

**South Carolina Department of Labor, Licensing and Regulation
Board of Veterinary Medical Examiners
Teleconference Board Meeting Minutes
November 5, 2020**

Public notice of this meeting was properly posted at the S.C. Board of Veterinary Medical Examiners office, Synergy Business Park, Kingstree Building, and on the board website and provided to all requesting persons, organizations, and news media in compliance with Section 30-4-80 of the South Carolina Freedom of Information Act. In accordance with the Governor's directives regarding social distancing, the meeting will be held via teleconference. Members of the public who wish to attend may do so by telephone. The telephone number and access code are provided on the posted agenda.

BOARD MEMBERS PRESENT:

Bethany Tapp, DVM- Chair
Karl Wessinger, DVM- Vice Chair
Katherine George, DVM
Ginger Macaulay, DVM
Elizabeth Fuller, DVM
Mitch Lowery, DVM
W. Marshall Liger, LVT
Rebecca Shealy

SCLLR STAFF PRESENT:

Hardwick Stuart, Office of Advice Counsel
Meredith Buttler, Administrator
Kyle Tennis, Office of Disciplinary Counsel
Jessie Rish, Office of Investigations
Gabe Coggiola, Office of Disciplinary Counsel
Mark Sanders, Office of Investigations
Wendy Taylor, Program Coordinator
Pleas Fagile, Office of Investigations
Sony Turner, Office of Investigations

PRESENT:

Robin Reibold, Court Reporter
Morgan Coslett, DVM
Michael Allen, DVM
Blake Hardin, DVM

CALL TO ORDER: Chairman Tapp called the meeting to order at 9:03 a.m.

APPROVAL OF AGENDA

Motion: To approve the agenda.
George/Liger/approved

INTRODUCTION OF BOARD MEMBERS

The Board and LLR staff members introduced themselves.

APPROVAL OF ABSENT BOARD MEMBER

Motion: To excuse Gretchen Love-Bolin.
George/MacCaulay/approved

APPROVAL OF MEETING MINUTES

Motion: To approve the minutes from the August 13, 2020 Board Meeting.
MacCaulay/Fuller/approved.

STAFF REPORTS

OIE Statistical Report

Mark Sanders presented the Statistical Report through the third quarter. During the third quarter, the Board has received 32 cases and closed 31 case. To date a total of 73 cases have been received and 53 have been closed for the year.

IRC Report

Mr. Sanders presented the IRC Report. The Committee recommended 25 cases for Dismissal, 3 cases for Dismissal with a Cease and Desist, 2 cases for Formal Complaint, and 2 cases for Letter of Caution.

Motion: To send case 2020-36 back to the IRC for further investigation and review.
George/Liger/approved.

Motion: To send case 2020-49 back to the IRC for further investigation and review.
Liger/George/approved.

Motion: To send case 2020-50 back to the IRC for further investigation and review.
Liger/Fuller/approved.

Motion: To send case 2020-51 back to the IRC for further investigation and review.
Liger/Macaulay/approved.

Motion: To approve the remaining cases for Dismissal.
Liger/George/approved.

Motion: To approve the cases for Dismissal with Cease and Desist.
Fuller/George/approved.

Motion: To approve the cases for Formal Complaint.
Liger/Macaulay/approved.

Motion: To approve the cases for Letter of Caution.
Fuller/Liger/approved.

ODC Report

Mr. Tennis reported that there are currently 24 open cases of which 14 are pending action, 10 are pending CA/MOAs and 0 is pending hearings. To date, 5 case has been closed.

APPLICANT APPEARANCE

a. Morgan Coslett, DVM

Dr. Coslett appeared before the Board for a closed Application Hearing. She was not represented by counsel and was sworn in by the court reporter. Application hearings are recorded by a certified court reporter in the event a verbatim transcript is necessary.

Motion: To enter into executive session for legal advice and allowing Board staff to remain.
Macaulay/Shealey/approved.

Motion: To return to public session.
Macaulay/Shealey/approved.

Motion: To approve Dr. Coslett for licensure.
Liger/Macaulay/approved.

b. Blake Hardin, DVM

Dr. Hardin appeared before the Board for an Application Hearing. He was not represented by counsel and was sworn in by the court reporter. Application hearings are recorded by a certified court reporter in the event a verbatim transcript is necessary.

Motion: To enter into executive session for legal advice and allowing Board staff to remain.
Liger/George/approved.

Motion: To return to public session.
Liger/Macaulay/approved.

Motion: To approve Dr. Hardin for licensure.
Liger/Macaulay/approved.

c. Michael Allen

Dr. Allen appeared before the Board for an Application Hearing. He was not represented by counsel and was sworn in by the court reporter. Application hearings are recorded by a certified court reporter in the event a verbatim transcript is necessary.

Motion: To enter into executive session for legal advice and allowing Board staff to remain.
Macaulay/Shealey/approved.

Motion: To return to public session.
Macaulay/Liger/approved.

Motion: To approve Dr. Allen for licensure.
George/Macaulay/approved.

