

## LA Board of Veterinary Medicine – Board Meeting Agenda – February 6, 2025

### I. CALL TO ORDER

Board President, Dr. Larry Findley, Sr., called the meeting to order at 8:33am.

### II. ROLL CALL

Roll call was taken by Board Secretary-Treasurer, Dr. Jesse Brandon, as follows:

Those present:

Larry L. Findley, Sr, DVM	Board President
Christine D. McHughes, DVM	Board Vice President
Jesse S. Brandon, DVM	Board Secretary-Treasurer
Christopher B. Morris, DVM	Board Member
Trisha C. Marullo, DVM	Board Member
Jared B. Granier	Board Executive Director
Stephen H. Vogt	Board General Counsel

The Board's Statement of Obligations (below) was read aloud by Dr. Brandon to all present for the meeting. There were a total of 15 attendees who were given the opportunity to introduce themselves (if desired) and to make general public comments to the Board.

Dr. Oliver Garden, Dean of the LSU School of Veterinary Medicine gave an update on the LSU SVM's activities. Ms. Melanie Talley, Executive Director of the Louisiana Veterinary Medical Association, gave an update on the LVMA.

No written comments were received prior to February 6<sup>th</sup>, 2025.

***Statement of Obligations**, Revised by Board Legal Counsel on October 6, 2020 – The Louisiana Board of Veterinary Medicine (being a state regulatory agency within the LA Department of Agriculture and Forestry) is a governmental entity whose mandate is to protect the public/animals by enforcing its jurisdiction of interpreting and implementing applicable laws, and the rules it promulgates, regarding the acceptable standard of veterinary care in LA. The Board has sole and sovereign authority in Louisiana over the practice of veterinary medicine as granted to it by the Legislature. The Board members are appointed by the Governor and confirmed by the Senate and take an Oath of Office. The Board members in discharge of their duties are also held to the ethical standards of state government officials. By statute, candidates for the Governor's consideration for appointment to the Board are made by the state professional association. While a Board member may hold general membership in a professional association, he is legally and ethically bound to his Oath of Office and will discharge his duties without any considerations or goals beyond his lawful obligations on the Board. A Board member does not represent the interests of the practitioners of veterinary medicine or a professional association while he serves on the Board, nor will he use his office to engage in any conduct which may constitute restraint of lawful trade.*

### III. APPROVAL OF MINUTES

#### A. Board Minutes for December 5, 2024

The Board reviewed minutes from December 5, 2024. A motion was made and seconded to accept the minutes as given. With no further discussion and with no public comments, the motion passed unanimously by voice vote.

#### IV. FINANCIAL MATTERS & CONTRACTS

##### A. Financial Reports – November & December ‘24

Mr. Granier presented the financial reports for the months of November and December ‘24 for review by the Board. Mr. Granier informed the Board that all financial matters are in order, with no unexpected expenditures. There were no questions regarding financial reports reviewed by the Board members. A motion was made and seconded to accept the financial reports as presented. With no further discussion and with no public comments, the motion passed unanimously by voice vote.

##### B. Investments, CDs – FY 2025

Mr. Granier reviewed figures for accrued interest amounts and total investments for current certificates of deposit (CDs) for FY2025. CDs will continue to roll over as they mature unless withdrawal is requested from the Board by Mr Granier. It was reported that the capitalized interest earned continue to be reinvested into new CDs. CPA will account for total capitalized interest in the final report at the end of FY2025. No motion made, and no further action was taken or needed on this matter.

##### C. LDAF Lease Contract Renewal

Mr. Granier reported that its current lease is being renewed with the Louisiana Department of Agriculture & Forestry for the optional term of 05-15-2025 to 05-14-2030. No motion made, and no further action was taken on this matter.

#### V. STATUTES, RULES, POLICIES & PROCEDURES

##### A. Rulemaking Projects, Proposals, & Discussions

###### 1. LAC 46LXXXV.700, 701, 702, 704, 705, 707, & 712

###### Chapter 7 - Veterinary Practice

Mr. Granier reported that the Final Rule will be promulgated in the Louisiana Register, February edition, effective February 20<sup>th</sup>, 2025. No motion made, and no further action was taken on this matter.

