

1 BOARDS AND COMMISSIONS

2 Board of Veterinary Examiners

3 (Amended After Comments)

4 201 KAR 16:513. Fees for Allied Animal Health Professional (AAHP) Permits.

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

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

7 NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.235(1)(a)-(c) requires~~and (2)(b)2-~~

8 ~~require~~] the Kentucky Board of Veterinary Examiners to promulgate administrative regulations

9 as it may deem necessary and proper to effectively carry out and enforce the provisions of KRS

10 Chapter 321, including regulations to establish authorized fees. KRS 321.235(2)(b)2. authorizes

11 the board to promulgate administrative regulations regarding allied animal health

12 professional (AAHP) permits. This administrative regulation establishes fees for ~~[allied animal~~

13 ~~health professional (AAHP)]~~ permits.

14 Section 1. Payment and Submission of Fees.

15 (1) Fees to the board shall be paid by check or money order, or, if available, online payment by

16 debit or credit card. Checks and money orders shall be made payable to the Kentucky State

17 Treasurer.

18 (2) All fees shall be nonrefundable.

19 ~~[(3) In the event the board carry forward balance at the end of a fiscal year falls below~~

20 ~~\$200,000, the board's fees shall automatically increase 20% for the duration of the fiscal~~

21 ~~biennium.]~~

1

2 Section 2. Application Fees for Allied Animal Health Professional Permits

3 (1) The application fee for an AAHP permit shall be \$250.

4 (2) The fee shall be attached to the completed Application for Allied Animal Health Professional
5 **Provider** Permit form **incorporated by reference**~~[as found]~~ in 201 KAR 16:732 or online
6 equivalent form, including all required attachments.

7 Section 3. Examination Fees for Allied Animal Health Professionals. The fee for the Kentucky
8 Board of Veterinary Examiners State Jurisprudence Examination for AAHP applicants shall be
9 \$100 paid directly to the board.

10 Section 4. Renewal Fees for Allied Animal Health Professional Permits. The following fees shall
11 be paid to renew an AAHP permit.

12 (1) Except as established in **subsection(2)**~~[paragraph 2]~~(c) of this section, the annual renewal fee
13 for an AAHP permit in active status shall:

14 (a) Until June 30, 2026, be \$150;

15 (b) Between July 1, 2026 and June 30, 2028, be \$175; and

16 (c) After June 30, 2028, be \$200.

17 (2) Ontime renewal.

18 (a) The fee shall be attached to the complete Renewal **Application** for AAHP Permits form
19 **incorporated by reference**~~[as found]~~ in 201 KAR 16:735 or online equivalent form, including
20 all required attachments, continuing education credits, and other documents required by the
21 board.~~]; and]~~

22 (b) The complete package shall **be** submitted to the board for review and approval not later than
23 September 30 of each year.

1 (c) For an AAHP~~[AHHP]~~ permittee who is initially permitted 120 days prior to the end of the
2 renewal period, the permit renewal fee and any continuing education (CE) shall be waived during
3 the first permit cycle.

4 (3)

5 (a) A renewal grace period shall be provided for sixty (60) days following the renewal deadline.
6 During the grace period, an AAHP permittee who failed to meet the September 30 renewal
7 deadline may continue to function as though permitted by the board until a late renewal application
8 is submitted to the board.

9 (b) The late fee for renewal shall be \$300 in addition to the renewal fee as described in
10 subsection~~[Section-4]~~ (1) of this section~~[administrative regulation]~~.

11 (c) The fee shall be attached to the complete Renewal Application for AAHP Permits form
12 incorporated by reference~~[as found]~~ in 201 KAR 16:735 or online equivalent form, including
13 all required attachments, an accounting of earned continuing education hours, and other documents
14 required by the board, to the board between October 1 and November 30. If audited by the board,
15 the AAHP permittee shall provide proof of CE credits earned in accordance with 201 KAR 16:735.

16 (4) An AAHP's permit shall expire if no renewal application package and all attachments, and late
17 fee if applicable, is paid to the board by November 30 of each year.

18 Section 5. Reinstatement Fees for Allied Animal Health Professional Permits.

19 (1) The reinstatement period is limited to five (5) years past the date of permit expiration.

