

P E N N S Y L V A N I A  
S T A T E B O A R D O F  
**VETERINARY MEDICINE**  
N E W S L E T T E R

WINTER 2006/2007



COMMONWEALTH  
OF PENNSYLVANIA

Edward G. Rendell  
*Governor*

Pedro A. Cortés  
*Secretary of the Commonwealth*

Basil L. Merenda  
*Acting Deputy Secretary  
for Regulatory Programs  
and Commissioner,  
Bureau of Professional and  
Occupational Affairs*

Mark Vessella  
*Deputy Commissioner,  
Bureau of Professional and  
Occupational Affairs*

For more information, visit us at  
[www.state.pa.us](http://www.state.pa.us)  
or visit the  
Department of State directly at  
[www.dos.state.pa.us](http://www.dos.state.pa.us)

*INSIDE:*

<u>Chairman's Message</u>	<b>2</b>
<u>Observations of a New Member</u>	<b>3</b>
<u>Legal Advice</u>	<b>4</b>
<u>What's In A Name?</u>	<b>5</b>
<u>Disciplinary Actions</u>	<b>6</b>

Board telephone: (717) 783-7134  
E-mail: [ST-VETERINARY@state.pa.us](mailto:ST-VETERINARY@state.pa.us)  
[www.dos.state.pa.us/vet](http://www.dos.state.pa.us/vet)

---

**Governor's Newsletter**

Sign up now at [www.governor.state.pa.us](http://www.governor.state.pa.us)  
to receive the weekly e-newsletter from  
Governor Rendell on important issues facing Pennsylvania.

## Chairman's Message

By Thomas J. McGrath, DVM, Ph.D.

The Pennsylvania State Board of Veterinary Medicine welcomes the opportunity to communicate with the commonwealth's professional licensees via this newsletter and it is our intent to share with you the responsibilities, challenges and concerns that involve the board throughout the year. It is also our desire to assist Pennsylvania's licensees with issues they encounter in daily practice.

We extend thanks to the outgoing board members for their dedicated service: Dr. Brian Harpster, chairman; Dr. Patricia Thomson; and public member Mary Evans.

The board welcomes as professional members Drs. Larry Gerson and Steven Radbill; and Beth VanHorn, veterinary technician.

The board continues to be active in preparing various regulations. Among many regulations which have been actively promulgated by the board and reviewed by other agencies such as IRRC (Independent Regulatory Review Commission), OGC (Office of General Counsel), and HPLC (House Professional Licensure Committee) are those regarding veterinary technician specialists, veterinary facilities, record keeping and professional conduct. Also, there was much deliberation by the board after input from Bureau of Professional and Occupational Affairs' Commissioner, Basil Merenda, and representatives of the Bureau of Finance and Operations, the Revenue Office and the Director of Operations. Collectively, these reports included past and present revenue and expenses and projected revenue and expenses so that appropriate reasonable licensing fees could be set. The board has been actively exploring the issues of veterinary dentistry as it relates to the role of the certified veterinary technician, veterinary assistant and supervising veterinarian. In Oct. 2005, a public hearing was arranged which included, in addition to the board, veterinary college faculty, board certified veterinary dentists, veterinarians performing advanced dental procedures who are non-board certified, PA Veterinary

Medical Association (PVMA) representatives and certified veterinary technicians. Our Sept. meeting reopened the issue for discussion and former Chairman Harpster, who had much involvement in the writing of the proposed regulation, continues to contribute his time and much helpful input with his participation.

Board Counsel Teresa Lazo and myself were invited to participate in roundtable discussions led by the PVMA president, Dr. David Wolfgang, which concern rural veterinary practice, the evolution of large animal medicine and paradigm shifts in continuing education planning. There will be ongoing group discussions to explore these issues and develop approaches and solutions to challenges which arise in these arenas.

The licensing boards serve to ensure that the citizens of the commonwealth receive competent and fair professional service from licensees and also serve to guide licensees with regard to practice and professional conduct. In these roles, the board hears cases which arise from complaints concerning licensees. In a fair number of these cases, many of the complaints would likely have not occurred had the licensee established more effective communication with his or her client(s), and had taken the time to thoroughly explain pros and cons of diagnostics, treatments and especially anticipated outcomes. Treating clients with compassion, understanding and respect goes a long way in preventing misunderstandings which result in complaints being filed.

