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MINUTES

KANSAS BOARD OF VETERINARY EXAMINERS
Sunday, June 5, 2016
1320 Research Park Drive, Manhattan, Kansas
Board Meeting

10 This meeting of the Kansas Board of Veterinary Examiners was called to order at 10 A.M. by Board
11 President Dr. Bogue. Board Members in attendance in addition to Dr. Bogue were Drs. Dodson,
12 Kobuszewski, Layton and Joseph Allen; Dr. Bentz was absent due to personal last minute
13 commitment. Also present in Manhattan were Drs. Brown and Hanson, Konrad Coe, Cheryl Mermis,
14 KDA legal counsel Robert Large. A guest in attendance - Dr. Jay Hedrick.

15
16 Dr. Bogue welcomed and thanked those in attendance. Dr. Dodson made a motion to adopt the
17 proposed agenda, Dr. Kobuszewski seconded the motion. Time was given for board members to
18 review a print-out of the previous meetings' minutes which were not provided prior to this meeting.
19 Dr. Ritter asked if there would be further discussions regarding the Veterinary Feed Directive-
20 VFD since the deadline is in December. For the moment, Dr. Brown said the Board's role is
21 awareness- the VFD and the impact to large animal producers and practitioners, everything is shifting
22 from feed mills to veterinarians. The VCPR meets the Federal requirements but the language may
23 need some updating in the future. There are still a lot of unanswered questions at this point at the
24 national level and all 50 states are trying to figure out how to outreach and educate the profession.
25 Mike Apley, Greg Hanzlicek, and Brian Lubbers would be good resources to educate board
26 members. The FDA is getting ready to conduct unannounced inspections to some veterinary clinics,
27 feed companies and feedlots, to establish a baseline. Dr. Hedrick relayed that the VFD was a topic at
28 the AAVSB annual conference this last year and will most likely be discussed at the meeting in
29 September. The AAVSB conference is a great opportunity to interact with veterinary boards across
30 the nation. Dr. Bogue said he would follow-up with Dr. Bentz, to see if he has anything further to
31 report from his study group and research efforts. Dr. Dodson made a motion to approve the minutes
32 of the previous meetings. Dr. Layton seconded the motion. The motion passed on a voice vote with
33 no dissenting votes.

34
35 Dr. Brown provide the transition check list for the Boards' awareness; identified tasks that have either
36 been or will need to be completed, with the assistance of several different departments and KDA
37 personnel- combined efforts to making the transition as smooth as possible. The tentative date of the
38 KBVE office move to Wamego is July 7th and/or July 8th. OITS is not ready to convert KBVE's digitized
39 documentation currently in DocuWare, on the KDA server- to O365 Sharepoint but KDA/IT will create
40 a VPN for KBVE to have access to KBVE documentation residing on the KDA server until OITS is
41 prepared to do the conversion. All unencumbered KBVE balances will be transferred to the State
42 Treasurer's Office with a designated line item for KBVE fee fund that will be administered by the
43 Department of Administration. Cheryl provided a listing of expected expenses that should be
44 encumbered from FY16 KBVE balances. Robert will ask the Office of Administrative Hearings to
45 provide the current bill for services rendered to-date, to KBVE. The lease to new office space has
46 been approved by Facilities Management Office, signatures are still being secured. Robert will obtain
47 clarification from the Attorney General's Office regarding their fee/payment schedule and contract
48 services language.

50 Dr. Dodson reported that KBVE is right on target with regards to the budget. The budget committee
51 members in Topeka thought KBVE had budgeted in inadequate amount for legal fees and have
52 allowed KBVE to go up to the maximum amount of \$100,000 for legal fees. The agency finances will
53 have to be closely monitored since there will be a legislative audit of KBVE in April 2017.

54
55 Robert provided the handout of the legal case update- of active and closed cases. A new column
56 added to Robert's report is titled transition- which depicts KDA legal handling completion of the
57 majority of cases shown. A handful of cases depicted where consent agreements are not currently
58 ready to be issued but KDA is continuing to pursue, if a consent agreement cannot be reached KDA
59 will transition approximately three cases to the AG's office for prosecution.

60
61 Dr. Hanson reported 5 new cases since the last meeting [4/6/2016]; 4 ongoing investigations or
62 preparing for probable cause--- actually 7 different complaints with several complaints involving the
63 same respondent and one new case where investigation has not been started. In regards to cases to
64 transfer to legal, Dr. Hanson revealed that of the 4 cases prepping for probable cause, they are
65 complicated cases and not simple cite/fines or consent agreements, these cases will most likely be the
66 first cases transferred to Wes Smith after July 1st.

