

**MINUTES, North Carolina Veterinary Medical Board
Asheville, North Carolina, June 23 & 24, 2010**

President Linwood Jernigan, DVM called the regular meeting of the North Carolina Veterinary Medical Board to order at 2:17 p.m., on June 23, 2010. In attendance were the following Board members: Drs. Susan Bull, Michael Davidson, Richard Hawkins, David Marshall, and Dante Martin; and Mrs. Katie Morgan. Also present were Board Attorneys Mr. George Hearn and Mr. Lee Craven. Executive Director Mr. Thomas Mickey was present as well.

Dr. Jernigan reviewed with the Board the Governor's and the North Carolina Board of Ethics' statement on being aware of and avoiding conflicts of interest.

The Board reviewed its work of the last two years on proposed revisions to the Veterinary Practice Act. Mr. Hearn reviewed with the Board the legislative process. Mrs. Robinson joined the meeting at this time.

The meeting recessed at 3:10 p.m. for a break and reconvened at 3:25 p.m.

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The Board continued its discussion of the Veterinary Practice Act. The officers of the Board will meet with representatives of the North Carolina Veterinary Medical Association later this day at 5:30 p.m. to present and discuss the Board's work and priorities.

The Board began its discussion of the request of Kelly Erickson, DVM for approval to conduct temporary vaccination clinics in certain retail stores. The Board carried over its discussion until the following day.

The meeting was adjourned at 4:10 p.m. by motion of Dr. Hawkins and seconded by Dr. Bull.

President Linwood Jernigan, D.V.M., called the regular meeting of the North Carolina Veterinary Medical Board to order at 8:04 a.m. on June 24. In attendance were Board members Drs. Susan Bull, Michael Davidson, Richard Hawkins, David Marshall, Dante Martin; Mrs. Nancy Robinson, R.V.T. and Mrs. Katie Morgan. Also present were Board Attorneys, Mr. George Hearn and Mr. Lee Craven, and Executive Director, Mr. Thomas Mickey.

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Dr. Jernigan reviewed with the Board the Governor's and the North Carolina Board of Ethics' statement on being aware of and avoiding conflicts of interest. Dr. Davidson stated that he had a conflict of interest with two items on the agenda. He will abstain from the discussion and vote on complaint numbers 2010006-2 and 2010007-2, which involve veterinarians at the North Carolina State University College of Veterinary Medicine

On motion by Dr. Hawkins, seconded by Mrs. Robinson, the minutes for the April 16, 2010 meeting were approved.

At 8:10 a.m., Warren Pendergast, M.D., Medical Director of the North Carolina Physicians Health Program (NCPHP), joined the meeting. Dr. Pendergast presented an update on the status of the North Carolina Veterinary Health Program (NCVHP) since the last Board meeting. During his discussion, the Board members also discussed a request from the North Carolina Veterinary Medical Association that the Board consider adding mental health assessment/treatment issues to General Statute § 90-187.15, which is the statutory authority for the Board to enter into its agreement with

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NCPHP. After a question and answer period with the Board, Dr. Pendergast left the meeting at 8:40 a.m.

The Board Investigator presented his report on activities since the last meeting.

Mr. Mickey reported on operational and administrative activities of the Board since the last Board meeting. He distributed a financial report which the Board reviewed and discussed with him.

The meeting recessed at 9:35 a.m. for a break and reconvened at 9:45 a.m.

The Executive Director reported that the Governor of Oklahoma has signed Oklahoma House Bill 3202, concerning equine dentistry, which had been discussed at the April meeting. No further action was taken.

The Executive Director reported that the annual meeting of the American Association of Veterinary State Boards is in Baltimore, MD in September. Dr. Hawkins made a motion to send to this meeting at Board

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expense Dr. Davidson, Dr. Bull, Mr. Hearn and the Executive Director.

Mrs. Robinson seconded the motion. The motion passed unanimously.

The Board identified October 14/15 as a possible date for the administrative hearing involving Dennis K. Johnson, DVM, with October 21/22 designated as an alternative date.

The Board directed the Executive Director to investigate the purchase price of a machine to automatically grade the state examination.