20 (a) Except as provided by Section 6(3)(b)3. of this administrative regulation, if not more than five
21 (5) years have elapsed since the last date of permit expiration, an AAHP may pay a reinstatement
22 fee of \$675 and submit a complete Reinstatement Application for AAHP Permits form
23 incorporated by reference~~[as found]~~ in 201 KAR ~~[16:775]~~ 16:732 or online equivalent form,

1 including all required attachments, to the board for reinstatement of the permit.

2 (b) An AAHP permittee shall not apply for a new permit during this five (5) year window; a
3 reinstatement application shall be required.

4 (2) If more than five (5) years have elapsed since the last date of permit expiration, an AAHP shall
5 apply as a new applicant to obtain a new permit from the Kentucky Board of Veterinary Examiners.

6 Section 6. Inactive Status of Permits.

7 (1)

8 (a) An AAHP permittee shall request inactive ~~permit~~**[licensure]** status in accordance with 201
9 KAR 16:580.

10 (b) If more than ninety (90) days prior to the renewal deadline or more than 150 days prior to the
11 grace period deadline, the Request for **Licensure**~~[Credential]~~ Status Change form incorporated
12 in 201 KAR 16:580, or online equivalent form shall be required, and there shall not be a fee.

13 (c) If less than ninety (90) days prior to the renewal deadline or less than 150 days prior to the
14 grace period deadline, the Renewal Application for AAHP Permits **incorporated by**
15 **reference**~~incorporate~~ in 201 KAR 16:735, or online equivalent form shall be required, and the
16 required fee shall **be** paid as established in subsection (2) of this section.

17 (2) Renewal of an inactive AAHP permit.

18 (a) The annual renewal fee for inactive AAHP permits status shall be \$50 per renewal.

19 (b) The late fee for annual renewal of an inactive AAHP permit shall be \$150 in addition to the
20 renewal fee as described in paragraph (a) of this subsection, and shall apply to a AAHP permit in
21 an inactive status that was not renewed by September 30 of the renewal period.

22 (c) An AAHP permit in an inactive status that is not renewed by November 30 shall be moved to
23 an expired status.

1 (3) Reinstatement of inactive AAHP permit status to active status.

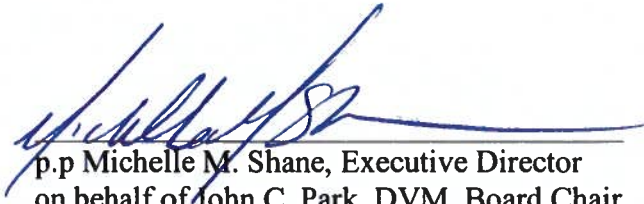
2 (a) A AAHP permittee in inactive status may reinstate their permit to active status in accordance
3 with 201 KAR 16:580.

4 (b) There shall be a reinstatement fee due at the time of application, as provided for in
5 subparagraphs 1.-2. of this paragraph.

6 1. For an inactive AAHP permit that has been in inactive status less than twenty-four (24) months,
7 the ~~permit~~**[licensure]** reinstatement fee shall be \$600.

8 2. For an inactive AAHP permit that has been in inactive status greater than twenty-four (24)
9 months to seven (7) years, the permit reinstatement fee shall be \$400.~~[:]~~

10 3. After seven (7) years, the permit shall expire and the permit holder shall be required to apply
11 for a new AAHP permit.



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

Kentucky Board of Veterinary Examiners

2/13/2025
Date

APPROVED BY AGENCY: 9/19/2024, with changes 1/30/2025

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation Number: 201 KAR 016:513

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 new administrative regulation establishes the fees for persons seeking an allied animal health professional (AAHP) permit from the board to gain the ability to provide services as an AAHP provider on animals, and fees to renew and reinstate an AAHP permit.

(b) The necessity of this administrative regulation:

This new administrative regulation is necessary to establish the fees that the Kentucky Board of Veterinary Examiners (KBVE) approves for AAHP provider permitting, as mandated in KRS 321.175(2)(c), (5), 321.181(1)-(4), 321.235(1)(a)-(c), (2)(b)2.

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

KRS 321.235 requires the board to administer and enforce KRS Chapter 321. KRS 321.203 and 321.236 specifically require the board to collect fees for new, inactive, late, renewal, and reinstatement applications.

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

This new administrative regulation will assist in effective administration by clearly expressing what fees have been approved by the board in order to keep all mandated programs operational and responsive to constituent needs.

