

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, July 6, 2023**

At 8:01 a.m., President Azure Holland, DVM, called to order the regular meeting of the North Carolina Veterinary Medical Board. This meeting was held at the Board office and virtually through Zoom. Board members present in person were Azure Holland, DVM; Michael Martin, DVM; Edward Faulkner, DVM; Ronald Komich, DVM; Susan Bull, DVM; Allen Cannedy, DVM; and Robin Lazaro, RVT. Also present in person were Tod J. Schadler, DVM, Executive Director, Keith West, Deputy Director; Board Attorney, Matthew Skidmore; Kim D. Gemeinhardt, DVM, President-Elect, American Association of Veterinary State Boards (AAVSB); Beth Venit, VMD, MPH, DACVPM, Chief Veterinary Officer, American Association of Veterinary State Boards (AAVSB); Joseph Jordan, PhD, CEO, NC Physician's Health Program (NCPHP); Loren Johnson, NCVMB Student Liaison; Shafarah Dixon, NCVMB Alternate Student Liaison; and Jennifer Shults, DVM, Legislative Chair, North Carolina Veterinary Medical Association (NCVMA).

The following guests were in attendance via Zoom: John McHugh, Director of State Legislature, American Society for the Prevention of Cruelty to Animals (ASPCA); Jon Carr, Attorney, North Carolina Veterinary Medical Association (NCVMA); Karyn Smith, DVM, Secretary/Treasurer,

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, July 6, 2023**

(NCVMA); Marguerite Gleason, DVM, President-Elect, (NCVMA); Dante Martin, DVM, (NCVMA); Steven Marks, DVM, Associate Dean, NC State College of Veterinary Medicine; Bob Saunders, Counsel for Humane Society of the Piedmont; Nathan Moyer, RVT; Shannon Nowak, BS, LVT, RVT, Secretary/Treasurer, North Carolina Association of Veterinary Technicians (NCAVT); Victor Blackburn; Mark Davidson; Kelly; Marc and April.

President Azure Holland, DVM reviewed for the Board the Governor's and the North Carolina Ethics Commission's statements on recognizing and avoiding conflicts of interest. She also reviewed G.S. § 90-179 of the North Carolina Veterinary Practice Act.

The May 11, 2023 Board meeting minutes were reviewed. Ronald Komich, DVM made a motion to accept minutes after corrections were made and Michael Martin, DVM seconded the motion. The motion passed unanimously.

New Business:

Azure Holland, DVM welcomed Beth Venit, VMD, MPH, DACVPM, Chief Veterinary Officer (AAVSB) and Kim D. Gemeinhardt, DVM,

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, July 6, 2023**

President-Elect (AAVSB). Dr. Venit presented information on the Veterinary Information Verifying Agency (VIVA) database and its benefit to all state boards.

North Carolina Professional Health Program (NCPHP) Report:

Joseph Jordan, PhD presented his report in person and gave an update on the North Carolina Professional Health Program.

RVT Committee Report:

The RVT Committee made a motion to make a policy change allowing North Carolina Veterinary Technician students to take the VTNE before graduating and Allen Cannedy, DVM seconded the motion. The motion passed unanimously.

State Veterinarian's Report:

Michael Martin, DVM gave an update on the status of Avian Influenza. Dr. Martin stated there have been no new positive cases since May 17, 2023. He stated that out of the 836 positive cases in North Carolina, most of them were backyard flocks and discussed the roll out of the Avian Influenza vaccination being given to wild black vultures. Dr. Martin also updated the

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, July 6, 2023**

Board on the Equine Infectious Anemia cases in North Carolina and gave an update on the African Swine Fever. Dr. Martin gave an update on the outbreak of Equine Herpesvirus in a facility in Virginia. He stated there were horses attending the show from North Carolina; however, none became infected.

Facility Inspection Report:

Deputy Director Keith West reported that there have been 137 inspections since the last meeting. Marjorie McFetridge, DVM, performed 22 inspections, Kelly Jeffer, DVM, performed 48 inspections, Nicolette Peer, DVM, performed 45 inspections, and Andrew Horne, DVM performed 22 inspections. There were no serious violations issued.

