

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, September 6, 2013**

At 8:00 a.m., President Dante Martin, D.V.M. called to order the regular meeting of the North Carolina Veterinary Medical Board. In attendance were the following Board members: Drs. Dwight E. Cochran, William Dean, Kim Gemeinhardt, David Marshall and Richard Hawkins; Mr. Jonathan Loftis, 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. Martin reviewed with the Board the Governor's and the North Carolina Board of Ethics' statement on recognizing and avoiding conflicts of interest.

On motion by Dr. Marshall, seconded by Dr. Cochran, the minutes for the June 27, 2013 Board meeting were approved.

At 8:05 a.m., Joseph P. Jordan, PhD., Clinical Director of the N.C. Physicians Health Program (NCPHP) joined the meeting. Dr. Jordan presented an update of the status of the N.C. Veterinary Health Program (NCVHP) since the last Board meeting. He requested the contract between

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the Board and NCVHP be changed from a six month contract to a yearly contract. The Board asked Dr. Jordan to present an educational session at the next Board meeting. Dr. Jordan left the meeting at 8:25 a.m.

Dr. Marshall made a motion, seconded by Dr. Cochran, that when the contract comes up for renewal in January, 2014, it be for a one-year period. The motion passed unanimously.

The Board set a preliminary hearing date of November 13, 2013 for complaint 2008042-2 filed by Ms. Cynthia Robinson against Dennis Kay Johnson, DVM. The Board also set a hearing date of January 30, 2014 for complaint 2011005-6 initiated by the Board against Mitzi Denise Elliott, DVM.

Dr. Martin directed some changes to the current committee structures: Jonathan Loftis, RVT will replace Dr. Hawkins on what was Committee 4, which hereafter will be designated Committee 8, composed of Dr. Cochran, Chair, Dr. Dean and Mr. Loftis. The chair of Committee 3 will change from

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Dr. Martin to Dr. Gemeinhardt. The third member of the Committee will continue to be Dr. Marshall.

Mr. Mickey reported on the activities of the investigator since the last Board meeting.

Mr. Mickey 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 with him.

At 9:05 a.m. the Board recessed for a break. The meeting resumed at 9:15 a.m.

Dr. Martin made a motion, seconded by Dr. Gemeinhardt, to convene the Hearing Panel for Board initiated complaint # 2012047-3 against Marguerite B. Horstman, DVM. The motion passed unanimously.

The Hearing Panel was called to order by the Chair, Dr. Hawkins. The other members of the Panel were Dr. Cochran, Dr. Dean, Mr. Loftis and

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Mrs. Morgan. Dr. Hawkins recognized Mr. Hearn who reported that Dr. Horstman wished to resolve the issues contained in the Notice of Hearing by entering into a Consent Order. On behalf of the Committee on Investigations No. 3, Mr. Hearn had prepared a Consent Order which he reviewed with the Panel. The Consent Order:

- 1) Shall remain in effect for ten (10) years unless subsequently modified by the Board.
- 2) Resolves the issues in the Board's Summary Emergency Order and Notice of Hearing of May 3, 2013.
- 3) Cancels the suspension of Dr. Horstman's veterinary license and her license is restored to active status.
- 4) Permanently closes Woodlawn Animal Hospital.
- 5) Prohibits Dr. Horstman from directly or indirectly having an ownership interest in, or leasing, or managing any veterinary medical facility.

Dr. Horstman signed the Consent Order on July 17, 2013.

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Dr. Hawkins made a motion, seconded by Mr. Loftis, to approve Consent Order. The motion passed unanimously. The Hearing Panel adjourned and the Board returned to regular session at 9:25 a.m.

Dr. Marshall presented to the Board correspondence from Lt. Col. Andrea Mullen, DVM, of the U.S. Army Reserves 109th Medical Detachment Veterinary Services and Spencer F. Brady, an Intern with the N.C. Department of Health and Human Services, Office of Rural Health and Community Care, regarding the U.S. Army's Appalachian Innovative Readiness Training (IRT) "Appalachian Care" Mission. Their emails explained that this Mission is scheduled for June 1-14, 2014 in 14 counties in western N.C., northern Georgia and eastern S.C. As part of the Mission, a veterinary team will be stationed in Murphy and Bryson City and will provide spay and neuter surgeries and preventive medical care for dogs and cats. Equine services will be provided but would be limited to vaccinations against zoonotic diseases. The Board discussed the licensing elements of the Mission and its need to comply with the minimum facility and practice standards of Board Rule 21 NCAC 66.0207 and with the requirements of facilities providing limited veterinary services under Board Rule 21 NCAC

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66.0208. The Executive Director will communicate to Lt. Col. Mullen and Mr. Brady that the Board will not approve the Veterinary aspects of the Mission until the Board's concerns have been met.

Mr. Mickey requested permission for him and Dr. Gemeinhardt to attend the next Federation of Association of Regulatory Boards (FARB) meeting in January, 2014 in Austin Texas. Upon motion by Dr. Martin, seconded by Dr. Cochran, the Board unanimously approved their attendance.

