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**Board of Veterinary Medical Examiners**



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Minutes of the South Carolina Board of Veterinary Medical Examiners  
Business Meeting, Disciplinary Hearings, and Application Hearing  
February 14, 2013  
Synergy Business Park, Kingstree Building, Room 105  
110 Centerview Drive, Columbia, South Carolina, 29211

Board members present were:

Vanessa B. Brooks, D.V.M., Chairperson  
Oswald H. "Sonny" King, D.V.M., Vice Chairperson  
Bryan K. Cribb, D.V.M., Secretary  
Christine Hartman, L.V.T.  
Rebecca Hughes, D.V.M.  
Cindy W. Nord, Ph.D.  
Albert W. Platt, III, D.V.M.  
Walter C. Robinson, D.V.M.

Board members with excused absences were:

David M. Oliver, D.V.M.

Staff and others present were:

Erin G. Baldwin, LLR Litigation Attorney, Office of General Counsel (OGC)  
Kate K. Cox, LLR Administrator  
Rachel S. Easterly, DVM  
P.C. Faglie, LLR Investigator  
Harvey Garcia, D.C.  
Lori Graham, LLR Investigator  
Gary A. Hagood, PPR Court Reporter  
Georgia Lewis, LLR Attorney  
David Love, Chief Investigator OIE  
Sherri A. Lydon, Esquire  
Sara McCartha, Esquire, LLR Advice Attorney  
Donald A. McLean, D.V.M.  
Magdalene Moton, LLR Administrative Assistant  
Terry L. Owen, Esquire  
Patrick Roles, D.C.  
Marcia Rosenberg  
Sheridon Spoon, LLR Advice Attorney  
Jeff Thorndalh, SCVA Lobbyist  
Helmuth von Bluecher, DVM

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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 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, Chairperson Dr. Brooks called the meeting to order at 9:05 a.m. All votes referenced herein were unanimous unless otherwise noted.

APPROVAL OF AGENDA:

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

APPROVAL OF MINUTES:

**Motion:** A motion was made by Dr. King to accept the November 1, 2012 Minutes of the last meeting as printed. Dr. Nord seconded the motion. The motion carried.

DISCIPLINARY ISSUES:

IRC Report:

The Investigative Review Committee Report (IRC) was provided. Discussion followed.

**Motion:** A motion was made by Dr. Platt to accept seven (7) Dismissals. The motion was seconded by Dr. King. The motion passed.

**Motion:** A motion was made by Dr. Cribb to issue one (1) Cease & Desist Order. Dr. King seconded the motion. The motion passed.

**Motion:** A motion was made by Dr. Nord to authorize seven (7) Formal Complaints. The motion was seconded by Ms. Hartman. The motion passed.

**Motion:** A motion was made by Dr. Robinson to accept one (1) Dismissal by Letter of Concern. The motion was seconded by Dr. King. The motion passed.

OIE and OGC Management Reports:

The OIE and OGC Management Reports were given for OIE and OGC. Discussion followed on number of cases and status. The reports were accepted as information by the Board.

CHIROPRACTIC REGULATION PRESENTATION TO THE BOARD:

Ms. McCarthy and Ms. Lewis introduced the proposed Chiropractic legislation for chiropractors to adjust animals for a regulation, as well as introduced Dr. Garcia and Dr. Roles from the Board of Chiropractic Examiners. Discussion was held on why the legislation is being introduced. The Board members asked questions and expressed their concerns with the legislation. The Veterinary Board stated a position on the matter. The position was stated by Dr. Platt.

**Motion:** A motion was made by Dr. Platt that the Board of Veterinary Medical Examiners does support the Chiropractic Regulations 25-5 under Professional Practices, G(1) and (2), which require any doctor of chiropractic who adjusts animals to obtain quantifiable training specific to animals. The position does not change the current Veterinary Practice Act and Regulations which define the practice of veterinary medicine; which require a valid veterinarian/patient/client relationship; which require a referral from a licensed doctor of veterinary medicine prior to any delegation of care; and which require the referring veterinarian must remain responsible for the general care of the patient. The Board cannot support number (3) in the proposals brought today before the Board. Dr. Cribb seconded the motion. The motion passed.

SHELTER BILL H.3492:

Ms. McCarthy asked to discuss this bill while she was still in the meeting. The Board agreed. It was noted the bill amends 47-3-80; however, it impacts the Veterinary Board and LLR if passed. Discussion followed. It was stated it is in conflict with the Veterinary Regulation 120-12. Ms. McCarthy stated the Agency is not in support and wanted to know the Board's feeling. The Board stated the bill is in conflict with their regulations and the Board would follow this legislation. They asked to be informed of subcommittee and committee meetings.

DISCIPLINARY HEARINGS:

Hearing with MOA: Rachael S. Easterly, D.V.M.

A hearing was held regarding Memorandum of Agreement with Stipulation of Facts for Dr. Easterly. Mr. Spoon advised the Board. Erin Baldwin represented the state. Sherri A. Lydon represented Dr. Easterly. A court reporter was present. A quorum was noted as present. The hearing commenced.

