

Minutes of the South Carolina Board of Veterinary Medical Examiners  
Business Meeting and Disciplinary Matters  
August 13, 2015  
Synergy Business Park, Kingstree Building, Room 108  
110 Centerview Drive, Columbia, South Carolina 29211

Board members present were:

Bryan K. Cribb, D.V.M., Chairperson  
Rebecca M. Hughes, D.V.M., Vice Chairperson  
Gretchen M. Love, D.V.M., Secretary  
Vanessa B. Brooks, D.V.M.  
Elizabeth L. Fuller, D.V.M.  
Katherine Ann George, D.V.M.  
Brent R. Goodson, D.V.M.  
W. Marshall, Liger, III, L.V.T.  
Rebecca I. Shealy, Consumer  
Bethany M. Tapp, D.V.M.

Board member with excused absence:

None needed

Staff and others present were:

Erin G. Baldwin, LLR Litigation Attorney, Office of Disciplinary Counsel  
Gary A. Haygood, Court Reporter  
Kate K. Cox, LLR Administrator  
P.C. Faglie, OIE Investigator  
Nancy Flores, LLR Administrative Assistant  
Marcia Rosenberg  
Mark Sanders, OIE Supervisor  
Hardwick Stuart, Jr., LLR Advice Attorney  
Lauren M. Tendy, D.V.M.

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CALL TO ORDER:

The Regular Session of the South Carolina Board of Veterinary Medical Examiners was held at the Synergy Office Park, Kingstree Building, 110 Centerview Drive, Room 108, in Columbia, South Carolina. Whereas, proper notice of date, time, place and agenda information having been properly provided to THE STATE NEWSPAPER and ASSOCIATED PRESS and proper notice also having been posted at the LLR Office Building 24 hours prior to the time scheduled for the meeting and a quorum having been noted as present, Vice Chairperson Dr. Hughes called the meeting to order at 9:05 a.m. All votes referenced herein were unanimous unless otherwise noted.

APPROVAL OF AGENDA:

**Motion:** A motion was made by Dr. Hughes to approve the Agenda. Mr. Liger seconded the motion. The motion carried.

APPROVAL OF MINUTES:

**Motion:** A motion was made by Dr. Brooks to accept the May 28, 2015 Minutes as printed. Mr. Liger seconded the motion. The motion carried.

HAIL AND FAREWELL:

The Board welcomed its new members: Elizabeth L. Fuller D.V.M. who is being seated in the veterinarian at-large seat, Brent R. Goodson, D.V.M. who is being seated in the District 3 seat, and Bethany M. Tapp, D.V.M. who is being seated in the District 7 seat. Members leaving the Board were thanked and a plaque was sent to them.

DISCIPLINARY ISSUES:

IRC Report:

The Investigative Review Committee Report (IRC) was provided by Mark Sanders and discussion followed.

**Motion:** A motion was made by Mr. Liger to accept twelve (12) Dismissals. The motion was seconded by Dr. Brooks. The motion passed.

**Motion:** A motion was made by Dr. Hughes to authorize two (2) Dismissals with Cease & Desist. Dr. Fuller seconded the motion. The motion carried.

**Motion:** A motion was made by Dr. Brooks to authorize two (2) Formal Complaints. Dr. George seconded the motion. The motion carried.

**Motion:** A motion was made by Dr. Brooks to authorize three (3) Letters of Caution. Dr. Hughes seconded the motion. The motion carried.

Discussion followed on wording and explanation of the IRC logic.

OIE and OGC Management Reports:

The OIE and OGC Management Reports were given for OIE and ODC by Mr. Sanders and Ms. Baldwin. The reports were accepted as information by the Board.

REINSTATEMENT APPLICATION HEARING:

Phillip C. Hopkins, D.V.M.:

A reinstatement application hearing regarding his renewal application was held for Dr. Hopkins. Mr. Stuart advised the Board. Dr. Hopkins was present and represented himself. He waived his right to counsel. Dr. Hughes asked to be recused in the matter and left the proceedings. A court reporter was present. A quorum was noted as present. The hearing commenced.

**Motion:** A motion was made by Mr. Liger to go into Executive Session. The motion was seconded by Dr. Fuller. The motion carried.

**Motion:** A motion was made by Ms. Shealy to come out of Executive Session. The motion was seconded by Dr. George. The motion carried.

