

Draft - MINUTES

KANSAS BOARD OF VETERINARY EXAMINERS

Wednesday, April 4, 2018

714 Plum, Wamego, Kansas 66547

Board Meeting

This meeting of the Kansas Board of Veterinary Examiners was called to order at 10:03 A.M. by Board President Dr. Dodson. Board Members in attendance in addition to Dr. Dodson were Drs. Bentz, Kobuszewski, Ritter, Snyder, Bogue, and Joseph Allen. Also present in Wamego were Dr. Hedrick; Konrad Coe, Cheryl Mermis, General Counsel Athena Andaya, Litigation Counsel Jane Weiler.

Dr. Dodson welcomed and thanked those in attendance, then read the mission statement for the agency.

Dr. Bogue made a motion to adopt the agenda, Dr. Kobuszewski seconded the motion. The motion passed on a voice vote with no dissenting votes.

There was no one present for the public forum.

Dr. Bogue made a motion to approve the minutes of the 1/30/2018 and 2/17/2018 board meetings, Dr. Kobuszewski seconded the motion. The motion passed on a voice vote with no dissenting votes.

General counsel Andaya reported on discussion with Kansas State University legal counsel related to how FERPA affects the Board requesting records from KSUCVM that contain information entered by veterinary students. Conclusion is that no records containing student entered information will be provided without a subpoena or waiver signed by the student.

Policy and Procedure manual updates and changes recommended by General Counsel were reviewed. The capital assets policy will require the addition of a portion of the Department of Administration's asset management policy to meet current standards. Dr. Bentz made a motion to approve the Policy and Procedure manual changes including the portion from the Department of Administration relating to capital assets management. Dr. Ritter seconded the motion. The motion passed on a voice vote with no dissenting votes.

The complaint resolution process was discussed as to the potential pathways to an outcome. The decision will rest with the Probable Cause Committee as to what pathway to use for each case. The pathways include: Cite and Fine, Summary Proceeding order, Consent Agreement. Dr. Bentz made a motion that the Probable Cause Committee would determine the pathway for each complaint resolution. Mr. Allen seconded the motion. The motion passed on a voice vote with no dissenting votes.

49 Mr. Provencher reported on his process of investigating a complaint. This process
50 has been reviewed by Litigation Counsel Weiler. In addition to video of investigative
51 interviews the respondent will be asked to provide a written response to the complaint.
52 There are currently (9) active/open investigations. Mr. Coe has accompanied Mr.
53 Provencher to assist with the learning process of veterinary medicine nomenclature.
54 The executive director and investigator, as a team, will assign probable cause
55 committee members to complaint cases.

56
57 Ms. Weiler led a discussion on monitoring of veterinarians with identified substance
58 abuse issues. Dr. Snyder made a motion that the Executive Director, with the
59 assistance of legal counsel, sign an MOU with Heart of America Professional Network
60 to provide monitoring service for licensed veterinarians. Motion seconded by Dr.
61 Kobuszewski. The motion passed on a voice vote with no dissenting votes. The
62 Board asked if the monitoring of previous cases with that stipulation as part of the
63 settlement was being done. A flow chart has been developed to allow staff
64 information on those licensees and premises requiring follow-up inspections.

65
66 Dr. Bogue made a motion to approve the standard contract with the International
67 Council for Veterinary Assessment (ICVA) for administration of the NAVLE to
68 graduates seeking license through KBVE. Dr. Snyder seconded the motion. The
69 motion passed on a voice vote with not dissenting votes.

70
71 After some board discussion about the veterinary nurse initiative, proposed by
72 veterinary technicians, it was consensuses, of the Board, to wait and see if veterinary
73 technology programs change their certification title for graduates.

