



KENTUCKY BOARD OF VETERINARY EXAMINERS

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Meeting Minutes

December 2, 2021

BOARD MEMBERS PRESENT

(V) = video (A) = audio only (I) = In-person

All Board Members, Staff, and Others present in-person unless otherwise noted.

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

BOARD MEMBERS ABSENT

- Dianne Dawes, DVM

DEPARTMENT OF AGRICULTURE STAFF PRESENT

- Michelle Shane, KBVE Executive Director
- Amanda Briggs, KBVE Administrative Assistant
- Joe Bilby, KBVE Legal Counsel
- Alex Hagan, DVM, Kentucky Deputy State Veterinarian

OTHERS PRESENT

- Coy St. Clair, DVM, KBVE Investigator
- MJ Wixsom, DVM, KBVE Investigator
- C. Loran Wagoner, DVM, Investigator Consultant
- Debra Hamelback, Executive Director, Kentucky Veterinary Medical Association (KVMA)

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 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, November 30, 2021, to the Kentucky Department of Agriculture (KDA) media contact list, and also posted on the KBVE website Meetings page.

READING OF MISSION STATEMENT

Vice Chair Gene Smith, DVM read aloud the KBVE mission statement.

CONSENT AGENDA

- Board Meeting Minutes from September 23, 2021 and October 28, 2021
- Budget Expenditures since 9/23 meeting
- Licensure Status Report
- Applications Committee Report on New Applications
- Applications Committee Report on New CE Requests
- Approval of Board Per Diem and Mileage

A MOTION was made by Dr. Tim Gardner to approve the consent agenda. The motion, seconded by Ms. Amy Staton, passed unanimously.

Budget

The budget expenditures and revenue approved are summarized for F.Y. 2022, July 1, 2021, through November 15, 2021, as follows:

- F.Y. 2022 –
 - Receipts = \$36,145
 - Expenditures = \$135,844
 - Current Balance = \$1,096,701

Licensure Statue Report

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

- Active Veterinarians = 2,539
- Inactive Veterinarians = 37
- Special Permits = 3
- Active Veterinary Technicians = 506
- Inactive Veterinary Technicians = 16
- Active Certified Animal Control Agencies = 49
- Active Certified Animal Euthanasia Specialists = 171
- Inactive Animal Euthanasia Specialists = 10

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 11 veterinarian, one (1) special permit, 15 veterinary technician, one (1) animal control agency, and one (1) animal euthanasia specialist applications. The Board approved CE requests for 25.75 hours of CE for veterinarians and 17.75 hours of CE for veterinary technicians.

Table 1: Approved Applicants for Licensure and Certification				
Row #	First Name	Last Name	License Type	App. Type
1	Mary A.	Barling	Veterinarian	Endorsement
2	Savannah B.	Basham	Veterinarian	Endorsement
3	Douglas L.	Brunk	Veterinarian	Endorsement
4	Jessica R.	Corder	Veterinarian	New
5	Daniel C.	Gascho	Veterinarian	Endorsement
6	Shawna L.	Huston	Veterinarian	Endorsement
7	Srividya	Mandava	Veterinarian	Endorsement
8	Sierra I.	Philipp	Veterinarian	Endorsement
9	Hannah D.	Rice	Veterinarian	Endorsement
10	Mackenzie I.	Treece	Veterinarian	Endorsement
11	Bradley R.	Venable	Veterinarian	Endorsement
12	Jessica N.	Jebe	Special Permit	Extension
13	Kaytlyn D.	Bowens	Veterinary Technician	Endorsement
14	Ailin	Cougil	Veterinary Technician	New
15	Angela L.	Doster	Veterinary Technician	New
16	Kirsten B.	Ezell	Veterinary Technician	New
17	Brittany L.N.	Ficklin	Veterinary Technician	Endorsement
18	Katherine N.	Gonzalez	Veterinary Technician	New
19	Adelaide C.	Grindle	Veterinary Technician	New
20	Erika D.	Kampsen	Veterinary Technician	Reinstatement
21	Angela D.	Markham	Veterinary Technician	New
22	Haley C.	Martin	Veterinary Technician	New
23	Ladonna B.	Melton	Veterinary Technician	New
24	Shayna R.	Peyton	Veterinary Technician	New
25	Amber L.	Stevens	Veterinary Technician	New
26	Sarah N.	Vance	Veterinary Technician	New
27	Talise K.	Zirilli	Veterinary Technician	New

Row #	First Name	Last Name	License Type	App. Type
28	Harlan County Animal Shelter		Animal Control Agency	Reinstatement
29	Tessa L.	Patterson	Euthanasia Specialist	New

