

Minutes of the South Carolina Board of Veterinary Medical Examiners
Business Meeting, Application Hearing and Disciplinary Matters
February 11, 2016
Synergy Business Park, Kingstree Building, Room 105
110 Centerview Drive, Columbia, South Carolina 29211

Board members present were:

Rebecca M. Hughes, D.V.M., Chairperson
Katherine Ann George, D.V.M., Vice Chairperson
Elizabeth L. Fuller, D.V.M., Secretary
Vanessa B. Brooks, D.V.M.
Bryan K. Cribb, D.V.M.
Brent R. Goodson, D.V.M.
W. Marshall, Liger, III, LV.T.
Bethany M. Tapp, D.V.M.

Board members with excused absences were:

Gretchen M. Love, D.V.M.
Rebecca I. Shealy, Consumer

Staff and others present were:

Erin G. Baldwin, LLR Litigation Attorney, Office of Disciplinary Counsel
Tina Behles, Court Reporter
Brian C. Burton, DVM
Kate K. Cox, LLR Administrator
P.C. Faglie, OIE Investigator
Nancy Flores, LLR Administrative Assistant
Katharine Foulke, DVM
Maurice Jones, RPP
Ginger Macaulay, DVM
Mark Sanders, OIE Chief Investigator
Hardwick Stuart, Jr., LLR Advice Attorney
Richard Wilson, Esq., RPP

CALL TO ORDER:

The Regular Session of the South Carolina Board of Veterinary Medical Examiners was held at the Synergy Office Park, Kingstree Building, 110 Centerview Drive, Room 108, in Columbia, South Carolina. Whereas, proper notice of date, time, place and agenda information having been properly provided to THE STATE NEWSPAPER and ASSOCIATED PRESS and proper notice also having been posted at the LLR Office Building 24 hours prior to the time scheduled for the meeting and a quorum having been noted as present, Chairman Dr. Hughes called the meeting to order at 9:10 a.m. All votes referenced herein were unanimous unless otherwise noted. Excused absences were noted and approved for Dr. Love and Ms. Shealy.

APPROVAL OF AGENDA:

Motion: A motion was made by Dr. Cribbs to approve the Agenda. Dr. George seconded the motion. The motion carried.

APPROVAL OF MINUTES:

Motion: A motion was made by Dr. Cribbs to accept the November 5, 2015 Minutes as printed. Dr. Fuller seconded the motion. The motion carried.

DISCIPLINARY ISSUES:

IRC Report:

The Investigative Review Committee Report (IRC) was provided by P.C. Faglie.

Motion: A motion was made by Dr. Brooks to accept five (5) Dismissals. The motion was seconded by Mr. Liger. The motion passed.

Motion: A motion was made by Dr. Cribbs to authorize six (6) Formal Complaints. Dr. Brooks seconded the motion. The motion carried.

Motion: A motion was made by Dr. Cribbs to authorize two (2) Letters of Caution. Dr. Fuller seconded the motion. The motion carried.

OIE and ODC Management Reports:

The OIE and ODC Management Reports were given for OIE and ODC by Mr. Faglie and Ms. Baldwin respectfully. The reports were accepted as information by the Board.

APPLICATION HEARING:

Katherine Foulke, D.V.M.:

An application hearing was held for Dr. Foulke. Mr. Stuart advised the Board. Dr. Foulke was present and waived the right to counsel. A court reporter was present. A quorum was noted as present. The hearing commenced.

Motion: A motion was made by Dr. Cribb to go into Executive Session for legal advice. The motion was seconded by Dr. George. The motion carried.

Motion: A motion was made by Dr. Cribb to come out of Executive Session. The motion was seconded by Dr. Tapp. The motion carried.

Motion: A motion was made by Dr. George to allow Dr. Foulke to apply for a Temporary Veterinary Medical License for 60 days of supervised veterinary practice and then grant her a full license at the completion of 60 days. The motion was seconded by Dr. Fuller. The motion carried.

