

New Jersey State Board of Veterinary Medical Examiners

August 22, 2001

Public Session Minutes

A. CALL TO ORDER

This scheduled meeting was called to order at 9:31 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 Nancy E. Halpern, DVM
Board Member Neal L. Beeber, DVM from Item E.1 to end
Board Member David A. Meirs, VMD
Board Member Alfred R. Scerni, Jr., Esq.

Absent: Board President John G. DeVries, DVM
Board Member Thomas M. Jacks, Ph.D.
Board Member Carolyn Self, DVM
Board Member Ernest Zirkle, DVM

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

Public present: Dr. Robert Gordon, NJVMA

Since there was no quorum, this meeting was held as a Committee of the Board with approval of all recommendations to be taken at the next meeting with a quorum present.

The meeting was presided over by Dr. Halpern.

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. Halpern and unanimous vote, the Committee recommended approval of the July 25, 2001 public session Minutes as submitted.

D. LEGISLATIVE/REGULATORY

(none)

E. ADMINISTRATIVE

1. Division of Law billing

The Committee reviewed the Division of Law billing for the 4th quarter 2001 (April 1, 2001 to June 30, 2001).

2. The Committee requested that a memo be sent to Director Herr requesting a clarification of a policy apparently in effect in which an investigation of a licensee is launched by the Enforcement Bureau, working with the Division of Law, (both of which are accruing billable hours) of which the boards are totally unaware. Also, a request for the Board to be able to review Enforcement Bureau reports prior to being sent to the Division of Law for their involvement.

Additionally, the Committee wishes a clarification of the procedure for hiring expert witnesses. In one pending case reviewed by the Board it was brought to light that an expert witness was hired, apparently by the prosecution section of the Division of Law, who in the Committee's opinion was totally inappropriate to the case being prosecuted and who had no credentials in the area of practice involved in the case.

3. AAVSB credentialing

The Committee discussed a letter from the American Association of Veterinary State Boards requesting that the various states accept certified copies of documents from them on behalf of candidates which our regulations specify must be originals received by the Board directly from the source, i.e. the college, ECFVG office or other state boards. The Committee unanimously recommended that since our regulations specify otherwise, we cannot comply with AAVSB's request.

F. CREDENTIALING

1. Credentialing question

The Committee reviewed a letter from a future veterinary student requesting a pre-determination of how the Board would rule on his eligibility to sit for the New Jersey practical exam in view of his past criminal conviction. The Committee unanimously determined that the Board is not in a position to make any promises on future applications and cannot provide a determination on hypothetical situations.

Board Member Thomas Jacks had submitted his analysis and recommendations on the following three candidates. The Committee considered this information in making their determinations.

2. Petra Anna Lackner, DVM

On a motion of Dr. Meirs, seconded by Dr. Beeber and unanimous vote, the Committee recommended that this candidate be approved to sit for the jurisprudence exam.

3. Patricia L. Rose, DVM

On a motion of Dr. Meirs, seconded by Dr. Beeber and unanimous vote, the Committee denied Dr. Rose's application since she has practiced in a college setting in Canada for the past 3 @ 4 years without a Canadian license.

4. Paul Tamas, DVM

On a motion of Dr. Meirs, seconded by Dr. Beeber and unanimous vote, the Committee recommended that this candidate be approved to sit for the jurisprudence exam.

G. FINAL ORDERS/CONSENT ORDERS

1. Phillip DeBaecke, DVM

Dr. DeBaecke has paid the \$750 fine and \$84.68 costs in relation to a final order concerning advertising violations.

This file is now closed.

2. Robert Fitzpatrick, DVM

Dr. Fitzpatrick paid the \$8,585 costs in relation to File #95-105. This file is now closed.

H. MISCELLANEOUS

1. Public Comment

Dr. Robert Gordon inquired as to whether there is any policy regarding the attendance of Board Members at meetings and whether there was any number of meetings required to be attended. Mrs. Romano replied that generally any more than 3 absences during one year is considered excessive.

I. NEXT MEETING

The next regularly scheduled meeting of the Board is September 26, 2001 at 9:30 a.m. in the Somerset Conference Room, 6th floor, 124 Halsey Street, Newark, New Jersey.

J. EXECUTIVE SESSION

The Committee unanimously moved to executive session at 9:51 a.m. to hold an investigative inquiry and to consider new consumer complaints and new and pending disciplinary matters.

K. ADJOURNMENT

This meeting of the Committee was adjourned at 2:08 p.m.

Respectfully submitted,

DIANE I. ROMANO
Executive Director