



## KENTUCKY BOARD OF VETERINARY EXAMINERS

107 Corporate Drive, Second Floor, Frankfort, KY 40601

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### Special Meeting Minutes

December 3, 2020 – Special Meeting, per [Executive Order 2020-215](#) & [KRS 61.823](#)

Meeting Location: Video Teleconference Only

#### BOARD MEMBERS PRESENT

(V) = video (A) = audio only

- Gene Smith, DVM – Vice Chair (V)
- Dale Eckert, DVM (V)
- Tim Gardner, DVM (V)
- Stephanie Kennedy, DVM (V)
- Judith Piazza, Citizen-at-Large (A)
- Jeff Pumphrey, DVM (V)
- Amy J. Staton, EdD, LVT (V)
- Robert Stout, DVM -- Proxy for the Commissioner of Agriculture (V)

#### BOARD MEMBERS ABSENT

- Steven J. Wills, DVM – Chairman
- Vacant Seat

#### DEPARTMENT OF AGRICULTURE STAFF PRESENT

- Joe Bilby, Legal Counsel (V)

#### OTHERS PRESENT

- Loran Wagoner, DVM, Board Investigator (V)
- MJ Wixsom, DVM, Board Investigator (V)
- Coy St. Clair, DVM, Board Investigator (V)
- Emily Caporal, KYPRN (V)

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

Dr. Gene Smith, Board Vice Chair, called the meeting to order at 1:08 PM EST. Vice Chairman Smith welcomed everyone to the online Zoom meeting.

Mr. Joe Bilby read the roll call. Per [KRS 321.240\(2\)](#), a quorum of the Board was achieved.

## **CONFIRMATION OF PUBLIC NOTICE**

Mr. Bilby confirmed the public notice for this meeting was sent on Tuesday, December 1, 2020, to the Kentucky Department of Agriculture (KDA) media contact list.

## **READING OF MISSION STATEMENT**

Mr. Bilby read aloud the Board's mission statement.

## **NEW BOARD MEMBER(S)**

### **Oath of Office**

Mr. Bilby swore new Board member Dr. Stephanie Kennedy into office.

## **CONSENT AGENDA**

- Board Meeting Minutes from September 17, 2020
- Board Meeting Minutes from September 24, 2020
- Budget Expenditures since 9/17 meeting
- Applications Committee Report on New Applications
- Applications Committee Report on New CE Requests
- Approval to pay the salary and benefits of a KDA employee assigned to help the Board November 1, 2020 – December 15, 2020
- Approval of Board Per Diem

**A MOTION** was made by Dr. Tim Gardner to approve the Consent Agenda. The motion, seconded by Ms. Amy Staton, passed unanimously by voice vote.

### **Budget**

The budget expenditures and revenue approved are summarized for F.Y. 2021, July 1, 2020, through November 16, 2020, as follows:

- Receipts = \$470,975
- Expenditures = \$150,086
- Current Balance = \$1,320,682

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 13 veterinarian and 17 veterinary technician applications. One (1) veterinary technician application was denied because the applicant did not graduate from an AVMA accredited vet tech program. The Board approved CE

requests for 30.5 hours of CE for veterinarians and 25 hours of CE for veterinary technicians. Two applications for CE were denied because the courses were only offered in-house to licensees that were employees of the requesting agency.

