

**MINUTES, North Carolina Veterinary Medical Board  
Raleigh, North Carolina, April 4, 2003**

President Herbert Justus, D.V.M., called the regular meeting of the North Carolina Veterinary Medical Board to order at 7:57 A.M. In attendance were Board members Drs. Joseph Gordon, Linwood Jernigan, Amy Lewis, David Marshall, Kenneth Padgett, Mrs. Nancy Robinson, R.V.T. Also present were Board Attorney, Mr. George Hearn, and Executive Director, Mr. Thomas Mickey.

The Executive Director read the minutes of the January 22, 2003, meeting. On a motion made by Dr. Gordon, seconded by Dr. Padgett, the minutes were approved as corrected.

Dr. Marshall made a motion that the Board recognize the fax from Ms. Bruton and that if no other communication is received from her that a letter be sent to confirm her status on the Board. If a letter is received it should be acknowledged with a written response as the content of her letter calls for. Dr. Padgett seconded the motion. The motion passed unanimously.

Following a discussion of the Civil Monetary Penalties General Statute 115C, Article 31A, Dr. Padgett made a motion that the Board

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exercise its right and withhold the actual cost of the collection of Civil Monetary Penalties. Dr. Jernigan seconded the motion. The motion failed with Dr. Padgett, Dr. Jernigan and Mrs. Robinson voting for the motion and Drs. Gordon, Justus, Lewis and Marshall opposed.

The regular meeting of the Board adjourned at 8:55 A.M. for a ten-minute break.

The regular meeting of the Board reconvened at 9:05 A.M.

The Executive Director distributed a financial report to the Members of the Board. Dr. Gordon made a motion to approve the report and grant the Executive Director the authority to rent the Boardroom at the new office space to interested parties at a reasonable cost. Mrs. Robinson seconded the motion. The motion passed unanimously.

Report of Committee on Investigations No. 1.

03010-1-1 Crystal R. Smith, D.V.M. (Complaint of Ms. Amy Thompson) - Dismissed, no probable cause.

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- 02046-1-1 Karyn A. McGowan, D.V.M. (Complaint by Ms. Patricia S. Holt) – Letter of Caution.
- 02052-1-1 Wallace J. Diehl, D.V.M. (Complaint by Ms. Karen Stewart) – Letter of Caution.
- 02019-1-1 Jack Shuler, Jr., D.V.M. (Complaint of Ms. Deborah Ferrero-Conover) – Reconsideration requested by Dr. Shuler. Following a review the Committee determined that its previous decision to issue a Letter of Reprimand should stand.
- 02048-1-1 Diane Wilhalf, D.V.M. (Complaint of Ms. Jeanne Browning) - Dismissed, no probable cause.

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

Report of Committee on Investigations No. 7.

- 02047-1-7 Charles Marshall Coats, D.V.M. (Complaint of Ms. Kimberly D. Winstead) – Dismissed, no probable cause.

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- 02045-1-7 Bruce Simmons, D.V.M. (Complaint by Mr. & Mrs. Rod Orozco) – Letter of Reprimand and \$5,000.00 civil monetary penalty.
- 02035-1-7 Harvey A. Goho, D.V.M. (Complaint of Mr. Dan Forshey) – Reconsideration requested by Dr. Goho. Following a review the Committee determined that its previous decision to issue a Letter of Caution should stand.
- 02051-1-7 Robinson Feola, D.V.M. (Complaint by Ms. Susan Hales) - Dismissed, no probable cause.
- 02049-1-7 Michelle Leigh Bryan, D.V.M. (Complaint of Ms. Dona Palmer) – Letter of Caution.
- 03005-1-7 Wallace J. Diehl, D.V.M. (Complaint of Ms. Lisa Klotz) – Dismissed, no probable cause.
- 03007-1-7 Lea Grace Osborne, D.V.M. (Complaint of Ms. Dianne Davenport) – Dismissed no probable cause.
- 03001-2-7 Wallace J. Diehl, D.V.M. (Complaint by the Board) – One portion of the complaint is dismissed

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with a finding of no probable cause. One portion of the complaint is a Letter of Caution.

