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South Carolina
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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, Reinstatement Hearing, and Application Hearing
May 9, 2013

Synergy Business Park, Kingstree Building, Room 108
110 Centerview Drive, Columbia, South Carolina, 29211

Board members present were:

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

Board member with excused absence was:

Cindy W. Nord, Ph.D.

Staff and others present were:

Erin G. Baldwin, LLR Litigation Attorney, Office of General Counsel (OGC)
Robert G. Chappell, D.V.M.
Creighton B. Coleman, D.V.M.
Kate K. Cox, LLR Administrator
P.C. Faglie, LLR Investigator
Gary A. Hagood, PPR Court Reporter
Emily C. Hoppman, D.V.M.
Stanford W. Grist, D.V.M.
David Love, Chief Investigator OIE
Sara McCartha, Esquire, LLR Advice Attorney
Steven Moon, Esq.
Magdalene Moton, LLR Administrative Assistant
Marcia Rosenberg
Michael T. Sauer, D.V.M.
Sheridon Spoon. LLR Advice Attorney
Jeffrey W. Springer, D.V. M.
Charra L. Sweeney-Reeves, D.V.M.
Jane W. Trinkley, Esq.

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, Chairperson Dr. King called the meeting to order at 9:06 a.m. All votes referenced herein were unanimous unless otherwise noted.

APPROVAL OF AGENDA:

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

APPROVAL OF MINUTES:

Motion: A motion was made by Dr. Platt to accept the February 14 and March 21, 2013 Minutes of the last two meetings as printed. Dr. Cribb 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. Brooks to accept five (5) Dismissals. The motion was seconded by Ms. Hartman. The motion passed.

Motion: A motion was made by Dr. Cribb to issue two (2) Cease & Desist Orders. Dr. Brooks seconded the motion. The motion passed.

Motion: A motion was made by Dr. Platt to authorize eight (8) Formal Complaints. The motion was seconded by Dr. Cribb. 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.

APPLICATION HEARINGS:

James S. Dittoe, D.V.M.

An application hearing was scheduled for Dr. Dittoe. Dr. Dittoe did not appear and the hearing for licensure was tabled.

Jeffrey W. Springer, D.V.M.

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

Motion: A motion was made to go into Executive Session. The motion was seconded. The motion carried.

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

Motion: A motion was made by Dr. Cribb to grant a license to Dr. Springer 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. Platt. The motion carried.

REINSTATEMENT HEARING:

Charra Sweeney-Reeves, D.V.M.

A reinstatement hearing was held regarding reinstatement of licensure for Dr. Sweeney-Reeves. Mr. Spoon advised the Board. Dr. Sweeney-Reeves was not represented by counsel and waived her 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 advisement. The motion was seconded by Dr. Platt. The motion carried.

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

Motion: A motion was made by Dr. Platt to grant reinstatement to Dr. Sweeney-Reeves. The motion was seconded by Dr. Cribb. The motion carried.

DISCIPLINARY HEARINGS:

Consent Agreement Presentation: Emily Christine Hoppman, D.V.M.

A Consent Agreement was presented to the Board for Dr. Hoppman. Mr. Spoon advised the Board. Erin Baldwin represented the state. A court reporter was present. A quorum was noted as present. The presentation commenced.

Motion: A motion was made by Dr. Cribb to go into Executive Session. The motion was seconded by Dr. Brooks. The motion carried.

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

Motion: A motion was made by Dr. Brooks to decline the acceptance of the Consent Agreement as presented by the State due to its private nature of reprimand. The motion was seconded by Dr. Oliver. The motion carried by 6 votes. There was one nay vote by Dr. Platt and one abstention by Dr. Hughes.

Hearing with MOA: Robert G. Chappell, D.V.M.

A hearing was held regarding Memorandum of Agreement with Stipulation of Facts for Dr. Chappell. Dr. Platt asked to be recused in the matter and left the hearing room. Mr. Spoon advised the Board. Erin Baldwin represented the state. Creighton B. Coleman represented Dr. Chappell. 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. The motion was seconded by Dr. Robinson. The motion carried.

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

Motion: A motion was made by Dr. Cribb to dismiss the case. The motion was seconded by Dr. Robinson. The motion carried.

Hearing with MOA: Michael T. Sauer, D.V.M.

A hearing was held regarding Memorandum of Agreement with Stipulation of Facts for Dr. Sauer. Mr. Spoon advised the Board. Erin Baldwin represented the state. Dr. Sauer was not represented by counsel and waived his right to counsel. 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. The motion was seconded by Dr. Cribb. The motion carried.

