

1 KANSAS BOARD OF VETERINARY EXAMINERS

2 Wednesday, April 3, 2019

3 714 Plum Street; Wamego, Kansas 66547

4 Board Meeting

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8 This meeting of the Kansas Board of Veterinary Examiners was called to order at 10:06
9 A.M. by Board President Dodson. Board Members in attendance in addition to Dr.
10 Dodson were Drs. Bentz, Kobuszewski, Ritter, Snyder. Mr. Joe Allen participated during
11 a telephone conference call. Also present in Wamego were Dr. Hedrick; Konrad Coe,
12 Cheryl Mermis, Matthew Provencher, General Counsel Athena Andaya and Charles
13 Macheers, Litigation Counsel Jane Weiler.

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

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18 Dr. Bentz made a motion to adopt the agenda and Dr. Ritter seconded the motion. The
19 motion passed on a voice vote with no dissenting votes.

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21 There was no one present for the public forum.

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23 Dr. Ritter made a motion to approve board minutes from the 1/21/2019 and 1/22/2019
24 board meetings in Topeka, Dr. Bentz seconded the motion. The motion passed on a
25 voice vote with no dissenting votes.

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27 Dr. Hedrick provided board members with Legislature HB 2358 & HB 2389 updates.

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29 The board reviewed a request by Legislators to inspect ambulatory veterinary records.
30 Those veterinarians not associated with a registered premise and travel to client
31 property to practice. After board discussion Dr. Bentz made a motion to amend K.A.R.
32 70-5-1 by adding a non-premised licensed veterinarian annual audit and inspection fee
33 of \$75. Dr. Ritter seconded the motion. This applies to licensees working in Kansas.
34 The motion passed on a voice vote with no dissenting votes.

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36 General Counsel Andaya presented research on veterinary technician scope of
37 practice, discipline, and fees. After discussion, Dr. Ritter made a motion to amend 70-5-
38 1 subsection[s] **(j)** - to increase the veterinary technician registration application to \$50;
39 subsection **(k)** - increase veterinary technician registration renewal to \$25 and to add
40 subsection **(n)** – veterinary technician late renewal penalty of \$50. Dr. Bentz seconded
41 the motion. The motion passed on a voice vote with no dissenting votes. Dr. Snyder
42 made a motion to approve the addition of 70-11-1 definition of veterinary technician, 70-
43 11-2 scope of practice for technicians, and 70-11-3 regarding discipline for technicians.
44 Dr. Kobuszewski seconded the motion. The motion passed on a voice vote with no
45 dissenting votes. General Counsel Andaya presented information on defining the
46 operating managing doctor (OMDR). Dr. Snyder made a motion to add 70-1-8, defining
47 the operating managing veterinarian of a veterinary premises. Dr. Ritter seconded the
48 motion. The motion passed on a voice vote with no dissenting votes. The process of
49 having these proposed regulations approved will begin.

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There was discussion regarding an applicant for licensure who has not passed a national exam by Kansas standards, but has been licensed in other states and may seek Kansas licensure. K.S.A. 47-824 clearly outlines the KS requirements for application.

Dr. Hedrick reports that the AAVSB contract for the VTNE has been reviewed by legal counsel and returned to AAVSB to address sections that do not meet Kansas statutes.

Strategic Plan Status Reports:

Dr. Dodson and Dr. Hedrick presented “Demystifying the Kansas Board of Veterinary Examiners” to the K-State 3rd year vet students. This is a mandatory attendance session for the students before the whitecoat ceremony.

STAFF Reports:

Ms. Mermis proctored the jurisprudence examination on Saturday, March 9, 2019, to sixty-one 4th year veterinary students at KSU. These students previously applied for Kansas licensure/NAVLE approval. They will receive their Kansas Veterinary License on graduation day, Friday, May 17, 2019. On 3/21/2019 approximately 464 e-mails were sent to registered veterinary technicians, announcing the on-line renewal portal opened. On Monday, April 15, 2019 – the renewal portal will begin accepting veterinarian and premise renewals from those individuals that wish to renew their veterinary license and/or veterinary premise on-line. E-mail notices will be sent to practitioners that have a valid e-mail address on or about 4/15/2019. Agency staff will prepare paper renewal forms for practitioners that have not renewed on-line; paper forms will be sent USPS on 5/31/2019.

Today’s numbers are 2685 licensed veterinarians with 63 identified as institutional licenses [practice activities are restricted to KSU]; there are currently 535 registered veterinary premises; and 569 registered veterinary technicians.

Mr. Coe reported that year-to-date numbers are 321 premise inspections – with 9 deficiencies, 8 OMDR changes, 12 new clinics and 5 non-compliance follow-up inspections. Since the last board meeting January 21 and January 22, Mr. Coe reported inspecting 100 premises, with 2 noncompliance, 7 OMDR changes and 3 new clinics.

Mr. Provencher reported that in 2018 there were 38 complaint cases. Since the beginning of the year—January 2019, the office has received 11 complaints; the 1st quarter of 2019 there have been 11 probable cause meetings resulting in one violation, 7 cases where no violations were found, 3 license application reviews; there was one complaint withdrawn, 2 pending probable cause meetings are scheduled. There are 3 complaint cases currently under investigation and a total of 7 cases where compliance monitoring continues.

Next meeting[s] of the board will be Sunday June 2, 2019 in the Hilton Garden Board Room; 410 South 3rd St-Manhattan, Kansas.

Dr. Ritter made the following motion:

100 Madame Chairperson, I move that the Board recess into executive session for 30 minutes
101 pursuant to K.S.A. 2018 Supp. 75-4319(b)(2) for consultation with our counsel, Athena
102 Andaya, Deputy Attorney General, Charles Macheers, Assistant Attorney General, and
103 Jane Weiler, Assistant Attorney General to seek legal advice on a matter protected by the
104 attorney-client privilege related to statutory compliance. In addition, I move that Dr. Jay
105 Hedrick, who is part of the client circle, be present in the executive session to aid the
106 Board in their discussions. The Board will reconvene the open meeting in the Board's
107 conference room located at 714 Plum St, Wamego, KS, at 2:10 p.m.. Seconded by Dr.
108 Bentz. Passed on a voice vote with no dissenting votes.

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110 The board meeting resumed open session at 2:10 p.m.; Dr Ritter made a motion to
111 recess back into executive session at 2:11 p.m for ten minutes, Dr. Bentz seconded.
112 Passed on a voice vote with no dissenting votes. The board will reconvene the open
113 meeting at the same location at 2:20 p.m.

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115 Following the executive session Dr. Bentz made a motion to adjourn the meeting at 2:23
116 p.m and Dr. Ritter seconded the motion. The motion passed on a voice vote with no
117 dissenting votes.

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119 Signed Sheila M. Dodson Date 4/2/19
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