

**MINUTES, North Carolina Veterinary Medical Board  
Charlotte, North Carolina, June 20, 2002**

President Joseph Gordon, D.V.M., called the regular meeting of the Board to order at 8:00 A.M. Others in attendance were Board members Drs. David Brooks, Herbert Justus, Amy Lewis, David Marshall, Kenneth Padgett and Mrs. Nancy Robinson, R.V.T. The Board Attorney, Mr. George Hearn, and Executive Director, Mr. Thomas Mickey were also present.

Mrs. Nancy Robinson, R.V.T. was welcomed by the members of the Board. She was appointed to the Board by the Speaker of the House. Her term commenced May 6, 2002, and is through June 30, 2006.

Benjamin S. Turner, D.V.M., Practice Facility Inspector, reported on problem facilities, the inspection of kennels and the use of outdated drugs.

The Executive Director is to invite Charles E. Loops, D.V.M. to the next Board meeting to discuss his homeopathic services.

The regular meeting of the Board adjourned at 9:15 A.M. for a ten-minute break.

The regular meeting of the Board reconvened at 9:25 A.M.

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The Executive Director read the minutes of the March 22, 2002, meeting. On a motion made by Dr. Lewis, seconded by Dr. Justus, the minutes were approved as corrected.

The Board's investigator met with the Board to present a status report on his work for the last three months. No further action was taken.

Dr. Gordon discussed his work on the American Association of Veterinary State Boards' technician portion of their guidelines for practice acts. No further action was taken.

Mr. Hearn discussed possible hearing dates for the pending case against Ms. Marguerite A. Yates, R.V.T. For the purpose of this hearing Dr. Justus made a motion that Ms. Jones' position be declared vacant by reason of her medical disability. Dr. Padgett seconded the motion. The motion passed unanimously. The hearing panel will consist of Dr. Padgett, Dr. Brooks, Mrs. Robinson and Dr. Lewis who will serve as Chairman.

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Dr. Padgett made a motion to approve the memorandum of understanding, as revised by Mr. Hearn, with the North Carolina Physicians Health Program. Dr. Lewis seconded the motion. The motion passed unanimously.

Mr. Hearn reviewed with the Board draft language for impaired veterinarians. Dr. Padgett made a motion to approve the draft language. Dr. Marshall seconded the motion. The motion passed unanimously.

Dr. Lewis made a motion to approve the language prepared by Mr. Hearn to be substituted for House Bill 1449. Dr. Padgett seconded the motion. The motion passed unanimously.

Dr. Lewis made a motion to approve the purchase of property, located at 1601 Jones Franklin road, for the Board office. Dr. Padgett seconded the motion. The motion passed unanimously.

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

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Dr. Lewis made a motion to raise the veterinary renewal fee to \$150.00, the technician renewal fee to \$25.00, the intern/preceptee registration fee to \$15.00, and the Veterinary Technician National Examination fee to \$125.00. Dr. Padgett seconded the motion. The motion passed unanimously.

Dr. Padgett made a motion approve the expenses associated with sending Mr. Hearn to the American Association of Veterinary State Boards' meeting in Nashville Tennessee. Mr. Hearn is to report back to the Board. Dr. Lewis seconded the motion. The motion passed unanimously.

Report of Committee on Investigations No. 1.

- 02005-1-1 Dr. Stewart F. Roberts, (Complaint of Ms. Tabatha McLaughlin) - Dismissed, no probable cause.
- 01055-1-1 Dr. Ann Teresa Parker, (Complaint by Mr. & Mrs. Hank Heylek) – Letter of Caution.
- 02012-2-1 Dr. Ralph Mitchell Byrd, Jr. (Complaint by the Board) – Letter of Caution.

