

**MINUTES, North Carolina Veterinary Medical Board
Board Office, Raleigh, North Carolina, January 30, 1998**

President David E. Brooks called the meeting to order at 9:20 A.M. Others in attendance were Board members Drs. George Edward, Joseph Gordon, Herbert Justus, Kenneth Padgett, Amy Lewis and Mrs. Nellie Jones. The Board Attorney, Mr. George Hearn, and Executive Director, Mr. Thomas Mickey were also present.

Mr. Joe Rippard, Risk Manager, North Carolina Department of Insurance, Ms. Shirley W. McLamb, Assistant Director, North Carolina Association of Insurance Agents, and Ms. Karen K. Ashley, State Insurance Account Analyst, North Carolina Association of Insurance Agents presented their research concerning insurance for the Board. They recommend to supplement the current insurance provided by the State by obtaining a Public Officials & Employees Liability Policy and a General Liability Policy which includes Non-Owned Auto. They stepped out of the meeting at 10:25 A.M. Dr. Justus made a motion that the Board obtain both of the policies recommended. Dr. Lewis seconded the motion. The motion passed with Dr. Edwards opposed. Mr. Rippard, Ms. McLamb, and Ms. Ashley returned to the meeting. They further explained the steps necessary to obtain the policies. They left the meeting at 10:35 A.M.

The Executive Director read the minutes of the November 14, 1997, meeting. On a motion made by Dr. Gordon, seconded by Dr. Lewis, the minutes were approved as corrected.

Dr. Edward made a motion to request Dr. Kim Krivit, owner of North Star Equine, to meet with the Committee on Investigations Number 8 at the

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next Board meeting. The motion was seconded by Dr. Padgett. The motion passed unanimously.

The Executive Director reported that the General Statutes do not make a distinction on the type of rabies vaccine that a certified rabies vaccinator may administer.

Dr. Justus reported that Madison County now has four certified rabies vaccinators.

Dr. Brooks reported that he received a thank you letter from Dr. Barbara Pipin concerning her temporary permit. He also reported on the two comments he received concerning the last President's letter.

Dr. Edwards made a motion, seconded by Dr. Gordon to enter into closed session to consult with Mr. Hearn concerning the Administrative Procedures necessary for revising the North Carolina Veterinary Practice Act. The motion passed unanimously. The regular meeting was adjourned at 1050 A.M.

The regular meeting was reconvened at 12:00.

The regular meeting was adjourned at 12:00 p.m. for lunch.

The meeting was reconvened at 1:10 p.m.

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The Executive Director distributed a financial report to the members of the Board.

The Executive Director distributed a copy of the last audit report to the members of the Board. As part of the audit the auditor recommended that the Board adopt a policy of not accepting cash payments from licensees or other customers of the Board. Dr. Padgett made a motion, seconded by Dr. Edwards, to continue accepting legal tender for payments. The motion passed unanimously.

Report of Committee on Investigations No. 1

97042-1-1 Dr. Guy Beretich (Complaint of Mr. Cam A. Perkins) - Continued.

97045-1-1 Dr. Jimmie L. Sain and Dr. Ralph Philip Yerex (Complaint of Ms. Dorie Schnauffer) - Dismissed, no probable cause.

97046-2-1 Dr. Richard Gregory Burkett (Complaint of North Carolina Veterinary Medical Board) - Continued.

97038-1-1 Dr. Bruce Simmons (Complaint of Ms. Elizabeth Canipe) - Client does not wish to proceed, complaint dismissed.

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97048-1-1 Dr. Richard Knight (Complaint of Ms. Barbara Talbert) -
Disciplinary Action. Letter of Caution.

97025-2-1 Dr. Richard Gregory Burkett (Complaint of Ms. Karen
Keltz) - Ms. Keltz has requested that the Committee
reopen the case. The Committee is still considering her
request.

The Committee on Investigations Number 1 also recommended that a
complaint be initiated against Dr. Burkett for practicing at the Birdie
Boutique.

