



KENTUCKY BOARD OF VETERINARY EXAMINERS

107 Corporate Drive, Frankfort, KY 40601

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

bve.ky.gov • vet@ky.gov

Board Meeting Minutes

July 26, 2018

A meeting of the Kentucky Board of Veterinary Examiners was held at the Office of the State Veterinarian located at 107 Corporate Drive, Frankfort, KY 40601 on July 26, 2018.

BOARD MEMBERS PRESENT

- Eric S. Peterson, DVM & Vice Chair
- Judith Piazza
- Jeffrey Pumphrey, DVM
- Amanda H. Rowland, DVM
- Gene Smith, DVM
- Amy J. Staton, EdD, LVT
- Craig A. Van Balen, DVM
- Steven J. Wills, DVM
- Robert Stout, DVM & proxy for the Commissioner of Agriculture Ryan Quarles

BOARD MEMBERS ABSENT

- Perry W. Wornall, DVM & Chairman

DEPARTMENT OF AGRICULTURE STAFF PRESENT

- Joe Bilby, Board Counsel
- Michelle Shane, Board Administrator
- Clint Quarles, Kentucky Department of Agriculture (KDA) Staff Attorney
- Megan Pickett, KDA Legal Intern
- Shaylyn Burton, KDA, Commissioner's Office Staff

OTHERS PRESENT

- Loran Wagoner, DVM, Board Investigator
- Louis Cook, Kentucky Veterinary Medical Association
- Tom Miller, Attorney

WELCOME AND INTRODUCTIONS

Eric Peterson, Vice Chair, called the meeting to order at 12:40 PM. Introductions were provided by all in attendance. A quorum of the Board was noted as present.

APPROVAL OF MINUTES

The Board Meeting Minutes from the May 24, 2018 meeting were reviewed.

A **MOTION** was made by Steven Wills to strike the last line on page one beginning "motion" and ending "carried" and to approve the minutes with this revision. The motion, seconded by Eric Peterson, unanimously passed by voice vote.

FINANCIAL STATEMENT

An eMARS Report for the months ending May 31, 2018, and June 30, 2018, along with a budget summary document with projections were presented to the Board for review. Total expenditures in F.Y. 2016 were \$210,223; total expenditures in F.Y. 2017 were \$230,757; total expenditures in F.Y. 2018 were \$225,431; and a carry forward balance in F.Y. 2019 of \$732,236 with total expenditures to date for F.Y. 2019 \$2,461. Estimated expenditures for F.Y. 2019 are \$209,022. Total anticipated revenue from license renewals in F.Y. 2019 is \$280,810.

LICENSURE STATUS REPORT

A Licensure Status Report dated July 25, 2018, was presented to the Board for review. The report showed there are currently 2,575 active licensed veterinarians, 382 active licensed veterinarian technicians, 58 certified animal control agencies, and 179 licensed euthanasia specialists. No further action was required.

OPEN DISCUSSION / NEW BUSINESS

Clint Quarles, KDA Staff Attorney, discussed government ethics topics including gifts, meals, and voting. Some members of the Board expressed concern about gifts in a joint practice or similar situation between friends. The question was asked, "Can there be some exception to the ethics rules to allow for practice gifts and gifts between friends that predate Board appointments?" The Board directed Clint Quarles to check with the Bar Association on a possible carve out via memo or policy, and report back to the Board.

A MOTION was made by Craig Van Balen to adopt the standard KDA Ethics Statement. The motion, seconded by Gene Smith, passed by voice vote.

The standard KDA Ethics statement was passed out and signed by all Board Members Present.

Clint Quarles continued the discussion with an overview of KY Division of Library and Archives and the Board's Records Retention Schedule. The Board directs Clint Quarles to conduct research into the retention schedules of boards similar to the KBVE, including boards for pharmacy, physicians, attorneys, psychiatrists, and dentists.

Joe Bilby, Board Counsel, provided an introduction to statutes and regulations; cited need for a future ad hoc committee to review the Board's regulations (201 KAR Chapter 16).

Clint Quarles provides more background to the requirements in KRS 13A.3102 (www.lrc.ky.gov/Statutes/statute.aspx?id=46285), overview of the regulation revision process, and a timeline for revisions to meet the deadline set in the statute.

Robert Stout volunteers for the ad hoc committee.

Steven Wills proposes the entire Board first reread KRS Chapter 321 and 201 KAR Chapter 16. The Board agrees to this reading and to establish an ad hoc committee at the next Board meeting.