Mr. West also discussed that once the Board begins inspecting boarding facilities, a new Inspector would be needed. A motion was made by Michael Martin, DVM to hire a new Inspector and was seconded by Robin Lazaro, RVT. The motion passed unanimously.

Attorney's Report:

Mr. Skidmore reported that 15 disposition letters were completed and there are currently 12 in the new batch.

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, July 6, 2023**

Student Liaison Report:

Loren Johnson, NCVMB Student Liaison, introduced herself and updated the Board on the recent success of “Day of Giving” which generated \$9 million in new funding for scholarships, a new equine hospital, pet assistance funds, etc. Ms. Johnson also updated the Board on a recent tuition increase for residents and non-residents. Shafarah Dixon introduced herself to the Board as the new Alternate NCVMB Student Liaison.

American Association of Veterinary State Boards (AAVSB) Report:

Ronald Komich, DVM reported the deadline for nominations was June 1, 2023. Dr. Komich stated interviews are now being scheduled.

Executive Director’s Report:

Tod J. Schadler, DVM Executive Director presented the status report of the number of active Veterinarians and Registered Veterinary Technicians and reviewed the NCVMB’s finances and accounts.

At 9:04 a.m., the board took a break and reconvened at 9:20 a.m.

Legislative Update:

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, July 6, 2023**

Deputy Director Keith West reported that Senate Bill 135 – Registered Veterinary Technician Modification was enrolled and will become effective December 1, 2023. House Bill 190 – Department of Health and Human Services Revisions was ratified and the section requiring veterinarians to report dispensing of Gabapentin will become effective March 1, 2025. Senate Bill 582 – North Carolina Farm Act of 2023 was ratified on June 27, 2023.

Deputy Director Keith West presented to the Board the Rules for Continuing Education as submitted to the Office of Administrative Hearings (OAH). With consideration given to the public comments received, the Board edited the Rule for continuing education to return to 20 hours instead of reducing to 15 hours.

At 10:32 a.m., the board took a break to revise the Rule and reconvened at 10:51 a.m.

Michael Martin, DVM made a motion to approve the Rule as edited and the motion was seconded by Susan Bull, DVM. The motion passed four to one with Allen Cannedy, DVM opposing and Edward Faulkner, DVM recusing himself in accordance with GS 138A-36(c). A motion was made by Susan Bull, DVM to submit the Rule to the Rule Review Commission (RRC)

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, July 6, 2023**

and the motion was seconded by Ronald Komich, DVM. The motion passed four to one with Allen Cannedy, DVM opposing and Edward Faulkner, DVM recusing himself in accordance with GS 138A-36(c).

Deputy Director Keith West presented to the Board the Rules for Veterinary Facility Permits as submitted to the Office of Administrative Hearings (OAH). Susan Bull, DVM gave a brief history of the reasons for needing this Rule.

Michael Martin, DVM made a motion to accept 21 NCAC 66 .0108 as submitted and seconded by Allen Cannedy, DVM. Edward Faulkner, DVM recusing himself in accordance with GS 138A-36(c). The motion passed unanimously. Michael Martin, DVM made a motion to accept 21 NCAC 66 .0901 as submitted and seconded by Robin Lazaro, RVT. Edward Faulkner, DVM recusing himself in accordance with GS 138A-36(c). The motion passed unanimously. The Board reviewed 21 NCAC 66 .0902 as edited by the Legislative Committee. Additional edits were requested by the Board based on public comment. 21 NCAC 66 .0903 was presented to the Board with edits based on public comment. Michael Martin, DVM made a motion to accept 21 NCAC 66 .0903 as edited and seconded by Robin Lazaro, RVT. Edward Faulkner, DVM recusing himself in accordance with GS 138A-36(c). The motion passed unanimously.

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, July 6, 2023**

At 11:46 a.m., the board took a break to edit 21 NCAC 66 .0902 and reconvened at 12:10.