The Board continued its discussion of the proposal of Kelly Erickson, DVM to operate vaccination clinics in certain retail stores, including PETCO. The Board did not reach a decision and continued the discussion until its next meeting.

The meeting recessed at 11:45 a.m. for a break and reconvened at 11:57 a.m.

The Board changed the annual renewal date for veterinary faculty certificates from July 1 to June 15.

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The Nominations Committee presented its proposed slate of Board officers for 2010-2011 as follows: Dr. Jernigan for President, Mrs. Robinson for Vice-President, and Dr. Hawkins for Secretary-Treasurer. Dr. Hawkins made a motion that the slate of officers be approved and elected to their respective positions. Mrs. Morgan seconded the motion. The motion passed unanimously.

Dr. Jernigan formed a new Committee on Investigations (Committee No. 8), which will be composed of Dr. Marshall, Dr. Bull and Dr. Davidson, to receive and investigate all cases that previously would have been assigned to Committee No. 2. Committee No. 2 will not be assigned any new cases, and its remaining work will be to complete cases pending as of June 24.

Report of Committee on Investigations No. 2.

2009051-2 **Charles E. Franklin, DVM** (Academy Animal Hospital, PA) – Charles W. Enloe, DVM | *No Probable Cause/Dismissal.*

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2010013-2 **Robert W. Ridgeway, DVM** (Emergency Pet Hospital of Craven-Carteret) – Ms. Shawna Zimmerman | *Letter of Caution.*

2010006-2 **Karyn A. Harrell, DVM; Steven Lawrence Marks, BVSc; Crystal Lester Singleton, DVM; Brian Joseph Trumpatori, DVM; Kieri Jermyn, BVSc; Sarah Elizabeth Musulin, DVM and Simon Charles Roe, BVSc** (NCSU CVM) – Ms. Barbara Currie | *No Probable Cause/Dismissal as to the complaints against Drs. Harrell, Singleton, Jermyn and Musulin; the Committee found that Drs. Marks, Trumpatori and Roe were not involved in the case, and therefore all allegations referencing these veterinarians are dismissed.*

2010011-2 **Thomas Jesse Watson, DVM** (Carolinas Veterinary Medical Hospital) – Ms. Noelle E. Bell | *Letter of Caution.*

Dr. Bull left the meeting to attend to a family matter.

2010016-2 **Teresa Palmer Danford, DVM** (Magnolia Animal Hospital) – Ms. Linda Cameron & Ms. Erika Norgren | *Letter of Caution.*

2010018-2 **Charles E. Franklin, DVM** (Academy Animal Hospital) – Mr. Jarid Shaw | *Letter of Caution.*

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2010009-2 **Laura Day Dvorak, DVM; Robin Marie
Hopwood-Courville, DVM and Kimberly Ann
Sheaffer, DVM** (Carolina Veterinary Specialty
South Charlotte Medical) – Ms. Pamela J.
Greenwood | *No Probable Cause/Dismissal.*

Walter Daniel Mertens, DVM (Carolina
Veterinary Specialty South Charlotte Medical) –
Ms. Pamela J. Greenwood | *Letter of Reprimand.*

2010007-2 **Donald W. Heagren, DVM; Katherine Huster
Terrell, DVM and Larry N. Swenberg, DVM**
(Cornwallis Road Animal Hospital) – Ms. Kelly
Shaw | *Complaint Unfounded/Dismissal.*

2010020-2 **Micheal Curtis Adams, DVM** (Banfield, The Pet
Hospital - Apex) – Ms. Victoria Auman | *Letter of
Caution.*

Corinne R. A. Stewart, DVM (Banfield, The Pet
Hospital - Apex) – Ms. Victoria Auman |
Complaint Withdrawn/Dismissal.