(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:

Approximately 20 persons in Kentucky offering AAHP services are estimated to be affected.

(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 have paid the fee prior to permitting, renewal, or reinstatement.

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

No costs are associated with compliance, as this is a prerequisite for application, renewal, and reinstatement.

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

Administrative ease of clear communications of the fees associated with permitting.

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

administrative regulation:

(a) Initially:

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. Fees for the board come from license, certificate, permit, and registration fees established in this filing and the other fee filings.

(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:

There is no anticipation of an increase in fees to implement this administrative regulation, as the KBVE is already running an administrative program to process applications. The new fees for AAHP permittees establish revenue required for this new program.

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

Fees are established directly.

(9) TIERING: Is tiering applied?

Tiering is not applied; all AAHP permit applicants pay the same fees.

FISCAL IMPACT STATEMENT

Regulation Number: 201 KAR 016:513

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: The KBVE expects costs for all board operations to be approximately \$759,700 annually in the near term. This includes the administration of the AAHP permit program, database management, infrastructure, overhead, and contractors, including legal counsel and investigators.

Revenues: This filing will generate approximately \$5,000 the first year.

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?

The General Assembly empowered the board to set fees based on costs. AAHP permittees shall renew every year with approx. annual revenue of \$3,000. 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 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:

Running an administrative program mandated by the General Assembly costs money. AAHP permit application, renewal, and reinstatement fees shall be used to pay programmatic costs and are shared across board operations to keep fees as low as possible. Expenses include overhead, staffing and benefits, database usage and maintenance, IT for basic operations, maintenance of a website, essential contractors, legal counsel, investigators, etc. These fees shall ensure that the board and its staff remain operational, efficient, and responsive to both the public and constituent needs, while also implementing new programs as mandated by the modernized Kentucky Veterinary Medicine Practice Act, KRS Chapter 321. Once established and recurring, these fees

are anticipated to generate revenue of approx. \$3,000 every year, critical revenue for the functionality of all board services.

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

A large spreadsheet was used to calculate all board 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 regulation shall not have a "major economic impact", as defined in KRS 13A.010(13).

The fees are minimal and are used for board operations to run the permit program.

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

"Major economic impact" means an overall negative or adverse economic impact from an administrative regulation of five hundred thousand dollars (\$500,000) or more on state or local government or regulated entities, in aggregate, as determined by the promulgating administrative bodies. [KRS 13A.010] In most cases, fees from this administrative regulation will be less than \$300 per application or renewal. Reinstatement fees will be slightly higher due to the extra staffing costs related to auditing of CE and verification of application materials.

STATEMENT OF CONSIDERATION

RELATING TO 201 KAR 016:513

BOARDS AND COMMISSIONS
Kentucky Board of Veterinary Examiners
(Amended After Comments)

I. The public hearing on 201 KAR 016:513, scheduled for December 23, 2024, at 10:00 a.m. at the offices of the Kentucky Board of Veterinary Examiners (KBVE) was held per request; however, no one appeared at the hearing. Written comments were received during the public comment period, which closed December 31, 2024.

II. The following people submitted written comments:

<u>Name and Title</u>	<u>Agency/Organization/Entity/Other</u>
James Beckman, DVM	Gas Light Equine, Bluegrass Equine Emergency Service, and Three Fans Farms
Tammy Smith, DVM	Knox County Veterinary Services, Inc.
Deborah Spike-Pierce, DVM	Rood & Riddle Equine
Erica Tolar, DVM	Bluegrass Veterinary Vision
Rachel Wendt, DC	Kentucky Association of Chiropractors
Agency	Kentucky Board of Veterinary Examiners

III. The following people from the promulgating administrative body responded to the written comments:

<u>Name and Title</u>
John C. Park, DVM, KBVE Chair
Gene Smith, DVM, KBVE Vice Chair
Dianne Dawes, DVM, KBVE Board Member
Tom Dorman, Citizen-at-large, KBVE Board Member
Tim Gardner, DVM, KBVE Board Member
Stephanie Kennedy, DVM, KBVE Board Member
Phil Prater, DVM, KBVE Board Member
Jennifer Quammen, DVM, KBVE Board Member

Amy Staton, EdD, LVT, KBVE Board Member
R. Steve Velasco, DVM, State Veterinarian, Proxy for KDA Commissioner Jonathan Shell
Michelle M. Shane, KBVE Executive Director
Carmine G. Iaccarino, KBVE Legal Counsel

IV. Summary of Comments and Responses

(1) Subject Matter: Inflation and increased costs of business

(a) Comment: Dr. J. Beckman, Dr. Smith – The commentor acknowledges that costs have gone up due to inflation as well in increased responsibilities assigned to the Board in 2023 due to changes in the Kentucky Veterinary Medicine Practice Act, including facility registrations.

