

**BOARD MEETING - LOUISIANA BOARD OF VETERINARY MEDICINE  
December 2, 2021**

**Agenda**

**I. CALL TO ORDER**

Board President, Dr. Joseph Bondurant, Jr., called the meeting to order at 8:33am.

**II. ROLL CALL**

Roll call was taken by Board Secretary-Treasurer, Dr. Marullo, with the following results:

Those present:

|                            |                          |
|----------------------------|--------------------------|
| Joseph Bondurant, Jr., DVM | Board President          |
| Alfred G. Stevens, DVM     | Board Vice President     |
| Trisha C. Marullo, DVM     | Secretary-Treasurer      |
| Larry L. Findley, Sr, DVM  | Board Member             |
| Keri A. Cataldo, DVM       | Board Member             |
| Jared B. Granier           | Board Executive Director |
| Stephen H. Vogt            | Board General Counsel    |

Guests:

|                           |  |
|---------------------------|--|
| Dean Oliver Garden        | LSU School of Veterinary Medicine          |
| Melanie Talley            | Louisiana Veterinary Medical Association   |
| Felix Vanderlick          | Healthcare Professionals' Foundation of LA |
| Dr. David Hammond         | Healthcare Professionals' Foundation of LA |
| Kevin Wofford             | LA Department of Agriculture & Forestry    |
| Petitioner case 21-1006 I |  |

Statement of Obligations was read aloud by Dr. Marullo to all present for meeting.

**III. APPROVAL OF MINUTES**

**A. Board Minutes for October 14, 2021**

The Board reviewed minutes from October 14, 2021. With no further discussion on the minutes as given, motion was made to accept the minutes as presented by Dr. Findley, seconded by Dr. Cataldo, and passed unanimously by voice vote.

**IV. FINANCIAL MATTERS AND CONTRACTS**

**A. Financial Reports – September & October '21**

Mr. Granier presented the financial reports for the months of September and October '21 for review by the Board. Mr. Granier informed the Board that all financial matters are in order and the Board is still projected to remain within its budget for the end of FY2022. Motion was made by Dr. Stevens to accept the financial reports as presented, seconded by Dr. Marullo, and passed unanimously by voice vote.

**B. Investments – CDs**

Mr. Granier presented the current CD investment figures to the Board, requesting approval to allow one CD currently with EFCU in the amount of \$100,000 to mature on December 17, 2021 if necessary. Mr. Granier will conduct PnL analysis prior to this CD maturity date and act accordingly. Motion was made by Dr. Stevens to approve the request to allow the

maturity and deposit of EFCU CD in the amount of \$100,000, seconded by Dr. Marullo, and passed unanimously by voice vote.

**C. Audit Report, FY2021**

Mr. Granier informed the Board of the delay in the audit from the contracted auditor, William Mercer, CPA. On-site fieldwork was completed in early-November '21. No motion made on agenda item.

**D. Proposed Budget for FY 2023**

Mr. Granier presented the proposed budget for FY2023 for review. Following discussion of income and expenditure projections, motion was made by Dr. Stevens to accept the proposed budget as presented, seconded by Dr. Findley, and passed unanimously by voice vote.

**V. MISCELLANEOUS MATTERS**

**A. New Licenses and Certificates Issued**

Mr. Granier reported all new licenses and certificated issued listed below from 09/21/21 to 11/10/21. Motion was made by Dr. Marullo to accept and ratify all issued licenses as given, seconded by Dr. Cataldo, and passed unanimously by voice vote.

| License # | Licensee          | License Status | Initial License Date |
|-----------|-------------------|----------------|----------------------|
| 10052     | Lauren Feliciano  | DVM - Active   | 9/23/2021            |
| 10055     | Alexis Allen      | DVM - Active   | 10/6/2021            |
| 10056     | Daniel Markwalder | DVM - Active   | 10/6/2021            |
| 10053     | Arielle Witkowski | DVM - Active   | 10/4/2021            |
| 10054     | Layne Shelton     | DVM - Active   | 10/4/2021            |
| 10057     | Holly Bethea      | DVM - Active   | 10/7/2021            |
| 10058     | Christopher Tuma  | DVM - Active   | 10/19/2021           |
| 10059     | Mara Wanderer     | DVM - Active   | 10/19/2021           |
| 10060     | Carolyn Crochet   | DVM - Active   | 11/3/2021            |
| 10061     | Rebecca Noel      | DVM - Active   | 11/3/2021            |
| 10062     | Elizabeth Burton  | DVM - Active   | 11/3/2021            |
| 10063     | Randeep Doad      | DVM - Active   | 11/9/2021            |