The Board directs Clint Quarles to complete a review of these same statutes and regulations, and to be prepared to provide an overview for the ad hoc committee's work at the next Board meeting.

A MOTION was made by Craig Van Balen at 1:52 PM to move into **CLOSED SESSION**. The motion, seconded by Eric Peterson, passed by voice vote. Jeffrey Pumphrey recused himself.

At 2:23 PM, the Board returned to **OPEN SESSION**.

A MOTION was made by Eric Peterson to take a roll call vote on the statement, “The Board is resolved to seek relief from any obligation to comply with a subpoena while an investigation remains ongoing, including judicial relief in the appellate courts if necessary.” The Motion was seconded by Craig Van Balen. The roll call vote is as follows:

- Eric Peterson – AYE
- Amanda Rowland – AYE
- Judith Piazza - AYE
- Jeff Pumphrey – ABSTAIN
- Gene Smith – AYE
- Amy Staton – AYE
- Craig Van Balen – AYE
- Steven Wills – AYE
- Robert Stout – AYE

The motion passed by roll call vote.

APPLICATIONS COMMITTEE

Amanda Rowland provided an overview of Applications Committee work. Craig Van Balen helped with reviews during the day’s earlier Committee meeting, and agreed to become the second member of the Applications Committee.

The following applications were reviewed by the Applications Committee for licensure and certificates:

	Name	Type of License	Status
1.	Rachel Arnold	Veterinary (endorsement)	Approved
2.	Gabrielle Baiman	Veterinary (endorsement)	Conditionally approved*
3.	Terri Baker	Euthanasia Specialist (reinstatement)	Approved
4.	Karen Beste	Veterinary (reinstatement)	Approved
5.	Whitney Bucci	Veterinary (new)	Approved
6.	Shannon Cronin	Veterinary Technician (new)	Approved
7.	Cheryl A. Chooljian	Veterinary (endorsement)	Conditionally approved*
8.	Joseph K. Creech	Veterinary (endorsement)	Conditionally approved*
9.	Rachel Gullman-Clark	Veterinary (new)	Approved
10.	Kathryn Dern	Veterinary (reinstatement)	Approved
11.	Sarah Dietrick	Veterinary (new)	Approved
12.	Taylor Engle	Veterinary (new)	Approved
13.	Alexandria Fromme	Veterinary (new)	Conditionally approved*
14.	Helen Garber	Veterinary (new)	Approved
15.	Tyler Gillenwaters	Veterinary (new)	Conditionally approved*
16.	Erica Growette	Veterinary (new)	Approved
17.	Brittany Hager	Veterinary (new)	Conditionally approved*
18.	Shane Harley	Veterinary (new)	Conditionally approved*
19.	Aja Harvey	Veterinary (endorsement)	Conditionally approved*
20.	Axelle Hasenforder	Veterinary (new)	Conditionally approved*
21.	Deanne Hemker	Veterinary (endorsement)	Approved
22.	Tyler Horton	Veterinary (new)	Approved
23.	L. Cody Howard	Veterinary (new)	Conditionally approved*
	Name	Type of License	Status

24.	Emma Jones	Veterinary (new)	Conditionally approved*
25.	Whiney L. Stone Jones	Veterinary (new)	Approved
26.	Elizabeth Lell	Euthanasia Specialist (new)	Approved
27.	Tasha Likavec	Veterinary (endorsement)	Conditionally approved*
28.	Kellie McMurry	Veterinary (new)	Approved
29.	Logan Metzzen	Veterinary (new)	Approved
30.	Kodii Moriuchi	Veterinary (endorsement)	Approved
31.	Heather A. Morrissey	Veterinary (new)	Conditionally approved*
32.	Danielle Nolitt	Veterinary (new)	Approved
33.	Allison O'Connor	Veterinary (new)	Approved
34.	Catherine Osterman	Veterinary (endorsement)	Approved
35.	Amber Partridge	Veterinary (new)	Approved
36.	Leah Patipa	Veterinary (endorsement)	Conditionally approved*
37.	Casandra Peterson	Veterinary Technician (new)	Conditionally approved*
38.	Lauren Riazzi	Veterinary (new)	Approved
39.	Samantha Sangster	Veterinary (new)	Approved
40.	Hillary Slaven	Veterinary (endorsement))	Approved
41.	Ashley Stevens	Veterinary (new)	Approved
42.	Samantha Taylor	Euthanasia Specialist (new)	Approved
43.	Megan Wermuth	Euthanasia Specialist (new)	Approved
44.	Jessica Werner	Veterinary (endorsement)	Approved
45.	Nicole Wettstein	Veterinary (endorsement)	Conditionally approved*
46.	Northern Kentucky Animal Control	Animal Control Agency Authorization Certification (reinstatement)	Approved

* Due to the Board's July move, "conditionally approved" applicants were missing a portion of their application. The Board authorized Michelle Shane, Board Administrator, to collect and verify these missing pieces of information and, after the application was complete and satisfactory, to issue the license immediately.

