

# **New Jersey State Board of Veterinary Medical Examiners**

## **Public Session Minutes**

February 27, 2002

### **A. CALL TO ORDER**

This scheduled meeting of the Board was called to order at 9:55 a.m. in the Somerset Conference Room, 6th floor, 124 Halsey Street, Newark, New Jersey.

### **B. ROLL CALL**

The following Board Members were present for this meeting:

Board Vice President Neal L. Beeber, DVM  
Board Member Mark W. Logan, VMD  
Board Member David A. Meirs, VMD  
Board Member Alfred R. Scerni, Jr., Esq.  
Board Member Carolyn Self, DVM

Absent: Board President John G. De Vries, DVM  
Board Member Robert Tartaglia  
Board Member Ernest Zirkle, DVM

Staff present: Executive Director Diane I. Romano  
Deputy Attorney General Olga Bradford  
Isaura Roman, Principal Clerk  
Susan Flores, Secretary to the Executive Director

Public present: Dr. Christopher P. Laffoon, NJVMA

A quorum was present for the entire meeting.

The meeting was presided over by Dr. Beeber.

In accordance with Chapter 231 of P.L. 1975, more commonly referred to as the Sunshine Law, adequate notice of this meeting was provided by mailing to the Office of the Secretary of State, the Star Ledger, the Trenton Times, the Bergen Record and the Courier Post.

### **C. APPROVAL OF PUBLIC MINUTES**

On a motion of Dr. Meirs, seconded by Dr. Logan and unanimous vote of the Board, the January 23, 2002 public session Minutes were approved as submitted.

### **D. LEGISLATIVE/REGULATORY**

Mrs. Romano reported that the following bills have been introduced/reintroduced in the 2002 Session and are in committee:

A-547 ' revised practice act  
A-1042 ' permits rabies inoculations at pounds or shelters by non-veterinarians  
A-1586 ' restricts surgical debarking or silencing of dogs  
S-660 ' permits only licensed chiropractors to perform spinal adjustments  
S-868 ' permits care and treatment of animals by certain unlicensed persons  
A-1752 ' permits use of maiden names and nicknames by licensees in advertising  
S-770 ' regulates internet pharmacies and electronic prescriptions - The Board members were provided with a copy of this bill.

The following bill is on second reading in the Assembly:

A656/S-349 ' allows veterinary students to take licensing exam in senior year

The following bill passed the Assembly and is in Senate committee:

A-354 ' prohibits veterinarians from restricting pet owners' choice of specialist

The Division requested the Board's comments on S-970, a proposed bill requiring criminal history record background checks for health care professionals (including veterinarians) as a condition of initial licensure. The Board determined to take no position on this bill.

## **E. ADMINISTRATIVE**

(none)

## **F. CREDENTIALING**

### **1. Letter from Ingamar R. Caliolio, DVM**

On a motion of Dr. Meirs, seconded by Dr. Self and unanimous vote, the Board determined to deny this candidate's request for a waiver of the ten-year rule for acceptance of national exam scores since the Board has no discretionary authority to waive provisions of the statute.

### **2. Lorie Ann Valentino, DVM, MS, DACVIM**

On a motion of Dr. Self, seconded by Dr. Meirs and unanimous vote, the Board approved this candidate to sit for the jurisprudence exam pending our receipt of a clean disciplinary history from the State of Missouri.

### **3. Carole Marie Starita, DVM**

On a motion of Dr. Self, seconded by Mr. Scerni and unanimous vote, the Board approved this candidate to sit for the jurisprudence exam.

### **4. Paul Charles Gambardella, VMD**

On a motion of Mr. Scerni, seconded by Dr. Self and unanimous vote, the Board approved this candidate to sit for the jurisprudence exam.

### **5. David Samuels, VMD**

On a motion of Dr. Meirs, seconded by Mr. Scerni and unanimous vote, the Board denied this candidate since he does not meet the requirement of practical clinical experience for three of the last five years.

## **G. REGULATIONS**

Regulatory Analyst Charles Manning appeared before the Board to work with the members regarding their request for two new regulations.

1. The Board discussed the proposed regulation concerning delegation of authority and responsibility. Mr. Manning will draft a proposed regulation for the Board's approval.
2. The Board discussed a proposed regulation defining what is a "prescription". Subsequent to discussion, the Board determined that a new regulation is not required and rescinded its request for same.

## **H. NAVLE RESULTS**

Mrs. Romano reported that 17 candidates took the November/December 2001 NAVLE from New Jersey. Seven candidates passed (41%); ten failed (59%). High score was 86; low score was 52. The Board directed Mrs. Romano to do a summary report listing candidates' names, the schools they attended and their pass/fail grades.

## **I. MISCELLANEOUS**

### **1. Dr. Paul Nolan**

Mrs. Romano reported that Dr. Paul Nolan felt it was his responsibility to inform the Board that the Illinois veterinary board also disciplined him, based on New Jersey's action.

### **2. Dr. Thomas M. Jacks**

The Board directed Mrs. Romano to order a service plaque for Dr. Tom Jacks for his many years of service as a Board member.

### **3. AAVSB Annual Meeting**

Dr. Neal Beeber will attend this meeting on July 13-16 in Nashville representing the Board.

## **J. DISCIPLINARY ACTIONS**

### **1. File #01-076 ' Donald Kentner, DVM**

Dr. Kentner paid a \$500 civil penalty for prescription drug violations and one act of negligence. This file is now closed.

### **2. I/M/O Forrest Gerry III, VMD**

Dr. Gerry paid a \$2,500 civil penalty for failure to cooperate and comply in a Board investigation. This file is now closed.

### **3. File #00-063 ' Edwin O. Gilbert, DVM**

A Consent Order was filed encompassing (1) reprimand; (2) Dr. Gilbert shall take and pass the NBVME species specific small animal examination; (3) Dr. Gilbert shall successfully attend and complete 10 hours of modern anesthesia techniques; \$5,000 fine; and \$2,859.45 costs for violations of N.J.S.A. 45:1-21(c) gross negligence, gross malpractice or gross incompetence; and N.J.S.A. 45:1- 21(h) records keeping violations.

## **K. NEXT MEETING**

The next regularly scheduled meeting of the Board is March 27, 2002 at 9:30 a.m. in the Somerset Conference Room, 6th floor, 124 Halsey Street, Newark, New Jersey.

## **L. EXECUTIVE SESSION**

On a motion of Dr. Self, seconded by Dr. Logan and unanimous vote, the Board went into executive session to hold investigative inquiries and to discuss pending consumer complaints and investigations. They returned to open session to record their votes for those matters resulting in disciplinary action:

(none)

## **M. ADJOURNMENT**

This meeting of the Board was adjourned at 3:00 p.m.

Respectfully submitted,

DIANE I. ROMANO  
Executive Director

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