

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, July 19, 2018**

At 8:07 a.m., President William K. Dean, DVM called to order the regular meeting of the North Carolina Veterinary Medical Board. Present were the following Board members: Drs. Kent Dean, Susan Bull, Kim Gemeinhardt, Douglas Meckes, Ronald Komich, and Robin Lazaro, RVT, and Mrs. Krissie Newman. Also present were Board Attorney, George Hearn, and Executive Director, Dr. Tod J. Schadler.

Dr. Dean reviewed with the Board the Governor's and the North Carolina Board of Ethics' statement on recognizing and avoiding conflicts of interest. He also reviewed G.S. § 90-179 of the North Carolina Veterinary Practice Act.

The following guests were introduced: Beckie Mossor, RVT, Jennifer Shults, DVM, Vice President of the North Carolina Veterinary Medical Association (NCVMA), Brenda Stevens, DVM, North Carolina State University College of Veterinary Medicine, Claire Holley, Executive Director, NCVMA, Dr. Joseph Jordan, CEO of North Carolina Physicians Health Program (NCPHP), Keith West, Facilities/Corporation Administrator, and Jane Barber, DVM, former NCVMB Board member.

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, July 19, 2018**

Dr. Azure Holland, newly appointed to the Board, was not able to attend.

The May 17, 2018 Board meeting minutes were reviewed. Dr. Gemeinhardt, seconded by Dr. Bull, moved to approve the May 17, 2018 Board minutes. The minutes were approved unanimously.

Dr. Joseph Jordan gave an updated report on the status of participants in the program. The proposed contract between NCVMB and NCPHP, for a term from February 1, 2018 through January 31, 2019, was reviewed. Dr. Komich, seconded by Dr. Gemeinhardt, made a motion to approve this contract. This contract was approved unanimously. Dr. Jordan left the meeting at 8:16 a.m.

The following dates for Board Meetings in 2019 were accepted by the Board: January 17, March 14, May 16, July 18, September 5, and November 7.

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, July 19, 2018**

Dr. Dean presented Dr. Barber with a plaque for her service on the North Carolina Veterinary Medical Board. Dr. Barber served on the Board from 2013-2018.

Dr. Dean announced that Dr. Bull will now be NCVMB Vice President and Dr. Meckes will be the Secretary/Treasurer. Mrs. Krissie Newman was added to Committee on Investigations No. 1 to serve along with Dr. Dean and Dr. Bull. Committee on Investigations No. 7 will remain the same. Dr. Dean split up the Legislative Committee as follows: Practice Facility Permits – Dr. Gemeinhardt and Dr. Dean; Registered Technician Review – Dr. Bull and Mrs. Lazaro; Telemedicine – Dr. Komich and Dr. Holland.

At 8:25 a.m. Dr. Meckes gave an update on the World Equestrian Games (WEG) being held September 11-23, 2018. The veterinary clinic (treatment area) on the venue and Endurance Event trails are not finished yet. The concerns of the long-horn tick present in North Carolina will be addressed with the current protocols.

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, July 19, 2018**

Groundbreaking for the new North Carolina Department of Agriculture & Consumer Services' Agricultural Services Center will be July 23, 2018.

At 9:50 a.m., Dr. Gemeinhardt from the Legislative Committee reported on the Practice Facility Permit draft. There was a discussion concerning different aspects of the document, and Dr. Brenda Stevens proposed the need to clarify inspections and renewal. The Committee will revise the draft to read: To be eligible for renewal, a facility must have been inspected pursuant to North Carolina Administrative Code, Sections 21 NCAC .0207(15) and (16).

Further changes were suggested by Dr. Jennifer Shults concerning the proposed language about supervising veterinarian and the definition of the term "practice".

The Committee will submit changes to the Practice Facility Permit document at the next Board Meeting.

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, July 19, 2018**

At 10:13 a.m. the Board took a break and reconvened at 10:27 a.m.

At 10:28 a.m., Dr. Bull made a motion, seconded by Dr. Meckes, to go into a closed session, pursuant to G.S. § 143-318.11(a)(3), concerning communications subject to attorney-client privilege. This motion passed unanimously.

At 11:19 a.m. the Board returned to open session.

United States DEA Representatives Mike Callan and Jason Ward answered questions the Board had about drug diversion, and proper disposal of expired drugs. They left the meeting at 11:30 a.m.

At 11:35 a.m. the Board took a break, reconvening at 11:45 a.m.

There was a discussion concerning W2 Forms, and it was decided that the Executive Committee will speak with the Board CPA before any decision is made.