A MOTION was made by Craig Van Balen to approve all applications approved and conditionally approved by the Application Committee. The motion, seconded by Steven Wills, passed unanimously by voice vote.

Gene Smith presented the case of Dr. Fernanda Cesar, licensed in the State of Alabama. Joe Bilby read aloud KRS 321.201 Special permits. Michelle Shane pulled up the list of AVMA approved colleges and projected the website on screen. The Board determines Dr. Cesar must pass Stage Four of the ECFVG before being issued a Kentucky license. Joe Bilby will send the Board's determination to Dr. Cesar.

The following continuing education courses were reviewed and approved by the Applications Committee:

Course Name	Sponsoring Agency	CEU Hours		Dates
		Vet	Vet Tech	
Cardiopulmonary Resuscitation for Small Animal Practice	Care Center	1	1	5/16/2018; 6/20/2018; other possible 2018 dates
Classes on the Cumberland	Henry Schein Animal Health / Elanco	17	17	7/27- 29/2018
Diagnosis and Management of Canine Chronic Hepatopathes	BluePearl Veterinary Partners	2	2	7/18/2018
Feline Hyperaldosteronism: Not All Old Cats Have CKD	BluePearl Veterinary Partners	1	1	5/16/2018
Feline Triaditis: Diagnosis & Management	BluePearl Veterinary Partners	1	-	6/3/2018
Fractured Teeth: Current Treatment Options, Root Canal Therapy & Surgical Options	BluePearl Veterinary Partners	1	-	6/3/2018
Hypothyroidism	BluePearl Veterinary Partners	1	1	4/18/2018
Making A Difference 2018 Conference - Workshop I - Better Behavior, Better Outcomes	Making A Difference Now (MADN)	1.25	1.25	9/21/2018
Oncologic Surgery: It Popped Up Overnight, Doc!	BluePearl Veterinary Partners	1	-	6/3/2018
Peritonitis	BluePearl Veterinary Partners	1	1	7/11/2018
Polyps, Pain & Pus – Yuck!	BluePearl Veterinary Partners	1	-	6/3/2018
Research Update: Value of Weaning & Ancillary Therapy for BRD	Boehringer Ingelheim Animal Health	2	-	7/24/2018
This is Your Heart On Drugs: Any Questions?	BluePearl Veterinary Partners	1	-	6/3/2018
Urinary Tract Diseases & New Treatment Options	BluePearl Veterinary Partners	1	-	6/3/2018
Controlled Drug Compliance in Clinical Practice	KVMA	1	1	2/22/2018; 5/3/2018; 5/31/2018; 6/21/2018; 7/5/2018; 7/12/2018; 7/19/2018; 7/26/2018

The Board discussed administrative processes for applications seeking CEU approval.

A MOTION was made by Craig Van Balen at to approve all continuing education applications as approved by the Application Committee. The motion, seconded by Robert Stout, unanimously passed by voice vote.

Joe Bilby opened a discussion about multiple American Association of Veterinary State Boards (AAVSB) topics, including recent AAVSB Memos about the VIVA Databank and VAULT Program, and VCPR Telehealth. The Board further discussed travel to and KBVE representation at the AAVSB Annual Meeting, September 13-15, 2018, in Washington, DC. Some travel would be supported by the AAVSB Delegate Funding Program.

A MOTION was made by Robert Stout to designate Board Member Judith Piazza as an AAVSB Delegate, and Michelle Shane as alternate Delegate and approve their travel to the AAVSB conference under the AAVSB Delegate Funding Program, and to approve travel expenses for Joe Bilby and Steven Wills to travel to and attend the 2018 AAVSB Annual Meeting. The motion, seconded by Eric Peterson, unanimously passed by voice vote.

A MOTION was made by Eric Peterson instructing the designated AAVSB Delegates Judith Piazza and Michelle Shane to vote "Yes" on the AAVSB Resolution 2018-01. The motion, seconded by Steven Wills, unanimously passed by voice vote.

The Board spent some time discussing telehealth, what is occurring right now, and how telehealth and the future of medicine will impact the practice veterinary medicine. The Boards agreed on the need to better define and outline regulations for telemedicine and telehealth.