| <b>Table 1: Approved Applicants for Licensure and Certification</b> |                   |                  |                       |                  |
|---|-------------------|------------------|-----------------------|------------------|
| <b>Line No.</b>   | <b>First Name</b> | <b>Last Name</b> | <b>License Type</b>   | <b>App. Type</b> |
| 1   | Kaitlynn M.       | Abell            | Veterinarian          | Endorsement      |
| 2   | L. Douglas        | Armstrong        | Veterinarian          | Reinstatement    |
| 3   | Abby E.           | Biddle           | Veterinarian          | New              |
| 4   | Bryant R.         | Chapman          | Veterinarian          | Endorsement      |
| 5   | Ryan L.           | Giles            | Veterinarian          | Endorsement      |
| 6   | Milja J.          | Greene           | Veterinarian          | New              |
| 7   | Ann C.            | Grove            | Veterinarian          | Endorsement      |
| 8   | Hsin Yu           | Ho               | Veterinarian          | Endorsement      |
| 9   | Thomas B.         | Little           | Veterinarian          | Endorsement      |
| 10  | James B.          | Mitchell         | Veterinarian          | Endorsement      |
| 11  | Madonna J.W.      | Morrison         | Veterinarian          | Endorsement      |
| 12  | Jessica F.        | Roebuck          | Veterinarian          | Endorsement      |
| 13  | Haroldo M.        | Toro Schemera    | Veterinarian          | Endorsement      |
| 14  | E. Jordan         | Bamforth         | Veterinary Technician | New              |
| 15  | Shannon L.        | Bray             | Veterinary Technician | New              |
| 16  | Kaitlin D.        | Caldwell         | Veterinary Technician | New              |
| 17  | Adrianna P.       | Coomer           | Veterinary Technician | New              |
| 18  | Caitlin D.        | Crutcher         | Veterinary Technician | New              |
| 19  | Morgan W.         | Guynn            | Veterinary Technician | New              |
| 20  | Mikayla M.        | Hawkins          | Veterinary Technician | New              |
| 21  | Teresa J.         | Kell             | Veterinary Technician | New              |
| 22  | Madison M.        | Knapp            | Veterinary Technician | New              |
| 23  | Caleb T.          | Lake             | Veterinary Technician | New              |
| 24  | Tyamarrie L.      | Lorg             | Veterinary Technician | New              |
| 25  | Jessica N.        | Marshall         | Veterinary Technician | New              |
| 26  | Tammi J.          | Powell           | Veterinary Technician | Reinstatement    |
| 27  | Kristen L.        | Stephens         | Veterinary Technician | New              |
| 28  | Katie             | Walters          | Veterinary Technician | New              |
| 29  | Lydia G.          | Wills            | Veterinary Technician | New              |
| 30  | Karie E.          | Shrader          | Euthanasia Specialist | New              |

**Table 2: Approved CE Requests**

| Course Title   | Sponsor / Provider  | CE Hours Requested |           | Date of Program(s)                                  |
|--|---|--------------------|-----------|---|
|  |   | Vet                | Vet Techs |   |
| Diagnostic Parasitology 201  | OnlineCE.com<br>(Dr. Richard Saporito)                              | 1                  | 1         | Online – on-demand<br>(Approved through 11/30/2022) |
| Diagnostic Parasitology 202  | OnlineCE.com<br>(Dr. Richard Saporito)                              | 5                  | 5         | Online – on-demand<br>(Approved through 11/30/2022) |
| Veterinary Emergency Medicine 201a   | OnlineCE.com<br>(Dr. Richard Saporito)                              | 4                  | 4         | Online – on-demand<br>(Approved through 11/30/2022) |
| Veterinary Emergency Medicine 201b   | OnlineCE.com<br>(Dr. Richard Saporito)                              | 4                  | 4         | Online – on-demand<br>(Approved through 11/30/2022) |
| Veterinary Emergency Medicine 201c   | OnlineCE.com<br>(Dr. Richard Saporito)                              | 4                  | 4         | Online – on-demand<br>(Approved through 11/30/2022) |
| Department of Veterinary Science Seminar Series: "Introducing a study of Thoroughbred Genetics" with Dr. Ernie Bailey, Dr. Ted Kalbfleisch, and Dr. Jessica Petersen | UK Gluck Equine Research Center                                     | 1                  | 1         | 10/22/2020  |
| Department of Veterinary Science Seminar Series: "Straight from the Horse's Mouth: Learning life history from the chemistry of tooth enamel" with Dr. Penny Higgins  | UK Gluck Equine Research Center                                     | 1                  | 1         | 11/12/2020  |
| Department of Veterinary Science Seminar Series: "Leveraging single molecule sequencing to investigate host-pathogen relationships" with Dr. Melissa Smith           | UK Gluck Equine Research Center                                     | 1                  | 1         | 10/8/2020   |
| Answering the Tough Questions on BVD virus and PI Calves   | UK Veterinary Diagnostic Laboratory                                 | 1                  | 1         | 11/19/2020  |
| Common Nutritional Disorders of Swine for Veterinarians  | UK Veterinary Diagnostic Laboratory                                 | 1                  | 1         | 10/20/2020  |
| Current Diagnostic Strategies for Detection of Leptospirosis   | UK Veterinary Diagnostic Laboratory                                 | 1                  | 1         | 9/3/2020  |
| One Planet, One Health, One Future   | Wildlife Conservation Society and the German Federal Foreign Office | 5.5                | -         | 11/17-18/2020                                       |

