

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, November 14, 2019**

At 8:00 a.m., President Susan Bull, DVM called to order the regular meeting of the North Carolina Veterinary Medical Board. Present also were the following Board members: Drs. Kent Dean, Kim Gemeinhardt, Doug Meckes, Ronald Komich, and Azure Holland; Robin Lazaro, RVT, and Mrs. Krissie Newman. Also present were Board Attorney, George Hearn, and Executive Director, Dr. Tod J. Schadler, and Elisa Meier, NCSU-CVM student liaison.

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

The following guests were introduced: Claire Holley, Executive Director of North Carolina Veterinary Association (NCVMA); Jennifer Shults, DVM, President, NCVMA; Jon Carr, Attorney for NCVMA; Cherrokie Taylor, from Miller-Motte College; Natalie Young, PharmD, Director of Realo Veterinary Pharmacy and Vice President of American College of Veterinary Pharmacists; Patricia Norris, DVM, Director of the

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Veterinary Division Animal Welfare Section of the North Carolina Department of Agriculture & Consumer Services (NCDA&CS); and Christopher McLennan, Attorney for the NCDA&CS.

The September 5, 2019 Board meeting minutes were reviewed. Dr. Komich, seconded by Dr. Meckes, moved to approve the September 5, 2019 Board minutes with corrections. The corrected minutes were approved unanimously.

New Business:

AAVSB Meeting Report

Dr. Dean and Mrs. Lazaro both attended the September AAVSB meeting in St. Louis and reported that all sessions were extremely good and very informative. Also in attendance were Dr. Susan Bull, Dr. Kim Gemeinhardt, Dr. Azure Holland, Dr. Tod Schadler, Mr. Keith West, and Ms. Elisa Meier.

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Reports:

President:

Dr. Bull reminded all Board members to review the AAVSB Model Regulations for Veterinary Technicians and Veterinary Technologists for input and feedback.

Dr. Bull has established Committee on Investigations 9 with the following Board members: Dr. Holland, Dr. Komich, and Robin Lazaro, RVT as the chairperson. Committee on Investigations 7 will no longer be assigned complaints and will complete its investigations and discussions on the complaints currently pending.

State Veterinarian's Report:

Dr. Meckes gave an update on the situation with African Swine Fever. It has spread throughout eastern Asia. There is no vaccine available yet, but the NCDA&CS is working on depopulation and disposal methods in case this disease reaches the United States.

In September the Mountain State Fair in Asheville had an outbreak of Legionnaires' Disease, the source of which was found and all water lines have been disinfected.

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The new North Carolina diagnostic lab had the last steel beam ceremony recently. January 2021 is predicted as the date when the lab will be ready to open.

Representatives of the NCDA&CS and the NCVMB met to discuss the inspection and oversight of boarding facilities and kennels. Dr. Bull has assigned Dr. Meckes, Dr. Schadler, Dr. Dean, Dr. Marshall, Mr. Hearn, Keith West, and herself to a committee to work on defining which boarding facilities and kennels should be inspected by the NCVMB or by the NCDA&CS.

Dr. Shults voiced a concern that all veterinarians should know the rules and regulations from the North Carolina Animal Welfare concerning boarding and daycare in facilities.

North Carolina Professional Health Program (NCPHP) Report:

Dr. Joseph Jordan, CEO of NCPHP, gave an updated report on participants in its program. Dr. Jordan's video presentation on controlled substances will be available on its website next week.

Chief Inspector's Report:

Dr. David Marshall, Chief Inspector, reported that 167 facilities were inspected since September 5, 2019. On November 21 members from the West Virginia Veterinary Medical Board will be visiting to understand our system of inspecting mobile veterinary practices.

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At 10:10 a.m. the Board took a break and reconvened at 10:30 a.m.

Legislative Committee – Facility Permit:

NCVMA Attorney Jon Carr voiced concerns about “Pop-up” clinics in parking lots. The Board agreed to change the language and to further define these clinics.

Legislative Committee – Telehealth:

Jon Carr voiced concerns of the committee’s proposed rules and he suggested a representative from the NCVMA be in on future conversations about drafting the rules.

Auditor Report:

Mr. David Boyce, CPA, briefly went through the Audit Report for fiscal year 2018-2019. He gave some recommendations to the Board for better practices, some of which have already been implemented. The Board reviewed and accepted the Audit Report for fiscal year 2018-2019.

Student Liaison Report:

Elisa Meier, Student Liaison from North Carolina State University – College of Veterinary Medicine (NCSU-CVM) is still searching for her replacement for May 2020.

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Ms. Meier presented the presentation she gave at the AAVSB Conference on “What is a student liaison and why it is important to both the Board and the students”.

Ms. Cherrokie Taylor, from Miller-Motte College, said that she would like to have an RVT student liaison for the Board. Mrs. Lazaro will work with the schools and the NC Technician Association to come up with solution.

At 11:30 a.m., the Board took a brief break and continued the meeting with a working lunch.

CBD Update:

Joe Reardon, Consumer Protection Assistant Commissioner for NCDA&CS, updated the Board on their stance on CBDs.