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- 01053-1-1 Dr. Erica Humphrey Johnson, (Complaint by Mr. & Mrs. Tony Suriano) – Letter of Caution.
- 02009-2-1 Dr. James Harvey Lilley, Jr., (Complaint by the Board) – Consent Order proposed.
- 02015-1-1 Dr. Sandra Hoet Albright and Dr. Renee Helms, (Complaint by Ms. Phyllis Macchia) – Dismissed, no probable cause.
- 02017-1-1 Dr. Thomas George Pejsa and Dr. Jennifer Michele Gemma, (Complaint by Ms. Holly Niemic) – Letter of Caution.
- 02020-1-1 Dr. John Patrick Galligan, Jr., (Complaint by Ms. Pam Hudgins) – Dismissed, no probable cause.

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

Report of Committee on Investigations No. 7.

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- 01040-1-7 Dr. Jimmie L. Sain, (Complaint of Mr. & Mrs. Cook) – No response from Mr. & Mrs. Cook. Dismissed, no probable cause.
- 02004-1-7 Dr. S. J. Dalrymple, (Complaint by Ms. Jacqueline Brown) – Dismissed, no probable cause.
- 02010-1-7 Dr. Humberto Marti, (Complaint of Mr. Robert J. Miller) – Letter of Caution.
- 01044-1-7 Dr. Lynn Alton Reed and Dr. Carri Williams Hampton, (Complaint of Ms. Marcie Foskey) – The Committee reviewed Dr. Reed’s request for a reconsideration of the Letter of Caution that was issued at the last Board meeting. The Committee chose to let its previous decision stand.
- 02016-1-7 Dr. Ann Witten Stuart and Dr. Mark Edward Forde, (Complaint of Ms. Kathy Korth) – Ms. Korth has chosen to withdraw her complaint. After the review the Committee chose to dismiss the complaint.
- 02011-1-7 Dr. Michael J. Puckett, (Complaint of Ms. Ginger Roseman) – Letter of Caution.

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02021-1-7 Dr. Charles Hughes Livaudais, (Complaint of Mr. Earl H. Fuller) – Dismissed, no probable cause.

02013-1-7 Dr. Ann Witten Stuart and Dr. Mark Edward Forde, (Complaint of Ms. Penny Parker Beard) – The portion of the complaint against Dr. Stuart is dismissed with a finding of no probable cause. The portion of the complaint against Dr. Forde is a Letter of Caution.

02023-1-7 Dr. Thomas R. Bello, (Complaint of Dr. & Mrs. Richard J. Eberly) – Letter of Caution.

Dr. Justus made a motion to approve the Committee on Investigations Number 7 report. Mrs. Robinson seconded the motion. The motion passed unanimously.

The regular meeting of the Board adjourned at 2:00 P.M. so that some members of the Board and Mr. Hearn could meet with the Executive Board of the North Carolina Veterinary Medical Association.

The regular meeting of the Board reconvened at 3:00 P.M.

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At the request of the North Carolina Board of Ethics the Evaluation of Statement of Economic Interest filed by Ms. Nancy K. Robinson, R.V.T. was read pursuant to Executive Order Number One.

Mrs. Robinson made a motion that the Board approve the Veterinary Technician National Exam Testing Contract with the Professional Examination Service. Dr. Justus seconded the motion. The motion passed unanimously.

The Board reviewed the proposed calendar for 2002-2003. No further action was taken.

The Board discussed the contact for the purchase and up fit for the proposed office space. No further action was taken.

The Committee on Investigations No. 1 reviewed the Board initiated complaint number 02008-2-1 against Dr. Katherine V. Crumley. It was the finding of the Committee to issue a Letter of Reprimand.



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Dr. Padgett reported for the Nominating Committee concerning the slate of officers. The Committee nominated Dr. Justus for President, Dr. Lewis for Vice President and Dr. Marshall for Secretary-Treasurer. Dr. Padgett made a motion that the slate of officers be approved and elected to their respective positions. Mrs. Robinson 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 in Charlotte, at the Omni 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. Padgett, seconded by Dr. Marshall, 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. Padgett and seconded by Mrs. Robinson at 4:05 P.M.

Respectfully Submitted,

Thomas M. Mickey  
Executive Director