

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, July 23, 2015**

At 8:00 a.m., President Kim D. Gemeinhardt, D.V.M. called to order the regular meeting of the North Carolina Veterinary Medical Board. In attendance were the following Board members: Drs. William K. Dean, Dwight E. Cochran, Jane A. Barber and R. Douglas Meckes; and Jonathan S. Loftis, R.V.T. Also present were Board Attorneys, Mr. George Hearn and Mr. Lee Craven. Executive Director, Mr. Thomas Mickey was present as well. Attorney Mr. Blen Gee was present as a guest of Mr. Hearn. Mrs. Katie O. Morgan joined the meeting at 8:15 a.m. and Susan Bull, D.V.M joined the meeting at 8:45 a.m.

Dr. Gemeinhardt reviewed with the Board the Governor's and the North Carolina Board of Ethics' statement on recognizing and avoiding conflicts of interest. She also reviewed G.S. § 90-179 of the North Carolina Veterinary Practice Act.

On motion by Dr. Cochran, seconded by Dr. Dean, the minutes for the May 21, 2015, Board meeting were approved after corrections were made.

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, July 23, 2015**

At 8:05 a.m., Joseph P. Jordan, PhD., Clinical Director of the N.C. Veterinary Health Program (NCVHP) and Warren Pendergast, M.D., Medical Director, joined the meeting. Dr. Jordan introduced Mr. Tony Barrett, who is new to the clinical team of NCVHP. Following their presentation to the Board, Drs. Jordan and Pendergast, and Mr. Barrett left the meeting at 8:24 a.m.

The Board Investigator reported on his activities since the last meeting.

Dr. Gemeinhardt shared with the Board that she had been informed by the Governor's office that she has been re-appointed to the Board. Her term is from July 1, 2015 through June 30, 2020.

The Board set August 26, 2015, as the interview date for the Deputy Director position. The Executive Committee will conduct interviews for a new practice facility inspector on August 27, 2015.

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, July 23, 2015**

At 8:49 a.m., Dr. Dean moved to enter into closed session pursuant to G.S. § 90-143-318.11(a)(5) for a discussion concerning the acquisition of real property. Dr. Barber seconded the motion. It was approved unanimously.

At 9:10 a.m. the Board reconvened following the closed session.

At 9:15 a.m. the Board recessed for a break and reconvened at 9:23 a.m.

The Executive Director reported on operational and administrative activities of the Board since the last Board meeting. He distributed a financial report which the Board reviewed and discussed.

Upon motion by Dr. Bull, the Consent Order for Dr. Scotton, which was approved by the Board on January 23, 2015, was referred back to Committee on Investigations No. 8 for review regarding compliance and related issues. It was seconded by Dr. Dean and passed unanimously.

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, July 23, 2015**

Mr. Hearn presented a draft of a proposed change to the Veterinary Practice Act concerning the license exemption for administering to one's own animals (G.S. § 90-187.10).

Dr. Bull discussed with the Board the presentation that will be given by the Board at the October 8, 2015 meeting of the North Carolina Academy of Small Animal Medicine in Asheville, N.C..

At 11:11 a.m., Joe Gordon, DVM, and his wife Debbie Gordon, joined the meeting. He discussed with the Board its definition of the phrase, "any other type of investments" as it relates to G.S. § 55B-14. He also discussed proposed structuring of the relationship between a PLLC and a Management Services Organization. His final request was that the Board not initiate disciplinary action against any CareFirst Animal Hospital veterinarians or affiliate entities until after these topics have been adequately discussed and decided by the Board.

At 12:05 p.m., Dr. Gemeinhardt recessed the meeting.

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, July 23, 2015**

At 1:07 p.m., the Board reconvened. The Executive Committee reported on their review of the material presented by Dr. Gordon. They recommended that the Board not make any decision that day, but to study further the “any other type of investments” section of G.S. § 55B-14. They also recommend that no disciplinary actions be initiated on any of the CareFirst facilities, and that Mr. Mickey should write a letter to the Secretary of State requesting a deferral of any actions on CareFirst until the Board has made a decision. Dr. Meckes moved to accept the Executive Committee’s recommendations. Dr. Barber seconded the motion. The motion passed unanimously.

Dr. Bull asked the Board’s guidance on the proposed amendments to the bylaws of the American Association of Veterinary State Boards as she is a delegate from the Board this year. Dr. Barber, with Dr. Meckes seconding, moved that she vote in favor of the proposed amendments. The motion passed unanimously.