**Motion:** A motion was made by Dr. Love to accept reinstatement application with a Letter of Caution for Dr. Hopkins to be more careful to detail in regards to renewal application questions and to direct staff to immediately reinstate his license to the renewal date of March 31, 2017. The motion was seconded by Dr. Fuller. The motion carried. Dr. Hughes returned to the meeting.

DISCIPLINARY ISSUE:

MOA Hearing – Case 2014-51:

**Motion:** A motion was made by Dr. Brooks to close the hearing based on HIPAA. Dr. Love seconded the motion. The motion carried.

A hearing with a Memorandum of Agreement and Stipulation of Facts was held on Case 2014-51 and the hearing was closed based on HIPAA and the South Carolina Code 40-22-100. The meeting room was cleared except for participants in the matter. Hardwick Stewart advised the Board. Erin Baldwin represented the state. Respondent was present and waived the right for an attorney. A court reporter was present. A quorum was noted as present. The hearing commenced.

**Motion:** A motion was made by Dr. Hughes to go into Executive Session for legal advice. The motion was seconded by Mr. Liger. The motion carried.

**Motion:** A motion was made by Dr. George to come out of Executive Session. The motion was seconded by Dr. Fuller. The motion carried.

ADMINISTRATIVE REPORTS:

Administrative Report:

The Administrative Report was given with a staffing chart; licensure totals were given to be 1718 licensed veterinarians and 398 licensed veterinary technicians. Mrs. Cox reported that two appointees for District 1 and District 2 are in the Senate for Advice and Consent. Mrs. Cox reported on the training given on Wednesday, August 12, 2015 for Board members. It was announced that Dr. Hughes and Mrs. Shealy will attend the AAVSB meeting in Milwaukee, WI September 17-19, 2015. Building security was discussed.

Financial Report:

Financial Report was given and accepted as information.

UNFINISHED BUSINESS:

Discussion followed on tattooing of animals in general. The Board will continue to monitor tattooing of animals and monitor any legislation that might be proposed.

NEW BUSINESS:

Question to the Board Regarding Veterinary Feed Directive from FDA:

The FDA letter was presented and discussed on Veterinary Feed Directives and the V-C-P-R required in South Carolina statute. The Board noted it needs more information on the subject; and Dr. Fuller was asked to chair any committee if the need arises on this subject.



Rabies Act:

Dr. Hughes opened a discussion on the rabies act and requirements for veterinarians in giving rabies shots.

**Motion:** A motion was made by Dr. Brooks to go into executive session for legal advice. Dr. Love seconded the motion. The motion carried.

**Motion:** A motion was made by Dr. George to return to open session. Dr. Goodson seconded the motion. The motion carried. No votes were taken in executive session.

Question to the Board Regarding Veterinarians and Dispensing:

Mr. Liger discussed that veterinarians may dispense to their own clients/patients of record and may write a prescription that can be taken to a pharmacy. They can release drugs from a clinic to a clinic. They are not pharmacists and do not dispense from prescriptions from other veterinarians. Mr. Liger will write an FAQ on the subject.

60 Day Externship Requirement in Statute:

Dr. Buford asked about this requirement for new graduates. It was discussed that this is a statute requirement for 60 days of practice as an externship away from the college. [It used to be a 90 day requirement.] Many colleges have some or all of these days documented for their graduates as practice in the public sector away from the veterinary school. If there are not a total of 60 days documented, the applicant for licensure may get all 60 days, or the remaining days needed, on a temporary license. The temporary license holder must have supervision. Any change in this requirement would require a change in the statute. Anyone interested in statute change gets a sponsor in the Senate and a sponsor in the House of Representatives to propose the new legislation. The history of this requirement was stated to be in the best interest of the public to have a new licensee have some experience away from the school environment to begin private practice experience. It protects the new licensee and their employer to know that the new licensee has had some private sector practice.

Mrs. Cox will respond to all inquirers to answer the questions submitted to the Board.

LEGAL:

Mr. Stuart discussed The US Court of Appeals for the Fifth Circuit ruling regarding Veterinary Medicine and Dr. Ronal S. Hines as for information only.

DISCUSSION TOPICS:

There was no further discussion.

PUBLIC COMMENT:

There was no comment.


ANNOUNCEMENTS:

It was announced the last scheduled meeting for 2015 is November 5.

ADJOURNMENT:

There being no more business, the meeting was adjourned at 1:30 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Kate K. Cox".

Kate K. Cox  
Administrator