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South Carolina
Department of Labor, Licensing and Regulation

Board of Veterinary Medical Examiners



Henry D. McMaster
Governor

Emily H. Farr
Director

Minutes of the South Carolina Board of Veterinary Medical Examiners
Business Meeting, Applications Hearing and Disciplinary Matters
May 9, 2019
Synergy Business Park, Kingstree Building, Room 105
110 Centerview Drive, Columbia, South Carolina 29210

Board Members Present:

Katherine Ann George, D.V.M, Chairperson
Ginger D. Macaulay, D.V.M, Vice Chairperson
Mitch Lowrey, D.V.M
Elizabeth L. Fuller, D.V.M.
W. Marshall, Liger, III, LV.T.
Gretchen Love, D.V.M
Janet Irene McKim, D.V.M.
Karl Wessinger, D.V.M.
Bethany Tapp, DVM

Staff and others present were:

Rita Melton, DMD, BSN, RN, LLR Administrator
Hardwick Stuart, Jr., LLR Advice Attorney
Mark Sanders, Chief Investigator
Erin G. Baldwin, LLR Litigation Attorney, Office of Disciplinary Counsel
Kyle Tennis, LLR Litigation Attorney, Office of Disciplinary Counsel
Robert Neadle, LLR, Admin. Assistant
Gary A. Haygood, Court Reporter

CALL TO ORDER:

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 in Columbia, SC and provided to any requesting persons, organizations, or news media in compliance with Section 30-4-80 of the 1976 South Carolina Code, as amended, relating to the Freedom of Information Act. A quorum is noted as present/not present. All votes referenced herein were unanimous unless otherwise indicated.

Approval of Excused Absences:

Motion: A motion was made by Mr. Liger to excuse Mrs. Becky Shealy. Dr. Fuller seconded the motion. The motion carried.

Approval of Agenda:

Motion: A motion was made by Dr. Macaulay to approve the meeting agenda. Dr. McKim seconded the motion. The motion carried.

Approval of Minutes:

Motion: A motion was made by Mr. Liger to accept the February 14, 2019 minutes as written. Dr. Lowrey seconded the motion. The motion carried.

Disciplinary Issues, IRC Reports provided by OIE Chief Investigator Mark Sanders:

Motion: A motion was made by Dr. Macaulay to accept 6 Dismissals. Dr. Love seconded the motion. The motion carried. Mr. Liger made a motion to accept 1 Formal Complaint. Dr. Macaulay seconded the motion. The motion carried. Dr. Macaulay made a motion to accept 3 Letters of Cautions. Dr. Fuller seconded the motion. The motion carried.

OIE and ODC Management Reports presented Chief Investigator Mark Sanders, Kyle Tennis, ODC Attorney:

The OIE and ODC Management Reports were given for OIE by Mr. Sanders, and ODC Report by Kyle Tennis, respectively. The reports were accepted as information by the Board.

Renewal Application Hearings

-Dr. Laurie Collins Pittan, DVM

An application hearing was held for Dr. Laurie Collins. Mr. Stuart advised the Board. Mrs. Pittan was not present. A court reporter was present. A quorum was noted as present. The hearing commenced.

Motion: A motion was made by Dr. Macaulay to approve Dr. Pittan license. The motion was seconded by Dr. Love. The motion carried.

-Dr. Darcey Smith, DVM

An application hearing was held for Dr. Darcey Smith. Mr. Stuart advised the Board. Dr. Darcey Smith was present. 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 for legal advice. The motion was seconded by Dr. Fuller. The motion carried.

Motion: A motion was made by Dr. Macaulay to come out of Executive Session. The motion was seconded by Mr. Liger. The motion carried.

Motion: A motion was made by Dr. Macaulay to grant a conditional license that would be limited to consulting and/or teaching. And Dr. Smith would have to reappear before the Board to remove the conditions if she wished to return to full practice. The motion was seconded by Dr. Fuller. The motion carried.

Renewal application with "Yes" answer.

-Dr. Horace Ferguson, DVM

An application hearing was held for Dr. Horace Ferguson. Mr. Stuart advised the Board. Dr. Ferguson was present. A court reporter was present. A quorum was noted as present. The hearing commenced.

Motion: A motion was made by Dr. Macaulay to go into Executive Session for legal advice. The motion was seconded by Dr. McKim. The motion carried.

