

South Carolina Department of Labor, Licensing and Regulation
Board of Veterinary Medical Examiners
Board Meeting Minutes
September 2, 2021

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. Members of the public who wish to attend may do so by live stream. Contact the Board office at contact.vetboard@llr.sc.gov for live stream access information.

BOARD MEMBERS PRESENT:

Karl Wessinger, DVM - Chair
Elizabeth Fuller, DVM
W. Marshall Liger, LVT
George S. Bryant, DVM
Christine White, DVM
Tracie Quick, DVM
LaDon Wallis, DVM
Deloris Mungo

SCLLR STAFF PRESENT:

Hardwick Stuart, Office of Advice Counsel
Meredith Buttler, Administrator
Robert Elam, Office of Disciplinary Counsel
Erin Baldwin, Office of Disciplinary Counsel
Sonya Morse, Office of Disciplinary Counsel
Tracey Solet, Office of Disciplinary Counsel
Mark Sanders, Office of Investigations
Tracy Solet, Office of Investigations

PRESENT:

Tina Behles, Court Reporter	Kate Benoit
Tia Cooper, RPP	Frank Hooper, IV, DVM
Robyn Madden, Esq., RPP	John Mann, Esq.
Rebecca Payne, MD, RPP	Melissa Entrekin, LVT
Erin Griese, RPP	Deloris Wilkinson, PawMetto Lifeline
Robert McKee, DVM	Annie Wilson, Esq.
Patricia Bobenhouse, DVM	Heather Williams
Sharen Bobenhouse-Murrer	

CALL TO ORDER: Chairman Wessinger called the meeting to order at 9:04 a.m.

APPROVAL OF AGENDA

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

INTRODUCATION OF BOARD MEMBERS

The Board and LLR staff members introduced themselves.

APPROVAL OF ABSENT BOARD MEMBER

Motion: To approve the absence of Dr. Tapp and Dr. Lowrey.
Fuller/White/approved.

APPROVAL OF MEETING MINUTES

Motion: To approve the minutes from the June 3, 2021 Board Meeting.
Bryant/Liger/approved.

Motion: To approve the minutes from the July 14, 2021, July 28, 2021, and August 4, 2021 Committee Meetings.
White/Bryant/approved.

STAFF REPORTS

OIE Statistical Report

Mark Sanders presented the Statistical Report for period of January 1, 2021 to August 10, 2021. The Board has received 78 complaints, 64 cases were opened, 39 cases were closed, and there are 55 current active investigations.

IRC Report

Mark Sanders presented the IRC Report. The Committee recommended 6 cases for Dismissal, 2 cases for Dismissal with a Cease and Desist, 3 cases for Formal Complaint, and 6 cases for Letter of Caution and 1 license relinquishment.

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

Motion: To approve the cases for Dismissal with Cease and Desist.
Bryant/White/approved.

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

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

ODC Report

Mr. Elam reported that there are currently 27 open cases of which 10 are pending action, 1 case pending closure, and 1 case in appeals. Since January 1, 2021, ODC has closed 14 cases.

DISCIPLINARY HEARING

a. 2018-28

Disciplinary case 2018-28 respondent appeared before the Board for a disciplinary hearing. All persons testifying were sworn in by the court reporter. All 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.
Liger/Quick/approved.

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

Dr. Wessinger stated no votes were taken during executive session.

Motion: To issue a letter of caution.
White/Bryant
Opposed: Liger/Mungo
Approved.

b. 2018-10

Disciplinary case 2018-10 respondent appeared before the Board for a closed disciplinary hearing. All persons testifying were sworn in by the court reporter. All 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.
Liger/Wallis/approved.

Motion: To return to public session.
Quick/Wallis/approved.

Dr. Wessinger stated no votes were taken during executive session.

Motion: Finding the respondent in violation of S.C. Code Ann. §40-69-110(A)(1), 40-1-110(1)(a), and 40-1-110(1)(f). A public reprimand shall be issued and respondent is to pay the \$275.00 cost of investigations within six months of the order. The Board approves reenrollment in RPP and evaluation with Dr. Payne. The respondent's license is to remain suspended until further Board order.
Liger/Quick/approved.

APPLICANT HEARING

a. Frank Hooper, IV, DVM

Dr. Hooper appeared before the Board for an Application Hearing. He was represented by John Mann, Esq. 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.
Fuller/Wallis/approved.

Motion: To return to public session.
White/Mungo/approved.

Dr. Wessinger stated no votes were taken during executive session.

Motion: To approve Dr. Hooper's renewal application.
Quick/White/approved.

