



1 BOARDS AND COMMISSIONS

2 Board of Veterinary Examiners

3 (Amended After Comments)

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), (2)(b)2

8 NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.235(1)(b) requires~~[authorizes]~~ the
9 board to promulgate administrative regulations to implement and enforce KRS Chapter 321. KRS
10 321.235(2)(b)2. authorizes~~[provides]~~ the board ~~[authority]~~ to promulgate administrative
11 regulations to limit the scope of practice of allied animal health professional (AAHP) work on
12 animals and to require an AAHP applicant to have received training from an approved allied
13 animal health professional program in order to qualify for a permit from the board. This
14 administrative regulation establishes an allied animal health professional's allowable scope of
15 work on animals and ~~[establishes]~~ the allied animal health professional educational programs
16 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. To be considered for approval by the board, an [An]
21 applicant for an AAHP permit shall meet and show proof of: ~~[the following requirements to be~~

1 ~~considered for approval by the board.]~~

2 (1) For an AAHP animal chiropractic provider (ACP) permit, ~~holding[shall hold]~~ current
3 licensure in good standing from the Kentucky Board of Chiropractic Examiners; ~~and [-]~~

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

6 Section 3. Approved allied animal health professional programs. The board approves the
7 ~~[following]~~ allied animal health professional programs for animal chiropractic practice on animals
8 from the:

9 (1) American Veterinary Chiropractic Association (AVCA); ~~[or]~~

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

11 (3) An ~~approved[accredited]~~ program of the AVCA or IVCA.

12 Section 4. Continuing education required. As one part of the requirements for an allied animal
13 health professional permit to be granted and renewed, the AAHP provider~~[allied professional]~~
14 shall provide proof that the degree or certificate obtained from the approved allied animal health
15 professional program is in an ~~active[active²]~~ or ~~current[current²]~~ status with:

16 (1)~~(a)~~ The professional licensing board as required in Section 2(1) of this administrative
17 regulation, if[If] applicable to the credential holder and required by the board~~[, the professional~~
18 ~~licensing board as required in Section 2(1) of this administrative regulation]~~; and

19 ~~(b)[(2)]~~ The approved allied animal health professional program certifying entity identified in
20 Section 3 of this administrative regulation.

21 (2) At the time of application, the AAHP permittee shall show proof satisfactory to the board that
22 all continuing education requirements for these credentials have been met and are current in
23 accordance with 201 KAR 16:735, Section 2.



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: 4/25/2024, with changes on 1/30/2025

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation Number: 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

Regulation Number: 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.

STATEMENT OF CONSIDERATION

RELATING TO 201 KAR 16:730

BOARDS AND COMMISSIONS

Kentucky Board of Veterinary Examiners
(Amended After Comments)

I. The public hearing on 201 KAR 016:730, 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>
Rachel Wendt, DC Agency	Kentucky Association of Chiropractors 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: Two-year waiting period before application

(a) Comment: Dr. Wendt – The commentor expressed appreciation regarding the understanding that a two-year waiting period prior to application would be removed for AAHP-ACPs. The commentor stated that this makes the requirements more in line with other states.

(b) Response: Early discussion drafts shared with stakeholders inadvertently included a requirement for chiropractors to be licensed a minimum of two (2) years with the Kentucky Board of Chiropractors immediately prior to application with the KBVE for an AAHP permit. This provision was removed from the regulation prior to filing. In response to these comments, the Board did not make any changes to the proposed administrative regulation that was filed with LRC.

(2) 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.

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

The public hearing on 201 KAR 016:730 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 8

After “KRS 321.235(1)(b)”, insert the following:

requires

Delete “authorizes”.

Page 1
NECESSITY, FUNCTION, AND CONFORMITY
Line 9

After “implement”, insert the following:

and enforce

Page 1
NECESSITY, FUNCTION, AND CONFORMITY
Line #

At the beginning of the line, insert the following:

authorizes

Delete “provides”.

Delete “authority”.

Page 1
NECESSITY, FUNCTION, AND CONFORMITY
Line 14

Delete “establishes”.

Page 1
Section 2
Line 19

After “Requirements.”, insert the following:

To be considered for approval by the board, an

Delete “An”.

Page 1
Section 2
Line 20

After “of”, insert the following:

⋮

Delete “the following requirements to be considered for approval by the board.”.

Page 1
Section 2(1)
Line 21

After “chiropractic”, insert the following:

provider (ACP)

After “permit.”, insert the following:

holding

Delete “shall hold”.

Page 2

Section 2(1)

Line 1

After “Examiners”, insert the following:

; and

Delete “.”.

Page 2

Section 2(2)

Line 2

After “(2)”, insert the following:

Maintaining

Delete “Maintain”.

Page 2

Section 3

Line 4

Delete “following”.

Page 2

Section 3

Line 5

After “on animals”, insert the following:

from the

Page 2

Section 3(1)

Line 6

Delete “or”.

Page 2

Section 3(3)

Line 8

After “An”, insert the following:

approved

Delete “accredited”.

Page 2

Section 4

Line 10

After “the”, insert the following:

AAHP provider

Delete “allied professional”.

Page 2

Section 4

Line 12

After “an”, insert the following:

active

After “or”, insert the following:

current

Delete “active”.

Delete “current”.

Page 2

Section 4(1)

Line 13-14

After “(1)”, insert the following:

(a) The professional licensing board as required in Section 2(1) of this administrative regulation, if

Delete “If”.

Delete “the professional licensing board as required in Section 2(1) of this administrative regulation”.

Page 2

Section 4(2)

Line 15

At the beginning of the line, insert the following:

(b)

After “The”, insert the following:

approved

Delete “(2)”.

Page 2

Section 4(2)

Line 16

After “regulation.”, insert the following:

(2)

Page 2

Section 4(2)

Line 18

After “current”, insert the following:

in accordance with 201 KAR 16:735, Section 2