Ronald Jeffrey Martin, DVM, had requested by email to the Board that he be allowed to sit for the N.C. Veterinary State Examination. Following a review of the Board's May, 2009 decision to deny his application for licensure, Dr. Martin made a motion to reaffirm the Board's previous decision. Dr. Gemeinhardt seconded the motion. Following discussion, Dr. Martin withdrew his motion. Dr. Marshall made a motion, seconded by Dr. Martin, to allow Dr. Ronald Martin to submit an application to sit for the State Examination. Following the receipt of the application, it will be reviewed by the Board. The motion passed unanimously.

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Craig Harms, DVM, PhD, requested information from the Board on the licensing requirements for veterinarians who are investigating the possibility of morbillivirus in dolphins that frequent North Carolina waters. The Executive Director will send a letter to Dr. Harms thanking him for the information and communicating that a veterinary license is not required as the dolphins in question are not “owned” and considered wildlife.

The Board discussed scheduling its summer 2014 meeting at the location and date of the meeting North Carolina Veterinary Medical Association (NCVMA) that will be held in Myrtle Beach, S.C. Dr. Martin made a motion, seconded by Dr. Cochran, that the Board schedule its meeting at the same time and date as the NCVMA meeting. The motion passed with Dr. Dean, Dr. Hawkins, Dr. Marshall and Mrs. Morgan in favor and Dr. Cochran, Dr. Gemeinhardt and Mr. Loftis opposed.

The Board set the 2014 meeting dates to be:

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Committee 8	Committee 3	Board
January 16, 2014	January 30, 2014 (pm)	January 31, 2014
March 20, 2014 (pm)	March 27, 2014	March 28, 2014
May 22, 2014	May 29, 2014	May 30, 2014
July 3, 2014	July 9, 2014	July 10, 2014 (Myrtle Beach)
August 28, 2014	September 4, 2014	September 5, 2014
November 6, 2014	November 13, 2014	November 14, 2014

At 10:40 a.m., the Board recessed for a break and resumed the meeting at 10:50 a.m.

Report of Committee on Investigations No. 3

2012049-3 **Joel M. Barden, DVM** – (Veterinary Medical Center) – Ms. Beverly Harris – The Committee found probable cause and directed that a Notice of Hearing be issued.

2013016-3 **George C. Brooks, DVM** – (Brevard Animal Hospital) and **Randolph Wetzel, DVM** (Regional

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Emergency Animal Care Hospital of Asheville) –

Mr. & Mrs. Jodey Simpson – The Committee

found no probable cause.

2013021-3 **Anna Melissa Hudson, DVM** – (Northwoods

Animal Hospital of Cary) – Ms. Patricia

Ehrlickman – No probable cause.

2013010-3 **Amo Baldwin Burbridge, DVM** – (Alamance

Veterinary Hospital) – Ms. Brittany Brewer – No

probable cause.

The Committee reported on their review of the application of Ms. Kellie L. Godfrey for registration as a Registered Veterinary Technician. The Committee recommended that she be denied a registration because of her failure to truthfully answer questions on the application, her pending DWI charge and her unwillingness to participate in a program with the N.C. Veterinary Physicians Health Program.

Upon motion by Mr. Loftis, seconded by Dr. Hawkins, the Board unanimously approved the report of Committee on Investigations No. 3.

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Report of Committee on Investigations No. 4

- 2013008-4 **Donald Fuller, DVM** – (Caswell Veterinary Service) – NCVMB –Letter of Caution.
- 2013013-4 **Kimberly Ann Sheaffer, DVM and Jennifer Lyn Merlo, DVM** – (CVS-Matthews) – Mrs. Jennifer Melvin – Continued
- 2013018-4 **Daniel James Wilson, DVM** – (A Country Veterinary Clinic) – Ms. Jennah C. Bosch, RVT – Letter of Caution.
- 2013009-4 **Jane A. Barber, DVM** – (Veterinary Spec. Hospital at the Lake) – Mr. Nolan Huffman – Letter of Caution.
- 2013020-4 **Stuart Hicks, DVM** – (Hicks Animal Clinic) – Mr. & Mrs. Bobby Jackson –Letter of Caution.
- 2012024-4 **John H. Isaacs, DVM** – (Quail Corners Animal Hospital) – Ms. Lori Doremus – Following reconsideration, the Committee found no probable cause and dismissed the complaint.

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2012036-4 **Dennis Kay Johnson, DVM** – (Greenville Veterinary Hospital) – Mr. David Gladson – The Committee reported that on September 16, 2013, Dr. Johnson rejected the previously-issued letter of reprimand and has requested a hearing.

At 12:25 p.m., the Board recessed for a break and resumed the meeting at 1:15 p.m.

2013004-4 **Jason Kenneth Thornton, DVM** – (Vets for Pets) – Ms. Betty Capps – The Committee is reconsidering its previous decision to issue a letter of reprimand, and the case is continued until next meeting.

Upon motion by Mr. Loftis, seconded by Dr. Marshall, the Board approved the report of Committee on Investigations No. 4.

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Upon motion of Dr. Gemeinhardt, seconded by Dr. Cochran, the expenses for this Board meeting were approved.

Dr. Martin assigned to Committee 8 a project of reviewing issues relating to veterinary practice ownership under the Veterinary Practice Act, and asked that the Committee report to the Board at a future meeting.

The Board having no further business, upon motion of Dr. Hawkins, seconded by Mr. Loftis, the meeting was adjourned at 1:30 p.m.

Respectfully Submitted,

Thomas M. Mickey
Executive Director