

KANSAS BOARD OF VETERINARY EXAMINERS
Friday, September 9th, 2020
Board Meeting and Conference Call via Zoom
Wamego, KS
10 AM

This meeting of the Kansas Board of Veterinary Examiners was called to order at 10:05 A.M. by Board President Sheila Dodson. Board Members participating in person in Wamego were: Dr. Dodson, Dr. Ritter, Dr. Snyder. Others attending in person were staff members, Dr. Jody Johnson, Konrad Coe and a public member, Dr. Christa Wallis with Monticello Animal Hospital who is a Telemedicine Consultant and will give a presentation on Telemedicine Pros, Cons and Trends. Board Members on the conference call line were: Dr. Flowers, Dr. Bentz and Mr. Allen. Others participating by Zoom and conference call were staff member Matthew Provencher; General Council, Charles Macheers and Jane Weiler; Mary Berg with the Kansas Veterinary Technician Association (KVTA) and Megan Kilgore with the Kansas Veterinary Medical Association (KVMA). Dr. Beth Covington was absent from the meeting.

Dr. Dodson welcomed everyone in attendance.

Dr. Snyder moved to amend the agenda to remove approval of minutes and include Late Fee Discussion under G1 and Office of Administration Hearing (OAH) Contact under H6. Dr. Flowers seconded, the motion passed on a voice vote, no dissenting votes.

Mary Berg with the KVTA shared that they would appreciate if the KBVE Board would consider having a Veterinary Technician represent their organization as a member of the KBVE Board. Ms. Berg also shared they would like to strengthen continuing education (CE) requirements for technicians within the state.

Megan Kilgore with the KVMA shared her current task of data collection to be able to identify supply and demand for rural practitioners in the state. Data collection on large animal veterinarians or mixed animal practitioners will provide information on geographical area shortages.

Dr. Dodson thanked both Megan and Mary for their information and feedback.

Dr. Dodson moved the meeting to item E,. The telemedicine presentation by Dr. Crista Wallis. Mr. Allen excused himself from the meeting to attend a court hearing.

Dr. Crista Wallis is with Monticello Animal Hospital and is a Telemedicine Consultant. She shared a presentation called "Telemedicine Pros, Cons and Trends". If you would like to see a copy of this presentation contact us at vetboard@ks.gov or by phone 785-456-8781.

Mr. Joe Allen returned to the meeting via Zoom during Dr. Wallis's presentation.

Dr. Johnson discussed the new webinar class scheduling for the AAVSB Fall meeting as it was moved to virtual sessions. The tiered pricing for the board members is \$125 per individual member or \$250 for the whole board. Mr. Allen moved to pay the \$250 for the whole board to participate. Dr. Snyder seconded. There was a unanimous voice vote to pay \$250 so all board members could access the AAVSB webinars with no dissenting votes.

Dr. Dodson asked for Telemedicine to be placed on the agenda for the next board meeting. Dr. Snyder was put in charge of gathering items and information for the next meeting to be able to have a more serious discussion.

Dr. Dodson advanced the meeting to item G. AAVSB's Program for the Assessment of Veterinary Education Equivalence, (PAVE) and the AVMA's Educational commission for Foreign Veterinary Graduate (ECFVG) students. Dr. Johnson shared these programs are ways to recognize and license veterinarians who graduated from a veterinary college that is not AVMA accredited. PAVE is through the AAVSB. These programs are ways to become a licensed U.S. Veterinarian if they successfully complete the program as well as passing the English language test, and the NAVLE. Charles Macheers, shared that K.S.A. 47 -8B-16(a), a School of Veterinary Medicine is one that is approved by the American Veterinary Medical Association, and PAVE is not since it is run by the AAVSB. KBVE would need to make a statutory change and a regulatory change to approve PAVE as a program accepted by the state and become licensed in Kansas.

Dr. Dodson clarified that the ECFVG program is accredited by the AVMA. Kansas is 1 of 5 states that do not recognize PAVE. Dr. Flowers made a motion to have the legal department draft legislation to approve PAVE, as a program for licensure for foreign veterinarians. Mr. Allen seconded. Motion passed on a unanimous voice vote, no dissenting votes.

Dr. Johnson shared the Governors Executive Orders which indicated on September 15, 2020 veterinary licenses were going to expire. Governor Kelly has until September 15th to make another executive order to extend the date. Dr. Johnson asked if all non-renewed licenses are to expire after September 15th. Charles Macheers explained that it is up to the boards discretion on how to treat late fees. Paul suggested that the late fee deadline is Sept 15th, after that they are late and will have 30 days to renew before license expiration. Dr. Snyder moved the motion of the new deadline date and expiration, Dr. Bentz seconded. Unanimous voice vote, no dissenting votes. The motion passed. However, this will be subject to any new Executive Order from the Governor.