(b) Response: KBVE appreciates this acknowledgment. Changes in the national economy and inflation rates are just one factor related to the required fee increases to fund the board. In response to this comment, no changes were made to the proposed administrative regulation.

(2) Subject Matter: Zoom informational meeting held November 20 – No general funds for agency

(a) Comment: Dr. Spike-Pierce – The commentor stated they attended the informational meeting hosted by KBVE during the public comment period wherein the Board informed attendees that the agency does not receive General Funds (tax dollars) to fund any part of the agency's operations. The commentor asks, "Why is it the duty/burden of the veterinarian to protect the public in the realm of veterinary medicine? If someone is practicing veterinary medicine without a license and the Board needs to investigate, why is this funded by the licensed veterinarians?" They further comment that "it would seem as though revenue generated by taxes should be protecting the public not fees from licensed veterinarians".

(b) Response: KBVE has no say in the allocation of Kentucky's tax dollars and is unable to explain why tax dollars are not used to support public protection in the arena of professional licensing. In Kentucky, the cost to administer a professional licensing board, including legal and investigative expenses to enforce the Kentucky Veterinary Medicine Practice Act, has historically been borne by the professions themselves. Besides protection of the public, the Practice Act provides for restrictions on who can practice, ensuring that only qualified practitioners are able to offer competing services, and ensuring that those practitioners who don't meet standards of practice may be sanctioned or have their license sanctioned. It should be noted that very few states supplement or support professional licensing boards with tax dollars. In response to this comment, no changes were made to the proposed administrative regulation.

(3) Subject Matter: Automatic fee 20% fee increase when Board balance falls below \$200,000

(a) Comment: Dr. Spike-Pierce, Dr. Tolar – The commentors did not find the proposed language about automatic fee increases appropriate for a government agency. One commentor asked who is overseeing the Board budget to ensure that the agency remains within the General Assembly authorized allotment of \$759,000. The commentors requested that the language about automatic fee increases be struck.

(b) Response: The agency budget is overseen by the Board, the State Budget Director, and by established policies and procedures of the Finance and Administration Cabinet. Every two years the General Assembly also reviews and passes a State Budget, and KBVE is included in that budget review. The State Budget establishes a maximum allotment for expenditures by the Board that cannot be exceeded. There are multiple layers of oversight to ensure the Board spends only amounts as authorized by the General Assembly. Following legal review, while [KRS 13A.190](#) allows for emergency regulations, it is the Board's understanding that this does not apply to fees. Legal review also determined that the Board does not have the statutory authority to include in the fee regulations an escalation clause triggered by a low carry forward balance. In response to these comments, the Board removed the language about automatic fee increases.

(4) Subject Matter: KBVE budget projections and overhead costs

(a) Comment: Dr. J. Beckman – The commentor states that they have reviewed the agency's publicly available 10-year budget projections and they have reached a different conclusion than the 11-member board. The commentor recommends that KBVE cuts its out-of-control overhead by pooling resources with other agencies to reduce costs. The commentors suggests that KBVE review budgets from other state veterinarian boards and model their spending more like those agencies who have lower costs for veterinarians.

(b) Response: While the commentor has looked at the budget projections from the Board, the Members of the Board, including seven (7) other licensed veterinarians and the KDA Commissioner's proxy, the State Veterinarian, respectfully disagree with the commentor's conclusions. KBVE Board Members have conducted multiple in-depth reviews of the budget, both individually and as a group. The Board is also constrained by complex governmental budgetary processes and requirements, and has its budget reviewed by the Office of the State Budget Director and the Finance and Administration Cabinet. In the current environment, KBVE rents state owned office space at a rate set by the General Assembly, utilizes computer systems by the state Commonwealth Office of Technology at state established rates, and contracts with the Public Protection Cabinet for use of its state agency database. Additional oversight is provided by the Finance and Administration Cabinet regarding strict rules on procurement processes and contracts, and the State Budget Director's biennial review of the budget.

