

1 **KANSAS BOARD OF VETERINARY EXAMINERS**

2 **Wednesday, August 14, 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 10:00  
9 A.M. by Board President Dodson. Board Members in attendance in addition to Dr. Dodson  
10 were Mr. Joe Allen, Drs. Bentz, Flowers, Kobuszewski, Ritter, and Snyder. Also present  
11 in Wamego were Drs. Hedrick and Johnson; Konrad Coe, Cheryl Mermis, Matthew  
12 Provencher, General Counsel Charles Macheers, and Litigation Counsel Jane Weiler.

13  
14 Dr. Dodson welcomed Dr. Jody Johnson, the new executive director, and recognized Dr.  
15 Hedrick, the outgoing executive director. Dr. Dodson thanked those in attendance.

16  
17 The agenda was amended to include discussion under E. (Approval of New Executive  
18 Director). Dr. Bentz made a motion to adopt the agenda as amended and Dr. Kobuszewski  
19 seconded the motion. The motion passed on a voice vote with no dissenting votes.

20  
21 Dr. Bentz made a motion to approve board minutes from the 6/2/2019 in Manhattan, KS  
22 and the 7/8/2019 conference call board meetings. Dr. Snyder seconded the motion. The  
23 motion passed on a voice vote with no dissenting votes.

24  
25 Dr. Snyder made a motion to approve the appointment of the new Executive Director, Dr.  
26 Joan E. "Jody" Johnson. Dr. Kobuszewski seconded the motion. The motion passed on  
27 a voice vote with no dissenting votes.

28  
29 Dr. Johnson made the board aware of volunteer/contract activities she has done in the  
30 past with the Flint Hills Area Agency on Aging and KSU Rabies Lab. As long as she is  
31 doing these activities on her own time and not representing the KBVE, they are  
32 acceptable.

33  
34 Dr. Hedrick discussed the status of those student graduates who were required to finish  
35 course work after the May graduation date thus did not receive their diploma from the  
36 KSU College of Veterinary Medicine until the August Kansas State University graduation  
37 date. Based upon KSA 47-824 (1) which references "meets all education requirements",  
38 when verified by a letter from the Associate Dean of the completion of all educational  
39 requirements, that student graduate would then be issued a license to practice.

40  
41  
42 Dr. Flowers moved the AAVSB contract for the VTNE be approved, signed and returned  
43 to AAVSB. The motion was seconded by Dr. Bentz. The motion passed on a voice vote  
44 with no dissenting votes.

51 Dr. Hedrick then went over the proposed budget. It was discussed that in considering  
52 fines, legal counsel's time should be considered. Dr. Snyder moved and Dr. Bentz  
53 seconded to accept the proposed budget of \$368,274. The motion passed on a voice  
54 vote with no dissenting votes.

55  
56 The proposed Standards of Practice 70-7-1 were discussed. By the next meeting, it was  
57 asked that Konrad produce a standardized sheet for the minimum standards for record  
58 keeping, controlled substances inventory, and quality of care as an example to hand to  
59 the OMDR. There was discussion on where the OMDR definition should be placed. A  
60 motion was made by Dr. Snyder and seconded by Dr. Flowers that 70.7.2 be added  
61 defining the OMDR's (Operating and Managing Veterinarian) responsibilities.

62  
63 Dr. Johnson discussed the meeting and subsequent letter received from Dr. Ingrid  
64 Garrison concerning the questions posed from Kansas State Animal Response Team  
65 (KSSART). The Board directed Dr Johnson to relay to KSSART to view the Statutes and  
66 Regulations and seek legal counsel from their attorneys.

67  
68 Strategic Plan Status Reports:  
69 The Board asked that the Strategic Plan be placed on the next meeting's agenda and  
70 copies sent out to all Board members to be reviewed at the November meeting.

71  
72 Mr. Allen reported that he would be attending the September 26-28 AAVSB meeting in  
73 St. Louis, Missouri. He discussed the rationale behind the proposed motion on reporting  
74 of violations and disciplinary actions by the Board to AAVSB. As our delegate, he was  
75 asked to vote in favor of the motion. Dr. Johnson will be attending as an alternate  
76 delegate or as the executive director.