At 12:55 p.m. the Board took a break and reconvened at 1:05 p.m.

Executive Director’s Report:

Dr. Schadler gave an update on licensing activities.

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Chiropractor Update:

Dr. Bull has sent a letter to the North Carolina Board of Chiropractic Examiners to request a written statement as to the basis for the Chiropractic Board's position that chiropractors can perform services and treatments that constitute the practice of veterinary medicine.

Facility Inspection Listing on Website:

Dr. Schadler suggested the Board consider listing facility inspections on the website for public information.

Meeting with other Boards:

Dr. Schadler did not have any success in getting a meeting set with the other Veterinary Boards surrounding North Carolina. He will try again after the first of the year.

FARB Meeting – January 23-26, 2020, Colorado Springs:

Dr. Schadler, Mrs. Newman, and Dr. Komich will attend this meeting.

January / March 2020 Board Meetings:

The January 16, 2020 Board meeting will be held at the Rescue Ranch in Statesville, NC. The March 5, 2020 Board meeting will be held at the North Carolina State University-College of Veterinary Medicine campus.

At 1:35 p.m. the Board took a break and reconvened at 1:45 p.m.

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Report of Committee on Investigations No. 1

- a. 2019025-1 – James F. Link, DVM (North Stanley Animal Clinic) – NCVMB – No probable cause, dismissed
- b. 2019024-1 – Matthew James Schmunk, DVM and James G. Schmunk, DVM (North Davidson Veterinary Hospital) – Mr. Jeff Block – Letter of Reprimand for Matthew James Schmunk, DVM and Letter of Caution for James G. Schmunk, DVM
- c. 2019030-1 – Fernando Cardenas, DVM (3H Equine Hospital & Mobile Veterinary Services) – Ms. Bridgett Buckman – No probable cause, dismissed
- d. 2019034-1 – Denise Darlene Vadala-Barbour, DVM (Crepe Myrtle Animal Hospital) – Mrs. Samantha Bowden – No probable cause, dismissed
- e. 2019042-1 – Timothy L. Strickland, DVM (Oldtown Veterinary Hospital) – Mr. Rich & Cathy Grecki – Letter of Reprimand
- f. 2019036-1 – Kevin Arthur Monce, DVM and Shaina Brienne Stewart, DVM (Petsound Animal Hospital) – Mr. Josh Bronson & Ms. Giovanna Arcari - No probable cause, dismissed for both
- g. 2019040-1 – Alycia Catherine Washington, DVM (CVS-Huntersville) – NCVMB - No probable cause, dismissed
- h. 2019038-1 – Jessenia Maria Vargas, DVM (Magnolia Animal Hospital) – Ms. Dana Dudley - No probable cause, dismissed

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Dr. Gemeinhardt was recused from the discussion and voting on complaint 2019024-1.

Dr. Komich made a motion, seconded by Dr. Holland, to approve the report from Committee on Investigations No. 1 with Dr. Gemeinhardt recused from voting on complaint 2019024-1. The report from Committee 1 was approved.

Report of Committee on Investigations No. 7

- a. 2018049- Laurel Marie Davis, DVM (Sunvet Animal Wellness Clinic) – Mr. Manofsky – Letter of Reprimand reconsidered – no change
- b. 2019021-7 – Elizabeth Gough Eubanks, DVM and Rebecca Gail Weaver, DVM (Animal Ark Veterinary Hospital) – Ms. Jennifer Hough – Letter of Caution
- c. 2019028-7 – Leigh Halsey Walker, DVM and Amanda Christine Lehnberg, DVM (Coats Veterinary Hospital) – Mr. Michael Grove – No probable cause, dismissed for both
- d. 2019031-7 – Miranda Carol Ertel, DVM (Knightdale Animal Hospital) – Ms. Francisca Nicaragua – Letter of Caution
- e. 2019033-7 – Matthew Paul Blevins, DVM (The Animal Hospital of Ashe) – Mr. Jim & Michelle Bathrick – Letter of Caution
- f. 2019035-7 – Daniel Walter Mertens, DVM (CVS-South Charlotte) – Ms. Carla Goodwin – No probable cause, dismissed
- g. 2018037-7 – Olivia Guzman, DVM (X-Way Road Animal Hospital) – Mr. Edward Chase Cline – Letter of Reprimand and \$2,000 civil monetary penalty

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- h. 2019041-7 – Anthony Harris Levine, DVM (Ironton Animal Hospital) –
Ms. Rachelle Lay – Letter of Caution

Dr. Meckes was recused from the discussion and voting on complaint 2019033-7.

Dr. Gemeinhardt made a motion, seconded by Mrs. Newman, to approve the report from Committee on Investigations No. 7 with Dr. Meckes recused from voting on complaint 2019033-7. The report from Committee 7 was approved with one nay vote.

Dr. Gemeinhardt, seconded by Dr. Holland, made a motion to approve the meeting's expenses. It was approved unanimously.

The Board having no further business, a motion to adjourn made by Mrs. Newman, seconded by Dr. Gemeinhardt, passed unanimously. The meeting adjourned at 4:45 p.m.

Respectfully Submitted,

Tod J. Schadler, DVM
Executive Director