



## KENTUCKY BOARD OF VETERINARY EXAMINERS

107 Corporate Drive, Second Floor, Frankfort, KY 40601

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### Meeting Minutes

January 27, 2022

Meeting Location: Video Teleconference Only

Due to current COVID positivity rate at 30%+ in the Commonwealth, the KBVE has moved this Board Meeting to an Online Only format.

#### BOARD MEMBERS PRESENT

(V) = video (A) = audio only

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

#### BOARD MEMBERS ABSENT

- Gene Smith, DVM – Vice Chair

#### DEPARTMENT OF AGRICULTURE STAFF PRESENT

- Michelle Shane, KBVE Executive Director (V)
- Amanda Briggs, KBVE Administrative Assistant (V)
- Joe Bilby, KBVE Legal Counsel (V)
- Keith Rogers, KDA Chief of Staff (V)

#### OTHERS PRESENT

- Coy St. Clair, DVM, KBVE Investigator (V)
- MJ Wixsom, DVM, KBVE Investigator (V)
- Debra Hamelback, Executive Director, Kentucky Veterinary Medical Association (KVMA) (V)
- Max Vonformming, KYPRN(V)

#### CALL TO ORDER / ROLL CALL / ESTABLISHMENT OF QUORUM

Dr. Steven Wills, Board Chairman, called the meeting to order at 1:03 PM EDT. Chairman Wills welcomed everyone to the online 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, January 25, 2022, to the Kentucky Department of Agriculture (KDA) media contact list, and also posted on the KBVE website Meetings page.

## **READING OF MISSION STATEMENT**

Ms. Shane read aloud the KBVE mission statement.

## **CONSENT AGENDA**

- Board Meeting Minutes from December 2, 2021
- Budget Expenditures since 12/2 meeting
- Applications Committee Report on New Applications
- Applications Committee Report on New CE Requests
- Licensure Status Report
- 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. John Park, passed unanimously by show of hands.

### **Budget**

The budget expenditures and revenue approved are summarized for F.Y. 2022, July 1, 2021, through January 20, 2022, as follows:

- F.Y. 2022 –
  - Receipts = \$63,365
  - Expenditures = \$228,257
  - Current Balance = \$1,031,508

### **Licensure Statue Report**

As of November 23, 2021, the KBVE database reports:

- Active Veterinarians = 2,546
- Inactive Veterinarians = 36
- Special Permits = 3
- Active Veterinary Technicians = 481
- Inactive Veterinary Technicians = 15
- Active Certified Animal Control Agencies = 49
- Active Certified Animal Euthanasia Specialists = 159
- Inactive Animal Euthanasia Specialists = 22

### 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 nine (9) veterinarian, one (1) special permit, nine (9) veterinary technician, and three (3) animal euthanasia specialist applications. The Board approved CE requests for 71.25 hours of CE for veterinarians and 58.25 hours of CE for veterinary technicians.

<b>Table 1: Approved Applicants for Licensure and Certification</b>				
<b>Row #</b>	<b>First Name</b>	<b>Last Name</b>	<b>License Type</b>	<b>App. Type</b>
1	Luisa M.	Dalton	Veterinarian	Special Permit
2	Isaac C.	Daniel	Veterinarian	New
3	Natalie F.	Duncan	Veterinarian	Endorsement
4	Ashley L.	Hamilton	Veterinarian	Endorsement
5	Louis J.	Laratta	Veterinarian	Endorsement
6	H. James	Martin	Veterinarian	Endorsement
7	John M.	Moran	Veterinarian	Reinstatement
8	Ferrin M.	Peterson	Veterinarian	Endorsement
9	Katie E.	Richey	Veterinarian	Endorsement
10	Melissa P.	Swan	Veterinarian	Endorsement
11	Caitlyn E.	Borah	Veterinary Technician	New
12	Kiana R.	Bruce	Veterinary Technician	Endorsement
13	Hilary R.	Gibson	Veterinary Technician	Reinstatement
14	Kelsey N.	Janes	Veterinary Technician	New
15	Michaela L.	LaCoursiere	Veterinary Technician	Reinstatement
16	April M.	Laslie	Veterinary Technician	New
17	Kimberly A.	Somerlott	Veterinary Technician	New
18	Taylor N.	Turner	Veterinary Technician	New
19	Alyssa N.	Wilson	Veterinary Technician	Reinstatement
20	Jessica M.	Goodman	Euthanasia Specialist	New
21	Matthew B.	McKechnie	Euthanasia Specialist	New
22	Brittney R.	Sanford	Euthanasia Specialist	New

