



KENTUCKY BOARD OF VETERINARY EXAMINERS

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Special Meeting Agenda

March 25, 2021 – Special Meeting, per [Executive Order 2020-215](#) & [KRS 61.823](#)

Meeting Location: Video Teleconference Only

BOARD MEMBERS PRESENT

(V) = video (A) = audio only

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

DEPARTMENT OF AGRICULTURE STAFF PRESENT

- Michelle Shane, Executive Director (V)
- 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)
- Debra Hamelback, Executive Director, Kentucky Veterinary Medical Association (KVMA) (V)
- Deb Shoulders, DVM, President, KVMA (V)
- Jason Rodgers, DVM, President-Elect, KVMA (V)
- Katie Flynn, DVM, State Veterinarian, Office of the State Veterinarian (OSV) (V)
- Alex Hagan, DVM, Deputy State Veterinarian, OSV (V)
- Keith Rogers, Chief of Staff, Kentucky Department of Agriculture (KDA) (V)
- Unidentified participant (V)
- Unidentified participant (A)

CALL TO ORDER / ROLL CALL / ESTABLISHMENT OF QUORUM

Dr. Steven Wills, Board Chairman, called the meeting to order at 1:00 PM EDT. Chairman Wills welcomed everyone to the online Zoom 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, March 23, 2021, to the Kentucky Department of Agriculture (KDA) media contact list, and was also posted on the KBVE website Meetings page.

READING OF MISSION STATEMENT

Ms. Shane read aloud the Board's mission statement.

NEW BOARD MEMBER(S)

Oath of Office

Mr. Bilby swore new Board Member Dr. John Park into office.

Members of the Board and guests completed a round of introductions.

BUSINESS AGENDA

BUDGET MATTERS

- **KDA Administrative Services Contract Renewal, F.Y. 2022**
- **Long-term Staff Assistance**

Mr. Keith Rogers, KDA Chief of Staff, addressed the Board with details on the proposed Administrative Services contract renewal with KDA, and answered questions from Members of the Board. Mr. Rogers also addressed questions about hiring an additional staff person.

Following his departure, the Board discussed the contract and possible staffing options for additional board support.

A MOTION was made by Dr. Gene Smith to approve the proposed contract renewal for Administrative Services with KDA through F.Y. 2022, including the hiring of a full-time Administrative Assistant under the current contract at the rate specified in the new contract, with a salary to be set by the KBVE. The motion, seconded by Ms. Judith Piazza, passed unanimously by show of hands.

CONSENT AGENDA

- Board Meeting Minutes from December 3, 2020
- Budget Expenditures since 12/3 meeting
- Applications Committee Report on New Applications
- Applications Committee Report on New CE Requests
- Approval of Board Per Diem

A MOTION was made by Dr. Dale Eckert to approve the consent agenda. The motion, seconded by Dr. Amy Staton, passed by a unanimous show of hands.

Budget

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

- Receipts = \$535,330
- Expenditures = \$260,571
- Current Balance = \$1,274,552

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 15 veterinary technician applications for licensure, one (1) animal euthanasia specialist application for certification, and two (2) veterinarian applications for licensure with conditions. The Board approved CE requests for 14.5 hours of CE for veterinarians and 3.5 hours of CE for veterinary technicians.

Table 1: Approved Applicants for Licensure and Certification				
Row #	First Name	Last Name	License Type	App. Type
1	Casey N.	Barwell	Veterinarian	Endorsement
2	Matthew T.	Brokken	Veterinarian	Endorsement
3	Lauren E.	Dodd	Veterinarian	Endorsement
4	Melissa S.	Fenn	Veterinarian	Endorsement
5	Fernando	Garcia Seeber	Veterinarian	Endorsement
6	Rebecca E.	Gompf	Veterinarian	Endorsement
7	Kevin G.	Harbin	Veterinarian	Endorsement
8	Donald J.	Harris	Veterinarian	Endorsement
9	Chaya D.	Hirsch	Veterinarian	Endorsement
10	Karl C.	Maritato	Veterinarian	Endorsement
11	Mark E.	O'Sullivan	Veterinarian	Endorsement
12	Scott W.	Pierce	Veterinarian	Reinstatement
13	Brian L.	Tripp	Veterinarian	Endorsement
14	Lisa A.	Warren	Veterinarian	Endorsement
15	Erin K.	Wilborn	Veterinarian	Endorsement