The Committee on Investigations Number 1 requested that the Board
consider Dr. Burkett's failure to pay the civil monetary penalty that was
assessed against him at the last Board meeting. The motion passed
unanimously.

Dr. Gordon made a motion that Dr. Burkett's request that a payment
plan for his civil monetary penalty be denied and that he must pay within
ten days of the receipt of the letter from the Board stating such. If he does
not pay within that time frame, his license cannot be renewed until such
time that he complies. The motion was seconded by Dr. Lewis. The motion
passed unanimously.

Report on Committee on Investigations No. 7

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97047-1-7 Dr. Donald L. Fuller (Complaint of Ms. Kathleen Gemske) - Disciplinary Action. Letter of Caution. Also follow-up with an inspection of his practice facility.

97051-1-7 Dr. Danny Henry (Complaint of Ms. Eva D. Cashwell) - Disciplinary Action. Letter of Caution.

Dr. Gordon made a motion to approve the reports presented by the Committee on Investigations Number 1 and 7. The motion was seconded by Dr. Edwards. The motion passed unanimously.

The Board reviewed the request of Dr. Elizabeth Ann Krushinskie, a 1987 graduate of the Colorado State University, College of Veterinary Medicine, for an exemption from re-taking the Clinical Competency Test. Based on her previously passing the National Board Exam, Clinical Competency Test, her having worked in the veterinary profession for three of the last five years, and her status as a Diplomate of the American College of Poultry Veterinarians, Dr. Gordon made a motion to grant her request. Dr. Padgett seconded the motion. The motion passed unanimously.

The Board reviewed the request of Dr. Alan Brian Scheidt, a 1976 graduate of the Purdue University, School of Veterinary Medicine, for an exemption from taking the Clinical Competency Test. Based on his previously passing the National Board Exam, his having worked in the veterinary profession for three of the last five years, and his status as a Diplomate of the American Board of Veterinary Practitioners, Dr. Lewis

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made a motion to grant her request. Dr. Padgett seconded the motion. The motion passed unanimously.

The Board reviewed the request from Dr. Lynne Evans Dennis for an extension of the continuing education requirement for her 1998 veterinary license renewal. She has earned eight of the required twenty hours but was unable to earn the remaining hours due to the birth of her child. Dr. Padgett made a motion to grant her an extension until March 31, 1998. The late penalty will apply. The motion was seconded by Dr. Edwards. The motion passed unanimously.

The Board reviewed the request from Dr. Joann Steeves Lackey for an extension of the continuing education requirement for her 1998 veterinary license renewal. She has earned six of the required twenty hours but was unable to earn the remaining hours due to the death and illness of family members. She was also involved in a car accident in which her car was totaled. Dr. Padgett made a motion to grant her an extension until March 31, 1998. The late penalty will apply. The motion was seconded by Mrs. Jones. The motion passed unanimously.

The Board reviewed the request from Dr. Janet D. Seibert for an extension of the continuing education requirement for her 1998 veterinary license renewal. She has earned fifteen of the required twenty hours but was unable to earn the remaining hours due to the illness in the family. Dr. Lewis made a motion to grant her an extension until March 31, 1998. The

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late penalty will apply. The motion was seconded by Dr. Padgett. The motion passed unanimously.

The Board reviewed the request from Dr. Sandra Lee Stewart for an extension of the continuing education requirement for her 1998 veterinary license renewal. She has earned eighteen of the required twenty hours but was unable to earn the remaining hours due to the birth of her child. Dr. Padgett made a motion to grant her an extension until March 31, 1998. The late penalty will apply. The motion was seconded by Dr. Lewis. The motion passed unanimously.

The Board reviewed the request from Ms. Marguerite A. Yates for an extension of the continuing education requirement for her 1998-1999 veterinary technician registration renewal. She was unable to earn any of the required twelve hours due to an infection in her spine and several chronic infections. Dr. Padgett made a motion to grant her an extension until March 31, 1998. The late penalty will apply. The motion was seconded by Dr. Lewis. The motion passed unanimously.

