

SOUTH CAROLINA BOARD OF VETERINARY MEDICAL EXAMINERS
Board Meeting Minutes

June 13, 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 C. Brown, DVM
James Coker, DVM
Elizabeth Fuller, DVM
Mark T. Moore, DVM
Tracie Quick, DVM
Ladon Wallis, DVM

SCLLR STAFF PRESENT:

Donnell Jennings, Assistant Deputy Director, Office of Investigations and Enforcement
Hardwick Stuart, Esq., Office of Advice Counsel
Erin Baldwin, Esq., Office of Disciplinary Counsel
Robert Elam, Esq., Office of Disciplinary Counsel
Carolyn Sutherland, Esq. Office of Advice Counsel
Amelia Leeks, Program Manager, Office of Investigations and Enforcement
Amy Holleman, Board Executive
Bianca Smith, Lead Investigator
Maurice Smith, Lead Investigator
Norma McAllister, Program Coordinator
Saralyn Printz, Paralegal, Office of Disciplinary Counsel
Ashley East, Investigator, Office of Investigations and Enforcement
April Howe, Investigator, Office of Investigations and Enforcement
Stephen Hoage, Investigator, Office of Investigations and Enforcement
Jefferson Long, Investigator, Office of Investigations and Enforcement
Allen Gay, IT Services Specialist, DOTS

PRESENT:

Tina Behles, Court Reporter	Crystal Field
S. Ross Shealy, Esquire, Haynsworth Sinkler Boyd, P.A.	Katrina Laflin, LVT
Heather Tulane Rhodes, DVM	Gretchen Alpine
Hannah Grace Collins	Moniquez Guzman
Maurice Smith	Stephanie Fotany, DVM
Paul Fox	Heather Rhodes
Dernard Smalls, Haynsworth Sinkler Boyd, P.A.	Oliver Childers
Beth Valdes, Haynsworth Sinkler Boyd, P.A.	Ruby Mauden

CALL TO ORDER: Dr. White, Chairperson called the June 13, 2024 meeting to order at 9:01 a.m. Technical difficulties delayed live streaming of the meeting.

APPROVAL OF AGENDA:

Motion: To approve the June 13, 2024 agenda
Bryant/Brown/Approved

BOARD MISSION AND MEMBER STATISTICS:

Dr. White presented the mission of the board and provided information regarding filled and vacant Board seat.

INTRODUCTION OF BOARD MEMBERS:

The Board members introduced themselves.

APPROVAL OF EXCUSED ABSENCES:

Motion: To excuse William Marshall Liger, III
Bryant/Fuller/Approved

APPROVAL OF MEETING MINUTES:

Motion: To approve March 21, 2024 Board Meeting minutes.
Bryant/Fuller/Approved

STAFF REPORTS:

Office of Investigations and Enforcement (OIE) Statistical Report:

Ms. Bianca Smith reported for the period from January 1, 2024 to May 28, 2024, there have been 32 active investigations, 48 closed cases, and 159 complaints received.

Office of Investigations and Enforcement (OIE) IRC Report:

Ms. Bianca Smith reported the IRC met and recommended nineteen (19) cases for dismissals, one (1) formal complaint, and four (4) letters of caution.

Motion: To approve the nineteen (19) cases for dismissals.
Bryant/Brown/Approved

Motion: To accept one (1) case for a formal complaint
Bryant/Brown/Approved

Motion: To accept four (4) cases for letter of caution.
Bryant/Brown/Approved

Office of Disciplinary Counsel (ODC) Report:

Mr. Elam, reported that as of June 10, 2024, there were 39 open cases; nine pending hearings and agreements, zero pending closure, zero appeals, six closed since March 14, 2024. Between January 1, 2024 and June 10, 2024, 11 cases were closed.

Board Executive Report

Ms. Holleman reported as of date there are 2,707 active veterinarians and 903 licensed veterinary technicians. The Board's current cash balance as of April 30, 2024 was -\$87,402.04.

NEW BUSINESS

Expert Reviewer

- i. Michelle Waschak
Motion: Motion to approve
Bryant/Quick/Approved

Regulatory Study Committee

The Board discussed the proposed functions of the Regulatory Study Committee.

- Motion:** To approve a Regulatory Study Committee that consists of two (2) South Carolina Association of Veterinarians (SCAV) members, one (1) South Carolina Association of Veterinary Technicians (SCAVT) member, one member of the administrative staff, and board members, Dr. Tracie Quick, Dr. George Bryant, Dr. Mark Moore, and Mr. Marshall Liger.
Bryant/Quick/Approved

Travel Approval – AAVSB Annual Meeting & Conference, San Diego, CA, September 25-28, 2024

- Motion:** To approve travel for three (3) non-board members.
Wallis/Bryant/Approved

- Motion:** To approve delegate, Dr. Christine White and alternate delegate, Dr. George Bryant.
Quick/Fuller/Approved

APPLICATION HEARINGS

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

Veterinary Technician

- a. Mackenzie Jodoin
No show
- b. Heather Tulane Rhodes – CLOSED SESSION
Ms. Rhodes, 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.
Brown/Fuller/Approved

Return to Public Session

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

The Board recessed for 10 minutes

Temporary License – Veterinarian

- a. Hannah Grace Collins
Ms. Collins, 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.
Bryant/Brown/Approved

Return to Public Session

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

The Board recessed for five minutes.

