



KENTUCKY BOARD OF VETERINARY EXAMINERS

107 Corporate Drive, Second Floor, Frankfort, KY 40601

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kybve.com • vet@ky.gov

Meeting Minutes

September 23, 2021

Meeting Location: Office of the State Veterinarian
109 Corporate Drive, Frankfort, KY 40601

**Due to continuing COVID-19 Protocols,
Citizens and observers were encouraged to attend the meeting virtually.**

BOARD MEMBERS PRESENT

(V) = video (A) = audio only (I) = In-person

All Board Members, Staff, and Others present in-person unless otherwise noted.

- Steven J. Wills, DVM – Chairman
- Gene Smith, DVM – Vice Chair
- Dianne Dawes, DVM
- Tom Dorman, Citizen-at-Large
- Dale Eckert, DVM
- Tim Gardner, DVM
- Stephanie Kennedy, DVM
- John Park, DVM
- Amy J. Staton, EdD, LVT (V)
- Bob Stout, DVM -- Proxy for the Commissioner of Agriculture

DEPARTMENT OF AGRICULTURE STAFF PRESENT

- Joe Bilby, KBVE Legal Counsel
- Amanda Briggs, KBVE Administrative Assistant
- Michelle Shane, KBVE Executive Director

OTHERS PRESENT

- MJ Wixsom, DVM, KBVE Investigator
- Coy St. Clair, DVM, KBVE Investigator

CALL TO ORDER / ROLL CALL / ESTABLISHMENT OF QUORUM

Dr. Steven Wills, Board Chairman, called the meeting to order at 1:02 PM EDT. Chairman Wills welcomed everyone to the meeting.

Ms. Michelle Shane read the roll call. Per [KRS 321.240\(2\)](#), a quorum of the Board was achieved.

CONFIRMATION OF PUBLIC NOTICE

Ms. Shane confirmed the public notice for this meeting was sent on Tuesday, September 21, 2021, to the Kentucky Department of Agriculture (KDA) media contact list, and also posted on the KBVE website Meetings page.



READING OF MISSION STATEMENT

Vice Chair Gene Smith, DVM read aloud the Board's mission statement.

CONSENT AGENDA

- Board Meeting Minutes from July 29, 2021 and August 12, 2021
- Budget Expenditures since 7/29 meeting
- Applications Committee Report on New Applications
- Applications Committee Report on New CE Requests
- Approval of Board Per Diem and Mileage

A MOTION was made by Dr. Tim Gardner to approve the consent agenda. The motion, seconded by Dr. Park, passed unanimously.

Budget

The budget expenditures and revenue approved are summarized for F.Y. 2022, July 1, 2021, through September 15, 2021, as follows:

- Receipts = \$23,730
- Expenditures = \$60,285
- Current Balance = \$1,159,844

Applications Committee Reports

- Report on New Applications
- Report on New CE Requests

The Applications Committee Reports are as follows in Table 1: Approved Applicants for Licensure and Certification, and Table 2: Approved CE Requests. The Board approved 16 veterinarian, 16 veterinary technician, and one (1) animal euthanasia specialist applications. The Board approved CE requests for 29 hours of CE for veterinarians and 26 hours of CE for veterinary technicians.

Table 1: Approved Applicants for Licensure and Certification				
Row #	First Name	Last Name	License Type	App. Type
1	Rolf	Becker Modesto	Veterinarian	Endorsement
2	Kalisha E.	Brandenburg	Veterinarian	Special Permit
3	Clara L.D.	Burgy	Veterinarian	New
4	Emily J.	Crow	Veterinarian	Reinstatement