**Table 2: Approved CE Requests**

Course Title	Sponsor / Provider	CE Hours Requested		Date of Program(s)
		Vet	Vet Techs	
Pericardial Effusion and Cardiac Tumors	Care Center	1	1	2/2/2022
Keystone Veterinary Conference	Pennsylvania Veterinary Medical Association	30	30	11/19-21/2021
Dr. Amanda Adams: New Advances with Aging Horses- PPID, EMS and more!	UK Gluck Equine Research Center	1	-	3/3/2022
Dr. Bruno Menarim: Molecular effectors of synovial inflammation resolution	UK Gluck Equine Research Center	1	-	2/24/2022
Dr. Carrie Shaffer: Biometric Models of Host-Pathogen Interactions	UK Gluck Equine Research Center	1	-	2/3/2022
Dr. Jill Stowe: Horse Owner Preferences for Equine Insurance Policies	UK Gluck Equine Research Center	1	-	3/10/2022
Dr. Wenjun Ma: Understanding of Novel Bat Influenza Viruses and Beyond	UK Gluck Equine Research Center	1	-	3/10/2022
Equine Rotavirus Workshop	UK Gluck Equine Research Center	4	4	7/19/2021
Veterinary CE: Topics in Reproduction	UK Gluck Equine Research Center	4	4	2/2/2022
2022 Winter Food Animal Veterinary Conference	UKVDL, Newport Labs, and Boehringer Ingelheim	7.25	7.25	2/24/2022
Bluegrass Veterinary Conference	Veterinary Association Management	20	12	7/29-8/1/2021

## BUSINESS AGENDA

### ANNUAL ELECTION OF CHAIR AND VICE CHAIR

Per [KRS 321.240\(1\)](#), the Board held annual elections for the Chairmanship and Vice Chairmanship.

Chairman Wills called for nominations from the floor for the KBVE 2022 Chairman.

- Dr. Gardner nominated Dr. Wills. The nomination was seconded by Dr. Dale Eckert.
- No other nominations were received.

Seeing no other nominations, Chairman Wills asked for a vote of acclamation. The vote for election of Dr. Steven Wills as Chairman for 2022 passed unanimously by show of hands.

Chairman Wills called for nominations from the floor for the KBVE 2022 Chairman.

- Dr. Gardner nominated Dr. Gene Smith. The nomination was seconded by Dr. Bob Stout.
- No other nominations were received.

Seeing no other nominations, Chairman Wills asked for a vote of acclamation. The vote for election of Dr. Gene Smith as Vice Chairman for 2022 passed unanimously by show of hands.

## BUDGET MATTERS

- **Contract Renewals for F.Y. 2023 through F.Y.2024**

Note: the state F.Y. runs July 1 – June 30, with the F.Y. denoted by the year of the end date

Chairman Wills asked Ms. Shane to share screen the Contract Renewal Summary table from the board packet.

Ms. Shane provided a summary of four (4) contracts requiring renewal proposed to move forward without any changes.

