

**MINUTES**

**BOARD OF VETERINARY MEDICINE  
GENERAL BUSINESS MEETING**

**EMBASSY SUITES HOTEL  
1100 SE 17<sup>TH</sup> STREET,  
FT. LAUDERDALE, FL 33316**

**MARCH 14, 2006**

**CALL TO ORDER**

Dr. O'Neil called the meeting to order at 8:21 a.m.

**MEMBERS PRESENT**

Dr. Robert O'Neil,  
Dr. Sergio Vega,  
Dr. Joann Helm,  
Dr. Kandra Jones  
Dr. Katherine Horky  
Ms. Susan Love

**MEMBERS ABSENT**

Ms. Cynthia Lewis, Excused

**OTHERS PRESENT**

Jeffrey Jones, Board Counsel  
Drew Winters, Prosecuting Attorney  
Juanita Chastain, Executive Director  
Linda Tinsley, Government Analyst  
Official Reporting Service, 954.467.8204  
Edd M. Jordan, DVM  
Jeffrey Glass, Esq.  
Sharon Glass, DVM  
Stacie Lapinski, DVM  
Lidya Albano, DVM  
Scott D. Reid, DVM  
Donald W. Denoff, DVM  
Annette Poirier, DVM  
John P. Willie, DVM  
Phillip Aleong, DVM

Donald Schaefer, FVMA  
Richard Jaffe, DVM

## **APPROVAL OF DECEMBER 6, 2005 MEETING MINUTES**

Dr. Vega advised the board that he had a correction to the December 6, 2005 minutes. He stated that on page 8 the minutes do not indicate what the fine and costs were for Dr. Jaffe.

Ms. Tinsley stated that she would make the correction.

**MOTION:** Dr. Vega made a motion to approve the minutes as corrected.

**SECOND:** Dr. Horky seconded the motion and the motion passed unanimously.

## **DISCIPLINE**

### **Phillip J. Aleong: Case number 2003-093234**

Dr. Aleong was present at the meeting and was represented by counsel, Mr. Bradford J. Beilly. Dr. Aleong was sworn in by the court reporter.

Dr. Jones was recused due to her participation on the probable cause panel.

Dr. O'Neil recused himself from the case and stated that Dr. Vega would hear the case.

Mr. Jones advised the board that Dr. Aleong was before the board on a Motion for Waiver of Rights and Final Order. He stated that a notice was provided and a response time to respond to a complaint and Dr. Aleong did not respond within the response time allotted. He stated that his rights were waived and the board will move forward with the penalty phase.

Mr. Winters presented the case as a Motion for Waiver of Rights and Final Order. Mr. Winters advised the board that the case alleges one (1) violation. He stated that the violation alleges Respondent failed to keep contemporaneously written medical records as required by rule. Mr. Winters advised the board that on December 8, 2005 the Department successfully served the administrative complaint by certified mail to the Respondent at his address of record. He stated that based on the date of service the Respondent was required to respond to the administrative complaint within twenty one (21) days. He stated the Respondent failed to make an election of rights or request a hearing by the December 29, 2005 deadline. Mr. Winters advised the board that the Department received an election of rights and a request for a hearing on January 9, 2006. Mr. Winters

advised the board that the Department is requesting that the board find that the Respondent has waived his right to a hearing.

Mr. Beilley advised the board that he was responsible for responding to the administrative complaint and he was ten (10) days late in filing the response.

After discussion by the board the following motions were made.

**MOTION:** Dr. Helm made a motion to accept the Motion for Waiver of Rights and Final Order.

**SECOND:** Ms. Love seconded the motion and the motion passed unanimously.

**MOTION:** Dr. Helm made a motion to accept the findings of fact and conclusions of law.

**SECOND:** Ms. Love seconded the motion and the motion passed unanimously.

Mr. Jones advised the board that the case before the board was a records violation.

Mr. Winters advised the board that Dr. Aleong had a previous violation with the same charge.

After discussion by the board the following motion was made.

**MOTION:** Ms. Love made a motion to impose a thirty (30) day suspension, three thousand dollar (\$3000.00) fine, five hundred and forty two dollars and forty two cents (\$542.42) in costs, five (5) hours of continuing education in record keeping, and take and pass the laws and rules exam within six (6) months.