Row #	First Name	Last Name	License Type	App. Type
5	Brian A.	Evans	Veterinarian	Endorsement
6	Christina M.	Fernandez	Veterinarian	Endorsement
7	DeAnna K.	Fox	Veterinarian	Endorsement
8	Kristen J.	Hicks	Veterinarian	Endorsement
9	Austin T.	Horstman	Veterinarian	New
10	Jerrod C.	Johnson	Veterinarian	Reinstatement
11	Madalyn J.	Kalscheur	Veterinarian	Endorsement
12	Michaela C.	Olson	Veterinarian	Endorsement
13	William J.	Parsons	Veterinarian	New
14	Thomas W.	Shoemaker	Veterinarian	Endorsement
15	Mikala P.	Vig	Veterinarian	Endorsement
16	Arielle E.	Witkowski	Veterinarian	New
17	Claire V.	Bishop	Veterinary Technician	New
18	Rachel A.	Bodner	Veterinary Technician	New
19	Hannah M.	Cox	Veterinary Technician	New
20	Madelyn K.	Flesch	Veterinary Technician	New
21	Molly J.	Haas	Veterinary Technician	Endorsement
22	Kari M.	Hicks	Veterinary Technician	Endorsement
23	Madelyn G.	Jones	Veterinary Technician	New
24	Khloe M.	Labine	Veterinary Technician	New
25	Rachelle D.	Layton	Veterinary Technician	New
26	Destinee N.	Maynard	Veterinary Technician	New
27	Kelsee L.	Riggsbee	Veterinary Technician	New
28	Krysta D.	Shattuck	Veterinary Technician	New
29	Erin E.	Smith	Veterinary Technician	New
30	Tessa M.	Sutherland	Veterinary Technician	New
31	Delaney N.	Webb	Veterinary Technician	New
32	Addison N.	Widmer	Veterinary Technician	New
33	Aaron M.	Arnold	Euthanasia Specialist	New

Table 2: Approved CE Requests

Course Title	Sponsor / Provider	CE Hours Requested		Date of Program(s)
		Vet	Vet Techs	
Picture Perfect Care: An Overview of Thoracic Radiographs	Care Center	1	-	8/17/2021
Turn the Beat Around: Arrhythmias	Greater Louisville VMA	2	-	8/24/2021
Glaucoma 201	OnlineCE.com (Dr. Richard Saporito)	1	1	Online – on-demand
Glaucoma 202	OnlineCE.com (Dr. Richard Saporito)	2	2	Online – on-demand
Glaucoma 203	OnlineCE.com (Dr. Richard Saporito)	2	2	Online – on-demand
Glaucoma 204	OnlineCE.com (Dr. Richard Saporito)	1	1	Online – on-demand
Glaucoma 205	OnlineCE.com (Dr. Richard Saporito)	2	2	Online – on-demand
Glaucoma 206	OnlineCE.com (Dr. Richard Saporito)	2	2	Online – on-demand
Glaucoma 207	OnlineCE.com (Dr. Richard Saporito)	2	2	Online – on-demand
Glaucoma 208	OnlineCE.com (Dr. Richard Saporito)	1	1	Online – on-demand
Glaucoma 209	OnlineCE.com (Dr. Richard Saporito)	1	1	Online – on-demand
Glaucoma 210	OnlineCE.com (Dr. Richard Saporito)	1	1	Online – on-demand
Dr. Philip Hardwidge: "Intra-bacterial activities of type III secretion"	UK Gluck Equine Research Center	1	1	10/28/2021
Dr. Shavahn Loux: "Unraveling the mystery of vitamin D in horses"	UK Gluck Equine Research Center	1	1	10/14/2021
Equine Melanoma, Pigmentation and Skin Health	UK Gluck Equine Research Center	2	2	9/25/2021
2021 Summer/Fall Food Animal Conference	UK Veterinary Diagnostic Lab and Elanco Animal Health	7	7	9/23/2021

BUSINESS AGENDA

BUDGET MATTERS

- **Biennial Budget.** Ms. Shane discussed the biennial budget process, and provided an overview of the draft A4 filing for the Governor's Office.
- **KVMA partnership and E&O Initiative in 2022.** Ms. Shane provided an update on the progress of reinitiating the education and outreach effort via contract with the Kentucky Veterinary Medical Association. This contract has been approved by the Finance Cabinet for non-competitive procurement.
- **RFP for 16-hour Euthanasia course trainings.** Members of the Board discussed the terms of the proposed RFP for euthanasia course trainers. An adjustment to the exam qualification was made to the minimum passing grade for course participants.

A MOTION was made by Dr. Gardener to approve the RFP for "Trainers for 16-hour Certified Animal Euthanasia Course" with agreed upon modifications to the participant exam passing grade. The motion, seconded by Ms. Amy Staton passed unanimously.

OLD BUSINESS

- **AAVSB Update.** Members of the Board discussed the candidates for the AAVSB Board of Directors and other elected positions.

A MOTION was made by Dr. Park to provide authority to Dr. Wills, Dr. Dawes, and Ms. Shane to make a decision on behalf of the full KBVE Board at the 2021 national Annual Meeting, determining the best candidates to vote for in the AAVSB elections. The motion, seconded by Mr. Tom Dorman passed unanimously.