The board understands its role in safeguarding our veterinary professional standards and encourages input from our colleagues on ways the board can better advance its mission of protecting the public. The board's accessibility to Pennsylvania's licensed veterinary professionals and consumers remains a constant priority, and we hope licensees and other interested persons will utilize this accessibility if and when the need arises.

### Upcoming 2007 Meeting Dates

- **Feb. 27 at University of PA School of Veterinary Medicine, Philadelphia**
- **May 3**
- **July 12**

- **Aug. 30**
- **Oct. 11 at University of PA School of Veterinary Medicine, New Bolton Center**
- **Dec. 6**

*Dates are subject to change. Check [www.dos.state.pa.us/vet](http://www.dos.state.pa.us/vet) for updated information.*

# Observations of a New Board Member

By Lawrence J. Gerson, V.M.D.

“Serving on the state board will make you practice better medicine” was the line I heard from many of the existing board members. As one of the new members, I found the statement to be one hundred percent true. After my first meeting, I was already changing the way I practice.

The state board is a consumer board and our mission is to respond to complaints and make sure that veterinary licensees maintain acceptable and prevailing practice standards. The following are the top 10 ways to remain in compliance with the Practice Act.

1. **Renew your license.** This may seem pretty basic but it is not uncommon to forget to renew. Check your license to ensure that it has not expired.
2. **Attend the required CE.** Make sure the meetings you attend are approved for renewal. Keep your certificates and make a list of lectures you attend. The required hours are the minimum. Your skills need to be updated more than the minimum hours. Local meetings qualify for hours. If your local veterinary medical association has not met, then you can show the leadership to get the group reorganized.
3. **Keep good records.** Let me repeat: keep good records. The medical record is what we have to know what occurred in the exam room. Another veterinarian should be able to read the record and know what you were thinking and continue with the plan for the patient. Good records will make or break a case against you.
4. **If a client complains, cooperate with the investigators.** When they come, they are doing their job. Their mission is to see if the complaint has merit. Many of the complaints are not referred to the board as the prosecution division has the option to not send the case forward. A consulting veterinarian may review the case before it is brought before the board. An investigator can charge you for violations not in the complaint. Out of date drugs on the shelf

are a good example of offenses that have little tolerance to the board.

5. **Retain your veterinary medical competence.** Talk to your colleagues. Find out if there are new ways to practice. Keep abreast of new procedures and techniques.
6. **Be aware that specialists can offer expertise that a general practitioner cannot.** Even if a client elects not to go to a specialty office, document that you offered and informed them.
7. **Communicate with clients.** Document all phone calls in the record. Have a consent form for all hospitalized cases. Use client information sheets and a note in the record that side effects of all drugs were reviewed. Send home written post-operative instructions. Make sure that your clients have trust in all that you say and do.
8. **Show compassion.** We are a caring profession and we must show it. Economics have changed but we still must show the public that we care. Clients want someone to talk to about their pets that they love. Do not let money come in the way of caring for a stray pet. You have an obligation to care for emergencies and strays. And do not forget about adequate pain control. The board members all expect the use of appropriate pain relief.
9. **Review your hospital procedures.** What is your out of hours policy? Veterinarians are expected to be available or refer to an established emergency clinic. If your area does not have an emergency clinic, consider talking to your neighboring practices about a cooperative effort. Ensure your hospital's advertising conforms to the board's regulation, particularly advertising for emergency services.
10. **Finally, if you are called before the board, bring an attorney.** This is a legal proceeding and you need the help. Be frank and honest, as we are interested in the truth and nothing but the truth. Your license depends on our decisions.

## Reminder...

### Renew Your License Online

#### You are eligible to renew online if:

- You are currently in your license renewal period
- Your license is delinquent by no more than 30 days

#### First-time users need the following information:

- Pennsylvania License Number
- Registration Code
- Current mailing address
- Credit Card information
- E-mail address
- Continuing Education information

Go to the Department's Web site at  
[www.dos.state.pa.us](http://www.dos.state.pa.us)

Click on **RENEW a Professional License**  
([www.myLicense.state.pa.us](http://www.myLicense.state.pa.us)).

Then simply follow the instructions  
to renew your license online.