| License #    | Licensee         | License Status         | Initial License Date |
|--------------|------------------|------------------------|----------------------|
| Faculty 116  | Andrew Hanzlicek | DVM - Faculty - Active | 9/28/2021            |
| Faculty 1038 | Cullen Domaracki | DVM - Faculty - Active | 10/1/2021            |

| License # | Licensee        | License Status | Initial License Date |
|-----------|-----------------|----------------|----------------------|
| 20019     | Madeline Cerise | RVT - Active   | 10/4/2021            |
| 20020     | Emilie Tyrrell  | RVT - Active   | 10/19/2021           |

| License # | Licensee         | License Status       | Initial License Date |
|-----------|------------------|----------------------|----------------------|
| 30009     | Allison Badgerow | CAET - Active - Full | 11/5/2021            |
| 30010     | Reagan Daniel    | CAET - Active - Full | 11/5/2021            |

|       |                      |                      |           |
|-------|----------------------|----------------------|-----------|
| 30011 | Holly Danielson      | CAET - Active - Full | 11/5/2021 |
| 30012 | Rebecca Luke-Lirette | CAET - Active - Full | 11/5/2021 |
| 30013 | Gina Pepper          | CAET - Active - Full | 11/5/2021 |
| 30014 | Ashley Rome          | CAET - Active - Full | 11/5/2021 |
| 30015 | Kassie Vaughn        | CAET - Active - Full | 11/5/2021 |
| 30016 | Anna Catalanello     | CAET - Active - Full | 11/8/2021 |
| 30017 | Kent Williams        | CAET - Active - Full | 11/9/2021 |

**B. Renewal Statistics/Results and LA DVM Non-Renewed Licensees**

Mr. Granier updated members on latest renewal statistics, with just over 91% of licensees having renewed. Also presented was a summary of non-renewed DVM licensees with Louisiana addresses for review. No action was taken on this agenda item.

**C. Customer Service Questionnaire 2020-2021**

Mr. Granier presented a summary of 130 customer service survey responses and comments from January 1, 2021 to October 28, 2021. While several comments were critical of the new renewal system and license/application portals and processes, the data on office response time, and response feedback, etc indicates the board office is moving in the right direction at improving customer relations and communication with stakeholders. The survey results will be mailed to the appropriate state agency for reporting purposes by Mr. Granier. No action was taken on this item.

**D. 2022 FARB Conference (Federation of Associations of Regulatory Boards)**

Mr. Granier presented a request to the Board for permission to attend the 2022 FARB (Federation of Associations of Regulatory Board) Conference in late-January. Motion was made by Dr. Stevens to approve request of conference attendance, seconded by Dr. Marullo, and passed unanimously by voice vote.

**E. State Board Exam Administered/Taken Remotely Through Third-Party (AAVSB)**

Mr. Granier presented proposal for allowing applicants the option to take the LA State Jurisprudence Exam through AAVSB's SPA service. Mr. Granier proposed that starting in FY 2023, applicants can have the following two options: 1) take the state jurisprudence exam in person as the Board currently offers every first Tuesday of the month, or 2) take the LA state jurisprudence exam through AAVSB's SPA service. Applicants would be responsible for paying the AAVSB candidate fee for taking then exam through the SPA service. Board asked Mr. Granier to submit state board questions for review as well as the AAVSB contract for review and vote at the February 2022 board meeting. No further action was taken on this item.

**F. Acceptable Payment Methods for Applications/Renewals**

Mr. Granier proposed that the Board allow for a secondary option for ACH payments in addition to the current credit card payment method. The Board instructed Mr. Granier to research with current payment processor and software vendor on the feasibility and cost of offering this option. To be revisited at a later meeting once more information is gathered. No further action taken at this time.

**G. AAVSB Guidance Document for CBD Use on Companion Animals**

The Board was presented with and discussed the AAVSB guidance for CBD use. With the complexity of the federal and state laws regarding the use of CBD, there is still little action to be taken at this time by the Board.

## VI. CONTINUING EDUCATION ISSUES

- A. None at this time.

## VII. PRECEPTORSHIP ISSUES

- A. None at this time.

