



KENTUCKY BOARD OF VETERINARY EXAMINERS

107 Corporate Drive, Second Floor, Frankfort, KY 40601

Office: 502-782-0273 • Fax: 502-695-5887

kybve.com • vet@ky.gov

A Summary of the Grievance Process for Complainants

What are your rights?

Everyone has a right to expect a professional standard of care and conduct from a veterinarian or other board credential holder. If you believe a veterinarian or other credential holder of the Kentucky Board of Veterinary Examiners (KBVE), or other unlicensed individual (collectively, the “respondent”) has violated Kentucky statutes or regulations, you (the “complainant”) may send a written grievance by completing and submitting a Grievance Form to the KBVE. As the agency responsible for regulating veterinary medical professions in the Commonwealth and protecting the public and animals in matters related to veterinary medicine, KBVE shall review each grievance and take appropriate action in accord with KRS Chapter 321 and associated administrative regulations in 201 KAR Chapter 16.

How does the grievance process work?

Grievances that have been received in writing at the KBVE office will be acknowledged by certified letter. In accordance with 201 KAR 16:610, a copy of the entire grievance will be sent to the respondent for a response. The grievance and response shall then be reviewed by the KBVE Grievance Committee at their next scheduled meeting.

Not every grievance results in an investigation or subsequent disciplinary action or other legal action by the board. If there appears to be no violation of KRS Chapter 321 and associated regulations, the complainant shall receive notification from the board of case dismissal. Such a dismissal does not prevent civil or criminal actions by the complainant against the veterinarian or other persons identified in the grievance.

If the Committee concludes a law may have been violated or the Committee requires additional information to make a decision, an investigation shall take place. Following review of an Investigative Report, the Committee shall make a recommendation of an action or dismissal to the full board. Further, if the board files formal charges against a respondent as a result of the investigation, an administrative disciplinary hearing may be held, similar to a court trial, and it is open to the public. A formal administrative disciplinary hearing involves lawyers, a court reporter, a hearing officer, and witnesses. If the board finds that the respondent has not met the prescribed standard of care and conduct, it has the authority to impose penalties ranging from a reprimand to a suspension or revocation of a license. If the board orders a specific sanction, the respondent has the right to appeal the decision to a court of law thereby resulting in a delay in the decision becoming final.

Please note that the board does not order respondents to pay money to complainants for damages because of any loss they may have experienced. Only a court of law which has jurisdiction over the subject matter has the authority to award compensation for an injury or loss. To find out more about such remedies, please consult a private attorney.

What timeline and actions might I expect from filing a grievance?

The grievance process is a detailed and careful one, and a complainant should expect that the process will take a significant amount of time (4-6 months, at a minimum). In order for disciplinary action to occur, there must be a violation of the laws governing veterinary medicine in Kentucky (KRS Chapter 321, and 201 KAR Chapter 16).

If a formal administrative disciplinary hearing is held, the complainant may be subpoenaed as a witness to provide testimony regarding the case. In this event, the legal counsel of KBVE may assist the complainant and other witnesses in preparing for the hearing.

While you may have an opinion regarding the process and outcome of processing a grievance, please remember that the decisions to dismiss, settle a case, or propose disciplinary measures are solely the decision of the KBVE operating under the guiding restrictions of Kentucky law, which is subject to review by the courts. KBVE is limited by the scope of authority awarded to it by the General Assembly.

What becomes part of the public record?

If the KBVE files formal charges or takes formal action against a respondent, most portions of the investigative file will become “public record” under the Kentucky Open Records Act, meaning that the documents can be viewed by any individual who requests in writing to do so. The record may include your written grievance, transcripts, or reports of interviews, letters, and other reports. All testimony and evidence admitted in a formal hearing have the status of public record as well, unless a specific document or redacted parts of any document are ordered not to be a public record (although they may remain a part of the official administrative record of the board).