## Legal Advice

### How to Advertise Emergency Services

Effective May 13, 2000, the board amended its Rules of Professional Conduct to specify parameters for advertising emergency services at a veterinary practice. A review of the telephone yellow pages in several counties reveals that many veterinarians are not adhering to the regulation.

Principle 5, subsection (c) of the Rules of Professional Conduct provides as follows:

Advertising by veterinarians for emergency veterinary services shall provide information as to whether a veterinarian is on the premises or on call, and shall specify the hours during which emergency services are available. "On the premises" means that a veterinarian is physically present at the veterinary establishment during the advertised hours and is immediately available to render emergency care. "On call" means that a veterinarian is available to return calls requesting emergency services within a reasonable time and is available to render emergency services within a reasonable time. Veterinarians are required to disclose the type of practice they have in any advertising for emergency services. For example, "emergency care limited to cats and dogs" or "only avian services available."

Check your advertising now to ensure it complies with this Rule of Professional Conduct.

### Dispensing Prescription Drugs

Effective Dec. 6, 2003, the board added Principle 8, related to drugs, to its Rules of Professional Conduct. The regulation requires that all prescription drugs dispensed by a veterinarian (except for food animals) be dispensed in child resistant packaging or in the manufacturer's original packaging. In addition, the regulation requires that all prescription drugs dispensed be labeled with, at a minimum, the following information:

1. The name, address and telephone number of the prescribing veterinarian and the name and telephone number of the dispenser, if different.
2. The brand or generic name of the drug.
3. The potency and the quantity of the drug.
4. The number of refills allowed, if any.
5. Adequate directions for use, which shall include quantity of dose, frequency of administration or application, duration of administration or application, and route or method of administration or application.
6. Any cautionary statement specified by the veterinarian or required by law.
7. The name of the patient, if applicable.
8. The date the drug was dispensed.
9. The expiration date of the drug.

Whenever a veterinarian dispenses a drug, the veterinarian should carefully counsel the client as to the proper use of the drug and inform the client to reported side effects that the client should be alert for and should report to the veterinarian. A well-informed client makes a better partner in the treatment of an animal's condition.

#### State Board of Veterinary Medicine Web Site

[www.dos.state.pa.us/vet](http://www.dos.state.pa.us/vet)

Please visit the board's Web site for information on:

- |                         |                              |
|-------------------------|------------------------------|
| ◆ Board members         | ◆ Newsletter                 |
| ◆ Board meeting dates   | ◆ Address and/or name change |
| ◆ License verification  | ◆ Letter of good standing    |
| ◆ Complaint process     | ◆ Examinations               |
| ◆ Disciplinary actions  | ◆ License renewal            |
| ◆ Practice act          | ◆ Applications for download  |
| ◆ Rules and regulations | ◆ Special notices            |

## What's In A Name

by James A. Orsini, DVM, ACVS

“What’s in a Name” says much about what we offer in the way of professional services and expectations by a client. Many times we don’t give much thought to what we call our professional office, clinic, ambulatory practice, hospital or center. Yet in today’s world, how we “brand” our veterinary medical establishment can unintentionally confuse or mislead our clients to what level of services are expected. Although there are no specific American Veterinary Medical Association (AVMA) guidelines available, there is a statement under General AVMA Policies – “Principles of Veterinary Medical Ethics of the AVMA,” advertising that has some pertinence to this topic: “Advertising by veterinarians is ethical when there are no false, deceptive, or misleading statements or claims. A false, deceptive, or misleading statement or claim is one which communicates false information or is intended, through a material omission, to leave a false impression.” Several terms and definitions used in the human health field in advertising to promote professional activities with some relevance in veterinary medicine include:

- **Medical office** – The building, room or series of rooms in which the medical affairs of a professional person(s) are carried on. The facility does not have the ability to provide for overnight care of sick patients.
- **Clinic** – An establishment where patients are admitted for special study and treatment by a group of practitioners working together. In veterinary medicine, a “clinic” offers multiple services and even overnight housing but generally does not have technical and nursing care for 24/7 treatment.
- **Ambulatory clinic** – A mobile or ambulant establishment for medical and minor surgical care of patients on an outpatient basis.
- **Hospital** – An institution for the treatment of the sick. The institution is capable of supplying scientific, efficient and unhindered care for the prevention, diagnosis and treatment of physical ailments, including different specialties and levels of medical care from basic to intensive care.
- **Teaching Hospital** – A facility that allocates a substantial part of its resources to conduct in its own name or in association with a college or university, formal educational programs or courses of instruction leading to certificates, diplomas, degrees, or professional certification. Services offered include the various specialties and all levels of medical and surgical care.
- **Medical Center** – Generally a term reserved for those establishments that are providing a level of sophistication that is considered of the highest quality with all advanced skills represented including critical care, specialty surgery, internal medicine, interventional radiology and has active research programs in translational medicine using basic research findings and implementing cutting edge inventions into patient care. Most medical centers are aligned with medical education and a large research institution. Although these “centers” cannot always offer the best in all areas of medicine, the level of care is considered above the local or regional referral hospital.

There may be additional and even more descriptive terms that apply to “What’s in a Name” when depicting or advertising veterinary establishments. I encourage comments from my colleagues on this important and timely topic so we represent ourselves to our colleagues and clients in a clear manner regarding expectations for patient care.

### UNETHICAL OR UNLICENSED ACTIVITY

If you believe the practice or service provided by a licensed professional to be unethical, below an acceptable standard or out of the scope of the profession; or if you are aware of unlicensed practice, please call the Bureau of Professional and Occupational Affairs compliance hotline at:

**In Pennsylvania: 1-800-822-2113**

**Out of State: 1-717-783-4854**

A complaint form is available on the Department of State’s Web site at [www.dos.state.pa.us](http://www.dos.state.pa.us)



## Disciplinary Actions

*The following is a chronological listing of disciplinary actions taken by the board from Sept. 2005 through May 2006. Each entry includes the name, certificate or registration number (if any), and last known address of the respondent; the disciplinary sanction imposed; a brief description of the basis of the disciplinary sanction and the effective date of the disciplinary sanction.*

*Every effort has been made to ensure that the following information is correct. However, this information should not be relied on without verification from the Prothonotary's Office of the Bureau of Professional and Occupational Affairs. One may obtain verification of individual disciplinary action by writing or telephoning the Prothonotary's Office at P.O. Box 2649, Harrisburg, PA 17105-2649; (717) 772-2686. Please note that the names of persons listed below may be similar to the names of persons who have not been disciplined by the board.*

**Helal Elkalban**, license no. **BV-0005861-L**, of Mahanoy City, Schuylkill County, and Middletown, Dauphin County, was suspended for 18 months with all but three months stayed in favor of probation, assessed a \$1,000 civil penalty and ordered to complete continuing education. Elkalban failed to conform to the standards of acceptable and prevailing veterinary medical practice. (09-07-05)

**Raj Ishwar Khare**, license no. **BV-003982-L**, of Philadelphia, Philadelphia County, was suspended for two years with all but 60 days stayed in favor of probation, ordered to remit a \$1,500 civil penalty, complete continuing education, and limit the number of hours he practices on days he performs surgery. Khare failed to conform to the standards

of acceptable and prevailing veterinary medical practice. (10-04-05)

**Dale D. Mantell**, license no. **BV-004741-L**, of Doylestown, Bucks County, was suspended for 14 days, a public reprimand was placed on his license and was assessed a \$1,000 civil penalty. Mantell failed to conform to the acceptable and prevailing standard of veterinary medical practice by prescribing Ketamine for unspecified animals. (11-02-05)

**Daniel L. Bowman**, license no. **BV-003946-L**, of Huntingdon, Huntingdon County, was ordered to pay a \$450 civil penalty. Bowman failed to complete 30 hours of board-approved continuing education. (12-08-05)

**Mary F. Crisman**, license no. **BV-006590-L**, of Conestoga, Lancaster County, was ordered to pay a \$450 civil penalty. Crisman failed to complete 30 hours of board-approved continuing education. (12-08-05)

**Sharon L. Daub**, license no. **BV-007421-L**, of Lancaster, Lancaster County, was ordered to pay a \$1,150 civil penalty because Daub failed to complete 30 hours of board-approved continuing education. (12-08-05)

**James F. Evans**, license no. **BV-004077-L**, of McConnellsburg, Fulton County, was ordered to pay a \$450 civil penalty. Evans failed to complete 30 hours of board-approved continuing education. (12-08-05)