- **KVMA Power of 10 Meeting on Aug 17.** Ms. Shane and Mr. Dorman provided a brief summary of the KVMA meeting and presenters.
- **ACA-AES Drug Policy Push Back.** Members of the Board discussed the feedback received from licensed animal control agencies and shelter veterinarians on the new KBVE drug policy for Certified Animal Control Agencies (ACA) and Certified Animal Euthanasia Specialists (AES).

A MOTION was made by Dr. Eckert to update the current ACA – AES Policy on Allowable Drugs to include the following changes:

- Add drugs for euthanasia assistance (sedation):
 - Dexmedetomidine
 - Ketamine (limited to a 30-day supply or less)
- Best efforts should be made to limit inventory to a 30-day supply or less of all controlled substances
- Best efforts should be made to use all drugs prior to the drug expiration date
- Add a statement that AES can work in the capacity as a veterinary assistant ([KRS 321.443](#)) under direct supervision; in this capacity they can use anything a shelter employed veterinarian deems appropriate in their professional judgement, however the veterinarian must provide direct supervision, i.e., be onsite and available face-to-face for immediate response

The motion, seconded by Dr. Gardner, passed unanimously.

• **Responsible Parties – ACA DEA Registration**

- Ms. Shane spoke with a DEA Agent on September 8. She explained high turnover issues and discussed ways to ensure that the DEA Registrant point of contact information stays updated.
- Members of the board discussed developing a whitepaper to send to all shelters annually, informing them of their responsibilities to DEA and the KBVE.

LICENSURE STATUS REPORT

Ms. Shane provided the Licensure Status Report.

- **Veterinarians.** 2,532 Active licenses, up 25 licenses from the last report, and down 114 from the same time period in 2020; there are also currently 37 Inactive veterinarian licenses and two (2) Special Permits.
- **Veterinary Technicians.** 491 Active licenses, up 12 licenses from the last report, and up 35 licenses from the same time period in 2020; there is also currently ten (10) Inactive veterinary technician licenses.
- **Certified Animal Control Agencies.** 48 Active certificates, down one (1) from the last report, and down five (5) from the same time period in 2020; and
- **Certified Animal Euthanasia Specialists.** 172 Active certificates, down one (1) from the last report, and down 14 from the same period in 2020; there are also currently eight (8) Inactive animal euthanasia specialist certificates.

Ms. Shane and Members of the Board discussed the value of the Licensure Status Report, and possible changes.

- Longer look-back (spanning 5-10 years)
- Shift focus to practice types statistics to help shape policy
- Move basic statistics to Consent Agenda

- For USDA accreditation, change the fields in the database to collect the accreditation type
- **A MOTION** was made by Dr. Park to authorize budgetary expense of approximately \$1,200 for building a new database report to pull relevant statistics. The motion, seconded by Dr. Smith, passed unanimously.
 - Categories of interest:
 - Species type ('Area of Practice I' on application and renewal forms)
 - Business practice ('Area of Practice II' on application and renewal forms)
 - Geography
 - Age
 - USDA Accreditation Type

Chairman Wills and Ms. Shane introduced the topic of provisional licensure for new graduates.

- 2021 is the second year that KBVE offered a provisional license to new graduates of Auburn, with full licensure pending upon complete submission of all required application components (final transcripts and background checks).
- Members of the board discussed with counsel the options available to the board in the event a licensee fails to comply with provisions on the license.
- The board may issue a provisional license with a shortened term (adjusted expiry date) to ensure provisions are met, or the license will expire.

APPLICATIONS COMMITTEE REPORT

Dr. Kennedy presented the Applications Committee Reports.

In addition, Members discussed a proposed policy related to applications for Animal Euthanasia Specialists (AES) and Animal Control Agency (ACA) Onsite Designated Managers. This policy was proposed in response to requests from the ACA managers and county offices indicating difficulty with obtaining the fingerprinting required for the personal FBI background checks. The proposal would allow ACA and AES applicants to use employment background checks or state level background checks obtained within specified times related to the date of the application.

A MOTION was made by Dr. Eckert to approve the Background Check Policy for AES applicants and ACA onsite designated managers as presented. The motion, seconded by Dr. Gardner, passed unanimously.

WELLNESS COMMITTEE REPORT

Mr. Tom Dorman presented the Wellness Report.

