

**SOUTH CAROLINA BOARD OF VETERINARY MEDICAL EXAMINERS**

**Board Meeting Minutes**

June 15, 2023 at 9:00 A.M.

110 Centerview Drive, Kingstree Building Room 105

Columbia, SC

**Call to Order:** Public Notice of this meeting was properly posted at the Veterinary Board Office, Synergy Business Park, Kingstree Building, and provided to all requesting persons, organizations, and news media in compliance with the South Carolina Freedom of Information Act, Section 30-4-80. Members of the public who wish to attend may do so by video. The video link is posted on the agenda.

**BOARD MEMBERS PRESENT:**

Christine White, DVM, Chairperson  
George Bryant, DVM, Vice Chairperson  
LaDon Wallis, DVM  
Todd Brown, DVM  
Karl Wessinger, DVM  
Delores Mungo

**SCLLR STAFF PRESENT:**

Hardwick Stuart, Esq., Office of Advice Counsel  
Robert Elam, Esq., Office of Disciplinary Counsel  
Donnell Jennings, Esq., Office of Investigations and Enforcement  
Meredith Buttler, Administrator (Assisting)  
Jacquelyn White, Program Coordinator  
Ervin Bond, Office of Investigations and Enforcement  
Mark Sanders, Office of Investigations and Enforcement  
Jefferson Long, Office of Investigations and Enforcement  
Ashley East, Office of Investigations and Enforcement  
NaTasha Mitchell, Office of Investigations and Enforcement  
Shari Waters, DOTS

**PRESENT:**

Tomas Proctor, DVM  
Lanny Walker, DVM  
Ioan Cartis, DVM  
Kevin Scruggs, DVM  
Rebecca Payne, SCRPP  
Don Korson, SCRPP  
Tia Cooper, SCRPP  
Annette Moore, Complainant  
Kathryn Moore, Witness  
Beth Washburn, Witness  
Tina Behles, Court Reporter

**CALL TO ORDER:** Dr. White, Chairperson called the meeting to order at 9:03 a.m.

## **APPROVAL OF AGENDA**

**Motion:** To approve the agenda.  
Bryant/Wallis/Approved.

## **BOARD MISSION AND MEMBER STATISTICS**

Dr. White presented the mission statement for the Board and provided information regarding filled, expired and vacant Board seats.

## **INTRODUCTION OF BOARD MEMBERS AND OTHERS**

Each Board member introduced themselves. As a new appointed Board member, Dr. Brown was welcomed to the Board.

## **APPROVAL OF EXCUSED ABSENCES**

**Motion:** To accept excused absence of Dr. Fuller, Dr. Quick and Mr. Liger.  
Bryant/Wessinger/Approved.

**Motion:** To accept unexcused absence of Dr. Lowery. [strange “accepting” unexcused absence]  
Bryant/Willis/Approved.

## **APPROVAL OF MEETING MINUTES**

**Motion:** To approve March 23, 2023 Board Meeting Minutes  
Bryant/Brown/Approved.

## **OIE CHANGES**

- a. Mr. Jennings, Esq., Chief of the Office of Investigations and Enforcement (OIE), reported on the changes. The Division of Legal Services and Enforcement will include OIE, the Office of Advice Counsel (OAC) and Office of Disciplinary Counsel (ODC). OIE has been divided into (10) teams. Instead of (5) chiefs, there are now (10) lead investigators.
  
- b. Mr. Ervin Bond was introduced and will be the lead investigator for the Board. Ms. NaTasha Mitchell was introduced as one of the new veterinary investigators. Other members of Mr. Bond’s team will be introduced at a later time.

## **STAFF REPORTS**

### Office of Investigations and Enforcement (OIE) Statistical Report

Mr. Sanders reported for the period of March 4, 2023 to June 1, 2023, there are (47) active investigations, (20) closed cases and (31) complaints received.

### Office of Investigations and Enforcement (OIE) IRC Report

Mr. Sanders reported the IRC met and recommended (2) cases for dismissal, (3) cases for formal complaints and (2) cases for Letter of Caution.

**Motion:** To accept the (2) cases for dismissals.  
Bryant/Brown/Approved.

**Motion:** To accept the (3) cases for formal complaints.  
Bryant/Brown/Approved.

**Motion:** To accept the (2) cases for Letter of Caution.  
Wallis/Wessinger/Approved.

#### Office of Disciplinary Counsel (ODC) Report

Mr. Elam, Esq. reported as of June 1, 2023, there are (37) open cases, (6) pending hearings and agreements, (0) pending closure, (0) appeals, (3) closed since the last report on March 9, 2023 and (14) closed since January 1, 2023. The report was for information only.