## VIII. POLICY, PROCEDURE, AND RULES

### **A. General Update – *List of rule-making items in progress:***

#### **1. State Board Exam Fee for RVT Apps**

The Board has discussed the examinations of applicants to be a registered veterinarian technician. Rule 803 F requires that an applicant pass both the national exam (VTNE) and the state practical, although the latter is not offered. In examining its options, the Board requested advice on whether the Practice Act and Board Rules allow an increase in the fees charged for examinations by RVT candidates and the ability to add vendor costs for the administrations/grading of the exams. The Practice Act allows the Board to publish a schedule of fees to be charged for examinations based on future anticipated financial requirements. Section 1549 B of the Practice Act allows a fee of \$100 per examination, exclusive of vendor costs. The Board has published a fee of \$40 for state or national examinations, exclusive of vendor costs - which must be paid by the examinee. Accordingly, the Board does have the discretion to raise the fees and/or add a separate fee for new examinations, and to require the examinee to pay for the cost of a vendor to administer or grade the examination(s).

#### **2. Rulemaking Language for Waiver of NAVLE Retake**

The Board has over the past few months discussed the need to amend the Rules to allow greater discretion in deciding whether veterinarians licensed in other states must retake the NAVLE to allow licensure in Louisiana. The present Rule language is both ambiguous and in the strict application of the Rule's language has led to the denial of requests for waivers in cases where the Rule criteria, if applied literally, has no bearing on the competency of the applicant's clinical ability to practice veterinary medicine in this state, or inability to meet employment requirements prior to applying for Louisiana licensure was beyond the control of the applicant, or had little to do with the acquisition and retention of clinical ability. Present Rule language allows the Board to waive the retaking of the NAVLE if the out of state applicant "has been employed as a licensed veterinarian in a full-time private practice or its equivalent as determined by a majority vote of the board for the five years immediately preceding his application. Full-time shall be defined as a minimum of 32 hours worked per week". A literal reading of the Rule allows discretion by the Board only as to whether the employment was in a private practice or its equivalent. The Board is considering a Rule change so that the application for the waiver meets the following criteria "has worked as a licensed veterinarian an average of 32 hours per week in a private practice or its equivalent continuously and without substantial interruption for a period of five years immediately preceding his application".

**3. Rulemaking Consideration for Waiver of VTNE Retake and State Board Requirement for RVTs**

The Board discussed its inability under the Rules to allow an out of state RVT who has previously passed the VTNE and has continuously worked as an RVT prior to the application for certification in Louisiana to waive the requirement the candidate retake the VTNE if the score is older than 3 years. Additionally, the Rule (803) requires candidates to pass an examination that is not offered. Accordingly, the Board requested counsel to draft proposed Rule changes to resemble those waiver criteria applicable to out of state DVMs applying for licensure in Louisiana, to delete Rule references to the necessity of passing a state practical examination and to require all RVT applicants to pass a state board examination. Proposed Rule changes will be presented to the Board for consideration at its February meeting.

**B. Policy and Procedure**

**1. Humane Society Employment and Government Employee Exemptions**

An issue arose when a CAET applying for certificate renewal noted the receipt of sodium pentobarbital for euthanasia purposes from a person who does not have an active certificate as a lead CAET, in the context of the administration for a duly organized humane society. On the limited issue of whether the CAET applicant was in violation of the Board's Rules or Practice Act provisions, it was proposed that no such violation has occurred. The propriety of the dispensing of the controlled substance in this context was pretermitted.

**2. Dispensing 503B Outsourcing Facility Products to Companion Animals**

The Board received a query from a lobbyist asking for its position on the propriety of dispensing 503 B outsourcing facility products to companion animals. Counsel was requested to investigate, research and confer with the Louisiana Board of Pharmacy to make future recommendations regarding this issue, if desirable. No action was taken.

**3. RVT Required to Work Directly Under Veterinarian to Maintain License**

A query was posed by a current RVT concerning whether employment as an RVT was necessary to maintain licensure, as the candidate was contemplating working in the general field of veterinary medicine but not directly under a licensed veterinarian. The Board cautioned of the clear danger of utilizing RVT skills as the illegal practice of veterinary medicine but that the certification as an RVT was not annulled by the lack of present employment under a licensed veterinarian.

**C. Declaratory Statements**

1. None at this time.

**D. General Agenda**

1. None at this time

**E. Consent Agenda Opinions**

1. Answered

**i. Is working under employer's DEA and CDS license permissible**

An associate veterinarian queried the Board on the issue of whether a separate DEA registration and CDS license was required to practice veterinary medicine. The associate was advised that under the Board Rules a DEA registration is not required to practice veterinary medicine in Louisiana but that a veterinarian who has a DEA registration and uses or dispenses controlled substances must comply with federal regulations pertaining to the dispensing, storage and usage of controlled substances. Rule 705. The licensee was advised of general regulations promulgated by the Louisiana Board of Pharmacy concerning the need for a CDS license and DEA registration to manufacture, distribute, procure, possess, dispense or conduct research with controlled substances and given contact information for the DEA and the Board of Pharmacy for authoritative responses, as the Board is a secondary regulator in that regard.

