ALABAMA STATE BOARD OF
VETERINARY MEDICAL EXAMINERS
8 Commerce Street – Ste 910
Montgomery, AL 36104

MINUTES
Board Meeting
Tuesday July 8th, 2014

The Alabama State Board of Veterinary Medical Examiners met Tuesday July 8th, 2014 at the Board Office in Montgomery, Alabama in order to conduct business.

11:12 a.m. Meeting was called to order by the President Dr. Robert E. Pitman with the following members in attendance: Dr. Sam Eidt, Ms. Debbie Whitten, Mrs. Nancy Pett, Dr. Robert Martin, Dr. Patrick Trotter, Dr. Thomas C. Branch and Dr. Mickey Golden. Also in attendance were Tammy S. Cargile, Executive Director, Mark G. Montiel, Boards Legal Counsel and Jordan Speake, Mr. Montiel's Associate
**A Quorum is present, copy of meeting publication attached.*

Mrs. Nancy Pett served as Parliamentarian over this meeting.

Guest present were: Mr. Pett

The meeting was advertised on the Board's web site, www.asbvme.alabama.gov, and on the Secretary of State's web site, www.sos.alabama.gov, in compliance with the Alabama Open Meetings Act.

Roll Call

Dr. Robert Pitman – In Attendance
Dr. Sam Eidt – In Attendance
Dr. Patrick Trotter – In Attendance
Ms. Debbie Whitten – In Attendance
Mrs. Nancy Pett – In Attendance
Dr. Robert Martin – In Attendance
Dr. Thomas C. Branch – In Attendance
Dr. Mickey Golden – In Attendance

ASBVME – Report Review

Minutes - May, 2014

(Exhibit 1)

Dr. Eidt made a motion to accept the minutes as presented.

Dr. Branch seconded the motion and it passed unanimously.

**Dr. Eidt took over the Board Meeting for the approval of the June 11th, 2014 ASBVME Board Meeting Minutes.*

Minutes - June 11th, 2014 (Exhibit 2)

Dr. Branch made a motion to amend and accept the June 11th, 2014 ASBVME Board Meeting Minutes.

Ms. Whitten seconded the motion and it passed unanimously.
**With Dr. Robert Pitman recusing himself from voting on this motion.*

Financial Report - June, 2014 (Exhibit 3)

Ms. Whitten made a motion to accept the Financial Report as presented

Mrs. Pett seconded the motion and it passed unanimously.

Agenda - April 2nd, 2014 (Exhibit 4)

Dr. Eidt made a motion to approve the Agenda for July 8th, 2014 as presented.

Dr. Trotter seconded the motion and it passed unanimously.

ASBVME – Business

**Mr. Montiel, the Board's Legal Counsel advised the ASBVME Board that to be in accordance with the Code of Alabama 1975, Open Meetings Act. Section 36-25A-7 that the Board needed to enter into Executive Session to discuss Complaint Cases.*

11:31 a.m. Mrs. Pett made a motion to enter into Executive Session to discuss Complaint Cases until approximately 12:10 p.m.

Dr. Eidt seconded the motion and a roll call vote was called for by Dr. Robert Pitman, President.

Dr. Sam Eidt – Yea
Dr. Patrick Trotter – Yea
Ms. Debbie Whitten – Yea

Dr. Robert Martin - Yea
Dr. Thomas C. Branch – Yea
Dr. Mickey Golden - Yea
Mrs. Nancy Pett – Yea
Dr. Robert E. Pitman – Yea

12:08 p.m. Dr. Eidt made a motion to retire from Executive Session.

Dr. Martin seconded the motion and it was unanimously approved by the Board.

The following **Complaint Case** was presented for resolution:

Case: # 13-REP-654*
* Filed by Case # in the Complaint Files.

Dr. Pitman presented this case for resolution, back at the May 27th, 2014 ASBVME Board Meeting. Dr. Pitman brought to the Board's attention that Dr. "D", has since decided to refuse the Consent Agreement in which the ASBVME Board voted on at the May 27th, 2014 Board Meeting, and Dr. "D" has now obtained the services of legal counsel and Dr. "D's" legal counsel is asking for verbiage in the Consent Agreement to be changed and the fines to be reduced. Dr. Pitman is recommending that the Board stick to the verbiage and fines in which was previously agreed to by the Board and Dr. "D". If Dr. "D" and his/her legal counsel does not agree with the Board then Mr. Montiel is to bring Formal Charges and proceed with and Administrative Hearing.

