

Minutes of the South Carolina Board of Veterinary Medical Examiners  
Business Meeting, Reinstatement Motion Hearing, Consent Agreements and MOA Disciplinary Hearings  
August 7, 2014  
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.  
Rebecca Hughes, D.V.M.  
Gretchen Love, D.V.M.  
W. Marshall, Liger, III, L.V.T.  
David M. Oliver, D.V.M.  
Rebecca I. Shealy, Consumer

Staff and others present were:

Erin G. Baldwin, LLR Litigation Attorney, Office of Disciplinary Counsel  
Tina Behles, Court Reporter  
Joshua A. Bennett, Esq.  
Kate K. Cox, LLR Administrator  
Lucy Dinkins, Esq.  
P.C. Faglie, LLR Investigator  
Nancy Flores, LLR Administrative Assistant  
Tanya Goodwin, RPP  
Charles A. Henry, D.V.M.  
Mrs. Charles Henry  
Sherri A. Lyons, Esq.  
H. Fred Kuhn, Jr., Esq.  
James E. Neal, D.V.M.  
Frank Sheheen, RPP  
April M. Stephens, D.V.M.  
Hardwick Stuart, LLR Advice Attorney  
Richard Wilson, Esq., RPP

---

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 9:04 a.m. All votes referenced herein were unanimous unless otherwise noted.

APPROVAL OF AGENDA:

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

APPROVAL OF MINUTES:

**Motion:** A motion was made by Dr. Cribb to accept the April 3, 2014 Minutes as printed. Dr. Robinson seconded the motion. The motion carried.

INTRODUCE NEW BOARD MEMBERS:

Mrs. Cox introduced Ms. Rebecca Shealy, Consumer, Dr. Gretchen Love, DVM, and Marshall Liger, LVT. Each gave a statement to introduce themselves.

DISCIPLINARY ISSUES:

IRC Report:

The Investigative Review Committee Report (IRC) was provided by Pleas Faglie and discussion followed.

**Motion:** A motion was made by Dr. Brooks to accept ten (10) Dismissals. The motion was seconded by Dr. Cribb. 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. Brooks to issue one (1) Letter of Caution. Dr. Cribb seconded the motion. The motion passed.

**Motion:** A motion was made by Dr. Brooks to authorize three (3) Formal Complaints. Dr. Oliver seconded the motion. The motion carried.

OIE and OGC Management Reports:

The OIE and OGC Management Reports were given for OIE and OGC by Mr. Faglie and Ms. Baldwin. The reports were accepted as information by the Board.

DISCIPLINARY MOA HEARINGS

MOA Hearing - James Edward Neal, D.V.M.:

A hearing with a Memorandum of Agreement and Stipulation of Facts was held for Dr. James Edward Neal. Hardwick Stewart advised the Board. Erin Baldwin represented the state. Dr. Neal was present and represented himself. A court reporter was present. Dr. King recused himself and left the room; therefore, Dr. Cribb chaired the hearing. A quorum was noted as present. The hearing commenced.

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

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

**Motion:** A motion was made by Dr. Brooks to accept the MOA to state Dr. Neal did violate the Practice Act; to issue a private reprimand; and to order Dr. Neal to pay the costs of investigation. The motion was seconded by Ms. Shealy. The motion carried.

MOA Hearing – April Mafturak Stephens, D.V.M.:

A hearing with a Memorandum of Agreement and Stipulation of Facts was held for Dr. April M. Stephens. Hardwick Stewart advised the Board. Erin Baldwin represented the state. Dr. Stephens was present and was represented by Lucy Dinkins. 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 advice. The motion was seconded by Dr. Cribb. The motion carried.

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

**Motion:** A motion was made by Dr. Oliver to accept the MOA; to state Dr. Stephens did violate the Practice Act; to issue a public reprimand; to order payment of the cost of investigation of \$125.00 within 6 months of the date of the Order; and to order payment of a fine of \$500.00 within 6 months of the date of the Order. The motion was seconded by Dr. Brooks. The motion carried.

DISCIPLINARY CONSENT AGREEMENTS:

Consent Agreement I: Julie Diane Helm, D.V.M.

A Consent Agreement was presented to the Board for Dr. Julie Diane Helm. Dr. Helm was not present and was not represented; however, Mr. Joshua A. Bennett, Esq. was present. Mr. Hardwick advised the Board. Ms. Baldwin represented the state. A court reporter was present. A quorum was noted as present. The presentation commenced.

Consent Agreement II: Raymond Lucius Fay, III, D.V.M.

