

DEPARTMENT OF ECONOMIC DEVELOPMENT  
**STATE BOARD REPORT**

DIVISION OF PROFESSIONAL REGISTRATION  
PUBLISHED BY THE MISSOURI VETERINARY MEDICAL BOARD

Volume 1, Issue 4

September 2001

## VETERINARY ISSUES OF CONCERN

Throughout this past year, the Board has dealt with many issues relating to the practice of veterinary medicine. The Board feels the following information is important to note for its licensees.

As you will notice in the disciplinary section of this newsletter, the Board has disciplined licensees for the failure to meet the Minimum Standards for Veterinary Facilities, the failure to meet the Minimum Standards for Medical Records and the failure to establish a veterinary-client-patient relationship prior to prescribing a prescription medication.

The Board rules specifically outline what is required for a veterinary facility to be in compliance with the minimum standards. It is the responsibility of the veterinarian-in-charge of the facility to make certain that the facility meets the requirements of 4 CSR 270-4.011. If a veterinary facility is inspected and violations are noted, the permit of the veterinary facility and the license of the veterinarian-in-charge are subject to discipline. Please make certain that when completing the Veterinary Facility Self-Inspection forms, that your facility is actually permitted for not only the type of practice specified, but also that the facility conforms to the minimum standards specified for that type of facility.

4 CSR 270-4.041 Minimum Standards for Medical Records states:

"(1) Every veterinarian performing any act requiring a license pursuant to the provisions of 340.200(24), RSMo upon any animal or group of animals shall prepare a legible, written, individual (or group) animal and client record concerning the animal(s) which shall contain the requirements listed here. The medical record will provide documentation that an adequate physical examination was performed.

- (A) Name, address and telephone number of animal's owner or agent.
- (B) Name or identify, or both, of the animal(s), including age, sex, breed, weight and color, where appropriate.

- (C) A brief history.
- (D) Notations of the physical examination.
- (E) Treatments or intended treatment plans, or both, including medication amounts administered, dispensed or prescribed and frequency of use.
- (F) A diagnosis or tentative diagnosis.
- (G) When pertinent, a prognosis.
- (H) Progress notes and disposition of the case.
- (I) Dates (beginning and ending) of custody of the animal with daily notations.
- (J) In the case of vaccination clinics, a certificate including the information required by subsections (1)(A) and (B) may serve as the medical record.
- (K) The veterinarian who created the record.
- (L) Name of the veterinarian who orders any radiographs..."

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## CHAIR'S REPORT

### **Governor**

The Honorable Bob Holden

### **Department of Economic Development**

Joseph L. Driskill, Director

### **Division of Professional Registration**

Marilyn Taylor Williams, Director

### **MISSOURI VETERINARY MEDICAL BOARD**

#### **BOARD MEMBERS**

Roger "Dusty" Shaw, Jr., Chair & Public Member  
R. Thomas Dunn, DVM, Vice-Chair  
Dan Brown, DVM, Member  
Linda Hickam-Fountain, DVM, Member  
Dawn Parsons, DVM, Member  
John Hunt, DVM, Ex-Officio Member

#### **BOARD STAFF**

Dana K. Hoelscher, Executive Director  
Vickie Coffman, Administrative Assistant  
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State Board Report is an official publication of the Division of Professional Registration, Missouri Veterinary Medical Board. Submit articles to: State Board Report, P.O. Box 633, Jefferson City, MO 65102.

On behalf of the Board, I would like to take this opportunity to welcome the new Director of the Division of Professional Registration, Marilyn Taylor Williams. The Board looks forward to working with Marilyn and the Division of Professional Registration in its future endeavors.

The Missouri Veterinary Medical Board has been extremely busy the past year. With the passage of Senate Bill 424, the Board has spent many hours working on changes to the Board's Rules. These changes are currently underway but have not yet been finalized by the Board. Once the rules are finalized, a copy of the new Practice Act and Rules will be forwarded to all licensees.

The new computer based North American Veterinary Licensing Examination (NAVLE) was administered to candidates for the first time November 20-December 16, 2000. There were 65 applicants who applied to take the NAVLE through the Missouri State Board. The NAVLE was also administered April 9-21, 2001. There were 8 applicants who applied to take the NAVLE. The National Board Examination Committee (NBEC) reported that overall the problems with the new examination were remarkably few.

