



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 12-13, 2024

Location: The Lodge at Elk Creek, 1860 Georgetown Rd, Owenton, KY 40359

KBVE Board Retreat - Day 1

BOARD MEMBERS PRESENT

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

(A) = Audio; (V) = Video

- John C. Park, DVM – Chairman
- Gene Smith, DVM – Vice Chair
- 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 (V) - during afternoon presentation only
- Steve Velasco, DVM, Kentucky State Veterinarian -- Proxy for the Commissioner of Agriculture

BOARD MEMBERS ABSENT

- 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
- Keith West, Executive Director, Legislative Liaison, North Carolina Veterinary Medical Board (NCVMB) (V) - afternoon presentation only
- Nicolette Peer, DVM, Practice Facility Inspector, NCVMB (V) - afternoon presentation only

CALL TO ORDER / ROLL CALL / ESTABLISHMENT OF QUORUM

Board Chair John C. Park, DVM, called the meeting to order at 7:37 AM EDT. Chairman Dr. Park welcomed everyone to the meeting.

Ms. Michelle 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 Monday, June 10, 2024, to the Kentucky Department of Agriculture (KDA) media contact list, and also posted on the KBVE website meetings page on Tuesday, June 5.

READING OF MISSION STATEMENT

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

CONSENT AGENDA

- Meeting Agenda for June 12-13, 2024
- Approval of Board Per Diem and Mileage

A **MOTION** was made by Dr. Smith to approve the consent agenda. The motion, seconded by Dr. Velasco, passed unanimously.

BUSINESS AGENDA

Ms. Shane provided an overview of the agenda and goals for the retreat. She led the board through a morning warmup activity.

Members of the Board and staff reviewed current versions of the applications for veterinarians, special permit, veterinary technicians, and veterinary facilities and discussed ways to improve data collection. The board discussed the veterinary facilities application draft in depth.

The Board took a respite break from 9:59 - 10:22 AM.

Members of the Board engaged in strategic discussions. Ms. Shane and Mr. Brengelman talked about initiating relationships with legislators and helping them understand the issues likely to come up during the next legislative session.

- **Legislative Discussion**
 - **Building Relationships with Legislators, Key Topics:**
 - Xylazine and other class alpha-2-antagonist drugs
 - Board's role, Does this legislation affect the public?
 - Two Hats: Differentiate between public protection issues for the Board and personal/professional issues
 - **National Landscape and Kentucky Legislation on the Horizon**
 - Equine Dental
 - Position statements from AAEP and KAEP
 - Concerns related to controlled drugs used in equine sedation
 - Scheduling of Alpha-2-antagonist Drugs
 - In Florida, Xylazine scheduled as Class I
 - Alternative drugs to xylazine – medetomidine (Domitor) in the same alpha-2-antagonist class, and is also likely to be scheduled nationally

- Legislative “Animal Husbandry” initiative
 - Push to carve out equine dental and reproductive work on cattle
- KBLMT and Animal Massage
 - Legislation update
- Mid-level practitioner pushes
 - National initiatives
 - Failure of backers to provide:
 - National standards
 - Accrediting body
 - National exam
 - Title protections
 - Misses the need to first utilize LVTs to their fullest potential and provide this existing job class title protections nationally
- Virtual VCPR challenges
 - Targeted lobbying efforts
 - Misleading messaging does not support public protection
- Kentucky veterinarian school

Ms. Shane provided an overview of recent changes to the budgetary outlook. Members of the Board conducted an in-depth review of budgetary projections through F.Y.2036. Because fees were phased in rather than simply doubled, the Board will burn through its reserves this biennium. Further, the agency will be in the red next biennium if no action is taken due to the increase in business and IT costs related to the economy, increased programming, and mandated increases from the General Assembly. Fees must be adjusted to keep the agency solvent and operational. Licensees and public constituents need to understand that the KBVE cannot enforce the Practice Act if the agency is underfunded and understaffed.

Ms. Shane discussed additional moving costs. Quotes for flooring and furniture were reviewed. The Board determined that flooring is absolutely necessary, however directed Ms. Shane to obtain additional quotes on the flooring to find a lower cost.

A MOTION was made by Dr. Prater to approve Ms. Shane and Chair Dr. Park to select economical flooring not to exceed \$20,000. The motion, seconded by Dr. Smith, passed unanimously.