**Omar Farias-Llovet**, license no. **BV-009173-L**, of Philadelphia, Philadelphia County, was ordered to pay a \$200 civil penalty. Farias-Llovet failed to complete 30 hours of board-approved continuing education. (12-08-05)

**Carol E. Johnson**, license no. **BV-006158-L**, of Mohnton, Berks County, was ordered to pay a \$1,500 civil penalty. Johnson failed to complete 30 hours of board-approved continuing education. (12-08-05)

**Marcia Kesten**, license no. **DC-003142-L**, of Ulster, Bradford County, was ordered

to pay a \$1,000 civil penalty. Kesten engaged in the practice of veterinary medicine when she was not licensed to do so and/or without the direction or supervision of a licensed veterinarian. (12-08-05)

**Douglas J. Pierson**, license no. **BV-005222-L**, of New Oxford, Adams County, was ordered to pay a \$1,500 civil penalty. Pierson failed to complete 30 hours of board-approved continuing education. (12-08-05)

**Karen E. Wiley**, license no. **VT-001069-L**, of Mechanicsburg, Cumberland County, was ordered to pay a \$200 civil penalty. Wiley failed to complete 16 hours of board-approved continuing education. (12-08-05)

**Joseph Thompson**, license no. **BV-006868-L**, of Holicong, Bucks County, was reprimanded based on findings that he deviated from the acceptable standard of veterinary care. (12-14-05)

**James A. Boatman, VMD**, license no. **BV-003076-L** of Indiana, Indiana County, was assessed a \$1,325 civil penalty. Boatman failed to complete 30 hours of board-approved continuing education. (01-26-06)

**Daniel H. Dunsmoor**, license no. **BV-005624-L** of Shippensburg, Cumberland County, was assessed a \$100 civil penalty because he failed to complete 30 hours of board-approved continuing education. (01-26-06)

**Cecelia A. Helenski**, license no. **BV-006667-L** of Havertown, Delaware County, was publicly reprimanded and ordered to pay a \$1,000 civil penalty. Helenski engaged in the practice as a veterinarian when she held an expired license. (01-26-06)

**Robert J. Kezell**, license no. **BV-003064-L** of Lebanon, Lebanon County, was assessed a \$200 civil penalty. Kezell failed to complete 30 hours of board-approved continuing education. (01-26-06)

## Disciplinary Actions, continued

**Trisha L. Scull**, license no. **VT-001436-L** of Warminster, Bucks County, was publicly reprimanded and ordered to pay a \$500 civil penalty. Scull engaged in the practice of a veterinary technician when she held an expired license. (01-26-06)

**Daniel L. Stoltzfus**, of Allenwood, Union County, was ordered to pay a \$1,000 civil penalty and to cease performing castrations on horses or any other animal which he does not own. Stoltzfus engaged in the practice of veterinary medicine when he was not licensed to do so. (01-26-06)

**Carolyn M. Sutor**, license no. **BV-008850L** of Ardmore, Delaware/Montgomery County, was ordered to pay a \$300 civil penalty. Sutor failed to complete 30 hours of board-approved continuing education. (1-26-06)

**Eric D. Twitchell**, license no. **BV-006793-L** of McKean, Erie County, was publicly reprimanded and ordered to pay a \$500 civil penalty. Twitchell practiced as a veterinarian when held an expired license. (01-26-06)

**Inge L. Brunner**, license no. **BV-006381L** of Moylan, Delaware County, was ordered to pay a \$650 civil penalty. Brunner failed to complete 30 hours of board-approved continuing education. (03-30-06)

**Lisa Marie Carachilo**, license no. **VT-001229L** of Scranton, Lackawanna County, was ordered to pay a \$125 civil penalty. Carachilo failed to complete 16 hours of board-approved continuing education. (03-30-06)

**Douglas G. Dedrick**, license no. **BV-003026-L** of East Aurora, NY, was ordered to voluntarily surrender his license. Dedrick had his license to practice veterinary medicine revoked, suspended or subjected to other disciplinary action by another state on grounds similar to those which in this state allows disciplinary proceedings. (03-30-06)

**John A. Gingrich**, license no. **BV-003805L** of Mercersburg, Franklin County, was ordered to pay a \$150 civil penalty. Gingrich failed to complete 30 hours of board-approved continuing education. (03-30-06)

