

**MINUTES, North Carolina Veterinary Medical Board  
Raleigh, North Carolina, August 26, 2005**

On August 26, 2005, President Amy Lewis, DVM, called the regular meeting of the North Carolina Veterinary Medical Board to order at 8:05 a.m. In attendance were Board members Drs. Susan Bull, Linwood Jernigan, David Marshall, Richard Hawkins, Dante Martin, Mrs. Nancy Robinson, R.V.T., and Ms. Amy Edwards. Also present were Board Attorney, Mr. George Hearn, and Executive Director, Mr. Thomas Mickey.

On a motion made by Dr. Jernigan, seconded by Dr. Hawkins, the minutes for the June 20 and 21, 2005, meeting were approved.

Dr. Lewis introduced Susan K. Bull, D.V.M. who has replaced Herbert A. Justus, D.V.M. Her term expires June 30, 2010.

The Board Investigator presented a report on his activities since the June meeting. No further action was taken.

At 8:32 a.m. Thomas Daniel, D.V.M. and Mr. John Wilson appeared before the Board to discuss their development of a low cost spay neuter program in Moore County. It is the intent that this program be developed as a reproducible model for other counties in North Carolina. They left the

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meeting at 9:10 a.m. The Board directed that a letter be sent to Dr. Daniel requesting additional information on the model and for specific questions that they would like the Board to consider.

Executive Director Thomas M. Mickey reported on activities of the Board office since the last meeting. No further action was taken.

The Executive Director distributed a financial report to the Board. Following discussion, Mrs. Robinson made a motion to approve the report. Dr. Hawkins seconded the motion. The motion passed unanimously.

The meeting of the Board adjourned at 9:52 a.m., for a five-minute break, and reconvened at 10:00 a.m.

At 10:00 a.m. Mr. Bundy B. Plyer, Executive Director of the North Carolina Cattlemen's Association, and Mr. Al Eatman, of Shelby Livestock Yard, appeared before the Board. Their purpose was to discuss the Board's previous decision that the palpation of cattle was the practice of veterinary medicine. Although scheduled to appear at 10:30 a.m., nineteen individuals representing the veterinary profession joined the open meeting. Mr. Plyer

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and Mr. Eatmon discussed the inability of livestock auction markets to get veterinarians to palpate cattle. It is their position that if the Board makes the determination that palpation of cattle is the practice of veterinary medicine, that there needs to be a change to the veterinary practice act to exempt the palpation of cattle at livestock auction markets from licensing requirements. Following their discussion with the Board, the individuals representing the veterinary profession spoke in opposition of a change to the veterinary practice act. An open forum followed with a group discussion of the issue. All parties left the meeting at 12:10 p.m.

The meeting was adjourned at 12:10 p.m.

The regular meeting of the Board reconvened at 12:45 p.m.

Dr. Lewis established a Committee on Investigations No. 3 consisting of Dr. Jernigan, Chairman, Dr. Hawkins and Dr. Martin. Dr. Lewis appointed Dr. Martin to fill the vacant position on the Committee on Investigations No. 8. The Committee now consists of Dr. Hawkins, Dr. Lewis and Dr. Martin.

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Dr. Marshall made a motion to accept the veterinary licensing examination application from Tamra Windschill, D.V.M. if she chooses to reapply. Dr. Bull seconded the motion. The motion passed unanimously.

The Board reviewed the letter from David G. Bristol, D.V.M., Associate Dean and Director of Academic Affairs, from the North Carolina State University, College of Veterinary Medicine concerning the National Board of Veterinary Medical Examiners imposing a retake policy on the North American Veterinary Licensing Examination (NAVLE). The new policy limits candidates to five attempts to pass the NAVLE in a five year period from the date of the first attempt, unless the state or province in which the applicant is taking the examination has a law that allows the applicant to take the exam more than 5 times. Furthermore, the final two attempts must be at least one year from the previous attempt. Dr. Bristol is opposed to the new policy. Dr. Hawkins made a motion to endorse Dr. Bristol's position and to oppose the mandate to limit the number of retakes on the NAVLE. Dr. Martin seconded the motion. The motion passed unanimously.

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The Board discussed the letter from Mr. Jeff Welty concerning second and third year Duke Law school students working with animal related organizations to learn about animal law. No further action was taken.

The Board discussed the status of the services the Board receives through agreement with the North Carolina Physicians Health Program (NCPHP) impairment program. No further action was taken.

The Board set the dates of the first three Board meeting for 2006 to be January 13, March 31 and June 8, 2006.

Report of Committee on Investigations No. 1.

04055-2-1 James G. Mackie, Jr., DVM (complaint by Mrs. William Arnold) – Continued.

Report of Committee on Investigations No. 2.

05018-1-2 Linda Miller Overcash, DVM (complaint of Ms. Sheryl Trudeau) – Dismissed, no probable cause.

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- 05019-1-2 Soren David Windram, DVM (complaint of Mr. Rhyse Jobe) – Disciplinary action: letter of caution.
- 05024-1-2 Olivia Guzman, DVM (complaint of Mr. Locke Thomas Walters, Jr.) – Disciplinary action: letter of caution.
- 05021-1-2 Samuel H. Mitchell, DVM (complaint of Mr. Larry Bates) – Dismissed, no probable cause.
- 05026-1-2 Andrew F. Horne, DVM (complaint of Ms. Christine-Ashly Mystry) – Dismissed, no probable cause.

Mrs. Robinson made a motion to approve the Committee on Investigations No. 2 report. Dr. Hawkins seconded the motion. The motion passed with Dr. Hawkins excusing himself from complaint no. 05019-1-2.

Report of Committee on Investigations No. 7.

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- 04051-1-7 Douglas Robert Nabel, DVM (complaint by Mr. David Long & Ms. Kristen Chang) – Dismissed, no probable cause.
- 05025-1-7 Steven A. Walker, DVM (complaint of Ms. Diane Wilson) – Disciplinary action: letter of reprimand.
- 05020-1-7 Angela Valenti, DVM (complaint of Ms. Schantellia Ivanjack) – Dismissed, no probable cause.
- 05017-1-7 Mary Anne Leslie, DVM (complaint of Mrs. Robyn Cloin) – Dismissed, no probable cause.
- 05023-1-7 Frank Ansele, III, DVM (complaint of Mr. Carl Vernon Pearce) – Disciplinary action: letter of caution.
- 04060-1-7 Thomas B. Kuhn, DVM (complaint by Ms. Julie A. Foxworth) – Dismissed, no probable cause.
- 05027-1-7 Dennis Kay Johnson, DVM (complaint by Ms. Carolyn K. Dunn) – Disciplinary action: letter of caution.

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04045-2-7 James H. Rogers, III, DVM and James P. Cartner,  
DVM (complaint by the Board) – Disciplinary  
action: letter of caution.

05030-1-7 Melissa Jean Wheeler, DVM and Timothy F.  
Barker, DVM (complaint by Ms. Linda Dunn) –  
Dismissed, no probable cause issued to Dr.  
Wheeler. Disciplinary action: letter of caution  
issued to Dr. Barker.

Dr. Marshall made a motion to approve the Committee on  
Investigations No. 7 report. Dr. Bull seconded the motion. The motion  
passed unanimously with Dr. Jernigan excusing himself from complaint no.  
05030-1-7.

Upon a motion by Dr. Jernigan, seconded by Mrs. Robinson, the  
Board approved the actual expenses for this meeting.

The meeting was adjourned by unanimous vote upon a motion by  
Mrs. Robinson and seconded by Dr. Marshall at 3:48 P.M.



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Respectfully Submitted,

Thomas M. Mickey  
Executive Director