

**KENTUCKY BOARD OF VETERINARY EXAMINERS  
MEETING MINUTES  
May 25, 2017**

A meeting of the Kentucky Board of Veterinary Examiners was held at the Department of Professional Licensing located at 911 Leawood Drive, Frankfort, KY 40601 on May 25, 2017.

**MEMBERS PRESENT**

Perry Wornall, D.V.M., Chair  
Eric Peterson, D.V.M. Vice Chair  
Dale Eckert, D.V.M.  
Amanda Rowland, D.V.M.  
Gene Smith, D.V.M.  
Amy Staton, VT  
Robert Stout, D.V.M.  
Steven Wills, D.V.M.

**MEMBERS ABSENT**

Shelley Ryan, PT  
Craig Van Balen, D.V.M.

**DEPARTMENT OF PROFESSIONAL LICENSING**

Lucie Duvall, Board Administrator  
Kayla Mann, Board Administrator  
Robin Vick, Administrative Section Supervisor  
Larry Brown, Commissioner  
Julie Campbell, Executive Secretary

**OTHERS**

Marcus Jones, Office of the Attorney General  
Louise Cook, KVMA Executive Director  
Sam Vaughn, D.V.M.  
Loran Wagoner, D.V.M. Board Investigator  
Geraldine Burchett

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**CALL TO ORDER**

Perry Wornall, D.V.M., Chair, called the meeting to order at 12:09 p.m.

**WELCOME NEW BOARD MEMBERS**

Amanda H. Rowland, D.V.M. and Amy J. Staton, VT were both sworn in as new Board members.

**MINUTES**

A motion was made by Stephen Wills, D.V.M. to approve the minutes of the March 23, 2017 meeting. Motion, seconded by Dale Eckert, D.V.M., carried.

**MONTHLY FINANCIAL REPORT**

The financial statement for the month ending April 30, 2017 was presented to the Board for review. A motion was made by Eric Peterson, D.V.M. to approve the financial statement as presented. Motion, seconded by Gene Smith, D.V.M., carried.

**REPORT FROM DPL**

Dr. Wornall and Larry Brown, Commissioner of the Department of Professional Licensing reported on their meeting with the David Dickerson, Public Protection Cabinet Secretary regarding the reorganization of state licensure Boards. For further details, see attached talking points provided by Elizabeth Kuhn, Executive Director of the Office of Communications and Public Outreach.

**LICENSURE STATUS REPORT**

A Licensure Status Report dated May 24, 2017 was presented to the Board for review. The report showed there are currently 2,349 active licensed veterinarians along with 358 active licensed veterinarian technicians. The report also indicated 49 licensed animal control shelters and 153 licensed euthanasia specialists. No further action was required.

A motion was made by Dr. Wills to ratify approved Veterinarian, Veterinarian Technician, and Euthanasia Specialist licenses issued from March 22, 2017 to May 24, 2017 by the applications committee. Motion, seconded by Dr. Peterson, carried.

### **NEW BUSINESS**

Robert Stout, D.V.M. briefly discussed issues with accreditation to veterinarians to write health certificates. No further action was required.

The Board reviewed an invoice from John A. Stick, D.V.M. A motion was made by Dr. Peterson to approve the invoice. Motion, seconded by Dr. Wills, carried.

The Board reviewed correspondence from AAVSB regarding the VTNE examination. No further action was required.

The Board reviewed correspondence from Noe Tirado-Muniz regarding rabies vaccinations at the 2017 Festival Latino of Lexington. A motion was made by Dr. Peterson to have legal counsel draft a letter in response to Dr. Tirado-Muniz. Motion, seconded by Dr. Smith, carried.

The Board reviewed correspondence from Dr. Stout regarding veterinary technicians and rabies shots. After review and discussion, the Board agreed rabies vaccinations were not under the KBVE law, however they were listed under KRS 258. No further action was required.

The Board reviewed correspondence from Tiffany Jarboe regarding heartworm compliance. After review and discussion, the Board agreed one must follow the manufacturer's guidelines/recommendation for the drug. The Board requested legal counsel to respond accordingly. No further action was required.

The Board reviewed correspondence from Patricia Holstein regarding euthanasia specialists. The Board requested legal counsel respond to her with their answers. No further action was required.

The Board reviewed correspondence from Samantha Bayless regarding how to regulate animal massage therapy. Dr. Peterson informed the Board Tennessee recently began regulating animal massage therapy. The Board was interested in reviewing Tennessee's law regarding the matter and said they would do so and get back with her on the matter. No further action was required.