Row #	First Name	Last Name	License Type	App. Type
16	Samantha J.	Dye	Veterinary Technician	Endorsement
17	Taylor L.	Hines	Veterinary Technician	New
18	Hillarey J.	Kriegler	Veterinary Technician	Reinstatement
19	Hannah L.	Nall	Veterinary Technician	New
20	Michaela B.	Norman	Veterinary Technician	New
21	Tyler J.	Papineau	Veterinary Technician	Reinstatement
22	Madison A.	Rath	Veterinary Technician	New
23	Jennifer L.	Schafer	Veterinary Technician	Endorsement
24	Brittany N.	Smith	Veterinary Technician	New
25	Erika M	Squires	Veterinary Technician	New
26	Shannon M.	Summers	Veterinary Technician	Endorsement
27	Sarah E.	Terrell	Veterinary Technician	New
28	Sioux M.	Thomas	Veterinary Technician	New
29	Kayla N.	VanHook	Veterinary Technician	New
30	Jessica A.	Zona	Veterinary Technician	Endorsement
31	John T.	Davis	Euthanasia Specialist	Reinstatement

Table 2: Approved CE Requests

Course Title	Sponsor / Provider	CE Hours Requested		Date of Program(s)
		Vet	Vet Techs	
Veterinary Trauma & Critical Care Symposium	ACVECC VetCOT American College of Veterinary Emergency and Critical Care (AACVECC) and Veterinary Committee on Trauma (VetCOT)	8	-	04/09-11/2021
Separation Anxiety in a Post-COVID World	Cincinnati VMA	2	-	3/23/2021
Controlled Substance Diversion Medicine: Policy, Strategy, & Ethics	Tennessee Tech University	2	2	Online-On Demand
Johne's Disease Diagnostic Dilemmas	UK Veterinary Diagnostic Laboratory	1.5	1.5	2/18/2021
Be Successful On Purpose	Zoetis	1	-	2/16/2021

BUSINESS AGENDA

BUDGET MATTERS

- **F.Y. 2022 Kentucky General Assembly Budget**

The allotment increase was included in the budget forwarded to the Governor for signature.

- **Database upgrade related to vet and vet tech renewal**

A MOTION was made by Dr. Staton to approve the database upgrades for online renewals at a cost of \$2,600 to PPC/DOI. The motion, seconded by Dr. Stephanie Kennedy, passed unanimously by show of hands.

INTRODUCTIONS

- Kentucky State Veterinarian, Dr. Katie Flynn
- Kentucky Deputy State Veterinarian, Dr. Alex Hagan

Dr. Flynn provided highlights to multiple OSV initiatives and partnerships. Highlights included:

- Two federal grants, one for CWD to place cameras on farm perimeter to document interactions between wildlife and farm, and another for emergency response and preparedness response to be used for food biosecurity preparedness.
- Working with 12 states on food supply biosecurity
- Continues initiative to review and modernize species and disease regulations
- OSV Hiring
- Partnerships with industry for internships and residencies to promote food animal medical with veterinarian students

SARS-CoV-2 / COVID-19 UPDATE AND DISCUSSION

- **Discussion on Lifting of Restrictions.**

Ms. Shane and Ms. Debra Hamelback discussed comments received at the both the KBVE and KVMA offices, respectively, from the public as well as practitioners in the community; many commenters are upset that clients are still limited from entering the building. Current Board Orders do allow client entry if cleaning protocols are followed, but many licensees have decided to stay curbside. There are also questions related to how protocols change if the staff are vaccinated. The Board discussed these issues, and opened the floor to guest attendee comments.

Members briefly discussed House Joint Resolution (HJR) 77 - <https://apps.legislature.ky.gov/record/21RS/hjr77.html>. Thanks to legal proceeding, this resolution is still in flux.

The Board determined to ask for explicit issues with current Board orders, and planned to discuss an update over email. Not currently considering lifting restrictions, as mandate is to protect the public.

KVMA UPDATE

- **Mentor Vet Program.** Dr. Deb Shoulders, KVMA President, provided an update on a new initiative from the professional organization which will offer coaching and mentoring to new (1-5 years) graduate veterinarians.

OLD BUSINESS

- **AAVSB Update**
 - Call for Nominations
 - DEA Comment Period for SORS NPRM & Opioid and Diversion Awareness

- **Industrial Hemp** – Tabled until later meeting.

- **US Army “Operation Coal Country”**

Members of the Board and legal counsel reviewed the response submitted by CPT Hutsebaut, DVM, and are pleased to see U.S. Army personnel working to address the concerns expressed by the KBVE following the February meeting.