Table 2: Approved CE Requests

Course Title	Sponsor / Provider	CE Hours Requested		Date of Program(s)
		Vet	Vet Techs	
Going Beyond Compassion Fatigue	Care Center	1.5	1.5	10/12/2021
Diagnosis and Treatment of Hyperadrenocorticism	Cincinnati VMA	2	-	10/24/2021
Emerging Feline Endocrine Diseases	Cincinnati VMA	1	-	10/24/2021
Polyuria and Polydipsia	Cincinnati VMA	1	-	10/24/2021
Cushings Disease: Changing the Paradigm	Dechra Veterinary Products	1.5	1.5	10/25/2021
Sixth Tex Cauthen Seminar	UK Gluck Equine Research Center	6.75	6.75	1/23/2022
University of Kentucky Department of Veterinary Science Seminar Series: "Protein nutrition in horses: what we've learned and where we're going" with Dr. Kristine Urschel	UK Gluck Equine Research Center	1	1	11/18/2021
Defiant Dirofilaria: How to Handle Resistant Heartworm	Zoetis	2	-	10/19/2021
What Generation is Your Dermatology Practice? Current evidence based on treatment	Zoetis	2	-	9/27/2021

BUSINESS AGENDA

BUDGET MATTERS

- **Biennial Budget Filing Update.** Ms. Shane provided an update on the status of the biennial budget filing.

- **Approval required for additional database upgrades.** Ms. Shane informed the board of work completed on the requested database upgrades, and the need for an additional expenditure related to an upgrade request:
 - Completed:
 - Add “USDA Accreditation Category”
 - Add “Nonprofit”
 - New Report “KBVE – Licensee Demographics”
 - Request to add DEA Addresses – required approval for \$1,560

A MOTION was made by Dr. John Park to approve the requested database upgrade for \$1,560 to better track licensee DEA Registration locations. The motion, seconded by Dr. Gardner, passed unanimously.

Chairman Wills instructed that this upgrade should not limit the ability of licensees to renew if they do not disclose.

- **RFP for 16-hour Euthanasia Training Course.** Ms. Shane provided an update to the Board on this RFP. The release date is set for 12/15/21. Submissions will be reviewed in March, and a vote on potential contracts will be held at the March meeting.

OLD BUSINESS

- **AAVSB Updates**
 - **Watch Dog** – Available for anyone to review on AAVSB website.
 - **Save the Dates**
 - **2022 Board Basics** – April 1-2 @ Kansas City, Missouri
<https://www.aavsb.org/board-services/member-board-resources/trainings/>
Dr. Park is interested in attending.
 - **2022 Annual Meeting** - 9/15 – 9/17 @ Charlotte, NC
<https://na.eventscloud.com/website/26609/home/>
- **OSV Partnership initiative.** Ms. Shane relayed that Kentucky State Veterinarian Dr. Katie Flynn would like to schedule a meeting in early 2022 to discuss opportunities for KBVE and OSV to support one another’s missions and initiatives.
 - KBVE Volunteers to attend meeting: Dr. Stout, Dr. Park, Dr. Smith. Dr. Gardner

LICENSEE REPORT

Ms. Shane presented a new Licensure Demographics Report. Members of the Board discussed the new report and found that the statistics presented have the potential to be very beneficial to the KBVE as well as other agencies. The Board discussed ways to refine this data set.

- Clarify what the percentages mean
- Clearly define “other” practice
- Provide more detail about mixed practices

- Show other “Area of Practice” (types of business) statistics (i.e., private, corporate, relief, military, academia, industry, government, etc.)
- Note that the decade 1990 – 1999 – new graduates in 2021 are born in 1996-1997, so statistics for decade is not complete
- Find a way to separate agricultural veterinarians dedicated to one corporation vs. those who provide services to the community-at-large
- Investigate benefit to listing year/decade of graduation

Members of the Board discussed how to recruit and support large animal veterinarians with Deputy State Veterinarian Dr. Alex Hagan. Multifactorial issues were discussed, including economic (student debt, tuition costs, decreasing farm revenues), work life balance, physical demands, changing needs of the farmers (often emergent nature of the farm’s needs rather than predictable maintenance/ scheduled work), food safety, animal welfare, and recruitment priorities of vet schools.

Dr. Hagan spoke about his plans to organize a network of large animal veterinarians in Kentucky to aid in recruitment of new veterinarians to the food animal field and to coach new graduates on sustainable business models as they begin their practice.

APPLICATIONS COMMITTEE REPORT

Dr. Gardner and Dr. Kennedy discussed the Applications Committee reports. Not appearing in the PDF report was a late request for a Special Permit extension, which was granted.

WELLNESS COMMITTEE REPORT

Mr. Tom Dorman presented the Wellness Report from KYPRN.