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, July 19, 2018**

At 11:50 a.m., Dr. Marshall, Chief Inspector, gave an updated report. There is still an ongoing search for a replacement for Dr. Schmid, whose last day was June 30, 2018. Dr. Wright is on vacation through July 25, 2018 and Dr. Marshall is on medical leave for two or three weeks due to an accident. The inspectors will be converting to iPads soon to assist with inspection paperwork in the field. Training will be held July 27, 2018 at the office. DEA requires all veterinarians to have a DEA number for every State they work in if they do not work under a facility DEA number in that State. The DEA also communicated its position that mobile veterinarians should either bring lock boxes inside at night or have the vehicle in a garage.

There will be a realignment of counties assigned to the inspectors for facility inspections.

At Noon, the Board continued the meeting while it ate lunch.

Dr. Bull from the Finance Committee offered several suggestions on what to do with the present Board property, including the adjacent Suite 105, which was purchased last year. Dr. Schadler is to obtain quotes for costs of

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, July 19, 2018**

new carpeting, paint, and changing the lobby area to be more user friendly, etc.

The Board received a request from an emergency clinic, which currently operates only during overnight hours, to operate the facility during daytime business hours with only registered veterinary technicians on-site to care for the patients. The RVTs would be under the indirect supervision of a veterinarian or veterinarians, who would not be on-site. The clinic wishes to keep at the clinic the patients that have been admitted overnight and continue looking after them during the day, instead of the present practice of transferring them to another facility in the morning when the facility normally closes. The Board discussed the issues raised by this request, particularly as it relates to GS § 90-187.6(b) and (c) [which identifies the nature and extent of services that may be performed by RVTs, veterinary student interns, or veterinary student preceptees, or other veterinary employees, and the direction and supervision by a veterinarian of the person providing these services.] No decision was reached and the Board will continue to evaluate this request.

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, July 19, 2018**

At 1:00 p.m. Dr. Schadler presented the financial report to the Board along with the current number of veterinarians and registered technicians licensed/registered in North Carolina.

Dr. Schadler presented questions to be reviewed by Board members that will be used for the online testing services (AAVSB State & Provincial Assessments) that will begin January 1, 2019.

There was a discussion about chiropractors performing work on animals without any supervision by a veterinarian. Several complaints from veterinarians have been made to the Board about this subject. It was decided that the Executive Committee would meet with the Chiropractic Board about this subject.

Dr. Schadler asked the Board if it wished to have CE audits for the 2019 renewals. A motion was made by Dr. Meckes to have everyone that has had a disciplinary action in 2017, plus 2% of total licensees and registrants, be audited for CEs. Dr. Gemeinhardt seconded the motion which passed unanimously.

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, July 19, 2018**

For the upcoming AAVSB annual meeting September 13-15, 2018, in Washington, DC, Dr. Gemeinhardt would like the advice from Board on the issues on Telehealth/Telemedicine to guide our delegates Dr. Dean and Dr. Holland on how to vote at the meeting. It was suggested that Dr. Komich and Dr. Holland review this material and report at the next Board Meeting.

Mr. Jeffrey Tyrrell's report on activities with NCSU-CVM students and faculty was given in his absence. He is still informing both students and staff of the Board activities.

At 1:50 p.m. the Board recessed for a break and reconvened at 2:19 p.m.

Committee on Investigations No. 1 presented information it received July 18 concerning Dr. Paula Kay bullock, including a copy of a Superseding True Bill of Indictment dated June 26, 2018, issued by the Grand Jury of the U.S. District Court for the Middle District of North Carolina in Greensboro, charging Dr. Bullock with 21 felonies. The charges include multiple counts of fraud in the acquisition of veterinary medicines;

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, July 19, 2018**

wire fraud; unauthorized use of a credit card resulting in wire fraud; perpetrating frauds on certain retail pharmacies, including Walmart, in order to obtain money and property, including oxycodone and hydrocodone pills; and other charges. The Committee also received information that after selling her Durham veterinary practice in late April, 2018, it appears that Dr. Bullock has been operating a mobile veterinary facility that had not been inspected or approved by the Board as required by statute and rules. The acts of Dr. Bullock that are the bases of the indictments would also constitute violations of the veterinary Practice Act and Board rules.

The Board considered this information in light of G.S. § 90-179 in the Veterinary Practice Act that the health, safety, and welfare of the people of this State are to be safeguarded against unqualified or incompetent practitioners of veterinary medicine.

The Board reviewed G.S. § 90-186(3), which permits the Board to issue a Summary Emergency Order, prior to a hearing, and suspend both the operation of a veterinary practice facility and the license of the veterinarian operating the facility if it determines that a veterinarian is endangering or may endanger, the public health or safety, or the welfare and safety of animals.

