

STATE OF SOUTH CAROLINA  
DEPARTMENT OF LABOR, LICENSING AND REGULATION  
BEFORE THE BOARD OF VETERINARY MEDICAL EXAMINERS

IN THE MATTER OF )  
 )  
BOARD DISCUSSIONS )  
 )  
 ) TRANSCRIPT OF DISCUSSIONS  
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Given before Gary A. Haygood, Professional Court Reporter and Notary Public in and for the State of South Carolina, on Thursday, February 2, 2012 at the offices of the South Carolina Department of Labor, Licensing and Regulation, 110 Centerview Drive, Columbia, South Carolina.

Reported by:  
Gary A. Haygood

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A P P E A R A N C E S

Board Members: David M. Oliver, DVM (Chair)  
Vanessa B. Brooks, DVM (Vice-Chair)  
Bryan K. Cribb, DVM  
Rebecca Morrison Hughes, DVM  
Christine M. Hartman, LVT  
Oswald H. "Sonny" King, III, DVM  
Cindy W. Nord, PhD (Consumer Member)  
Albert W. Platt, III, DVM  
Walter C. Robinson, III, DVM

For the State: N/A

For the Respondent: N/A

Advising the Board: Sheridan Spoon, Esquire (LLR)  
SC Department of Labor, Licensing &  
Regulation/Office of General Counsel  
110 Centerview Drive  
PO Box 11329  
Columbia, SC 29211-1329

Also present: Kate K. Cox, Administrator  
Carolyn Coats, Administrative  
Assistant

Reported by: Gary A. Haygood

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PROCEEDINGS

(On record 9:03 a.m. February 2, 2012.)

DR. OLIVER: I'd like to call the meeting to order. Public notice of this meeting was properly posted at the office of the South Carolina Board of Veterinary Medical Examiners, Synergy Business Park, Kingstree Building, 110 Centerview Drive in Columbia, South Carolina and provided to any requesting persons, organizations, or news media in compliance with section 30-4-80 of the 1976 South Carolina Code as Amended, relating to the Freedom of Information Act. A quorum is noted as present. All votes referenced herein are unanimous unless otherwise indicated.

Our first part of the meeting will be the approval of the agenda. Do I hear a motion that we approve the agenda?

DR. CRIBB: I so move.

DR. NORD: Second.

DR. OLIVER: So moved on that. The agenda is approved. Approval of the two sets of minutes, we had two meetings actually. We've had a chance to go over those, the meeting that was at the LLR here, and then the

1 telephone conference. Was there any  
2 questions, or do I have a motion to approve  
3 those minutes?

4 DR. KING: I make a motion we approve.

5 DR. PLATT: Second.

6 DR. OLIVER: The minutes were approved. Our  
7 disciplinary issue reports are under tab 3.  
8 The IRC has gone over this and made their  
9 determinations. Do I have a motion to approve  
10 the IRC reports? Are there any questions on  
11 the IRC reports?

12 DR. KING: I make a motion we approve.

13 DR. CRIBB: Second.

14 DR. OLIVER: Everybody in favor, aye?

15 BOARD MEMBERS: Aye.

16 DR. OLIVER: All right. The IRC reports have been  
17 approved. The OIE/OGC Management Reports.

18 MS. COX: Dr. Oliver, those are provided by OIE on  
19 cases opened in 2011 and the cases opened so  
20 far in 2012 and some of the resolutions. What  
21 is closed or resolved doesn't always fall  
22 within that calendar year, because you may be  
23 resolving cases like in 2009 and '10.

24 DR. OLIVER: Yes, it just gave us a list of those  
25 numbers. Do we need to vote on that?

1 MS. COX: No. It's provided as information; is  
2 that correct?

3 DR. OLIVER: It's provided as information. I guess  
4 we can move on then to the disciplinary issue  
5 regarding Dr. Fuller under tab 4. This is the  
6 motion.

7 MR. SPOON: Ms. Gray, did I understand you there's  
8 an OGC report, as well?

9 (Sidebar conversation.)

10 (OGC reports handed out.)

11 MR. HANKS: The report shows that we have four open  
12 cases and four pending hearings, and eight  
13 cases have been closed since January 2011.

14 MS. COX: Again, these reports are for information  
15 purposes. And you know on your monitor log, I  
16 track all the cases and the timeliness of  
17 them.