67
68 Robert reported that the regulations that were worked last fall and early this year were submitted to the
69 Department of Administration for their approval; that approval arrived on Friday, June 3, 2016. There
70 were a few minor technical changes that did not affect the substance; the changes were to conform to
71 writing style requirements. Next step in the approval process, the DOA stamped approved document
72 will go to the AG's Office, for their approval. Robert will provide the board a copy of the DOA approved
73 regulations. Robert reminded the board members that changes to Article 4 were not addressed or
74 submitted.

75
76 Konrad reported inspecting 69 premises since 4/6/2016; 2 with deficiencies, 1 change in OMDR and 2
77 new facilities. The most common deficiency noted at most clinics is the control drug log being out of
78 date. Robert reported that he conducted research and reported to Dr. Brown that KBVE does have the
79 authority to inspect quantities of control drugs and verify the count on drug logs. Robert will provide a
80 memo, to the Board, affirming that the KBVE does have statutory authority to confirm veterinarians'
81 controlled drug inventory.

82 During a routine premise inspection, the premise inspector is checking to see that each registered
83 practice/veterinarian is maintaining a separate written ledger for controlled drugs, confirming the
84 supply of controlled drugs to the veterinarians' ledger, and affirming that there is a locked area for the
85 storage of those controlled substances. Konrad will document, on the premise inspection form, the
86 specific patient records he reviews during an inspection; a surgery case that was a non-elective
87 procedure and sick animal medical record.

88
89 Dirk and Konrad will continue to maintain monthly vehicle logs that have been the standard reporting
90 at KDA.

91
92 A recently received commendation for a Topeka area veterinarian, sent by email by a private citizen
93 will be passed on to the KVMA. Dr. Hanson reports receiving positive feedback from complainant's –
94 they like the attention they are receiving in the case investigations, they like that the KBVE response is
95 relatively pretty quick, video interviews are conducted and they like the fact that board members are
96 going to see and hear what they have to say.

97

98 There are two board position terms that will expire June 30, 2016; Dr. Layton has submitted her written
99 request, to the Governor's Office, to be reappointed to the Board; as of this date, Dr. Layton has not
100 received a response. Joseph Allen indicated that he has received a telephone call and an Email
101 inquiry from the Governor's Office about his interest in a reappointment. Mr. Allen said he would
102 contact the Governor's Office.

103

104 Dr. Bogue announced the time for the election of officers for the next fiscal year- President and Vice
105 President/Treasurer; Dr. Layton nominated Dr. Dodson for Vice President/Treasurer, Dr. Kobuszewski
106 seconded. Dr. Kobuszewski nominated Dr. Bogue to be reappointed President, Dr. Dodson
107 seconded. A call to vote --- all in favor, nominations passed unanimous.

108

109 The American Association of Veterinary State Boards-AAVSB annual conference is September 22-24
110 in Scottsdale Arizona. Dr. Bogue stated that AAVSB conference provides a great deal of knowledge.

111 Dr. Hedrick concurred adding that he has seen interactions with board members from other state
112 boards which has been invaluable ~ finding out that you aren't alone and that you gain so much
113 information to bring back home to share with the board.

114 Dr. Dodson will attend as an AAVSB committee member. Dr. Dodson reported that her attendance at
115 last years' AAVSBs' meeting became instrumental for this board because she was able poll other
116 attendees whether they were merged or unmerged- how is that working out; how is that structured
117 It gave her a lot of information and background on how to evaluate how KBVE is doing compared to
118 other states as well as strategizing on how to proceed.

119 Some topics at the September conference will be on the FTC guidance on active supervision and an
120 update on the North Carolina Dental Case. AAVSB will pay for one KBVE board member/Delegate to
121 attend the conference. Dr. Ritter will check his schedule; if he can't go perhaps Dr. Bentz can go.
122 Deadline for sign-up is coming up real soon.

123

124 The next meeting of the Board will be on Wednesday, July 27, 2016 at 10A.M., in Wamego.
125 Future meeting date[s] are as follows: October 5, 2016-Wamego, November 30, 2016-Wamego,
126 Tuesday, January 31, 2017-Topeka, and Wednesday, February 1, 2017-Topeka.

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128 Having no further business before the Board at this time, the meeting adjourned at 12:20 P.M.

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Signed _____