As always, we encourage licensees with questions to call the Board office for guidance. If questions are on complex issues, we might recommend requesting, in writing, an advisory opinion from the Board. Our hope is to make it as easy as possible for licensees to comply with Board Statutes and Regulations.



*Roger "Dusty" Shaw,  
Board Chairman  
and Public Member*

## EXECUTIVE DIRECTOR'S REPORT



*Dana Hoelscher  
Executive Director*

With the completion of the renewal period for veterinary facilities for 2001, I would like to mention several issues that have occurred during the renewal period. It has come to the Board's attention that facility owners are failing to notify the Board of changes to their facilities.

According to 4 CSR 270-5.011(6), if ownership of a veterinary facility changes, the veterinarian in charge to whom the permit was originally issued is responsible for notifying the board and returning the permit within thirty (30) days of the change in ownership. The veterinarian in charge shall apply for a new permit prior to performing any veterinary services in the facility.

If a veterinary facility incorporates, this would be considered a change of ownership and the veterinarian-in-charge would be required to file for a new permit. In addition, if a corporation owns a facility then a copy of their articles of incorporation or business organization documents must be submitted reflecting the statement that the licensed veterinarian is not subject to the direction of anyone not licensed to practice veterinary medicine in the state of Missouri in making veterinary medical decisions or judgments.

If the location of a practice changes or if the practice type or function changes, the veterinarian-in-charge would be required to file for a new permit. All changes must be submitted to the Board office within thirty (30) days of the change. A large number of facilities were rejected during the renewal period, due to the wrong practice types being marked or the failure to complete all the sections that the facility was permitted as originally. Please make sure you are aware of the type of function your facility is permitted for, in order to avoid problems with your renewal in the future.

The 2001 fiscal year ended June 30, 2001. I would like to take this opportunity to provide you with this end of the year report on Board activities as they relate to the veterinary medical profession in the State of Missouri.

### Veterinarians

Total number of Licensees - 2,690  
New Licenses Issued - 100  
Licenses Renewed  
Active - 2,229  
Inactive - 461  
Licenses Revoked (Non-renewal) - 56

### Veterinary Technicians

Total number of Licensees - 513  
New Licenses Issued - 46  
Licenses Renewed  
Active - 346  
Inactive - 167  
Licenses Revoked (Non-renewal) - 15

### Veterinary Facilities

Total number of Facilities - 756  
Original Permits Issued - 47  
Closed - 43

### Veterinary Complaints

Official Complaints Received - 39  
Investigations Conducted  
From Prior Year - 0  
Initiated - 11  
Completed - 9  
Cases at Attorney General's Office - 14  
Referred to AG's Office - 10  
Stipulation Agreements Signed - 7

The next scheduled board meeting is October 10-11, 2001, at the Chateau on the Lake in Branson, Missouri. The State Board Examination will be administered on October 10, 2001. Anyone wishing to attend an open session of the Board may do so at the board meetings.

## NEW DIVISION DIRECTOR APPOINTED



*Marilyn Taylor Williams*  
*Division Director*

We would like to welcome Marilyn Taylor Williams to the Division of Professional Registration. On January 25, 2001, she was confirmed as the new Director of the Missouri Division of Professional Registration. She replaces Randall Singer, who served as the Division Director since 1993.

Prior to her confirmation, Ms. Williams of Dudley, served in the House of Representatives from 1991 to 2001. She represented District 156, comprised of parts of Stoddard, Wayne and Bollinger counties, from 1991 to 1993 and represented District 159, comprised of parts of Stoddard and Scott counties from 1993 to 2001.

In the General Assembly, Ms. Williams' key committee assignments included chair of the House Agribusiness Committee, vice-chair of Appropriations, Agriculture and Economic Resources, and the House Budget Committee. She was also a member of the Missouri Tourism Commission.

## VETERINARY ISSUES OF CONCERN CONTINUED

*Continued from Page 1*

When the practice of veterinary medicine is conducted, medical records are required for all animals. Medical records are required for both large and small animals. Please make certain that your medical records are in compliance with 4 CSR 270-4.041.