The Board reviewed a request from Aaron Wolff, D.V.M. and Lindsay Dzombar, D.V.M. to have the Board approve the veterinary practice

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, July 23, 2015**

facility name, “The Animal Medical Center of Garner.” Board staff had previously denied the name because it did not comply with G.S. § 90-181.1(b)(1). The Board concurred with the Board staff.

The Board considered a request from attorney Mr. Carl Beattie that it approve a proposed amendment to the Articles of Incorporation of the ASPCA Veterinary Services of North Carolina, P.C. Mr. Beattie was one of the incorporators of ASPCA Veterinary Services of North Carolina, P.C. His law firm represents ASPCA [American Society for the Prevention of Cruelty to Animals], a New York non-profit corporation. Mr. Beattie’s law firm is assisting ASPCA and a North Carolina non-profit entity involving spay/neuter services and veterinary training to be conducted in Western North Carolina. The ASPCA has partnered with veterinarians in North Carolina who will provide the services through ASPCA Veterinary Services of North Carolina, P.C. Mr. Beattie wrote that the veterinarian shareholders of ASPCA Veterinary Services of North Carolina, P.C. would like to file the attached amendments to clarify the intent and purpose of the entity. The Office of the Secretary of State of North Carolina will accept the filing if the Board certifies and approves the amendment. Following discussion, Dr.

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, July 23, 2015**

Bull moved to approve the amendment to the articles of incorporation. Mr. Loftis seconded the motion. The motion passed with Dr. Cochran opposed.

The Board reviewed a request from Buchanan Mobile Veterinary Services, PLLC that concerned officers of a foreign professional corporation. The Board found that it did not clearly explain its request. Dr. Bull moved, seconded by Dr. Dean, to send a letter requesting a clarification. The motion passed unanimously.

At 2:20 p.m. the Board recessed for a break and reconvened at 2:35 p.m.

At 2:35 p.m., Board Attorneys George Hearn and Lee Craven conducted Board member training concerning the Veterinary Practice Act and several other State statutes. This training is required by G.S. § 90B-5(g) so that Board members can better understand their role as Board members and the obligations and limitations of the Veterinary Medical Board as a State agency. The focus of the training was the Veterinary Practice Act; the Board rules, the Administrative Procedure Act, the Open Meetings Act, the

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, July 23, 2015**

Public Records law, the State Tort Claims Act, and the Defense of State Employees Act. Mr. Hearn and Mr. Craven presented separate legal memoranda about each of the statutes. The presentation resulted in questions, comments and discussion by the Board. The presentation concluded at 3:35 p.m.

Report of Committee on Investigations No. 2

- 2014002-2 **Courtney Lynn Barnes (Gray), RVT** – (Healthy Paws Animal Hospital of Brier Creek & Wake Forest) – Dr. Dawn Lanza – Letter of Caution
- 2014011-2 **Jordan Quinn Jaeger, DVM** – (North Wake Animal Hospital) – Dr. Justin Church – No probable cause
- 2014016-2 **Jordan Quinn Jaeger, DVM** – (North Wake Animal Hospital) – Mr. Glenn Voisine – No probable cause
- 2014037-2 **Paula Kay Bullock, DVM** – (Affordable Animal Care Spay Neuter Clinic) – Mr. Blake Barrington – Continued
- 2014026-2 **Paula Kay Bullock, DVM** (Affordable Animal Care Spay Neuter Clinic) – Ms. Shelley Parisi Reaves –
Continued

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, July 23, 2015**

2014053-2 **Paula Kay Bullock, DVM** (Affordable Animal Care
Spay Neuter Clinic) – Ms. Elizabeth Hathaway –
Continued

2014054-2 **Poppy Masterson, DVM** (Affordable Animal Care Spay
Neuter Clinic) – Mr. & Mrs. Randy Nevils – Continued

2015004-2 **Paula Kay Bullock, DVM** (Affordable Animal Care
Spay Neuter Clinic) – Mr. & Mrs. John Harman – Letter
of Reprimand

Dr. Bull made a motion to accept the report of Committee on
Investigations No. 2. Mr. Loftis seconded the motion. The motion passed
unanimously.