ADMINISTRATOR REPORT

The Board currently has 2,260 active Veterinary licenses, 12 active Intern Veterinary licenses, 665 active Veterinary Technician licenses. Ms. Buttler reported the current account balance as of September 30, 2020 is -\$130,030.02.

Ms. Buttler reported due to an unexpected vacancy and in accordance with SC Code of Law Section 40-69-10(B), an election had been conducted for Congressional District 1 board member seat. The two names receiving the most votes have been submitted to the Governor's office for consideration: Dr. Sally T. Price and Dr. Ladon S. Wallis.

Elections for District 1 and District 7 will be conducted in 2021. Through this past election, it was identified that several licensees were not made eligible for voting. The statutes stipulates licensees must be licensed and residing in the respective district and as such licensees home addresses were utilized, not the main mailing address so as to be in accordance with the statutes. In order to ensure all licensees home addresses are updated, the Board office will be requiring home addresses to be updated during the upcoming renewals.

Verification emails have been sent to licensee for the upcoming renewal. Renewals are slated to open January 1, 2021. Current licenses expiring 03/31/2021 and late renewal period through 04/30/2021. For licensees who verify their email address, the renewal notice will be sent electronically, licensee who do not verify their emails will be sent paper notices.

NEW BUSINESS

a. AAVSB: Topics to Discuss

b. AAVSB Model Regulation Discussion – Appropriate Use of Opioids

Dr. Macaulay reported a committee was being formed through the state association to review the Board's current statutes. Mr. Stuart reiterated that Board Member may be involved with in the committee but must be on an individual basis and not in the capacity as a board member. Dr. Macaulay shared that the committee will be looking at a variety of topics including opioids, CBD and telemedicine.

c. Delegation of Application Approval to Board Chair for Application Involving Criminal Background

Mr. Stuart stated that currently any applications that have criminal background within ten years from the date of application must come to the Board for an application hearing. Other Boards have delegated authority to the Board Chair to review these applications and determine approval. If the applications cannot be approved, then it would come before the Board for an application hearing. Dr. Tapp stated that she is not comfortable speaking for the Board members when reviewing these applications. Mr. Stuart stated that the Board's advice counsel would be available to assist the Board president in reviewing. Dr. Fuller asked if there was an issue in providing the applicants awaiting final approval from being issued a temporary license during the interim. Mr. Stuart stated the Board's statutes and regulations did allow for the temporary license to be issued while the applicant awaited final determination by the Board. After further discussion, Dr. Tapp confirmed understanding that the Board did not wish to seek change to the licensure approval process.

d. S.C. Code of Law §40-69-250: Administrative Compliance

Ms. Buttler reported it had come to the attention of Wendy Taylor, Program Coordinator, while reviewing documents for the upcoming renewal cycle, that the Board's renewal cycle was not in compliance with the Board's practice act. Per S.C. Code of Law Section 40-69-250, license that are not renewed by February 1 of the renewal year are rendered void. Following this renewal cycle, all licenses will run on a biennial cycle of January 1 of odd years to December 31 of even years to comply with the terms of the Veterinary practice act. Ms. Buttler also presented proposed amendments to SC Regulations Chapter 10, Section 42 that removes the dates listed for the Biennial Renewal,

Biennial Renewal with Late Fee, and Reinstatement Fee.

Motion: To amend SC Regulations Chapter 10, Section 42 as proposed.
Fuller/Macaulay/approved.

e. Proposed FAQ Regarding Post-Graduate Clinical Practice

Ms. Buttler presented to the Board for review the FAQ clarifying clinical practice. Per previous Board discussion, the FAQ clarified the requirement of clinical practice as actual practice and not day of employment. Mr. Liger inquired if the board specifies as 'actual practice' this would exclude holidays and weekend and if this was a change from current processing. To date the Board has not excluded holidays and weekends from the clinical practice requirement. Dr. Fuller inquired as to whether the clinical practice could be specified in a number of hours. Mr. Stuart stated that the statutes stipulates days and the Board has the ability to provide interpretation as to whether days means full time employment, part time employment, actual working days or employment period. Following further discussion the Board requested Ms. Buttler reach out to other Boards to see if they have similar issues and what their interpretation/clarification is.

Motion: To table the item for further research and revisit at the next board meeting in 2021.
Liger/Shealy/approved.

f. Proposed FAQ Regarding Initial Licensee CE Hours

Ms. Buttler presented to the Board for review the FAQ providing clarification for the required CE hours for new licensees. Dr. George requested the addition of "first issued between" to the date range breakdowns.

Motion: To accept the proposed FAQ.
Fuller/George/approved.

PUBLIC COMMENTS

Mr. Liger requested the Board office review FAQ Board Statutes and Regulations #2, Scope of Practice #6 and Scope of Practice #7. Ms. Buttler and Ms. Taylor will pull the question for review and present any proposed revision at a subsequent board meeting.

Announcements

The next South Carolina Board of Veterinary Medical Examiners will be held February 25, 2021.

Adjournment

MOTION: To adjourn.
Macaulay/Shealy/approved.

The Board meeting was adjourned at 11:58 a.m.