A "veterinarian-client-patient relationship" is defined by the Veterinary Medical Practice Act as, "the veterinarian has assumed the responsibility for making medical judgments regarding the health of the animal and the need for medical treatment, and the client, owner or owner's agent has agreed to follow the instructions of the veterinarian. There is sufficient knowledge of the animal by the veterinarian to initiate at least a general or preliminary diagnosis of the medical condition of the animal. Veterinarian-client-patient relationship means that the veterinarian has recently seen and is personally acquainted with the keeping and care of the animal by virtue of an examination or by medically appropriate and timely visits to the premises where the animal is kept. The practicing veterinarian is readily avail-

able for follow-up care in case of adverse reactions or failure of the prescribed course of therapy."

A veterinarian-client-patient relationship must exist prior to the administration of vaccinations, to ensure that the patient is medically fit to receive it. A veterinarian-client-patient relationship must also exist prior to a legend drug or biologic being prescribed, dispensed or administered.

The Board also wanted to remind its licensees that an open-ended prescription could allow the dispensing of medications without the knowledge of the veterinarian. If an open-ended prescription is written and is found to be in violation, it is the veterinarians' license that could be in jeopardy.

The information contained in this article is important for licensees to understand and to make certain that they are in compliance with not only the rules mentioned in this article but with all the laws and rules contained in the Veterinary Medical Practice Act and Rules. If you do not have a copy of the Practice Act and Rules or if you would like for our office to send you another copy, please contact our office at (573) 751-0031.

## NEW VETERINARIAN LICENSEES

April 1, 2000 to June 30, 2001

Scott Baldwin	Kurt Bedow	Magalie Boucher	Jason Bradley
Aaron Brisbane	Mary Brown	Shannon Broyles	Kelly Broz
Jorg Bucheler	Susan Caraker	Mark Cassells	Jefrey Chakwenya
Kathleen Claussen	Andria Cogswell	David Cross	Sean Croucher
Cassie Cure	Andrea Faircloth	Rebecca Fischer	Matthew Frazier
Karl Frees	Daniel Frezza	Alden Frischmeyer	Elena Garcia-Seco
Wanda Gordon	Kurtis Gregory	Merill Guarneri-Boe	Scott Hachting
Thomas Hancock	Angela Holt	Joseph Holzauer	Jennifer Keaton
Douglas King	Nathan Klocke	David Leighr	Caroline Lenczowski
Michael Loenser	John Patrick Long	Inderjit Marjara	Amy McNeill
Kelley Meyers	Clifford Miller	Julie Nahm	Jamilon Niemann
Jeffrey O'Dell	Patricia Perkins	Kayla Peterson	Dru Pippin
Laura Pletz	Kara Raetzal	Shannon Redmond	Jennifer Reisdorf
Elizabeth Rodger	Steven Root	Windmeyer	Susan Schatz
Amy Schilli	Katherine Schlicher	Cristel Santiago	Bonnie Smith
Janine Szatkowski	Claudia Terry	Ginger Segraves	Susan Vodraska
Shelly Washeck	Frances Wehr	Julie Uplinger	Kristen Westhoff
Lauren Wilkes	Tracey Williams	Melanie Wester	Aric Adams
Kara Amstutz	Christopher King	Rita Wittu	Nicole Mattes
Justin Roach	Amy Roberts	Betsy Larsen	Patrick Pilkington
Amy DeClue	Sarah Golladay	Marie Kerl	Jennifer Herring
Jonathan Holliday	John Houtsma	Christine Graham	Jennifer Rumbold
Heather Shuey	John Houtsma	Ginger Pelger	Amber Baughman
Christopher Baughman	Scott Read	Kimberly Arnsmeier	Angela Cunningham
Hallie Feagans	Carol Brigance	James Clawson	Bradford Holmberg
Laurie Jeffreys	Irene Flegel	Dawn Gau	Emily Knehans
John Kottwitz	Allison Judd	Linda Kidd	Christopher Leach
Eric Ledbetter	David Kunz	Alison LaCarrubba	Ryan Montgomery
Amelia Munsterman	Kristina McElroy	Jason Milhollin	Melissa O'Bryan
Monica Otto	Julie Neil	Stephanie Nelson	Elizabeth Reinhardt
Melissa Rose	Tracy Peckham	Ellen Ratcliff	Angela Scherer
Julie Smithson	Amy Roussel	Jason Salchow	Cynthia Vedder
Ryan Walrath	Mary Sprangel	Daniel Theobald	James Lehman
Jocelyn Liu	Devona Weirich	Renee Dirks	Jennifer Tate
	John Lyle	Stacy Lyle	