DISCIPLINARY ISSUE:

Request for Consent Agreement Presentation - Brian C. Burton, DVM

A requested hearing for a request to be released from a Consent Agreement was held for Dr. Burton. Dr. Burton was present and waived the right to counsel. Mr. Stuart advised the Board. A court reporter was present. A quorum was noted as present.

Motion: A motion was made by Mrs. Baldwin to request a closed hearing due to federal HIPAA laws and state law regarding the Patients Records Act. Dr. Hughes seconded the motion. The motion carried.

Motion: A motion was made by Dr. Cribb to come out of the closed hearing. The motion was seconded by Dr. George. The motion carried.

Motion: A motion was made by Dr. George to release Dr. Burton from his Consent Agreement. The motion was seconded by Dr. Cribb. The motion carried. It was noted that a public order will be written.

ADMINISTRATIVE REPORTS:

Administrative Report:

The Administrative Report was given with a staffing chart; licensure totals were given to be 1792 licensed veterinarians and 435 licensed veterinary technicians. It was announced that the FAQs have been updated and any new updates from the meeting will be added and FAQs act as safe harbor information for the practice of veterinary medicine. It was announced that the appointee District 1 is in the Senate Agriculture Committee for Advice and Consent and it was noted that Dr. Ginger Macaulay, the upcoming member to the Board for District 2, is visiting today. It was noted that Senate Bill 687 is in the General Assembly again this year and LLR will track the bill for the Board. The Board was reminded about the March 30, 2016 deadline to file their Statement of Economic Interests. Mrs. Cox gave out paper instructions as well on how to file.

Dr. Hughes attended the AAVSB meeting in Milwaukee, WI September 17-19, 2015 with Mrs. Shealy and she reported to the Board about the meeting. She discussed topics that were covered such as legal issues in the states, practice act developments, the national exam - NAVLE, committees of the AAVSB such as test development, and round table discussion topics. She noted the value of attendance and networking with other state boards.

Financial Report:

Financial Report was given and accepted as information.

UNFINISHED BUSINESS:

There was none.

NEW BUSINESS:

Dr. Mark Kimble, South Carolina License Chiropractor, submitted a form to the Board asking approval to use it in his clinic regarding Veterinary Orthopedic Manipulation Treatment Authorization. Discussion followed.

Motion: Dr. Brooks made a motion that the South Carolina Board of Veterinary Medical Examiners will not approve the form and asked Dr. Kimble to refer to Question/Answer #29 in the Board's the FAQs published on the Board's web site for guidance. Dr. Cribb seconded the motion. The motion passed.

The Board discussed Question/Answer #29 in the FAQs. The Board asked that the definition of "direct supervision" be added to the Answer for easier access to that definition and asked that the third bullet point in the Answer be removed as not to add any confusion. The Board stated it also refers inquirers to the Board's statutes and regulations.

Motion: Mr. Liger made a motion that the Answer to the FAQ #29 have added to it the definition of "direct supervision" for easier access to that definition and asked that the third bullet point in the Answer be removed as not to add any confusion. Dr. Goodson seconded the motion. The motion passed.

LEGAL:

Motion: Dr. Cribb made a motion to go into Executive Session for legal advice on Herron vs. South Carolina Board of Veterinary Medical Examiners. Dr. George seconded the motion. The motion passed.

Motion: Dr. Hughes made a motion to return to open session. Dr. Cribb seconded the motion. The motion passed. It was noted that no votes were taken in Executive Session.

DISCUSSION TOPICS:

There were none

PUBLIC COMMENT:

There was none.

ANNOUNCEMENTS:

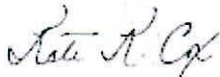
It was announced that this is the last meeting that Dr. Brooks will attend for the Board. Dr. Hughes thanked her for her long and dedicated service to the Board and for her deep interest in public protection in the regulation of veterinary medicine.

It was announced the meetings for 2016 will be May 12, August 11, and November 10, 2016.

ADJOURNMENT:

There being no more business, the meeting was adjourned at 11:50 a.m.

Respectfully submitted,



Kate K. Cox
Administrator