



South Carolina  
Department of Labor, Licensing and Regulation  
Board of Veterinary Medical Examiners



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Mark Sanford  
Governor

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Director

Minutes of the South Carolina Board of Veterinary Medical Examiners  
Business Meeting, Disciplinary Hearing, and Appearances  
April 15, 2010  
Synergy Business Park, Kingstree Building, Room 108  
110 Centerview Drive, Columbia, South Carolina, 29211

Board members present were:

Albert W. Platt, III, D.V.M., Chairman  
David M. Oliver, D.V.M., Vice-Chairman  
Vanessa B. Brooks, D.V.M., Secretary  
James M. Harris, D.V.M.  
Christine Hartman, L.V.T.  
Glen B. Haynes, D.V.M.  
Cindy W. Nord, Ph.D.  
Paul D. Patrick, D.V.M.

Board member with excused absence was:

Stephen G. Colquhoun, D.V.M.

Staff and Others present were:

Larry Atkins, LLR Investigations and Enforcement  
Tiffany Brown, D.V.M.  
John D. Cottingham, D.V.M.  
Kate K. Cox, Board Administrator  
Sharon Dantzler, Esquire, Advice Attorney to the Board  
P.C. Faglie, LLR Investigations and Enforcement  
Gwen Green, Esquire, Hearing Officer for LLR  
Pat Hanks, Esquire, LLR Litigation Attorney  
Paul D. deHolczer, Esquire  
Sheliah A. Jones, Board Administrative Assistant  
Krystal McFadden, LLR Administrative Assistant  
Rita McKinney, Esquire  
Marcia Rosenberg  
Terri Stephens, LLR Investigations and Enforcement  
Terri A. Winiarski, NCCR, Court Reporter

**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. Platt called the meeting to order at 9:05 a.m. All votes referenced herein were unanimous unless otherwise noted. One excused absence was noted.

APPROVAL OF AGENDA:

**Motion:** A motion was made by Dr. Harris to approve the Agenda as presented. Dr. Nord seconded the motion. The motion carried.

APPROVAL OF MINUTES:

**Motion:** A motion was made by Dr. Haynes to accept the January 14, 2010 minutes of the last meeting as printed. Ms. Hartman seconded the motion. The motion carried.

CHAIRMAN REMARKS:

Dr. Platt reserved his comments for later in the meeting.

ADMINISTRATOR'S REPORTS:

Administrative Report:

Mrs. Cox introduced Sheliah Jones who is the new Administrative Assistant for the Board by the reallocation of staff and centralized licensure processing which started March 1. Mrs. Cox gave the statistics for licensees to be: Licensed Veterinarians - 1445 and Licensed Veterinary Technicians - 249 for a total of 1694 licensees.

She reported on Board membership status. She said the Governor's Office is processing District 1, District 4, and District 6 nominations at this time and Senate Confirmation Hearings for Advice and Consent of the Senate have been held for Dr. Cribb for District 1 and for Dr. Robinson for District 4. She also reported Letters of Appreciation were written to NBVME, Dr. Feinberg, and Dr. Thomas for their presentations in January to the Board. She reported that Basic Animal Rescue Training (BART) group was written to ask for additional information on their program and to issue an invitation to them to attend a Board meeting in the future.

Mrs. Cox reminded the Board that the Statement of Economic Interests are due electronically no later than today, April 15, 2010 and gave the Board the SC Ethics Commission office phone number if they had any questions. She informed the Board about the new database system for all aspects of licensing and data management. She noted that LLR is sending out the spring Agency newsletter, *The LLR Ledger*, by e-blast and that Boards will also use e-blasts for newsletters.

She gave an updated report for Dr. Colquhoun who was not present to state all the major providers of veterinary continuing education do have RACE approval except the Wild West Vet Conference in Reno to correct any misinformation he may have given at the last meeting.