Additionally, KBVE has looked at other veterinary licensing board fee structures as well as the factors that impact the setting of those fees: agency structure, number of credential types,

number of credential holders/licensees, number of staff, etc., as has been covered in the responses to other commentors above. Agency structure, administration, and services varies significantly among states. However, the ultimate factor to establishing appropriate fees for KBVE is the agency's own Practice Act mandates, revenue streams, and administrative needs.

KBVE as an agency has experienced all agency model types available: merged with other licensing boards, as an independent partner with other agencies, and as an independent board. In general, while costs are typically somewhat lower in a merged or partnership setting, the ability of the agency to respond to the needs of constituents can be severely restricted, as has been KBVE's experience in the merged agency setting. Members of the Board agree it is essential that KBVE maintain its autonomy to adequately respond to critical public protection needs, especially in the current regulatory landscape related to the practice of veterinary medicine. Further, it is essential that KBVE maintain adequate staffing levels to quickly and appropriately respond to public grievances, licensee and constituent outreach, and new programming as assigned by the General Assembly in the modernized Practice Act (2023). In response to these comments, the Board did not make any changes to the proposed administrative regulation.

(5) Subject Matter: Fee schedule – fee amounts for AAHP permits

(a) Comment: Dr. Wendt – The commentor expressed appreciation for the cost differential between an AAHP license and the initial fee for veterinarians, as well as for the inclusion of provisions for an inactive license status.

(b) Response: Members of the Board met with Dr. Wendt, executive director for the Kentucky Association of Chiropractors during multiple Board meetings in 2024 and 2025. The Board determined to make the fee for AAHP permits lower than the fee for veterinarians because the scope of licensed practice was very narrow in comparison to the complete practice of veterinary medicine and because AAHP animal chiropractic providers are unlikely to practice on animals fulltime. In response to this comment, no changes were made to the proposed administrative regulation.

(6) Subject Matter: Fees for AAHP renewal

(a) Comment: Dr. J. Beckman, – The commentor states that they take extreme offense to the AAHP permittees not having to pay the same exact license fees as the veterinarians. They cite that the operational costs for legal fees, office overhead, staff salaries, etc. all comes out of the same board account and therefore all licensing fees should be equal.

(b) Response: Should licensed veterinary technicians (LVTs) pay the same licensure fee as a veterinarian? The Board does not charge LVTs the same fees, as they have less education and are paid a fraction of a veterinarian's salary. The Board also does not charge the same licensure fees for animal control agencies (ACAs) and animal euthanasia specialists (AESs), because counties who participate in the ACA/AES programs do so due to financial constraints. The

Board determined to make the fee for AAHP permits lower than the fee for veterinarians because the scope of licensed practice was very narrow in comparison to the complete practice of veterinary medicine. Additionally, AAHP animal chiropractic providers are unlikely to practice on animals fulltime. Consequently, there is less activity for the Board to regulate and enforce. In response to this comment, no changes were made to the proposed administrative regulation.

(7) Subject Matter: Fees for AAHP permits should be the same as veterinarian fees

(a) Comment: Dr. J. Beckman, – The commentor states that they believe that the AAHP permit will actually have a higher compliance cost than veterinarians per capita, and therefore they should pay the same fees as veterinarians.

(b) Response: KBVE invited both the American Veterinary Chiropractic Association (AVCA) and the International Veterinary Chiropractic Association (IVCA) to speak to the Board at their January 30, 2025, meeting. At that meeting, IVCA indicated that the association had recently conducted a nationwide study covering the last 10 years and could not locate a single complaint on animal chiropractic providers. While this does not mean there are not instances of harm that are not reported, the same may be said for licensed practitioners of other professions, including veterinarians. Additionally, the AAHP provider has a much narrower scope of practice than veterinarians, leaving less opportunity for harm. It is more likely that AAHP providers will require less use of investigative and legal services. In response to this comment, no changes were made to the proposed administrative regulation.

(8) Subject Matter: Conformity with KRS Chapter 13A

(a) Comment: Agency – Following legal review, the agency notes changes are necessary to conform with KRS Chapter 13A.

(b) Response: In response to this comment, the Board made edits to the regulation for clarity of intent and conformity with KRS Chapter 13A.