EDUCATION AND OUTREACH COMMITTEE

- **KVMA Education and Outreach (E&O) Contract.**
On track for April 1 start date. Contract must still be approved by Government Services Contract Committee and the Finance and Administration Cabinet.
- **“Kentucky Day at Auburn”**
Ms. Shane is moving forward with KVMA and Auburn to plan for this event in early 2022. Other participating agencies include KDA, OSV, and KOAP. Dr. Kennedy and Dr. Smith expressed interest in attending.

Chairman Wills requested that Kentucky students at Tuskegee and LMU also be invited.

The Board is interested to learn directly from the students:

- What incentives would be a draw for them to work in Kentucky?
- What impediments need to be removed for them to work in Kentucky, or in food animal / equine shortage areas?

Members of the Board requested additional statistics from KBVE and KVMA:

- How many Auburn graduates come back to Kentucky?
- How many stay in Kentucky, and for how many years?

SALES REPORTS

Investigator Coy St. Clair, DVM presented the equine sales reports. Viewing is up across the board, with a notable increase in new buyers from Japan.

- Fasig-Tipton –
 - Oct 2021 – October Yearling Sale
 - Nov 2021 – Breeding Stock Sale
- Keeneland –
 - Sep 2021 – September Yearling Sale
 - Nov 2021 – November Breeding Stock Sale

Members of the Board discussed the need for continued KBVE monitoring at sales. Dr. Loran Wagoner provided a historical summary of the KBVE's involvement with equine sales monitoring; this practice initiated in response to numerous complaints from buyers. Monitoring evolved into monitoring for licensure and record keeping. Today, sales companies have arbitration rules in place to resolve disputes between buyers and sellers. Additionally, much of the process is moving online, from scoping videos to radiograph review, and a veterinarian need not ever set foot onsite at the sales location. Although there appear to be few controls in place by the sales companies to ensure proper licensure of veterinarians in the online environment, buyers seem willing to accept the risks.

A MOTION was made by Dr. Park to discontinue sending a KBVE Investigator to monitor equine sales in Kentucky. The motion, seconded by Dr. Gardner, passed unanimously.

INVESTIGATOR REPORTS

Investigator MJ Wixsom, DVM presented Periodic Shelter Inspection reports for the following shelters:

- Boone County (certificate no. 149647)
- Bracken County (certificate no. 149458)
- Estill County (certificate no. 147201)
- Jessamine County (certificate no. 147171)
- Madison County (certificate no. 147173)
- Montgomery County (certificate no. 306894)
- Paris Animal Welfare Society (certificate no. 147174)
- Powell County (certificate no. 167681)
- Pulaski County (certificate no. 149245)
- Robertson County (certificate no. 146873)
- Tri-County (Rowan Co.) (certificate no. 149521)

Members of the Board discussed issues discovered at multiple shelters. A recurring issue is proper storage of controlled substances. Ms. Shane spoke with a regional DEA Agent who clarified that drugs ordered under different DEA Registration numbers need to be stored in separate locked storage, even when those Registrations list the same physical address; the drugs and the logs **cannot be intermingled** in the same locked storage.

Members of the Board directed that Ms. Shane work with legal counsel to develop educational materials on the legal responsibilities of County Judge/Executives as they pertain to KBVE-Certified Animal Control Agencies, Onsite Designated Managers, their employees, their DEA Registration, and the management of controlled substances. Educational materials for veterinarians who work with shelters need developed as well, to include refreshers on restrictions pertaining to drug storage, transfer, and use. The goal is to help with compliance.

Chairman Wills called a respite break at 2:48 pm; the Board reconvened at 3:06 PM.

COMPLAINTS SCREENING COMMITTEE REPORT

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

- Dismissed, no violations of Practice Act identified
 - 2021-23
 - 2021-38
 - 2021-43
 - 2021-45
 - 2021-46
- Closed following KBVE action
 - 2021-26
 - 2021-31
- Assigned to Investigator
 - 2021-42
 - 2021-47
- New
 - 2021-48
 - 2021-49

Mr. Bilby discussed a case referred from the Kentucky Board of Pharmacy. After reviewing the details of the original grievance, which originated from the equine Racing Medication & Testing Consortium, Members of the Board directed Mr. Bilby to initiate a KBVE case against the veterinarian involved.

Mr. Bilby also spoke with Members of the Board about his intent to pursue other career opportunities. He discussed necessary steps to seek new legal counsel for the KBVE. Members of the Board directed Ms. Shane to develop an RFP for legal services for review at the next meeting.

OPEN DISCUSSION / NEW BUSINESS

- Questions pending from the Board's Office
 - **Licensed vet tech allowable duties in an online environment**

Members of the Board discussed this query. An LVT is only allowed to operate under a veterinarian's supervision, and the veterinarian must have a current, valid VCPR (in-person visit in the last 12-months) in order to provide telemedicine. The activities described are not allowable under current laws in the Commonwealth.