**A MOTION** was made by Dr. Park to approve the renewal of the following 2-year contracts with no changes:

- Investigative Services – Dr. St. Clair
- Investigative Services – Dr. Wixsom
- Wellness Services – KYPRN
- Administrative Hearing Services – OAG

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

Ms. Shane provided a summary of KBVE's database services contract requiring renewal with proposed changes, specifically increases in IT costs. The reasons cited by PPC for these increases were: (1) Higher Contractor rates for IT contractor (having a hard time finding IT contractors because of huge demand); and (2) the price for the servers and storage increase as the amount of documents that are stored on the server keep increasing.

**A MOTION** was made by Dr. Eckert to approve the renewal of the 2-year contract with PPC/DOI for database services, including proposed increases in IT costs. The motion, seconded by Dr. Stephanie Kennedy, passed unanimously.

Mr. Keith Rogers, KDA Chief of staff joined the meeting briefly at approximately 1:45 pm to discuss proposed changes to the Administrative Services contract with the Department of Agriculture. Ms. Shane shared screen of a table of showing historical KDA contract costs. One addition to this new contract is that KBVE will be responsible for any comp time accrued by employees should they sever service with the Commonwealth.

Mr. Rogers discussed a decrease in phone service charges, increases in IT costs, and potential salary increases for employees. The Kentucky General Assembly is considering a proposed increase in the current budget to provide a salary/cost of living increase to all merit state employees. The proposal is currently a 6% salary increase, but this is subject change during the 2022 session until the Commonwealth's operating budget becomes finalized. Because salary is used to calculate some benefits and required retirement contributions, the KBVE may realize increased costs in direct salaries (for the employees assigned to the board by KDA) that are not reflected in the contract

**A MOTION** was made by Dr. Gardner to approve the renewal of the 2-year contract, including proposed increases in IT costs, for Administrative Services with KDA. The motion, seconded by Dr. Park, passed unanimously by show of hands.

- **RFP for 16-hour Euthanasia Training Course – Status Update**

Ms. Shane provided an update on this RFP, and asked if anyone wished to join in for the offeror's conference to be held on Feb 4. Proposals for this RFP are due by 3/11. Bid evaluations will be completed by mid-March. Dr. Wills and Ms. Amy Staton will join Ms. Shane to review contracts. The Board will vote on awarding one or more contracts at the March meeting.

- **RFP For Legal Services**

Ms. Shane shared screen of the draft RFP for Legal Services as seen in the board packet. Mr. Bilby presented feedback on the draft.

**A MOTION** was made by Dr. Dianne Dawes for Ms. Shane to work with Mr. Bilby to fine tune the RFP language, seek the appropriate approvals from the Finance and Administration Cabinet, and then advertised the RFP for Legal Services ASAP. The motion, seconded by Dr. Tim Gardner, passed unanimously.

- **Verifying vote on software expense (FoxIt) re ORR, and office use**

Between meetings, the KBVE received an Open Records Request (ORR) for a large volume of complaint case materials. Chairman Wills approved the expense of purchasing software to aid in redaction of the materials prior to release of the ORR response.

**A MOTION** was made by Dr. Park to approve the cost of Redaction/PDF software from FoxIt for use by the KBVE Administrative Assistant **for purchase, \$180 plus fees**. The motion, seconded by Ms. Staton, passed unanimously by show of hands.

## OLD BUSINESS

- **AAVSB Updates**

- **Board Basics and Beyond training** – April 1-2, 2022 in Kansas City, MO – registration must occur by February 28

**A MOTION** was made by Dr. Dawes to approve the cost of training and expenses not covered by AAVAB for Board Members and the new staff person attending the April 2022 AAVSB Board Basics and Beyond. The motion, seconded by Dr. Eckert, passed unanimously by show of hands.

- **Proposed Updates to the AAVSB Bylaws**

Ms. Shane introduced proposed edits to the AAVSB Bylaws. She asked for the KBVE approve these proposed edits so that Kentucky can recommend changes to the AAVSB Bylaws Committee for their consideration prior to the annual meeting. The deadline for submissions to AAVSB is February 11. Chairman Wills indicated

the board would require more time to review these proposed edits, and tabled this initiative for later consideration in time for the 2023 submission deadline.

