

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, September 10, 2020**

At 8:07 a.m., President Susan Bull, DVM called to order the regular meeting of the North Carolina Veterinary Medical Board. This meeting was held at the Board office and also virtually through Zoom. Present also were the following Board members: Drs. Kent Dean, Doug Meckes, Kim Gemeinhardt, Ronald Komich, and Azure Holland; Robin Lazaro, RVT; and Mrs. Krissie Newman. Also present were Allen Cannedy, DVM, who has been appointed to the Board; Board Attorney, George Hearn; Executive Director, Dr. Tod J. Schadler; and Student Liaison Priya Allen.

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

The following guests were in attendance: Natalie Young, PharmD, Director of Realo; Maureen Susi, RVT, President of North Carolina Association of Veterinary Technicians (NCAVT); Jennifer Shults, DVM, President of NCVMA; Marguerite Gleason, DVM, Secretary-Treasurer of NCVMA; Gail Thomssen with Humane Society of the United States; Heather

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Hopkinson, RVT; Cherrokie Taylor, RVT; Fox 8 News; John McHugh; Jon Carr, NCVMA Attorney; Brenda Stevens, DVM, Past President NCVMA; Claire Holley, Executive Director, NCVMA; Steven Marks, BVSc, Associate Dean, NC State University College of Veterinary Medicine; Joseph Wright, DVM; Dr. Joseph Jordan, CEO, NC Physician's Health Program (NCPHP).

Dr. Bull introduced and welcomed new Board member, Dr. Allen Cannedy. He is the Chief Diversity officer at North Carolina State University, College of Veterinary Medicine and is also the owner of Small Ruminant & Camelid Mobile Vet Service.

Dr. Kim Gemeinhardt's service on the Board has ended after 10 years. Dr. Bull presented her with a clock as a gift from the Board for her service.

The July 9, 2020 Board meeting minutes were reviewed. Dr. Komich, seconded by Dr. Meckes, moved to approve the July 9, 2020 Board meeting minutes with corrections. The minutes were approved unanimously.

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Reports:

President's Report:

On July 16, 2020, the NCVMB Executive Committee, Dr. Schadler, and Mr. Hearn met with the NC Board of Chiropractic Examiners Executive Committee and its attorney to discuss issues relating to chiropractors who wish to provide chiropractic services to animals. The Chiropractic Board maintains that chiropractors who have received certain specialized training can do spinal manipulation on animals. The board discussed the matters and received comments from several persons attending the Board meeting. The Board decided to continue to study the issue.

Dr. Shults' complaint to the Chiropractic Board resulted in a letter of caution for that chiropractor who was the subject of her complaint.

North Carolina Physician's Health Program (NCPHP) Report:

Dr. Joseph Jordan gave an update, explaining that there are now seven veterinarians under contract.

Dr. Komich proposed a NCPHP scholarship to help those who cannot financially afford to attend treatment programs. Dr. Bull appointed a committee of Dr. Komich, Dr. Cannedy, Dr. Schadler, and Mrs. Newman, along with NCVMA representative Dr. Brenda Stevens, to study and report to the Board on how best to proceed in creating a scholarship program.

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State Veterinarian's Report:

Dr. Meckes, State Veterinarian, reported that the new laboratory ribbon cutting is still on schedule for October 6, 2020. The existing State laboratory system set a record for submissions and tests this past year.

There are continued efforts in assisting the swine industry. Maxwell Foods is getting out of the swine business and by June 2021 it will shut down. Its closing will affect 20% of the hog farms in North Carolina.

All State and County Fairs are closed in North Carolina; however, the Junior livestock shows will take place throughout the State with safety precautions.

Chief Inspector's Report:

Dr. Joseph Wright, Chief Inspector, reported there have been 204 inspections since the last meeting. The inspections are now scheduled prior to the inspections being conducted. Dr. Marshall and Dr. Jeffer inspected 62 facilities; Dr. Peer inspected 77 facilities; and Dr. Wright inspected 63 facilities. Five serious violations letters were issued during this time. The pre-scheduling of inspections will continue.

