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Laura Kelly, Governor

To: House Agriculture and Natural Resources Budget Committee
HB 2688 Proponent Testimony

Good afternoon, Chairman Dove and members of the Committee,

My name is Dr. Jody Johnson, Executive Director for the Kansas Board of Veterinary Examiners (KBVE). I was here last week on behalf of the Board to introduce HB 2688. This bill allows the Board to recoup monies expended by the Board in the investigation, adjudication and enforcement of the Veterinary Practice Act. This bill is similar in language to other agency statutes. We are simply updating our statutory language to bring it in line with other State agencies.

Since the KBVE is a fee-funded agency, we do not receive any monies from the State General Fund. Our budget depends upon licensures, registrations and renewals, and we do not have monies set aside to cover exhaustive investigations and the associated costs of Administrative Hearings.

When the Board imposes discipline on a licensee for violations of the Kansas Veterinary Practice Act, the licensee has the statutory right to request a hearing. Costs for hearings through the Office of Administrative Hearings (OAH) are \$100.00 per hour, which does not include other expenses involved with hearings. Other costs can include those incurred by the Board for the investigation of the complaint, mileage, postal fees and the associated expenses of expert witnesses and other witnesses. The Board needs the right to collect reimbursement for those costs when the Board is the prevailing party. These expenses are outside of the purview of our budget as these costs are not built in to our yearly budget.

While the number of this type of major cases have been small in the past, we have had several cases over the years that cost the Board thousands of dollars in costs and expenses. One case alone in 2017 amounted to \$2,800.

At this time KBVE is already being assessed yearly for State legal representation, human resource services, website and computer services. These yearly assessments are above the 10% the Agency submits to the State General Fund. Last year we submitted \$34,000 to the State General Fund. We also have an assessment of an additional \$35,326 for State services for legal, human resources, computer and website support.