 - [KRS 321.181](#)- "Veterinarian" means a practitioner of veterinary medicine who is duly licensed in the Commonwealth of Kentucky;
 - [KRS 321.185](#) – VCPR conditions
 - [KRS 321.441](#) – LVT has to be under the veterinarian's supervision
 - **Vet assistant wanting to provide mobile unit triage**

The activities described are not allowable under current laws in the Commonwealth. Same statutes apply as above.
- **PILLS Meeting**

Ms. Shane offered a summary of the PILLS meeting attended on November 16.
- Other Items for Discussion
 - **State Vet Office seeks new Deputy State Vet**

Dr. Alex Hagan spoke on his pending departure and the OSV search for a new Deputy State Veterinarian. Applications are being accepted until January 5.
 - **Morehead State University is seeking a mixed animal veterinarian** for fulltime academia work in their AVMA accredited veterinary technician program
 - **KBVE Committee Assignments for 2022**

Chairman Wills encouraged Board Members to review KBVE Committee descriptions and consider where they might serve during the new year.

GOVERNMENT AFFAIRS COMMITTEE

Practice Act Review

- **Stakeholder Meetings**

Ms. Shane and Chairman Wills reviewed details from stakeholder meetings held with KVMA (Nov 5) and KVTA (Nov 15).

- **Final Review of Practice Act Modernization Package**

Members of the Board walked through recommended changes from the stakeholders, and made some minor edits to the draft.

A MOTION was made by Dr. Park to direct Ms. Shane and Mr. Bilby to take the necessary steps to submit the final Practice Act Modernization draft, including edits as discussed, to LRC for Bill Request (B.R.) formatting. The motion, seconded by Dr. Smith, passed unanimously.

- **Modernization White Paper**

The Board reviewed and approved the summary paper with modifications to match the final draft of the Practice Act Modernization package.

- **Proposed Regulations**

Discussion of proposed regulations was tabled until a future meeting.

- **Future Stakeholder Meetings**

KBVE planned to host members of KVMA leadership to talk through concerns with veterinary facility registrations and potential proposed regulations. The meeting is scheduled for December 16. The following KBVE Members volunteered to be in attendance:

- Chairman Wills
- Dr. Smith
- Dr. Park
- Dr. Dawes

- **Other**

Mr. Bilby discussed next steps and board member roles as the statutory package proposal is moved forward.

FUTURE MEETING DATES

Regularly scheduled board meetings, Thursdays @ 1:00 PM EDT tentatively scheduled at OSV

- January 27
- March 24
- May 26
- July 28
- September 29
- December 1

A MOTION was made by Ms. Staton to approve the 2022 Board Meeting Dates (listed above). The motion, seconded by Dr. Smith passed unanimously.

Ms. Shane discussed possible board retreat dates for working on long-term board plans and new proposed regulations.

ADJOURNMENT

Chairman Wills adjourned the meeting at 5:03 pm.

These Meeting Minutes were approved by the Board on January 27, 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

December 2, 2021

**Due to continuing COVID-19 restrictions,
citizens and observers are requested to attend the meeting virtually.**

Join Zoom Meeting

<https://us02web.zoom.us/j/89888446254?pwd=TWkzQ1dTUgHHeEloNDdnOFZITDIrdz09>

Meeting ID: 898 8844 6254

Passcode: 982465

One tap mobile

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Dial by your location (any number will work); then enter Meeting ID: 898 8844 6254

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+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

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

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- Budget Expenditures since 9/23 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

BUDGET MATTERS

- Biennial Budget Filing Update
- Approval required for additional database upgrades
- RFP for 16-hour Euthanasia Training Course - Update

OLD BUSINESS

- AAVSB Updates

APPLICATIONS COMMITTEE REPORT

WELLNESS COMMITTEE REPORT

SALES REPORTS

- Fasig-Tipton – Sept 2021
- Keeneland – Nov 2021

INVESTIGATOR REPORTS

Periodic Shelter Inspections

COMPLAINTS SCREENING COMMITTEE REPORT

OPEN DISCUSSION / NEW BUSINESS

- Questions pending from the Board's Office
 - Vet tech work online
 - Vet assistant wanting to provide mobile unit triage
- Other Items for Discussion
 - State Vet Office seeks new Deputy State Vet
 - KBVE Committee Assignments for 2022

GOVERNMENT AFFAIRS COMMITTEE

Practice Act Review

- Stakeholder Meetings
 - KVMA – Nov 5
 - KVTA – Nov 15
- FINAL REVIEW Practice Act Modernization Package
- Review of Modernization White Paper
- Proposed Regulations Discussion
- Future Stakeholder Meetings

FUTURE MEETING DATES

- 2022 Regularly scheduled board meetings
- Possible Retreat dates

ADJOURNMENT