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

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

A Consent Agreement was presented to the Board for Dr. Jean McKee-Thompson. Dr. McKee-Thompson was not present and was not represented. Mr. Hardwick 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. Robinson to go into Executive Session for all three Consent Agreements. 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 I:** A motion was made by to accept the Consent Agreement for Dr. Helms by Dr. Oliver. Dr. Cribb seconded the motion. The motion carried.

**Motion II:** A motion was made by to accept the Consent Agreement for Dr. Fay by Dr. Cribb. Dr. Oliver seconded the motion. The motion carried with one nay vote by Mr. Liger.

**Motion III:** A motion was made by to accept the Consent Agreement for Dr. McKee-Thompson by Dr. Hughes. Dr. Love seconded the motion. The motion carried.

REINSTATEMENT HEARING:

Motion for Reinstatement Hearing - Charles A. Henry, D.V.M.

A reinstatement hearing was held regarding reinstatement of licensure for Dr. Henry. Mr. Hardwick advised the Board. Dr. Henry was represented by Mr. H. Fred Kuhn. A court reporter was present. Dr. Hughes was recused and left the meeting. A quorum was noted as present. The hearing commenced.

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

**Motion:** A motion was made by Dr. Oliver to decline the motion for reinstatement; to request that Dr. Henry reenter RPP in their initial program; and to meet the requirements set by RPP at that time. The motion was seconded by Dr. Love. The motion carried. Ms. Baldwin asked to clarify the motion that Dr. Henry must reappear to make any requests regarding his license. The Board agreed that he may apply to reappear when the situation is in control and there has been a 28 to 30 day inpatient component for reentry into a program. Mr. Wilson with RPP was called on to explain recovery programs.

ADMINISTRATIVE REPORTS:

Administrative Report:

The Administrative Report was given with a staffing chart; licensure totals were given to be 1747 veterinarians and 387 veterinary assistants are licensed by the Board with a total of 2,134 licensees; and update on the continued wait for appointments for District 2, 3, 4, and 7. It was noted that the election for nominees for District 4's seat has been held and the top two candidates by balloting were sent to the Governor as per the Board's Regulation 120-2 (C).

Attendees for the AAVSB meeting in September 2014 were approved to be Dr. King, as a funded delegate, and Dr. Cribb. Dr. Robinson was noted to be attending as a committee member for AAVSB under their auspices.

The new fees were discussed as being effective July 1 for applications and for the next renewal cycle. Security of data, emails, and the LLR building were discussed.

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.

UNFINISHED BUSINESS:

There was none.

NEW BUSINESS:

Rabies Vaccines:

Ms. Baldwin asked for a discussion on the rabies one year vaccine and the three year vaccine, as well as first time inoculations. The Board stated the first time vaccine inoculation is only good for one year. Dr. Brooks was asked to get a link to that information for the Board's web site and for an e-blast by e-mail to licensees.

New Fee Schedule:

It was discussed a new fee schedule was passed within an LLR bill and it took effect on July 1, 2014. All fees were placed in Chapter 10 of Title 40 for the boards and commissions at LLR who agreed. Mr. Stuart was asked to write a Notice of Drafting (NOD) of Regulations to remove the old fee list from the Board Regulation 120-14 and state in 120-14 that the fees for the Board of Veterinary Medicine will be found in Chapter 10.

**Motion:** A motion was made by Dr. Cribb to do a notice of drafting to remove the old fees and place reference to the new fees. The motion was seconded by Dr. Love. The motion carried.

LEGAL:

Mr. Stuart and Mrs. Cox discussed the Governor's Taskforce on prescription drugs. Mrs. Cox noted that the Board has not been invited to be a participant at this time. Dr. Brooks discussed the drug Tramadol, a pain reliever, and noted it is being classified now as a Schedule IV controlled substance. The Board asked Dr. Brooks for a link to be put on the Board's web site to alert practitioners and make it part of an e-blast.

DISCUSSION TOPICS:

Dr. King called for an election of Board officers for the next Board meeting.

PUBLIC COMMENT:

There was none.

ANNOUNCEMENTS:

It was announced the last scheduled meeting of the South Carolina Board of Veterinary Medical Examiners for 2014 will be on November 6.

ADJOURNMENT:

**Motion:** Dr. King made a motion to adjourn as there was no further business to come before the Board. Dr. Love seconded the motion. The motion passed and the meeting was adjourned at 4:36 p.m.

Respectfully submitted,



Kate K. Cox  
Administrator