Dr. Johnson shared that the Department of Administration Human Resource contract has not changed. The contract has been signed and submitted. The Office of Information Technology Services (OITS) proposal has not been completed due to an increase of fees to include more services, including cyber security and a security officer. The contract from Attorney General's (AG) office for General and Litigation Council needs approval by the board. The contract will

stay the same as last year if approved. Dr. Ritter asked to postpone the discussion of the AG contract to after staff reports, Dr. Dodson approved.

Dr. Johnson shared that the Species Exam Contract through the AAVSB was still in review by Charles Macheers. The Memorandum of Agreement (MOA) with the Department of Agriculture relating to the DocuWare storage of KBVE history is in preparation. This would keep the storage of data with the KDA with and allow access to the data by the KBVE staff. The contract for the Office of Administrative Hearings (OAH) was discussed by Charles Macheers stating the OAH has an agreement with all agencies, and they did reduce their fee from \$100 to \$80 an hour this coming year.

Dr. Johnson shared that the AAVSB sends out questions to all Executive Directors to collect information from boards. Dr. Dodson discussed that answering these questions will be good information to collect to better the services of all agencies across the nation. Mr. Allen agreed with Dr. Dodson. Dr. Bentz motioned to move that Dr. Johnson can keep answering questions from AAVSB, seconded by Dr. Snyder. All were in favor, unanimous voice vote, no dissenting votes.

Dr. Johnson discussed the hiring process for the new administration specialist position. Anna Foster's last day was August 11th. Dr. Johnson, Konrad Coe and Matthew Provencher had five phone interviews with candidates. Dr. Johnson mentioned they made an offer to Audi Westgate to be the new Administrative Specialist, and that offer was accepted.

Konrad Coe discussed that he been doing all inspections via video using FaceTime or Google Duo. Konrad shared that the process of completing his inspections at this time as he is working remote and virtual. Since the 1st of July he has completed 43 inspections (see attached report).

Matthew Provencher shared his investigations report. For Quarter 4 KBVE had 18 complaints received, in Quarter 4 KBVE reviewed 17 cases for probable cause. For Quarter 1, violations were found in 7 cases and 26 were without violations. There is one case that is currently open and being monitored, currently there are 0 cases pending first review or cases pending rebuttal. Two cases are pending phase two, and three probable cause committee reviews are scheduled (see attached report).

Charles Macheers discussed the attorney report and contracts from Dr. Johnson's report. The board needs to make a motion to allow Dr. Johnson to execute the contracts in the previous discussion. Jane Weiler discussed that all the consent agreements are out to licensees, there are cases that are pending; however, everything else is moving along to completion.

Dr. Johnson shared her executive report. She has been self-educating in the ACT membership management program and functions and the organizational flow of the office. There were some double renewals sent in from licensees and refunds are being processed. Megan Kilgore asked for a report on the number of veterinarians working in each premise within the large animal/mixed animal clinics. Dr. Snyder moved that we share the type of clinics, clinic location

by city and number of veterinarians at the premise as requested by the KVMA. The veterinarian's personal information will not be shared. Mr. Allen seconded the motion. Unanimous voice vote, no dissenting votes, motion passed.

Dr. Dodson revisited the Attorney General contract discussion. Dr. Phil Bentz asked the meeting be moved into executive session to discuss the AG contract. The board requested the presence of Dr. Johnson, Executive Director and Matthew Provencher, Investigator, in the executive session. Dr. Ritter made a motion for executive session, citing Personnel Matters of Non-Elected Personnel, K.S.A. 2016 Supp. 75-4319(b)(1), as amended by L. 2017, Ch. 73, § 4, (HB 2301). In Order to protect the privacy of the non-elected personnel involved, I move that the board recess into executive session to discuss personnel matters. We require the Board Executive Director, Dr. Jody Johnson and Matthew Provencher be admitted to the executive session, when requested, to aid the Board in their discussions. The Board will reconvene the open meeting in the same location in fifteen minutes at 12:17pm. Dr. Snyder seconded the motion. The motion passed on a unanimous voice vote, no dissenting votes.

The board came out of executive session at 12:17pm.

Dr. Dodson discussed the next agenda item, the reminder of the next Board Meetings. Wednesday, November 4th, 2020 at 10am, in Wamego and via Zoom; the following board meeting will be Tuesday, January 19th, 2021 at 4pm, in Topeka; and the KBVE's Legislative day will be Wednesday, January 20th, 2021 at starting 8am at the State Capitol.

Dr. Johnson shared that she applied for a Covid-19 Grant to upgrade cell phones and monitors and organizational improvements to help support us through 2021. Dr. Johnson also shared she would like to get statutory fee limits raised, review the technician statutes and regulations and raise fees for veterinary license applications the next time they meet in November.

Dr. Snyder motioned to adjourn the meeting, Dr. Ritter Seconded.

Meeting Adjourned at 12:55 p.m.

Signed Sheila M. Dodson Date 1/25/2021