The Board reviewed the request from Dr. Christopher John DeWitt for an extension of the continuing education requirement for his 1998 veterinary license renewal. He started a new practice and was unable to earn the required twenty hours. Dr. Gordon made a motion to deny the request. The motion was seconded by Dr. Lewis. The motion passed unanimously.

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The Board reviewed the request from Ms. Ellen F. Puckett for an extension of the continuing education requirement for her 1998 veterinary technician registration renewal. She stated that she was unaware that she had not gotten all of the required twelve hours. Dr. Gordon made a motion to deny the request. The motion was seconded by Dr. Lewis. The motion passed unanimously.

The Board reviewed the request from Dr. Allen Louis Dahl, Jr. for an extension of the continuing education requirement for his 1998 veterinary license renewal. He stated he had moved and built a new practice and was able to earn only seven of the required twenty hours. Dr. Padgett made a motion to deny the request. The motion was seconded by Dr. Gordon. The motion passed unanimously.

The Board reviewed the request from Dr. J. Hannis Mize for an extension of the continuing education requirement for his 1998 veterinary license renewal. He stated that due to the lost of a doctor on his staff he was unable to earn the required twenty hours. Dr. Justus made a motion to deny the request. The motion was seconded by Dr. Padgett. The motion passed unanimously.

The Board reviewed the request from Dr. Stephen David Waldman for an extension of the continuing education requirement for his 1998 veterinary license renewal. He stated that he had sold his practice and moved and was unable to earn the required twenty hours. Dr. Padgett made

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a motion to deny the request. The motion was seconded by Dr. Gordon. The motion passed unanimously.

The Board reviewed the request from Dr. Paul A. Willoughby for an extension of the continuing education requirement for his 1998 veterinary license renewal. He stated he had purchased a practice and was able to earn only fifteen of the required twenty hours. Dr. Padgett made a motion to deny the request. The motion was seconded by Dr. Gordon. The motion passed unanimously.

The Board reviewed the request from Ms. Kathy A. Whitt for an extension of the continuing education requirement for her 1998 veterinary technician registration renewal. She stated that she was unable to earn the required twelve hours. Dr. Gordon made a motion to deny the request. The motion was seconded by Dr. Lewis. The motion passed unanimously.

The Board reviewed the request from Dr. Donald S. Fincher for an extension of the continuing education requirement for his 1998 veterinary license renewal. He has earned six of the required twenty hours but was unable to earn the remaining hours due to a associate in his practice and a family member both having cancer. Dr. Padgett made a motion to grant her an extension until March 31, 1998. The late penalty will apply. The motion was seconded by Dr. Lewis. The motion passed unanimously.

The Board reviewed the temporary permit of Dr. Elizabeth A. Gray. Dr. Brooks made a motion to allow her to continue working under the

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permit until the results of the April 1998 Clinical Competency Test is known. The motion was seconded by Dr. Padgett. The motion passed unanimously.

The Board discussed Dr. Burnett's possible violation of her consent order with the Board. Dr. Gordon made a motion to refer this back to the Committee on Investigation which originally handled the case. The motion was seconded by Dr. Lewis. The motion passed unanimously.

On a motion by Dr. Gordon, seconded by Dr. Padgett, the Board approved the actual expenses for this meeting.

The Board discussed its current rules concerning its committees on investigations. Dr. Justus expressed his concern that some veterinarians are being disciplined multiple times and the Board continued to receive complaints against them. Dr. Justus made a motion to have Mr. Hearn investigate if the Board should adopt a policy or rule concerning repeat offenders. The motion was seconded by Dr. Padgett. The motion passed unanimously.

The meeting was adjourned on a motion by Dr. Padgett and seconded by Dr. Edwards at 4:00 p.m.

Respectfully Submitted,

Thomas M. Mickey
Executive Director