###### 2. LAC 46LXXXV.301, 801, & 1201

###### Licensing Procedures

Mr. Granier informed the Board that following the publication of the Notice of Intent in the *2024 Louisiana Register*, Volume 50, December 20<sup>th</sup> edition along with the First Report submitted on on December 5<sup>th</sup> to the Senate and House Legislative Oversight Committees on Agriculture, Forestry, Aquaculture, and Rural Development and to the Governor’s Office, the Notice of Intent will be submitted in late-February ‘25 to the Department of Justice’s Occupational Licensing Review Program (OLRP) for review. No motion made, and no further action was taken or needed on this matter.

Mr. Steve Vogt made a statement concerning the policies and procedures for answering formal declaratory statements, informal practice queries and consent agenda items.

##### ***Notice Concerning Informal Practice Queries & Formal Declaratory Statements –***

*Declaratory statements are formal opinions rendered by the Board and are denoted as such. They are clarifications of an issue arising under the Board’s regulatory authorities made after a formal petition by a licensee and have the effect of law until modified by subsequent Board decision or the promulgation of a contrary Rule. Declaratory Statements apply to the particular factual circumstances presented to the Board by the petitioning licensee with the information required under Rule 1423.*

*Responses to Informal Practice Queries provided by general counsel are provisional and require subsequent Board ratification or modification. They may be relied upon by the licensee posing the query until considered by the Board for ratification or modification. If modified, the licensee is directly informed of the terms of modification and is thereafter governed by the terms of the modification, which is published in the minutes of the following Board meeting. An Informal Practice Query decided by the Board will be published in the minutes adopted in the following meeting and applies to the licensee posing the query. It is informational as to the practice generally.*

*Both Declaratory Statements and Responses to Informal Practice Queries are limited to the factual circumstances presented to the Board and the regulatory authorities considered.*

## **B. Policies and Procedures**

- 1. None at this time**

## **C. Declaratory Statements**

- 1. None at this time**

## **D. General Agenda**

- 1. Can the non-emergency anesthesia consent form be presented to the client upon admission into the hospital by a veterinary assistant or registered veterinary technician?**

The board received a practice query concerning the mandatory anesthesia consent form required by Board Rule (Rule 1039) - can a non-veterinarian present the form to the client for signature and effective consent? The Board noted that Rule 1039 contains purely administrative duties mixed with professional duties. It requires in a non-emergency scenario that a "...licensed veterinarian shall have the owner...execute an anesthesia consent form...". Content of the mandatory form includes affirmation, inter alia, that "...the owner or authorized agent has been advised as to the nature of the procedures and the risks involved in performing anesthesia..." (subpart B.5). The Board decided that a non-veterinarian may have the client/authorized agent execute the consent form provided the nature of the procedure and inherent risks associated with the use of anesthesia are disclosed on the form AND a licensed veterinarian is on the premises should the client have follow up questions to effect informed consent.

## **E. Consent Agenda Opinions – Answered**

- 1. Is written request needed from parish, animal shelter, or animal control officer etc if records requested as a result of a dog fight**

A practicing veterinarian asked the board about the regulatory propriety of providing an animal control officer, upon oral request, with the records of a patient without consent of the owner, where the patient had surgery and had been involved in a subsequent dog fight. The Board advised that neither an oral or written request for records suffices in such a situation. Records of a patient and the information therein are confidential and cannot be released to a third party absent consent from the owner or his authorized agent UNLESS the records have been the object of a valid subpoena issued by a court of competent jurisdiction or their release is otherwise required by law, as per Board Rule and the AVMA Principles of Veterinary Medical Ethics.

