

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, March 23, 2001**

President Joseph Gordon, D.V.M., called the regular meeting of the Board to order at 8:10 A.M. Others in attendance were Board members Drs. David Brooks, Herbert Justus, Amy Lewis, David Marshall, and Kenneth Padgett. The Board Attorney, Mr. George Hearn, and Executive Director, Mr. Thomas Mickey were also present.

The Executive Director read the minutes of the January 10, 2001, meeting. On a motion made by Dr. Lewis, seconded by Dr. Padgett, the minutes were approved as corrected.

The Board reviewed the impairment guidelines that were drafted at the last meeting. Dr. Padgett made a motion to accept the guidelines. Dr. Lewis seconded the motion. The motion passed unanimously.

The Board briefly discussed Dr. John Lemay and his rejection of the Letter of Reprimand issued concerning complaint number 00028-1-1 and Ms. Debbie Potter. The Executive Director is to advise him of the consequences of an Administrative Hearing and the format of such a Hearing. The Hearing panel will consist of Dr. Brooks, Dr. Lewis, Dr. Marshall and Dr. Padgett. A Notice of Hearing will be sent to Dr. Lemay

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fifteen days prior to the Hearing. May 1, 2001, will be the primary date for Hearing with May 8 and May 15, 2001, being backup days.

The Board reviewed the application forms that were presented at the last meeting. The Board took no further action.

The Board reviewed the laws concerning who may administer rabies vaccines.

The Board reviewed with the Executive Director the status of hiring an investigator for the Board.

The Board reviewed the status of the Board initiated complaint filed against Dr. Scott William Line. The Board took no further action.

The Board reviewed that status of Mr. John Brochu and his providing equine dentistry in conjunction with veterinarians in North Carolina. The Board took no further actions.

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Dr. Marshall discussed the registration of animal facilities that is required by the North Carolina Department of Agriculture & Consumer Services Veterinary Division. Each year each facility is required to document the program for veterinary care. Dr. Marshall distributed a draft of the Annual Program of Veterinary Care form that must be completed by these facilities. The Board made recommendations on how to enhance the form.

The regular meeting of the Board adjourned at 9:15 A.M. for a break so that the Committee on Investigations Number 8 could meet.

The regular meeting of the Board reconvened at 9:50 A.M.

Dr. Gordon reported on the progress that Mr. Hearn has made on completing the Committee letters from January.

Dr. Gordon reported on his trip to the American Association of Veterinary State Boards' meeting in Florida. He participated in the Task Force developing a Model Practice Act for Veterinary Medicine.

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At 10:10 A.M. Michael W. Wilkerson, MD, Medical Director, for the North Carolina Physicians Health Program (NCPHP) appeared before the Board to discuss how their impaired practitioner program works. Dr. Wilkerson left the meeting at 11:00 A.M. The Board took no further action.

The regular meeting of the Board adjourned at 11:00 A.M. for a five-minute break.

The regular meeting of the Board reconvened at 11:05 A.M.

The Board directed Mr. Hearn to prepare a fact analysis sheet of legislative events that will occur as the changes to the Veterinary Practice Act progress through the legislature.

Dr. Lewis made a motion to approve the remainder of the expenses not paid by the American Association of Veterinary State Boards' for Dr. Gordon to attend their meeting in February. Dr. Padgett seconded the motion. The motion passed unanimously.

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The Board discussed a veterinarian's responsibility in assuring a consulting veterinarians credentials are in order. The Board determined that this is a possible topic for the next President's Letter. The Board took no further action.

Dr. Lewis made a motion to pursue further discussions with North Carolina Physicians Health Program (NCPHP) and the development of a relationship with them to assist with impaired practitioners. Dr. Justus seconded the motion. The motion passed unanimously.

At 11:15 A.M., the Board recognized Dr. Fred Faragalla. He informed the Board that the letter from L. P. Tate, Jr., V.M.D., on North Carolina State University, College of Veterinary Medicine Letterhead, concerning Mr. John Brochu, is not the position of the College of Veterinary Medicine. Dr. Faragalla left the meeting at 11:20 A.M.

The Board directed a letter be sent to the Boards that submitted Friends of the Court Briefs, concerning the Karen Keltz case, thanking them for their support and assistance.

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The Executive Director distributed a financial report to the Members of the Board. Dr. Lewis made a motion to approve the report. Dr. Brooks seconded the motion. The motion passed unanimously.