## NEW VETERINARY TECHNICIAN LICENSEES

April 1, 2000 to June 30, 2001

Melissa Arndt	Natasha Barton	Rhonda Berve	Melissa Bone
Marlene Bowlin	Stina Braxdale	Jo Marie Bronson	Jami Croucher
Cheryl Cuddeback	Ginny Dodam	Corinne Eppert	Shawna Estep
Michelle Ewan	Mercedes Foote	Sandra Gale	Rebecca George
Shellie Golden	Sarah Graham	Marlene Grass	Matthew Haight
Vicki Heald	Angela Heinisch	Kelly Hickey	Karen Janowski
Marcia Kristmann	Sarah Martin	Tracy Murdie	Lynne Murphy
Leslie Piasecki	Jennifer Pollard	Antoinette Polukewich	P. Deanne Rhodus
Melanie Robert	Cynthia Rodgers	Sarah Shaw	Carrie Slankard
Deborah Tate	Tiffany Thomas	Daniel Tinker	Kathryn Vernon
Angela Wadleigh	Deborah Wilson	Kristin Wiseman	Heather Chickey
Mary Flanders	Andi McKenzie	Casey Moser	Janette Slay
Janel Vance	Jane Ebben		

## ADDRESS CHANGE

If you move your employment or residence location, don't forget to notify the Missouri Veterinary Medical Board office. If we do not have your current address, your renewal notice may not reach you.

According to the Board's rule, 4 CSR 270-1.040, a licensee whose address has changed from that printed on the certificate must inform the Board of those changes by sending a letter to the Board office within 30 days of the effective date of the change.

New postal regulations became effective July 1, 1997, which state that bulk rate mail will no longer be forwarded if you have changed your address.

You may notify the office of any address change by faxing written notification to (573) 526-3856 or by mailing written notification to P.O. Box 633, Jefferson City, MO 65102.

## INFORMATION CONCERNING THE MODEL PRACTICE ACT

The American Association of Veterinary State Boards (AAVSB) and the American Veterinary Medical Association (AVMA) have been corresponding with many Missouri Veterinary licensees regarding the model practice act. Each organization has a version of what individual state veterinary practice acts should include. The Missouri Veterinary Medical Board has been in contact with each organization for more than two years with regard to the model practice act. We will continue this dialogue.

The model practice act will not impact the Missouri Veterinary Practice Act at this time. Only the Missouri legislature can change the Missouri Veterinary Practice Act. No such change is before the legislature and none is currently anticipated. The board will work to keep all licensees informed of actions taken by the AAVSB and AVMA.

## INFORMATION REGARDING THE PAVE PROGRAM

The American Association of Veterinary State Boards (AAVSB) is developing the Program for the Assessment of Veterinary Education Equivalence (PAVE) program to assess the equivalence of education from a non-accredited program. The Board would like to inform its licensees/applicants that its statutes and rules only allows the Board to recognize the Educational Commission of Foreign Veterinary Graduate (ECFVG) program sponsored by the American Veterinary Medical Association (AVMA) as an alternative for graduation from an AVMA-listed nonaccredited university or college of veterinary medicine located outside the United States, its territories or Canada.

## COMPLAINT PROCESS

All complaints received by the Board are assigned a complaint number. A complaint may be based upon personal knowledge or beliefs based on information received from other sources. The complaints must be made in writing. Verbal or telephone communications are not acceptable, but you may request a complaint form by telephone, fill it out and mail it back to the Board. In general, the complaint is considered to be a closed record and is not accessible

to the public. Any complaint that is received by the Board is acknowledged in writing. The complainant will be notified of the final outcome. Any disciplinary action taken by the Board is a matter of public record. The Board believes publication of disciplinary actions to be in the public interest and has included such in this newsletter. If you have any questions, please contact the Board's office.

