



KENTUCKY BOARD OF VETERINARY EXAMINERS

107 Corporate Drive, Second Floor, Frankfort, KY 40601

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Meeting Minutes

February 29, 2024

Meeting Location: Office of the State Veterinarian, 109 Corporate Drive, Frankfort, KY 40601
Public Zoom Meeting Option Provided

Special Board Meeting

BOARD MEMBERS PRESENT

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

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

- John C. Park, DVM – Chairman
- Dianne J. Dawes, DVM
- Tim R. Gardner, DVM
- Stephanie M. Kennedy, DVM
- Philip E. Prater, DVM
- Jennifer K. Quammen, DVM
- Amy J. Staton, EdD, LVT
- Steve Velasco, DVM, Kentucky State Veterinarian -- Proxy for the Commissioner of Agriculture

BOARD MEMBERS ABSENT

- Gene Smith, DVM – Vice Chair
- Tom M. Dorman, Citizen-at-Large
- Vacant seat (AAHP permittee)

DEPARTMENT OF AGRICULTURE STAFF PRESENT

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

OTHERS PRESENT

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

CALL TO ORDER / ROLL CALL / ESTABLISHMENT OF QUORUM

Board Chair John C. Park, DVM, called the meeting to order at 9:32 AM EST. Chairman Dr. Park welcomed everyone to the meeting.

Ms. Shane read the roll call. Per [KRS 321.240\(3\)](#), a quorum of the Board was achieved.

CONFIRMATION OF PUBLIC NOTICE

Ms. Shane confirmed the public notice for this meeting was sent on Tuesday, February 27, 2024, to the Kentucky Department of Agriculture (KDA) media contact list, and also posted on the KBVE website meetings page on Monday, February 26.

READING OF MISSION STATEMENT

Dr. Staton read aloud the KBVE mission statement.

CONSENT AGENDA

- Meeting Agenda for February 29, 2024
- Board Meeting Minutes from February 8, 2024
- Approval of Board Per Diem and Mileage

Chairman Dr. Park asked if any items in the consent agenda needed pulled for discussion. Ms. Shane noted that multiple typos were fixed in the draft meeting minutes. No other items were pulled.

A MOTION was made by Dr. Staton to approve the consent agenda, with the corrections to the meeting minutes incorporated as discussed. The motion, seconded by Dr. Quammen, passed unanimously.

BUSINESS AGENDA

BUDGET MATTERS

- **Contracts for Review and Approval**

Chairman Dr. Park and Ms. Shane met with Mark Bowling, Kentucky Department of Agriculture (KDA) Chief of Staff, Heather Becker, KDA General Counsel, and Lee McIntosh KDA Executive Director of Administrative Services at 8 am this morning. During the meeting, no hard numbers were provided and certain items were indicated to be non-negotiable.

The current contract runs through June 30. KDA indicated that a brief extension of the contract may be available if the board required additional time to finalize contract negotiations.

Mr. Bowling authorized Ms. Shane to outreach as needed, at the direction of the KBVE, to research alternative contractual options for the board.

Members of the Board discussed the benefits of remaining independent and not returning to the PPC umbrella, as well as the benefits and drawbacks of reentering the contract with KDA.

Dr. Gardner arrived at 9:50 am.

Chairman Dr. Park directed Ms. Shane to research options for the board to wholly understand costs for moving off KDA campus, and to bring as much information as possible to the next meeting of the Board.

- Facilities - agency office space, with locations authorized in Frankfort, Lexington, or anywhere in between; consideration should be provided for accessibility of Board Members and staff
- Personnel - direct hire options for employees
- Finance Cabinet – employee training and assistance related to PSCs, MOAs, and RFPs
- Commonwealth Office of Technology (COT) – all IT needs, computers, IT equipment, and website
- PPC – HR and other administrative services
- Other agencies as needed

Ms. Shane provided an update regarding changes to the administrative process for handling of KBVE other contracts by KDA. All contracts are now required to be reviewed by KDA general counsel prior to KDA entering these contracts into the required state systems. During the KDA contract meeting, Ms. Becker indicated that if the KBVE declined the offered KDA contract, then KDA would decline to enter KBVE's contracts (PSCs for renewal, updated MOAs, and new RFPs) into the state budget systems under the existing MOA between agencies.

GOVERNMENT AFFAIRS COMMITTEE

Administrative Regulations Development

- **201 KAR 16:590**

Members of the Board reviewed and discussed a proposed edit to 201 KAR 16:590 related to earning CE for attendance at a board meeting.

A MOTION was made by Dr. Dawes to approve the proposed edit to 201 KAR 16:590 as discussed, and to proceed as directed at February 8 meeting with filing the administrative regulation with these changes incorporate. The motion, seconded by Dr. Kennedy, passed.

A MOTION was made by Dr. Quammen to strike the phrase “in person” from the just accepted edits, allowing CE earned for attendance at a board meeting to be earned either in-person or virtually. The motion, seconded by Dr. Gardner, passed unanimously.