Report of Committee on Investigations No. 1

2015013-1 **Jennifer Banks Bailey, DVM & Ann C. Pagnotta,**
RVT (New Hope Animal Hospital) – Ms. Wendy Craven
– No probable cause for Dr. Banks and Ms. Pagnotta

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, July 23, 2015**

2015016-1 **James Edward Williams, DVM** (Eastern Carolina
Veterinary Referral Hospital) – Mr. Bill McCuskey –
Continued

2015018-1 **Karen Anne Purcell, DVM** (Five County Spay Neuter
Clinic) – Ms. Jeanette Bolden – Letter of Reprimand

2015006-1 **Peggy A. Johnston, DVM** (Gates County Animal Clinic)
– Ms. Chrisi Duman – No probable cause

2015019-1 **Caroline Marie Chavez, DVM** (The Pet Hospital of
New Bern) – Ms. Kathy Scurlock – No probable cause

Mr. Loftis made a motion to accept the report of the Committee on
Investigations No. 1. The motion was seconded by Dr. Cochran. The
motion passed.

Report of Committee on Investigations No. 3

2015011-3 **Genorah Lynn Warner, DVM** (Skyland Animal
Hospital of Asheville) – Mr. & Mrs. Arthur McElrath –
Letter of Reprimand

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, July 23, 2015**

- 2015012-3 **Suzanne Riley Sewell, DVM** (Crestview Veterinary Hospital) – Ms. Elizabeth O’Nan – No probable cause
- 2015010-3 **Jaelyn Amber, DVM** (Charlotte Street Animal Hospital) – Ms. Elisabeth Watson – No probable cause
- 2015014-3 **Elisabeth Ruth Carlson, DVM** (Northwest Animal Hospital) – Mr. & Mrs. Matt Parsells – Letter of Reprimand with additional CEs.
- 2015008-3 **Laura de Marchena Greene, DVM** (NCSU-CVM) – Ms. Lorri Warner – Letter of Reprimand
- 2015007-3 **Michael J. Heinen, DVM** (Lake Norman Animal Hospital) – Ms. Rebecca Sofio – Letter of Reprimand
- 2015017-3 **Susan Lloyd, DVM** (Emergency Pet Hospital of Craven-Carteret) – Mr. & Mrs. David Kimberly – Letter of Caution
- 2015015-3 **Breton Michael Anderson, Jr., DVM** and **Julie Ann O’Donnell, DVM** (Banfield Pet Hospital-Monroe) – Ms. Delores Jamison – Letter of Reprimand for Dr. Anderson; No probable cause for Dr. O’Donnell

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, July 23, 2015**

Dr. Barber made a motion to accept the report of Committee on Investigations No. 3. Dr. Dean seconded the motion. The motion was approved. Dr. Bull recused herself from the vote on complaint 2015011-3.

Mr. Loftis made a motion to approve the expenses for the Board Meeting, which was seconded by Dr. Cochran. The motion was unanimously approved.

Mr. Loftis made a motion to pre-approve Board expenses for the October Board Meeting which will be held in Asheville, NC. Dr. Dean seconded the motion, which was approved unanimously.

Mr. Loftis moved that the N.C. Veterinary Medical Board request that Mr. Mickey, as Executive Director, authorize expenditures from Board funds for travel, lodging and registration of Board members, staff, and legal counsel in connection with the October 8, 2015 Board meeting at the Asheville Renaissance Hotel in Asheville, N.C., as well as the Committee meetings of the Board that will take place at the hotel on October 7, 2105. These expenditures will exceed the maximum amounts established by statute

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, July 23, 2015**

and by the Office of State Budget but are justified because the Board will benefit by meeting at this location where the North Carolina Academy of Small Animal Medicine will be holding its Great Smokies Veterinary Conference. The Board has been invited to make a two-hour presentation to the 300-plus attendees at the Conference about its regulation of veterinary medicine in the State. The majority of the Board and the Executive Director will participate in the presentation. The Board will be able to interact with veterinarians and registered veterinary technicians attending this conference. It has been helpful to the Board at similar professional association meetings and conferences in the past to communicate with its licensees and registrants. This has helped the Board in its planning and in its statutory regulation of veterinary medicine.

The Board, having no further business, upon motion of Mr. Loftis, seconded by Dr. Barber, the meeting was adjourned at 6:07 p.m.

Respectfully Submitted,

Thomas M. Mickey
Executive Director