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, June 18, 1999**

President Kenneth Padgett, D.V.M., called the regular meeting of the Board to order at 8:45 A.M. Others in attendance were Board members Drs. David Brooks, George Edwards, Joseph Gordon, Herbert Justus, 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 March 26, 1999, meeting. On a motion made by Dr. Edwards, seconded by Dr. Gordon, the minutes were approved as corrected.

At 8:55 A.M., Dr. Cynthia Burnett joined the meeting. Her purpose of meeting with the Board was to discuss the Consent Order that she had entered into with the Board to resolve complaint number 96031-1-7. The terms of the Consent Order required that she meet with the Board to review the Order, her reports, the required additional continuing education and her practice situation. Dr. Burnett left the meeting at 9:05 A.M. The Board took no further action.

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The Board requested that the Executive Director review the practice acts of other veterinary state boards as they relate to the ownership of veterinary practice facilities.

Dr. Justus reported that the cost associated with the building of a Board office would be approximately \$68.00 per square foot. The Board asked Dr. Gordon to meet with the Attorney General of North Carolina, Mr. Mike Easley, and express to him the Board's concerns relating to the Board building a permanent office.

Dr. Kenneth Padgett discussed the recent break in to the Board office and directed the Executive Director to get a price quote on what it would cost to install a security system in the Board office.

Mr. Hearn reported that House Bill 414 has passed both the House and Senate and is awaiting the Governor's signature.

The Board reviewed the materials submitted by Dr. Jeffrey Kline for licensure under House Bill 414. Dr. Gordon made a motion that the Board find the materials acceptable for meeting the requirements of that Bill and

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that once the Governor has signed the bill and Dr. Kline has passed the North Carolina examination for licensure that he be issued a veterinary license. Dr. Edwards made a motion to amend Dr. Gordon's motion to require future applicants for licensure under House Bill 414 to submit five affidavits and be required to appear before the Board. Dr. Lewis seconded the motion. The motion passed with Dr. Justus opposed.

Mr. Hearn reported that a motion on Ms. Keltz's first petition for judicial review is scheduled for the week of July 12, 1999.

The Executive Director distributed a financial report to the members of the Board. Dr. Lewis made a motion to approve the report. Dr. Justus seconded the motion. The motion passed unanimously.

Report of Committee on Investigations No. 1

98040-1-1 Dr. Jeffrey Wilton Burroughs, (Complaint of Ms. Martha M. McMillan). Complaint dismissed as a result of the client's failure to provide additional information requested by the committee.

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99002-1-1 Dr. Kim Francine Krivit and Dr. Melissa J. Isreal,
(Complaint of Ms. Angela Michaux) – Complaint
considered withdrawn at the request of Ms.
Michaux.

99007-1-1 Dr. Bobbi Jo. Griffith (Complaint of Mrs. Henry
Frost) – Dismissed, no probable cause. The letter
dismissing the complaint is to express the Board's
displeasure on how the emergency was handled.

The Board adjourned the meeting at 12:05 p.m. for lunch.

The regular meeting of the Board reconvened at 1:30 p.m.

99006-1-1 Mr. Melanie J. Hampton, R.V.T. (Complaint of Dr.
Dana Jones) – Continued, the Executive Director is
to schedule a meeting of all parties involved with
the complaint.

99013-1-1 Dr. Thomas Smith (Complaint of Ms. Donna
Nipper) – Dismissed, no probable cause.

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- 99018-1-1 Dr. Meredith Highsmith (Complaint of Ms. Lisa Barnes) – Dismissed, no probable cause.
- 99019-1-1 Dr. Larry Paul and Dr. William McClees (Complaint of Dr. Robert Moore and Dr. Jeff Ward) - Complaint considered withdrawn at the request of Dr. Moore and Dr. Ward.
- 99016-1-1 Dr. Regina Allred (Complaint of Ms. Sandra Wallace) - Disciplinary Action, Letter of Reprimand.

Dr. Edwards made a motion to approve the Committee on Investigations Number 1 report. Dr. Lewis seconded the motion. The motion passed unanimously.

Report of Committee on Investigations No. 7

- 98041-1-7 Dr. Jack D. Brown (Complaint of Mr. Phillip H. Cox) – Disciplinary Action, Letter of Reprimand and \$1,000 Civil Monetary Penalty.
- 98031-3-7 Dr. Margaret M. Patterson, (Complaint of Dr. Suzanne R. Sewell) – The Committee has

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recommended that the Board approve the Consent Order that has been drafted.