18 (9:17 a.m. - 9:38 a.m. -- Motion regarding Disciplinary Issue  
19 of William John Fuller, DVM, which has a separate  
20 transcript.)

21 DR. OLIVER: We'll move on to tab 5.

22 (9:39 a.m. - 10:54 a.m. -- Disciplinary Hearing of John D.  
23 Cottingham, Jr., DVM, which has a separate transcript.)

24 DR. OLIVER: Could we have a break now for about 15  
25 minutes?

1 (10:54 a.m. - 11:07 a.m. -- Off the record for a break.)

2 DR. OLIVER: All right. If everybody's ready,  
3 we'll proceed.

4 (11:07 a.m. - 1:13 p.m. -- Disciplinary Hearing of Charles A.  
5 Henry, DVM, which has a separate transcript.)

6 (Multiple sidebar conversations.)

7 DR. OLIVER: We've gotten down to reports and  
8 information.

9 MS. COX: Okay. Do you have a copy of this? I  
10 always give you the number of veterinarians  
11 and the veterinary technician and the total  
12 licensees, 1,874. Mag is not here and has not  
13 been here for six weeks and maybe won't be  
14 back for a couple of more weeks. But I want  
15 you to know I'm keeping people licensed daily.  
16 The work is not falling behind. I didn't know  
17 if I could do it, but it's being done. So I  
18 want y'all to know that she's not here, but  
19 she left great instructions. So I'm getting a  
20 lot of help from the people in our other  
21 areas. So I've very appreciative.

22 DR. PLATT: Let me put in the record our best  
23 wishes and prayers for her.

24 MS. COX: Absolutely. It was very unexpected, but  
25 we are hoping she'll be back. And I'll know

1                   that next week.

2                   The statement of economic interests.  
3                   Please do file. It has to be electronic. And  
4                   we mailed you directions. If anybody loses  
5                   those directions, I'll be glad to send them  
6                   again. And if you have any questions, please  
7                   call the numbers provided. It's their  
8                   website, and they're the ones that can help  
9                   you with that. But don't forget. And we'll  
10                  remind you closer to April 15th. But it's  
11                  like taxes. That's the date that you can  
12                  remember that.

13                  Legislation. Notification was published  
14                  in the State Register in December for the  
15                  Omnibus Cleanup Bill, and you have copies here  
16                  behind this report of that document 40-2-55  
17                  for the cleanup. You also have a bill 40-2-76  
18                  where you're publishing your fees. They felt  
19                  like LLR should have the fees out there for  
20                  all Boards. And a few Boards didn't have them  
21                  published. So we're doing that.

22                  Also in the Senate there is the bill,  
23                  document 1158, and it was introduced on the  
24                  31st to add district seven seats on this  
25                  Board. There will be different bills out

1                   there that will group Boards together. So  
2                   when you look at that document -- it's in here  
3                   behind this -- you have to look down, and I  
4                   believe it's section four. But anyway, what  
5                   they're going to do, it's their suggestion.  
6                   You can speak to it if you want to. They are  
7                   saying that this Board will now have ten  
8                   members on it. Not nine. They're going to  
9                   add another member to take care of district  
10                  seven. So every district would be  
11                  represented. There would still be a public  
12                  member. There would still be your veterinary  
13                  technician. And there will still be a  
14                  veterinarian at large. But then all the other  
15                  seats will be taken by districts.

16                  That takes us down into the district  
17                  three and district five elections. We are  
18                  getting information daily, like you just see  
19                  that bill was filed on January 31st, on what  
20                  to do about elections and appointments. Grant  
21                  Gillespie was just here in the room. He's  
22                  come in twice to try to speak to you, but he  
23                  now has to go back downtown for a one o'clock  
24                  meeting. The latest word is, we're not going  
25                  to hold these elections. We're going to hold



1 off. The word earlier was to proceed by  
2 statute. And so you'll see that district  
3 three and district five have been mailed,  
4 with the idea that we'll get ready for an  
5 election. We'll rescind that. We'll have a  
6 mailing, an e-blast, whatever, to try to get  
7 that information out there. But until  
8 district seven is resolved, that any Boards  
9 that have district seats that are related to a  
10 district, and not all Boards do. Dentistry  
11 does. Counseling doesn't. Vets do. They  
12 will not be making appointments. Like the  
13 Dentistry has someone already elected and  
14 ready for appointment. They're not going to  
15 seat that dentist on the Dentistry Board until  
16 all of this is resolved. And so we're not  
17 going to hold elections for any Boards that  
18 have elections, like you, like Dentistry, and  
19 other Boards. So we're just in a holding  
20 pattern. That means that some people who  
21 would normally be going off the Board this  
22 year, they're going to be serving at the  
23 pleasure of the Governor. You'll be with us a  
24 little bit longer. So if you don't want to  
25 come, of course, you don't have to come. And