The Board requests that the mission participants continue their efforts of partnering with local clinics for aftercare. The KBVE will require that the veterinary unit of Operation Coal Country submit a report to the Board following their mission. The report should include the following metric information:

- Name, jurisdiction of licensure, and license numbers for each participating veterinarian
- Number of each patient species seen
- List and number of each service provided
- List of cases that required aftercare, with summarized details from each aftercare case

The KBVE would like to see such a report submitted to the Board each time this training mission occurs in Kentucky. Mr. Bilby will work with Ms. Shane to draft a letter with these requirements and issue to CPT Hutsebaut, DVM.

LICENSURE STATUS REPORT

- **Veterinarians.** 2,402 Active licenses, up 11 licenses from the last report, and down 161 from the same time period in 2020; there are also currently 37 Inactive veterinarian licenses and one (1) Special Permits. Eleven (11) veterinarians retired their licenses.
- **Veterinary Technicians.** 454 Active licenses, up down five (5) licenses from the last report, and up 12 licenses from the same time period in 2020; 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 six (6) from the same time period in 2020; and

- **Certified Animal Euthanasia Specialists.** 174 Active certificates, down three (3) from the last report, and down 46 from the same period in 2020; there are also currently 17 Inactive animal euthanasia specialist certificates.

APPLICATIONS COMMITTEE REPORT

Dr. Kennedy presented the Applications Committee Reports, and discussed with the Board some considerations about three applicants.

WELLNESS COMMITTEE REPORT

A MOTION was made by Dr. Smith to enter into executive session to discuss multiple individuals in the Wellness Report. The motion, seconded by Dr. Eckert, passed unanimously by show of hands. The Board entered into executive session at 2:57 PM.

The Board returned to regular session at 3:06 PM.

EDUCATION AND OUTREACH COMMITTEE

- Euthanasia Course Curriculum Update - TABLED

SALES REPORTS

None this round.

COMPLAINTS SCREENING COMMITTEE REPORT

Mr. Bilby presented the recommendations from the Complaints Screening Committee.

- **2018-21** – monitoring Settlement Agreement
- **2019-11** – tabled
- **2019-13** – tabled
- **2019-15** – closed
- **2019-21** – closed
- **2019-37** – closed
- **2020-05** – closed
- **2020-08** – tabled pending outcome of federal charges
- **2020-18** – ongoing
- **2020-24** – ongoing
- **2020-29** – tabled pending outcome of federal charges
- **2020-31** – tabled
- **2020-34** – ongoing
- **2020-36** – ongoing
- **2020-43** – monitoring Settlement Agreement
- **2020-44** – ongoing
- **2020-47** – closed

- 2020-48 – dismissed
- 2020-49 – ongoing
- 2020-51 – ongoing
- 2020-52 – ongoing
- 2021-01 – dismissed
- 2021-02 – ongoing
- 2021-03 – ongoing
- 2021-04 – ongoing
- 2021-05 – dismissed
- 2021-06 – ongoing
- 2021-07 – dismissed
- 2021-08 – ongoing

OPEN DISCUSSION / NEW BUSINESS

- Renewed contract with ICVA for NAVLE Testing; contract renewal pending with AAVSB for VTNE
- Questions pending from the Board's Office
 - An inquiry related to tele-triage

Chairman Wills called a meeting break from 3:13 PM – 3:25 PM. Ms. Piazza did not return from the break.

- Other Items for discussion
 - Possible new case from the KYBOP
Dr. Wills introduced a pharmacy case out of Maryland, and discussed the grandfathering of Hearthill veterinary products.

GOVERNMENT AFFAIRS COMMITTEE

Joe Bilby provided an overview of the revision effort, how statutes and regulation revisions differ, how statutory changes occur, including sponsorship and limits on lobbying, and some of the supporting and dissenting parties which may weigh-in on these revisions. Ms. Shane provided an overview of the current mark-up draft statute revisions.

- Practice Act Modernization Effort – Members of the Board dove into revision efforts on the following statutes:
 - [KRS 321.230](#) - Board of Veterinary Examiners -- Membership -- Qualifications - Appointment -- Terms -- Vacancies – Compensation
- All other proposed edits slated for review this day were tabled for discussion until a future dedicated meeting --
 - [KRS 321.175](#) - Purpose of chapter
 - [KRS 321.181](#) - Definitions for chapter
 - [KRS 321.235](#) - Powers and duties of board -- Personal immunity