The furniture bid that was provided at \$40,000 was too expensive for the agency to consider. Members of the Board discussed obtaining furniture from the state surplus warehouse. Alternatively, Board Members talked about purchasing used furniture through an online forum and making a donation of the furniture to the agency.

A MOTION was made by Dr. Prater to approve Ms. Shane to spend up to \$5,000 for desks and chairs for office staff. The motion, seconded by Dr. Quammen, passed unanimously.

The Board recessed for lunch, 11:56 am – 1:15 pm.

Chair Dr. Park welcomed everyone back to the meeting and introduced guest speakers from the North Carolina Veterinary Medical Board ([NCVMB](#)).

- **Facility Inspections Presentation from NCVMB**
 - Keith West, Executive Director, Legislative Liaison, NCVMB
 - Nicolette Peer, DVM, Practice Facility Inspector, NCVMB

Mr. West and Dr. Peer provided a presentation via Zoom detailing the North Carolina facilities inspection program and their software through Thought Span, an LMS system for inspections. Dr. Staton logged on with video at around 1:18 pm to view. Members of the Board asked questions and discussed the NCVMB inspection program with Mr. West and Dr. Peer.

Following the presentation, Members of the Board revisited the KBVE facility application form. They directed that Ms. Shane investigate quotes for appropriate database upgrades related to facility registrations.

- **KBVE Meetings Schedule for 2025**
 - 2025 Proposed regular meeting dates and associated conflicts
 - January 30 – Regular Meeting
 - AAVSB BOD Winter Meeting, typically first week of February, location TBD
 - March 20 or 27 – Regular Meeting
 - May 22 – Regular Meeting
 - July 31 – Regular Meeting
 - AVMA – July 18-22, 2025 - Washington, D.C.
 - FARB – July 23-26, 2025 – Denver, CO
 - September 18 – Regular Meeting – Needs to happen before AAVSB – so this date is subject to change
 - AAVSB Conference – TBD – TBD
 - KVMA Conference – September 25-28, 2025, Lexington, KY
 - November 20 – Regular Meeting
 - Thanksgiving, November 27, 2025
 - AAEP Convention, December 6-10, 2025, Denver, CO

Members of the Board discussed the pros and cons of skipping one meeting in spring 2025 due to the onboarding of facility registrations. The Board determined to hold the regular meeting as scheduled. To provide staff some more time for facility registrations and to reduce expenditures, they opted to cancel the 2025 board retreat. Members indicated a retreat should be planned for 2026.

Dr. Park called recess at 3:06 PM. Members and staff were provided the option to participate in team building and leadership development activities onsite.

KBVE Board Retreat - Day 2

BOARD MEMBERS PRESENT

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
- Steve Velasco, DVM, Kentucky State Veterinarian -- Proxy for the Commissioner of Agriculture

BOARD MEMBERS ABSENT

- Tom M. Dorman, Citizen-at-Large
- Gene Smith, DVM – Vice Chair
- Amy J. Staton, EdD, LVT
- 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

RETURN FROM RECESS / ROLL CALL / ESTABLISHMENT OF QUORUM

Board Chair John C. Park, DVM, called the meeting to order at 7:40 AM EDT. Chairman Dr. Park welcomed everyone to the meeting.

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

BUSINESS AGENDA

Chair Dr. Park welcomed everyone back to the meeting.

- Mark Brengelman addressed the board about the results of KBVE agency grievance 2020-34 appeal in Franklin Circuit Court and advice on next steps.

A MOTION was made by Dr. Gardner to go into closed session pursuant to [KRS 61.810\(1\)\(c\)](#) to discuss matters of litigation related to agency grievance no. 2020-34. The motion, seconded by Dr. Velasco, passed unanimously.

The Board entered closed session at 7:43 am.

The Board returned to open session at 8:15 am.

A MOTION was made by Dr. Dawes to appeal the ruling of the Franklin Circuit Court in the matter of KBVE agency grievance no. 2020-34. The motion, seconded by Dr. Gardner, passed unanimously.

The Board took a respite at 8:17 am – 8:25 am.