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, July 19, 2018**

Mrs. Krissie Newman made a motion that the Board issue, pursuant to G.S. § 90-186(3), a Summary Emergency Order suspending the operation of any veterinary practice facility operated by Dr. Paula Kay Bullock and suspending her license, based on the Board's determination that she has engaged in acts that are endangering or may endanger the public health or safety, or the welfare and safety of animals, and that a Notice of Hearing be issued within ten days as required by statute. Me. Hearn is to draft the Summary Emergency Order and the Notice of Hearing. The Summary Emergency Order will be signed by Dr. Dean. This motion was seconded by Dr. Komich and approved unanimously.

Report of Committee on Investigations No. 1

- a. 2017054-1 Tracy Whittaker Land (Tri-State Spay/Neuter Clinic) – Mrs. Evan Crisp – reconsideration of LOR – LOR affirmed with some modifications to the wording of the decision portion of the letter.
- b. 2018013-1 Stephen Matthew Samson, DVM and Christinia Balance Hicks, DVM (Coastal Animal Hospital of Hatteras Island) – Mr. & Mrs. Hawbaker – Dismissed, no probable cause as to both veterinarians
- c. 2018011-1 Kyle Anthony Alberti, DVM (Banfield Pet Hospital 0602) – Mr. James N. Nowell, II – Continued

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, July 19, 2018**

- d. 2018009-1 Amy Boyer Martin, DVM (Pamlico Animal Hospital) – Mr. Brandon Berry – Dismissed, no probable cause
- e. 2018019-1 Sara Ryan Fletcher, DVM (Piedmont Communities Spay & Wellness Clinic) – Mr. & Mrs. Obermeyer – Dismissed, no probable cause
- f. 2018018-1 Jamie Ferguson Marshall, DVM (Lake Country Animal Hospital) – NCVMB – Dismissed, no probable cause
- g. 2018020-1 Tonya Lin Tanner, DVM (Creekside Veterinary Hospital); Jason Arthur Streck, DVM and Swen Thomas Samoska, DVM (Guilford College Animal Hospital) – Ms. Stacy Owens – Dismissed, no probable cause as to each veterinarian
- h. 2018004-1 Gregory K. Hedrick, DVM (Davidson Animal Hospital) – Ms. Karen Fullerton - Continued

Mrs. Krissie Newman made a motion, seconded by Mrs. Lazaro, to approve the report from Committee on Investigations No. 1. The report from Committee 1 was approved unanimously.

Report of Committee on Investigations No. 7

- a. 2017051-7 Steven A. Walker, DVM (Countryside Animal Hospital) – Ms. Jean Wiggs – two Letter of Reprimands with \$1,500 fine for each

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, July 19, 2018**

- b. 2017056-7 Jennifer Foshee Hanes, DVM (Piedmont Animal Emergency & Referral Center) – Ms. Moressa Wagner - Continued
- c. 2018006-7 Elizabeth Elliott Pantzer, DVM (Office of Holistic Veterinary Services of Asheville) – Ms. Keri Gaddis – Letter of Reprimand
- d. 2018014-7 Daniel Chitu, DVM (Burnsville Veterinary Clinic) – Mr. Daniel Adams – Dismissed, no probable cause
- e. 2018008-7 Michele J. Ewing, DVM (Eastern Carolina Veterinary Emergency Treatment Service) – Ms. Janice Thompson – Continued
- f. 2018012-7 Julie Eriksson Kiell, DVM (Healthy Petz Veterinary Clinic) – Mr. & Mrs. Pascarella – Dismissed, no probable cause
- g. 2018017-7 Julie Marie Kang, DVM (Southern Oaks Animal Hospital) – Mr. & Mrs. Joseph Jones - continued

Mrs. Krissie Newman made a motion, seconded by Dr. Gemeinhardt, to approve the report from Committee on Investigations No. 7. The report from Committee 7 was approved unanimously.

Dr. Gemeinhardt's motion to approve expenses, seconded by Dr. Bull, was approved unanimously.

At 5:10 p.m. the Board voted to go into closed session pursuant to N.C.G.S. § 143.318.11(6) to discuss personnel matters.

At 5:25 p.m. the Board returned to open session.

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, July 19, 2018**

The Board having no further business, a motion to adjourn made by Dr. Gemeinhardt, seconded by Dr. Bull, passed unanimously. The meeting adjourned at 5:30 p.m.

Respectfully Submitted,

Tod J. Schadler, DVM
Executive Director