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Department of Labor, Licensing and Regulation

**Board of Veterinary Medical Examiners**



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Minutes of the South Carolina Board of Veterinary Medical Examiners  
Business Meeting, Application Hearing, Reinstatement Hearing, and Disciplinary Hearings  
August 8, 2013  
Synergy Business Park, Kingstree Building, Room 105  
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.  
Rebecca Hughes, D.V.M.  
Cindy W. Nord, Ph.D.  
David M. Oliver, D.V.M.  
Albert W. Platt, III, D.V.M.

Board member with excused absence was:

Christine Hartman, L.V.T.

Staff and others present were:

Erin G. Baldwin, LLR Litigation Attorney, Office of General Counsel (OGC)  
Tina F. Behles, PPR Court Reporter  
Kate K. Cox, LLR Administrator  
P.C. Faglie, LLR Investigator  
Juan Gamboa, D.V.M.  
Patricia Hill, D.V.M., President SCAV  
Nicholas Inman, OIE Investigator  
Addison Livingston, RPh, Chairman SC Board of Pharmacy  
David Love, Chief Investigator OIE  
Sara McCartha, LLR Advice Attorney  
Steven Moon, Esq.  
Magdalene Moton, LLR Administrative Assistant  
David T. Palawasta, MHA, MBA, NREMT-P  
Lorraine M. Pennea, D.V.M.  
Marcia Rosenberg  
Michael D. Schlicksup, D.V.M.  
Sheridon Spoon, LLR Advice Attorney  
Jeff Thordahl, SCAV

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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. King called the meeting to order at 9:01 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. Robinson seconded the motion. The motion carried.

APPROVAL OF MINUTES:

**Motion:** A motion was made by Dr. Robinson to accept the May 9, 2013 Minutes 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. Cribb to accept four (4) Dismissals. The motion was seconded by Dr. Brooks. The motion passed.

**Motion:** A motion was made by Dr. Cribb to issue two (2) Cease & Desist Orders. Dr. Robinson 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.

**Motion:** A motion was made by Dr. Cribb to issue one (1) Letter of Caution. The motion was seconded by Dr. Robinson. 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:

Lorraine M. Pennea, D.V.M.

An application hearing was held regarding licensure for Dr. Pennea. Mr. Spoon advised the Board. Dr. Pennea 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. It was stated that Dr. Pennea had answered "Yes" to a question in Personal History on her application.

**Motion:** Dr. Cribb made a motion to go into Executive Session. The motion was seconded by Dr. Oliver. 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. Cribb to grant a license to Dr. Pennea. The motion was seconded by Dr. Brooks. The motion carried.

REINSTATEMENT HEARING:

Michael D. Schlicksup, D.V.M.

A reinstatement hearing was held regarding reinstatement of licensure for Dr. Schlicksup. Mr. Spoon advised the Board. Dr. Schlicksup was not represented by counsel and waived his right to counsel. A court reporter was present. Dr. Cribb recused himself and left the room. A quorum was noted as present. The hearing commenced.

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

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

**Motion:** A motion was made by Dr. Platt to grant reinstatement to Dr. Schlicksup. The motion was seconded by Dr. Robinson. The motion carried.

DISCIPLINARY HEARINGS:

Hearing with MOA: Juan Gamboa, D.V.M.

A hearing was held regarding Memorandum of Agreement with Stipulation of Facts for Dr. Gamboa. Mr. Spoon advised the Board. Erin Baldwin represented the state. Steven Moon represented Dr. Gamboa. 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. Brooks to come out of Executive Session. The motion was seconded by Dr. Cribb. The motion carried.

**Motion:** A motion was made by Dr. Brooks to accept the MOA and issue a Private Reprimand with the cost of investigation of \$240.00 to be paid by Dr. Gamboa. The motion was seconded by Dr. Platt. The motion carried.

Consent Agreement Presentation: Jean McKee-Thompson, D.V.M.

A Consent Agreement was presented to the Board for Dr. McKee-Thompson. Dr. McKee-Thompson was not present and was not represented. Mr. Spoon advised the Board. Ms. Baldwin represented the state. A court reporter was present. Dr. Cribb recused himself and left the room. A quorum was noted as present. The presentation commenced.

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

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

**Motion:** A motion was made by Dr. Platt to not accept the Consent Agreement. The motion was seconded by Dr. Brooks. The motion carried.



Three Consent Agreements will be presented before an Executive Session Called:

Consent Agreement Presentation: Ralph M. Byrd, D.V.M.

A Consent Agreement was presented to the Board for Dr. Byrd. Dr. Byrd was not present and was not represented. Mr. Spoon advised the Board. Ms. Baldwin represented the state. A court reporter was present. A quorum was noted as present. The presentation commenced.

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

A Consent Agreement was presented to the Board for Dr. Hoppman. Dr. Hoppman was not present and was not represented. Mr. Spoon advised the Board. Ms. Baldwin represented the state. A court reporter was present. A quorum was noted as present. The presentation commenced.

