

**MINUTES, North Carolina Veterinary Medical Board
Asheville, North Carolina, August 11, 2011**

At 8:05 a.m. 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. Dwight E. Cochran, Kim Gemeinhardt, Richard Hawkins, David Marshall and 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.

Dwight E. Cochran, DVM was recognized and welcomed as the most recent member appointed to the Board. His term is from July 1, 2011 to June 30, 2016.

On motion by Dr. Marshall, seconded by Mrs. Morgan, the minutes for the June 10, 2011 meeting were approved.

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Dr. Jernigan reported on behalf of the North Carolina Veterinary Health Program (NCVHP) since the last Board meeting. No further action was taken.

At 8:50 a.m. David F. Thompson, DVM, of Asheville presented information on the topic of dental cleaning of animals' teeth without anesthesia. Dental cleaning without anesthesia has emerged as a practice in other States. Dr. Thompson recently became aware of an individual, not a veterinarian, who wished to conduct such dental cleaning under supervision in a veterinarian's office. The Board members discussed various aspects of the issue, including how this practice is regulated in California, and the limitations of this procedure in accurately assessing and treating animals' dental health. Following discussion with the Board, Dr. Thompson left the meeting at 9:30 a.m. No further action was taken.

The Board took a break at 9:30 a.m. and reconvened at 9:40 a.m.

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

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Dr. Gemeinhardt moved to raise the renewal fee for registered veterinary technicians from \$25.00 to \$35.00, which is already authorized by Board Rule; and to raise the temporary permit fee from \$35.00 to \$100.00, which is already authorized by Board Rule. Dr. Martin seconded the motion. Following discussion, the motion passed unanimously.

The Board discussed the May 19, 2011 memorandum from the American Association of Veterinary State Boards (AAVSB) Bylaws and Resolution Committee concerning 5 proposed amendments to the Bylaws. Dr. Martin moved, seconded by Dr. Cochran, that it is the Board's position that Dr. Gemeinhardt, as the Board representative at the September, 2011 AAVSB meeting, vote for amendments 3, 4 and 5. Dr. Gemeinhardt will attend the AAVSB Bylaws and Resolution Committee meeting and determine how to vote on amendments 1 and 2. The motion passed unanimously.

The Board recessed at 10:55 a.m. and reconvened at 11:00 a.m.

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At 11:00 a.m. Kim V. Hombs, DVM, of Charlotte joined the meeting to discuss integrative alternative veterinary medical treatment. She provided a list of North Carolina veterinarians who provide such treatment. She reviewed information on acupuncture and integrative veterinary medicine associations. She discussed how she integrates this type of treatment into her veterinary practice. She left the meeting at 11:40 a.m. The Board took no action.

The Board discussed a proposal from the Wake County Animal Center to provide (1) spay/neuter and (2) heartworm treatments to certain animals that the Center owns but has placed in a foster arrangement with persons seeking to adopt the animals. The program is known as “Foster – to – Adopt.” The Center, by written agreement with the prospective owners, would maintain ownership of the animals until the prospective owners complete the animals’ prescribed medical treatment. Some of this medical treatment would be provided by the Center’s staff veterinarians. Following discussion, Dr. Hawkins made a motion to place this item on the agenda of the next Board meeting. Dr. Cochran seconded the motion. The motion passed unanimously.

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The meeting recessed at 12:20 p.m. for a break and reconvened at 12:40 p.m.

Former Board member Susan Bull, DVM, of Candler joined the meeting. Dr. Jernigan greeted her and presented her with a plaque “in grateful recognition of faithful service to the public and the veterinary profession as a member of the Board.” Following the presentation and with best wishes of the Board members, she left the meeting.

Dr. Hawkins made a motion, seconded by Dr. Cochran, to approve the new IRS mileage rate (.555 cents per mile) for reimbursement for Board member and staff travel. The motion passed unanimously.

At 12:45 p.m., Board Attorneys George Hearn and Lee Craven conducted Board member training about 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 the obligations and limitations of the Veterinary Medical Board as a State agency. The focus of the training

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was the Veterinary Practice Act; the Board rules; the Administrative Procedure Act; the Open Meeting Act; the Public Records laws; the State Tort Act; and the Defense of State Employees law. 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 2:20 p.m.

The Board recessed at 2:20 p.m. and reconvened at 2:30 p.m.

Mrs. Morgan made a motion to approve the draft language presented by the Executive Director that would amend G.S. § 90-187(c) to accept the successful completion of the AAVSB Program for the Assessment of Veterinary Education Equivalence (PAVE) in applications for veterinary licenses from graduates of non-accredited colleges of veterinary medicine. Dr. Marshall seconded the motion. The motion passed unanimously.

Dr. Cochran made a motion to approve the draft language presented by the Executive Director that would amend G.S. § 90-187.8 to provide for

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additional grounds for discipline of a license or registrant. The motion passed unanimously.

Dr. Gemeinhardt made a motion to approve the draft language presented by the Executive Director that would amend G.S. § 90-187.13 to allow the Board to seek injunctions for violations of the Practice Act in the Superior Court of Wake County. The motion passed unanimously.

The Board set the dates of the next Board meetings to be November 3, 2011, and February 3, 2012.

Report of Committee on Investigations No. 5

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

2011054-5 **Martha Hartman Edwards, DVM** – (Shelton's Veterinary Clinic) – Mr. Tim Hardison | *Letter of Reprimand*

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2011011-5 **Heather Ann Moeser, DVM** (Animal Wellness
Clinic) – Ms. Olivia Stuart | Dismissed, *no
probable cause.*

2011014-5 **Lee A. Darch, DVM** (North Wake Animal
Hospital) – NCVMB | Dismissed, *no probable
cause.*

2010023-5 **Dennis Kay Johnson, DVM** (Greenville
Veterinary Hospital) – Ms. Shannon L. Nicholas –
The Committee reconsidered its previous decision
to issue a letter of reprimand and instead voted to
issue a letter of caution.

Upon motion by Mrs. Morgan, seconded by Dr. Marshall, the Board
approved the report of Committee on Investigations No. 5, with Dr. Marshall
recusing himself with respect to that part of the vote relating complaint No.
2011014-5 regarding Lee A. Darch, DVM.

Report of Committee on Investigations No. 1.

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2010013-1 **Jennifer Leigh Carrell, DVM and Deborah A.**

McArthur-Wicks, DVM (Surf City Pet Hospital)

– Ms. Jennifer Reigle-Yeager| Dismissed, *no*

probable cause.

2011012-1 **Robert W. Meinecke, DVM and Russell J. Tate,**

DVM (Raeford Animal Clinic) – Ms. Kathy Hynes

| *Dismissed, no probable cause.*

Upon motion by Dr. Hawkins, seconded by Mrs. Robinson, the Board approved the report of Committee on Investigations No. 1, with Dr. Martin recusing himself with respect to that part of the vote relating to the Jennifer Leigh Carrell, DVM and Deborah A. McArthur-Wicks, DVM, complaint No. 2011013-1.

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

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The Board having no further business, upon motion of Dr. Gemeinhardt, seconded by Mrs. Robinson, the meeting was adjourned at 3:50 p.m.

Respectfully Submitted,

Thomas M. Mickey
Executive Director