

**South Carolina Department of Labor, Licensing and Regulation
Board of Veterinary Medical Examiners
Teleconference Board Meeting Minutes
August 13, 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
Gretchen Bolin-Love, DVM

SCLLR STAFF PRESENT:

Hardwick Stuart, Office of Advice Counsel
Meredith Buttler, Administrator
Kyle Tennis, Office of Disciplinary Counsel
Mark Sanders, Office of Investigations
Wendy Taylor, Program Coordinator
Tracy Solet, Office of Investigations
Jody Rowland, Office of Investigations
Sony Turner, Office of Investigations

PRESENT:

Tina Behles, Court Reporter
Morgan Coslett
Helen Luh
Jordan Stephenson
Jim Penrod
Stacey Evans
Carl Schmidt
Michael Gotchey

CALL TO ORDER: Chairman Tapp called the meeting to order at 9:02 a.m.

APPROVAL OF AGENDA

Mr. Stuart requested moving agenda item 7a to be the last of the disciplinary hearings heard by the Board to maximize time efficiency.

Motion: To amend and approve the agenda as requested.
George/Wessinger/approved

INTRODUCTION OF BOARD MEMBERS

The Board and LLR staff members introduced themselves.

APPROVAL OF ABSENT BOARD MEMBER

Motion: To excuse Rebecca Shealy and Marshall Liger.
Love/Fuller/approved

APPROVAL OF MEETING MINUTES

Motion: To approve the minutes from the May 14, 2020 Board Meeting.
Macaulay/Wessinger/approved.

STAFF REPORTS

IRC Report

Mr. Sanders presented the IRC Report. The Committee recommended 18 cases for Dismissal, 9 cases for Formal Complaint, 1 case for Formal Complaint with a Cease and Desist, 7 cases for Letter of Caution.

Motion: To approve the cases for Dismissal.
Macaulay/Fuller/approved.

Motion: To approve the cases for Formal Complaint.
Bolin-Love/Macaulay/approved.

Motion: To approve the cases for Formal Complaint with Cease and Desist.
Macaulay/Wessinger/approved.

Motion: To approve the cases for Formal Complaint.
Bolin-Love/Macaulay/approved.
Dr. Fuller requested coordination with DHEC

Motion: To approve the cases for Letter of Caution.
George/Macaulay/approved.

OIE Statistical Report

Mark Sanders presented the Statistical Report through the second quarter. During the second quarter, the Board has received 30 cases and closed 1 case. To date a total of 41 complaints have been received and 21 have been closed for the year.

ODC Report

Mr. Tennis reported that there are currently 20 open cases of which 6 are pending action, 8 are pending CA/MOAs and 2 is pending hearings. To date, 1 case has been closed.

Administrator Report

The Board currently has 2,208 active Veterinary licenses, 37 active Intern Veterinary licenses, 641 active Veterinary Technician licenses. Ms. Buttler reported the current account balance as of June 30, 2020 is -\$83,709.66.

Ms. Buttler reported that despite the entire team working from home, we are still moving forward with renovating the board website and applications. Work has been done to reformat the FAQs to provide a friendlier user experience.

Due to an unexpected vacancy, the notice of election for District 1 seat, formerly held by Dr. McKim was sent in August 2020. Election nominations are due August 21, 2020.

APPLICANT APPEARANCE

a. Morgan Coslett

Ms. Coslett appeared before the Board for an 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.
Bolin-Love/Macaulay/approved.

Motion: To return to public session.
Fuller/George/approved.

Motion: To approve Ms. Coslett for licensure pending submission of a letter from her physician indicating fitness to practice. Board chair to review the submitted letter.
Macaulay/Fuller/approved.

DISCIPLINARY HEARINGS

b. 2017-33 SOF

The respondent appeared before the Board for a disciplinary hearing. Respondent was represented by counsel and was sworn in by the court reporter. Disciplinary 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.
George/Fuller/approved.

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

Motion: To accept the Statement of Facts, the Board finding no violation of 40-69-110(A)(12) shall issue a non-disciplinary Letter of Caution advising the licensee to be mindful of record keeping of treatment and ensuring proper communication with owners.
George/Macaulay/approved.

c. 2019-70 SOF

The respondent appeared before the Board for a disciplinary hearing. Respondent was not represented by counsel and was sworn in by the court reporter. Disciplinary 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/Bolin-Love/approved.