## BUSINESS AGENDA

### SARS-CoV-2 / COVID-19 Update and Discussion

- Red Zones / Counties
  - Map @ <https://govstatus.egov.com/kycovid19>
- Letters of concern / inquiry submitted to the Board

The Board discussed the red zones, letters of concern, and current protocols issued by the Board. Members directed staff to draft an updated Order for review by the Board, and, following Board approval, to distribute the update to licensees.

### BUDGET MATTERS

- **Allotment Increase Request**  
This letter to the State Budget Director was reviewed by Vice Chairman Smith, but further discussion was tabled until Chairman Wills and executive director Ms. Michelle Shane were able to be with the Board.
- **Contracts pending vote**  
**A MOTION** was made by Dr. Tim Gardner to retroactively approve the following service contracts that were previously discussed by the Board and approved by Chairman Wills:
  - Legal Services with KDA, for general counsel (renewal of standing contract)
  - Legal Service with OAG, for Hearing Officer services (updated with new fiscal year, new administration)
  - Annual Usage Contract with PPC, for use of the licensing database systemThe motion, seconded by Dr. Dale Eckert, passed by voice vote.

### OLD BUSINESS

- **Vet & Vet Tech Licensure Renewal Update**  
The Board directed an update be drafted by the Board Office with information about the new regulations, including the new KYBOP compounding rule. The Board will review the update and distribute to all licensees.
- **AAVSB Update**
  - **2020 Annual Meeting - Debrief**  
The Board and investigators discussed their thoughts and impressions from attending sessions/offerings from the AAVSB. Attendees should have received their CE certificates for Annual Meeting.
  - Other topics tabled for discussion at the next meeting:
    - Opioid Model Regulations
    - Veterinary Technician vs. Technologist duty research

- Board Basics and Beyond Training
  - Save the Dates: Sept 29 – Dec 2, 2021 -- Annual Meeting in Denver, CO
- **Board Statement on Industrial Hemp.**  
The Board tabled this discussion until the next meeting.

## LICENSURE STATUS REPORT

- **Veterinarians.** 2,357 Active licenses, down 289 licenses from the last report, and down 187 from the same time period in 2019; there are also currently 37 Inactive veterinarian licenses and one (1) Special Permits. Twelve (12) veterinarians retired their licenses. The following veterinarians are reported deceased since the September 17 meeting of the Board:
  - Michael Grimes, DVM – deceased 10/19/2020
  - Jerry Johnson, DVM – deceased 11/09/2020
  - David O’Neal, DVM – deceased 10/23/2020
  - Oscar Swanstrom, DVM – deceased 11/21/2020
- **Veterinary Technicians.** 432 Active licenses, up down 24 licenses from the last report, and up eight (8) licenses from the same time period in 2019; there is also currently ten (10) Inactive veterinary technician license. Two (2) veterinary technicians retired their license.
- **Certified Animal Control Agencies.** 53 Active certificates, the same from the last report, and down five (5) from the same time period in 2019; and
- **Certified Animal Euthanasia Specialists.** 185 Active certificates, down one (1) from the last report, and down 27 from the same period in 2019; there are also currently five (5) Inactive animal euthanasia specialist certificates.

## APPLICATIONS COMMITTEE

Ms. Amy Staton reported that all applications were processed. There was one veterinary technician application that was denied licensure because they did not graduate from an AVMA accredited school. Even though 201 KAR 16:520, Section 4 allows the Board to review transcripts and approve an applicant who graduates from a non-accredited school, the Committee felt strongly that the AVMA minimum standards for accredited schools should be met in order to ensure the licensee knows enough information to function as a highly skilled veterinary technician in Kentucky.

Additionally, some CE was not approved. The requestor applied for approval of an in-house training only available to employees of the sponsoring agency. Given that the CE would not be available for all licensees, the Committee denied this request.

## WELLNESS COMMITTEE

Emily Caporal provided an update to the Board on KYPRN participants. One participant has been successfully discharged from the program as of 10/6/2020.

