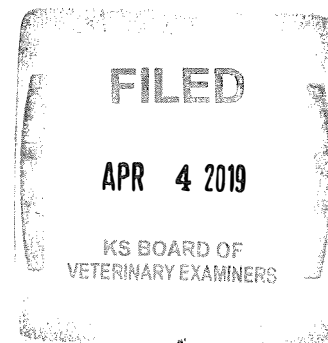


Jane E. Weiler, KS S Ct. #25276
Kansas Attorney General's Office
120 SW 10th Ave, Second Floor
Topeka, KS 66612-1597
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BEFORE THE KANSAS BOARD OF VETERINARY EXAMINERS

In the Matter of)
)
KENT J. TREMBLY, D.V.M.,)
License [REDACTED], Respondent)
_____)

Case No. 19002

SUMMARY PROCEEDING ORDER

NOW, on this 3rd day of April, 2019 the above captioned matter comes for summary action by the Kansas Board of Veterinary Examiners (“Board”). The Board gives notice of the following findings of fact, conclusions of law, and order:

FINDINGS OF FACT

The Probable Cause Committee finds that the following facts have been established by a preponderance of evidence and support the conclusions of violations as follows:

1. Kent J. Trembly, D.V.M., (“Respondent”) is and was at all times relevant to this matter licensed by the Board to practice veterinary medicine in Kansas pursuant to K.S.A. 47-817 *et seq.*, and amendments thereto. Board records reflect that the Respondent currently holds veterinary license number [REDACTED], which was originally issued on approximately June 21, 1988.

2. On or about December 9, 2016, Respondent pleaded guilty to one (1) felony count of Filing a False Return, in violation of Title 18, United States Code, Section 7206(1), in the United States District Court for the District of Nebraska. Respondent did report this felony conviction to the

Board.

3. On or about June 27, 2018, Respondent submitted to the Board his 2018 renewal application to practice veterinary medicine in the State of Kansas.

4. In his 2018 renewal application, Respondent reported that on June 15, 2018, the Nebraska Supreme Court suspended his bar membership for a period of three (3) years related to his felony conviction for filing a false individual income tax return.

5. On or about January 15, 2019, Respondent submitted to the Board documentation that he entered into an Order on Agreed Settlement with the Nebraska Department of Health to revoke his license to practice veterinary medicine in the State of Nebraska for a minimum period of two (2) years. The revocation of his Nebraska veterinarian license became effective December 1, 2018.

APPLICABLE LAW

6. Pursuant to K.S.A. 2017 Supp. 77-537(a) of the Kansas Administrative Procedure Act, a state agency may use summary proceedings, subject to a party's request for a hearing on the order, if:

- (1) The use of those proceedings in the circumstances does not violate any provision of law;
- (2) the protection of the public interest does not require the state agency to give notice and an opportunity to participate to persons other than the parties;
- (3) based upon an investigation of the facts by the state agency, beyond receipt of the allegations, the state agency believes in good faith that the allegations will be supported to the applicable standard of proof, provided however that an alleged failure to meet the standards set forth in this subsection shall not be subject to immediate judicial review and shall not invalidate any later agency action that has been supported to the applicable standard of proof; and
- (4) the order does not take effect until after the time for requesting a hearing has expired.

7. Pursuant to K.S.A. 47-830(m): The Board, in accordance with the provisions of the Kansas Administrative Procedure Act, may refuse to issue a license, revoke, suspend, limit, condition, reprimand or restrict a license to practice veterinary medicine or an institutional license for disciplinary or administrative action taken by any federal, state or local regulatory agency or any

foreign country on grounds other than nonpayment of registration fees.


CONCLUSIONS OF LAW

8. In this case, Respondent is in violation of K.S.A. 47-830(m), in that Respondent's veterinary license has been revoked for a minimum period of two (2) years by the Nebraska Department of Health related to his felony conviction for filing a false individual tax return. Additionally, Respondent's bar membership has been suspended by the Nebraska Supreme Court for a period of three (3) years for this same felony conviction.

SANCTION

9. Respondent's license to practice veterinarian medicine in the State of Kansas shall be suspended for one (1) year from the effective date of this Order.

IT IS SO ORDERED. Dated this 3rd day of April, 2019.



Jay Hedrick, D.V.M., Executive Director
On behalf of Kansas Board of Veterinary
Examiners

NOTICE OF RELIEF FROM THIS SUMMARY PROCEEDING ORDER

Pursuant to K.S.A. 77-537 and K.S.A. 77-542, this Summary Proceeding Order is subject to your request for a hearing. If you desire a hearing, you must direct a written request for hearing to:

Jay Hedrick, D.V.M., Executive Director
Board of Veterinary Examiners
P.O. Box 379
Wamego, KS 66547

This written request must be filed within fifteen (15) calendar days from the date indicated in the below Certificate of Service. Pursuant to K.S.A. 77-503(c), the 15-day period begins the day after the date indicated in the Certificate of Service and includes weekends and legal holidays. If the 15th day falls on a Saturday, Sunday, or legal holiday, then the 15-day period runs until 5:00 p.m. on the next day which is not a Saturday, Sunday, or legal holiday. A request is considered "filed" on the date it is received at the Board's office. If a hearing is not requested in the time and manner stated, this Summary Order becomes a final order subject to judicial review. A petition for judicial review should be directed to the above recipient.


CERTIFICATE OF SERVICE

This is to certify that on this 4th day of April, 2019, a true and correct copy of the foregoing Summary Proceeding Order was deposited in the U.S. mail, first class postage prepaid, addressed to:

Kent J. Trembly, D.V.M.
P.O. Box 3
Wahoo, NE 68066

and by email to: jane.weiler@ag.ks.gov

Jane E. Weiler, No. 25276
Assistant Attorney General
Attorney for the Board



For the Board