Michelle Shane opened a new discussion about electronic Verification Letters, and the difficulties being faced by KBVE license holders requesting paper letters, and seeking the Board's opinion on flexibility of issuing paper letters upon request. The Board agreed that serving the needs of the Board's constituency was a top priority.

Michelle Shane next initiated a discussion about the Board Seal used on KBVE Certificates and Verification Letters. The Department of Professional Licensing was using a sticker in place of a raised seal. The Board preferred a more traditional raised seal.

PROPOSED EXPENDITURES

The Board discussed multiple expenditures proposed by Michelle Shane.

Michelle Shane first introduced a proposal to develop a new website for the Board and migrate the existing website over to the new format. KDA IT staff project possible completion by early 2019 at a cost of \$10-12,000. In the interim, IT would work closely with Michelle to tailor the site to the Board's needs, and would present multiple options to the Board for their approval.

A MOTION was made by Steven Wills to approve the development and expense of a new Board website. The motion, seconded by Gene Smith, unanimously passed by voice vote.

Additionally, Michelle proposed the following expenditures and furniture/office supply allowance to complete the furnishing and stocking of the new office.

- Adobe Acrobat DC, the full version of the software to allow creation of fillable forms. A perpetual license costs approximately \$500, or annual software subscription service is offered for about \$160/yr.

- Embossing Seal for new License Certificates and Verification Letters. Cost estimated to be approximately \$400, including the customized raised seal and foil blanks. New foil blanks cost approximately \$50 per roll of 1,000. (Note: The current seals inherited from the Department of Professional Licensing have an annual cost of approximately \$150.)
- Furniture and Supply Allowance for a credenza/side-table, bookshelves, a filing cabinet, desk top organization, and miscellaneous supplies not to exceed \$2,500.

A MOTION was made by Craig Van Balen to approve proposed expenses to furnish and supply the new office not to exceed \$3,500. The motion, seconded by Gene Smith, unanimously passed by voice vote.

OTHER QUESTIONS FOR DISCUSSION

Joe Bilby discussed a new complaint file, 2018-13.

A MOTION was made by Steven Wills for the Board to exercise their powers under the Veterinary Practice Act to file a civil action to seek a permanent injunction in court to prevent the individual from practicing. The motion, seconded by Amanda Rowland, unanimously passed by voice vote.

Dr. Stout opened a discussion about issues with USDA Accreditation. The Board requests notification about the suspension or revocation of USDA Accreditation by Kentucky licensed veterinarians.

Other general operational questions asked by Michelle Shane, and discussed by Board. Feedback provided:

- For applications, a copy of a diploma will suffice in place of a transcript.
- No prohibitions on personal checks.
- Internships in an academic setting are allowed for CEUs.
- There is no prohibition or limit to the number of online CEUs one can earn. There is only a limit to the number of hours earned in related areas, such as practice management. See 201 KAR 16:050, Section 1.
- Case of the animal control facility who has not been able to purchase tramadol suspension. Prescriber will need to abide by pharmacy laws.
- In cases where a veterinary office will not release patient records, this is a violation of the Kentucky Veterinary Practice Act.
- Only a veterinarian can administer rabies vaccines, so anyone wishing to hold a rabies clinic will need to partner with a licensed veterinarian.
- Kentucky does not license animal massage therapists.
- Test scores must be sent directly to Kentucky from the testing agency (cannot be submitted by the applicant).
- To come out of "Inactive" status for a license, must still show CEUs earned during inactive period.

Other general questions asked by Craig Van Balen, and discussed by Board. Feedback provided:

- A mobile device may be used to renew a license online if the Department of Professional Licensing's eServices website is mobile device compatible.
- CEUs from accredited schools are accepted by the Board if they comply with 201 KAR 16:050.
- USDA Accreditation Modules are accepted by the Board as CEUs.

INVESTIGATOR'S REPORT

Clinic Inspections:

- Allen County. In compliance.
- Barren County. In compliance.
- Bell County. In compliance.
- Bowling Green. In compliance.
- Christian County. In compliance.
- Green River. In compliance.
- Harlan County – Loran Wagoner discussed issues with drug storage which were corrected. Otherwise, in compliance.
- Knox/Whitley County. In compliance.
- Laurel County. In compliance.
- Leslie County. In compliance.
- Logan County – Loran Wagoner discussed the licensure status of an animal euthanasia specialist applicant. Otherwise, in compliance.
- Pike County. In compliance.
- Pulaski County. In compliance. Loran Wagoner discussed onsite drug storage.