- [KRS 321.240](#) - Board officers -- Meetings -- Notice of examinations -- Seal -- Administrative regulations
- [KRS 321.320](#) - Revolving fund for administration
- KRS NEW - Severability
- [KRS 321.190](#) - License required to practice veterinary medicine
- [KRS 321.193](#) - Veterinarian's license -- Requirements
- [KRS 321.200](#) - Exemptions from application of chapter
- [KRS 321.201](#) - Special permits -- Duration
- KRS NEW - Temporary Permits; Qualifications for a Temporary Permit -- Emergency Practice
- [KRS 321.221](#) - Licensure by endorsement for veterinarians licensed in other jurisdictions
- [KRS 321.211](#) - Renewal of [veterinarian] license -- Fees -- Expiration and termination of license -- Reinstatement -- Continuing education -- Retired or inactive licensure status

PROPOSED ADDITIONAL MEETINGS

Additional meetings will be needed for work on Practice Act Modernization initiative. Chairman Wills asked Members of the Board to consider meeting on April 29 or another date in early May.

NEXT MEETING

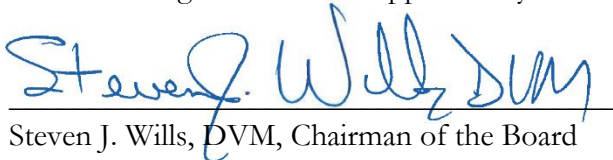
May 27, 2021

Online Zoom Meeting

ADJOURNMENT

Chairman Wills adjourned the meeting at 4:02 pm.

These Meeting Minutes were approved by the Board on April 29, 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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Special Meeting Agenda

March 25, 2021 – 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/87111720657?pwd=OHFVdS90dXJhZEFTZ0wwTEp3eVpuQT09>
Meeting ID: 871 1172 0657
Passcode: 148051
- **One tap mobile**
+13017158592,,87111720657# US (Washington DC) 13126266799,,87111720657# +US (Chicago)
- **Dial by your location (any number will work) - Meeting ID: 871 1172 0657**
 - +1 301 715 8592 US (Washington DC)
 - +1 312 626 6799 US (Chicago)
 - +1 929 436 2866 US (New York)
 - +1 253 215 8782 US (Tacoma)
 - +1 346 248 7799 US (Houston)
 - +1 669 900 6833 US (San Jose)

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

Oath of Office

INTRODUCTIONS

- Board Members
- Kentucky State Veterinarian, Dr. Katie Flynn
- Kentucky Deputy State Veterinarian, Dr. Alex Hagan

CONSENT AGENDA

- Board Meeting Minutes from February 4, 2021
- Budget Expenditures since 2/4 meeting
- Applications Committee Report on New Applications
- Applications Committee Report on New CE Requests
- Approval of Board Per Diem

BUSINESS AGENDA

BUDGET MATTERS

- F.Y. 2022 Kentucky General Assembly Budget
- Database upgrade required related to online renewals
- KDA Administrative Services Contract Renewal, F.Y. 2022 presented by Mr. Keith Rogers, KDA Chief of Staff
- Long-term Staff Assistance
 - New Employee – Personnel Job Class Grades
 - Timeline for hire

SARS-CoV-2 / COVID-19 UPDATE AND DISCUSSION

- Discussion on Lifting of Restrictions. NOTE: House Joint Resolution (HJR) 77 - <https://apps.legislature.ky.gov/record/21RS/hjr77.html>
- Public Comments
- Comments from the Veterinary Community

KVMA UPDATE

- Mentor Vet Program

OLD BUSINESS

- **AAVSB Update**
 - Call for Nominations
 - DEA Comment Period for SORS NPRM & Opioid and Diversion Awareness
- **Industrial Hemp** – Working Group Assignment
- **US Army “Operation Coal Country”** - CPT Hutsebaut, DVM

LICENSURE STATUS REPORT

APPLICATIONS COMMITTEE REPORT

WELLNESS COMMITTEE REPORT

EDUCATION AND OUTREACH COMMITTEE

- Euthanasia Course Curriculum Update

SALES REPORTS

- Fasig-Tipton
- Keeneland

COMPLAINTS SCREENING COMMITTEE REPORT

- 2018-21
- 2019-11
- 2019-13
- 2019-15
- 2019-21
- 2019-37
- 2020-05
- 2020-08
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- 2020-29
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- 2020-36
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OPEN DISCUSSION / NEW BUSINESS

- Renewed contract with ICVA for NAVLE Testing
- Questions pending from the Board's Office
- Other Items/Questions for Discussion

GOVERNMENT AFFAIRS COMMITTEE

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PROPOSED ADDITIONAL MEETINGS

At least two additional meetings will be needed for work on Practice Act Modernization initiative.

- April 22, or April 29
- August 12, or August 19
- October 21, October 28, or November 4

NEXT MEETING

May 27, 2021

Online Zoom Meeting

ADJOURNMENT