1 I guess you could resign, but then it would  
2 leave your district empty. So I bet most of  
3 you will probably continue to serve at the  
4 pleasure of the Governor. If you have  
5 questions, Sheridan can help answer them, or  
6 you could put them in writing to me and we'll  
7 get them to Grant. Grant, who was just here,  
8 is the legislative liaison from LLR and  
9 Catherine Templeton's office and works with us  
10 downtown. He's the one that helps me keep up  
11 with these bills and alerts me. Sheridan's  
12 office sends through a person in his office  
13 what bills and regulations are coming up. If  
14 you want to ever speak about a bill, you have  
15 to be tracking it, because they have meetings,  
16 and you know about them on very short notice.  
17 And sometimes you go downtown and it's  
18 canceled. But that's how it works, because  
19 it's a living, breathing, entity down there,  
20 and things change. But we'll watch this for  
21 you. If you have any feeling as the  
22 Veterinary Board about your next member being  
23 added, a tenth person, then you need to make  
24 that known to them downtown. And you're the  
25 Senate Agriculture and Natural Resources

1                   Committee. So let us know, or you can take  
2                   care of it yourself. You can write letters.  
3                   You can have a group send a letter. But if  
4                   you want to have an opinion about that or if  
5                   you don't have an opinion about it, that's  
6                   fine too. But just to let you know that.

7                   The complaint monitor log --

8                   DR. HUGHES: Can I ask you a question, Kitty?

9                   MS. COX: Yes, please.

10                  DR. HUGHES: Just because of the position that I'm  
11                  in right now, and it was pretty much legally  
12                  spoken to in the minutes, yeah, in the --  
13                  interim appointee, does that mean that I am my  
14                  district representative?

15                  MS. COX: Yes, you are.

16                  MR. SPOON: Yes.

17                  DR. HUGHES: But I just haven't been passed by the  
18                  Senate?

19                  MS. COX: That's right. That's advice and consent  
20                  of the Senate. And that's what would be being  
21                  done in their legislative time of year, the  
22                  six months that we're in right now. But  
23                  they're not going to do anything like that.  
24                  So you'll be known as an interim appointee.  
25                  But at least you got appointed.

1 DR. HUGHES: Yes.

2 MS. COX: You know, if it were right now, that  
3 wouldn't happen.

4 DR. HUGHES: Right.

5 MS. COX: They wouldn't do that.

6 DR. HUGHES: Okay. So then I'm waiting?

7 MS. COX: You're waiting. One day you'll be  
8 invited downtown like Dr. King and Dr. Cribb  
9 were invited downtown, and I was there that  
10 day. I can't remember whether I was down  
11 there with Dr. Robinson or not.

12 (Multiple people speaking.)

13 MS. COX: They usually fit you into whatever the  
14 term is. So sometimes people serve a little  
15 shorter or longer.

16 (Multiple people speaking.)

17 MS. COX: Any questions about any of that though,  
18 if you'll email me, we'll get answers for you.  
19 And thank you, Dr. Hughes, for asking that.

20 The complaint monitor log is in here, and  
21 we update that. And as I've said, it goes out  
22 of date before I even give it to you. But  
23 it's in here. And we'll change, you know, the  
24 documents here that refer to Dr. Henry and to  
25 Dr. Cottingham, where it's appropriate. We'll

1 put in where the IRC report, what happened  
2 there. And it's moving really well. I look  
3 at this every month and make adjustments or  
4 follow it for you. But it's always there.

5 DR. PLATT: A question on one of those?

6 MS. COX: Please.

7 DR. PLATT: What's the Field's status again?

8 MS. COX: Dr. Fields right now, he was TSO,  
9 Temporary Suspension Order. Then he got an  
10 Interim Order of Reinstatement to only deal  
11 with large animals. He can't have a small  
12 animal practice at his clinic. And a hearing  
13 is set for him. In the meantime, you know,  
14 people have legal negotiations. There may be  
15 other issues that need to be investigated or  
16 new information comes in. So he's in the  
17 waiting stage here. But he can practice, but  
18 only large animals.