**2. RVT provide rehabilitation services without DVM on staff to patients already diagnosed by DVM**

A lay person asked the Board about the regulatory propriety of having a business providing rehabilitation services for patients whose attending licensed veterinarian had previously made a diagnosis and no licensed veterinarian was on staff. She was advised that this business model and the proposed activities were unlawful as the unauthorized practice of veterinary medicine. Any person providing such services must either be employed by a licensed veterinarian and under supervision or be regulated by another regulatory board and provide those services on order of the licensed veterinarian who has established the VCPR, issued an order for the services, has obtained the client's informed consent, keeps records and is on premises to supervise the layperson's providing such services (See Rules 712 and 702 for additional requirements)

**3. What do I have to do to appeal to take the NAVLE for a 6th time?**

An individual who had taken the NAVLE exam and did not have a passing score asked about the appeal of the application of Rule 303.7, which allows an applicant for a veterinary license to sit for the NAVLE a maximum of 5 times. The person posing the query was advised that she had not been subject of a board decision as an individual and there was no ruling as such to appeal. The Board did advise, however, that in similar circumstances the Board has declined not to enforce Rule 303.7 when the applicant applies to take the NAVLE under Louisiana jurisdiction.

**F. Consent Agenda Opinions – Proposed**

**1. None at this time**

**G. Consent Agenda Opinions - Expedited / Emergency Opinions**

**1. None at this time**

**H. Relevant Legislation Enacted - Requires Board Action**

**1. Welcome Home Act Report – due March '25**

Mr. Granier informed the Board of the report by all occupational licensing boards due to the Governor's Office regarding the Act No. 253 (the "Welcome Home Act") by the end of February 2025. No motion made, and no further action was taken or needed on this matter.

**VI. MISCELLANEOUS MATTERS**

**A. New Licenses and Certificates Issued –11/20 to 01/28**

Mr. Granier reported all new licenses and certificates issued - 23 total listed below - from 11/20/24 to 01/28/25. A motion was made and seconded to accept and ratify all issued licenses, registrations, and certificates as given. With no further discussion and with no public comments, the motion passed unanimously by voice vote. *{List of all new licenses and certificates issued can be found at the end of this document.}*

**B. Office Updates – Applications, Active Licensees, Complaints**

Mr. Granier reported to the Board statistics on applications, complaints, continuing education review requests, and the current renewal cycle from 11/20/24 to 01/28/25. No motion made and no further action was taken on this matter. *{All statistics reported can be found at the end of this document.}*

**C. Migration Update for Licensing Management Software, TC 2.0 version**

Mr. Granier reported on the status of the Board office's migration into an updated version of its current license management software, which includes the Application and License Portals. The migration will be taking place in late-February which will temporarily shut down access to the Application and License Portals. The office expects to re-open access to the portals for applicants and licensees in mid-March. Once re-opened users will be able to make payment for application fees and renewal fees by credit card and by the new ACH payment method. No motion made, and no further action was taken or needed on this matter.

**D. HPFLA – Mid-Year Report of Services**

Mr. Felix Vanderlick from the Healthcare Professionals' Foundation of Louisiana presented an abbreviated report to the Board on the current overall services being provided to licensees by HPFLA. A full report will be presented to the Board at its June '25 meeting. No motion made, and no further action was taken or needed on this matter.

**E. AAVSB Executive Director's Summit and Board Basics & Beyond Training – March 26<sup>th</sup> - 27<sup>th</sup> and March 28<sup>th</sup> - 29<sup>th</sup>, respectively**

Mr. Granier requested approval to have Ms. Mackenzie Mayers, Administrative Assistant, attend the Board Basics & Beyond training in Kansas City from March 28<sup>th</sup> & 29<sup>th</sup>. A motion was made and seconded to approve the training attendance. With no further discussion and with no public comments, the motion passed unanimously by voice vote.

**F. CAET Training Course Schedule, February 14, 2025**

Mr. Granier reminded the Board of the CAET training scheduled for February 14, 2025 in New Orleans, Louisiana. He also reported that an online, on-demand training will be developed and available within the next 1-2 years for the written portion of the training. More details will be provided as the process is developed further. No motion made, and no further action was taken or needed on this matter.

**G. NAVLE & VTNE Winter '24 Testing Results w/ Historical Comparison**

Mr. Granier reported the test results for the NAVLE and VTNE examinations in the fall window testing window. The results were only reflective of those scores sent to the Board by testing candidates. No motion made, and no further action was taken or needed on this matter. *{The reported exam results can be found at the end of this document.}*

**H. AAVSB Bylaws Amendments Proposed by KY Board of Veterinary Examiners**

Mr. Granier presented to the Board AAVSB Bylaws amendments being proposed by the Kentucky Board of Veterinary examiners. These amendments will be presented to and voted on by the full Assembly of Delegates at the 2025 Annual AAVSB Conference in September '25. Legal counsel will present his opinion to the Board on the proposed amendments. No motion made, and no further action was taken or needed on this matter.