Dr. Eidt made a motion to accept Dr. Pitman's recommendation regarding Dr. "D".

Dr. Branch seconded the motion and it was unanimously approved by the Board.

**Mr. Montiel, the Board's Legal Counsel advised the ASBVME Board that to be in accordance with the Code of Alabama 1975, Open Meetings Act. Section 36-25A-7 that the Board needed to enter into Executive Session to discuss Complaint Cases.*

12:11 p.m. Dr. Branch made a motion to enter into Executive Session to discuss legal matters until approximately 2:12 p.m.

Dr. Trotter seconded the motion and a roll call vote was called for by Dr. Sam Eidt, Vice-President.

Dr. Sam Eidt – Yea
Dr. Patrick Trotter – Yea
Ms. Debbie Whitten – Yea
Dr. Robert Martin – Yea
Dr. Thomas Branch – Yea
Dr. Mickey Golden – Yea
Mrs. Nancy Pett – Yea

**Dr. Robert Pitman, recused himself from voting and from this Executive Session. Ms. Cargile, Mr. Montiel, and Ms. Speake recused themselves from this Executive Session.*

2:12 p.m. Mrs. Pett made a motion to retire from Executive Session.

Ms. Whitten seconded the motion and it was unanimously approved by, Drs. Eidt, Trotter, Martin, Branch, Golden, Mrs. Pett and Ms. Whitten.

Dr. Branch made a motion to accept the Final Order as the ASBVME Board has prepared it.

Dr. Trotter seconded the motion and a roll call vote was called for;

Ms. Whitten - Yea
Dr. Trotter – Yea
Dr. Martin – Yea
Dr. Branch – Yea
Dr. Golden – Yea
Mrs. Pett – Yea
Dr. Eidt – Yea

**Dr. Pitman recused himself from voting on this motion.*

**Mr. Montiel, the Board's Legal Counsel advised the ASBVME Board that to be in accordance with the Code of Alabama 1975, Open Meetings Act. Section 36-25A-7 that the Board needed to enter into Executive Session to discuss Complaint Cases.*

2:32 p.m. Ms. Whitten made a motion to enter into Executive Session to finish discussing Complaint Cases until approximately 3:32 p.m.

Dr. Branch seconded the motion and a roll call vote was called for by Dr. Robert Pitman, President.

Dr. Sam Eidt – Yea
Dr. Patrick Trotter – Yea
Ms. Debbie Whitten – Yea
Dr. Robert Martin – Yea
Dr. Thomas Branch – Yea
Dr. Mickey Golden – Yea
Mrs. Nancy Pett – Yea

3:22 p.m. Mrs. Pett made a motion to retire from Executive Session.

Ms. Whitten seconded the motion and it was unanimously approved by the Board.

The following **Complaint Cases** was presented for resolution:

Case: # 14-REM-676*
* Filed by Case # in the Complaint Files.

Dr. Martin presented this case for resolution. Dr. Martin reviewed this case, and found that this Board has no jurisdiction in this complaint case, and recommends dismissal with no further action by this Board.

Dr. Branch made a motion to accept Dr. Martin's recommendation for dismissal of this case with no further action to be taken by this Board.

Mrs. Pett seconded the motion and it was unanimously approved by the Board.

Case: # 14-REM-667*
* Filed by Case # in the Complaint Files.

Dr. Martin presented this case for resolution. Dr. Martin reviewed this case, and found that this Board has no jurisdiction in this complaint case, and recommends dismissal with no further action by this Board.

Dr. Eidt made a motion to accept Dr. Martin's recommendation for dismissal of this case with no further action to be taken by this Board.

Ms. Whitten seconded the motion and it was unanimously approved by the Board.

Case: # 14-REM-662*
* Filed by Case # in the Complaint Files.

Dr. Martin presented this case for resolution. Dr. Martin reviewed this case, and found that Dr. "A" did not breach the standard of care nor were there any violations to the Practice Act. Dr. Martin recommends dismissing this case against Dr. "A", with no further actions to be taken.