(9) Subject Matter: Appreciation for the work of KBVE and its staff

(a) Comment: Dr. J. Beckman – The commentor thanks KBVE and the Members of the General Assembly for taking the time to hear and respond to concerns as outlined in their written letter to the board.

(b) Response: Members of the Board are grateful for every comment that is received during the administrative regulations process, allowing the Board to offer explanations and justification for the proposed changes, including the opportunity to appropriately adjust changes when warranted. Members appreciate the acknowledgment for the agency and its staff, who often go unrecognized by the licensee population for their dedicated civil service to the public and the

assistance they offer licensees daily. In response to these comments, the Board did not make any changes to the proposed administrative regulation.

(10) Subject Matter: Public Hearing scheduled date

(a) Comment: Dr. J. Beckman – The commentor expresses frustration that the public hearing for these regulations was scheduled on December 23, just two days before Christmas.

(b) Response: The meeting date for the public hearing required by KRS Chapter 13A is mandated by LRC to fall in a certain date window. This schedule is published on the LRC website at <https://legislature.ky.gov/Law/kar/Pages/KarFaq.aspx> under the heading “Promulgating Agency”, “Filing Information”, “General Reference” – see the schedule for “Filing Deadlines and Dates”, which is updated annually. For a filing in October, the KBVE is required to hold the meeting between December 23-31 while avoiding state holidays (Dec 24-25, and 31). Members of the Board emphasize that this has been very inconvenient for everyone involved, including credential holders who may optionally attend, as well as Board Members and staff who were required to attend. One reason KBVE offered additional informational meetings via Zoom early in the public comment period was to provide licensees an opportunity to speak before Members of the Board, in a situation similar to that of the Hearing. The online public meetings offered the additional benefit of immediate feedback and dialogue with Board Members, which is different from the public hearing process where attendees may make statements to Members of the Board, but the Board does not respond to comments. KBVE notes that the commentor was able to attend the Zoom meeting on November 20. In response to these comments, the Board did not make any changes to the proposed administrative regulation.

V. Summary of Statement of Consideration and
Action Taken by Promulgating Administrative Body

The public hearing on 201 KAR 016:513 was held per request; however, no one appeared at the hearing. Written comments were received during the public comment period. The Kentucky Board of Veterinary Examiners responded to the comment as noted above and amends the administrative regulation as follows:

Page 1

NECESSITY, FUNCTION, AND CONFORMITY

Line 7

After “KRS 321.235(1)(a)-(c)”, insert the following:

requires

Delete “and (2)(b)2. require”.

Page 2

Section 4(2)(a)

Line 14

After “Renewal”, insert the following:

Application

After “AAHP Permits form”, insert the following:

incorporated by reference

Delete “as found”.

Page 2

Section 4(2)(a)

Line 16

After “by the board”, insert the following:

Delete “; and”.

Page 2

Section 4(2)(b)

Line 17

After “package shall”, insert the following:

be

Delete “zzz”.

Page 2

Section 4(2)(c)

Line 19

After “For an”, insert the following:

AAHP

Delete “AHHP”.

Page 3

Section 4(3)(b)

Line 4

After “as described in”, insert the following:

subsection

Delete “Section 4”.

Page 3

Section 4(3)(b)

Line 5

After “of this”, insert the following:

section

Delete “administrative regulation”.

Page 3

Section 4(3)(c)

Line 6-7

After "Permits form", insert the following:

incorporated by reference

Delete "as found".

Page 3

Section 5(1)

Line 14

After "years past", insert the following:

the

Page 3

Section 5(1)(a)

Line 17

After "Permits form", insert the following:

incorporated by reference

Delete "as found".

Page 3

Section 5(1)(a)

Line 18

Delete "16:775".

Page 4

Section 6(1)(a)

Line 3

After "inactive", insert the following:

permit

Delete "licensure".

Page 4

Section 6(1)(b)

Line 5

After "Request for", insert the following:

Licensure

Delete "Credential".

Page 4

Section 6(1)(c)

Line 8

After “AAHP Permits”, insert the following:

incorporated by reference

Delete “incorporate”.

Page 4

Section v

Line 9

After “fee shall”, insert the following:

be

Delete “zzz”.

Page 5

Section 6(3)(b)1.

Line 1

After “the”, insert the following:

permit

Delete “licensure”.

Page 5

Section 6(3)(b)2.

Line 3

After “\$400”, insert the following:

:

Delete “;”.