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Upon motion by Mrs. Morgan, seconded by Dr. Hawkins, the Board approved the report of Committee on Investigations No. 2, with Dr. Martin recusing himself from the vote on complaint numbers 2009051-2 (Charles E. Franklin, DVM); 2010013-2 (Robert W. Ridgeway, DVM); and 2010018-2 (Charles E. Franklin, DVM); and with Dr. Davidson recusing himself from the vote on complaint number 2010006-2 (Karyn A. Harrell, DVM; Steven Lawrence Marks, BVSc; Crystal Lester Singleton, DVM; Brian Joseph Trumpatori, DVM; Kieri Jermyn, BVSc; Sarah Elizabeth Musulin, DVM and Simon Charles Roe, BVSc); and with Dr. Hawkins recusing himself from the vote on complaint number 2010007-2 (Donald W. Heagren, DVM; Katherine Huster Terrell, DVM and Larry N. Swenberg, DVM).

Report of Committee on Investigations No. 5.

2009040-5 **Louis A. Arnese, DVM, Melissa Bame Beagle, DVM, David B. Fontenot, DVM** (Alamance Animal Emergency Hospital) – Mr. Ernest Moffitt | Dr. Arnese: *Letter of Reprimand*; Dr. Beagle: *Letter of Caution*; Dr. Fontenot: | *No Probable Cause/Dismissal*.

2010008-5 **Tracy Lee Borst, DVM** (North Wake Animal Hospital) – Mr. Scott M. Clark | *Letter of Caution*.

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- 2010005-5 **Christopher Ray Coble, DVM** (Port City Animal Hospital) – Ms. Christina Skountzos | *Letter of Caution.*
- 2010017-5 **Norman F. Manning, DVM** (Wake Forest Animal Hospital) – Mr. & Mrs. Terry Stallings | *No Probable Cause/Dismissal.*
- 2010015-5 **Curt Locklear, Jr., DVM** (Southeastern Veterinary Hospital) – Ms. Michelle V. Mathis | *Letter of Reprimand, and a \$500.00 Civil Monetary Penalty is recommended.*
- 2010021-5 **Frederick J. Knowles, DVM** (Neuse Veterinary Clinic) – Ms. Jude Lee | *Letter of Reprimand, and a \$300.00 Civil Monetary Penalty is recommended.*
- 2010019-5 **Susan Michelle Rohrer, DVM** (Animal Emergency & Trauma Hospital of Wilmington) – Ms. Margaret Minuth | *No Probable Cause/Dismissal.*
- 2009052-5 **William Jackson Pressly, DVM** (Mixed Pet Veterinary Hospitals - Ballantyne) – Ms. Patrina DeBiase | *No Probable Cause/Dismissal.*

Upon motion by Dr. Davidson, seconded by Mrs. Morgan, the Board approved the report of Committee on Investigations No. 5.

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Upon motion by Dr. Davidson, seconded by Dr. Hawkins, which unanimously passed, the Board assessed a \$500.00 civil monetary penalty against Curt Locklear, Jr., DVM based upon factors set forth in G.S. § 90-187.8(b)(3) [the violation reflects a continuing pattern] and (b)(5) [the licensee's prior disciplinary record] in complaint 2010015-5.

Upon motion by Dr. Marshall, seconded by Mrs. Morgan, which unanimously passed, the Board assessed a \$300.00 civil monetary penalty against Frederick J. Knowles, DVM based upon factors set forth in G.S. § 90-187.8(b)(b)(5) [the licensee's prior disciplinary record] in complaint 2010021-5.

Report of Committee on Investigations No. 6.

The Committee recommended that the application for a veterinary license from Tev Marcal Barros, DVM, be rejected because of the criminal misdemeanor charge and deferred prosecution pending against him in Virginia. Once he has satisfied the terms of the deferred probation, he may reapply.

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Upon motion by Mrs. Morgan, seconded by Mrs. Robinson, the Board approved the report of Committee on Investigations No. 6.

Upon a motion by Dr. Hawkins, seconded by Mrs. Robinson, the Board approved the actual expenses for this meeting, recognizing that the Board at its April 16, 2010 meeting approved the additional hotel, meal and related expense above regular reimbursement rates which would be incurred at this meeting in Asheville. The motion passed unanimously.

Upon motion of Mrs. Robinson, seconded by Dr. Martin, the Board adjourned the meeting at 3:25 p.m.

Respectfully Submitted,

Thomas M. Mickey
Executive Director