Mr. Joe Bilby provided an overview on KBVE Grievance case #2020-36, against one of the KYPRN program participants who has failed to comply with the terms of the agreement.

**A MOTION** was made by Dr. Jeff Pumphrey to initiate the commencement of formal proceedings against this licensee by filing a complaint with the Office of the Attorney General. The motion, seconded by Dr. Bob Stout, passed unanimously by voice vote.

### **GOVERNMENT AFFAIRS COMMITTEE**

Discussion on the Practice Act revisions were tabled until the next meeting.

### **EDUCATION AND OUTREACH COMMITTEE**

Discussion on the Euthanasia Course Curriculum were tabled until the next meeting.

### **SALES REPORTS**

Dr. St. Clair presented equine sales reports for the following sales:

- Keeneland – September
- Fasig-Tipton – September, October, and November

Dr. St. Clair discussed new software being used at the sales which allowed tracking of the number of online views vs. on-site viewing. Keeneland is better at requiring viewers to be current licensees of the KBVE. The Board discussed this issue and the broader issue of telemedicine.

### **INVESTIGATOR'S REPORT**

Dr. St. Clair and Dr. Wixom presented reported on Periodic Clinic Inspections for the following animal control agencies:

- Daviess County
- Jessamine County
- Lexington Humane Society
- Madison County
- Ohio County

Inspectors noted an up-tick in the presence of Ketamine at shelters, and advised at each location that the ketamine needed to be removed.

Dr. St. Clair noted that, during a recent inspection, one shelter reported a break-in and three (3) bottles of euthanasia solution were stolen; the shelter did report to DEA and the local sheriff's department, but not to KBVE.

## **COMPLAINTS SCREENING COMMITTEE REPORT**

Mr. Bilby discussed case 2020-44 with the Members of the Board.

Ms. Staton exited the meeting at 1:55 pm.

**A MOTION** was made by Dr. Gene Smith directing Mr. Bilby to initiate formal proceedings against this former licensee by filing a motion in Franklin Co. Circuit Court. The motion, seconded by Dr. Tim Gardner, passed unanimously by voice vote.

Mr. Bilby provided the remainder of the Committee Report.

- **2018-21** – monitoring. Mr. Bilby provided a brief update on this case.
- **2019-11** – tabled
- **2019-13** – tabled
- **2019-15** – monitoring Settlement Agreement
- **2019-21** – monitoring Settlement Agreement
- **2019-37** – monitoring Settlement Agreement
- **2020-05** – pending Settlement Agreement
- **2020-08** – tabled
- **2020-18** – ongoing
- **2020-22** – ongoing
- **2020-24** – ongoing
- **2020-27** – dismissed
- **2020-28** – ongoing
- **2020-29** – tabled
- **2020-31** – tabled
- **2020-32** – assigned to investigator
- **2020-34** – ongoing
- **2020-35** – dismissed
- **2020-36** – ongoing
- **2020-41** – dismissed
- **2020-42** – dismissed
- **2020-43** – monitoring
- **2020-44** – ongoing
- **2020-45** – dismissed
- **2020-46** – dismissed
- **2020-47** – ongoing

**A MOTION** was made by Dr. Gardner directing Mr. Bilby to accept the recommendations of the Complaints Screening Committee. The motion, seconded by Dr. Smith, passed by voice vote.



## OPEN DISCUSSION / NEW BUSINESS

- **Update on Search for State Veterinarian position.** Dr. Stout updated Members of the Board on the State Board of Agriculture (SBA) search for a new a State Veterinarian, as he is retiring after 17 years of public service. Dr. Katie Flynn, Deputy State Veterinarian, who had been with the Office of the State Veterinarian (OSV) for about six months, will move up to the position of State Veterinarian. Dr. Alex Hagan has been appointed Deputy State Veterinarian.
- **Kentucky Board of Chiropractic Examiners (KBCE).** Mr. Bilby provided an update to the Members of the Board about a meeting held with KBCE leadership and counsel, attended by Chairman Wills, Vice Chairman Smith, Mr. Bilby, and Ms. Shane. The meeting was on the topic of animal chiropractic and who might regulate this niche profession. Representatives of the KBVE felt strongly that human chiropractors and laymen should not be performing chiropractic work on animals, in part because there is a large potential to do harm in the many possible species being work on. Representatives of KBCE agreed. Mr. Bilby worked with their counsel on potential draft legislation which may be filed in 2022 or later. The Members of the Board discussed this issue and relayed their own experiences with clients reporting they had taken pets to the chiropractor.