**Rebecca B. Kirik**, license no. **VT-000704-L**, of Union City, Erie County, had her license suspended for one year because she failed to complete 16 hours of board-approved continuing education. (03-30-06)

**Jane M. Kirchhoffer**, license no. **BV-005374-L** of Jenkintown, Montgomery County, was ordered to pay a \$1,000 civil penalty and complete a minimum of eight hours of continuing education in surgery. Kirchhoffer failed to conform to the standards of acceptable and prevailing veterinary medical practice. (03-30-06)

**Todd R. Parry**, license no. **VT-000800-L** of Gibsonia, Susquehanna County, was assessed a \$250 civil penalty and a public reprimand was placed on his permanent board record. Parry practiced as a veterinary technician in PA when he held an expired certificate. (03-30-06)

**Dale A. Schilling**, license no. **BV-004646-L** of Ambler, Montgomery County, was ordered to pay a \$1,000 civil penalty because he failed to complete 30 hours of board-approved continuing education. (03-30-06)

**Susan L. Stoner**, license no. **VT-000990-L** of Campbelltown, Lebanon County, was ordered to pay a \$250 civil penalty and a public reprimand was placed on her permanent board record. Stoner practiced as a certified veterinary technician when she held an expired certificate. (03-30-06)

**Leroy Zook**, of Paradise, Lancaster County, was assessed a \$1,000 civil penalty. Zook practiced veterinary medicine when he was not licensed. (03-30-06)

**Jennifer L. Cascarella**, license no. **VT-001589-L** of Downingtown, Chester County, was ordered to pay a \$250 civil penalty and a public reprimand was placed on her permanent board record. Cascarella engaged in the practice as a certified veterinary technician when she held an expired certificate. (05-24-06)

**Michelle D. Gels-Hawks**, license no. **BV-008142-L** of Lansdale, Montgomery County, was publicly reprimanded and ordered to pay a \$500 civil penalty. Gels-Hawks engaged in the practice as a veterinarian when she held an expired license. (05-24-06)

**Deborah S. Lutz**, license no. **BV-005468L** of Erie, Erie County, was ordered to pay a \$1,500 civil penalty. Lutz failed to complete 30 hours of board-approved continuing education. (05-24-06)

**Richard W. Mackey**, license no. **BV-005676-L** of Dubois, Clearfield County, was ordered to pay a \$250 civil penalty and a public reprimand was placed on his permanent board record. Mackey deviated from the standards of acceptable and prevailing veterinary medical practice by administering an outdated drug to a patient animal. (05-24-06)

**Rachel E. Miller**, license no. **BV-010517** of Slippery Rock, Butler County, received a public reprimand and was assessed a \$500 civil penalty. Miller engaged in the practice as a veterinarian when she held an expired license. (05-24-06)

**Kenneth R. Kimmel**, license no. **BV-006840L** of Philadelphia, Philadelphia County, was ordered to pay a \$1,500 civil penalty. Kimmel failed to complete 30 hours of board-approved continuing education. (05-24-06)

**Check [www.dos.state.pa.us](http://www.dos.state.pa.us) for updated disciplinary action reports.**

P.O. Box 2649  
Harrisburg, PA 17105-2649

PRSRST STD  
U.S. POSTAGE PAID  
Harrisburg PA  
Permit No 918

## Board Members and Staff

**Thomas J. McGrath, DVM, Chairman**  
Columbia, PA

**James A. Orsini, DVM, Vice Chairman**  
Kennett Square, PA

**Robert W. Cloninger, VMD, Secretary**  
Centre Hall, PA

**Robin J. Bernstein, Public Member**  
Pittsburgh, PA

**Lawrence J. Gerson, VMD**  
Pittsburgh, PA

**Steven M. Radbill, VMD**  
Huntingdon Valley, PA

**Beth A. VanHorn, CVT**  
Harrisburg, PA

**Basil L. Merenda**  
Acting Deputy Secretary for Regulatory  
Programs and Commissioner, Bureau of  
Professional and Occupational Affairs

**Teresa Lazo, Esquire**  
Counsel

**Clifford D. Swift, Esquire**  
Prosecuting Attorney

**Robert Kline**  
Administrator