

**SOUTH CAROLINA BOARD OF VETERINARY MEDICAL EXAMINERS**  
**Board Meeting Minutes**

March 21, 2024 at 9:00 A.M.  
110 Centerview Drive, Kingstree Building, Upstate Conference Room  
Columbia, South Carolina

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.

**BOARD MEMBER PRESENT:**

Christine White, DVM, Chairperson  
George Bryant, DVM, Vice Chairperson  
Todd Brown, DVM  
Marshall Liger, LVT  
Tracie Quick, DVM  
Ladon Wallis, DVM  
Karl Wessinger, DVM

**SCLLR STAFF PRESENT:**

Donnell Jennings, Assistant Deputy Director, Office of Investigations and Enforcement  
Hardwick Stuart, Esq., Office of Advice Counsel  
Robert Elam, Esq., Office of Disciplinary Counsel  
Maggie Murdock, Program Director  
Amy Holleman, Board Executive  
Tracy Adams, Board Executive, South Carolina Board of Cosmetology, South Carolina Board of Barber Examiners  
Erin Bond, Lead Investigator  
Norma McAllister, Program Coordinator  
Sandra Franke, Administrative Assistant  
Saralyn Printz, Paralegal, Office of Disciplinary Counsel  
Ashley East, Office of Investigations and Enforcement  
April Howe, Office of Investigations and Enforcement  
Jefferson Long, Office of Investigations and Enforcement  
NaTasha Mitchell, Office of Investigations and Enforcement  
Allen Gay, IT Services Specialist, DOTS

**PRESENT:**

Tina Behles, Court Reporter	Sharyl Rushing, DVM
Kristen Soucy, Esquire, Rogers Townsend, LLC	David George Sandefer, DVM
S. Ross Shealy, Esquire, Haynsworth Sinkler Boyd, P.A.	Cindy Sandefer
Beth Valdas, Haynsworth Sinkler Boyd, P.A.	Matthew Shockey, DHEC
Will Britt, DHEC	Shamel Wheeler
Dave Byson Caldwell, DVM	
Percival Damien Cunningham, DVM	
Vickie Davis	

Terri McCollister, DHEC  
John Leland Raymond, DVM

**CALL TO ORDER:** Dr. White, Chairperson called the March 21, 2024 meeting to order at 9:00 a.m. Technical difficulties delayed live streaming of the meeting.

**APPROVAL OF AGENDA:**

**Motion:** To approve the March 21, 2024 agenda  
Bryant/Brown/Approved

**BOARD MISSION AND MEMBER STATISTICS:**

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

**INTRODUCTION OF BOARD MEMBERS:**

The Board members introduced themselves.

**APPROVAL OF EXCUSED ABSENCES:**

**Motion:** To excuse Elizabeth Fuller, DVM and to accept Mitch Lowery, DVM's absence as unexcused  
Bryant/Quick/Approved

**APPROVAL OF MEETING MINUTES:**

**Motion:** To approve December 7-8, 2023 Board Meeting minutes.  
Brown/Bryant/Approved

**STAFF REPORTS:**

Office of Investigations and Enforcement (OIE) Statistical Report:

Mr. Ervin Bond reported for the period from January 1, 2023 to March 12, 2024, there have been 19 active investigations, 36 closed cases, and 136 complaints received.

Office of Investigations and Enforcement (OIE) IRC Report:

Dr. Brown recused himself. Ms. Ashley East reported the IRC met and recommended twelve (12) cases for dismissals, one (1) cease and desist, two (2) formal complaints, and two (2) letters of caution.

**Motion:** To approve the twelve (12) cases for dismissals.  
Bryant/Wessinger/Approved

**Motion:** To approve one (1) dismissal with a cease and desist.  
Bryant/Wessinger/Approved

**Motion:** To accept two (2) cases for a formal complaint  
Bryant/Quick/Approved

**Motion:** To accept two (2) cases for letter of caution.  
Bryant/Wessinger/Approved

Dr. Brown returned to the meeting

Office of Disciplinary Counsel (ODC) Report:

Mr. Elam, reported that as of March 14, 2024, there were 41 open cases of which 10 are pending hearings and agreements, zero pending closure, zero appeals, five closed since the last report on December 7, 2023. Between, January 1, 2023 and December 21, 2023, 18 cases were closed.