Geraldine Burchett spoke with the Board at length about agency complaint #2016-31 and her concerns over euthanasia practices and guidelines for veterinarians. No further action was required.

### **WELLNESS REPORT**

Dr. Vaughn reported to the Board on Scott Nieves, D.V.M. with concerns for Dr. Nieves health and issues with his medical records. A motion was made by Dr. Smith to have legal counsel draft a settlement agreement to address these concerns. Motion, seconded by Dr. Peterson, carried.

### **APPLICATIONS COMMITTEE**

The applications committee reviewed a continuing education approval form from Samantha Bayless regarding animal massage therapy. The applications committee made a recommendation to deny the continuing education.

The applications committee reviewed an application for Nicholas Rataj for licensure as a veterinarian. After review and discussion, the applications committee made a recommendation to approve Dr. Rataj's application.

A motion was made by Dr. Peterson to approve the recommendations of the applications committee. Motion seconded by Dr. Eckert, carried. The following continuing education courses were approved:

- Problem Cases in Practice
- Dermatology Myth Busters
- Blood Smears 101: A Valuable Diagnostic Tool
- Rehab Round-Up
- The Cytology of Lumps and Bumps
- Hips & Knees: Diagnosis, current treatments and tips to determine cause of rear limb lameness
- Atopy: The Good, The Bad, The Itchy
- Leptosporosis: Coming to a Community Near You?
- Cushings Disease: Diagnosis & Management
- Interpreting Dental Radiographs
- The Chronically Coughing Small Dog: Hot Tips and Cool Tricks
- Pulmonary Hypertension: When Chronic Cough Leads to Cardiac Changes
- Top 10 Toxins
- Chemotherapy Handling and Safety
- Positioning for Diagnostic Radiographs
- Ticks and Tick Control in Your Backyard
- The Emerging Ohio/Kentucky Tick Story
- 39<sup>th</sup> Annual Morehead Clinic Days Veterinary Conference
- Neurology: Gait Disorders of Neurologic Origin
- Internal Medicine: Acute and Chronic Renal Disease
- Emerging Threat of Lone Star Ticks and Tick Borne Disease
- 2017 Summer Food Animal Conference
- 2017 Summer Bovine Seminar
- Pruritic Dermatoses of the Dog

## **LEGAL COUNSEL**

Marcus Jones, Board Attorney presented the Board with a Settlement Agreement for agency complaint 2016-33, an Agreed Order for Luis Castro, D.V.M., and a Final Order for Ross Russell, D.V.M. A motion was made by Dr. Wills to approve all three (3) documents. Motion, seconded by Dr. Peterson, carried.

Mr. Jones presented a question to the board regarding 201 KAR 16:010 Section 13 regarding the board's code of ethical conduct and the reporting of disciplinary actions by a veterinarian to the board. Mr. Jones received a question from an attorney representing an unidentified veterinarian. The attorney questioned the use of the words "and" vs "or" in this section. The attorney asked if the board required reporting of voluntary surrender only if there was also a conviction of a crime, since the word "and" is present in the regulation. Mr. Jones' opinion is that the word "and" is not appropriate because voluntary surrender and conviction of a crime must both be reported, even if the other is absent. After review and discussion the board agreed. Mr. Jones advised the board to have this changed in their regulations. No further action was required

Mr. Jones informed the Board he had met with his boss Latasha Buckner regarding the reorganization of state licensure Boards. Mr. Jones was told by Ms. Buckner not to take on any large assignments and to start preparing to transfer cases over. Mr. Jones was told they could purchase portable drives to begin the process of copying files to be transferred over. He further stated they had already been notified of new assignments within the Attorney General's Office and that the possible date for this transfer was June 1, 2017.

### **COMPLAINTS COMMITTEE**

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|---------|--|
| 2015-30 | Ongoing  |
| 2016-24 | The Board reviewed the complaint and response. After review and discussion, the complaint committee made a recommendation to investigate.  |
| 2016-36 | The Board reviewed the response to the dismissal letter from the complainant. No further action was required.  |
| 2017-02 | The Board reviewed the complaint, response and investigative report. After review and discussion, the complaint committee made a recommendation to offer a Settlement Agreement      |
| 2017-03 | The Board reviewed the complaint and investigative report. After review and discussion, the complaint committee made a recommendation to have legal counsel send an advisory letter. |
| 2017-05 | The Board reviewed the complaint and response. After review and discussion, the complaint committee made a recommendation to dismiss the complaint.                                  |
| 2017-06 | The Board reviewed the complaint and response. After review and discussion, the complaint committee made a recommendation to investigate.  |
| 2017-07 | The Board reviewed the complaint. After review and discussion, the complaint committee made a recommendation to offer a Settlement Agreement.  |
| 2017-08 | The Board reviewed the complaint and response. After review and discussion, the complaint committee made a recommendation to dismiss the complaint.                                  |

