



Oklahoma Veterinary Board Newsletter

December 2007

Board Members:

President	Dan G. Danner, D.V.M.
Vice-President	Dwight A. Olson, D.V.M.
Secretary/Treasurer	Jim P. Lee, D.V.M.
Member	Ross Dewbre, Esq.
Member	Jeff L. Tidwell, D.V.M.
Member	Gary W. Johnson, D.V.M.

Staff Members:

Executive Director	Cathy Kirkpatrick
Investigator	G. Dale Fullerton
Administrative Assistant	Kelly D. Rahill

PRESIDENT'S LETTER

I am pleased to announce a lot of new enhancements that the Board is striving to improve for you. The staff is trying to be aware of your upcoming OBN & DEA license renewals and is sending out a timely reminder to help keep you current for your drug and narcotic prescription handling.

Also another real effort we are trying to respond to is your request to be able to renew your Oklahoma License online – So far we are on time in working with OK.gov to be able to do this before the June 30th renewal date for 2008!

Drug impairment, being narcotic or alcohol addiction, seems to be on the rise again with 8 veterinarians over the last 18 months being sent for rehabilitation. Programs often last 3 to 6 months plus. Not only were their licenses suspended or lost, but the tremendous stress on their families and loss of income has been an added burden! If you or someone you know is in the "gray zone", then seek help immediately. The Board can help and work with you if we are given notice. If Mr. Fullerton has to come to your practice, then you need to be very up front with every concern. We have tried to assist anyone who has asked or worked with us. Those who have not complied could have had warrants out for their arrest.

The OSBVME is working hard with the OVMA, Secretary of State, several state legislators, and animal welfare groups to find a solid balance on the Puppy Mill Legislation. This has been a growing problem directly affecting our Oklahoma Veterinarians. Some doctors have written legitimate health certificates only to have the puppy swapped prior to shipment to its destination (i.e. New York or California). The recourse has been a complaint against the Oklahoma veterinarian wrongfully accused! Please be as detailed as

possible in your health certificates to include; weights in ounces or grams, unique color patterns or even microchips if you as a veterinarian need extra protection from a breeder of concern. PLEASE DO NOT SIGN BLANK HEALTH CERTIFICATES! Common sense says how foolish this is but some veterinarians have been doing just that and violations occur. Several have lost the privilege to write health certificates as a result.

The OSBVME has also been proactive and watching the growing problems across the country such as:

- Minnesota and Texas are fighting in court where it has become legal for "Equine Dental Technicians" who are certified after going to a long weekend class and being "EQUALLY" qualified to work in the mouth of these horses.
- California – North Hollywood has banned declawing of cats locally and the State Supreme Court has refused to listen to the appeal by the California State Board of Examiners.
- The OSBVME is recommending expanded limits for our Oklahoma RVT.

These are very interesting and challenging times for our profession. We hope to keep you informed of the pitfalls and problems so that you can be well educated and avoid any possible violations. Continued communications and cooperation can only improve our profession.

Thank you for your cooperation as well.

Happy Holidays,
Dan G. Danner, DVM

SOLICITATIONS FOR INTERNET DRUGS

We are requesting your assistance to include the Pharmacy Board and the FDA when faxing us a copy of the solicitations from the various internet or mail order organizations that ask you to "participate" in their program or are selling Rx items without a prescription or a valid VCPR. Please include a copy to the Pharmacy Board at (405) 521-3758 and to FDA at (405) 609-8741 and note "complaint" on the fax to ensure it is routed to the right department. This will also keep these agencies in the know about unscrupulous practices.

NEXT BOARD MEETING DATES

January 11, 2008 4:00pm Board Office
March 7, 2008 4:00pm Board Office
June 6, 2008 4:00pm Board Office

RECOVERY CAN BEGIN WITH A PHONE CALL

If you are suffering from a chemical or alcohol dependency, there is a solution. OU Physicians ExecuCare is available for help. You may call 405-271-2474 to arrange a confidential telephone interview with one of their doctors.



