

Jane E. Weiler, KS S Ct. #25276
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BEFORE THE KANSAS BOARD OF VETERINARY EXAMINERS

In the Matter of)
)
TIFFANY N. LEACH, D.V.M.,) **Case No. 19029**
License [REDACTED] Respondent)
_____)

SUMMARY PROCEEDING ORDER

NOW, on this 19th day of August, 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. Tiffany N. Leach, 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 May 11, 2007.
2. On or about June 21, 2019, Respondent submitted to the Board her 2019 renewal application to practice veterinary medicine in the State of Kansas.
3. In her 2019 renewal application, Respondent reported that she had been the subject of a

professional disciplinary action. Specifically, Respondent stated in her renewal, “Based upon the criminal charge, and the underlying actions, I accepted a term of probation on my IL vet license, which was entered on 7-26-2018. The consent order included a six month suspension of my controlled substance license, which terminated on 6-5-2019.”

4. Additionally, Respondent submitted to the Board documentation that she entered into a Consent Order (“2019 Consent Order”) with the Division of Professional Regulation of the Illinois Department of Financial and Professional Regulation (“Illinois Department”), executed on or about June 5, 2019.

5. The 2019 Consent Order included Exhibit A, which was a Consent Order (“2018 Consent Order”) entered into between these same parties on or about July 26, 2018. However, Respondent did not provide notice to the Board within 90 days of the 2018 Consent Order.

6. In her 2019 renewal application, Respondent also stated, “On 8-8-16, I was charged with three felonies in Lake County, Illinois: identity theft, forgery, and unlawful acquisition of controlled substance, all based upon my writing scripts in another vet’s name for my canine that was suffering from cancer.”

7. To the contrary, Respondent agreed to the stipulated facts contained in both the 2018 Consent Order and the 2019 Consent Order entered into with the Illinois Department. The 2018 Consent Order and the 2019 Consent Order contained the stipulated fact, “On four (4) occasions after January 14, 2016, Respondent used another veterinarian’s prescription form to create fraudulent prescriptions for Hydromorphone in the name of her deceased canine.”

APPLICABLE LAW

8. 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.

9. Pursuant to K.S.A. 47-830(a): 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 the employment of fraud, misrepresentation or deception in obtaining a license.

10. Pursuant to K.S.A. 47-830(o)(4): 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 violation of or attempting to violate, directly or indirectly, any provision of the Kansas Veterinary Practice Act or any rules and regulations adopted pursuant to such act. Specifically, K.A.R. 70-8-1(z): failing to report to the board within 90 days any disciplinary action taken against the veterinary license issued to the veterinarian by any other licensing jurisdiction, professional veterinary association, veterinary specialty board, or government or regulatory agency.

CONCLUSIONS OF LAW

11. In this case, the Board finds that Respondent is in violation of K.S.A. 47-830(a), in that Respondent provided a statement to the Board with her 2019 renewal that conflicted with the stipulated facts she agreed to that were contained in the 2018 Consent Order and the 2019 Consent


Order entered into with the Illinois Department.

12. Further, Respondent is in violation of K.S.A. 47-830(o)(4), as defined in K.A.R. 70-8-1(z), in that Respondent failed to report to the Board the Consent Agreement entered into with the Illinois Department on or about July 26, 2018, which involved disciplinary action taken against Respondent's Illinois veterinary license.

SANCTION

WHEREFORE, based on the above Findings of Fact and Conclusions of Law and pursuant to the authority granted by K.S.A. 47-830 and K.S.A. 77-537, the Probable Cause Committee on behalf of the Board finds that the Kansas veterinary license of Respondent Tiffany N. Leach should be and is hereby **PUBLICALLY REPRIMANDED** for her violations of the Kansas Veterinary Practice Act.

IT IS SO ORDERED. Dated this 19th day of August, 2019.


Joan E. Johnson, 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:

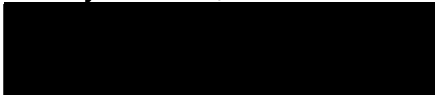
Joan E. Johnson, D.V.M., Executive Director
Board of Veterinary Examiners
P.O. Box 379
Wamego, KS 66547

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 19th day of July, 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:

Tiffany N. Leach, D.V.M.



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

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



For the Board