



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

Board Retreat Minutes

June 22-23, 2022

Location: Elk Creek Hunt Club and Resort, 1860 Georgetown Rd, Owenton, KY 40359

Wednesday, June 22

BOARD MEMBERS PRESENT

All Board Members, Staff, and Others present in-person

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

BOARD MEMBERS ABSENT

- n/a

DEPARTMENT OF AGRICULTURE STAFF PRESENT

- Michelle Shane, KBVE Executive Director
- Amanda Briggs, KBVE Administrative Assistant

OTHERS PRESENT

- Mark Brengelman, KBVE Legal Counsel

CALL TO ORDER / ROLL CALL / ESTABLISHMENT OF QUORUM

Dr. Steven Wills, Board Chairman, called the meeting to order at 8:04 AM 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, June 21, 2022, 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.

BUSINESS AGENDA

- **Welcome and overview of scope of work for retreat**
- **Opener Activity**
- **KBVE Office SOPs**

Ms. Shane provided an overview of KBVE Office SOPs as related to applications and grievances.

- **Board Discussion – Application procedures**

Members of the Board discussed authorizing staff to issue licenses without committee review so long as the application does not have any flags, e.g., rap sheet, discipline (pending or past) from another jurisdiction, or other circumstances highlighting the application as non-standard

- **Board Discussion – Grievance procedures**

Members of the Board discussed the current office SOP, which calls for automatically issuing a letter seeking a response from a licensee when a complaint is received, as compared to regulation, which allows for a screening process and for complaints to be discarded without the licensee even being aware that a complaint was filed.

- **Role of a Board Member – Discussion**

Ms. Shane and Mr. Brengelman provided an overview of Board Member roles related to passing statutes and regulations.

- **Discussion – Role of a regulator**

When Members of the Board are speaking for themselves, be clear that you are not speaking as a board member. The board should have a unified voice from the Chair and Executive Director.

- **Update on the Practice Act Modernization Initiative**

- **Discussion – KBVE-KVMA Stakeholder Meetings on the Practice Act Modernization Initiative and General Feedback Review**

Members of the Board discussed the success of the KBVE-KVMA Stakeholder meetings, as well as additional feedback received in writing or over the phone from licensees and other stakeholder groups.

- **Discussion – KDA Stakeholders' Dialogue on Veterinarian Shortages**

Members of the Board discussed the importance of this meeting, and look forward to hearing more from agricultural and commodity groups on their needs.

Respite break from approx. 10:00-10:30 AM

- **Discussion – Practice Act Modernization Initiative re Proposed Edits**
 - Allied professions and Equine Dentistry
 - Notes on veterinary drugs
 - CE requirements for AES
 - Minor changes in language of statute for conformity
 - Defining roles of designated on-site managers
 - Discussion of impairment definitions
 - Temporary facilities registration questions
 - Farms, businesses which employ veterinarians and how facilities registration would apply
 - Registered Responsible Parties in corporate or non-licensee owned businesses
 - Triage practices at clinics
 - Veterinary Technician definition

Break at 12:20 PM.

Lunch

- **Welcome back at 1:08 PM**
 - **Discussion continued – Practice Act Modernization Initiative re Proposed Edits**
 - Non-licensee accountability, in relation to ownership of a veterinary facility
 - Continuity of care / after-hours care
 - Exemption limitations for veterinarian “employees” of a farm or producer
 - Exemptions for KDA veterinarians – request from OSV and KDA to remove this exemption
 - Confidentiality exemptions for radiograph review
 - Limitations of special permit applications (number of times can apply)
 - Board composition, term limits, and voting members

Recess for the afternoon at 2:33 PM.

TEAM BUILDING EXERCISE (optional)



Thursday, June 23

BOARD MEMBERS PRESENT

All Board Members, Staff, and Others present in-person

- Steven J. Wills, DVM – Chairman
- Gene Smith, DVM – Vice Chair
- Dianne Dawes, DVM
- Dale Eckert, DVM
- Tim Gardner, DVM
- Stephanie Kennedy, DVM
- John Park, DVM
- Amy J. Staton, EdD, LVT
- Katie Flynn, DVM. State Veterinarian --
Proxy for the Commissioner of
Agriculture

BOARD MEMBERS ABSENT

- Tom Dorman, Citizen-at-Large

DEPARTMENT OF AGRICULTURE STAFF PRESENT

- Michelle Shane, KBVE Executive Director
- Amanda Briggs, KBVE Administrative Assistant

OTHERS PRESENT

- Mark Brengelman, KBVE Legal Counsel

CALL TO ORDER / ROLL CALL / ESTABLISHMENT OF QUORUM

Dr. Steven Wills, Board Chairman, called the meeting back into session at 8:00 AM 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.

