



Kentucky

Kentucky Board of Veterinary Examiners - [February 8, 2024 Meeting Minutes](#)

Legislative Updates

Dr. Prater provided an update on HB 400, heard before the House Agriculture Committee on Wednesday, February 9, 2024. KVMA states the association is neutral on Murray State University's proposal to build a college of veterinary medicine (CVM). However, they have also publicly stated critical concerns regarding MuSU's feasibility study, which they have posted on the KVMA website at www.kvma.org/kvma-documents-recommendation-letter-on-veterinary-work-shortage-issues/. Dr. Prater testified in coordination with Dr. Tammy Smith and Dr. Jim Weber to provide some factual nuance to the discussion occurring on this topic in the General Assembly.

Dr. Prater personally feels that it would be a huge mistake to pull out of the contract seats with Auburn University, which is a world-class facility with one of the best teaching hospitals in the country.

Dr. Prater also spoke about the 13 states that have veterinary loan repayment programs. 11 of those 13 have CVMs, and they still have shortages.

Dr. Gardner shared his experience about weighing in on this bill as a private citizen with his personal representative. Stakeholder associations need to voice an opinion rather than staying neutral.

KVMA is planning to send out a survey to members.

Dr. Quammen indicated that it was expressed yesterday about the academic rigor challenges faced by Kentucky students – that in a general pool, many Kentucky students would not even qualify for admittance at a CVM. Therefore, the deal with the contract seats at Auburn and Tuskegee are critical to Kentucky student's ability to be accepted into any CVM.

- HB 328 – A bill about rabies administration.

Members of the Board discussed the merits and drawbacks of direct vs. indirect supervision of LVTs by a supervising veterinarian for rabies vaccine administration. Current law requires veterinarians to administer the rabies vaccine. HB 328 as originally filed will allow LVTs to also administer the rabies vaccine but does not specify a required level of supervision. Both CHFS and KBVE believe direct supervision must be required.

Dr. Kennedy led a discussion on international CVIs.

GOVERNMENT AFFAIRS COMMITTEE

Questions from Licensees

Veterinary assistants and radiographs; assigned tasks

Members of the Board reviewed the question submitted and the new regulation 201 KAR 16:750, Section 5. After April 2, 2024, when this regulation becomes effective, a veterinarian or LVT may provide **direct** supervision (KRS 321.181(59)(c)) to a veterinary assistant performing radiography. The current law is unclear, so KBVE recommends that Dr. Deborah Spike-Pierce act in conformity with the new regulation.

Required postings in a veterinary facility related to onsite equipment Members of the Board discussed this question. It is currently uncommon for practices to have dental X-rays. There is no requirement for declaring or posting this. Some practices decline to do extractions without the dental X-ray and will refer cases to other clinics that have dental X-ray technology. Members of the Board agreed that communication with the client is the critical component to the concerns outlined, and any such communications should be recorded in the medical record.

Policy Discussion - Regarding Kentucky Cattlemen's Association (KCA) Request for Non-veterinarian PhD Reproductive Physiologist Work on Animals

Dr. Gardner and Dr. Prater provided a report to the Board regarding their research on unlicensed practitioners with PhDs in reproductive physiology, particularly bovine embryo transfer and reproduction work. This type of work falls within the practice of veterinary medicine, as defined in KRS 321.181(50).

In Oklahoma, there is a carveout offering providers the ability to become certified by the Board of Veterinary Examiners. In doing so, such practitioners must show significant liability insurance, and obtain continuing education to maintain their certification and other requirements. Montana had a similar carveout. The Oklahoma regulations also do not specify which species these individuals can practice on, which opens the door to unintended cross-species work.

They discussed information from the American Embryo Transfer Association (AETA). To be AETA Certified, members must be either a veterinarian or hold a PhD in reproductive physiology. However, the AETA lists only six (6) PhD members, and this number is in decline.

Other elements of the research that were discussed from the report:

- Cattle Ultrasonography for pregnancy diagnosis has a false sense of certainty and simplicity among cattle producers. The success of the diagnosis is dependent on the experience of the operator and in a finite window of the gestational stage.

- The skill of ultrasounding cattle is directly proportional to the palpation skills of the operator. Some users may have developed their skill in a window <90 days by training in that window post-breeding. However, the results may be devastating outside that range.
- When working with the general public all certainty goes out the window. There are mystery breedings, either by their own bull or a neighbor's bull.
- Since herd productivity and efficiency is a multi-faceted analysis, these procedures are best performed by a comprehensively trained veterinary practitioner.
- Proper performance of these procedures is crucial to the profitability and healthy well-being of the agricultural operation.
- Allowing an exemption for PhD reproductive physiologists to work on animals without a veterinarian license of their own simply further erodes the relationships between veterinarians and producers, reinforcing that a veterinarian will not be available in times of emergency need.
- Improved utilization of veterinarians by producers and owners is essential to the overall health of the relationship between veterinary medicine and the animal agricultural community.

Members of the Board discussed the report and the recommendations made by Dr. Gardner and Dr. Prater to not broaden the current exception in statute. Members were in agreement with the recommendation.

Administrative Regulations – side packet

December appearance before General Assembly Administrative Regulation

Review Subcommittee (ARRS)

Chairman Dr. Park and Ms. Shane appeared before the ARRS Committee on December 5, 2023, regarding the following filed regulations, all of which received public comments and had public hearings in 2023.

- 201 KAR 16:510 – Fees for veterinarians
- 201 KAR 16:512 – Fees for veterinary technicians
- 201 KAR 16:514 – Fees for animal control agencies and animal euthanasia specialists
- 201 KAR 16:516 – Fees – other fees
- 201 KAR 16:550 – ACA certification
- 201 KAR 16:552 – ACA responsibilities
- 201 KAR 16:560 – AES Certification
- 201 KAR 16:701 – Standards for Medical Records
- 201 KAR 16:702 – Standards for Veterinary Surgery
- 201 KAR 16:750 – LVTs and veterinary assistants – scope of practice

Members of the ARRS Committee had no questions. The regulations are expected to go into effect on April 2, 2024.