

1 BOARDS AND COMMISSIONS

2 Kentucky Board of Veterinary Examiners

3 (New Administrative Regulation)

4 201 KAR 16:730. Approved allied animal health professional (AAHP) programs; education
5 requirements.

6 RELATES TO: KRS 321.175, 321.181(1)-(4), 321.235

7 STATUTORY AUTHORITY: KRS 321.175(2)(c), (5), 321.181(1)-(4), 321.235(1)(a)-(c),
8 (2)(b)2.

9 NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.235(1)(b) authorizes the board to
10 promulgate administrative regulations to implement KRS Chapter 321. KRS 321.235(2)(b)2.
11 provides the board authority to promulgate administrative regulations to limit the scope of
12 practice of allied animal health professional (AAHP) work on animals and to require an AAHP
13 applicant to have received training from an approved allied animal health professional program
14 in order to qualify for a permit from the board. This administrative regulation establishes an
15 allied animal health professional's allowable scope of work on animals and establishes the allied
16 animal health professional educational programs approved by the board.

17 Section 1. Definitions.

18 (1) "Allied animal health professional" or "AAHP" is defined by KRS 321.181(1).

19 (2) "Approved allied animal health professional program" is defined by KRS 321.181(9).

20 Section 2. Education Requirements. An applicant for an AAHP permit shall meet and show proof
21 of the following requirements to be considered for approval by the board.

1 (1) For an AAHP animal chiropractic permit, shall hold current licensure in good
2 standing from the Kentucky Board of Chiropractic Examiners.

3 (2) Maintain a current certificate in good standing with an approved allied animal health
4 professional program designated in Section 3 of this administrative regulation.

5 Section 3. Approved allied animal health professional programs. The board approves the
6 following allied animal health professional programs for animal chiropractic practice on animals:

7 (1) American Veterinary Chiropractic Association (AVCA); or

8 (2) International Veterinary Chiropractic Association (IVCA); or

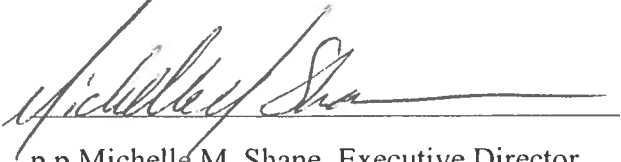
9 (3) An accredited program of the AVCA or IVCA.

10 Section 4. Continuing education required. As one part of the requirements for an allied animal
11 health professional permit to be granted and renewed, the allied professional shall provide proof
12 that the degree or certificate obtained from the approved allied animal health professional
13 program is in an 'active' or 'current' status with:

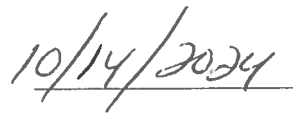
14 (1) If applicable to the credential holder and required by the board, the professional
15 licensing board as required in Section 2(1) of this administrative regulation; and

16 (2) The allied animal health professional program certifying entity identified in Section 3
17 of this administrative regulation. At the time of application, the AAHP permittee shall show
18 proof satisfactory to the board that all continuing education requirements for these credentials
19 have been met and are current.

APPROVED: 4/25/2024

A handwritten signature in black ink, appearing to read "Michelle M. Shane", written over a horizontal line.

p.p Michelle M. Shane, Executive Director
on behalf of John C. Park, DVM, Board Chair
Kentucky Board of Veterinary Examiners

A handwritten date "10/14/2024" written in black ink over a horizontal line.

Date

PUBLIC HEARING AND PUBLIC COMMENT PERIOD

A public hearing on this administrative regulation shall be held on December 23, 2024, at 10:00 am EST, at the offices of the Kentucky Board of Veterinary Examiners, 4047 Iron Works Pkwy, Suite 104, Lexington, KY 40511. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through December 31, 2024. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Michelle M. Shane, Executive Director, Kentucky Board of Veterinary Examiners, 4047 Iron Works Pwky, Suite 104, Lexington, KY 40511, Phone: 502-564-5433, Fax: 502-753-1458, Email: Michelle.Shane@ky.gov.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

201 KAR 016:730

Contact Person: Michelle M. Shane

Phone: 502-564-9905

Email: Michelle.Shane@ky.gov

(1) Provide a brief summary of:

(a) What this administrative regulation does:

This administrative regulation establishes an allied animal health professional's allowable scope of work on animals and establishes the allied animal health professional (AAHP) educational programs approved by the board

(b) The necessity of this administrative regulation:

This regulation is necessary to establish the scope of work and required AAHP educational programs approved by the board and provide clarity to constituents regarding the requirements for permitting.

