



## KENTUCKY BOARD OF VETERINARY EXAMINERS

107 Corporate Drive, Second Floor, Frankfort, KY 40601

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

[kybve.com](http://kybve.com) • [vet@ky.gov](mailto:vet@ky.gov)

### Special Meeting Minutes

December 15, 2022

Meeting Location: Zoom

#### BOARD MEMBERS PRESENT

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

- Steven J. Wills, DVM – Chairman (V)
- Gene Smith, DVM – Vice Chair (A)
- Dianne Dawes, DVM (A)
- Tom Dorman, Citizen-at-Large (V)
- Dale Eckert, DVM (V)
- Tim Gardner, DVM (V)
- Stephanie Kennedy, DVM (V)
- John Park, DVM (V)
- Amy J. Staton, EdD, LVT (V)
- Joe Bilby, KDA General Counsel -- Proxy for the Commissioner of Agriculture (V)

#### BOARD MEMBERS ABSENT

n/a

#### DEPARTMENT OF AGRICULTURE STAFF PRESENT

- Michelle Shane, KBVE Executive Director (V)
- Amanda Briggs, KBVE Administrative Assistant (V)

#### OTHERS PRESENT

- Mark Brengelman, JD, MA, Attorney at Law, KBVE Legal Counsel (V)

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

Dr. Steven Wills, Board Chairman, called the meeting to order at 2:33 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, December 13, 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

### 1) Refund request

Dr. Vance passed away shortly after renewing his license. His office requested a refund of the renewal fees.

**A MOTION** was made by Dr. Tim Gardner to refund the renewal fees for Dr. Kevin Vance following his untimely passing. The motion, seconded by Dr. Eckert, passed – refund Dr. Vance’s fee.

### 2) Filing of Administrative Regulations

The following administrative regulations were filed today, December 15, 2022, and a notice sent out to RegWatch participants.

- a. 201 KAR 16:550 (amendment) - Authorization for animal control agencies to apply for a restricted controlled substances certificate from DEA.
- b. 201 KAR 16:552 (new) - Responsibilities for certified animal control agencies; limitations on drugs.
- c. 201 KAR 16:560 (amendment) - Certification as an animal euthanasia specialist.
- d. 201 KAR 16:562 (new) - Duties and responsibilities of an animal euthanasia specialist.
- e. 201 KAR 16:572 (amendment) - Certificate renewal for animal control agencies and animal euthanasia specialists; renewal notice.
- f. 201 KAR 16:610 (amendment) - Procedures for grievances, investigations, and administrative charges.

The public meeting for these regulations is scheduled for February 23, 2023. The meeting will be cancelled unless a request is received to submit comments five (5) days in advance of the meeting date.

### 3) Practice Act Discussion

Ms. Shane provided a summary of the positive points of the Practice Act Modernization initiative. After two (2) years of work on this project, if the bill fails to gain consensus and full KVMA support, some or all of this may be forfeited.

- Increased protections for veterinarians –
  - Provides more explicit detail as to what constitutes the practice of veterinary medicine
  - Protects the Veterinarian-client-patient relationship (VCPR) in-person requirement
    - Protections for patients – deserve access to service where accurate diagnosis can occur
    - Protections for veterinarians to keep large corporate entities in other states from doing telehealth without ever setting foot in Kentucky
    - Stops unmonitored prescription writing to anyone who makes requests for drugs

- Extends the VCPR to the practice, not just a single veterinarian
- Adds protections for practitioner rights to use telemedicine where appropriate
- Allows applicant veterinarians to legally begin work right away after hire while the application is processed
- Title protections for LVTs
  - Enforced title protections
  - Assists in better utilizing LVT's skills to help reduce pressures on practicing veterinarians
- Board Composition –
  - Ensures representation of species and regional areas
- Allied Professional Permits –
  - Brings equine dentists, animal chiropractors, animal massage therapists, etc. under the KBVE umbrella to ensure appropriate training
  - Provides avenue for complaints and potential penalties to those who harm animals in their practice
- Stronger enforcement authority against non-licensees
  - Requires non-licensee corporate owners to register with their facilities
  - Requires a veterinarian be always involved in decision making related to the practice of veterinary medicine
  - Provides KBVE ability to leverage fines against individuals practicing without a license
  - Provides KBVE ability to inspect premises suspected of conducting veterinary medicine even when no licensee is involved
- Clarifying limitations on Animal Control Agencies and Animal Euthanasia Specialists –
  - Ensures they are prohibited from practicing veterinary medicine on publically owned animals
  - Ensures stronger controls for controlled substances
- Educational Award program
  - Assists with enticing licensees into rural areas and food animal/mixed practice work
- Criminal background checks for new applicants
  - Allows KBVE to receive background check results directly from FBI and local police so that the application process is easier
  - Screens applicants for potential issues with controlled substance abuse, protecting public

Ms. Shane presented the compromise requests from KVMA, regarding fee caps, and veterinary facility registrations, minimum standards, and inspections.

Members of the Board discussed all the information presented.

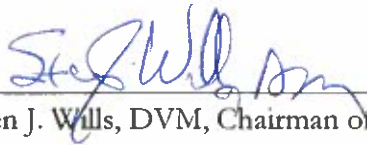
Chairman Dr. Wills directed that Ms. Shane send to the board for review copies of other state inspection forms, as well as the draft facilities regulations discussed with KVMA leadership in December 2021. Following feedback from Board Members, Ms. Shane directed to post the draft regulations as "Discussion Drafts" on the KBVE website for licensee review.

Mr. Bilby spoke about the legislative process, including filing dates and Board Member roles related to the legislation.

## ADJOURNMENT

Chairman Wills adjourned the meeting at 3:47 pm.

These Meeting Minutes were approved by the Board on January 26, 2023.



Steven J. Wills, DVM, Chairman of the Board

PRESIDING OFFICER: Steven J. Wills, DVM, Board Chairman  
Minutes Recorded by: Michelle M. Shane, Executive Director



---

## KENTUCKY BOARD OF VETERINARY EXAMINERS

107 Corporate Drive, Second Floor, Frankfort, KY 40601

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

[kybve.com](http://kybve.com) • [vet@ky.gov](mailto:vet@ky.gov)

---

### Meeting Agenda

December 15, 2022

Meeting Location: Zoom

2:30 PM **BOARD MEETING – PUBLIC MEETING**

**CALL TO ORDER**

**ROLL CALL / ESTABLISHMENT OF QUORUM**

**CONFIRMATION OF PUBLIC NOTICE**

**READING OF MISSION STATEMENT**

**BUSINESS AGENDA**

**Practice Act Discussion**

**ADJOURNMENT**