

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, May 4, 2017**

At 8:00 a.m., President Kim D. Gemeinhardt, DVM called to order the regular meeting of the North Carolina Veterinary Medical Board. In attendance were the following Board members: Drs. William K. Dean, Jane A. Barber, Susan K. Bull, R. Douglas Meckes, Robin Lazaro, RVT and Mrs. Krissie Newman. Also present were Board Attorney, George Hearn, and Executive Director, Tod J. Schadler, DVM.

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

Dr. Gemeinhardt introduced guests attending the Meeting: Colon Willoughby, Claire Holley, Heather Hopkinson, RVT, and Thomas Mickey.

At 8:04 a.m., pursuant to G.S. § 143-318.11(a)(3), Dr. Dean made a motion to go into closed session.

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At 9:15 a.m. the Board returned from closed session. Dr. Bull made a motion that Mr. Willoughby give the information discussed in closed session to proper agencies. The motion was seconded by Mrs. Newman. Motion carried.

Dr. Dean read a resignation letter sent to Dr. Gemeinhardt from Dr. Dwight Cochran dated April 25, 2017. In the letter Dr. Cochran stated, that effective April 25, he was resigning from the Board for personal reasons.

Mr. Mickey presented to the Board a schedule for rule making and the proposed revisions to Rule 21 NCAC 66 .0206, Minimum Standards for Continuing Education. Dr. Barber made a motion to approve the proposed amendments to the Rule with a second from Dr. Meckes. It was approved unanimously.

Mr. Mickey also reported the status of the amended Rule 21 NCAC 66 .0311 limited veterinary licenses. The 60-day public comment period is complete. The Rule goes back to the Rules Review Commission to be submitted on May 8, 2017 for technical corrections.

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The periodic review of existing rules comment period will begin July 5, 2017.

Mr. Mickey left the Board meeting at 9:36 a.m.

The March 9, 2017 Board meeting minutes were reviewed. Several proposed corrections were discussed. Dr. Meckes made a motion to approve March 9, 2017 minutes with the corrections as discussed, seconded by Dr. Bull and passed unanimously.

Following review, Mrs. Newman made a motion, seconded by Dr. Barber, to approve April 18, 2017 Board meeting minutes. The motion passed unanimously.

Dr. Gemeinhardt, Dr. Schadler, and Dr. Bull are to attend the AAVSB meeting, September 14-17, 2017, in San Antonio, Texas. There is a possibility that Dr. Schadler will be appointed to a committee. In that case, another Board Member can attend. Mrs. Newman will go if Dr. Schadler is appointed to a committee.

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Mr. Hearn and Ms. Lazaro will attend the FARB RLS Meeting on October 5-8, 2017 in Savannah, Georgia.

Mr. Jim Penrod, from AAVSB, will be a guest at the August 24, 2017 Board Meeting.

At 10:00 a.m., Dr. Meckes and Mr. Hearn gave an update on the new employee manual. A draft of the manual will be sent to the Board for review prior to the June 29, 2017 Board meeting.

The Nominating Committee recommended the following officers for the term July 1, 2017 through June 30, 2018: Dr. Dean, President; Dr. Barber, Vice President; and Dr. Bull, Secretary/Treasurer. These officers will serve as the Board's Executive Committee.

A motion to accept the nominations for the slate of officers was made by Dr. Meckes, and seconded by Ms. Lazaro. It passed unanimously.

Dr. Gemeinhardt was asked, and she agreed, to help with the transition of the new Executive Committee.

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The Board discussed issues with applications from a veterinarian and from two registered veterinary technicians.

1. Hannah Rickard, RVT, submitted an application for the state examination on which she reported no arrest record. A standard background check revealed an appealed conviction for a DWI within the past 3 years. A motion was made by Dr. Meckes and seconded by Ms. Lazaro to deny her from sitting for exam because of apparent misrepresentation on her application until she sends the Board all court documents relating to the charge. Motion was passed.
2. Brittany Killins, RVT answered "yes" on renewal application regarding a charge or conviction within the previous two years. A background check revealed that Ms. Killins is on active probation for a felony conviction. Dr. Meckes made a motion, seconded by Dr. Bull, that because she failed to provide information to Board about her conviction, the application for renewal will remain pending until evaluation, investigation, and review of the criminal conviction information. The motion was passed.
3. Dr. Patricia Bobenhouse submitted an application for license reinstatement. She answered "no" to the questions about past and

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pending charges within the previous two years. The Board obtained a South Carolina criminal record that showed a conviction and a pending charge. A motion was made by Dr. Bull, seconded by Mrs. Newman, to deny reinstatement because of misrepresentation pending further review. Motion approved.

