



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



Mark Sanford
Governor

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Minutes of the South Carolina Board of Veterinary Medical Examiners
Business Meeting and Disciplinary Appearance
July 15, 2010
Synergy Business Park, Kingtree Building, Room 105
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
Bryan K. Cribb, D.V.M.
Christine Hartman, L.V.T.
Oswald H. "Sonny" King, D.V.M.
Cindy W. Nord, Ph.D.
Walter C. Robinson, D.V.M.

Board member with excused absence was:

James M. Harris, D.V.M.

Staff and Others present were:

Stephen G. Colquhoun, D.V.M.
Laura Cook, Esquire, LLR Litigation Attorney
Kate K. Cox, Board Administrator
Sharon Dantzler, Esquire, Advice Attorney to the Board
P.C. Faglie, LLR Investigations and Enforcement
Dean Grigg, LLR Hearing Officer
Glen B. Haynes, D.V.M.
Thomas J. Hentges, D.V.M.
Sheliah A. Jones, Board Administrative Assistant
Ken Kitts, Board Inspector
Bobby O. Phipps, Jr., 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, Kingtree Building, 110 Centerview Drive, Room 105, 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 9:10 a.m. All votes referenced herein were unanimous unless otherwise noted. One excused absence was noted. The roll was called.

APPROVAL OF AGENDA:

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

APPROVAL OF MINUTES:

Motion: A motion was made by Dr. Oliver to accept the April 15, 2010 minutes of the last meeting as printed. Ms. Hartman seconded the motion. The motion carried.

CHAIRMAN REMARKS AND PRESENTATIONS:

Dr. Platt made an appreciation presentation to Dr. Haynes and Dr. Colquhoun with a plaque for each to note their years of dedicated service on the Board. He thanked Dr. Haynes for his calm and deliberate considerations on all Board issues. He thanked Dr. Colquhoun for his same deliberative work for the Board and the national perspective he brought to the Board. He also thanked Dr. Patrick in his absence and said his plaque noting his service will be mailed to him. Noted: Dr. Colquhoun was thanked later in the meeting due to his arrival after the Administrator's Reports.

Dr. Platt then welcomed the three newly seated members and had Ms. Dantzer swear in Dr. Walter Robinson, Dr. Bryan Cribb, and Dr. Sonny King into service as officers of the state as they serve on the Board.

DISCIPLINARY ISSUES:

IRC Report:

The Investigative Review Committee Report (IRC) was given by the Chairman, Dr. Platt. The IRC Report, as per the June 30, 2010 IRC meeting, was to dismiss seven (7) alleged complaints, to dismiss three (3) complaints with Cease& Desist Orders, and to authorize six (6) formal complaints.

Motion: A motion was made by Dr. Nord to accept the IRC Report as presented. The motion was seconded by Dr. King. The motion carried.

DISCIPLINARY APPEARANCE:

Thomas J. Hentges, D.V.M., License # 1118:

A disciplinary hearing was conducted to present a request for Veterinary License # 1118 to be relieved from probationary status for Dr. Hentges. The Board was represented by Laura Cook; a court reporter was present; Dr. Hentges was present and represented by Bobby Phipps; and Dean Grigg was the Hearing Officer. Dr. Cribb was considered for recusal but all parties agreed he could serve in the hearing matter. A quorum was noted as present for the hearing. The presentation for the request commenced.

Motion: A motion was made by Ms. Hartman to go into Executive Session to discuss the request. The motion was seconded by Dr. Robinson. The motion passed.

Motion: A motion was made by Dr. Brooks to come out of Executive Session. The motion was seconded by Dr. Nord. The motion passed.

Motion: A motion was made by Dr. Cribb to accept the request to relieve Dr. Hentges' license from probationary status. The motion was seconded by Dr. Brooks. The motion carried.

ADMINISTRATOR'S REPORTS:

Administrative Report:

Mrs. Cox gave the statistics for licensees to be: Licensed Veterinarians - 1470 and Licensed Veterinary Technicians - 256 for a total of 1726 licensees.