**SECOND:** Dr. Horky seconded the motion and the motion passed unanimously.

**Donald W. Denoff, DVM: Case number 2003-002806**

Dr. Denoff was present at the meeting and was represented by counsel, Mr. Edwin Bayo. Dr. Denoff was sworn in by the court reporter.

Dr. Jones was recused due to her participation on the probable cause panel.

Mr. Winters presented the case as a Motion for Waiver of Rights and Final Order.

Mr. Winters advised the board that the Respondent failed to respond to the administrative complaint within twenty one (21) days and the Department is requesting that the board find that the respondent has waived his right to a hearing by failing to respond within the twenty one (21) days as required.

**MOTION:** Dr. Helm made a motion to accept the Motion for Waiver of Rights and Final Order.

**SECOND:** Dr. Vega seconded the motion and the motion passed unanimously.

After discussion by the board the following motion was made.

**MOTION:** Dr. Helm made a motion to accept the findings of fact and conclusions of law.

**SECOND:** Ms. Love seconded the motion and the motion passed unanimously.

Mr. Winters advised the board the Department recommended that the board impose costs, continuing education in record keeping, and a fine of fifteen hundred dollars (\$1500.00).

After discussion by the board the following motion was made.

**MOTION:** Dr. Vega made a motion to impose a fifteen hundred dollar (\$1500.00) fine, six (6) months probation, one thousand four hundred and five dollars and fifty nine cents (\$1405.59) in costs, five (5) hours of continuing education in radiology and/or medical records to be pre-approved by the Chair.

**SECOND:** Dr. Helm seconded the motion and the motion passed unanimously.

Dr. Denoff asked the board if he could make payments.

Dr. O'Neil advised Dr. Denoff that he had ninety (90) days to pay the fine and costs.

**Douglas Dedrick, DVM: Case number 2003-039463**

The case was tabled until the June 14, 2006 meeting.

**Sharon Garson-Glass, DVM: Case number 2005-030491**

Dr. Glass was present at the meeting and was represented by counsel, Jeffrey Glass. Dr. Glass was sworn in by the court reporter.

Dr. Jones was recused due to her participation on the probable cause panel.

Mr. Winters presented the case as an Informal Hearing. Mr. Winters advised the board that the Respondent had been operating Family Pet Medical Center and provided veterinary medical services without a proper premise permit. Mr. Winters stated that the Department requested that the board adopt the findings of fact and conclusions found in the administrative complaint as the findings of fact and conclusions of law.

**MOTION:** Ms. Love made a motion to accept the findings of fact and conclusions of law.

**SECOND:** Dr. Helm seconded the motion and the motion passed unanimously.

After discussion by the board the following motion was made.

**MOTION:** Dr. Helm made a motion to impose a two thousand dollar (\$2000.00) fine, three hundred and sixty three dollars and eighty two cents (\$363.82) in costs and take and pass the laws and rules exam in forty five (45) days at her expense.

**SECOND:** Dr. Horky seconded the motion and the motion passed unanimously.

**Richard M. Jaffe, DVM: Case number 2005-023976**

Dr. Jaffe was present at the meeting and was not represented by counsel. He was sworn in by the court reporter.

Dr. Jones was recused due to her participation on the probable cause panel.

Mr. Winters presented the case as an Informal Hearing. Mr. Winters advised the board that the administrative complaint alleges that the Respondent was not able to produce the controlled substance log, locate the DEA certificate, drugs were not properly labeled, was not using radiation badges and not segregating expired drugs. Mr. Winters stated that the Department requested that the board adopt the findings of fact and conclusions found in the administrative complaint as the findings of fact and conclusions of law.

**MOTION:** Dr. Helm made a motion to accept the findings of fact and conclusions of law.

**SECOND:** Ms. Love seconded the motion and the motion passed unanimously.

After discussion by the board the following motion was made.

**MOTION:** Dr. Vega made a motion to impose a two thousand dollar (\$2000.00) fine, five hundred and eighty six dollars and ninety six cents (\$586.96) in costs, one (1) year probation, and pass the laws and rules exam within forty five (45) days at his own expense.

**SECOND:** Dr. Helm seconded the motion and the motion passed unanimously.

Dr. Jaffe asked the board for one (1) year to pay the fine and costs.

The board agreed that Dr. Jaffe had one (1) year to pay the fine and costs.