- **Letters of Recommendation**

- **Dr. Staton Nomination** – Chair Dr. Park presented a recommendation letter to the Governor’s Office of Boards and Commissions to recommend reappointment of Dr. Staton to the KBVE. Her term expires on July 14, 2024. Members of the Board supported this nomination letter.
- **Dr. Quammen Nomination** – Chair Dr. Park presented a recommendation letter to nominate Dr. Quammen as an AAVSB Representative to ICVA. Dr. Quammen indicated her readiness to run for either the ICVA Liaison and/or the AAVSB Board of Directors. Members of the Board discussed the BOD nomination, as the AAVSB Nominations Chair solicited Dr. Quammen to run for the Board of Directors based on a statement of interest in her biography. Members discussed the benefits and risks of Dr. Quammen running for each position. Ultimately, the Board supports Kentucky involvement on the national level.

A MOTION was made by Dr. Prater to support the nomination of Ms. Shane to the AAVSB Board of Directors (BOD) and the nomination of Dr. Quammen to the ICVA representative seat. Further, depending on the outcome of BOD activities leading up to and at the AAVSB annual meeting, the Board authorizes the AAVSB Delegate use her discretion in nominate from the floor at the annual meeting Ms. Shane for the Treasurer position and Dr. Quammen for a position on the BOD. The motion, seconded by Dr. Kennedy, passed with one abstention from Dr. Quammen.

Members of the Board supported the nomination letter as presented by Chair Dr. Park.

- **Applications Committee**

- **Special Permit Application**

Ms. Shane and Ms. Briggs presented a request from an applicant who has reached the maximum number of NAVLE attempts to petition the ICVA on her behalf. The Board discussed the merits of the request and the details of the letters submitted.

A MOTION was made by Dr. Prater to petition the ICVA to allow Dr. Emily Schell to take the NAVLE for a sixth attempt. The motion, seconded by Dr. Quammen, passed unanimously.

- **Survey Regarding Expansion of AAHP Permit Classes** (massage and equine dental)

Ms. Shane presented the results of a survey sent out by the Kentucky Board of Licensure for Massage Therapy (KBLMT) to their licensees requesting feedback regarding AAHP permitting for animal massage. Members of the Board discussed the need to survey KBVE licensees and stakeholders, as well as possible questions for the survey. Chair Dr. Park tasked the Education and Outreach Committee to further develop this survey for KBVE. Ideally, survey development would occur in July, survey release in the first two weeks of August, and return to the Board with the results at the August meeting.

- **State Jurisprudence Exam Formation**

- Veterinarian Licensees
- AAHP Permittees

A MOTION was made by Dr. Velasco to go into Executive Session to discuss the Kentucky State Jurisprudence Exam formation. The motion, seconded by Dr. Kennedy, passed unanimously.

The Board reentered open session at 9:48 AM. Mr. Brengelman informed the Board that they entered Executive Session in error, and that the Kentucky Revised Statutes provide no provision for a closed session for exam formation.

Members of the Board discussed current Kentucky State Exam questions and revised as needed. The Board also discussed proposed new questions to form an updated exam which can have multiple versions in rotation.

The Board took a rest break from 10:33 – 10:53 AM.

The Board resumed discussion regarding proposed state examination items.

Members directed Ms. Shane and Ms. Briggs to coordinate with the Applications Committee to finalize a rotation scheme for different versions of the test and ensuring exam security. An internal board policy regarding exam rotation and review schedule should be drafted for Board review. Work should also commence on development of an exam for AAHP applicants.

- **Proposed Revisions to Regulations**

- Discussion regarding the VCPR and its connection to AAHP scope of work and client-patient relationship

Dr. Quammen initiated a conversation regarding the maintenance of communication between veterinarians, clients, and AAHPs. The Board reviewed the approved draft language in 201 KAR 16:563 to ensure that veterinarians are kept informed about treatments provided by AAHP permittees to ensure patient safety. Members of the Board discussed the comments submitted by the KAC.

A MOTION was made by Dr. Quammen, to approve the changes as discussed to 201 KAR 16:563 for filing the regulations as amended, and to direct Ms. Shane to proceed with filing with LRC after the application forms have been created to match. Further, Ms. Shane, Chairman Dr. Park, and KBVE legal counsel are authorized to work together with LRC staff on any needed edits for conformity to KRS Chapter 13A. The motion, seconded by Dr. Velasco, passed unanimously.