SECRETARY/TREASURER'S LETTER

Recent newsletters have defined what the Board considers a valid veterinarian-patient-client relationship (VCPR) in both small animal medicine and large animal medicine. While there are differences in some parameters of a valid VCPR for small animal medicine versus large animal medicine, the basic parameters are the same: The veterinarian must have recent thorough medical knowledge of the animal(s) to make appropriate medical decisions, the veterinarian must keep readily accessible, written medical records of such knowledge, and the veterinarian must provide for some form of care in case of emergency.

If any aspect of these parameters is missing then a valid VCPR does not exist. If a veterinarian has any question about whether a valid VCPR exists, err on the side of caution and do not prescribe, or perform a thorough exam prior to prescribing. Any veterinarian prescribing medication to animals for which a valid VCPR does not exist is in violation of the Veterinary Practice Act. Violations are punishable by a confidential Letter of Concern, public Letter of Concern, fine, suspension, and/or revocation of license. More complaints of this type of violation are being filed with the Board recently, and the Board investigator, Dale Fullerton, in cooperation with other state and federal law enforcement agencies is rigorously investigating all complaints.

Also, in recent months, I have had several conversations with veterinarians in which they feel some of the Board rulings regarding disciplined veterinarians are too severe, while others are too lenient. They wanted to know what, if any, guidelines were used to arrive at these decisions.

When a complaint is received by the Board, the Board's Probable Cause Committee consisting of the Board investigator, Dale Fullerton, the Assistant Attorney General assigned to the Board, Jim Barwick, and the Secretary/Treasurer of the Board meet to decide if the complaint has merit and if any further action is required. During this time, the specific details are collected and information is gathered from all parties involved, including medical records, police action reports, witness statements, and statements regarding any mitigating factors. Also, in regard to substance abuse cases, input from other state and federal law enforcement agencies plus any criminal and civil charges are taken into account. Specialists in the areas of addiction, addiction psychology, and recovery are consulted for recommendations regarding practice restrictions.

If warranted, a written complaint is drawn up and an informal conference with the respondent, the respondent's legal counsel, and the Probable Cause Committee is scheduled. At this meeting, the respondent can request a formal hearing at a Board meeting, open to the public with witnesses for and against the respondent, or the respondent can submit to a Voluntary Submission of Jurisdiction (VSJ) in which the respondent can voluntarily agree to the charges and the Board's action against the respondent. This VSJ is then voted upon at the next scheduled meeting.

The ultimate goal of this Board is not to take a veterinarian's livelihood, but we do have the responsibility to protect the public from impaired veterinarians and the consequences of their actions while impaired. The Board typically allows veterinarians to keep their licenses and continue to practice while putting restrictions in place, which allow for more aggressive action, i.e.: license revocation, only if some form of relapse occurs. While this form of sanction is imperfect, it has worked well up to this point with practically no license revocation needed.

Jim P. Lee, DVM
Board Secretary/Treasurer

DISCIPLINED DOCTORS APRIL 2007 - NOVEMBER 2007

Joe Bills Reynolds, DVM

Violation: (VSJ and Agreed Order) Ordering and diverting drugs for personal use, self medicating and habitual use of CDS.

Board Order: Probation for 10 years; actively receive treatment from a physician or counselor; actively participate in an aftercare program 2-3 times per week; immediately surrender license(s) to prescribe, dispense and administer CDS, but may recommend use and dosage of such drugs to another attending veterinarian; may request Board approval to re-apply for a license from DEA and/or OBN in five years; not work more than 50 hours per week the first 6 months; costs of \$500 and a fine of \$5,000.

Ritchie Stover, DVM

Violation: (VSJ and Agreed Order) Habitual use of CDS including Methamphetamines and Amphetamines; self medicating with CDS.

Board Order: Probation for 10 years; actively receive treatment from a physician or counselor; actively participate in an aftercare program 2-3 times per week; immediately surrender license(s) to prescribe, dispense and administer CDS, may request a limited license for Ketamine, Diazepam, Telazol and Fatal Plus; not work more than 50 hours per week the first year; take and pass Jurisprudence exam; costs of \$500 and a fine of \$5,000.

Kenneth Doyle, DVM

Violation: Failure to truthfully answer a question on license renewal; failure to report disciplinary action taken by the Arkansas Board; failure to appear before the Board as directed and submit information concerning the discrepancy between his license renewal and disciplinary information received.

Board Order: Application to renew his license to practice in Oklahoma was denied and license to practice was revoked.

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