Mrs. Cox gave the legislative summary to date:

Legislation: Second year in the two year cycle

2010 Legislation - pre-filed:

- S. 958 - Chapter 47 regarding cruel confinement and restraint of animals, still in Senate
- S. 948 - Chapter 47 asking repeal of polo horse compounds in Statute 47-9-65, has crossed over to the House
- S. 927 - Chapter 16 regarding the offense of animal fighting and to sell animals for that purpose, still in Senate

S. 913 - Chapter 47 relating to pet inoculation for rabies not to exceed \$6.00 at annual rabies clinics, still in Senate

2010 Introduced 02/16/10 in House:

H. 4546 - Self-Directed, semi-independent pilot project for some Boards to become independent, one reading to date in LCI

2009 Legislation still in Legislature:

S. 102 - Chapter 47 - Ill treatment of Animals, does not apply to practice of veterinary medicine in accordance with accepted veterinary standards - still in Senate

S. 223 - Chapter 47 - Cost of care and ownership, Animal cruelty - still in House

S. 328 - Chapter 47 - Rabies bill - went to House - must be administered by veterinarian or someone under direct supervision and fee change, crossed over to the House but non concurrence with Senate

H. 3319 - Chapter 47 - Dangerous animal definition - still in House

OIE/OGC/OLC Reports:

Office of Investigations and Enforcement Statistical Report for 2009 and 2010 was given by Mr. Faglie and taken as information by the Board. Office of General Counselor Report on statistics for 2009 and 2010 was given by Mr. Hanks and taken as information by the Board.

Office of Licensure and Compliance's statistical report was addressed by Mrs. Cox. She noted centralized processes are handled by this group for all the boards from renewal through initial licensure and other licensure services. The centralized licensure process began March 1 with reallocations of staff and cross training. She said there are no statistical reports that are available at this time from OLC; however, the OLC office will be making these presentations in the future at board meetings across the Agency.

Board's Complaint Status Report 2010:

Complaint Status Report was provided by Mrs. Cox as information and she reported complaint case investigations and legal matters are reviewed monthly.

Administrative Financial Report:

Mrs. Cox stated the financial report is provided as information; and revenue is collected biennially and is expended over a two-year period. She reported the Board is audited annually and is financially sound with no audit exceptions being noted. She noted all monthly financial reports which are fully detailed are kept in the Board's office and in the Financial Department of LLR. She said LLR reviews revenue/expenditures/budgets for savings and for best use of resources and personnel.

DISCIPLINARY ISSUES:

IRC Report:

The Investigative Review Committee Report (IRC) was given by the Chairman, Dr. Platt. The IRC Report, as per the March 31, 2010 IRC meeting, was to dismiss five (5) alleged complaints, to dismiss one (1) complaint with Letter of Caution, and to authorize two (2) formal complaints.

**Motion:** A motion was made by Dr. Patrick to accept the IRC Report to dismiss five (5) alleged complaints. The motion was seconded by Ms. Hartman. The motion carried.

**Motion:** A motion was made by Dr. Patrick to accept the IRC Report to dismiss one (1) alleged complaint with a Letter of Caution. The motion was seconded by Dr. Nord. The motion carried.

**Motion:** A motion was made by Dr. Harris to accept the IRC Report to authorize two (2) formal complaints. The motion was seconded by Dr. Patrick. The motion carried.

**Motion and Order:**

Mr. Hanks presented a Motion and Order to withdraw and to dismiss a formal complaint which had previously been authorized against Dr. Stanford W. Grist.

**Motion:** A motion was made by Ms. Hartman to accept the Motion and Order. The motion was seconded by Dr. Harris. The motion carried.

**DISCIPLINARY HEARING WITH MOA:**

A disciplinary hearing was held to see if Dr. John D. Cottingham's license to practice veterinary medicine should be disciplined. The State was represented by Pat Hanks who presented the Memorandum of Agreement (MOA) signed by Dr. Cottingham, Dr. Cottingham was represented by Paul deHolczer, and the Hearing Officer was Gwen Green. A court reporter was present. The hearing commenced.