- **OSV Partnership Meeting** – set for Feb 3
  - Date set for February 3 @ 1:30 PM EST
  - KBVE Attendees: Dr. Stout, Dr. Park, Dr. Smith. Dr. Gardner

Members of the Board discussed possible topics for discussion.

- Meeting with County Judges
- Animal Control Agencies, Animal Euthanasia Specialists, and Controlled Substances Storage requirements
- Statistics that the board can collect to aid OSV
- USDA APHIS Accreditation information
- Large Animal / Food Animal / Agricultural Veterinarian shortages – Discussion

Mr. Bilby indicated that the Kentucky County Judge/Executive Association (KCJEA) and the Kentucky Magistrates and Commissioners Association (KMCA) host a joint summer conference annually in mid-June, and recommended that the KBVE attempt to connect with those organizations and be placed on their agenda.

## **APPLICATIONS COMMITTEE REPORT**

Ms. Amy Staton presented the Applications Committee Reports on new applicants and CE requests. Both reports were adopted in the consent agenda with the following items pulled for discussion:

- Reduction in hours for UKVDL's 2022 Winter Food Animal Conference. KBVE does not provide CE credit for refreshment breaks.
- Request for additional information from Boehringer Ingelheim on the "Beef and Bourbon" event.
- Licensure of Dr. Isaac Daniel shall be issued as a 90-day provisional license until he is able to submit the required background check.

Members of the Board discussed the 90-day provisional licensure. Chairman Wills asked that a formal, written policy be developed detailing the 90-days provisional licensure rules.

## **WELLNESS COMMITTEE REPORT**

Mr. Tom Dorman presented the Wellness Committee Report.

## **EDUCATION AND OUTREACH COMMITTEE**

- **KVMA E&O Initiative - contract update**

Ms. Shane and Ms. Debra Hamelback spoke briefly on interfacing with KVMA Membership and licensees. The scheduled meetings would be held over the summer.

  - Buffalo Trace in June - launch meeting

Any meetings to discuss the Practice Act Modernization proposal would be held separately, and occur in Spring, prior to the launch of the E&O meetings.

- **Auburn Day at Kentucky in February**  
This event was cancelled due to surges in COVID positivity rates. The event will be rescheduled sometime in October 2022.

## **GOVERNMENT AFFAIRS COMMITTEE**

### Practice Act Update

- **Timeline update**
  - KBVE Chair and representatives to meet with bill sponsor
  - Last day for Bill Requests with LRC is Feb. 18
  - Bill introduced and first reading of Bill
  - Bill appears on LRC website
  - ASAP after filing start launch of local VMA meetings to discuss Practice Act Modernization initiative and continue through spring
- **Review of Practice Act Modernization Package transformed into Bill Request (B.R.) by LRC**
  - Ms. Shane indicated she completed a line-by-line read through of the B.R. language, and coordinated with the LRC staffer who drafted the bill to clarify the intent of a few items. Aside from LRC rule requirements, the current draft of the B.R. now reads nearly verbatim to the Practice Act Modernization proposal originally submitted to LRC by the KBVE, and is in-line with the KBVE's intent.
  - KBVE leadership plans to meet with the sponsor to review the updated bill language
  - An update will be sent to the full board following that meeting

- **KVMA December Stakeholder Meeting**

KBVE met with KVMA leadership on December 16, 2021. Leadership from KVMA and four (4) members of the KBVE, Dr. Wills, Dr. Smith, Dr. Park, and Dr. Dawes, met and discussed some rough draft regulations. The agenda included:

- Highlights of proposed statutes for veterinary facility registrations
- Review of definitions (i.e., (41) "Premises"; (44) "Registered Veterinary Facility"; and (51) "Veterinary facility")
- Overview of proposed regulations:
  - 201 KAR 16:518 Fees for Veterinary Facilities
  - 201 KAR 16:730 Veterinary Facility Registration – Veterinarian Manager – Applications
  - 201 KAR 16:732 Registration renewal for veterinary facilities; renewal notice; reinstatement requirements; Inactive status
  - 201 KAR 16:734 Veterinary Facility Registration – Minimum Standards
  - 201 KAR 16:736 Veterinary Facility Inspections

Chairman Wills, Dr. Dawes, and Ms. Hamelback discussed their take-aways.