- **Other Items for Discussion**

Members of the Board discussed a question from KBVE investigator Dr. Coy St. Clair related to the Poison Prevention Packaging Act of 1970. This federal Act requires veterinarians to understand which drugs may be human drugs. However, the Act does not apply to animal-only drugs.

The Board recessed for lunch from 12:25 PM and returned at 1:02 PM.

- **Proposed Revisions to Regulations Continued**

Mr. Brengelman led the Board in a review and discussion of two (2) new proposed administrative regulations.

- 201 KAR 16:612 - Notice of Noncompliance and Notice of Violations
- 201 KAR 16:614 - Fines

A MOTION was made by Dr. Prater to file these new regulations and to direct Ms. Shane to proceed with filing with LRC after the application forms have been created to match. Further, Ms. Shane, Chairman Dr. Park, and KBVE legal counsel are authorized to work together with LRC staff on any needed edits for conformity to KRS Chapter 13A. The motion, seconded by Dr. Kennedy, passed unanimously.

- 201 KAR 16:600 - Prescription and dispensation of drugs for animal use

The Board needs to revisit this regulation for possible revision and inclusion of controlled substance rules for prescribing (limitations on refills), and clients ordering under veterinarian license. However, due to time constraints, this regulations was tabled until follow-up with the Kentucky Board of Pharmacy (KBOP) and a later Board meeting.

- **KBVE Move and Migration Information**

Ms. Shane provided a general update on the agency's move progress. The bulk of KBVE's files and sundry items will be moved on June 17, with support donated by a working crew assigned personally from Dr. Park.


The Board directed Ms. Shane to send out new KBVE contact information (e.g., website, Board Member Contact information, and information for response to constituent queries, etc.) to all Board members:

- **FYIs and Other Items for Discussion**
 - WV Stakeholder Forum on Equine Dental – Members are reminded to send any possible questions to Dr. Quammen who can relay these at the meeting

ADJOURNMENT

Chairman Dr. Park adjourned the meeting at 2:05 pm.

These meeting minutes were approved by Members of the Board on August 29, 2024.



John C. Park, DVM, Chair of the Kentucky Board of Veterinary Examiners

PRESIDING OFFICER: John C. Park, DVM, KBVE Board Chair
Minutes Recorded by: Michelle M. Shane, KBVE 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 • vet@ky.gov

Board Retreat Agenda

June 12-13, 2024

Location: The Lodge at Elk Creek, 1860 Georgetown Rd, Owenton, KY 40359

Tuesday, June 11

4:00 – 6:00 PM **Check in and room assignments**

6:00 PM **Dinner**

Wednesday, June 12

7:00 AM **Breakfast**

7:30 AM **CALL TO ORDER / ROLL CALL / ESTABLISHMENT OF QUORUM**

CONFIRMATION OF PUBLIC NOTICE

READING OF MISSION STATEMENT

CONSENT AGENDA

- Meeting Agenda for June 12-13, 2024
- Board Meeting Minutes from May 23, 2024
- Budget Summary Report
- Approval of Board Per Diem and Mileage

BUSINESS AGENDA

- Welcome
- Overview – Retreat Scope of Work
- Application Activity
- Legislative Discussion
- The Big Picture – What Lies Ahead
- Survey regarding expansion of AAHP permit
- Budget discussion

12:15 pm **Lunch**

- 1:15 pm
- Welcome back
 - Facility Inspections Presentation from North Carolina Board
 - Schedule discussion – 2025 and retreat



- Recess

3:00 pm **TEAM BUILDING & LEADERSHIP DEVELOPMENT ACTIVITIES**

6:30 pm **Dinner**

Thursday, June 13

7:00 AM **Breakfast**

7:30 AM **RETURN FROM RECESS / ROLL CALL / ESTABLISHMENT OF QUORUM**

BUSINESS AGENDA

- Welcome back
- Letters of Recommendation
- State Exam Formation
- Proposed revisions to current and new regulations:
 - Discussion - VCPR and its connection to AAHP scope of work and client-patient relationship
 - Prescription and dispensation
 - Penalties / Fines
 - Notice of Noncompliance and Notice of Violation procedures

12:15 pm **Lunch**

- Continue review of proposed revisions to current and new regulations
- KBVE Move and Migration Information
- FYIs and Other Items for Discussion

ADJOURNMENT