

SOUTH CAROLINA BOARD OF VETERINARY MEDICAL EXAMINERS
MINUTES
Quarterly Meeting / Disciplinary Issues
9:00 a.m., May 17, 2018
Synergy Business Park, Kingstree Building, Room 105
110 Centerview Drive
Columbia, South Carolina

Call to Order

Dr. Ginger Macaulay, DVM, Chairman, called the regularly scheduled meeting to order at 9:00 a.m. Other board members attending the meeting included: Katherine George, DVM; Elizabeth Fuller, DVM; Marshall Liger, III, LVT; Gretchen Love, DVM; Bethany Tapp, DVM; and Rebecca Shealy.

Dr. Macaulay announced that public notice of this meeting was properly posted at the office of the South Carolina Board of Veterinary Medical Examiners, Synergy Business Park, Kingstree Building, 110 Centerview Drive, Columbia, SC and provided to all requesting persons, organizations, or news media in compliance with Section 30-4-80 of the South Carolina Code of Laws, 1976, as amended, relating to the Freedom of Information Act.

Dr. Macaulay noted a quorum was present. She also noted that all votes referenced herein were unanimous unless otherwise indicated.

Approval of Board Absences

Dr. Macaulay noted an approved absence was granted to Dr. Mitch Lowrey.

Dr. Janet McKim was not present for the meeting.

Approval of Agenda

Mrs. Baldwin stated case #2016-60 was resolved on May 16, 2018 and asked that it be removed from the agenda.

MOTION

Mr. Liger made a motion the Board remove case #2016-60 from the agenda. Ms. Shealy seconded the motion. Motion carried.

Approval of the February 8, 2018 Meeting Minutes

MOTION

Mr. Liger made a motion to approve. Ms. Shealy seconded the motion. Motion carried.

OIE and ODC Reports

Approval of the IRC Report

Mr. Mark Sanders presented the IRC report to the Board.

The IRC report included five dismissals for approval.

MOTION

Mr. Liger made a motion the Board approve the five cases for dismissal. Dr. Goodson seconded the motion. Motion Carried.

The IRC included one formal complaint for approval.

MOTION

Mr. Liger moved the Board approve the formal complaint. Ms. Shealy seconded the motion. Motion carried.

The IRC included five letters of caution for approval.

MOTION

Mr. Liger moved the Board approve the five letters of caution. Dr. George seconded the motion. Motion carried.

The statistical report for the Veterinary Board indicates OIE received 12 cases during the first quarter, which runs from January 1 and ends March 31. OIE closed 25 cases during the same period. OIE currently has 25 active investigations

Mr. Sanders introduced three new investigators for the Veterinary Board, Elizabeth Harrison, Jessi Rish, and Lindsey Thompson.

ODC Management Reports

Ms. Baldwin stated the ODC statistical report is included in the digital files for the Board's review.

Application Hearing

Reinstatement of License, Percival Cunningham, DVM

This application hearing was a closed hearing. The subsequent order was private.

The hearing was recorded by a certified court reporter to produce a verbatim transcript if one is necessary.

Disciplinary Hearings

In the matter of Mark McKenzie, Case #2016-6

This hearing was recorded in the presence of a certified court reporter to produce a verbatim transcript.

MOTION

Mr. Liger made a motion the Board enter executive session to seek legal advice in this matter. Dr. George seconded the motion. Motion carried.

MOTION

Mr. Liger motioned the Board return to public session. Dr. Love seconded the motion. Motion carried.

Dr. Macaulay noted no motions were made and no votes were taken during executive session.

MOTION

Ms. Shealy made a motion that the Board dismiss this case because the standard of care was met. Dr. Love seconded the motion. Motion carried.

Ms. Baldwin stated cases number 2015-32 and 2017-2 involve the same individual. ODC staff contacted the individual when it was clear he was not hear. He stated he did not know the hearing was taking place today and requested a continuance.

Ms. Baldwin had the individual sign a Memorandum of Agreement that stated you would waive notice, but it did not say May 17th. The email correspondence between ODC and the individual indicated May 17th as the hearing date. Ms. Baldwin cannot contest the continuance since she did not do a formal legal notice in this matter. She will not make a request to proceed in his absence; however, she will send a formal legal notice for the August Board meeting under the MOA the Board has reviewed.

MOTION

Dr. Fuller moved the Board continue this case and reevaluate it in August. Dr. Love seconded the motion. Motion carried.

In the Matter of Deborah Perzak, Case #2017-26

This hearing was recorded by a certified court reporter in order to provide a verbatim transcript should one be necessary.