The board took a brief respite from 10:13 – 10:19 AM

- **Veterinary Facility Registration Regulations**

- 201 KAR 16:515 - Fees for veterinary facility registrations
- 201 KAR 16:545 - Application requirements for veterinary facility registration; Veterinary managers; Registered responsible parties
- 201 KAR 16:565 - Registered Veterinary Facilities – Duties of Registered Responsible Parties and Veterinarian Managers

- 201 KAR 16:575 - Veterinary facilities -- Renewal notice -- Requirements for renewal and reinstatement
- **Allied Animal Health Professional (AAHP) Permits and Facilities**
 - 201 KAR 16:513 - Fees for Allied Animal Health Professional (AAHP) Permits
 - 201 KAR 16:517 - Fees for allied animal health professional facility registrations
 - 201 KAR 16:523 - Approved allied animal health professional programs; education requirements
 - 201 KAR 16:533 - Examination requirements for allied animal health professionals
 - 201 KAR 16:543 - Application requirements for allied animal health professional permits
 - 201 KAR 16:547 - Application requirements for AAHP Facility Registration; AAHP Managers; Registered Responsible Parties
 - 201 KAR 16:563 - Responsibilities for allied animal health professionals; limitations on practice
 - 201 KAR 16:567 - Registered AAHP Facilities – Duties of Registered Responsible Parties and AAHP Managers
 - 201 KAR 16:573 - Renewal requirements for AAHP permits; renewal notice
 - 201 KAR 16:577 - AAHP facilities -- Renewal notice -- Requirements for renewal and reinstatement

Ms. Shane led the board through the proposed administrative regulations needed to comply with [KRS 321.181](#), [321.203](#), [321.235](#), and [321.236](#).

Members of the Board discussed the Board's budget and proposed facility registration fee structure in-depth, for both registered veterinary facilities, AAHP facilities, mobile units, and AAHP permits. A large consideration of the fee level was determined to be the administrative burden and staffing required for processing applications, as well as the cost to maintain the licensure database.

The Board recessed for lunch from 12:19-12:53 PM. Dr. Velasco joined the meeting as lunch ended. The Board took a rest break from 1:58 – 2:14 PM.

Members of the Board discussed some special case premises and if these premises would fall under the requirement for a veterinary facility registration. They determined the following:

- Locust Trace and similar facilities – registration required because they are private practices and not AVMA COE or CVTEA accredited
- A personal vehicle used infrequently (e.g., once per month) on a house call – registration not required
- Carcass transport – registration not required

Members of the Board discussed that education and outreach would be a critical component of outreach when these regulations are scheduled to become effective.

Members of the Board discussed limitations on the scope of practice for the allied animal health professional (AAHP) permit for animal chiropractic work. The modalities of shockwave, laser, ultrasound, electrotherapy, and active rehabilitation were of concern.

Members asked that the curriculums of the American Veterinary Chiropractor Association (ACVA) and the International Veterinary Chiropractor Association (ICVA) be reviewed to determine if these modalities were taught well enough to approve within the scope of the AAHP permit.

Members of the Board determined that animal rehabilitation falls within the practice of veterinary medicine, and would not be allowed within the scope of the AAHP permit.

Chairman Dr. Park directed Ms. Shane to work on these revisions to the discussion draft regulations, as discussed by Members of the Board, and then to publish the drafts, including providing them to stakeholders with the goal of returning feedback to the board at the April special meeting.

OPEN DISCUSSION / NEW BUSINESS

Other Items for Discussion

- **Letter to Members of the General Assembly regarding [24 RS SB 197](#)**

Members of the Board discussed SB 197, which would allow lay wildlife rehabilitators to diagnose certain zoonotic diseases and certify that rabies vector species are free of rabies by means of visual inspection. This would allow these “ambassador animals” to be taken into public schools. The letter submitted to Members of the General Assembly detailed the multiple dangerous activities that would endanger public health in this bill, including allowing layperson to engage in the practice of veterinary medicine on rabies vector species.

Members of the Board expressed support for the letter. Chairman Dr. Park notified the Board that he spoke directly with the bill sponsor, Senator Matthew Deneen, about the Board’s concerns.

FUTURE MEETING DATES

- **March 28, 2024 – Regular Meeting**
- **April 25, 2024 – Special Meeting**
Office of the State Veterinarian, Frankfort, KY

ADJOURNMENT

Chairman Dr. Park adjourned the meeting at 3:54 pm.

These Meeting Minutes were approved by the Board on March 28, 2024.


John C. Park, DVM, Chairman of the Board

PRESIDING OFFICER: John C. Park, DVM, Board Chairman
Minutes Recorded by: Michelle M. Shane, Executive Director



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9:30 AM **BOARD MEETING – PUBLIC MEETING**

CALL TO ORDER

ROLL CALL / ESTABLISHMENT OF QUORUM

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BUSINESS AGENDA

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GOVERNMENT AFFAIRS COMMITTEE

- **Administrative Regulations Development**
 - Veterinary Facility Registration – applications, renewal, responsibilities for veterinary managers and responsible parties
 - Allied Animal Health Professional (AAHP) Permits and AAHP Facility Registration – applications, renewal, and responsibilities for AAHP managers and responsible parties

OPEN DISCUSSION / NEW BUSINESS

FUTURE MEETING DATES

- **March 28, 2024**
Office of the State Veterinarian, Frankfort, KY

ADJOURNMENT