

1 BOARDS AND COMMISSIONS

2 Kentucky Board of Veterinary Examiners

3 (Amendment)

4 201 KAR 16:520. Approved veterinary medical programs for veterinarians [~~colleges~~]; approved
5 veterinary technology programs for veterinary technicians.

6 RELATES TO: KRS 321.193, 321.441

7 STATUTORY AUTHORITY: KRS 321.190, 321.193(4)[321.193(3), (5)], 321.235(1)(a)-(c),

8 (2)(b)1.a., (2)(b)3.b. [321.235(3)], 321.240(5), 321.441(1)(a) and (1)(d)

9 NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.193(4)[KRS 321.193(3)] requires
10 a veterinarian applicant to have received a degree from an approved veterinary medical program
11 [~~a veterinary college approved by the Kentucky Board of Veterinary Examiners~~]. KRS

12 321.441(1)(a) requires a veterinary technician applicant to be a graduate of an approved
13 veterinary technology program [~~accredited program of veterinary technology or its equivalent as~~

14 approved by the board]. KRS 321.235(1)(a)-(c), (2)(b)1.a., and (2)(b)3.b. [KRS 321.235(3) and
15 321.240(5)] authorize the board to promulgate administrative regulations to implement and

16 enforce KRS Chapter 321. This administrative regulation establishes the approved veterinary
17 medical programs and approved veterinary technology programs that are authorized [~~veterinary~~
18 ~~colleges and veterinary technician programs approved~~] by the board.

19 Section 1. Definitions.

20 (a) “Approved foreign equivalency program” is defined by KRS 321.181(10).

21 (b) “Approved veterinary medical program” is defined by KRS 321.181(13).

1 (c) “Approved veterinary technology program” is defined by KRS 321.181(14).

2 Section 2. Licensure of Veterinarians who Graduated from an Approved Veterinary Medical
3 Program[Colleges].

4 (1) The board approves a[A] veterinary medical program as an approved veterinary
5 medical program if the program holds [college shall be approved if it held] full accreditation,
6 limited accreditation, or approval by the American Veterinary Medical Association (AVMA)
7 Council on Education (COE).

8 (2) As one part of the requirements for a veterinarian license to be granted, the applicant
9 shall hold an advanced veterinary medical degree from an approved veterinary medical program
10 which held full accreditation, limited accreditation, or approval by the AVMA COE[~~Council on~~
11 Education] on the date when the applicant received their[a] degree from the program [veterinary
12 college].

13 Section 3. [~~Section 2.~~] Licensure of Veterinarians who Graduated from a Program that is Not an
14 Approved Veterinary Medical Program [non-approved Schools].

15 (1) If an applicant for a veterinarian license does not possess a degree from an approved
16 veterinary medical program[a veterinary college within the scope established in Section 1 of this
17 administrative regulation], the applicant shall be eligible to qualify for licensure and board
18 approval after successfully completing and receiving certification from an approved foreign
19 equivalency program for veterinarians.

20 (2) The board approves each of the following programs as an approved foreign
21 equivalency program for veterinarians[one of the following programs]:

22 (a)[(1)] The Educational Commission for Foreign Veterinary Graduates (ECFVG) of the
23 American Veterinary Medical Association (AVMA); or

1 **(b)(2)** The Program for the Assessment of Veterinary Education Equivalence (PAVE)
2 of the American Association of Veterinary State Boards (AAVSB).

3 **Section 4. [Section 3.] Licensure of Veterinary Technicians who Graduated from an Approved**
4 **Veterinary Technology Program [Technician Programs].**

5 **(1) The board approves a[A] veterinary technician program, or veterinary technologist**
6 **program, or veterinary nurse program, as an[shall be] approved veterinary technology program if**
7 **the program holds[is held] full accreditation, limited accreditation, or approval by the American**
8 **Veterinary Medical Association (AVMA) Committee on Veterinary Technician Education and**
9 **Activities (CVTEA).**

10 **(2) As one part of the requirements for a veterinary technician license to be granted, the**
11 **applicant shall hold a veterinary technology degree from an approved veterinary technology**
12 **program which held full accreditation, limited accreditation, or approval by the AVMA CVTEA**
13 **on the date when the applicant received their[a] degree from the program [institution].**

14 **Section 5. [Section 4.] Licensure of Veterinary Technicians who Graduated from a Program that**
15 **is Not an Approved Veterinary Technology Program [Non-approved Schools or Programs].**

16 **(1) If an applicant for a veterinary technician license does not hold[possess] a degree**
17 **from an approved [a]veterinary technology[technician] program [within the scope established in**
18 **Section 3 of this administrative regulation], the applicant [candidate] shall be eligible to qualify**
19 **for licensure and board approval by successfully completing and receiving certification from an**
20 **approved foreign equivalency program for veterinary technicians.**

21 **(2) The board approves as an approved foreign equivalency program for veterinary**
22 **technicians the Program for the Assessment of Veterinary Education Equivalence (PAVE) or its**