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

Dr. Padgett made a motion to enter into a closed session pursuant to General Statute 143-318.11(3) to discuss a proposed consent order with William A. Caudle, D.V.M. to resolve complaint number 01048-1-7. Mrs. Robinson seconded the motion. The motion passed unanimously. At 10:30 A.M. the closed session began.

At 10:50 A.M. the regular meeting of the Board resumed.

Dr. Gordon made a motion to accept the terms of the consent order, discussed in closed session, and allow the President or Executive Director to sign the agreement on behalf of the Board, with William A. Caudle, D.V.M. to resolve complaint number 01048-1-7. Dr. Marshall seconded the motion. The motion passed unanimously.

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The Board directed the Executive Director to add to the inspection form information about outdated supplies.

Dr. Gordon made a motion to enter into a closed session pursuant to General Statute 143-318.11(3) to discuss a proposed consent order with Kevin A. Monce, D.V.M. to resolve complaints 00006-1-1 and 00048-2-1. Dr. Padgett seconded the motion. The motion passed unanimously. At 11:05 A.M. the closed session began.

At 11:25 A.M. the regular meeting of the Board resumed.

Dr. Padgett made a motion to accept the terms of the consent order, as discussed in closed session, and allow the President or Executive Director to sign the agreement on behalf of the Board, to resolve complaints 00006-1-1 and 00048-2-1, provided that Dr. Monce signs the order today. Dr. Marshall seconded the motion. The motion passed unanimously.

At 11:25 Mrs. Molly Rasor, Executive Director for the North Carolina Veterinary Medical Association and Richard W. Hawkins, D.V.M. joined

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the meeting to discuss pending legislation in the North Carolina General Assembly. They left the meeting at 12:20 p.m. No further action was taken.

The Executive Director presented the Investigator's status report on his work for the last three months. No further action was taken.

Dr. Padgett made a motion to grant Kevin R. Armstrong, D.V.M. an extension until July 31, 2003, to earn his required continuing education. Dr. Jernigan seconded the motion. The motion passed unanimously.

Dr. Padgett made a motion to have the Executive Director attend the American Association of Veterinary State Boards' meeting in Denver. The Board will pay the actual expenses to attend. Mrs. Robinson seconded the motion. The motion passed unanimously.

Dr. Padgett made a motion to allow Mr. Hearn to attend the American Association of Veterinary State Boards' meeting in Denver. The Board will pay the actual expenses to attend. Dr. Marshall seconded the motion. The motion passed unanimously.

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Dr. Gordon made a motion to endorse the program begin developed at the North Carolina State University, College of Veterinary Medicine and the Veterinary Specialty Hospital of the Carolinas as described in the letter of January 15, 2003 from David G. Bristol, D.V.M. As part of the motion the College staff will work with the Board to assure that 21 NCAC 66 .0203(a) and the agreement conform. Dr. Marshall seconded the motion. The motion passed unanimously.

Dr. Gordon made a motion to approve the contract between the National Board of Veterinary Medical Examiners and the Board to provide the North American Veterinary Licensing Examination. As part of the motion the current fee structure is to be adjusted to comply with the new contract. Mrs. Robinson seconded the motion. The motion passed unanimously.

Dr. Gordon made a motion to approve the contract between the Professional Examination Service and the Board to provide the Veterinary Technician National Examination. Mrs. Robinson seconded the motion. The motion passed unanimously.



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

Dr. Justus appointed a Nominating Committee consisting of Dr. Padgett, Mrs. Robinson and Dr. Marshall. The Committee is to recommend a slate of officers at the next Board meeting.

The meeting was adjourned by unanimous vote upon a motion by Dr. Padgett and seconded by Dr. Lewis at 1:05 P.M.

Respectfully Submitted,

Thomas M. Mickey  
Executive Director