SALES REPORTS

- Fasig-Tipton. Loran Wagoner discussed. There was an increase in the number of veterinarians in attendance at the July sales.
 - One big change that occurred at the thoroughbred sales beginning in July this year was that the radiograph narrative reports, formerly housed and available for review by veterinarians in a central repository prior to sales, are now only available for review in the repository *after* the sales. The records will still be available for review by buyers in the barns. It is the opinion of several Board Members that this change, essentially removing the review function of the repository, may lead to more problems than simply eliminating the narrative reports all together.

WELLNESS COMMITTEE REPORT

The Wellness Report was examined. The Board did not have any questions. No further action was required.

COMPLAINTS COMMITTEE REPORT

- 2013-17 – ongoing
- 2015-30 – ongoing
- 2015-33 – ongoing
- 2018-02 – ongoing
- 2018-06 – ongoing
- 2018-07 – Loran Wagoner discussed the case.

A MOTION was made by Gene Smith for the Board to send a private advisory letter. The motion, seconded by Steven Wills, unanimously passed by voice vote.

- 2018-09 – ongoing
- 2018-11 – ongoing
- 2018-12 – ongoing
- 2018-13 – ongoing
- 2018-14 – ongoing
- 2018-15 – ongoing
- 2018-16 – ongoing

LEGAL COUNSEL

No added legal counsel.

TRAVEL AND PER DIEM

Board completed and signed travel vouchers and time sheets.

NEXT MEETING

Thursday, September 27

Office of the State Veterinarian

109 Corporate Drive, Frankfort, KY 40601

ADJOURNMENT

A **MOTION** was made by Craig Van Balen to adjourn at 4:05 PM, having no further items of discussion. The motion, seconded by Eric Peterson, unanimously passed by voice vote.

These Meeting Minutes were approved by the Board on September 27, 2018.


Perry Wornall, Chairman of the Board



KENTUCKY BOARD OF VETERINARY EXAMINERS

107 Corporate Drive, Frankfort, KY 40601

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

bve.ky.gov • vet@ky.gov

Board Meeting Agenda

July 26, 2018

10:30 AM COMMITTEE MEETINGS

- Complaints Screening Committee
- Applications Committee

12:00 PM Lunch

12:20 PM WELCOME AND INTRODUCTIONS

12:30 PM CALL TO ORDER

APPROVAL OF MINUTES

- Board Meeting Minutes from May 24, 2018

FINANCIAL STATEMENT

- Months ending May 31, 2018, and June 30, 2018

OPEN DISCUSSION / NEW BUSINESS

- Discussion with KDA Counsel (Ethics Acknowledgements, Records Retention Schedules)
- Administrative Regulations Revisions, June 2019 Compliance Deadline
 - KRS 13A.3102 - www.lrc.ky.gov/Statutes/statute.aspx?id=46285
- Budget Planning Discussion
- Applications Committee
 - “Summer 2018 Applicants” – please refer to attached document
- Applications for C.E.
 - “Continuing Education Applicants” – please refer to attached document
- American Association of Veterinary State Boards (AAVSB)
 - AAVSB Memos re VIVA Databank and VAULT Program, and VCPR Telehealth
 - Travel to Annual Conference, Sep 13 - 15
 - Delegate Funding Program / Delegate Designation
- Certificates for Reciprocity / Letters of Good Standing
 - Computer Generated vs. Official Letters with Seal
- Website Migration – public information and contact page (not databases)
 - Time Frame
- Proposed Expenditures
 - Adobe Acrobat Pro (Full Version – will allow creation of fillable forms)
 - Embossing Seal and ink for new License Certificates & Verification Ltrs
 - Furniture Allowance
 - FedEx Account for mailing Verification Letters
- Other Questions for Discussion

COMPLAINTS COMMITTEE REPORT

- 2013-17
- 2015-30
- 2015-33
- 2018-02
- 2018-06
- 2018-07
- 2018-09
- 2018-11
- 2018-12
- 2018-13
- 2018-14
- 2018-15
- 2018-16

INVESTIGATOR'S REPORT

Clinic Inspections:

- Barren County
- Bowling Green
- Calloway County
- Fort Campbell
- Harlan-Bell County
- Knox-Whitley County
- Laurel County
- Leslie County
- Pulaski County

SALES REPORTS

- Fasig-Tipton

WELLNESS COMMITTEE REPORT

APPROVAL OF TRAVEL AND PER DIEM

NEXT MEETING – Thursday, September 27

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