Board Executive Report

Ms. Holleman reported as of date there are 2,555 active veterinarians, three (3) temporary licensed veterinarians, 859 licensed veterinary technicians, 144 mobile clinics, and 829 facility registrations. The Board's current cash balance as of February 29, 2024 was -\$5,135.20.

**NEW BUSINESS**

Board Member Nominations and Elections Dates

The Board discussed dates and timeframes for the nomination and election processes for Board member seats according to regulations.

**MOTION:** Nominations for positions on the Board of Veterinary Medical Examiners must be received or postmarked no later than three weeks from the date the call for nominations goes out to licensees. If there is a need for an election (more than two nominations received), the voting window will be open for three weeks from the date notice of election goes out to eligible licensees. The call for nominations for seats on the Board, as they come up, will be sent to eligible licensees annually, between the dates of August 1 and August 15.

Bryant/Brown/Approved

Licensure Expiration Date

The Board discussed the expiration date for licensees.

**MOTION:** After the current licensing period, ends on March 31, 2025, all licenses will be issued with an expiration date of January 1, of the relevant year. Licenses renewed between January 2 through January 31, beginning with the next licensing period and moving forward, will be assessed a late fee in addition to the renewal fee. Any license renewal not received or postmarked on or before January 31, of the relevant year will lapse on February 1, and those licensees may no longer renew, but must reinstate their licenses.

Brown/Quick/Approved

Delegation of Authority for Application Issues

The Board discussed the delegation of authority for the Board Chair to review applications with disciplinary and/or criminal history with the Chair determining, should the application be approved or presented to the full Board for determination of a disposition.

**MOTION:** The Board granted the Board Chair authority to review all applications that present prior disciplinary history to determine if the application is approved/denied/ or

requires a full board hearing. Prior approved review authorization for criminal backgrounds (February 13, 2020 Board meeting) will remain in effect.

(February 13, 2020 – Motion by Macaulay, seconded by George and approved was “to delegate authority to the Board Administrator to review and approve applications received indicating criminal history. Delegation is limited to criminal history involving misdemeanors and technology, greater than ten years from the date of the application.”)

Bryant/Brown/Approved

#### Clarification of “Distance Learning” for Continuing Education Credit

The Board discussed the matter.

**MOTION:** The Board will allow live, interactive webinars to count as live continuing education for veterinarians, not as distance learning. Online CE opportunities that are not, both, live and interactive, such as prerecorded webinars, lectures in which there are no controls in place to ensure participation, and other online CE courses, are still considered distance learning. This does not affect the three hour limit for journal and audio programs as it remains as stated in regulation.

Quick/Wessinger/Approved by majority/Opposed Brown and Bryant

#### Appointment of Hearing Officer

The Board discussed the matter and determined that granting permission to add, as needed confirming Board quorum; eight (8) to ten (10) additional disciplinary hearing dates to the calendar would assist in addressing pending hearing. The Board opposed appointing a hearing officer at this time.

**MOTION:** The Board granted permission for the Office of Disciplinary Counsel to add eight (8) to ten (10) additional disciplinary hearing dates to the calendar, as needed to assist with addressing pending hearings.

Bryant/Wessinger/Approved

#### Update on S.1147 (Certified Vaccine Technician)

Mr. Stuart presented the updates on S.1147.

The Board discussed the matter and determined that the Board Executive shall direct questions/concerns submitted by individual Board members to the Office of Governmental affairs.

#### **RABIES SPECIMEN – Will Britt and Teresa McCollilster – DHEC**

Mr. Britt and Ms. McCollilster addressed, and answered questions from, the Board. Mr. Britt cited Section 47-5-100 of the Rabies Control Act regarding DHEC’s authority.