EDUCATION AND OUTREACH COMMITTEE

Chairman Wills and Ms. Shane provided information on their presentation to Dean Calvin Johnson's course on Law and Ethics to incoming freshman at the Auburn College of Veterinary Medicine.

- Presented August 24 via Zoom
- 50 min time slot – no time for interaction or feedback
- Well received, and strong student interest
- Intend to travel to Auburn and deliver more interactive version in-person in the future

SALES REPORTS

Investigator St. Clair, DVM presented the equine sales reports, and provided an update on licensure verification procedures from each organization.

- Fasig-Tipton - September 2021
 - 23 veterinarians viewed radiographs
 - Two (2) were foreign veterinarians
 - Radiographs reviews
 - 24 onsite
 - 48 online
 - 26 videos
 - Multiple veterinarians viewed both onsite and online
- Update on licensure verification procedures
 - Fasig-Tipton collecting license number, but not the state of licensure
 - Keeneland collecting license number and state of licensure

Members of the Board discussed issues with ensuring licensure for veterinarians viewing reports at the sales.

- Veterinarians not licensed in KY viewing radiographs for their personal use/ purchase information
- Foreign veterinarians not licensed but exceeding legal time-limits established in [KRS 321.200\(2\)](#), including lack of registration with the KBVE prior to practicing
- Veterinarians viewing radiographs online and how to monitor / work with the sales groups to ensure licensure of viewing veterinarians

INVESTIGATOR REPORTS

Investigator MJ Wixsom, DVM presented reports from recent animal control agency inspections.

Periodic Shelter Inspections:

- Bell County (#149520)
- Clay County (# 149526)
- Harlan County (# 149524)
- Rockcastle County (#149492)

COMPLAINTS SCREENING COMMITTEE REPORT

Mr. Joe Bilby presented the Complaints Screening Committee Report. This report contains information on new cases and cases where there is a change in status.

- 2020-24 – signed settlement agreement received
- 2021-02 – signed settlement agreement received; terms met; case closed
- 2021-08 – dismissed
- 2021-23 – assigned to investigator
- 2021-25 – dismissed
- 2021-30 – dismissed
- 2021-34 – dismissed
- 2021-36 – assigned to investigator
- 2021-37 – dismissed
- 2021-38 – new; assigned to investigator
- 2021-39 – new; assigned to investigator
- 2021-40 – new; dismissed
- 2021-41 – new; assigned to investigator
- 2021-42 – new
- 2021-43 – new
- 2021-44 – new
- 2021-45 – new
- 2021-46 – new
- 2021-47 – new

A MOTION was made by Dr. Gardner to accept the recommendations of the Complaints Screening Committee. The motion, seconded by Dr. Kennedy, passed unanimously.

OPEN DISCUSSION / NEW BUSINESS

- No questions pending from the Board's Office
- Other Items for Discussion
 - **FYI** - www.dutch.com
Members of the Board briefly discussed this website, which supplies veterinary treatment and prescriptions online and direct to consumer. Currently operating in Idaho, Indiana, Michigan, New Jersey, New York, Pennsylvania, South Dakota, Virginia.
 - **Update on KYBOP meeting effort**
Ms. Shane provided an update on this initiative. Members of the Board discussed proposed topics for discussion.

- **OSV partnership potential**
Members of the Board discussed ways the KBVE might partner with OSV, and requested a meeting to further explore partnership opportunities. Topics for discussion may include:
 - Emergency preparedness
 - Large Animal veterinary shortage
 - Ways KBVE can serve as a communicator when it comes to animal disease
 - Other topics of import to OSV, KDA, and the Commonwealth

The Board took a brief respite break from approx. 2:42 – 2:50 PM.

GOVERNMENT AFFAIRS COMMITTEE

- **KVMA Review Committee**

Ms. Shane shared the list of KVMA Practice Act Review Committee members.

- **Review of Practice Act Modernization Whitepaper**

Members of the Board discussed the draft whitepaper.

- **Practice Act Modernization Initiative**

Additional Considerations were discussed by the Members of the Board.

- KRS 321.175 – limitations on local areas having more strict laws
- KRS 321.200(1)(b) – What is the definition of “treatment”?
- KRS 321.181 – added to definition of “Emergency”
- KRS 321.235 and KRS 321.320 – Scholarship potential for large animal
- Telehealth as it pertains to supervision

- **Proposed Policy - Appropriate Use of Anesthesia Drugs in Small Animal Medicine**

Members of the Board discussed and amended the proposed policy.