19 DR. PLATT: The hearing date has been set or has --

20 MS. COX: No, has not. Has not been set yet.

21 We're waiting on that. Dr. Fields.

22 Financial Report is provided for you.

23 You are in the black. I'm glad to say that.

24 The detailed financial report is in my office.

25 It's also downstairs. We give you this for

1 information purposes. And expenditures are  
2 always considered here in government, and  
3 they're based on the financial report's  
4 balance. You certainly couldn't decide to  
5 spend something you didn't have money for.  
6 But no matter, even if you have money, you try  
7 to be very careful. You know, you share  
8 administrators. You share help with others.

9 DR. PLATT: Kitty, I'm so sorry. I'm going to ask  
10 you to run back just a tad.

11 MS. COX: Oh, that's fine.

12 DR. PLATT: One of the IRC recommendations we  
13 returned to IRC?

14 MS. COX: Yes.

15 DR. PLATT: Is it one of the ones we dealt with  
16 today?

17 MS. COX: Yes.

18 DR. PLATT: Okay, thank you.

19 MS. COX: The Board meeting dates for the rest of  
20 the year are here. And Dr. Oliver and I  
21 talked about these dates. You'll see that  
22 some are late in the month, and others were  
23 early in the month. We had to push around  
24 some dates when I gave up some Boards but then  
25 took the Dentistry Board, because I was having

1 Board meetings Thursday, Friday. That's not  
2 the best way for me to serve you. So we  
3 spread these out. So those are your dates.  
4 You've had these dates for a while, but I just  
5 wanted to remind you about those dates, in  
6 case you maybe had written down some old ones  
7 somewhere.

8 DR. PLATT: I was here three weeks ago.

9 (Multiple people speaking.)

10 MS. COX: And they're on our website too. So  
11 please let us know. And please ask us  
12 questions. You may call me. You may email  
13 me. I can always, you know, work with  
14 Sheridan, and we'll get answers for you on  
15 different issues that you might have.

16 DR. KING: This is probably -- sometimes I get  
17 confused what the OIE, the OGC, the LOC, the  
18 IRC, what all those are and what their  
19 responsibilities are.

20 MS. COX: Okay.

21 DR. KING: Could you maybe just send us an email on  
22 that --

23 MS. COX: Sure.

24 DR. KING: -- so I wouldn't have to try to remember  
25 it today.

1 MS. COX: OIE, Office of Investigations; OGC,  
2 Office of General Counsel; LOC, Letter of  
3 Concern.

4 DR. KING: And maybe some people that would sort of  
5 fall under those categories?

6 MS. COX: Absolutely.

7 DR. KING: Thank you.

8 MS. COX: RPP, Recovering --

9 DR. KING: Yeah, I know what the RPP -- it's bad to  
10 know what the RPP is. But I know because I  
11 asked that question initially.

12 MS. COX: And we try to put that, if we use those  
13 little alphabetical little monikers, we do put  
14 that in the minutes. If we use that, we try  
15 to rename it in the minutes. So if somebody  
16 never is here or looks at this every once in  
17 while, can know it.

18 DR. KING: Well, we have a new person here, that it  
19 might help her jump through some of the loops  
20 that I had to jump through to figure all this  
21 out.

22 MS. COX: Absolutely.

23 DR. KING: And there are probably some others that  
24 y'all use routinely that I always have to pull  
25 back out of my memory bank.



1 MS. COX: I'll try to think of what those would be.  
2 But always ask and just stay in touch. You  
3 know, we'll be glad to get you your  
4 information.

5 DR. KING: Thank you.

6 DR. OLIVER: I guess at this time, we can move on  
7 to new business. And it looks like election  
8 of the 2012 officers will be first on the  
9 agenda. Do I hear any nominations for  
10 chairman?

11 DR. PLATT: I would nominate Vanessa Brooks.

12 DR. OLIVER: I'll second that. All those in favor?

13 BOARD MEMBERS: Aye.

14 DR. OLIVER: Vanessa, you're the new chairman.

15 MR. SPOON: Wait a minute. There's no further  
16 nominations on that? Let's just be -- I  
17 understand. I'm sorry. I'm just being the  
18 lawyer.

19 (Multiple people speaking.)

