

1    BOARDS AND COMMISSIONS

2    Kentucky Board of Veterinary Examiners

3    (New Administrative Regulation)

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),  
7    (2)(b)2.

8    NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.235(1)(a)-(c) and (2)(b)2. require  
9    the Kentucky Board of Veterinary Examiners to promulgate administrative regulations as it may  
10   deem necessary and proper to effectively carry out and enforce the provisions of KRS Chapter  
11   321, including regulations to establish authorized fees. This administrative regulation establishes  
12   fees for allied animal health professional (AAHP) permits.

13   Section 1. Payment and Submission of Fees.

14       (1) Fees to the board shall be paid by check or money order, or, if available, online  
15   payment by debit or credit card. Checks and money orders shall be made payable to the  
16   Kentucky State Treasurer.

17       (2) All fees shall be nonrefundable.

18       (3) In the event the board carry forward balance at the end of a fiscal year falls below  
19   \$200,000, the board's fees shall automatically increase 20% for the duration of the fiscal  
20   biennium.

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

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

2 (2) The fee shall be attached to the completed Application for Allied Animal Health  
3 Professional Permit form as found in 201 KAR 16:732 or online equivalent form, including all  
4 required attachments.

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

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

10 (1) Except as established in paragraph 2(c) of this section, the annual renewal fee for an  
11 AAHP permit in active status shall:

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

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

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

15 (2) Ontime renewal.

16 (a) The fee shall be attached to the complete Renewal for AAHP Permits form as found  
17 in 201 KAR 16:735 or online equivalent form, including all required attachments, continuing  
18 education credits, and other documents required by the board; and

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

21 (c) For an AHHP permittee who is initially permitted 120 days prior to the end of the  
22 renewal period, the permit renewal fee and any continuing education (CE) shall be waived  
23 during the first permit cycle.

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

5 (b) The late fee for renewal shall be \$300 in addition to the renewal fee as described in  
6 Section 4(1) of this administrative regulation.

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

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

#### 14 Section 5. Reinstatement Fees for Allied Animal Health Professional Permits.

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

16 (a) Except as provided by Section 6(3)(b)3. of this administrative regulation, if not more  
17 than five (5) years have elapsed since the last date of permit expiration, an AAHP may pay a  
18 reinstatement fee of \$675 and submit a complete Reinstatement Application for AAHP Permits  
19 form as found in 201 KAR 16:775 16:732 or online equivalent form, including all required  
20 attachments, to the board for reinstatement of the permit.

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

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

4 Section 6. Inactive Status of Permits.

5 (1)

6 (a) An AAHP permittee shall request inactive licensure status in accordance with 201  
7 KAR 16:580.

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

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

15 (2) Renewal of an inactive AAHP permit.

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

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

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

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

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

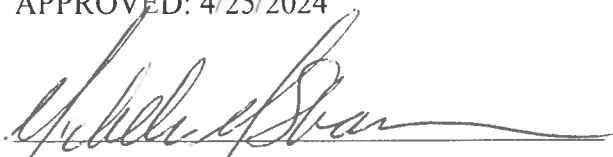
3 (b) There shall be a reinstatement fee due at the time of application, as provided for in  
4 subparagraphs 1.-2. of this paragraph.

5 1 . For an inactive AAHP permit that has been in inactive status less than twenty-four  
6 (24) months, the licensure reinstatement fee shall be \$600.

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

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

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

10/14/2024

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 Parkway, Suite 104, Lexington, KY 40511, Phone: 502-564-5433, Fax: 502-753-1458, Email: [Michelle.Shane@ky.gov](mailto:Michelle.Shane@ky.gov).

## REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

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 practice as an AAHP.

(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 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 mandates that the board 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

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. Costs include overhead, staffing and benefits, database usage and maintenance, contractors, legal counsel, 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(13)]

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 processing.