A MOTION was made by Dr. Smith to adopt the proposed Board Policy “Appropriate Use of Anesthesia Drugs in Small Animal Medicine” with modifications as discussed. The motion, seconded by Dr. Gardner, passed unanimously.

Members of the Board directed Ms. Shane to post the new policy on the board website and send out to all licensees.

- **Proposed Regulation 201 KAR 16:710 Standards of Care for Veterinary Surgery**

Members of the Board discussed this early draft of a new regulation. A vote was tabled until a future meeting pending further review and discussion.


FUTURE MEETING DATES

- Thu, Oct 28 – Special Meeting @ 9:30 AM EDT – OSV
- Thu, Dec 2 – Regular Meeting @ 1:00 PM EDT – OSV

ADJOURNMENT

Chairman Wills adjourned the meeting at 3:50 pm.

These Meeting Minutes were approved by the Board on December 2, 2021.



Steven J. Wills, DVM, Chairman of the Board

PRESIDING OFFICER: Steven J. Wills, DVM, Board Chairman
Minutes Recorded by: Michelle M. Shane, Executive Director
Minutes Reviewed by: Joe A. Bilby, Legal Counsel



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Meeting Agenda

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Join Zoom Meeting

<https://us02web.zoom.us/j/82814140513?pwd=K21TmVLdzN2L21Wc0VxTHNWOTkwZz09>

Meeting ID: 828 1414 0513

Passcode: 002878

One tap mobile

+19294362866,,82814140513# US (New York)

13017158592,,82814140513# US +(Washington DC)

Dial by your location (any number will work); enter Meeting ID: 828 1414 0513

+1 929 436 2866 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

10:00 AM **COMMITTEE MEETINGS – CLOSED TO THE PUBLIC**

- Complaints Screening Committee
- Applications Committee

1:00 PM **CALL TO ORDER**

ROLL CALL / ESTABLISHMENT OF QUORUM

CONFIRMATION OF PUBLIC NOTICE

READING OF MISSION STATEMENT

CONSENT AGENDA

- Board Meeting Minutes from July 29, 2021 and August 12, 2021
- Budget Expenditures since 7/29 meeting
- Applications Committee Report on New Applications
- Applications Committee Report on New CE Requests
- Approval of Board Per Diem and Mileage

BUSINESS AGENDA

BUDGET MATTERS

- Biennial Budget
- KVMA partnership and E&O Initiative in 2022 – Update
- RFP for 16-hour Euthanasia course trainings

OLD BUSINESS

- AAVSB Update
 - Board of Directors and other AAVSB Candidate Selections
- KVMA Power of 10 August Meeting
- ACA-AES Drug Policy Push Back
- ACA Responsible Parties –DEA Registration - update

LICENSURE STATUS REPORT

- Provisional Licensee - Failure to comply with conditions set forth by the Board
- Licensure Status Report

APPLICATIONS COMMITTEE REPORT

- Proposed Policy - Background Checks for AES applicants and ACA onsite designated managers

WELLNESS COMMITTEE REPORT

EDUCATION AND OUTREACH COMMITTEE

- Auburn – Dean Johnson’s Ethics Course
- August 11 Meeting with Animal Control Agencies

SALES REPORTS

- Fasig-Tipton - September 2021
- Keeneland - September 2021
- Update on licensure verification procedures

INVESTIGATIVE REPORTS

Periodic Shelter Inspections:

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COMPLAINTS SCREENING COMMITTEE REPORT

OPEN DISCUSSION / NEW BUSINESS

- Questions pending from the Board's Office
- Other Items for Discussion
 - FYI - www.dutch.com

GOVERNMENT AFFAIRS COMMITTEE

- KVMA Review Committee
- Review of Practice Act Modernization White Paper
- Additional Considerations
 - KRS 321.200(1)(b) - What is "treatment"?
 - KRS 321.175 – limitations on local areas having more strict laws?
 - KRS 321.181 – added to definition of "Emergency"
 - KRS 321.235 and KRS 321.320 – Scholarship?
 - Telehealth as it pertains to supervision
- Proposed Policy - Appropriate Use of Anesthesia Drugs in Small Animal Medicine
- Proposed Regulation 201 KAR 16:710 Standards of Care for Veterinary Surgery

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