(c) How this administrative regulation conforms to the content of the authorizing statutes:

KRS 321.175(2)(c) and (5) establish that the intent of the Kentucky Veterinary Medicine Practice Act is to regulate the professions of veterinary medicine, including the work of allied animal health professionals. KRS 321.181(1)-(4) define the AAHP person and the requirement for a board approved permit to practice. KRS 321.235(1)(a)-(c) and (2)(b)2 require the board to ensure the competence of credential holders and to administer credentialing programs to ensure competency to practice and to protect the public. This new administrative regulation will assist in effective administration by clearly expressing what requirements have been established by the board.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:

This administrative regulation will assist in effective administration by clearly defining which AAHP educational programs have been approved by the KBVE.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation:

N/A - This is a new administrative regulation.

(b) The necessity of the amendment to this administrative regulation:

N/A - This is a new administrative regulation.

(c) How the amendment conforms to the content of the authorizing statutes:

N/A - This is a new administrative regulation.

(d) How the amendment will assist in the effective administration of the statutes:

N/A - This is a new administrative regulation.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

Future applicants to the board for an AAHP permit. The board anticipates receiving approximately 20 initial applications for this credential under the new laws, and one-two (1-2) annually in future years.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment:

Applicants will be required to complete a board approved AAHP educational program within the approved scope for the AAHP work to qualify for permitting as an AAHP in Kentucky.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3):

There will not be any additional costs to the applicant. This administrative regulation simply clarifies the basic education requirements needed to obtain an AAHP permit and provide public protection related to competency to perform services.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3):

Applicants who complete the required AAHP education shall have met one of the requirements of the board for permitting as an AAHP.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: The KBVE currently runs licensing and certificate programs for other credentials to ensure competency to practice for public protections. This program will be added to the current operations. The KBVE expects costs for all board operations to be approximately \$759,700 annually in the near term.

(b) On a continuing basis: The KBVE expects costs for all board operations to be approximately \$900,000 annually in future bienniums as new programming is brought online, per the mandates in the modernized Kentucky Veterinary Medicine Practice Act, KRS Chapter 321.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation:

KBVE does not receive any general funds. All funds for the agency come from licensing fees,

service fees, and administrative fines.

- (7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:

201 KAR 16:513 and 16:517 have been filed concurrently with this regulation to establish fees to help support the funding requirements for administrative services to run the new AAHP permitting and AAHP facility registration programs.

- (8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:

This regulation does not establish or increase any fees, directly or indirectly.

- (9) TIERING: Is tiering applied?

Tiering is not applied. With the exception of a small window for legacy candidate applications, educational requirements are the same for all AAHP permit applicants.

FISCAL IMPACT STATEMENT

201 KAR 016:730

Contact Person: Michelle M. Shane

Phone: 502-564-9905

Email: Michelle.Shane@ky.gov

- (1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation.

KRS 321.175(2)(c), (5), 321.181(1)-(4), 321.235(1)(a)-(c), (2)(b)2.

- (2) Identify the promulgating agency and any other affected state units, parts, or divisions:

The promulgating agency is the Kentucky Board of Veterinary Examiners. There are no other affected state units, parts, or divisions.

- (a) Estimate the following for the first year:

Expenditures: This is a new program, but will not generate much revenue. The KBVE expects costs for all board operations to be approximately \$759,700 annually in the near term.

Revenues: There is no revenue generated by this filing.

Cost Savings: There will be no cost savings; this amendment simply codifies the requirements, making them easily accessible for regulated entities.

- (b) How will expenditures, revenues, or cost savings differ in subsequent years?

Staff time and database management will be required for record keeping. Costs will be minimal.

- (3) Identify affected local entities (for example: cities, counties, fire departments, school districts):

KBVE does not anticipate that any local entities will be impacted.

- (a) Estimate the following for the first year:

Expenditures: N/A

Revenues: N/A

Cost Savings: N/A

- (b) How will expenditures, revenues, or cost savings differ in subsequent years? N/A

- (4) Identify additional regulated entities not listed in questions (2) or (3):

KBVE does not anticipate that any other regulated entities will be impacted.

(a) Estimate the following for the first year:

Expenditures: N/A

Revenues: N/A

Cost Savings: N/A

(b) How will expenditures, revenues, or cost savings differ in subsequent years? N/A

(5) Provide a narrative to explain the:

(a) Fiscal impact of this administrative regulation:

This administrative regulation does not set fees and will not bring in revenue. Local entities will not be impacted by this regulation. This filing only impacts candidates for permitting as an allied animal health professional (AAHP).

(b) Methodology and resources used to determine the fiscal impact:

A large spreadsheet was used to calculate all board revenues, expenditures, proposed fees, and estimated quantities of applications based on historical numbers. Projections were calculated ten (10) years out to F.Y. 2036.

(6) Explain:

(a) Whether this administrative regulation will have an overall negative or adverse major economic impact to the entities identified in questions (2) - (4). (\$500,000 or more, in aggregate)

This new administrative regulation shall not have a “major economic impact”, as defined in KRS 13A.010(13). This administrative regulation does not set fees and will not bring in revenue.

(b) The methodology and resources used to reach this conclusion:

This amendment will not have a negative impact, as no fees are established or collected as a part of this administrative regulation.