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

Motion: To accept the Statement of Facts, the Board finding no violation of 40-69-110(A)(12) shall issue a non-disciplinary Letter of Caution advising the licensee to carefully physically examine all patients, confirming the sex of patients prior to surgery and to microchip scan all new patients.
George/Macaulay/approved.

a. 2019-66 CA

The Consent Agreement was presented to the Board and the respondent did not appear before the Board. Disciplinary hearings are recorded by a certified court reporter in the event a verbatim transcript is necessary.

Motion: To accept the consent agreement as is written.
George/Macaulay/approved.

OLD BUSINESS

a. FAQ Cannabis Revision Request

The Board office was contacted requesting a change to the FAQs in the Scope of Practice section #12 and #13. Mr. Stuart recommended sending the FAQs #12, #13, #14 to the SC Attorney General office due to the request centering on legal issues outside of the Board's jurisdiction. The FAQs will be revised to correct an incorrect link citing the AAVSB instead of AVMA.

Motion: To correct the link in FAQ #12.
Macaulay/Fuller/approved.

Motion: To request Board advice counsel contact the Attorney General's, in reference to FAQ #12, #13, #14, for legal option.
Macaulay/George/approved.

NEW BUSINESS

a. AAVSB: Connecting the Veterinary Regulatory Community

Mr. Jim Penrod, Executive Director for AAVSB, and Dr. Michael Gotchey presented to the Board an update on AAVSB's current state and all upcoming projects. Dr. Gotchey attested to the value of volunteering with AAVSB and the positive impact on both the individual practitioner and industry.

b. AAVSB Topics to Discuss

Dr. Tapp reminded the Board the AAVSB Topics to Discuss had previously been sent to the members and opened to the floor for any discussion. The upcoming annual meeting has been cancelled and is being offered virtually. There is now a discount to allow all Board members and staff to attend virtually.

Motion: To amend the previous travel approval for the 2020 AAVSB Annual Meeting to allow for full board attendance for the virtual meeting.
Macaulay/Fuller/approved.

c. Approval of Continuing Education Requirements Document

Ms. Taylor presented documents to the Board which will replace the current CE information on the Board website. The two documents outline the CE requirements as well as provide additional information to assist licensees. The documents are specific to the requirements for that license type.

Motion: To approve the presented documents for utilization in office and on the Board website and allowing Board staff to make updates to the information as needed.
Fuller/Macaulay/approved.

d. Discussion: Equine Alternative Therapy Administration by Non-Licensees

Dr. Lowrey presented the issue of non-licensees performing alternative therapy, the majority being performed not under the supervision or delegation of a licensed veterinarian. The industry has shifted to focus more on alternative therapy and licensed veterinarians are being forced to attain certifications in order to stay current. Non-licensed individuals also have access and can attain these same certifications and the public is then misinformed regarding these individuals ability to perform these therapies. Dr. Lowrey cited other jurisdictions have sent out notices to raise awareness regarding parameters of practice. Mr. Stuart stated that the Board's jurisdiction is relegated to licensees and therefore may only issue a Cease and Desist to non-licensed individuals. Mr. Stuart reminded members that in order for the Board to take any action, a complaint must first be filed. Ms. Buttler stated that if the information is public knowledge, then the information can be sent to the Board office and the complaint submitted by the Board Administrator. Any complaint information not available on a public forum would require the complainant to file directly. Ms. Buttler confirmed the topic is addressed in the Board's FAQs.

e. Approval of 2021 Board Meeting Dates

Motion: To approve the 2021 Board meeting dates.
Fuller/Macaulay/approved.

f. Travel Approval for AAVSB Beyond Board Basics for Kansas City, Missouri on April 23-24, 2021

Motion: To approve travel for two board members and administrator.
Macaulay/Wessinger/approved.

PUBLIC COMMENTS

Carl Schmidt expressed interest in the Congressional District 1 seat and would like to assist the Board in whatever way possible.

Announcements

The next South Carolina Board of Veterinary Medical Examiners will be held November 5, 2020.

Adjournment

MOTION: To adjourn.
Bolin-Love/Fuller/approved.

The Board meeting was adjourned at 12:59 p.m.