Mrs. Cox stated the Board again welcomes Dr. Cribb for District 1, Dr. Robinson for District 4, and Dr. Sonny King for the At-Large seats. She said the Governor's Office is in the process of working on Board membership seating for District 6 with Dr. Rebecca M. Hughes as the nominee. She reported the new database system from Accela continues to be in development with the Veterinary Board being in the first phase conversion.

For legislation Mrs. Cox reported one proposed bill was ratified into law and became law without Governor's signature on May 20, 2010. It was S. 328 - Rabies Bill - To amend Section 47-5-60 relating to inoculating pets against rabies - vaccine must be administered by licensed veterinarian or someone under direct their supervision and fee to not exceed ten dollars

OIE/ OGC/ OIS Management Reports:

OIE/ OGC/ OIS Management Reports were given. The Office of Investigations and Enforcement Statistical Report (OIE) was given through the IRC Report as prepared by P.C. Falgie. The Office of General Counselor Report (OGC) was announced that it will follow in the Complaint Status Monitoring Report. Mrs. Cox gave the Office of Information Services' Report (OIS) to be 32 full licenses were issued since the last Board meeting, 11 new graduate temporary licenses were processed for veterinarians and one temporary license for a veterinary technician was processed.

Board's Complaint Status Report 2010:

Complaint Status Report was provided as information by Mrs. Cox 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.

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:

Facility Inspection - "Notice to the Public":

Dr. Platt introduced a letter from Dr. Kevin Shuler asking for clarification if the text "Notices to the Public" as required in Regulation 120-10 (E)(2) must be used as a heading to the information which is given. The Board clarified that the facility may make notice to the public but not head it with the text "Notice to the Public."

Motion: A motion was made by Dr. King to have Ms. Dantzer respond with a letter to clarify that the text "Notice to the Public" is not necessary on the requirement for public notice information. The motion was seconded by Ms. Hartman. The motion passed.

Local Signage Laws and for Rabies Vaccination Clinics:

Dr. Platt introduced a letter to the Board from Dr. Sanford Grist asking for help with local municipalities to override sign regulations/restrictions for rabies vaccination clinics. Discussion followed. The Board determined that local sign restrictions/regulations are not within the purview of the Board. The Board's advice attorney will respond to Dr. Grist.

Letter of Allegation of Unacceptable Conduct:

A letter was also addressed to the Board from an inquirer who alleged unacceptable and unprofessional conduct of unnamed veterinarians and the Board in disrupting a mobile facility from providing services. It was noted that no facts or specifics were given. Discussion followed. It was suggested that a letter will be written to note that no facts were given and no formal complaint has been made upon which the Board can act in a responsible manner regarding this allegation.

Motion: A motion was made by Dr. Robinson to have Dr. Platt write a letter of response to note that the Board takes extreme care to act lawfully, responsibly, and deliberately in all matters, and the Board will respond to any specific complaints that the letter writer may have. The motion was seconded by Dr. Nord. The motion passed.

DISCUSSION TOPICS:

There was no discussion.

PUBLIC COMMENT:

Mrs. Rosenberg suggested the possibility of changing the Board's Practice Act to allow for jurisdiction over people with unlicensed practice. Discussion followed. It was stated that there are other avenues than just the licensing boards to address unlicensed practice such as local, state, and federal laws in civil actions, criminal actions, and other agency/entity actions such as the Department of Health and Environmental Control. Ms. Dantzer noted that it had been stated that LLR does report unlicensed practice to appropriate authorities as needed. She stated that the multiple layers of protection are there in addition to Board action. Ms. Rosenberg was thanked for her comment.

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ANNOUNCEMENTS:

It was announced the next meeting of the South Carolina Board of Veterinary Medical Examiners will be held on Thursday, October 28, 2010 in Room 105.

ADJOURNMENT:

There being no further business the meeting was adjourned at 11:30 A.M.

Respectfully submitted,

A handwritten signature in cursive script that reads "Kate K. Cox".

Kate K. Cox
Administrator