1 equivalent program of the American Association of Veterinary State Boards (AAVSB) for
2 veterinary technicians.[:

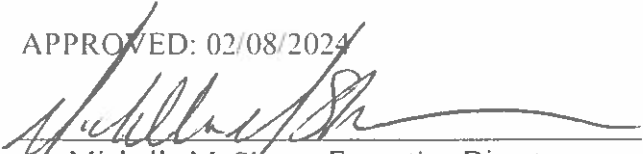
3 (1)

4 ~~(a) Following graduation, submitting an official copy of final transcripts from the college~~
5 ~~of study, and any other requested documentation, showing successful completion of the program~~
6 ~~for the board's review and determination of approval; or]~~

7 ~~(b) Successfully completing the program and receiving certification from the Program for~~
8 ~~the Assessment of Veterinary Education Equivalence (PAVE) or its equivalent program of the~~
9 ~~American Association of Veterinary State Boards (AAVSB) for veterinary technicians; and~~

10 ~~(2) Successfully completing all other application requirements for licensure.]~~

APPROVED: 02/08/2024


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

9/12/2024
Date

PUBLIC HEARING AND PUBLIC COMMENT PERIOD

A public hearing on this administrative regulation shall be held on November 22, 2024, at 1:00 pm 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 November 30, 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.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

201 KAR 016:520

Contact Person: Michelle Shane, Executive Director

Phone: 502-782-0273

Email: michelle.shane@ky.gov

(1) Provide a brief summary of:

(a) What this administrative regulation does:

This administrative regulation establishes the educational criteria for individuals who wish to become licensed as either a veterinarian or a veterinary technician in the Commonwealth of Kentucky.

(b) The necessity of this administrative regulation:

This administrative regulation establishes the educational criteria for individuals who wish to become licensed as either a veterinarian or a veterinary technician in the Commonwealth of Kentucky. Individuals cannot become licensed without meeting the educational criteria.

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

KRS 321.235(1)(a) mandates that the board shall set and evaluate the qualifications of applicants for licensure. KRS 321.190, 321.193, and 321.441 requires that the practices of veterinary medicine and veterinary technology be performed only by qualified and licensed individuals.

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

This regulation makes clear the educational standards an applicant must meet in order to qualify for licensure as a veterinarian or veterinary technician in Kentucky.

(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:

This amendment updates the administrative regulation to conform with the modernized Kentucky Veterinary Medicine Practice Act, including adding statutory definitions, updating the regulatory language to incorporate the use of defined terms, and removes an optional alternate pathway to licensure for licensed veterinary technicians due to newly established title protections.

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

This amendment is necessary to conform with the modernized Kentucky Veterinary Medicine Practice Act, passed in June 2023.

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

KRS 321.235(1)(a) mandates that the board shall set and evaluate the qualifications of applicants for licensure. KRS 321.190, 321.193, and 321.441 requires that the practices of veterinary medicine and veterinary technology be performed only by qualified and licensed individuals.

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

By incorporating new statutory language, this amendment provides clarity to constituents by utilizing standard definitions and providing clear requirements for licensure.

(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 veterinarian licenses and veterinary technician licenses. The board receives about 275 applications annually for these credentials.

(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:

Veterinarian applicants will be required to be a graduate of an approved veterinary medical program or an approved foreign equivalency program to qualify for licensure as a veterinarian in Kentucky. Veterinary technician applicants will be required to be a graduate of an approved veterinary technology program or an approved foreign equivalency program to qualify for licensure as a veterinary technician 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 associated with the changes in the regulation.

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

Benefits include a uniform standard for applicants so that individuals interested in applying will know prior to application if they are eligible for licensure. Further, enforcement of this standard will ensure title protections for qualified veterinarians and veterinary technicians, protecting the public in the process by ensuring competency and ability to provide veterinary services.

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

(a) Initially: There will be no increase in costs because a program already exists to license veterinarians and veterinary technicians. 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:

There will be no increase in fees to run the licensing program for veterinarians and veterinary technicians.

(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? (Explain why or why not)

Tiering is not applied, with the exception of military applicants. Pursuant to public law Public Law No 117-333, the board provides reduced or waived fees for active duty military. Discharged and retired military servicemembers are also provided reduced or waived fees associated with licensure as a veterinary technician. For all other applicants, the fees are the same.

FISCAL IMPACT STATEMENT

201 KAR 016:520

Contact Person: Michelle Shane, Executive Director

Phone: 502-782-0273

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 321.190, 321.193(4), 321.235(1)(a)-(c), (2)(b)1.a., (2)(b)3.b., 321.240(5), 321.441(1)(a) and (1)(d).

(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 not a new program, and there will not be additional expenditures as a result of this filing. 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 licensure as a veterinarian or veterinary technician in Kentucky. This amendment simply updates the administrative regulation to conform with the modernized Kentucky Veterinary Medicine Practice Act.

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

This is not a new program. The program is run as a part of the agency's established budget by existing staff and with existing infrastructure.

(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 amendment shall not have a "major economic impact", as defined in KRS 13A.010(13).

(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.