**Edd M. Jordan, DVM: Case number: 2003-077575**

Dr. Jordan was present at the meeting and was not represented by counsel. He was sworn in by the court reporter.

Dr. Jones was recused due to her participation on the probable cause panel.

Mr. Winters presented the case as an Informal Hearing. Mr. Winters advised the board that the administrative complaint alleges that the Respondent had a license acted against in another jurisdiction and failed to report to the board within thirty (30) days. Mr. Winters stated that the Department requested that the board adopt the findings of fact and conclusions of law found in the administrative complaint.

**MOTION:** Dr. Helm made a motion to accept the findings of fact and conclusions of law.

**SECOND:** Ms. Love seconded the motion and the motion passed unanimously.

After discussion by the board the following motion was made.

**MOTION:** Dr. Helm made a motion to impose two hundred and thirty five dollars and fourteen cents (\$235.14) in costs, read the Florida laws

and rules, and probation to run concurrent with his California probation.

**SECOND:** Dr. Vega seconded the motion and the motion passed unanimously.

**Marcus Kramer, DVM: Case number 2005-048496**

The case was continued until the June 14, 2006 meeting.

**Stacie Lapinski, DVM: Case number 2005-010181**

Dr. Lapinski was present at the meeting and was represented by counsel, Mr. Bryan Reynolds. Dr. Lapinski was sworn in by the court reporter.

Dr. Jones was recused due to her participation on the probable cause panel.

Mr. Winters presented the case as an Informal Hearing. Mr. Winters advised the board that the administrative complaint alleges that the Respondent negligently performed a routine hysterectomy and failed to keep adequate medical records. Mr. Winters stated that the Department requested that the board adopt the findings of fact and conclusions of law found in the administrative complaint.

**MOTION:** Dr. Helm made a motion to accept the findings of fact and conclusions of law.

**SECOND:** Dr. Horky seconded the motion and the motion passed unanimously.

After discussion by the board the following motion was made.

**MOTION:** Dr. Vega made a motion to impose a three thousand dollar (\$3000.00) fine, one thousand one hundred and sixty five dollars and twelve cents (\$1165.12) in costs and a reprimand.

**SECOND:** Dr. Helm seconded the motion and the motion passed unanimously.

Dr. Lapinski asked for more time to pay the fine and costs.

The board agreed Dr. Lapinski had two (2) years to pay the fine and costs.

**Greg Murray, DVM: Case numbers 2004-013582, 2002-01979**

Dr. Murray was present at the meeting and was represented by counsel, Mr. Wilson Jerry Foster. Dr. Murray was sworn in by the court reporter.

Dr. Judy Rivenbark from PRN was present at the meeting and was sworn in by the court reporter.

Dr. Jones was recused due to her participation on the probable cause panel.

Mr. Winters presented both cases as Informal Hearings. He advised the board that in case number 2004-013582 the administrative complaint alleges that the Respondent failed to properly perform a hysterectomy and failed to accurately indicate in the medical records the status of the animal's condition and failed to document the medication administered to the animal following surgery.

Mr. Winters advised the board that in case number 2002-01979 the administrative complaint alleges that the Respondent failed to properly perform a neuter and a declaw on a patient, failed to keep accurate medical records on the patient, and did not release medical records to the owner of the pet as required by rule of the board.

Mr. Winters stated that the Department requested that the board adopt the findings of fact and conclusions of law found in the administrative complaints for case number 2004-013582 and case number 2002-01979.

**MOTION:** Dr. Helm made a motion to accept the findings of fact and conclusions of law in case number 2004-013582 and case number 2002-01979

**SECOND:** Dr. Vega seconded the motion and the motion passed unanimously.

Mr. Foster advised the board that Dr. Rivenbark, from Professional Resource Network (PRN), was present to address Dr. Murray's request to terminate his probation and to be released from his contract with Professional Resource Network (PRN). Mr. Foster advised the board that the request to terminate his probation had been moved to the June 14, 2006 meeting.

After discussion by the board the following motion was made.

**MOTION:** Dr. Vega made a motion to impose a thirty five hundred dollar (\$3500.00) fine, one thousand five hundred and forty dollars and eight cents (\$1540.08) in costs and two (2) years probation.