**SECTION 47-5-100. Quarantine, examination, and destruction of biting or attacking dog, cat, or ferret.**

The county health department shall serve notice upon the owner of a dog, cat, or ferret which has attacked or bitten a person to quarantine the animal at the expense of the owner upon his premises or at an animal shelter or other place designated in the notice for at least ten days after the animal has attacked or bitten a person. The licensed veterinarian, the rabies control officer, or his assistants must be permitted by the owner of the pet or other animal which has attacked or bitten a person to examine the animal at any time, and daily if desired, within the ten-day period of quarantine to determine if the animal shows symptoms of rabies. No person may obstruct or interfere with the rabies control officer or his assistants in making the examination. The removal of the head of an animal suspected of having rabies must be performed by a licensed veterinarian, but the county health department may provide for the removal of the head if there is no veterinarian practicing within the county where the suspected animal is located or if no veterinarian located within the county will remove the head. The department shall serve notice upon the owner of an animal other than a dog, cat, or ferret when the department has knowledge that the animal has attacked or bitten a person. The notice must instruct the owner to have the animal immediately euthanized and have the brain submitted for rabies examination or to have the animal quarantined under conditions specified by the department. The owner shall comply immediately with the instructions in the notice.

**SECTION 47-5-110. Pets bitten or otherwise exposed to animal suspected of having rabies.**

The county health department shall serve a written notice to the owner of a pet that has been bitten by or otherwise exposed to any animal affected or suspected of being affected by rabies. The notice must require the owner to have a currently inoculated pet revaccinated immediately and to quarantine the pet for a period of not less than forty-five days. An uninoculated pet must be quarantined for a period of not less than one hundred eighty days. The uninoculated pet must be inoculated after one hundred fifty days of the quarantine period and released from quarantine thirty days after that if no sign of rabies is observed.

**APPLICATION HEARINGS**

Application hearings are recorded by a certified court reporter in the event a verbatim transcript is necessary.

Dave Bryson Caldwell, DVM

Dr. Caldwell, sworn in by the court reporter, appeared before the Board without legal representation for an application hearing.

**Executive Session**

**Motion:** To enter an executive session for legal advice.  
Quick/Liger/Approved

**Return to Public Session**

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

Dr. White, President, noted for the record, there were no votes taken during Executive Session and called for a disposition in this matter.

**Motion:** To approve application.  
Bryant/Quick/Approved

The Board recessed for 15 minutes.

Sharyl Rushing, DVM

Dr. Rushing, sworn in by the court reporter, appeared, via WebEx, before the Board without legal representation for an application hearing.

**Motion:** To approve application.  
Quick/Wessinger/Approved

David George Sandefer, DVM

Dr. Sandefer, sworn in by the court reporter, and Ross Shealy, Legal Counsel, appeared before the Board for an application hearing.

**Motion:** To approve application.  
Bryant/Brown/Approved

Rebecca Giacomini, LVT

Ms. Giacomini was not present. The Board reviewed the application.

#### **Executive Session**

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

#### **Return to Public Session**

**Motion:** To return to public session.  
Brown/Quick/Approved

Dr. White, President, noted for the record, there were no votes taken during Executive Session and called for a disposition in this matter.

**Motion:** To deny application.  
Bryant/Brown/Approved

#### **DISCIPLINARY HEARING:**

Disciplinary hearings are recorded by a certified court reporter in the event a verbatim transcript is necessary.

a. **Case No.: 2021-81 – Evidentiary Hearing**

Dr. Wallis recused herself.

Both the State and the Respondent's attorney made opening statements. Mr. Elam, representing the State, then presented the case before the Board. The State presented Tracy Adams, Investigator for the State and Ms. Shamel Wheeler as witnesses. Ross Shealy, Respondent's attorney, cross-examined both witnesses. The

State redirected, Ms. Adams. The Respondent testified on his own behalf. Mr. Elam cross-examined the respondent. The Board questioned the witnesses. Both, the respondent's attorney and the State gave closing arguments.