**VII. CONTINUING EDUCATION ISSUES**

**Database/Website Update**

Mr. Granier informed the Board of a newly designed, dynamic, searchable database of continuing education activity pre-approved by the LBVM, with a new feature which allows sponsors to include a document (i.e.– a flyer or itinerary/schedule, etc) for the activity which can be viewed and downloaded by possible attendees. The new

searchable continuing education database is available for licensees on the Board's website at [www.lsbvm.org/ce-opportunities](http://www.lsbvm.org/ce-opportunities); although, the documentation for CE activities will only be available for those activities that receive pre-approval starting February 1, 2025. No motion made, and no further action was taken or needed on this matter.

A motion was made and seconded to go into executive session to discuss confidential matters regarding licensees, applicants, and administrative hearings not subject to public disclosure in accordance with Louisiana open meetings law. The motion passed unanimously by roll call vote.

All votes noted for the following agenda items in executive session were made at the end of discussions and out of executive session.

## **VIII. ADMINISTRATIVE HEARINGS**

### **A. None at this time**

## **IX. LICENSING ISSUES**

### **A. None at this time**

## **X. APPLICANT ISSUES**

### **A. Wesley Burnside, DVM - Waiver Request of NAVLE Retake**

The Board reviewed supplemental documentation submitted with the application for licensure from Dr. Burnside. A motion was made outside of executive session to approve the requested waiver of the national exam retake requirement as the documents provided supported the waiver criteria for the required period of time immediately. With no further discussion and with no public comments, the motion passed unanimously by voice vote.

### **B. Matthew Patterson, DVM – Waiver Request of NAVLE Retake**

The Board reviewed supplemental documentation submitted with the application for licensure from Dr. Patterson. A motion was made outside of executive session to approve the requested waiver of the national exam retake requirement as the documents provided supported the waiver criteria for the required period of time immediately. With no further discussion and with no public comments, the motion passed unanimously by voice vote.

### **C. Benjamin Larson, DVM – Waiver Request of NAVLE Retake**

The Board reviewed supplemental documentation submitted with the application for licensure from Dr. Larson. A motion was made outside of executive session to approve the requested waiver of the national exam retake requirement as the documents provided supported the waiver criteria for the required period of time immediately. With no further discussion and with no public comments, the motion passed unanimously by voice vote.

### **D. Christopher Brown, DVM – Waiver Request of NAVLE Retake**

The Board reviewed supplemental documentation submitted with the application for licensure from Dr. Brown. A motion was made outside of executive session to approve the requested waiver of the national exam retake requirement as the documents provided supported the waiver criteria for the required period of time immediately. With no further discussion and with no public comments, the motion passed unanimously by voice vote.

**E. Ashley Wiese, DVM – Waiver Request of NAVLE Retake**

The Board reviewed supplemental documentation submitted with the application for licensure from Dr. Wiese. A motion was made outside of executive session to approve the requested waiver of the national exam retake requirement as the documents provided supported the waiver criteria for the required period of time immediately. With no further discussion and with no public comments, the motion passed unanimously by voice vote.

**F. Sara Lyle, DVM – Waiver Request of NAVLE Retake**

The Board reviewed supplemental documentation submitted with the application for licensure from Dr. Lyle. A motion was made outside of executive session to approve the requested waiver of the national exam retake requirement as the documents provided supported the waiver criteria for the required period of time immediately. With no further discussion and with no public comments, the motion passed unanimously by voice vote.

**G. Anita Russell, RVT – Waiver Request of VTNE Retake**

The Board reviewed supplemental documentation submitted with the application for licensure from Ms. Russell. A motion was made outside of executive session to approve the requested waiver of the national exam retake requirement as the documents provided supported the waiver criteria for the required period of time immediately. With no further discussion and with no public comments, the motion passed unanimously by voice vote.