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

Motion: A motion was made by Dr. Oliver to accept the MOA with Stipulations, to reinstate Dr. Sauer's license, and to require continued compliance with RPP for five years under the current contract. Dr. Sauer must reappear before the Board before being released from RPP. The motion was seconded by Dr. Platt. The motion carried with six votes and there were with two opposing votes from Ms. Hartman and Dr. Hughes.

ADMINISTRATIVE REPORTS:

Administrative Report:

The Administrative Report was given with a staffing chart; licensure totals; information on the 2013 - 2015 renewal completion with Cease & Desist letters for non renewal; 86% of licensees renewed on-line; update was given on the continuance to wait for appointments for District 3, 5, and 7; election for District 2 was announced; and at-large seats were discussed. Updates were given on proposed Chiropractic Bill H. 4282 and Shelter Bill H. 3492 to note language involving the SC Board of Veterinary Medicine has been removed in Chiropractic Bill and will be removed from the Shelter Bill.

It was reported a meeting with SCVA and two representatives of the Veterinary Board was held as an informative session regarding inspections of facilities and Board's jurisdiction over veterinarians and facilities in which veterinary medicine is practiced. The upcoming 2013 AAVSB Annual meeting was discussed to be September 19-21, 2013. Board meeting dates for the remaining year 2013 were announced to be August 8th and November 14th. The Regulatory Review was noted as submitted on time to LLR.

It was discussed that all licensees who do not renew will be sent a Cease & Desist letter after renewal for instate as well as out of state licensees.

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:

The House Bills regarding the Chiropractic Board Bill and the Shelter Bill were reviewed earlier in the Administrative Report. Mrs. Cox commented that the bills will continue to be tracked for the Board.

NEW BUSINESS:

FAQ on Heartworms, Physicals Related to Vaccines, and Kennels:

Ms. Baldwin came before the Board to discuss some issues on heartworms, initial exams for vaccines, and shelter for educational purposes, not in regards to any complaint matter before the IRC or Board. Discussion followed to relate these questions to the Practice Act and Regulations. It was discussed that if there needs to be an advisory opinion then it should be considered.

Ms. Baldwin asked about the normal practice regarding screening, treatment and prevention of heartworms. Dr. Brooks, Dr. Robinson and Dr. King gave resource information on heartworms to be the American Heartworm Society, AVMA, and CAPC (Companion Animal Parasite Council). Dr. Brooks and Dr. Platt agreed that the FAQs on heartworm are correct on the Board's web site. Professional judgment can be used regarding screening, need for tests, and prerequisites for prescribing medication...there is not a state law that states screening rules. All prescriptions require that there be a V-C-P relationship established. It was also stated documentation is always required. The statute and the regulations are the guide; however, many screenings are on a case by case basis in professional practice and by the policies of a practice.

Non-rabies vaccination was discussed. It was stated someone selling that product can sell it; however, only the owner of an animal can administer it; and pet hotels and kennel personnel cannot administer. Dr. Brooks stated vaccines are not weight related. However, preventives like heartworm preventives are weight related.

Rabies vaccinations can only be recognized as valid if done by a veterinarian or someone under direct supervision; and there is a record. It was stated this is under the Rabies Control Act.

Shelter Position Statement:

Discussion was held on jurisdiction of the Board in regards to shelters and veterinary medicine with Dr. Platt reporting on his research on the matter for the Board. He presented a statement for the Board to use and post on the web site regarding the relationship between the Board and the jurisdiction over veterinary medicine practiced in shelters. The Board agreed with the statement and stated that the Board can and should inspect facilities where veterinary medicine is practiced. It was stated it does not matter if facilities are brick and mortar or mobile or public or private. It was also noted that the facility requirements are the same regarding rabies vaccines, other vaccines, and preventives. The Board will post the Board statement and publicize it. The statement will be part of the Minutes.

PUBLIC COMMENT:

Ms. Trinkley commented on the use of mobile units in the practice of veterinary medicine. She gave the Board handouts on veterinary internal medicine, heartworms, and an FTC case regarding dentistry practice in the school setting. The Board noted mobile units in the practice of veterinary medicine are used in the private sector, not a public entity. It was noted that the Board is not proposing any law changes regarding mobile units; is not increasing regulations; and is not restraining trade in any way.

ANNOUNCEMENTS:

It was announced the next meetings of the South Carolina Board of Veterinary Medical Examiners for 2013 will be 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 1:35 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Kate K. Cox".

Kate K. Cox
Administrator