DISCIPLINARY HEARING:

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

A. Evidentiary Hearings

Case No.: 2021-92 – Evidentiary Hearing – CLOSED HEARING

Dr. Elizabeth Fuller recused herself from this matter.

The Respondent was not present and did not present legal representation. The State confirmed notification/service to Respondent of the hearing. The state presented witness, Saralyn Printz to confirm proof of service of the hearing notification to the Respondent. The Board granted the State permission to proceed with the hearing.

The State presented, Moniquez Guzman, Katrina Laflin, LVT, Gretchen Alpine, Maurice Smith, and Paul Fox. The Board questioned witnesses, Moniquez Guzman and Paul Fox. The State gave a closing argument.

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/Moore/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: Firstly, that the Board finds the respondent in violation statutes 40-69-110(A)(21) and 40-1-110(1)(i), practicing as a veterinary technician while under the influence of alcohol or any drug to such a degree as to adversely affect her professional performance or to render her unfit to practice the profession. Secondly, the respondent violated statutes 40-69-110(A)(17) and 40-1-110(1)(j), in that respondent had or sustained a mental disability that renders further practice dangerous to the public. Thirdly, the respondent violated statute 40-1-110(l)(f) in that respondent committed a dishonorable, or unprofessional act that is likely to deceive, defraud, or harm the public. In addition, respondent failed to comply with the Board Ordered Evaluation, which required enrollment in and full compliance with a monitoring and determination system.

Finally, the respondent is found in violation of statute 40-69-110(A)(1) in that respondent violated this chapter or a regulation promulgated by the board by violating the South Carolina Veterinary Practice Act. The Board sanctions the respondent with a \$1,000 fine for violations of statutes 40-69-110(A)(21) and 40-1-110(1)(i); \$1,000 fine for violations of statutes 40-69-110(A)(17) and 40-1-110(1)(j), and a \$1,000 fine for violation of statute 40-1-110(1)(f) for a total fine of \$3,000. The Respondent's license is currently lapsed; therefore, prior to reinstatement of the license, the respondent must comply with the conditions of the Board Order. The fine is due within sixty (60) days of the dated order.

Bryant/Brown/Approved

The Board recessed.

Dr. Elizabeth Fuller returned to the session.

Case Nos.: 2021-57 – Evidentiary Hearing – CLOSED HEARING

Mr. Elam, State's attorney, made an opening statement. Mr. Shealy, Respondent's attorney asked that the Board entertain a motion for dismissal for Case Number 2021-57 in that the essential witness has failed to appear for the hearing. The Board Chair called for a motion to go into executive session to receive legal advice in this matter.

Executive Session

Motion: To enter an executive session for legal advice
Bryant/Quick/Approved

Return to Public Session

Motion: To return to public session
Brown/Fuller/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 accept dismissal
Brown/motion failed not seconded

The motion to dismiss failed. The Chair asked that the attorneys proceed with case number 2021-57, both agreed.

Mr. Shealy, representing the respondent, gave an opening statement. Mr. Elam, representing the State, then presented the stipulations before the Board. The respondent's attorney responded to the stipulations and addressed the Board. Mr. Shealy moved for a directive verdict to dismiss case 2021-57.

The Chair called for a motion to go into executive session to seek legal advice.

Executive Session

Motion: To enter an executive session for legal advice
Brown/Fuller/Approved

Return to Public Session

Motion: To return to public session
Brown/Moore/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 Dismiss due to lack of evidence
Bryant/Moore/Approved

2021-65 – Evidentiary Hearing – CLOSED HEARING

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 Crystal Field and April Howe, Investigator for the State as witnesses. Ross Shealy, respondent's attorney, cross-examined both witnesses. The Board questioned Ms. Fields. The State redirected, Ms. Fields. The State rested its' case.

The respondent's attorney moved for a directive verdict for a dismissal. Mr. Elam responded. The Chair called for a motion on the dismissal. There were no motions regarding the dismissal request.

The respondent testified on her own behalf. Mr. Elam cross-examined the respondent. The Board questioned the witness. The respondent's attorney delivered a closing argument.

Executive Session

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

Return to Public Session

Motion: To return to public session.
Bryant/Fuller/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 dismiss with a strong letter of caution, in regards to lack of communication with owner and poor record keeping.
Brown/Bryant/Opposed Quick/Approved by majority

The Board recessed.

B. Consent Agreements

Case No.: 2022-93 – Consent Agreement – CLOSED HEARING

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
Brown/Quick/Approved

Case No.: 2022-58 – Consent Agreement

Dr. Moore recused himself.

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

Dr. Moore returned to the session.

Case No.: 2022-90 – Consent Agreement

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

Dr. White called for questions. The board posed questions. Dr. White called for a disposition in this matter.

Motion: To accept Consent Agreement
Brown/Quick/Opposed Bryant/Approved by majority

PUBLIC COMMENTS (no votes take)

There were no public comments.

NEXT MEETING

September 5-6, 2024 at 9:00 a.m.

ADJOURNMENT

Motion: To adjourn on June 13, 2024 at 7:36 p.m.
Bryant/Quick/Approved