- 99003-1-7 Dr. Joe Kinnarney, (Complaint of Ms. Ann W. Millsap) – Dismissed, no probable cause.
- 99005-1-7 Dr. David A. Gallagher (Complaint of Ms. Joyce Colee) – Disciplinary Action, Letter of Reprimand.
- 99004-1-7 Dr. Joel K. Jensen (Complaint of Ms. Christy V. Schnedler) – Dismissed, no probable cause.
- 99008-1-7 Dr. Paul D. Kern (Complaint of Ms. Sherri Hoxit) – Disciplinary Action, Letter of Caution.
- 99010-1-7 Dr. Dana Jones (Complaint of Ms. Carol Pritchard)
The portion relating to veterinary medicine is dismissed with a finding of no probable cause. A Letter of Caution is to be issued relating to the communication issues of the case.
- 99012-1-7 Dr. Lanny D. Walker (Complaint of Ms. Sandra Norville) – Continued, pending additional information.
- 99001-1-7 Dr. Sharon Dillon-Mastafiak (Complaint of Ms. Laura Biggers) - The portion relating to veterinary

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medicine is dismissed with a finding of no probable cause. A Letter of Caution is to be issued as a result of her failure to respond to the Board in the required twenty days.

99015-1-7 Dr. Samuel Green Griffin (Complaint of Ms. Kathy C. Everette) – Dismissed, no probable cause. The letter dismissing the complaint is to express the Board's displeasure on how the emergency was handled.

990017-1-7 Dr. Iva Lynn Nusbaum (Complaint of Ms. Peggy Mullinax) – Dismissed, no probable cause.

Dr. Gordon made a motion to approve the Committee on Investigations Number 7 report. Dr. Edwards seconded the motion. The motion passed unanimously.

Dr. Edwards made a motion to table the committee report of Dr. Gordon and Dr. Lewis concerning veterinary consulting. Mrs. Jones seconded the motion. The motion passed unanimously.

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The Board reviewed the letter from the Advisory Committee for Veterinary Medical Technology Program at Central Carolina Community College. The Committee requested that senior veterinary medical technology students be allowed to take the Board examinations in June of each year just prior to their graduation in July. Dr. Gordon made a motion to approve the request. Dr. Lewis seconded the motion. The motion passed unanimously.

The Board reviewed the application for veterinary license from Dr. Thomas M. Felder. Dr. Padgett made a motion to allow him to take the next North Carolina State Exam. Mrs. Jones seconded the motion. The motion passed unanimously.

Dr. Edwards made a motion to table Dr. J. Mark Beverly's request for a veterinary license. Dr. Padgett seconded the motion. The motion passed unanimously.

The Board scheduled the next meeting to be held in Raleigh on August 26 and 27, 1999.

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The Board reviewed the letter from E. Max Sink, D.V.M. concerning Mr. John Deal and his business, Jungle Tamers. Dr. Edwards made a motion to take no further action regarding this. Dr. Lewis seconded the motion. The motion passed unanimously. The Executive Director is to inform Dr. Sink of such.

The Board reviewed the letter of Dr. Daniel Bossut concerning him providing veterinary acupuncture services to other veterinarians in the state. Dr. Edwards made a motion to inform Dr. Bossut that he must be a licensed veterinarian to provide these services. Dr. Padgett seconded the motion. The motion passed unanimously.

The Executive Director presented the contracts with the Professional Examination Service for the National Board Exam and Clinical Competency Test for Veterinarians, and the National Board Examination for Technicians. Dr. Gordon made a motion to approve the contracts and have the Executive Director sign them on behalf of the Board. Dr. Edwards seconded the motion. The motion passed unanimously.

Dr. Gordon made a motion to approve the requests of Drs. Stuart C. Jeffrey, Gregory C. Troy, Phillip R. Woods, Kerri L. T. Bowman, and William J. Novak for exemptions on retaking the Clinical Competency Test based on their Diplomate status. Dr. Lewis seconded the motion. The motion passed unanimously.

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The Board received a report from the nominating committee, consisting of Dr. Lewis and Dr. Edwards for officers for 1999-2000. The nominations presented were:

President, Dr. Kenneth R. Padgett

Vice President, Dr. Joseph K. Gordon

Secretary/Treasurer, Dr. Herbert A Justus

Dr. Lewis made a motion that the nominations be closed and nominees be elected by acclamation. Dr. Edward seconded the motion. The motion passed unanimously.

The Board reviewed the presentations and discussions in relevant committee meetings with the North Carolina Veterinary Medical Association, attended by certain members of the Board. The Board determined that by holding its June meeting at Atlantic Beach, at the Sheraton Atlantic Beach Hotel, it provided Board Members with communication, discussion and learning opportunities that did and will enable the Board to more effectively fulfill its responsibilities. While the Board considers its office in Raleigh to be its regular and preferred meeting site, the Board determined that meetings in the same general locations where other veterinary professional groups are convening can be a communication resource for the Board. Upon a motion by Dr. Edwards, seconded by Dr. Justus, the Board approved the actual expenses incurred for travel, meals and lodging for Board Members, the Executive Director and Board Attorney.

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The meeting was adjourned by unanimous vote upon a motion by Dr. Edwards and seconded by Dr. Padgett at 4:30 P.M.

Respectfully Submitted,

Thomas M. Mickey
Executive Director