**SECOND:** Ms. Love seconded the motion and the motion passed unanimously.

**Scott Reed, DVM: Case number 2005-059473**

Dr. Reed was present at the meeting and was represented by counsel, Mr. Edwin Bayo. Dr. Reed was sworn in by the court reporter.

Dr. Jones was recused due to her participation on the probable cause panel.

Mr. Winters presented the case as a Hearing Not Involving a Dispute of Material Fact. Mr. Winters advised the board that the administrative complaint alleges misconduct by the Respondent. The Respondent was issued an emergency suspension order pursuant to the Department's determination that a possible health safety and welfare issue had occurred. Mr. Winters advised the board that the Department was informed that the Respondent had been referred to the authority of the Professional Resource Network (PRN) to be evaluated in regards to his current status.

Dr. Rivenbark, from Professional Resource Network (PRN), advised the board that Dr. Reed was diagnosed with major depression and intermittent explosive disorder and some occupational problems. She stated that he has entered into a specialized contract with Professional Resource Network (PRN) where Dr. Reed will address those issues.

Mr. Bayo advised the board that Dr. Reed would not practice until Professional Resource Network (PRN) cleared him to practice.

Dr. Rivenbark stated that if Dr. Reed violates his contract he would immediately be turned over to the Department of Business and Professional Regulation.

Mr. Bayo stated that they were asking the board to enter into a Final Order that reinstates Dr. Reed's license, subject to the Professional Resource Network's (PRN) contract, and dismiss the case.

After discussion by the board the following motion was made.

**MOTION:** Dr. Helm made a motion to dismiss the emergency suspension order and let the order refer back to the fact that he is under contract with the Professional Resource Network as the basis for the dismissal.

**SECOND:** Dr. Vega seconded the motion and the motion passed.

Dr. O'Neil asked for a roll call. All were in favor with Ms. Love opposed.

**Drazen A. Mrse, DVM: Case number 2005-001435**

Dr. Mrse was present at the meeting and was not represented by counsel. He was sworn in by the court reporter.

Dr. Jones was recused due to her participation on the probable cause panel.

Mr. Winters presented the case as an Informal Hearing. Mr. Winters advised the board that the administrative complaint alleges that the Respondent failed to properly perform a spay procedure and failed to keep adequate medical records.

Mr. Winters stated that the Department requested that the board adopt the findings of fact and conclusions of law found in the administrative complaint.

**MOTION:** Ms. Love made a motion to accept the findings of fact and conclusions of law.

**SECOND:** Dr. Helm seconded the motion and the motion passed unanimously.

After discussion by the board the following motion was made.

**MOTION:** Dr. Vega made a motion to impose a twenty five hundred dollar (\$2500.00) fine, One thousand and nineteen dollars and nineteen cents (\$1019.19) in costs and one (1) year probation.

**SECOND:** Dr. Helm seconded the motion and the motion passed unanimously.

**Daniel W. Sims, DVM: Case number 2004-042873**

Dr. Sims was not present at the meeting and was not represented by counsel.

Dr. Jones was recused due to her participation on the probable cause panel.

Mr. Winters presented the case as an Informal Hearing. Mr. Winters advised the board that the administrative complaint alleges that the Respondent during a routine spay the endotracheal tube had come out of its proper location while under Respondent's care and failed to maintain adequate medical records. Mr. Winters stated that the Department requested that the board adopt the findings of fact and conclusions of law found in the administrative complaint.

**MOTION:** Dr. Helm made a motion to accept the findings of fact and conclusions of law.

**SECOND:** Dr. Horky seconded the motion and the motion passed unanimously.

After discussion by the board the following motion was made.

**MOTION:** Dr. Vega made a motion to impose a thirty five hundred dollar (\$3500.00) fine, nine hundred and thirty seven dollars and ninety one cents (\$937.91) in costs, eighteen (18) months probation, and a reprimand.

**SECOND:** Dr. Helm seconded the motion and the motion passed unanimously.

**John P. Willie, DVM: Case number 2005-030120**

Dr. Willie was present at the meeting and was not represented by counsel. He was sworn in by the court reporter.

Dr. Jones was recused due to her participation on the probable cause panel.

Mr. Winters presented the case as an Informal Hearing. Mr. Winters advised the board the administrative complaint alleges that the Respondent knowingly operated a veterinary clinic without a valid premise permit and practiced veterinary medicine at a veterinary establishment without a valid premise permit. Mr. Winters stated that the Department requested that the board adopt the findings of fact and conclusions of law found in the administrative complaint.