Dr. Branch made a motion to accept Dr. Martin's recommendation to dismiss this case with no further action to be taken by this Board.

Dr. Eidt seconded the motion and it was unanimously approved by the Board.

Case: # 14-PNT-660*
* Filed by Case # in the Complaint Files.

Dr. Trotter presented this case for resolution. Dr. Trotter reviewed this case, and found that Dr. "E" did not breach the standard of care nor were there any violations to the Practice Act. Dr. Trotter recommends dismissal with no further action by this Board.

Ms. Whitten made a motion to accept Dr. Trotter's recommendation to dismiss this case with no further action by this Board.

Dr. Eidt seconded the motion and it was unanimously approved by this Board.

Case: # 14-PNT-668*
* Filed by Case # in the Complaint Files.

Dr. Trotter presented this case for resolution. Dr. Trotter reviewed this case, and found that Dr. "F" did indeed breach the standard of care by not doing bloodwork on canine patient. Dr. Trotter is recommending a Consent Agreement, Private Reprimand and a $500.00 Administrative Fine. Along with the Consent Agreement Dr. Trotter wants a Letter of Concern to be sent to Dr. "F" stating that in the future bloodwork needs to be performed on patients, especially geriatric patients, when amikasin and gentamicin is given.

Dr. Martin made a motion to accept Dr. Trotter's recommendation for the Consent Agreement, Private Reprimand, and $500.00 Administrative Fine, along with the Letter of Concern to be given to Dr. "F".

Dr. Branch seconded the motion and it passed with a six to one vote.

Dr. Sam Eidt – Yea
Ms. Debbie Whitten – Yea
Dr. Robert Martin – Yea
Dr. Thomas C. Branch – Yea
Dr. Mickey Golden – Yea
Mrs. Nancy Pett – No
Dr. Robert Pitman – Yea

Case: # 14-PNT-671*
* Filed by Case # in the Complaint Files.

Dr. Trotter presented this case for resolution. Dr. Trotter reviewed this case, and found that Dr. "G" did not breach the standard of care that was given to the patient, and that there was no violation to the Practice Act. Dr. Trotter recommends dismissal with no further action to be taken by this Board.

Dr. Edit made a motion to accept Dr. Trotter's recommendation that this case be dismissed with no further action to be taken by this Board.

Mrs. Pett seconded the motion and it was unanimously approved by the Board.

Case: # 14-TCB-661
* Filed by Case # in the Complaint Files.

Dr. Branch presented this case for resolution. Dr. Branch reviewed this case, and found that there were violations to the Practice Act, with unlicensed assistants euthanizing animals when the DVM or LVT were not on the Premises. DVM was not aware of the violations to the Practice Act, and is making sure that the facility is being permitted as a RAEF, and that the unlicensed individuals are receiving CET Certification, to become in compliance. Dr. Branch is recommending at this time a Letter of Concern regarding what an unlicensed assistant is and is not able to do by Alabama Law. This Board is to assist the RAEF & CET's to come into compliance.

Examiner Newsletter Articles

Dr. Pitman discussed the next issue of the Examiner Newsletter going out to all licensees in August, and the following Board Members will write articles pertaining to the topics beside their name;

Dr. Robert Pitman – Article from the President
Mrs. Nancy Pett – Client Communication
Ms. Debbie Whitten – CET Certification
Dr. Robert Martin – Sample Complaint Cases
Dr. Sam Eidt – R.A.C.E. & C. E. Approval
Ms. Tammy Cargile – to place information regarding "Tramadol" now being a controlled substance.

Ms. Cargile will also email all Board Members and ask for articles from each one to place into the ASBVME Newsletter.

ASBVME Information Only

American Veterinary Medical Association - Accreditation status for VetAgro Sup l'Ecole Nationale des Services Veterinaires a Lyon **(Exhibit 5)**

Dr. Eidt made a motion to pay the Board and adjourn.

Ms. Whitten seconded the motion and it was unanimously approved by the Board.

4:00 p.m. Adjourn

Respectfully submitted,

Tammy S. Cargile
Executive Director

Robert E. Pitman, DVM
President