Report of Committee on Investigations No. 1

- 00006-1-1 Dr. Dana Jones and Dr. Kevin Monce, (Complaint of Ms. Nancy and Edna Deas) – Disciplinary action, Letter of Reprimand, both Doctors. The Letter of Reprimand to Dr. Monce also includes a civil monetary penalty of \$3,000.00.
- 00050-1-1 Dr. Timothy Jones and Dr. Robert Christian Ford, (Complaint of Ms. Judy Wilder) – Disciplinary action, Letter of Reprimand, both Doctors.
- 00052-1-1 Dr. Theresa Ann Wisk-Carroll, (Complaint of Mr. Jeffrey Gregory) – Dismissed, no probable cause.
- 00034-1-1 Dr. Ann Teresa Parker, Dr. Kelly Gourley Russell, and Dr. Elizabeth A. Gray, (Complaint of Mr. Fred Bost) – No response from Mr. Bost, dismissed, no probable cause.

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- 00041-1-1 Dr. Christopher Ray Coble, (Complaint of Mr. Robert D. Calfo) – No response from Mr. Calfo, dismissed, no probable cause.
- 00011-2-1 Ms. Donna F. Secrest, R.V.T., (Complaint by the Board) – Continued.
- 00046-2-1 Dr. Jonathan Kent-Kealii Stone, (Complaint by the Board) – Continued.
- 00045-5-1 Ms. Karen Lynn Hailey-Lacy, R.V.T., (Complaint by the Board) – Continued.
- 00048-2-1 Dr. Kevin Monce, (Complaint by the Board) – Continued.

Dr. Brooks made a motion to approve the Committee on Investigations Number 1 report. Dr. Lewis seconded the motion. The motion passed unanimously.

Report of Committee on Investigations No. 7

- 00042-1-7 Dr. Thomas George Pejsa, (Complaint of Ms. Kim Sweet) – Dismissed, no probable cause.

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- 00036-1-7 Dr. Burton E. Anderson, (Complaint of Fran H. Twisdale, D.D.S.) – No response from Dr. Twisdale, disciplinary action, Letter of Caution.
- 00051-1-7 Dr. Claude S. Kidd and Dr. Tonya Sipe Boyd, (Complaint of Ms. Nancy G. Walters) – The portion of the complaint against Dr. Boyd is to be dismissed with a finding of no probable cause. Dr. Kidd is be disciplined with a Letter of Reprimand.
- 01001-1-7 Dr. Basil Otto Sharp, (Complaint of Ms. Julie A. Dugas) – Dismissed, no probable cause.
- 00049-1-7 Dr. Abby Lynn Sutton, (Complaint of Ms. Gayle Capotosti) - Continue. The Executive Director is to send letters to Dr. Kady Maughan Gjessing and Dr. William Herbert St. Lawrence informing them that they are now considered part of the complaint. Pursuant to Administrative Rules they will have twenty days to respond to the complaint.

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Dr. Justus made a motion to approve the Committee on Investigations Number 7 report. Dr. Marshall seconded the motion. The motion passed unanimously.

Report of Committee on Investigations No. 8

01004-2-8 Dr. Deborah Kemp Stine, (Complaint of the North Carolina Veterinary Medical Board) – Disciplinary action, Letter of Reprimand and civil monetary penalty of \$600.00.

Dr. Brooks made a motion to approve the Committee on Investigations Number 8 report. Dr. Marshall seconded the motion. The motion passed unanimously.

The regular meeting of the Board adjourned at 12:20 P.M. for a lunch.

The regular meeting of the Board reconvened at 12:55 P.M.

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Dr. Lewis made a motion that the Board approve the Veterinary Technician Testing Contract with the Professional Examination Service. Dr. Justus seconded the motion. The motion passed unanimously.

The Board reviewed the letter from Arthur S. McMillan, D.V.M., concerning Tele-medicine and the supervision of a registered veterinary technician while a veterinarian is not on the premise with a camera. Dr. Lewis made a motion to deny the request as it breached the standard of care. Dr. Padgett seconded the motion. The motion passed unanimously.

The Board reviewed the request of Nancy and Edna Deas to appear before the full Board at its next meeting. It was the consensus of the Board not to meet with Nancy and Edna Deas and to deny the request.

Dr. Gordon appointed Dr. Marshall to the Committee on Investigations Number 1. Dr. Marshall is to replace Mrs. Jones.

The Board directed the Executive Director to write to Dr. Charles Loops and request clarification on the nature of his veterinary practice.

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The Board received a report from the Legislative Committee and continued that Committee's work.

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

The meeting was adjourned by unanimous vote upon a motion by Dr. Justus and seconded by Dr. Padgett at 3:15 P.M.

Respectfully Submitted,

Thomas M. Mickey
Executive Director