**Executive Session**

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

**Return to Public Session**

**Motion:** To return to public session.  
Brown/Quick/Approved

Dr. White, President, noted for the record, there were no votes taken during Executive Session and called for a disposition in this matter.

**Motion:** Respondent found in violation of SC Code 40-69-110 (A)(12), specifically respondent, on August 12, 2021 failed to meaningfully examine the client presenting profound weight lost, lack of appetite, and development of cataracts. Thus, the Respondent is fine five-hundred (\$500.00) dollars in addition to the investigative cost of two-hundred & fifty (\$250.00) dollars. The Respondent must take and complete five (5) hours of RACE approved continuing education course(s) specifically in the diagnosis and management of diabetes. The Respondent must complete the continuing education course and pay the fines in addition to the investigative cost within six months of receipt date of the order.

Brown/Bryant/Approved.

Dr Wallis returned to the session.

**b. Case Nos.: 2021-37 and 2021-78 – Stipulation of Facts – CLOSED HEARING**

**Motion:** To enter into Closed Hearing  
Bryant/Brown/Approved

Mr. Robert Elam, Disciplinary Counsel, representing the State, presented the Stipulations of Facts. The Respondent's attorney, Kristen Soucy, and respondent appeared before the Board. The Respondent's attorney addressed the Board and the Board questioned the Respondent regarding this matter. The State and Respondent's attorney gave closing statements. Dr. White called for a motion to go into executive session to seek legal advice.

**Executive Session**

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

**Return to Public Session**

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

Dr. White, President, noted for the record, there were no votes taken during Executive Session and called for a disposition in this matter.

**Motion:** Case 2021-37, Section 1, the Board finds that the Respondent violated 40-69-110(A)(1) in that the medical records for the date of the spade does not include any monitoring logs during or after either surgeries. The Board does not find that the Respondent engaged in conduct determined to be incompetent or negligent in the practice of veterinary medicine. Thus, the Respondent is fine one-hundred and fifty (\$150.00) dollars and mandated to take additional two (2) hours continuing education in regards to medical recordkeeping and/or client communication. The Respondent must complete the continuing education course and pay the fine within six (6) months after the date of receipt of the order.

Brown/Bryant/Approved

Case 2021-71, Section 1, the Board finds that the Respondent violated 40-69-110(A)(1) the respondent violated the requirements that medical records from the day of the fracture repair surgery were inadequate. The Board found no violation to the second part of the case; however, would issue a very strong letter of caution for failure to provide antibiotics and pain medication. Thus, the Respondent is fine two-hundred and fifty (\$250.00) dollars and mandated to take an additional two (2) hours continuing education in regards to medical recordkeeping and/or client communication. The Respondent must complete the continuing education course and pay the fine within six (6) months after the date of receipt of the order.

Brown/Bryant/Approved

**Motion:** **To return to open session**  
Wallis/Quick/Approved

**C. Case No.: 2020-104 – Consent Agreement**

Mr. Robert Elam, Disciplinary Counsel, presented the Consent Agreement.

Dr. White called for questions. The board posed no questions; therefore, Dr. White called for a disposition in this matter.

**Motion:** To accept Consent Agreement  
Bryant/Brown/Approved

**ELECTION OF OFFICERS**

**Motion:** To nominate and vote Dr. White as Chairperson  
Wessinger/Bryant/Approved

**Motion:** To nominate and vote Dr. Bryant as Vice Chairperson  
Wessinger/Quick/Approved



**PUBLIC COMMENTS (no votes take)**

There were no public comments.

**NEXT MEETING**

June 13-14, 2024 at 9:00 a.m.

**ADJOURNMENT**

**Motion:** To adjourn on March 21, 2024 at 7:09 p.m.  
Brown/Quick/Approved