Michael Martin, DVM made a motion to accept 21 NCAC 66 .0902 as edited and seconded by Ronald Komich, DVM. Edward Faulkner, DVM recusing himself in accordance with GS 138A-36(c). The motion passed unanimously. Michael Martin, DVM made a motion to accept 21 NCAC 66 .0904 as submitted and seconded by Susan Bull, DVM. Edward Faulkner, DVM recusing himself in accordance with GS 138A-36(c). The motion passed unanimously. Michael Martin, DVM made a motion to accept 21 NCAC 66 .0905 as submitted and seconded by Susan Bull, DVM. Edward Faulkner, DVM recusing himself in accordance with GS 138A-36(c). The motion passed unanimously. Susan Bull, DVM made a motion to submit the Rules 21 NCAC 66 .0108, .0901, .0904, .0905, .0902 as edited and .0903 as edited to the Rules Review Commission (RRC) and the motion was seconded by Michael Martin, DVM. Edward Faulkner, DVM recused himself in accordance with GS 138A-36(c). The motion passed unanimously.

Proposed PAVE for RVTs Language was edited to read: 90.181. Definitions (10) Veterinary technician – Either of the following persons: (a.) An individual who has successfully completed a post-high school course in the care and treatment of animals that conforms to the standards required for

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, July 6, 2023**

accreditation by the American Veterinary Medical Association Committee on Veterinary Technician Education and Activities and who is registered with the Board as a veterinary technician. (b.) An individual from a graduate of an international veterinary technician program not accredited by the American Veterinary Medical Association Committee on Veterinary Technician Education and Activities (AVMA CVTEA) may not be considered by the Board until the applicant furnishes satisfactory proof of graduation and of successful completion of the certification program developed and administered by the Program for the Assessment of Veterinary Education Equivalence (PAVE) of the American Association of Veterinary State Boards. The certification program shall include examinations with respect to clinical proficiency and comprehension of and ability to communicate in the English language. (c.) An individual who holds a degree in veterinary medicine from a college of veterinary medicine recognized by the Board for licensure of veterinarians and who is registered with the Board as a veterinary technician. A motion was made by Michael Martin, DVM to accept the proposed language and seconded by Robin Lazaro, RVT. The motion was approved unanimously.

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, July 6, 2023**

Susan Bull, DVM read into the minutes the decisions from Committee on Investigation No. 8.

Report of Committee on Investigations No. 11

- a. 2023019-11 – Dismissed, No Probable Cause
- b. 2023023-11 – Letter of Reprimand
- c. 2023025-11 – Dismissed, No Probable Cause
- d. 2023028-11 – Letter of Caution
- e. 2023032-11 – Dismissed, No Probable Cause

Ronald Komich, DVM made a motion, seconded by Michael Martin, DVM, to approve the report from Committee on Investigations No. 11. The report from Committee 11 was approved unanimously.

Robin Lazaro, RVT read into the minutes the decisions from Committee on Investigation No. 10.

Report of Committee on Investigations No. 10

- a. 2023020-10 – Letter of Caution
2023020-10 – Dismissed, No Probable Cause
- b. 2023026-10 – Dismissed, No Probable Cause
- c. 2023027-10 - Dismissed, No Probable Cause
- d. 2023029-10 – Dismissed, No Probable Cause
- e. 2023031-10 – Dismissed, No Probable Cause

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, July 6, 2023**

2023031-10 – Dismissed, No Probable Cause

Susan Bull, DVM made a motion, seconded by Allen Cannedy, DVM, to approve the report from Committee on Investigations No. 10. The report from Committee 10 was approved unanimously.

These decisions are preliminary and will not be final until the decision is accepted into the minutes, the decision is drafted by the Board Attorney and is approved by the Committee chair and then mailed to the licensee and complainant. In the case of a letter of reprimand, the licensee has 15 days from its receipt to reject it and request a hearing. If a rejection occurs, the case is returned to the Committee for review and action.

Other Business: None

Approval of Expenses:

Susan Bull, DVM made a motion to approve the Board's expenses, and it was seconded by Allen Cannedy, DVM. The expenses were approved unanimously.

**MINUTES, North Carolina Veterinary Medical Board
Raleigh, North Carolina, July 6, 2023**

The Board having no further business, a motion to adjourn made by Michael Martin, DVM, seconded by Robin Lazaro, RVT, passed unanimously. The meeting adjourned at 12:38 p.m.

Respectfully Submitted,

Tod J. Schadler, DVM
Executive Director