**MOTION:** Dr. Helm made a motion to accept the findings of fact and conclusions of law.

**SECOND:** Dr. Vega seconded the motion and the motion passed unanimously.

After discussion by the board the following motion was made.

**MOTION:** Dr. Vega made a motion to impose a fifteen hundred dollar (\$1500.00) fine, one hundred and seventy six dollars and eighty one cents (\$176.81) in costs, and re-take the laws and rules exam in forty five (45) days at his own expense.

**SECOND:** Ms. Love seconded the motion and the motion passed unanimously.

**Lidya Albano, DVM: Case number 2005-039870**

Dr. Albano was present at the meeting and was represented by counsel, Mr. Edwin Bayo. Dr. Albano was sworn in by the court reporter.

Mr. Winters presented the case as a Settlement Stipulation. Mr. Winters advised the board that the Respondent's Massachusetts license was disciplined June 9, 2005 and she did report the discipline as required by rule. Mr. Winters stated the Department recommended that the board accept the Settlement Stipulation as presented.

After discussion by the board the following motion was made.

**MOTION:** Dr. Vega made a motion to accept the Settlement Stipulation.

**SECOND:** Dr. Helm seconded the motion and the motion passed unanimously.

**Stuart Armstrong, DVM: Case number 2004-044397**

Mr. Winter advised the board that Dr. Armstrong requested the case be withdrawn until a later date.

**DISCUSSION**

**Rule 61G18-17.001, F.A. C.**

Dr. O'Neil stated that the rule had been adopted and was in the laws and rules book.

Mr. Jones advised the board that the rule was adopted but some issues were brought out by the Joint Administrative Procedures Committee (JAPC). He stated that it was adopted with the commitment that the board would look into the Joint Administrative Procedures Committee's (JAPC) concerns and work with them to resolve their concerns. Mr. Jones asked the board to authorize him to begin the rule making process.

**MOTION:** Dr. Vega made a motion to authorize Mr. Jones to begin the rule making process for 61G18-17.001, Florida Administrative Code.

**SECOND:** Ms. Love seconded the motion and the motion passed unanimously.

## **WTF Wholesale Suppliers Corporation**

Mr. Winters advised the board that the letter in the agenda materials was sent to various veterinarians. He stated that he wanted direction from the board as to whether or not it was appropriate for a veterinarian to order drugs from WTF Wholesale and provide them to someone who they do not have a client patient relationship.

It was the consensus of the board that they did not see a problem with veterinarians ordering drugs from WTF Wholesale Suppliers Corporation.

## **SB 1848 Pharmacy Technicians**

Dr. O'Neil advised the board that this was the same bill that passed last legislative session and Governor Bush vetoed the bill. Dr. O'Neil asked the board to make a motion to oppose the bill again.

**MOTION:** Dr. Vega made a motion to oppose Senate Bill 1848 Pharmacy Technicians and to send a letter to the Pharmacy Board Chair and to Governor Bush stating the board's opposition to the bill.

**SECOND:** Dr. Helm seconded the motion and the motion passed unanimously.

## **RATIFICATION OF APPLICATIONS**

### **Continuing Education**

**MOTION:** Ms. Love made a motion to approve the following continuing education applications.

**SECOND:** Dr. Vega seconded the motion and the motion passed unanimously.

Northwest Florida Veterinary Medical Association – *Hot Topics in toxicology- hours – Management of Retrovirus – Infected Cats – hours N/A*

Butler Animal Health Safety – *Controlled substances – An Easy Guide to Compliance – 2 hours*

Assoc. of Exotic Mammal Veterinarians – *First Step: Basics and Beyond: Rabbit and Rodent Dentistry – 4 hours- Rabbit and Rodent Wet Lab – 3.75 hours*

Kansas State Veterinary Medicine, Continuing Education – *A Mixed Dog – 8 hours – Diagnostic Imaging: Ultrasound & Digital Radiology – 7 hours*

## **Premise Permits**

**MOTION:** Dr. Helm made a motion to approve the following premise permit applications that were approved and initialed by Dr. Horky.