**ii. Personnel Qualifications for Radiation Oncology Facility**

The Board received an inquiry from a representative of an out of state company contemplating opening a radiology oncology facility in this state. A series of questions were posed concerning the need for board certification by the veterinarian that would work at the facility, the requirement under Board Rules that the radiology oncologist be physically present on the premises, the requirement for LA licensure and related issues. A general response was given, approved by the Board, advising that the Board does not regulate facilities, that to hold oneself out as a specialist board certification in an AVMA recognized specialty is required, that supervision by a licensed veterinarian of delegated responsibilities is a fact-sensitive inquiry and that no non-veterinarian may perform surgery, make a prognosis/diagnosis or prescribe drugs, and that a VCPR must be established before any delegation of tasks and duties may be done. Consultation Rules were cited to the inquirer.

**iii. Storing Controlled Substances at Home for Mobile Business**

A licensed veterinarian contemplating opening a "house call" business inquired of the Board the DEA regulations concerning the storage and recordkeeping requirements at the practitioner's home. The Board's rules concerning compliance with DEA regulations were cited, as were general record keeping Rules and the questioner was referred to the DEA and Board of Pharmacy concerning particular questions and authoritative answers, with general principles noted in publications given. Additional information was requested for a more detailed response.

**iv. Chemical Capture Laws for CAETs and/or Animal Control Officers**

A licensed veterinarian sought clarity from the Board on the issues of whether animal control officers in an animal control facility context could administer chemical capture drugs under the Board Rules and Practice Act, which drugs animal control officers could legitimately use, and the necessary paperwork that needed to be completed by the animal control officers and timing of same. The licensee was advised that only a CAET, RVT or licensed veterinarian can legally perform pre-euthanasia, but that an animal control officer if properly trained can administer chemical capture drugs provided the facility is operated by a state or local government or a humane society under contract. A Lead CAET is authorized to order only sodium pentobarbital,

tiletamine hydrochloride and zolepram hydrochloride and ketamine hydrochloride (not for sedation). Legend drugs must be supplied by a licensed veterinarian. Animal control officers must complete paperwork showing, at a minimum, the date and use of each legend drug, the species of the animal, its estimated weight, the dose administered, the name of the animal control officer, and the log must be reviewed by the veterinarian at least quarterly.

## 2. Proposed

- i. None at this time

## F. Expedited / Emergency Opinion

1. None at this time

*(Public Comments)*

*Motion was made by Dr. Cataldo to go into executive session to discuss confidential matters regarding licensees and applicants not subject to public disclosure as per the law, seconded by Dr. Findley, and passed unanimously by voice vote.*

## IX. ADMINISTRATIVE HEARINGS

### A. Case # 21-1006 I

A licensee, formerly practicing under a Consent Order limiting the scope of practice and access to controlled substances accepted a referral for monitoring to the HPFL. After complying with the recommended outpatient counseling regimen and passing all drug screening protocols as required by the HPFL, and accepting an ongoing monitoring agreement, petitioned the Board for reinstatement of licensing - which had been suspended due to a breach of the consent order. The Board heard the petition, reviewed the evidence which established the ability of the licensee to safely and competently practice veterinary medicine and allowed relicensing, subject to ongoing compliance with the monitoring agreement suggested by HPFL.

## X. DVM, RVT, AND CAET ISSUES

### A. Deborah M. Brian, DVM - Request to Change Status – Inactive Retired

Following review of the documentation provided by Dr. Brian, motion was made outside of executive session, by Dr. Stevens, seconded by Dr. Cataldo, to approve status change to Inactive Retired with the reduced inactive fee paid and to waive the 20 CE requirements for Renewal Year 2021-2022 per rule 405C. Motion passed unanimously by voice vote.

### B. Boyd T. Clement, DVM - Request to Change Status – Inactive Retired

Following review of the documentation provided by Dr. Clement, motion was made outside of executive session, by Dr. Stevens, seconded by Dr. Cataldo, to approve status change to Inactive Retired with the reduced inactive fee paid and to waive the 20 CE requirements for Renewal Year 2021-2022 per rule 405C. Motion passed unanimously by voice vote.