*All votes noted for the licensing (IX.) and application (X.) agenda items given above in executive session were made at the end of discussion and out of executive session.*

**XI. EXECUTIVE SESSION**

**A. Update: Civil Litigation, LBVM vs. O. Nyzhnyk (Suit No. 2021-9164 A)**

The Board was briefed on the status of its suit against an individual practicing equine dentistry without a license as a veterinarian and outside the employment of a veterinarian by general counsel.

**B. Update: Civil Litigation, Pelican Institute vs. LBVM (Suit No. C-735730)**

The Board was briefed on the status of a civil suit filed against it on behalf of three DVMs who are/were licensed out of state and who either applied for a waiver of the requirement to retake the NAVLE or did not apply for licensure due to the Rule language adopted by the Board.

**C. Legal Strategy Discussion on Potential Litigations Against Non-Licensee Practice of Veterinary Medicine**

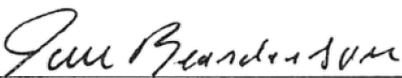
The board was briefed on the progress of several investigations of individuals alleging the practice of veterinary medicine without a license.

Upon conclusion of all administrative, licensing, and applicant discussions in executive session as well as discussions related to current and potential civil litigations, a motion was made and seconded to return to regular session. The motion was approved unanimously by voice vote. All votes and action taken related to administrative hearings, applicant issues, and licensee issues as noted above for each agenda item were made out of executive session.

**XII. ADJOURN**

There being no further business before the Board, a motion was made and seconded to adjourn. The

motion passed unanimously by voice vote. The meeting was adjourned at 12:54pm. Minutes reviewed and approved by full board on April 3, 2025.

  
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Jess Brandon, DVM, Board Secretary-Treasurer

**New Licenses Issued** from 11/20/24 to 01/28/25*23 total issued*

License No.	Name	Type	Issued On
10317	Russell, Laken	DVM - Active	12/02/2024
10321	Williams, Megan	DVM - Active	11/25/2024
10322	Morales Davila, Alexandra	DVM - Active	12/04/2024
10323	Carroll, Larkspur	DVM - Active	12/09/2024
10324	Kirsch, Bobbie	DVM - Active	12/11/2024
10325	Olah, Ethan	DVM - Active	12/16/2024
10326	Anderson, Paige	DVM - Active	12/23/2024
10327	Rutherford-Hardin, Kelli	DVM - Active	01/16/2025
10328	Reynolds, Joseph	DVM - Active	01/28/2025
10329	Stewart, N'Dea	DVM - Active	01/28/2025
10330	Dyson, Griffin	DVM - Active	01/28/2025
3079	Handy, Adam	DVM - Active	12/10/2024
20139	Jungjohann, Sierra	RVT - Active	11/21/2024
20140	LeBlanc, Jennifer	RVT - Active	11/25/2024
20141	Saizan, Brandi	RVT - Active	12/06/2024
20142	Burns, Connor	RVT - Active	12/11/2024
20143	Cole, Tamara	RVT - Active	12/16/2024
20144	LeJeune, Connor	RVT - Active	12/18/2024
20145	Sirgo, Shelby	RVT - Active	01/08/2025
20146	Perryman, Kendall	RVT - Active	01/15/2025
20147	Pfister, Morgan	RVT - Active	01/15/2025
20148	Naquin, Jade	RVT - Active	01/24/2025
20149	Trahan, Kelsey	RVT - Active	01/28/2025

NEW APPLICATIONS from 11/20/24 to 01/28/25			
Submitted Applications		Approved Applications	
Animal Euthanasia Technician	14	Animal Euthanasia Technician	0
Veterinarian	11	Veterinarian	11
Veterinarian - Faculty	0	Veterinarian - Faculty	0
Veterinary Technician	6	Veterinary Technician	10
<b>Grand Total</b>	<b>31</b>	<b>Grand Total</b>	<b>21</b>

Current Licensee Count	(as of 01/28)	Total # of <u>ACTIVE</u>
<b>CAETs</b>		<b>187</b>
CAET - Active - Full		165
CAET - Active - Lead		22
<b>DVMs</b>		<b>1,772</b>
DVM - Active		1,761
DVM - Inactive - Disabled		1
DVM - Inactive - Retired		10
DVM - Military - Active Status		0
<b>DVMs - Faculty</b>		<b>132</b>
DVM - Faculty - Active		132
<b>RVTs</b>		<b>374</b>
RVT - Active		374
<b>Grand Total</b>		<b>2,465</b>