REPORTS

- a. **Regulations Review Committee**
Committee Chairman, Mr. Liger provided the Board with a summary of the committee's actions. Committee members Melissa Entekin, LVT and Dennis Wilkinson were present for the report. The committee met three times to review the regulations addressing duties allowed by licensed veterinary technicians and unlicensed veterinary assistants. In response to the national veterinarian shortage and the state shortage of licensed veterinary technicians, the committee sought to balance the protection of the public, assist with providing greater access to care and structuring better utilization of licensed veterinary technicians.
- b. **Administrator Report**
The Board currently has 2,261 active Veterinary licenses and 681 active Veterinary Technician licenses. Since the last meeting, the Board has issued 92 veterinary licenses and 15 veterinary technician licenses. Ms. Buttler reported the current account balance as of July 31, 2021 is \$329,476.97.

The board seat for Congressional District 6 will be expiring on 04/06/2022. In an effort to provide the Governor's office with the nomination(s) in ample time for an appointment and confirmation prior to term expiration, the Board office will begin holding elections in the year prior to the seat expiration. As such, the Board office is currently preparing call for petition information and is targeting to send that out no later than September 15, 2021.

At the last board meeting, Ms. Mungo requested to have shelters include on their annual report the number of animals with treatable medical conditions that were euthanized due to financial constraints. SC Code of Law Section 40-69-300(D) stipulates "an animal shelter shall prepare and maintain records documenting the number of animals admitted to the facility and the method by which those animals exit the facility, whether by adoption, fostering, natural death, euthanasia, transfer to another state, or other means of discharge. The report also must contain the mailing address and street address of the current place of business, and working telephone number of the animal shelter. The shelter shall compile this data in a report and submit the report to the Department of Labor, Licensing and Regulation before January thirty-first of each year. The department shall make these reports available on its Internet website."

OLD BUSINESS

- a. RPP Questionnaire and Report
Ms. Madden presented the Board a summary of the questionnaire answers received and requested clarification from the Board on items which were not unanimous. Additional clarification was sought from the Board on how the policy of abstinence should be applied. Questionnaire review was recorded by a certified court reporter in the event a verbatim transcript is necessary.

NEW BUSINESS

- a. Access to Care Concerns
Ms. Denise Wilkinson, CEO of PawMetto Lifeline, Annie Wilson, Esq., and Heather Williams, PawMetto Lifeline appeared before the Board to address concerns regarding access to care. Due to the veterinary shortage, the ability for PawMetto Lifeline to provide basic care has been crippled. Ms. Wilkinson requested the Board to consider an emergency regulation to allow a VCPR to be established via telemedicine. By allowing the establishment of a VCPR via telemedicine, it would PawMetto Lifeline to return to full operations with their mobile units and administration of rabies vaccinations.

Motion: To go into executive session for legal advice.
White/Wallis/approved.

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

Motion: To table the discussion.
White/Bryant/approved.

b. **Clarification: Veterinary Technician and Veterinary Aide**

On behalf of the licensed veterinary technicians in the state, Mr. Liger and Ms. Entrekin presented the Board to the concerns regarding title protection of veterinary technician. To date there is not a national conformity regarding title of licensed veterinary technicians but a movement has begun to do so. At the present time, SC does not prohibit unlicensed veterinary aids from identifying as a veterinary technician. Concerns were raised regarding public safety and misrepresentation of education and skill level. Ms. Entrekin shared with the Board information regarding available veterinary technician programs in the state and outside research supporting title protection efforts taken by other licensing jurisdiction increases the number of licensees. Ms. Entrekin and Mr. Liger urged the Board to amend SC Regulations 120-9(B)(5)(f) to add the term “veterinary technician” and “vet tech” to the list of titles an unlicensed veterinary aide is prohibited from identifying as. Mr. Liger additionally requested an eblast be sent to all licensees reminding them about job titling and proper representation to the public.

Motion: To send an eblast to licensees reminding them about proper job titling and unlicensed veterinary aide representation to the public.
Liger/Wallis/approved.

c. **Regulations 120-1, 120-3, and 120-9 Amendments**

Mr. Liger presented the committee’s recommendations of amendments to Regulations 120-1 and 120-9. Ms. Buttler presented amendments to Regulations 120-3 as a result of the recent licensure revisions, bringing the regulations into better compliance with the statutes and amending to reflect the Board expanded technological advances in document and payment submissions. Regulation review was recorded by a certified court reporter in the event a verbatim transcript is necessary. The finalized regulations will be submitted to the Office of Government Affairs for publication.

d. **Approval: Equine Reviewer**

Motion: To approve Jeffrey Witwer, DVM as an expert reviewer for the Board.
White/Bryant/approved.

e. **Travel Approval: AAVSB Annual Meeting, September 30-October 2, 2021 in Denver, CO**

Motion: To approve travel for Dr. Quick and Ms. Buttler to attend the 2021 AAVSB Annual Meeting.
Liger/White/approved.

PUBLIC COMMENTS

No public comments

Announcements

The next South Carolina Board of Veterinary Medical Examiners will be held December 2, 2021.

Adjournment

The Board meeting was adjourned at 5:45 p.m.