## DISCIPLINARY ACTIONS

July 2000 - June 2001

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**VIOLATION** - *Section 340.264.2(7), (18) and (24), RSMo*

As the veterinarian-in-charge, the licensee is responsible for completing a self-inspection report in accordance with 4 CSR 270-5.031. Licensee submitted the self-inspection report for his hospital to the Board, wherein he indicated that the hospital was in compliance with the minimum standards for veterinary hospitals or clinics. The Board's investigator met with licensee and conducted an inspection of the hospital facility. The inspection of the hospital facility indicated the following violations of 4 CSR 270-4.011(1) and (2): a) Hospital facility was dirty, disorganized and unkempt; b) Clinic facility lacked adequate lighting; c) No adequate library on site; d) Waste receptacles were dirty; e) Inadequate animal identification system in place; and f) Proper storage and environmental controls were not available for all medications.

**BOARD ACTION** - Licensee's license as a doctor of veterinary medicine was placed on probation for 4 years.

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**VIOLATION** - *Section 340.264.2(7), (18) and (24), RSMo*

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**BOARD ACTION** - The hospital's permit as a veterinary facility is placed on probation for a period of 4 years.

*Continued on Page 8*

## STATE BOARD REPORT

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*Continued from Page 7*

**VIOLATION** - Section 340.264.2(9), RSMo

Licensee was disciplined by Missouri based on the discipline imposed by the State of Michigan. Licensee was disciplined by the Michigan Board for violation of the Public Health Code. Licensee examined a ten-year-old canine suffering from arthritis, who was observed by kennel personnel for foaming at the mouth and laying down. The dog was boarded by his owners while they were out of town. Licensee determined that the dog was in need of emergent surgery to correct gastric dilation volvulus (GVD). The owner's could not be contacted by telephone, but authorization was given by the kennel to perform the surgery. After the surgery, the owners were contacted by telephone and informed of the emergent surgery that was performed. The owners informed Licensee that they wanted to euthanize the dog while the animal was still anesthetized due to the dog's arthritis and likely difficulty in recovering from the GVD surgery. Licensee failed to euthanize the animal as requested. Rather when the owners visited Licensee to retrieve the animal's remains, they were informed that he decided not to euthanize the dog because Licensee believed the animal would satisfactorily recover from the surgery. The dog was released to his owners. After the dog would not move, had to be force fed by his owners, was vomiting blood, and would not open his eyes completely, the animal was euthanized by another veterinarian.

**BOARD ACTION** - Licensee's license as a doctor of veterinary medicine was publicly Censured.

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**VIOLATION** - Section 340.264.2(4)(i), (7), (14) and (24), RSMo

At the time of the events alleged herein, Licensee was a consulting veterinarian for a distributor of veterinary supplies, including veterinary drugs. Licensee prescribed Pirsue, a prescription medication to an individual. Prior to prescribing the medication, Licensee did not conduct an on-site visit to the individual's farm nor did he examine the herd or individual animals or review medical records. Licensee provided no treatment plans and no written reports to the individual for the use of the medication. Licensee did not prepare or maintain any medical records for the herd. The only records relating to Licensee's prescription for the herd consisted of the drug order invoice. Licensee prescribed prescription veterinary drugs without establishing a veterinarian-client-patient relationship and failed to meet minimum standards for record keeping.

**BOARD ACTION** - Licensee's license as a doctor of veterinary medicine was placed on probation for 5 years.

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**VIOLATION** - Section 340.264.2(4)(i), (5), (6), (7), (14) and (24), RSMo

At the time of the events alleged herein, Licensee was a consulting veterinarian for a distributor of veterinary supplies, including veterinary drugs. Licensee provided legend drugs to approximately six livestock handlers, who have feed lots and backgrounding operations without having examined the animals or establishing a valid veterinarian-client-patient relationship. Licensee only occasionally examined animals when the livestock handler specifically requested Licensee do so, but Licensee did not bring any veterinary medical equipment on the on-site visits, nor did Licensee perform any diagnostic test on the animals. Licensee provided no treatment plans and no written reports for the livestock handlers following the on-site visits. Licensee did not prepare or maintain any medical records for the livestock handlers Licensee provided legend drugs to or visited. Licensee's prescriptions for several drugs created the potential for misuse by the livestock handlers. Licensee prescribed prescription veterinary drugs without establishing a veterinarian-client-patient relationship. Licensee engaged in conduct that fell below the minimum standards of acceptable and prevailing practice for the delivery of veterinary care to dairy, swine and beef herds and engaged in the veterinary medical practice that was professionally incompetent. Licensee failed to meet minimum standards for record keeping.