### C. Robert J. Leonpacher, DVM - Request to Change Status – Inactive Retired

Following review of the documentation provided by Dr. Leonpacher, motion was made outside of executive session, by Dr. Stevens, seconded by Dr. Cataldo, to approve status

change to Inactive Retired with the reduced inactive fee paid and to waive the 20 CE requirements for Renewal Year 2021-2022 per rule 405C. Motion passed unanimously by voice vote.

**D. Michael A. Liles, DVM - Request to Change Status – Inactive Retired**

Following review of the documentation provided by Dr. Liles, motion was made outside of executive session, by Dr. Stevens, seconded by Dr. Cataldo, to approve status change to Inactive Retired with the reduced inactive fee paid and to waive the 20 CE requirements for Renewal Year 2021-2022 per rule 405C. Motion passed unanimously by voice vote.

**E. J.M. Sherwood, DVM - Request to Change Status – Inactive Retired**

Following review of the documentation provided by Dr. Sherwood, motion was made outside of executive session, by Dr. Stevens, seconded by Dr. Cataldo, to approve status change to Inactive Retired with the reduced inactive fee paid and to waive the 20 CE requirements for Renewal Year 2021-2022 per rule 405C. Motion passed unanimously by voice vote.

**F. Cynthia K. Smith, DVM - Request to Change Status – Inactive Retired**

Following review of the documentation provided by Dr. Smith, motion was made outside of executive session, by Dr. Stevens, seconded by Dr. Cataldo, to approve status change to Inactive Retired with the reduced inactive fee paid and to waive the 20 CE requirements for Renewal Year 2021-2022 per rule 405C. Motion passed unanimously by voice vote.

**G. Joseph V. Strother, Jr., DVM - Request to Change Status – Inactive Disabled**

Following review of the documentation provided by Dr. Strother, Jr, motion was made outside of executive session, by Dr. Stevens, seconded by Dr. Cataldo, to approve status change to Inactive Disabled with the reduced inactive fee paid and to waive the 20 CE requirements for Renewal Year 2021-2022 per rule 405C. Motion passed unanimously by voice vote.

**H. George W. Younger, DVM - Request to Change Status – Inactive Retired**

Following review of the documentation provided by Dr. Younger, motion was made outside of executive session, by Dr. Stevens, seconded by Dr. Cataldo, to approve status change to Inactive Retired with the reduced inactive fee paid and to waive the 20 CE requirements for Renewal Year 2021-2022 per rule 405C. Motion passed unanimously by voice vote.

**XI. DVM APPLICANT ISSUES**

**A. Anthony Loomis, DVM – Request Waiver of NAVLE Retake & Preceptorship**

2005 graduate of Oklahoma State University CVM, licensed in AL, AR, CO, CT, GA, IA, MA, MI, MN, NJ, NY, NC, PA, RI, TX, and WA. The Board reviewed the documentation submitted by Dr. Loomis. Motion was made outside of executive session by Dr. Stevens, seconded by Dr. Cataldo, to **approve** waiver of retake of the national examination and preceptorship requirements as the documents provided meet the criteria of full-time clinical veterinary practice for the required period of time immediately prior to application, and licensure in good standing in another jurisdiction. Motion passed unanimously by voice vote.

**B. Erica Periman, DVM – Request Waiver of NAVLE Retake & Preceptorship**

1994 graduate of Colorado State University CVM, licensed in IL, CO, and WY. The Board reviewed the documentation submitted by Dr. Periman. Motion was made outside of executive session by Dr. Stevens, seconded by Dr. Cataldo, to **approve** waiver of retake of the national examination and preceptorship requirements as the documents provided meet the criteria of full-time clinical veterinary practice for the required period of time



immediately prior to application, and licensure in good standing in another jurisdiction. Motion passed unanimously by voice vote.

## **XII. EXECUTIVE SESSION**

### **A. Maximum Employee Wage Increase, FY 2023 Budget**

Mr. Granier presented the Board with the historical data of wage increases. Following discussion, motion to set maximum possible increase at 7% for FY2023 made by Dr. Marullo, seconded by Dr. Findley, and passed unanimously by voice vote.

*Upon conclusion of executive session, motion was made to return to regular session by Dr. Cataldo, seconded by Dr. Findley, and approved unanimously by voice vote. All votes related to administrative hearings, applicant and licensee issues above were made out of executive session.*

## **XIII. ADJOURN**

There being no further business before the Board, motion was made by Dr. Marullo, seconded by Dr. Stevens, and passed unanimously by voice vote to adjourn. The meeting was adjourned at 1:20pm.

MINUTES REVIEWED AND APPROVED BY FULL BOARD on February 3, 2022.

  
Trisha Marullo, DVM, Board Secretary-Treasurer