The Board recessed at 11:20 a.m. and reconvened at 11:30 a.m.

Attorney David Gadd joined the meeting to discuss the closing of the purchase of the office condominium property next door. He is an attorney with Satsky and Silverstein and has worked with John Silverstein on this project. A settlement statement was provided to the Board. A motion was made by Dr. Dean, seconded by Dr. Bull, to approve the settlement statement confirming the purchase and have Dr. Gemeinhardt sign the statement. The Board approved the motion.

At 11:50 a.m. Dr. Joe Jordan, CEO of North Carolina Veterinary Health Program (NCVHP), joined the meeting. He gave a report of activities since the last Board meeting. Dr. Jordan also reported on a

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presentation he recently made partnering with Road Runner Pharmacy. There were positive remarks following the presentation. He will be presenting one at the NCVMA fall conference and, he hopes more in 2018.

The new contract between the Board and NCVHP for the term April 1, 2017 through January 31, 2018 has been signed by Dr. Jordan and Dr. Schadler.

Dr. Jordan has met with Dr. Schadler to discuss issues of depression, burnout, and cognitive function impairment. In order to add these conditions/disorders to our existing program with NCVHP Dr. Jordan believes there would be a need to change the Veterinary Practice Act provisions in G.S. §90-187.8(c)(3) relating to discipline, and also G.S. §90-187.15 Board agreement for programs for impaired veterinary personnel.

At 12:25 p.m. the Board recessed for lunch reconvening at 1:10 p.m.

The Board discussed additions to the lobby area of the Board office. It was decided that a photo of each Board member, with their pets, should be placed on the walls in the lobby.

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The Board discussed having guidelines for reimbursement of expenses for Board meetings. The Board also discussed issues relating to per diem reimbursement, including whether it is possible for Board members' work on Committee investigations and materials outside of Board meetings can qualify for per diem compensation. Mr. Hearn was asked to further research this issue.

Dr. Meckes will invite Dr. Lunn, Dean of the NCSU-CVM and Dr. Linton, Dean of the NCSU College of Agriculture, Extension Service, to a Board meeting to discuss County Extension Agent's job duties.

The Board discussed the world equestrian event planned for 2018 in Raleigh, NC. Veterinarians will be attending this event from outside the State and the United States. Dr. Bill Hay will be the veterinary services coordinator for the event.

The Board Inspector's monthly report was read. Dr. Meckes made a motion to accept this report, seconded by Ms. Lazaro. The motion was approved.

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Tod Schadler, DVM, Executive Director, gave an updated financial report. Due to an increase in the number of licensees and registrants dealing with reported DWIs Dr. Schadler is also working on the pertinent NCVMB wording for rules and regulations.

He also reported that Department of Health & Human Services (DHHS) is willing to consider a MOU that would allow an NCVMB inspector to be present during disposal of controlled substances in facilities in place of a DHHS person.

Dr. Schadler reported on general issues arising out of the inspection of Seagrove Animal Hospital.

Dr. Schadler updated the Board on Strategic Planning. The first issue is non-veterinary ownership of facilities. He will investigate other states that have this in practice. After developing a proposal, the Board will share its progress with the NCVMA.

Another item of interest for Strategic Planning is the complaint process. The Board will work to create a more efficient method due to an increase in complaints.

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At 3:30 p.m. the Board recessed for a break reconvening at 3:42 p.m.

Dr. Meckes made a motion for the Board to go into closed session concerning personnel issues at 3:42 p.m., pursuant to G.S. § 143-318.11(a)(6). Dr. Bull seconded the motion and it was approved by the Board.

At 6:00 p.m., the Board returned from closed session and resumed the regular meeting. Dr. Bull made a motion to approve personnel and related instructions discussed during the closed session. Dr. Barber seconded the motion and it was approved by the Board.

Report of Committee on Investigations No. 1

2016021-1 **Paula Kay Bullock, DVM** (Affordable Animal Care) –
Mr. Justin Berry & Cheralyn Schmidt – The Board will
schedule a hearing later this year.