74
75 Strategic plan status reports:

76 Dr. Dodson and Dr. Hedrick will present Demystifying The KBVE on Friday, ^{APRIL} ~~May~~ 13, ^{SD}
77 2018 to the third-year veterinary students at KSU. Dr. Dodson has created a
78 PowerPoint presentation that will provide a general overview of KBVE: mission and
79 philosophy, goals, identify the Board members- explaining the duties of the Board,
80 emphasizing the complaint process and how licensees' can minimize consumer
81 complaints, highlighting standard of veterinary practice and providing examples of real
82 complaint cases as well as the outcomes. Dr. Hedrick will address the group about
83 applying for the North American Veterinary licensing Examination [NAVLE] and
84 Kansas licensure.

85
86 Staff Updates:

87 Mr. Coe reported that since his last report on 2/17/2018, he has completed 21 premise
88 inspections; which includes 1 change in OMDR, and 1 new clinic. Around the 1st of
89 December -2017 there were a few hundred emails/letters—Non Veterinary Premises
90 Questionnaire sent out to KS-practitioners that were not identified with a registered
91 veterinary premise; there have been 329 responses to-date with 230 DVMs with DEA
92 licenses. Konrad is adding the inspection of those ambulatory veterinarians and their
93 controlled drug logs in with his travels to regular premise inspections. Konrad has
94 been spending time with Matthew on a couple of complaint cases.

95 Ms. Mermis reported proctoring the jurisprudence examination to 33 individuals on
96 Saturday, March 17th to [33] individuals. On 4/2/2018, there were 2390 emails sent
97 out to practitioners, announcing the on-line license renewal option. Paper renewal

98 forms are scheduled to be mailed out on June 1st, to those veterinarians that do not
99 renew their license on-line.

100
101 Dr. Hedrick presented to Legislators on 3/21/2018 regarding the inclusion of
102 veterinarians in the K-TRACS program and KBVE funding a portion of that program.
103 Numbers of licensees that do not reside in Kansas, long standing collaboration with
104 DEA, and the negative effect on the current inspection process were highlights of the
105 presentation. KBVE involvement with K-TRACS was removed from the legislation
106 proposed.

107 A recent inquiry from KSU/Diagnostic Lab regarding an intern, who may or may not
108 have graduated from an AVMA accredited veterinary program. The question was
109 whether this intern for the diagnostic lab would need to be licensed in order to work
110 there. After some board discussion about the duties and interpretations that this
111 position at the lab would encompass, according to Ms. Andaya, "It would be the
112 practice of veterinary medicine, her recommendation would be that licensure is a
113 requirement." If the individual cannot meet the requirements for a regular
114 'unrestricted' license then the institutional license would be the alternative.

115
116 The next meeting of the board will be Sunday, June 3, 2018 in Manhattan, at a
117 location still to be determined.

118
119 The election of board officers occurred with Dr. Dodson re-elected to President; Dr.
120 Bogue made the nomination with Dr. Bentz seconded the motion. The motion passed
121 on a voice vote with no dissenting votes.

122 Mr. Allen was re-elected to the Vice President position; Dr. Bentz nominating with Dr.
123 Kobuszewski seconding the motion. The motion passed on a voice vote with no
124 dissenting votes.

125
126 Future meeting of the board will be Wednesday, August 15, 2018 in Wamego at 10
127 A.M.

128
129 Dr. Dirk Hanson was in attendance at the end of the board meeting and Dr. Dodson
130 presented Dr. Hanson with a plaque in recognition of his service to the KBVE; the
131 inscription on the award was read aloud by Dr. Dodson, "*The Kansas Board of*
132 *Veterinary Examiners honors Dr. Dirk Hanson for 24 years of outstanding leadership,*
133 *providing thoughtful guidance and leading with honor, commitment and integrity.*"

134
135 Dr. Bentz made a motion to adjourn the meeting with Dr. Bogue seconding the motion.
136 The motion passed on a voice vote with no dissenting votes.
137 Meeting adjourned at 12:34 P.M.

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139
140 Signed Sheila M. Dodson, DVM