**SECOND:** Dr. Vega seconded the motion and the motion passed unanimously.

Anderson Animal Clinic of Highlands County, Animal Emergency Hospital, Banfield the Pet Hospital- Naples, Banfield Pet Hospital of Royal Palm Beach, Banfield the Pet Hospital - Fort Myers, Best Friends Animal Hospital, Big Bend Animal Hospital, Chulluota Veterinary Hospital, Clay County Animal Hospital, Colonial Animal Hospital, Colonial Animal Hospital, Crystal Springs Veterinary Clinic, PA, McCoy Veterinary Clinic, Morningside Animal Hospital, Paws and Claws Mobile Pet Clinic, Paws 2 Help, Redbird Animal Clinic, Suncoast Veterinary Clinic, Veterinary Wellness Center

## **Licensure/Exam Candidates**

**MOTION:** Ms. Love made a motion to ratify Dr. O'Neils actions on the following exam and licensure candidates.

**SECOND:** Dr. Helm Seconded the motion and the motion passed unanimously.

*Dr. O'Neil approved by conference call February 3, 2006.*

## **Senior Graduates**

David R. Bessler, Alison M. Birken, Katherine F. Daley, Will C. Jordan, Charles F. Scoggin

## **AVMA Graduates**

Angela K. Coleman-Wiebe

## **Foreign Graduates with ECFVG**

Melissa D. Adkinson, Francisco J. Collazos, Ante Daniel Diklic, Eimiel Garriga

## **Endorsement**

Patrick B. Cleveland, Julia E. Cummings, Jeannine L. Deluca, Rosemary D. Ganser, Leslie Harper, Lisa M. Laviola-Dowd, Janet E. McMahan

*Dr. O'Neil approved by conference call March 3, 2006.*

### **Senior Graduates**

Ilonka K. Ambros, Kimberly L. Bordelon, David Hoch, Elizabeth M. Jolin, Chris L. Ludlow, Josh McKee Mayworth, Thora A. Powers, Philippe Roof, Catherine O. Rose, Jennifer Mullin-Smallwood, Katherine Perry, Kasey D. Singley, Lindsay A. Smith, Jennifer L. Walker

### **Foreign Graduates with ECFVG**

Jorge E. Araque-Garnica, Tania E. White

### **Endorsement**

William M. Harry, Otto I. Lanz, Karen Anne Helton-Rhodes, Richard K. Soughers, Thomas L. Walker

## **REPORTS**

### **Board Chair – Dr. Robert O'Neil**

Dr. O'Neil advised the board that Dr. Whitley, former board member, is now the President of the AAVSB. He stated that he does not represent the Florida Board of Veterinary Medicine. He stated that there was a letter in the folders to the AAVSB for the board to approve.

**MOTION:** Dr. Vega made a motion to approve the letter to the AAVSB.

**SECOND:** Dr. Helm seconded the motion and the motion passed unanimously.

### **Prosecuting Attorney – Drew Winters**

Mr. Winters reviewed his report with the board. Mr. Winters advised the board that he was going to work with Mr. Jones to re-draft the disciplinary guidelines in the rules to institute first offense as well as subsequent offenses.

### **Board Counsel – Jeffrey Jones**

No Report

## **Executive Director – Juanita Chastain**

No Report

## **Budget Report – Susie Love**

Ms. Love advised the board that the budget was in good shape.

## **OLD BUSINESS**

Dr. O'Neil advised the board that the issue of micro chipping had been discussed by the board in the past. He stated that the board stated that micro chipping was the practice of veterinary medicine. He stated that the board needed to re-affirm that position if the board still agreed it was the practice of veterinary medicine.

**MOTION:** Dr. Helm made a motion that micro chipping is the practice of veterinary medicine.

**SECOND:** Dr. Vega seconded the motion and the motion passed unanimously.

## **NEW BUSINESS**

Mr. Schaeffer advised the board that Senate Bill 1654 and House Bill 641 animal health care services is basically the same bill that was submitted last year by the group of non-veterinarians who want an exemption from Chapter 474, F. S. to be able to treat the ills and injuries of animals and to be exempted from the veterinary practice act.