20 MR. SPOON: Just nominations are closed.

21 DR. PLATT: I move the nominations be closed.

22 MR. SPOON: Okay. I apologize for being that way.

23 DR. KING: Second.

24 DR. PLATT: Unless, of course, Sheridan, you would  
25 be interested in taking it.

1 MR. SPOON: I don't want to go downtown.

2 DR. OLIVER: Do I hear a nomination for Vice-  
3 Chairman?

4 I nominate Sonny King.

5 DR. CRIBB: Second.

6 DR. OLIVER: Do I hear any other nominations?

7 DR. NORD: Move they close.

8 DR. CRIBB: Second.

9 DR. OLIVER: All those in favor of Sonny King?

10 BOARD MEMBERS: Aye.

11 DR. OLIVER: Do I hear a nomination for secretary?

12 DR. KING: I nominate Bryan Cribb.

13 DR. OLIVER: Do I hear a second?

14 DR. NORD: Second.

15 DR. OLIVER: Any more nominations?

16 DR. PLATT: I move that he be elected by  
17 acclamation as secretary or proclamation.

18 DR. OLIVER: All those in favor of Dr. Cribb, say  
19 aye.

20 BOARD MEMBERS: Aye.

21 (Multiple people speaking.)

22 DR. OLIVER: New business. Did you want to talk  
23 about a meeting with IRC and Board members?

24 MS. COX: That would need to be in discussion,  
25 because new business would have to be posted.

1 DR. OLIVER: Okay. All right. Is there any more  
2 new business?

3 DR. BROOKS: When does that start? When will I --  
4 when does that start?

5 (Multiple people speaking.)

6 DR. BROOKS: What happens between now and next  
7 time?

8 DR. OLIVER: I don't know. How about that, Kitty?

9 MS. COX: I think when this meeting is over, you  
10 know, I guess Vanessa could take over. Or we  
11 would like -- should we then have them sworn  
12 in, Sheridan?

13 DR. OLIVER: The stuff that happened this meeting  
14 I'll sign off, and then she'll take care of  
15 it.

16 (Sidebar conversations.)

17 DR. OLIVER: We'll go on to discussion topics.

18 DR. PLATT: We have had some discussion about the  
19 benefits from several years ago of IRC members  
20 and current Board members communicating in  
21 general terms in meeting and understanding the  
22 subtle nuances of our roles. And some  
23 discussion has been made about desiring that  
24 we do that again. So I'd like to move that we  
25 respectfully request that Kitty help us

1 arrange such a meeting and venue.

2 MR. SPOON: You actually don't need a motion on  
3 that at this point. If you wanted to  
4 formalize it with a motion at a meeting when  
5 you had that item on your agenda, that's the  
6 way I would go about doing it.

7 DR. PLATT: And if it does not require a motion, I  
8 withdraw it respectfully.

9 MS. COX: But that is something that we can plan,  
10 and we'll have investigators and attorneys.  
11 We'll get something set up like that for you.  
12 Would you like for it to be separate from a  
13 meeting?

14 DR. KING: Or maybe that afternoon.

15 MS. COX: Might could look at that. Sometimes it's  
16 hard to judge with the complaint process, if  
17 you're having hearings. But we'll work on  
18 that. We'll work on that and I'll be in  
19 touch, Vanessa.

20 (Sidebar conversations.)

21 DR. OLIVER: Do we have any public comments? (No  
22 response.) The next meeting, the date will be  
23 2012, May the 24th, and I adjourn this  
24 meeting.

25 (Whereupon, at 1:33 p.m., the

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proceeding in the above-entitled  
matter was concluded.)

STATE OF SOUTH CAROLINA    )  
  )    CERTIFICATE  
COUNTY OF GREENVILLE    )

Be it known that I, Gary A. Haygood, Professional Court Reporter and Notary Public in and for the State of South Carolina, took the foregoing Board discussions on Thursday, February 2, 2012 at the offices of the South Carolina Department of Labor, Licensing and Regulation, 110 Centerview Drive, Columbia, South Carolina;

That the foregoing 21 pages constitute a true and accurate transcription of the proceedings and all testimony given at that time to the best of my skill and ability;

I further certify that I am not counsel or kin to any of the parties to this cause of action, nor am I interested in any manner of its outcome.

In witness whereof, I have hereunto set my hand and seal this 20th day of February 2012.

---

Gary A. Haygood  
Notary Public for South Carolina  
My commission expires January 26, 2019

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