

1 **KANSAS BOARD OF VETERINARY EXAMINERS**

2 **Sunday, June 2, 2019**

3 **Board Room at Hilton Garden Inn**

4 **Manhattan, Kansas**

5 **Board Meeting**

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9 This meeting of the Kansas Board of Veterinary Examiners was called to order at 10:06
10 A.M. by Board President Dodson. Board Members in attendance in addition to Dr.
11 Dodson were Drs. Bentz, Kobuszewski, Flowers, Snyder, and Mr. Joe Allen. Also
12 present were Dr. Hedrick; Konrad Coe, Cheryl Mermis, Matthew Provencher, General
13 Counsel Charles Macheers and Litigation Counsel Jane Weiler. Guests were Drs. Jody
14 Johnson, Eileen Minnix, and Mark Olson.

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

18
19 Dr. Minnix, president-elect of the KVMA reported on concerns which were voiced in a
20 letter from KVMA president Dr. Andy Hawkins. KVMA would like to establish a working
21 group to address these concerns with proposed regulations.

22
23 Dr. Olson reported on activities at AAVSB and invited members to the annual meeting in
24 St. Louis, September 26-28. AAVSB will pay expenses for one delegate and one
25 alternate delegate from the KBVE to attend the meeting.

26
27 Dr. Bentz made a motion to adopt the agenda and Dr. Snyder seconded the motion.
28 The motion passed on a voice vote with no dissenting votes.

29
30 Mr. Allen made a motion to approve board minutes from the 4/3/2019 meeting in
31 Wamego and the 5/7/2019 phone meeting, Dr. Bentz seconded the motion. The motion
32 passed on a voice vote with no dissenting votes.

33
34 General Counsel Macheers presented a board orientation on **Professional Licensing**
35 **Board as a Creature of Statute**. Covered were topics related to statutes, regulations,
36 and policies; open meetings, open records, tort claims, governmental ethics and social
37 media policy. The general purpose of a licensing board is to secure for the people of
38 Kansas the services of competent, trustworthy practitioners and to protect the public
39 against unprofessional, improper, unauthorized and unqualified practitioners.

40
41 The board discussed the review of final orders by a member of probable cause
42 committees prior to being signed by the executive director. Consistent membership on
43 the committees was discussed and having a set schedule for review of cases. Dr.
44 Bentz moved each probable cause committee select a chair to review orders prior to
45 signing by the executive director. Mr. Allen seconded. Motion passed on a voice vote
46 with no dissenting votes. Litigation Counsel Weiler and Dr. Hedrick will work on setting
47 up a set schedule for probable cause review committees to meet.

50
51 Proposed regulation K.A.R. 70-7-1 was discussed with the added language on how
52 often the OMDR, operating managing doctor, must be physically present in the facility,
53 must verify the controlled substance inventory, and the maximum number of facilities to
54 be managed by the OMDR. Dr. Bentz made a motion to edit the current version,
55 seconded by Dr. Snyder. The edited version of this proposed regulation will be brought
56 back for review at the August meeting.

57
58 The contract with AAVSB for administration of the Veterinary Technician National Exam
59 is still in process working out details to align with Kansas law.

60
61 Strategic Plan Status Reports: No reports

62
63 Staff Reports:

64
65 Ms. Mermis stated this is a very busy time in the office with renewals due June 30.
66 Currently have 2759 licensed veterinarians, 61 being institutional licenses. As of May
67 30, 739 have renewed and 11 are not renewing. A limited number of institutional
68 licensees are switching to regular a license. There are 535 registered premises with 49
69 renewed as of May 30. Veterinary technicians are 578 with 33 not yet renewed.

70
71 Mr. Coe reported that year-to-date numbers are 403 premise inspections – with 9
72 deficiencies, 12 OMDR changes, 13 new clinics and 5 non-compliance follow-up
73 inspections. Since the last board meeting, April 3, Mr. Coe reported inspecting 82
74 premises, 4 OMDR changes and 1 new clinic. Mr. Coe does inspect veterinary
75 premises at animal shelters but not the housing at shelters.

76
77 Mr. Provencher reported that in 2018 there were a total of 38 complaint cases. Since
78 January 2019, the office has received 19 complaints; there have been 18 probable
79 cause meetings resulting in 4 violations, 12 cases where no violations were found, 4
80 license application reviews and one complaint was withdrawn. There are 5 complaint
81 cases currently under investigation. Compliance monitoring is continuing for 9 cases.

82
83 Next meeting[s] of the board will be 10:00 am, Wednesday August 14, 2019 in the
84 Board office at 714 Plum, Wamego, Kansas.

85
86 Dr. Bentz made the following motion:
87 Madame Chairperson, I move that the Board recess into executive session for 30 minutes
88 pursuant to K.S.A. 2018 Supp. 75-4319(b)(2) for consultation with our counsel, Charles
89 Macheers, Assistant Attorney General, and Jane Weiler, Assistant Attorney General, to
90 seek legal advice on a matter protected by the attorney-client privilege related to statutory
91 compliance. In addition, I move that Dr. Jay Hedrick, who is part of the client circle, be
92 present in the executive session to aid the Board in their discussions. The Board will
93 reconvene the open meeting in the Board's conference room located at the Hilton Garden
94 Inn, 410 S. 3rd St., Manhattan, Kansas 66502 at 1:15 p.m.. Seconded by Dr. Snyder.
95 Passed on a voice vote with no dissenting votes.

96
97 The board meeting resumed open session at 1:15 p.m.; Dr Bentz made a motion to
98 recess back into executive session at 1:20 p.m for five minutes, Dr. Snyder seconded.

99 Passed on a voice vote with no dissenting votes. The board will reconvene the open
100 meeting at the same location at 1:25 p.m.

101

102 Dr. Bentz made the following motion:

103 Madam Chairperson, I move that the Board recess into executive session to discuss the
104 qualifications of individual candidates 1,3,5 and 7 for employment for the position of
105 Executive Director for the Kansas Board of Veterinary Examiners pursuant to the non-
106 elect personnel matter exception in K.S.A. 75-4319(b)(1). We require Jay Hedrick be
107 admitted to the executive session, when requested, to aid the Board in its discussions.
108 The Board will reconvene the open meeting in the Board's conference room at the
109 Hilton Garden Inn, 410 S. 3rd St., Manhattan, Kansas 66502 at 4:30 p.m.

110

111 Following the executive session Mr. Allen made a motion to adjourn the meeting at 4:45
112 p.m and Dr. Kobuszewski seconded the motion. The motion passed on a voice vote
113 with no dissenting votes.

Signed Sheila M. Dodson, DVM Date 8/14/19