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- 2016043-1 **Nicole Schnell Brinson, DVM** (College View Veterinary Clinic) – Mr. & Mrs. Douglas L. Hayden – no probable cause/dismissed
- 2016046-1 **Amanda Baruth Newton, DVM** (Banfield – Brier Creek) – Ms. Stephanie Colon – letter of caution
- 2016008-1 **Melissa Bame Massey, DVM** (Alamance Countryside Mobile Veterinary Service – Mr. & Mrs. Louis & Sherri Milliken – no probable cause/dismissed
- 2017003-1 **Stephen Matthew Samson, DVM** (Coastal Animal Hospital – Mr. James Woodall – no probable cause/dismissed
- 2017015-1 **Beverly Maybin Hargus, DVM** (Animals R Us Veterinary Clinic) – Dr. Ralph Wiseman – no probable cause/dismissed
- 2017010-1 **Scotty Alan Gibbs, DVM** (Hilltop Animal Hospital) – Ms. Susan Galante – no probable cause/dismissed
- 2017013-1 **Francis A. Cipullo, DVM** (Andrews Veterinary Hospital) –Ms. Vicki Pruitt – no probable cause/dismissed

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2017008-1 **Madison Taylor Cloninger, DVM** (Mooresville Animal Hospital) – Ms. Terry Bradfield – letter of caution

Mrs. Newman made a motion to approve the report from Committee on Investigations No. 1. Dr. Meckes seconded the motion, and it was approved unanimously.

Report of Committee on Investigations No. 2

2014054-2 **Paula Kay Bullock, DVM** (Affordable Animal Care) – Mrs. Kay Nevils – The Board will initiate a Board complaint number to this case.

Dr. Bull made a motion to approve the report from Committee on Investigations No. 2. Mrs. Newman seconded the motion and was approved unanimously.

Report of Committee on Investigations No. 5

2016009-5 **Fernando Cardenas, DVM** (3H Mobile Veterinary Services) – Ms. Kimberly Ely – continued.

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Dr. Dean made a motion to approve the report from Committee on Investigations No. 5. Dr. Bull seconded the motion and was approved unanimously by the Board.

Report of Committee on Investigations No. 7

2016030-7 **Joel M. Barden, Jr., DVM** (Veterinary Medical Center)

– Mr. Dale Makin – letter of reprimand

2016039-7 **Warren M. Smith, DVM** (Cashiers Village Veterinary

Clinic) – Ms. Nancy Lawson – letter of reprimand

2016038-7 **Barrett Wade Gift, DVM** (Animal Eye Care Vet

Ophthalmology Practice) – Mr. Sperby Piner, Jr. – no probable cause/dismissed

2016041-7 **Julia Egan Gigliotti, DVM** (Forest Hills Veterinary

Hospital) – Ms. Andrea Sefton & Ms. Amany Bebawy – letter of caution

2016036-7 **Timothy Charles Steinman, DVM** (Salisbury Animal

Hospital) – Ms. Stacy Owens – no probable cause/dismissed

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- 2016044-7 **Lauren Eve Reid, DVM** (CVS-Matthews) – Ms. Brenda Williams & Mr. Mike Borquez – no probable cause/dismissed
- 2016047-7 **Gregory Jay Lowe, DVM; Rhodnick B. Lowe, DVM** (Rowan Animal Clinic); and **Rebekah Frick Julian, DVM; Ashley Elizabeth Myers, DVM** (Lazy 5 Vets Animal Hospital) – Mr. Michael Leggett – no probable cause/dismissed for all veterinarians
- 2016047-7 **Daniel Henry Johnson, DVM; Christine Eckermann Ross, DVM; Victoria Justine Bender, DVM** (Avian & Exotic Animal Care) – Ms. Monika Poole – no probable cause/dismissed
- 2017002-7 **Meghan Marie Ellis, DVM** (Family Veterinary Hospital) – Ms. Stacy Tarle – letter of caution

Dr. Dean made a motion to approve the report from Committee on Investigations No. 7. Mrs. Newman seconded the motion and it was approved unanimously.

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A motion by Mrs. Newman to approve expenses, seconded by Dr. Barber, was approved unanimously.

The Board, having no further business, a motion to adjourn was made by Dr. Meckes, seconded by Dr. Barber, was unanimously passed. The meeting adjourned at 8:00 p.m.

Respectfully Submitted,

Tod J. Schadler, DVM
Executive Director