## NEXT MEETING

2021 Schedule; meetings dates on Thursdays.

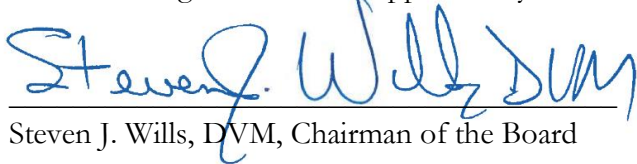
- February 4
- March 25
- May 27
- July 29
- September 23
- December 2

**A MOTION** was made by Dr. Smith to approve the 2021 Board Meeting Schedule. The motion, seconded by Dr. Gardner, passed unanimously by voice vote.

## ADJOURNMENT

Vice Chairman Smith adjourned the meeting at 2:27 pm.

These Meeting Minutes were approved by the Board on February 4, 2021.



Steven J. Wills, DVM, Chairman of the Board

PRESIDING OFFICER: Gene Smith, DVM, Board Vice Chairman  
Minutes Recorded by: Michelle Shane  
Minutes Reviewed by: Joe Bilby



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### Special Meeting Agenda

December 3, 2020 – Special Meeting, per [Executive Order 2020-215](#) & [KRS 61.823](#)

#### Meeting Location: Video Teleconference Only

- **Join the Zoom Meeting online:**  
<https://us02web.zoom.us/j/81143716492?pwd=Q2M2Vng0U2FSc3p1SzltM2pjRS9NZz09>  
Meeting ID: 811 4371 6492  
Passcode: 888653

One tap mobile +19294362866,,81143716492# US (New York) 13017158592,,81143716492# US  
(+Germantown)

- Or Dial by your location (Any number will work). Enter Meeting ID: 811 4371 6492  
+1 929 436 2866 US (New York)  
+1 301 715 8592 US (Germantown)  
+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**

#### **NEW BOARD MEMBER(S)**

#### **Oath of Office**

#### **CONSENT AGENDA**

- Board Meeting Minutes from September 17, 2020
- Board Meeting Minutes from September 24, 2020
- Budget Expenditures since 9/17 meeting
- Applications Committee Report on New Applications
- Applications Committee Report on New CE Requests

- Approval to pay the salary and benefits of a KDA employee assigned to help the Board November 1, 2020 – December 15, 2020
- Approval of Board Per Diem

## **BUSINESS AGENDA**

### **SARS-CoV-2 / COVID-19 Update and Discussion**

- Red Zones / Counties
  - Map @ <https://govstatus.egov.com/kycovid19>

### **BUDGET MATTERS**

- Allotment Increase Request
- Contracts pending vote

### **OLD BUSINESS**

- Vet & Vet Tech Licensure Renewal Update
- AAVSB Update
- Board Statement on Industrial Hemp

### **LICENSURE STATUS REPORT**

### **APPLICATIONS COMMITTEE**

### **WELLNESS COMMITTEE**

### **GOVERNMENT AFFAIRS COMMITTEE**

### **EDUCATION AND OUTREACH COMMITTEE**

### **SALES REPORTS**

- Keeneland - September
- Fasig-Tipton – September, October, November

### **INVESTIGATOR'S REPORT**

Clinic Inspections:

- Daviess County
- Ohio County

## **COMPLAINTS SCREENING COMMITTEE REPORT**

- 2018-21
- 2019-11
- 2019-13
- 2019-15
- 2019-21
- 2019-37
- 2020-05
- 2020-08
- 2020-18
- 2020-22
- 2020-24
- 2020-27
- 2020-28
- 2020-29
- 2020-31
- 2020-32
- 2020-34
- 2020-35
- 2020-36
- 2020-41
- 2020-42
- 2020-43
- 2020-44
- 2020-45
- 2020-46

## **OPEN DISCUSSION / NEW BUSINESS**

- Update on Search for State Veterinarian position
- Questions pending from the Board's Office
- Other Questions for Discussion

## **NEXT MEETING**

Proposed 2021 Schedule; meetings dates on Thursdays.

- February 4
- March 25
- May 27
- July 29
- September 23
- December 2

## **ADJOURNMENT**