The Board has successfully enabled inspectors to take credit card payments in the field.

At 9:47 a.m. the Board took a brief break and returned at 10:00 a.m.

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Legislative Committee:

Keith West, Assistant to the Executive Director, reported that the Board will be submitting proposals to the Office of Administrative Hearings for administrative rules concerning Veterinary Telemedicine and for amending the rule entitled, Petition for Inactive Status, to include “registrants”. In February 2021 the Board will seek legislative sponsorship and approval of a bill to change G.S. § 90-87.10(6) on theriogenology. The proposed change is: “Any person from providing for or assisting in the practice of artificial insemination” to: “Any person from providing for or assisting in the practice of artificial insemination in food and fiber animals.”

Registered Veterinary Technician Committee:

Robin Lazaro, RVT, proposed “revocation” language be changed to “lapsed” in the North Carolina Administrative Code .0307 Revocation/Suspension/Temporary Permits/Special Registrations.

Dr. Dean made a motion to accept the change in language for NC Administrative Code .0307 from “revocation” to “lapsed” for all veterinarians and technicians. Motion was seconded by Dr. Holland and approved unanimously.

The RVT committee is continuing the discussion regarding title protection and other issues.

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Attorney's Report:

Mr. Hearn reported that Gov. Cooper has sued the Rules Review Commission. He will keep the Board informed of any developments.

Student Liaison:

Priya Allen gave an update on the virtual learning at NCSU-CVM. All is still going well. There has not been much feedback from her newsletter to students.

Executive Director's Report:

Dr. Schadler presented an update on licensing activities and a finance report.

David Boyce, CPA from Koonce, Wooten & Haywood, LLP, was present to answer any questions from the recent annual audit. His recommendations were to have a reconciliation of the ledger; create a budget; change the vacation policy to have any vacation accrual over 240 hours go to sick leave; and to keep current with gas mileage rate.

NCVMB paid for all Board members and staff to attend the virtual AAVSB 2020 conference this year.

It was suggested to add a question to the renewal process of what field of medicine veterinarians are practicing (small animals, exotic, large, etc).

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At 11:45 a.m. the Board took a lunch break and reconvened at 12:30p.m.

Dr. Holland made a motion to go into closed session pursuant to GS § 143-318.11(a)(3), seconded by Mrs. Lazaro. Approved unanimously.

At 3:00 p.m. the Board returned from closed session and resumed the regular meeting.

Report of Committee on Investigations No. 1

- a. 2020025-1 – Janine Marie Oliver, DVM (Benessere Animal Hospital) – Ms. Shannon Bowen – Letter of reprimand, \$2,000 civil monetary penalty
- b. 2020030-1 - Janine Marie Oliver, DVM (Benessere Animal Hospital) – Ms. Crystal Bennett – Continued
- c. 2020023-1 – Kristine A. Woodaman, DVM (Green Creek Mobile) – Mr. Andrew C. Long – Letter of reprimand
- d. 2020027-1 – Kimberly Ann Newman, DVM (VCA Seaside Animal Hospital) – Ms. Donna Hamilton – No probable cause, dismissed
- e. 2020042-1 – Nicole D. Martin, DVM (Southern Veterinary Hospital) – Mr. James J. Mace – No probable cause, dismissed
- f. 2020038-1 – Janine Marie Oliver, DVM (Benessere Animal Hospital) – Ms. Tanya Lee Ahner-Mejia – Continued

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- g. 2020040-1 – Janine Marie Oliver, DVM (Benessere Animal Hospital) – Ms. Wannetta White – Continued
- h. 2020053-1 - Janine Marie Oliver, DVM (Benessere Animal Hospital) – Ms. Emilia Ellen Rizzolla – Continued

Mrs. Lazaro made a motion, seconded by Dr. Holland, to approve the report from Committee on Investigations No. 1. The report of Committee 1 was approved unanimously. These decisions are preliminary and will not be final until the decision is accepted into the minutes, the letter explaining the decision is drafted by the Board Attorney and is approved by the Committee chair and mailed to the licensee and complainant. In the case of a letter of reprimand, the licensee has 15 days from its receipt to reject it and request a hearing. If a rejection occurs, the case is returned to the Committee for further review and action.