#### **APPLICATION HEARINGS**

a. Kevin Scruggs, DVM

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

**Motion:** To enter an executive session for legal advice.  
Wessinger/Bryant/Approved.

**Motion:** To return to public session.  
Bryant/Wessinger/Approved.

**Motion:** To approve applicant to become licensed in South Carolina.  
Bryant/Wessinger/Approved.

#### **Disciplinary Hearings**

a. 2020-106 Formal Complaint

The Formal Complaint was presented to the Board. The respondent was not represented by counsel and was sworn in. Disciplinary hearings are recorded by a certified court reporter in the event a verbatim transcript is necessary. Donna Bond and Ashley East were state witnesses. Beth Washburn, Lanny Walker, and Annette Jones were witnesses for the respondent.

**Motion:** To enter an executive session for legal advice.  
Bryant/Brown/Approved.

**Motion:** To return to public session.  
Bryant/Wessinger/Approved.

**Motion:** To accept the formal complaint. The Board finds Respondent in violation of statute 40-69-110(A)(1) and Regulation 120-8. The violation is regarding incomplete records of surgery, anesthesia, documentation and/or client communication. The Board orders Respondent to pay a \$500 fine within 6 months, and (3) CE hours in maintaining records, to be completed within 1 year. In regards to violation of 40-69-110(A)(11) and Ethics 3:1, Respondent is to pay a \$250 fine within 6-months. Respondent is to pay \$100 for the cost of investigation.  
Wessinger/Wallis/Approved.

b. 2019-45 & 2020-107 Formal Complaint

The Formal Complaint was presented to the Board. The respondent was not represented by counsel and was sworn in. Disciplinary hearings are recorded by a certified court reporter in

the event a verbatim transcript is necessary. Dr. Rebecca Payne, RPP was a witness for the respondent.

**Motion:** To enter an executive session for legal advice.  
Bryant/Wallis/Approved.

**Motion:** To return to public session.  
Wallis/Wessinger/Approved.

**Motion:** To dismiss 2019-45. Failed burden of proof.  
Brown/Bryant/Approved.

**Motion:** To accept formal complaint 2020-107. The Board finds Respondent in violation of statute 40-69-110(A)(11) and Ethics Principle 1, 3, 4.1, 6.1. The Board orders respondent \$1000 fine paid within 1 year. If he is evaluated and receives treatment through RPP to determine to be safe to practice, the fine will be waived. The Board finds Respondent is in violation of 40-69-110(A)(17). He is to pay \$1000 within 1 year; if he receives treatment from RPP, the fine will be waived. Respondent is to pay \$350 for cost of investigation, to be paid within 6 months. The license will remain suspended.  
Brown/Bryant/Approved.

## **REPORTS**

### **Administrative Report**

Ms. Buttler reported to date, the Board has 2,421 active veterinary licensees, 790 active veterinary technician licensees, 140 active licensed mobile clinics, and 790 active facility registrations. Since the March 23, 2023, Board meeting, there have been (68) veterinary licenses and (15) veterinary technician licenses issued, (12) veterinary licenses and 1 veterinary technician reinstated.

The Board's current cash balance as of April 30, 2023 is \$544,674.65.

The Regulations that have been worked on were passed and approved. The Board's office has received a number of calls regarding the scope of practice deemed appropriate for unlicensed vet aides. There will possibly be an E-Blast.

## **NEW BUSINESS**

### **Facility Inspections Presentation – Jennifer Stillwell**

To go forward with email.

### **Fee Increase**

There is not a fee increase. LLR has submitted a request for changes of fees for several different Boards. These are regulation changes that have been reviewed.

### **Board Basics & Beyond/AAVS Conference**

The Board Basics & Beyond conference dates were not available. The AAVS conference will be held September 27 – 30, 2023 in Kansas City.

**Motion:** To approve 2 Board members and 2 staff to attend both conferences.  
White/Bryant/Approved.

**FARB – Meredith Buttler**

Tracy Adams has requested to attend the FARB conference in Alexandria, VA., to be held July 20 through July 21, 2023. The funds will be split between the Optometry Board, LTHCA Board and the Veterinary Board.

**Motion:** To approve for Ms. Adams to attend the FARB conference.  
White/Bryant/Approved.

**OLD BUSINESS**

**Legislative Regulations Update**

The Board’s ratification went into effect May 26, 2023.

**House Bill 3705 amends several LLR processes.**

1. Respondents will be notified of all materials that have been filed, as well as the identity of the complainant. If good cause exists, the identity of the complainant can be withheld from the respondent.
2. The Bill restricts what can be considered criminal convictions for application processes. The Board can only consider convictions if it directly relates to the profession.
3. The Bill for some licensing boards will allow a pathway for individuals to become licensed or registered through an approved apprenticeship from the US Department of Labor. More information will be coming concerning this.

**Rabies Testing**

It is written in DHEC’s mandate that if an animal bites a person and the owner chooses to euthanize the animal and not be tested, the veterinarian cannot send the specimen for testing of rabies.

**PUBLIC COMMENTS**

No public comments.

**NEXT MEETING**

Hearings – August 10, 2023.

**ADJOURNMENT**

**Motion:** To adjourn.  
Bryant/Wallis/Approved.

The meeting was adjourned at 3:49 pm.