77  
78 STAFF Reports:  
79 Ms. Mermis reported 2583 veterinarians are currently licensed, and 63 institutional  
80 licensees where their practice activities are restricted to KSU. Of these, 1,533 are residing  
81 in Kansas and 1,050 are residing in other states and foreign countries. For example, one  
82 is in Germany, 2 in New Zealand, 1 in Australia and 2 in China. There are 568 registered  
83 veterinary technicians in Kansas.

84  
85 Mr. Coe reported that year-to-date numbers are 431 premise inspections with 13  
86 deficiencies, 12 OMDR changes, and 15 new clinics. From July 1 to August 9, 2019, Mr.  
87 Coe reported inspecting 66 premises, with 1 deficiency, 3 OMDR changes, 1 new clinic,  
88 1 follow-up inspection, and no ambulatory inspections.

89  
90 Mr. Provencher reported since January 2019, the office has received 41 cases with 32  
91 being complaint cases and 9 being application discipline disclosures. From June to  
92 August of 2019 there were 16 complaints and 6 disclosures. Since the last Board  
93 meeting, there were 8 cases reviewed for probable cause, with 4 violations found, and 4  
94 cases where no violations were found. Currently there are 10 open investigations with  
95 field work nearly completed on 8 and these should be ready for probable cause hearings  
96 by the end of September. There were a total of 5 cases where compliance monitoring  
97 continued from June to August, 2019.

98

99 Attorney Jane Weiler reported that she has been asked to attend the Federation of  
100 Regulatory Boards in October. The Board thanked her for her prompt responses.  
101

102 . Dr Hedrick reviewed minutes of the August 26, 2016 meeting where the Board voted to  
103 raise the veterinary renewal fee to \$99 to cover the cost of online renewals. This change  
104 was not put into regulation because the vendor was able to recover this cost individually  
105 when the portal was used to renew. After discussion on expenses by the agency- Dr.  
106 Flowers moved and Dr. Kobuszewski seconded that the veterinary license renewal fee  
107 be raised to \$100. The motion passed on a voice vote with no dissenting votes. He also  
108 reported that the Governor's office is reaching out for re-appointments and that terms for  
109 4 of our board members are currently expired. They will be continuing to serve on the  
110 Board until replaced. We are also getting messages concerning CBD oils. These are  
111 being referred back to the Attorney General's statement on the website. Dr. Hedrick  
112 reported on his attendance at the KVMA meeting. They had concerns over the font,  
113 coloration and location of the KBVE Disciplinary Actions/Decisions title on our website. A  
114 motion to change the font and coloration of the KBVE Disciplinary Actions/Decisions title  
115 on the front page of the website to match other headings listed there was made by Dr.  
116 Bentz and seconded by Dr. Kobuszewski. The motion passed on a voice vote with no  
117 dissenting votes.  
118

119 Dr. Johnson reported she will be contacting the Department of Agriculture to ask for  
120 access to their DocuWare cloud storage to extract precedent setting cases and those with  
121 disciplinary actions. These would then be stored on the KVBE Cloud. She reported on  
122 the cost of a tablet for the Inspector to use from the State of Kansas EBIT as she is  
123 working on fillable pdf for premise inspections and ambulatory inspections. Both Konrad's  
124 computer and Dr. Hedrick's computer are using Windows 7 and need to be upgraded to  
125 Windows 10 before December. She has started investigations into other Boards that are  
126 using On-line Renewals. Several e-mails have come in regarding the enforcement of the  
127 new regulations on USP 800 (compounding of hazardous and non-hazardous  
128 compounds). The Kansas Board of Pharmacy feels this will be regulated by OSHA as a  
129 portion of USP 800 addresses employee safety. Following due diligence, she is also  
130 investigating other rental property in the area. The Governor's Boards and Commissions  
131 has asked her to state which board members have expired appointments and who of  
132 those would be willing to be re-appointed. Dr.'s Bentz and Dodson appointments expired  
133 June 30, 2018 and Dr.'s Kobuszewski and Ritter appointments expired June 30,2019.  
134

135 Ms. Joyce Mermis was recognized as a guest.  
136

137 Next meeting of the board will be Wednesday, November 13, 2019 at 10 A.M. in the Board  
138 Office, 714 Plum Street, Wamego, Kansas. A future Board meeting and Legislative visit  
139 will be planned in Topeka after January 13, 2020.  
140

141 Dr. Bentz moved and Dr. Ritter seconded that the meeting be adjourned at 12:29 P.M.  
142 The motion passed on a voice vote with no dissenting votes.  
143

Signed Sheila M. Dodson Date 11/13/19