**Motion:** A motion was made by Dr. Robinson to go into Executive Session for legal advisement. The motion was seconded by Dr. King. The motion carried.

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

**Motion:** A motion was made by Dr. King to accept the Memorandum of Agreement with Stipulation of Facts, require \$1,000.00 penalty plus expenses of the investigation, extend the current probation under the current guidelines for an additional five years, and issue a letter of public reprimand. The motion was seconded by Dr. Cribb. The motion carried.

Presentation of Voluntary Surrender from Michael Terence Sauer, D.V.M.

Dr. Sauer was not present. Mr. Spoon advised the Board. Erin Baldwin represented the state. Dr. Sauer did not have representation at the meeting. A quorum was noted as present. The presentation commenced.

The Board accepted the Voluntary Surrender.

APPLICATION HEARINGS:

It was stated that each applicant will be heard individually and then there will be one Executive Session to deliberate on three applicants. The Executive motion at the appropriate time was:

**Motion:** A motion was made by Dr. Robinson to go into Executive Session at the appropriate time. The motion was seconded by Dr. King. The motion carried.

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

Terry L. Owen, D.V.M.

An application hearing was held regarding licensure for Dr. Owen. Mr. Spoon advised the Board. Dr. Owen was not represented by counsel. A court reporter was present. A quorum was noted as present. The hearing commenced. It was stated that Dr. Owen has the National Board score.

**Motion:** A motion was made by Dr. Cribb to grant a license to Dr. Owen with a waiver of the CCT examination due to the fact that he has a current license in another state and due to the fact that the CCT was not offered at the time of his current license and it is not offered now. The motion was seconded by Dr. King. The motion carried.

Helmuth von Bluecher, D.V.M.

An application hearing was held regarding licensure for Dr. von Bluecher. Mr. Spoon advised the Board. Dr. von Bluecher was not represented by counsel. A court reporter was present. A quorum was noted as present. The hearing commenced. It was stated Dr. von Bluecher has the National Board; however he has no CCT score.

**Motion:** A motion was made by Dr. Cribb to grant a license to Dr. von Bluecher with a waiver of the CCT examination due to the fact that he has a current license; due to the fact that the CCT was not offered at the time of his current license; and due to it no longer being offered. The motion was seconded by Dr. Hughes. The motion carried.

Donald A. McLean, D.V.M.

An application hearing was held regarding licensure for Dr. McLean. Mr. Spoon advised the Board. Dr. McLean was not represented by counsel. A court reporter was present. A quorum was noted as present. The hearing commenced. It was stated that Dr. McLean does not have a National Board score.

**Motion:** A motion was made by Dr. Cribb stating the Board cannot waive the requirement of a National Board score and he will not receive a license at this time. The motion was seconded by Dr. King. The motion carried.

James S. Dittoe, D.V.M.

An application hearing was held regarding licensure for Dr. Dittoe. Mr. Spoon advised the Board. Dr. Dittoe was not present. He was not represented by counsel. A court reporter was present. A quorum was noted as present. The hearing for Dr. Dittoe was postponed until he can be present.

ADMINISTRATIVE REPORTS:

Administrative Report:

The Administrative Report was given with a staffing chart; information on the 2013 - 2015 renewal process and dates; update on continuing to wait for appointments for District 3, 5, and 7; reminder that Chiropractic and Shelter proposed legislation was discussed earlier in the meeting; and reminder of the due date for filing of Statement of Economic Interests of April 15, 2013. Board meeting dates for the remaining year 2013 were announced to be May 9<sup>th</sup>, August 8<sup>th</sup>, and November 14<sup>th</sup>.

The Disciplinary Monitor Log Report:

The Disciplinary Monitor Log report was presented and accepted as information.

Financial Report:

Financial Report was given and accepted as information.

LEGAL:

There was no legal business.

UNFINISHED BUSINESS:

There was no unfinished business.

NEW BUSINESS:

Best Practice Statement:

Best practice of noting patient's records of all communications with the client regarding treatment and care was discussed. Dr. Brooks read the best practice statement for record keeping for posting on the Board's web site under Board News.

Election of Officers:

The Board held the election for officers for 2013. Dr. King was elected as Chairman, Dr. Cribb was elected as Vice Chairman, and Dr. Robinson was elected as Secretary.

DISCUSSION TOPICS:

There was no discussion.

PUBLIC COMMENT:

Mr. Thorndalh commented on the proposed regulation from the Chiropractic Board.

ANNOUNCEMENTS:

It was announced the next meetings of the South Carolina Board of Veterinary Medical Examiners for 2013 will be May 9, August 8, and November 14, 2013.

ADJOURNMENT:

**Motion:** Dr. King made a motion to adjourn as there was no further business to come before the Board.. Dr. Platt seconded the motion. The motion passed and the meeting was adjourned at 3:04 p.m.

Respectfully submitted,



Kate K. Cox  
Administrator