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

Motion: A motion was made by Macaulay to approve a probationary license for Dr. Ferguson. The motion was seconded by Dr. Fuller. The motion carried.

Disciplinary Hearings:

2018-23: A hearing was held for the Respondent. Mr. Stuart advised the Board. The State was represented by Kyle Tennis, JD. The Respondent was not present and was represented by an attorney. A court reporter was present. The closed hearing commenced.

Motion: A motion was made by Dr. Macaulay 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. Fuller to come out of executive session for legal advice. The motion was seconded by Dr. Love. The motion carried.

Motion: A motion was made by Dr. McKim accept the consent agreement. Dr. Tapp seconded the motion. The motion carried.

2016-31: A hearing was held for the Respondent. Mr. Stuart advised the Board. The State was represented by Erin Baldwin, JD. The Respondent was not present and was represented by Creighton B. Coleman, JD. A court reporter was present. The closed hearing commenced.

Motion: A motion was made by Dr. Macaulay to go into executive session for legal advice. The motion was seconded by Dr. Fuller. The motion carried.

Motion: A motion was made by Dr. Fuller to come out of executive session for legal advice. The motion was seconded by Dr. Tapp. The motion carried.

Motion: A motion was made by Dr. Macaulay to accept the MOA with a fine of \$1000.00 plus Investigative cost. Mr. Liger seconded the motion. The motion carried.

-2017-12(closed hearing): A hearing was held for the Respondent. Mr. Stuart advised the Board. The State was represented by Erin Baldwin, JD. The Respondent was present and was not represented by an attorney. A court reporter was present. Mr. Liger recused himself from the hearing. The closed hearing commenced.

Motion: A motion was made by Dr. Macaulay to go into executive session for legal advice. The motion was seconded by Dr. McKim. The motion carried.

Motion: A motion was made by Dr. Macaulay to come out of executive session for legal advice. The motion was seconded by Dr. Lowery. The motion carried.

Motion: A motion was made by Dr. Macaulay to release the conditions of the Consent Agreement. Dr. Fuller seconded the motion. The motion carried.

Reports/Information

AAVSB Conference Report By Dr. Lucy Fuller: One high point of the AAVSB conference, they recommend Board members attend the conferences annually, especially since this origination makes decisions that influence the veterinary model practice act. Additional topics included a discussion on

encouraging states to use the VAULT system to collect licensure information into one place making the application process easier for both the applicant and the Board.

Advanced K-9 Life Support Program

Motion: Under state law, the Tactical Emergency Medical Support Operators (TEMS) will provide lifesaving aid and treatment in emergent conditions with unlicensed veterinary assistants who would provide medical care under indirect supervision of a South Carolina license veterinarian. A motion was made by Dr. Fuller to have Mr. Liger and Dr. Macaulay to research more FAQ related to this program. The motion was seconded by Dr. Tapp. The motion carried.

Administrative Report/ Financial Report: Dr. Melton reported there are a total 3,216 active Veterinarians and Licensed Veterinarian Technicians. 10 Interns. There are a total of 2,128 Veterinarians, 616 Licensed Veterinary Technicians. We have 93 mobile clinics, 369 secondary practices. For a total of 3918 Credentials. The Board's Financial Report was included in the board materials for information only.

Unfinished Business:

Continuation of the discussion on the clarification on Rx writing for clients of record in a practice during times of coverage by other vets. The topic was tabled until a future meeting.

Continuation of the discussion on the extraction of "floating teeth- wolf or deciduous teeth" by unlicensed/lay veterinary personnel.

Motion: Dr. Macaulay made a motion that this area be listed in the FAQs, with floating teeth defined as the removal of sharp enamel points. Dr. Tapp seconded the motion. The motion carried.

New Business:

Motion: Dr. Macaulay made a motion to delegate authority to Board Chair to sign cease and desist orders as they occur. Dr. Tapp seconded the motion. The motion carried.

Motion: Dr. Macaulay made a motion for the Board to refer back to FAQs on the veterinary/client/patient relationship. Dr. Love seconded the motion. The motion carried.

Public Comments:

None.

Announcements:

None.

Adjournment:

Motion: Dr. Love made a motion to adjourn. Dr. McKim seconded the motion. The motion carried.