### **PENDING COMPLAINTS**

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|---------|--|
| 2014-01 | The Board reviewed the complaint. After review and discussion, the complaint committee made a recommendation to dismiss the complaint. |
| 2014-25 | The Board reviewed the complaint. After review and discussion, the complaint committee made a recommendation to dismiss the complaint. |
| 2014-29 | The Board reviewed the complaint. After review and discussion, the complaint committee made a recommendation to dismiss the complaint. |

2014-30	The Board reviewed the complaint. After review and discussion, the complaint committee made a recommendation to dismiss the complaint.
2014-31	The Board reviewed the complaint. After review and discussion, the complaint committee made a recommendation to dismiss the complaint.
2014-32	The Board reviewed the complaint. After review and discussion, the complaint committee made a recommendation to dismiss the complaint.
2014-33	The Board reviewed the complaint. After review and discussion, the complaint committee made a recommendation to dismiss the complaint.
2014-41	Ongoing
2014-51	The Board reviewed the complaint. After review and discussion, the complaint committee made a recommendation to dismiss the complaint.
2015-24	The Board reviewed the complaint. After review and discussion, the complaint committee made a recommendation to dismiss the complaint.
2016-04	The Board reviewed the complaint. After review and discussion, the complaint committee made a recommendation to dismiss the complaint.
2016-09	The Board reviewed the complaint. After review and discussion, the complaint committee made a recommendation to dismiss the complaint.
2016-10	Ongoing
2016-20	Closed
2016-21	Closed

A motion was made by Dr. Smith to approve the recommendations of the complaint committee. Motion, seconded by Dr. Peterson, carried.

**TRAVEL AND PER DIEM**

Dr. Peterson made a motion to approve the travel and per diem for members attending today’s meeting. The motion, seconded by Dr. Wills, carried.

**ADJOURN**

Dr. Peterson made a motion to adjourn at 3:20 p.m., having no further items of discussion. The motion, seconded by Dr. Wills, carried.

*Perry A. Wornall*

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Dr. Perry Wornall, Chair



## KENTUCKY BOARD OF VETERINARY EXAMINERS

**AGENDA**  
**May 25, 2017**

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### **CALL TO ORDER**

### **WELCOME NEW BOARD MEMBERS**

- Amanda H. Rowland, D.V.M.
- Amy J. Staton, VT

### **APPROVAL OF MINUTES**

- March 23, 2017

### **FINANCIAL STATEMENT**

- Month ending April 30, 2017

### **REPORT FROM DPL**

### **LICENSURE STATUS REPORT**

- May 24, 2017
- Licenses issued from March 22, 2017 to May 24, 2017

### **NEW BUSINESS**

- Robert Stout, D.V.M. guest speaker
- Review invoice from John A. Stick, D.V.M.
- Review correspondence from AAVSB regarding the VTNE examination
- Review correspondence from Noe Tirado-Muniz regarding rabies vaccinations at 2017 Festival Latino of Lexington
- Review correspondence from Robert Stout, D.V.M. regarding veterinary technicians and rabies shots
- Review correspondence from Tiffany Jarboe regarding heartworm compliance
- Review correspondence from Patricia Holstein regarding euthanasia specialists
- Review correspondence from Samantha Bayless regarding continuing education for animal massage

### **WELLNESS REPORT**

### **APPLICATIONS COMMITTEE**

### **LEGAL COUNSEL**

- 2016-33
- Agreed Order for Luis Castro, D.V.M.

## **COMPLAINTS COMMITTEE**

- 2015-30
- 2016-24
- 2016-36
- 2017-02
- 2017-03
- 2017-05
- 2017-06
- 2017-07
- 2017-08

## **PENDING CASES**

- 2014-01 (Equine Dentistry)
- 2014-25 (Equine Dentistry)
- 2014-29 (Equine Dentistry)
- 2014-30 (Equine Dentistry)
- 2014-31 (Equine Dentistry)
- 2014-32 (Equine Dentistry)
- 2014-33 (Equine Dentistry)
- 2014-41
- 2014-51 (Equine Dentistry)
- 2015-24
- 2016-10
- 2016-20
- 2016-21
- 2016-24

## **APPROVAL OF TRAVEL AND PER DIEM**

## **ADJOURN**