**MOTION:** Dr. Helm made a motion to oppose Senate Bill 1654 and House bill 641.

**SECOND:** Dr. Horky seconded the motion and the motion passed unanimously.

**MOTION:** Dr. Horky made a motion to oppose the amendment to House Bill 641 proposed by Representative Russell.

**SECOND:** Dr. Helm seconded the motion and the motion passed unanimously.

Mr. Schaefer advised the board that on March 15, 2006 House Bill 641 was going to be heard in the Senate Agriculture Committee for the first time. Mr. Schaefer advised the board that the agricultural rule change the board had made last year was designed to assist the concerns of the agricultural community. He



stated that the agricultural community could hire independent contractors by definition to assist them with the animal husbandry issues. He stated that the Joint Administrative Procedures Committee (JAPC) has looked at Rule 61G18-17.001 (4), Florida Administrative Code, and Mr. Jones has done a good job explaining the intent of the rule. He stated that it is a challengeable rule. Mr. Schaefer stated that the Florida Veterinary Medical Association (FVMA) feels the best long term strategy to stop the discussion about further exemptions for unlicensed individuals to practice veterinary medicine is to suggest that the intent of the rule to be adopted into a statutory change.

Mr. Schaefer read the following proposed statutory language to the board:

474.203 (5) (b) Exemptions: - A person hired on a part time or temporary basis, or as an independent contractor by an owner to assist with herd management and animal husbandry tasks for herd and flock animals, including castration, dehorning, parasite control and debeaking, or a person hired on a part time or temporary basis or as an independent contractor by the owner to provide farriery and manual hand floating of teeth on equines.

He stated that it was very much understood that it is designed to address agricultural animals with a special reference to food animals. He stated that the Florida Veterinary Medical Association (FVMA) feels that by putting the exemption forward and supporting it they would be able to gain enough support from the legislators to offset the initiative by the other individuals who are claiming that veterinary medicine is a monopoly and it has been restricted inappropriately to veterinarians.

Mr. Schaefer advised the board that the Florida Veterinary Medical Association's (FVMA) pledge to the board is to never go forward with a chapter 474, F.S. change that they had not made the board aware of.

Mr. Schaefer advised the board that House Bill 685 and Senate Bill 1540 Veterinary Drug Distribution, introduces a limited wholesaler permit specifically for veterinary prescription drugs. He stated that it allows the wholesaler to sell veterinary prescription drugs and up to thirty percent (30%) of the drugs they handle will be human drugs. He stated that the bill deals with the import and exportation and how drugs come into the industry. Mr. Schaefer stated that until more information is available on the bill the Florida Veterinary Medical Association (FVMA) will oppose the bill.

Mr. Schaefer advised the board that House Bill 1181 and Senate Bill 1934 Racing Greyhounds/Injuries, is a Department of Business and Professional Regulation bill. He stated the bill has to do with the disposal of animals after their useful racing life. He stated that the Florida Veterinary Medical Association (FVMA) is not for it or against it at this time.

Mr. Schaefer advised the board that Senate Bill 484 cruelty to animals, increases the fines and jail time for first offense for animal cruelty. He stated that veterinarians are not exempt from animal cruelty laws. He stated that a first offense will require automatic jail time. He stated that the circumstances under which a veterinarian handles animals should be judged by another veterinarian.

Mr. Schaefer advised the board that Senate Bill 674 licensing of pet dealers introduces standards for pet dealers. He stated that this is an ongoing effort by the Department of Agriculture. He stated that the bill is very controversial and he doubts that the bill will go anywhere this legislative session.

Mr. Schaefer advised the board that Senate Bill 1484 and House Bill 545 emergency public shelters, requires one shelter in each county to accommodate evacuees with pets. He stated that it has to do with the county animal disaster plan and the state animal disaster plan.

Mr. Schaefer advised the board that Senate Bill 1388 and House Bill 7075 general agriculture bill amends under Chapter 828.30, F.S. vaccination for rabies reference to form 51 which is the rabies vaccination certificate of the National Association of State Public Health Veterinarians. He stated that last year the Florida Veterinary Medical Association (FVMA) approved the adoption of form 51. He stated that this bill will do away with the form number 51 and adopt just the form.

## **ELECTION OF OFFICERS**

**MOTION:** Ms. Love made a motion to leave the slate of officers as they are, Dr. Robert O'Neil, Chairman, and Dr. Sergio Vega Vice Chairman.

**SECOND:** Dr. Helm seconded the motion and the motion passed unanimously.

The meeting was adjourned at 2:00 p.m.