MOTION

Dr. George made a motion the Board enter executive session to seek legal advice in this matter. Ms. Shealy seconded the motion. The motion carried.

MOTION

Ms. Shealy made a motion the Board return to public session. Mr. Liger seconded the motion. The motion carried.

Dr. Macaulay noted no motions were made and no votes were taken during executive session.

MOTION

Dr. George moved the Board accept the MOA. We do find a violation of 40-69-110 (A), (17). We would like to reinstate the license of Dr. Perzak with the condition of compliance with RPP. And

we would like to assess the costs of investigation of \$798. Dr. Love seconded the motion. The motion carried.

In the Matter of Randall Buchert, Case #2016-20

This hearing was recorded by a professional court reporter in order to provide a verbatim transcript should one be necessary.

MOTION

Dr. Love made a motion the Board enter executive session to seek legal advice in this matter. Ms. Shealy seconded the motion. The motion carried.

MOTION

Dr. Fuller made a motion the Board return to public session. Dr. Tapp seconded the motion. The motion carried.

Dr. Macaulay noted for the record that no motions were made and no votes were taken during executive session.

MOTION

Dr. George moved the Board accept the MOA. I move that we find a violation of 40-69-200(A), which is practicing without a license. We assess an administrative penalty of \$600 and the cost of the investigation of \$176. Dr. Love seconded the motion. The motion carried.

In the matter of Lindy Wang, Case #2015-50

This hearing was recorded by a professional court reporter in order to provide a verbatim transcript should one be necessary.

MOTION

Dr. George moved the Board enter executive session to seek legal advice in this matter. Dr. Goodson seconded the motion. The motion carried.

MOTION

Dr. Fuller made a motion the Board return to public session. Ms. Shealy seconded the motion. The motion carried.

Dr. Macaulay noted no motions were made and no votes were taken during executive session.

MOTION

Dr. George moved the Board reinstate the license for Dr. Wang based on her completion of her continuing education courses. Dr. Fuller seconded the motion. The motion carried.

In the Matter of Anne Luce, Case #2017-12

This hearing was recorded by a certified court reporter in order to provide a verbatim transcript should one be necessary.

MOTION

Dr. George made a motion the Board accept the Consent Agreement. Dr. Love seconded the motion. The motion carried.

AAVSB Board Basics and Beyond Report - Dr. Macaulay

Dr. Macaulay briefed the Board on the AAVSB meeting she attended in April. Topics from the meeting included reviewing the practice act with the Canadian model, a statement on telemedicine, using marijuana to treat animals, a veterinary CE tracker provided by the AABS board, a webinar series titled Vet Board Connects, which has different topics, reporting board members and minutes during board meetings, allowing licensed veterinary technicians to do more routine veterinary work

Administrator's Report

Licensing Report

As of May 16th the Board had 2,472 active licensed veterinarians and licensed veterinary technicians. This breaks down to 1,942 veterinarians, 32 veterinary interns, 516 licensed veterinary technicians, 93 mobile clinics, and 349 active secondary practices. There have been 69 applications submitted since the last Board meeting.

Election Information

Congressional Districts 3 and 5 were sent notice of elections on March 23 and had until April 29th to run for nominations. Staff received one (1) nomination for Congressional District 5. Staff is preparing to send out a second notice of election to Congressional District 3 since no nominations were received from that district. Election information had been posted on the Veterinary Board website and an e-blast had been sent out. Staff will be notifying the Governor's Office once the nomination(s) have been received as well as the public member vacancy.

Administrative Financial Report

The financial report is provided to the Board as information and is audited annually. Expenditures are carefully considered and expended based on the Board's budget.

CE Broker

The CE Broker has now been implemented.

Update of FAQs

Dr. Melton asked the Board members to review the FAQs for any necessary corrections.

Security of Information

The Kingstree Building, where most of LLR is housed, has had new security implemented to interior doors. LLR trains staff monthly on security issues to include use of computers, passwords, paper documents, internet/web phishing, the building use, and personal exposure.

Dr. Macaulay stated for the August 9th meeting she would like for the Animal Shelter Legislative Subcommittee and Board Website and Frequently Asked Questions Committees to meet and provide reports if possible.

Adjournment

MOTION

There being no further business to be discussed at this time, Dr. George moved the meeting be adjourned. Dr. Love seconded the motion. Motion carried.

The May 17, 2018 meeting of the SC Board of Veterinary Medical Examiners adjourned at 1:04 p.m.