Consent Agreement Presentation: Mark L. Moore, D.V.M.

A Consent Agreement was presented to the Board for Dr. Moore. Dr. Moore was not present and was not represented. Mr. Spoon advised the Board. Ms. 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. Platt to go into Executive Session on the three Consent Agreements. 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 Dr. Brooks. The motion carried.

**Motion:** A motion was made by Dr. Platt to accept all three Consent Agreements for Dr. Byrd, Dr. Hoppman, and Dr. Moore. The motion was seconded by Dr. Cribb. The motion carried.

Voluntary Surrender Presentation: Lauren Michelle Tendy, D.V.M.

A Voluntary Surrender was presented to the Board for Dr. Tendy as information. No votes were taken.

#### ADMINISTRATIVE REPORTS:

##### Administrative Report:

The Administrative Report was given with a staffing chart; licensure totals; and update on the continuance to wait for appointments for District 2, 3, 5, and 7. 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 language involving Veterinary Medicine will be changed in the Shelter Bill. Security measures were reviewed as being implemented by LLR for applicants, licensees, collected data, board materials, building, employees and visitors. Security for board member websites and email was reviewed.

The upcoming 2013 AAVSB Annual meeting was discussed to be September 19-21, 2013. Board meeting date for the remaining year 2013 was announced to be November 14th. The Regulatory Review was noted as submitted on time to LLR and no comments were suggested by LLR for the SC Board of veterinary Medicine.

##### 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:

A copy of the bill as it remains was given to the Board. It was reported that House Bill 3492 ended last year as still in the House Committee and changes will be made in it according to SCAV for 2014. LLR will continue to track the bill for the Board in 2014.

NEW BUSINESS:

President SCAV

Dr. Hill made a presentation to the Board regarding Shelter Bill H-3492 as there is a new environment in the world of shelters, humane societies, and veterinary medicine for public protection. She noted points of concern for veterinary medicine, veterinarians, the public, and animals. Dr. Hill asked the Board to be aware of Statutes 40-69-200 and 40-69-295 and Regulations 120-9 (A), 102-10(D-4) and 120-12 (A) as they look over the House Bill 3492. Dr. King thanked Dr. Hill for the in depth presentation and asked staff for a copy of the comments.

Pharmacy Compounding:

Dr. Livingston made a presentation to explain the SC Pharmacy Bill H. 3161 which updates the Pharmacy Practice Act; updates the compounding section which would be beneficial to veterinarians; and to ask for support. He explained Federal Bill S959 on compounding which limits access that could affect veterinarians. He asked that if the Veterinary Board supports H. 3161 and has concerns with the Federal Bill S959 that they can express these concerns to US Senator Tim Scott. Ms. McCartha noted that the Veterinary Board will be kept apprised of the SC Pharmacy Bill and is welcome at all Pharmacy meetings.

Emergency Treatment Training:

Mr. Palawasta made a presentation on a K-9 Paramedic Proposal to educate the Board on needs for care of working dogs injured or killed in the line of duty. He noted training is needed for immediate care for injured dogs, current guidelines to treat injured dogs, qualifications needed to become a certified K-9 paramedic, scope limited to working dogs, protocols, goals for classes and working relationships with local veterinarians and emergency clinics, and approval by the SC Board of Veterinary Medical Examiners. Discussion followed. Mr. Spoon suggested that Mr. Palawasta contact DHEC in regards to his own licensure with DHEC to see if it will be compatible with this proposal.

**Motion:** Dr. Platt made a motion to authorize staff and counsel staff to work with Mr. Palawasta on his proposal to help the Board understand how to implement the proposal as appropriately as possible. The motion was seconded by Dr. Cribb. The motion passed.

Dr. Platt thanked Mr. Palawasta for a most outstanding and detailed presentation.

Posting Formal Complaints:

Mrs. Rosenberg presented her concern that the Board of Veterinary Medicine and LLR are not allowing timely public access to all actions pending against licensees, as well as to the ordered actions against licensees. She asked about status of a number of authorized complaints. Mrs. Cox explained the complaint process, which has been presented to the Board in an open meeting last year, along with legal due process afforded to everyone. Mrs. Cox detailed the status of the authorized formal complaints questioned by Mrs. Rosenberg and reported on her review of them with LLR management. Mrs. Baldwin, LLR Litigation Attorney, reported on her review of the authorized formal complaints which Mrs. Cox had asked her and her staff to do. Mr. Spoon, Board Advice Counsel, explained Statute 40-69-90 on public access and defined terminology. The reviews did not show any disregard for public access or untimely work in the complaint process.

PUBLIC COMMENT:

There was none.

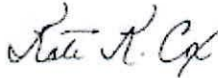
ANNOUNCEMENTS:

It was announced the next meeting of the South Carolina Board of Veterinary Medical Examiners for 2013 will be 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 2:00 p.m.

Respectfully submitted,



Kate K. Cox  
Administrator