A motion was made by Dr. Komich to accept the recommendation of the Committee No. 1 to assess a civil monetary penalty of \$2,000, in complaint 2020025-1, against Dr. Janine Marie Oliver pursuant to the factors in G.S. § 90-187.8(b)(1)[degree of harm to the animal], (2)[the gravity of the violation], and (4)[elements of fraud or deception to the owner]. Dr. Meckes seconded this motion and it was approved unanimously.

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Report of Committee on Investigations No. 9

- a. 2020026-9 – David Alan Conde, DVM (Dr. Conde Mobile Veterinary Practice) – Mr. Donald T. Currin – Continued
- b. 2020022-9 – Lacey Wright Gaddy, DVM (Brown Creek Animal Hospital) – Mr. Joel N. Ennis, Jr - No probable cause, dismissed
- c. 2020033-9 – Stuart Whitney Lewis, DVM (Piper Glen Animal Hospital) – Ms. Christine Opela – No probable cause, dismissed
- d. 2020028-9 – Rosalind Jane Kopp, DVM (Denver Animal Emergency) – Mr. Sam Vadala – No probable cause, dismissed
- e. 2020044-9 – Lawson Elizabeth Hardee, DVM (River Run Animal Hospital) – Ms. Aura Maria Rodriguez – No probable cause, dismissed
- f. 2020041-9 – Rosemarie Mador Williams, DVM (The Sound Cat Veterinary Hospital) – Ms. Patricia Kusek – No probable cause, dismissed
- g. 20200569 – Michael E. Sink, DVM; Diego Igacio Munoz, DVM (High Point Veterinary Hospital) – Ms. Lori Kimiko Santoyo – Letter of caution for both
- h. 2020043-9 – Cynthia Denise Burnett, DVM (Healing Hands Animal Hospital) – Ms. Susan M. Smith – Letter of caution
- i. 2020066-9 – Scott Stevenson, DVM – NCVMB – The Committee presented a proposed Consent Order with Scott C. Stevenson, DVM for discussion and approval by the Board. Following discussion, the Board unanimously approved a motion to accept the Consent Order. The Consent Order affirms that Dr. Stevenson has surrendered his veterinary

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license and has agreed not to reapply for a license until he has completed treatment for impairment as recommended by the North Carolina Physicians Health Program.

Dr. Dean made a motion, seconded by Dr. Meckes, to approve the report from Committee on Investigations No. 9. The report from Committee 9 was approved unanimously. These decisions are preliminary and will not be final until the decision is accepted into the minutes, the decision is drafted by the Board Attorney and is approved by the Committee chair and then mailed to the licensee and complainant. In the case of a letter of reprimand, the licensee has 15 days from its receipt to reject it and request a hearing. If a rejection occurs, the case is returned to the Committee for review and action.

Dr. Dean, seconded by Dr. Holland, made a motion to approve the Consent Order on complaint 2020066-9 and authorize Dr. Bull to sign. The motion was approved unanimously.

Dr. Dean, seconded by Mrs. Lazaro, made a motion to approve the meeting's expenses. It was approved unanimously.

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The Board selected dates for 2021 Board and Committee meetings.

Board Meeting	Committee 1	Committee 9
January 14, 2021	January 13, 2021	January 7, 2021
March 11, 2021	March 10, 2021	March 3, 2021
May 6, 2021	May 5, 2021	April 29, 2021
July 8, 2021	July 7, 2021	July 1, 2021
September 9, 2021	September 8, 2021	September 2, 2021
November 4, 2021	November 3, 2021	October 28, 2021

The Board having no further business, a motion to adjourn made by Dr. Holland, seconded by Mrs. Lazaro, passed unanimously. The meeting adjourned at 3:36 p.m.

Respectfully Submitted,

Tod J. Schadler, DVM
Executive Director