- Proposed Regulations for discussion by KBVE – Tabled until future meeting
  - Veterinary Facility Standards series
  - 201 KAR 16:710 Standards for Veterinary Surgery
  - 201 KAR 16:810 Scope of Practice for Veterinary Technicians

## INVESTIGATOR REPORTS

Periodic Shelter Inspections were presented by Dr. MJ Wixsom and Dr. Coy St. Clair.

- Breckinridge County Animal Shelter (Certificate No. 147150)
- Daviess County Animal Shelter (Certificate No. 147147)
- Hancock County Animal Shelter (Certificate No. 149618)
- Harlan County Animal Shelter (Certificate No. 149524)
- Knox-Whitley Animal Shelter (Certificate No. 147205)
- Laurel County Animal Shelter (Certificate No. 149519)
- Pike County Animal Shelter (Certificate No. 146871)

Members of the Board discussed ongoing trending issues, staff turnover, and frequency of inspections. Members directed staff to ensure that copies of the Inspection Reports were sent to the Animal Control Agencies (ACAs) following inspection. Additionally, due to high turnover issues, hard copy mailings of general correspondence should be sent to the fiscal court of the ACAs to ensure communications reach someone at the county level who can be responsive to the legal requirements of the ACA.

## COMPLAINTS SCREENING COMMITTEE REPORT

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

- **Dismissed, no violations of the Practice Act identified**
  - 2021-38
- **Closed following KBVE action**
  - 2020-24
  - 2021-24
  - 2021-26
  - 2021-27
  - 2021-28
  - 2021-29
  - 2021-31
  - 2021-32
  - 2021-33
  - 2021-48
- **Administrative Hearing**
  - 2020-34

- **Assigned to Investigator**
  - 2018-21 (follow-up inspections)
  - 2021-49
  - 2021-50 (new case)
  - 2021-51 (new case)

**A MOTION** was made by Dr. Park to approve the recommendations of the Complaints Screening Committee from **December 2, 2021, and January 27, 2022**. The motion, seconded by Dr. Gardner, passed unanimously by show of hands.

## **OPEN DISCUSSION / NEW BUSINESS**

- **Questions pending from the Board's Office**
  - **Link for review and discussion**  
<https://www.google.com/search?q=bluegrass+ketamine+clinic&ie=UTF-8&oe=UTF-8&hl=en-us&client=safari>

Members of the Board discussed the expanded use of Ketamine in human medicine, and the possibility of reminding KBVE licensees of the risk of diversion, which is already high.

- **Dispensing of 503B Products (email from Corie Hawks) - Discussion**  
Members of the Board briefly discussed compounding products, and requested additional information for review at the next meeting to more fully consider this question. May need to discuss in depth with KYBOP.

- **Other Items for Discussion**

- **After hours emergency referral procedures**  
Members of the Board discussed the board's authority as it related to afterhours care. An afterhours phone/online service provided by a company called "GuardianVets" was discussed. Questions for discussion:
  - How far is too far to send a client for emergency care?
  - Does KBVE's authority extend to mandating requirements for emergency or afterhours care?
    - [KRS 321.185](#) - Veterinarian-client-patient relationship
  - Does the Board need to consider a new regulation?

Ms. Shane noted that the new proposed statutory package clearly requires arrangements for follow-up care and emergency or urgent care within the context of a current VCPR.

Ms. Hamelback discussed KVMA and membership involvement with the GuardianVets service. She is very interested to understand KBVE's position on this topic.