**Motion:** A motion was made by Dr. Harris to discipline Dr. Cottingham's license by a public, Final Order to be written with and signed by the Board Chairman. The motion was seconded by Dr. Nord. The motion carried.

**APPLICATION HEARING:**

**Tiffany R. Brown, DVM, Applicant for Licensure**

Dr. Brown appeared before the Board without representation to explain her "yes" answers on her application for licensure in the disciplinary section. The Board asked appropriate questions.

**Motion:** A motion was made to allow Dr. Brown to proceed with her application for licensure. The motion was seconded. The motion carried.

**LEGAL:**

Ms. Dantzler, LLR's Advice Counsel, had no information for the Board

**UNFINISHED BUSINESS:**

There was no Unfinished Business on the Agenda.

**NEW BUSINESS:**

**Standards for Spay Neuter Programs and Guidelines:**

Dr. Harris reported on an article from the Association of Shelter Veterinarians on veterinary guidelines for spay-neuter programs and presented clinical documents used in these programs. Discussion followed and

the Board was advised by Ms. Dantzler that these documents would be a “safe harbor” for veterinarians to use as references. She advised that the Board would consider these guidelines as acceptable but not make them absolute guidelines for the Board as a standard of care from the Board. The Board agreed and Dr. Platt said the Board could have them as a resource for questions on spay-neuter programs. It was stated the American Veterinary Medical Association produced the guidelines.

Question: Professional Liability in Forced Evacuations for Fire Drills:

Mrs. Cox presented a letter of concern from Dr. S.R. Shrum regarding a fire district that made a mandatory evacuation of a veterinary surgical team in surgery out of buildings in a fire drill. Ms. Dantzler said she had consulted with the State Fire Marshall who has answered and explained the drills. The Fire Marshall has said common sense and reason will prevail and that a drill is not an emergency which would have required evacuation of a surgical team. The Board was given a copy of the letter.

Boykin Spaniel Club - Gene Mutation:

Dr. Platt stated information was given to the Board on Boykin Spaniel gene mutation. The Board discussion said this information is known and that an e-blast or information on this issue might come from the South Carolina Association of Veterinarians.

RACE and Continuing Education (CE):

Dr. Platt presented a letter and information from Dr. Charlie Timmerman which was questioning CE approval/non approval by RACE of complimentary and alternative veterinary medicine education. After discussion, Dr. Platt said he would reply to Dr. Timmerman explaining the many levels of CE approval available which also includes the Board in South Carolina’s approval process.

**DISCUSSION TOPICS:**

Discussion was held on the importance of rabies clinics. Legislation regarding rabies, vaccinations, and fees were discussed. It was mentioned that legislation change may be needed in the Pharmacy Act or in the Department of Health and Environment Control statutes which the Board could support.

Dr. Platt discussed the importance of medical records. VET-VIPPS was discussed and is the best place to guide clients who are seeking internet pharmacies.

Dr. Brooks discussed the new state law that all veterinarians that prescribe and dispense controlled substances to be used at the animal’s home or location need to be registered with DHEC for the Prescription Monitoring Program (PAM). She also discussed the updated accreditation for NVAP veterinarians which is a voluntary program. Mrs. Cox asked for information to be used for distribution on these topics.

**PUBLIC COMMENT:**

Mrs. Rosenberg asked that links to information discussed at the meeting from the American Veterinary Medical Association (AVMA) Journal and other topics from the meeting be placed on the Board’s web site.

**ANNOUNCEMENTS:**

It was announced the next meeting of the South Carolina Board of Veterinary Medical Examiners will be held on Thursday, July 15, 2010.

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ADJOURNMENT:

There being no further business the meeting was adjourned at 1:35 P.M.

Respectfully submitted,

Kate K. Cox  
Administrator