**BOARD ACTION** - Licensee's license as a doctor of veterinary medicine was placed on probation for 5 years.

*Continued on Page 9*

## STATE BOARD REPORT

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Continued from Page 8

**VIOLATION** - Section 340.264.2(9), RSMo

Licensee was disciplined by Missouri based on the discipline imposed by the State of Colorado. Licensee's care and treatment of a female Rottweiler dog, failed to meet generally acceptable standards of veterinary practice in that Licensee failed to obtain written informed consent from the owner, prior to performing surgery and failed to obtain pre-operative blood work. Also, Licensee's recordkeeping is inadequate in that many of them do not consistently or adequately justify the assessment, diagnosis and treatment administered.

**BOARD ACTION** - Licensee's license as a doctor of veterinary medicine is placed on probation for a period of time, not to exceed ten years, that coincides with the length of current probation of Licensee's Colorado license as a veterinarian.

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**VIOLATION** - Section 340.264.2(5), (6), (7) and (24), RSMo

Licensee's Clinic facility and medical records were inspected by the Board's investigator. The inspection revealed that the licensee's medical records failed to provide documentation that an adequate physical examination was performed; failed to provide a full description of each patient that included the patient's age, sex, breed, weight and color, where appropriate; and failed to provide a brief history for each patient; failed to provide a diagnosis or tentative diagnosis for each patient. The inspection of the Clinic also revealed the following violations; the facility permit was not displayed and could not be located; inadequate animal identification system in place; and facility did not provide or maintain sanitary methods for the disposal of deceased animals. A client brought their cat to Licensee to be neutered and declawed on it's front paws. In the course of declawing the cat, Licensee removed portions of the toes and pads of the right paw. Licensee failed to remove any of the claws on the cat's left paw.

**BOARD ACTION** - Licensee's license as a doctor of veterinary medicine and the Clinic's permit as a veterinary facility was suspended for 60 days. Licensee's license and the Clinic's permit are thereafter placed on probation for a period of four (4) years from the date of the termination of the period of suspension. Licensee must also complete a continuing education course on anesthesia and/or small animal surgery.

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**VIOLATION OF PROBATION** - Terms of probation required licensee to comply with all provisions of Chapter 340 and 195, RSMo and the regulations of the Board. Licensee violated the terms of probation by failing to maintain the rules of professional conduct, minimum standards for practice techniques and minimum standards for medical records.

**BOARD ACTION** - Licensee's license as a doctor of veterinary medicine was suspended for 30 days, followed by 3 years probation. Licensee must also complete during the first year of probation, at least 10 hours of continuing education on medical records consistent with the Board's minimum standards for medical records.

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**VIOLATION** - Section 340.264.2 (7) and (24), RSMo

At the time of the events alleged herein, Licensee treated a client's cat on nine separate occasions, primarily for a diagnosed condition of diabetes. Licensee's medical records did not contain notations indicating that an adequate physical examination was performed, a brief history of the animal, the weight of the animal, treatments or intended treatment plans, and the name of the veterinarian who created the record. Licensee's medical records for the cat did not meet the minimum standards for medical records.

**BOARD ACTION** - Licensee's license as a doctor of veterinary medicine was placed on probation for a period of 1 year or until Licensee completes a continuing education course on pain management and medical records consistent with the Board's minimum standards for medical records.

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STATE BOARD REPORT  
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## CALENDAR OF EVENTS

### OCTOBER

October 10-11, 2001 - Board Meeting and State Board Examination at the Chateau on the Lake, Branson, Missouri

### NOVEMBER

November 19 through December 15, 2001 - Testing Window for the Administration of the North American Veterinary Licensing Examination (NAVLE)

### JANUARY

January 2002 - Board Meeting and State Board Examination at the Tan-Tar-A Resort, Osage Beach, Missouri

### APRIL

April 8-20, 2002 - Testing Window for the Administration of the North American Veterinary Licensing Examination (NAVLE)