COMPLAINTS			
<i>From 11/20/24 to 01/28/25</i>		<i>Still On-Going / Active</i>	
Complaints Received	7	Pending Cases (licensees)	12
Complaints Closed	6	Pending Cases (non-licensees)	6
Consent Orders Issued	0	Consent Orders	0
Consent Orders Closed	0	HPFLA Referrals (new & on-going)	6
Other Negative Actions *	19	Other Negative Actions *	0
* Other negative actions include, formal reprimands, informal reprimands, cease and desist notices, etc.			

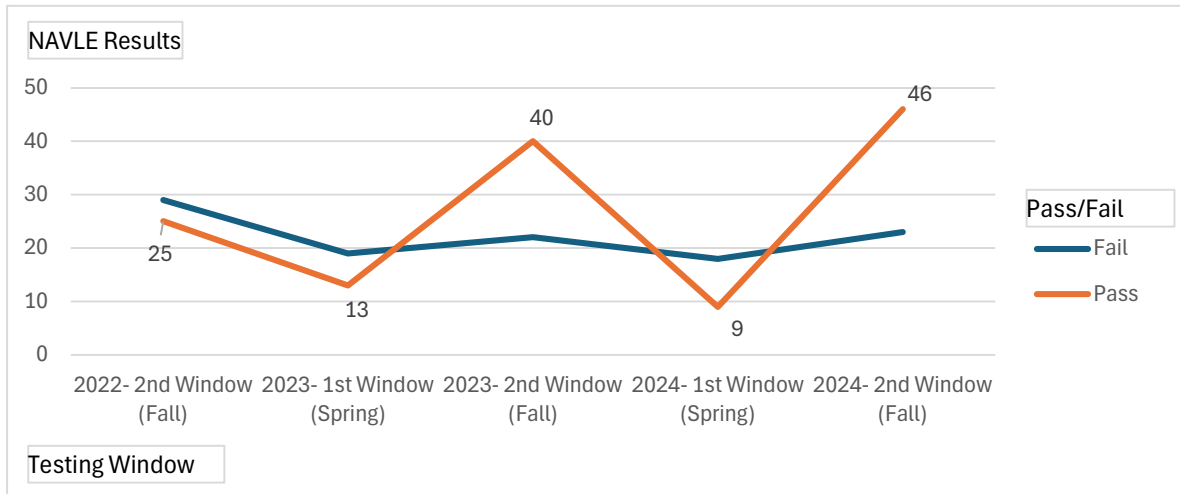
#### CONTINUING EDUCATION REVIEWS & APPROVALS

*From 11/20/24 to 01/28/25*

*19 CE activity requests were  
approved for the '24-'25 CE period.*

## National Exam Test Results – (reflects only those scores sent to LBVM)

NAVLE Results				
Testing Windows	Fail	Pass	Total	Pass Rate
2022- 2nd Window (Fall)	29	25	54	46%
2023- 1st Window (Spring)	19	13	32	41%
2023- 2nd Window (Fall)	22	40	62	65%
2024- 1st Window (Spring)	18	9	27	33%
2024- 2nd Window (Fall)	23	46	69	67%
<b>Total</b>	<b>111</b>	<b>133</b>	<b>244</b>	



VTNE Results				
Testing Windows	Fail	Pass	Total	Pass Rate
2022- 2nd Window (Summer)	8	12	20	60%
2022- 3rd Window (Winter)	17	13	30	43%
2023- 1st Window (Spring)	3	3	6	50%
2023- 2nd Window (Summer)	16	20	36	56%
2023- 3rd Window (Winter)	15	9	24	38%
2024- 1st Window (Spring)	7	6	13	46%
2024- 2nd Window (Summer)	19	19	38	50%
2024- 3rd Window (Winter)	18	10	28	36%
<b>Total</b>	<b>103</b>	<b>92</b>	<b>195</b>	