BUSINESS AGENDA

- **Opener Activity**
- **Discussion continued – Practice Act Modernization Initiative re Proposed Edits**
 - Educational awards funding mechanism
 - Minor language edits
 - Allied professionals
 - Ability to promulgate regulations for non-licensee managers
 - Terms of office for board officers
 - Number of board members needed for a quorum
 - Name change – ‘Code of Ethical Conduct’ to ‘Code of Conduct’
 - Telehealth definitions
 - VCPR clarifications for teleconsulting
 - In-state facilities requirements for telemedicine
 - Medical records ownership and availability to clients
 - Background check language
 - Facilities registration responsible parties
 - Facilities registration beginning date and timeline

- Discussed inclusion or exclusion of mobile unit addresses
- Facilities registration exemptions
- Methods for strengthening enforcement authority over unlicensed practitioners

Respite break from 9:50 to 10:21 AM

- **Discussion – Proposed new regulations and repeal of current policies**
 - Breakout groups to determine regulatory priorities
 - 201 KAR 16:550
 - Incorporate and repeal Policy 2103
 - Initial training and possible CE requirements for on-site managers
 - Background check requirements
 - Closeout inspections
 - Move portion to new regulation on ACA responsibilities
 - 201 KAR 16:552
 - Inspection requirements
 - On-site manager education requirements
 - Controlled substance destruction
 - On-site manager duties
 - Approved drugs for ACAs
 - Recordkeeping requirements
 - Sharps destruction and disposal
 - Disposal / destruction of drugs
 - Disciplinary action
 - 201 KAR 16:560
 - Background check requirements
 - Move portion to new regulation on AES responsibilities

Break for lunch 12:16 PM to 1:02 PM

Lunch

- **Discussion continued – Proposed new regulations and repeal of current policies**
 - 201 KAR 16:562
 - Duties of the AES
 - Animals eligible for euthanasia, limitations
 - Disposal of carcasses
 - 201 KAR 16:572
 - Identification of individuals authorized to preform euthanasia
 - Background check requirements
 - 201 KAR 16:610
 - Clarify grievance procedures
 - When grievances are submitted to the respondent
 - Determination of an investigation

- **Discussion – Curbside standards**
Members of the Board briefly discussed proposing a new regulation with curbside standards.
- **Discussion – Board vote on new application approval SOP**

A **MOTION** was made by Dr. Park to allow the executive director issue licenses without committee review so long as the application does not have any flags (e.g., rap sheet, discipline (pending or past) from another jurisdiction, or other circumstances highlighting the application as non-standard) in order to reduce the processing timeline and allow licensees to begin work more quickly in the Commonwealth. The motion, seconded by Dr. Eckert, passed unanimously.

ADJOURNMENT

Chairman Wills adjourned the meeting at 2:36 PM.

These Meeting Minutes were approved by the Board on July 28, 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: Mark Brengelman, Legal Counsel



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

Board Retreat Agenda

June 22-23, 2022

Location: Elk Creek Hunt Club and Resort, 1860 Georgetown Rd, Owenton, KY 40359

Wednesday, June 22

8:00 AM **CALL TO ORDER**

ROLL CALL / ESTABLISHMENT OF QUORUM

CONFIRMATION OF PUBLIC NOTICE

READING OF MISSION STATEMENT

BUSINESS AGENDA

- Welcome and overview of scope of work for retreat
- Role of a legislator - Discussion
- KBVE Office SOPs
- Update on the Practice Act Modernization Initiative
- Proposed revisions to the Practice Act package

12:30 pm **Lunch**

- 1:30 pm
- Welcome back
 - Proposed revisions to current regulations

3:00 pm **TEAM BUILDING EXERCISE**

6:30 pm **Dinner**

Thursday, June 23

8:00 AM **CALL TO ORDER**

ROLL CALL / ESTABLISHMENT OF QUORUM

BUSINESS AGENDA

- Overflow of regulations from prior day – revisions on current regs
- Proposed new regulations and policy discussions

12:30 pm **Lunch**

- Continued discussions

ADJOURNMENT