

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, November 3, 2005**

President Amy Lewis, DVM, called the regular meeting of the North Carolina Veterinary Medical Board to order at 8:02 a.m. In attendance were Board members Drs. Susan Bull, Linwood Jernigan, Richard Hawkins, Dante Martin, Mrs. Nancy Robinson, R.V.T., and Ms. Amy Edwards. Also present were Board Attorney, Mr. George Hearn, and Executive Director, Mr. Thomas Mickey.

On a motion made by Dr. Hawkins, seconded by Dr. Jernigan, the minutes for the August 20, 2005, meeting was approved.

The Board reviewed the discussion from the last Board meeting concerning the palpation of cattle. No further action was taken.

Dr. Lewis set the meeting date for the next meeting of the Committee on Investigations No. 7 to be January 11, 2006, and the date for the next meeting of the Committee on Investigations No.2 to be January 12, 2006.

The Board discussed the current status of the Impairment Program. The Executive Director and Attorney for the Board are to communicate the Board's concerns to the North Carolina Physicians Health Program.

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The Executive Director reported on activities of the Board office since the last meeting. No further action was taken.

The Executive Director distributed a financial report to the Board. Following discussion, Mrs. Robinson made a motion to approve the report. Dr. Bull seconded the motion. The motion passed unanimously.

The meeting of the Board adjourned at 9:15 a.m., for a five-minute break, and reconvened at 9:20 a.m.

The Board Investigator presented a report on his activities since the June meeting. No further action was taken.

Mrs. Robinson presented a Power-Point presentation on her attendance of the Annual Meeting of the American Association of Veterinary State Boards' in September.

The Board reviewed the August 31, 2005, change to the business standard mileage rate set by the Internal Revenue Service. Dr. Jernigan made a motion to change the reimbursement rate to 48.5 cents per mile to

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conform to the new Internal Revenue Service rate. Dr. Hawkins seconded the motion. The motion passed unanimously.

The Executive Director is to review and report on the number of miles traveled for 2005 by the Board's Inspector and Investigator.

The Board revisited its previous discussion from the last Board meeting to accept the veterinary licensing examination application from Tamra Windschill, D.V.M., if she chooses to reapply. Given that she does not appear to meet the requirements of 21 NCAC 66 .0206(b), Dr. Bull made a motion that she be allowed to apply for a temporary permit to practice veterinary medicine until such time that the rule is modified, or she meets the requirements of the existing rule. Dr. Hawkins seconded the motion. The motion passed unanimously.

Ms. Edwards made a motion to file technical corrections with the Rules Review Commission to 21 NCAC 66 .0101, .0301, .0303 and .0306. These technical corrections will correct the Board address, names of national examinations and testing requirements in the Administrative Rules, to reflect

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current information. Dr. Hawkins seconded the motion. The motion passed unanimously.

Report of Committee on Investigations No. 1.

04055-2-1 James G. Mackie, Jr., DVM (complaint of Mrs. William Arnold) – Disciplinary action, letter of reprimand and \$1,000 civil monetary penalty. The basis for the civil monetary penalty is G.S. § 90-187.8(b)(2).

Ms. Edwards made a motion to approve the Committee on Investigations No. 1 report. Dr. Hawkins seconded the motion. The motion passed unanimously.

Report of Committee on Investigations No. 2.

05028-1-2 Cynthia Denis Burnett, DVM (complaint of Mr. & Mrs. Nathaniel Lawrence) – Dismissed, no probable cause.

05038-1-2 Todd Allen Blair, DVM (complaint of Ms. Fran Feltman) – Dismissed, no probable cause.

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05041-1-2 Jonathan Rob Allen, DVM (complaint of Mr.
Gerald Johnston & Ms. Judy Wallin) –
Disciplinary action: letter of reprimand.

Mrs. Robinson made a motion to approve the Committee on
Investigations No. 2 report. Dr. Hawkins seconded the motion. The motion
passed unanimously.

The meeting of the Board adjourned at 12:05 p.m.

The regular meeting of the Board reconvened at 12:35 p.m.

Report of Committee on Investigations No. 7.

03033-1-7 Michael S. Grafinger, DVM (complaint of Mr.
John L. Johnson, Jr.) – The Committee
reconfirmed its previous decision to issue a letter
of reprimand.

05030-1-7 Melissa Jean Wheeler, DVM & Timothy F.
Barker, DVM (complaint of Ms. Linda Dunn) –

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The Committee previously decided at its last meeting to dismiss the case against Dr. Wheeler with a finding of no probable cause and to issue a letter of reprimand against Dr. Barker. The Committee reached a decision to withdraw both decisions and to continue the case until its next meeting.

05027-1-7 Dennis Kay Johnson, DVM (complaint of Ms. Carolyn K. Dunn) – At the request of Dr. Johnson, the Committee reviewed its previous decision to issue a letter of caution. Following the review the Committee determined that the letter of caution should stand.

05031-1-7 Bentley Stephenson, DVM (complaint of Ms. Laura McAlpin) – Disciplinary action: letter of caution.

05033-1-7 Dennis Kay Johnson, DVM (complaint of Kathy D. Mayo, MD) – Disciplinary action, letter of reprimand and \$1,000 civil monetary penalty. The

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basis for the civil monetary penalty is G.S. § 90-187.8(b)(2) and (3).

05029-1-7 Patricia Monahan Jordan, DVM (complaint of Mr. Bob McCall) - Disciplinary action: letter of caution.

05034-1-7 Dennis Kay Johnson, DVM (complaint of Mrs. Bethany B. Cobb) – Disciplinary action, letter of reprimand and \$500 civil monetary penalty. The basis for the civil monetary penalty is G.S. § 90-187.8(b)(3) and (4).

05039-1-7 Dennis Kay Johnson, DVM (complaint of Mr. & Mrs. Bill Upchurch) – Disciplinary action, letter of reprimand and \$500 civil monetary penalty. The basis for the civil monetary penalty is G.S. § 90-187.8(b)(2) and (3).

05035-1-7 Dennis Kay Johnson, DVM (complaint of Ms. Amber Daniels) – Disciplinary action, letter of reprimand and \$1,000 civil monetary penalty. The basis for the civil monetary penalty is G.S. § 90-187.8(b)(2) and (3).

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05032-1-7 Dennis Kay Johnson, DVM (complaint of Ms. Cheryl Smith, RN, RVT) – Continued.

05044-1-7 Douglas Robert Nabel, DVM (complaint of Mr. Lewis M. Iacovelli) – Dismissed, no probable cause.

05047-1-7 Michael J. House, DVM (complaint of Mr. George G. Willis) - Disciplinary action: letter of caution.

Dr. Jernigan made a motion to approve the Committee on Investigations No. 7 report. Dr. Bull seconded the motion. The motion passed unanimously, with Dr. Martin abstaining from complaint no. 05029-1-7.

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

The meeting was adjourned by unanimous vote upon a motion by Mrs. Robinson and seconded by Dr. Jernigan at 1:42 P.M.

Respectfully Submitted,

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Thomas M. Mickey
Executive Director