- **KBVE Committee Assignments for 2022**  
Tabled until March meeting.
- **Notifications**  
FYI – notification, passing of Carol D. Combs-Morris, DVM (Lic # 146153) on 12/28/2021, passed unexpectedly. Her staff is now shutting down her clinic.
- **KVMA Foundation – Tornado Grant Application**  
Ms. Hamelback presented details about this KVMA initiative, and opportunity for licensees in the tornado affected area to apply for grant money.
- **Anonymous complaint**  
Members of the Board discussed anonymous licensee complaint re a large online pharmacy allegedly changing prescriptions in-house.

### **FUTURE MEETING DATES**

**The next regularly scheduled board meeting shall be held on:**

Thursday, March 24 @ 1:00 PM EDT

Tentative location: Office of the State Veterinarian, 109 Corporate Drive

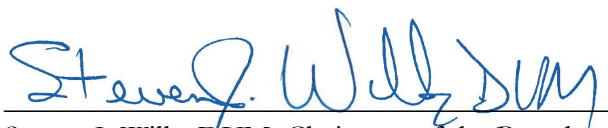
**Retreat dates set by Chairman:**

- June 22-23 (Wed-Thu)  
**Location TBD**

### **ADJOURNMENT**

Chairman Wills adjourned the meeting at 3:20 pm.

These Meeting Minutes were approved by the Board on March 24, 2022.

  
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

January 27, 2022

Meeting Location: Video Teleconference Only

Due to current COVID positivity rate at 30%+ in the Commonwealth, the KBVE has moved this Board Meeting to an Online Only format.

#### Join the Zoom Meeting online:

<https://us02web.zoom.us/j/89374712456?pwd=NVDZbUhzWUVqUVZjTmk0MHJaNEsydz09>

Meeting ID: 893 7471 2456

Passcode: 336042

One tap mobile

+13126266799,,89374712456# US (Chicago)

+19294362866,,89374712456# US (New York)

Dial by your location (any number will work); then enter Meeting ID: 893 7471 2456

+1 312 626 6799 US (Chicago)

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+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

#### COMMITTEE MEETINGS – CLOSED TO THE PUBLIC

10:00 AM • Complaints Screening Committee

11:00 AM • Applications Committee

#### 1:00 PM BOARD MEETING – PUBLIC MEETING

##### CALL TO ORDER

##### ROLL CALL / ESTABLISHMENT OF QUORUM

##### CONFIRMATION OF PUBLIC NOTICE

##### READING OF MISSION STATEMENT

#### CONSENT AGENDA

- Board Meeting Minutes from December 2, 2021
- Budget Expenditures since 12/2 meeting
- Applications Committee Report on New Applications
- Applications Committee Report on New CE Requests

- Licensure Status Report
- Approval of Board Per Diem and Mileage

## **BUSINESS AGENDA**

### **ANNUAL ELECTION OF CHAIR AND VICE CHAIR**

### **BUDGET MATTERS**

- Contract Renewals
- RFP for 16-hour Euthanasia Training Course – Status Update
- Software purchase for ORR redaction and office use

### **OLD BUSINESS**

- AAVSB Updates
- OSV Partnership Meeting

### **APPLICATIONS COMMITTEE REPORT**

### **WELLNESS COMMITTEE REPORT**

### **EDUCATION AND OUTREACH COMMITTEE**

- KVMA E&O Initiative
- Auburn Day at Kentucky

### **GOVERNMENT AFFAIRS COMMITTEE**

#### Practice Act Update

- Stakeholder Meetings
- Review of Practice Act Modernization Package transformed into Bill Request (B.R.) by LRC

### **INVESTIGATOR REPORTS**

#### Periodic Shelter Inspections

### **COMPLAINTS SCREENING COMMITTEE REPORT**

### **OPEN DISCUSSION / NEW BUSINESS**

- Questions pending from the Board's Office
- Other Items for Discussion

### **FUTURE MEETING DATES**

## **ADJOURNMENT**