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Emily B. Caudill REGULATIONS COMPILER

1 BOARDS AND COMMISSIONS

2 Board of Veterinary Examiners

3 (Amended After Comments)

4 201 KAR 16:731. Examination requirements for AAHP providers.

5 RELATES TO: KRS 321.175, 321.181 ~~[(1)-(4)]~~, 321.235, 321.251, 321.255

6 STATUTORY AUTHORITY: KRS ~~[321.175(2)(c), (4), (5),]~~321.181(1)-(4), 321.235(1)(a)-(c),
7 (2)(b)2., 321.251, 321.255

8 CERTIFICATION STATEMENT: This certifies that this administrative regulation complies with
9 the requirements of 2025 RS HB 6, Section 8.

10 NECESSITY, FUNCTION, AND CONFORMITY: ~~[KRS 321.175(4) states the purpose of the~~
11 ~~Kentucky Veterinary Medicine Practice Act is to promote, preserve, and protect the public~~
12 ~~health, safety, and welfare by and through, in part, setting appropriate examination~~
13 ~~requirements for allied animal health professional(AAHP) providers to ensure their~~
14 ~~competency and work readiness.]~~KRS 321.235(1)(b) requires the board to promulgate

15 administrative regulations in accordance with KRS Chapter 13A to effectively carry out and
16 enforce the provisions of KRS Chapter 321~~[the Kentucky Veterinary Medicine Practice Act].~~

17 KRS 321.235(2)(b)2. authorizes the Kentucky Board of Veterinary Examiners to establish
18 examination requirements and passing scores for allied animal health professionals. This
19 administrative regulation establishes examination requirements as one (1) part of the requirements
20 to qualify for an allied animal health professional (AAHP) license~~[permit]~~ from the board.

21 Section 1. State Exam Qualifications for Allied Animal Health Professional providers.

(1) The board shall require a passing score on the Kentucky Board of Veterinary Examiners State Jurisprudence Examination for AAHPs as one (1) requirement for licensure~~[permitting]~~ by the board as an allied animal health professional.

(2) There shall be a unique Kentucky Board of Veterinary Examiners State Jurisprudence Examination for AAHPs for each provider type identified in KRS 321.251(2).

(3) Candidates seeking an AAHP license~~[permit]~~ shall pay a state examination fee pursuant to 201 KAR 16:513.

~~(4)~~⁽³⁾ Candidates shall successfully complete the Kentucky Board of Veterinary Examiners State Jurisprudence Examination for AAHPs, which shall cover the specific requirements of KRS Chapter 321 and 201 KAR Chapter 16, in either paper or electronic format.

~~(5)~~⁽⁴⁾ To successfully complete the Kentucky Board of Veterinary Examiners State Jurisprudence Examination for AAHPs, applicants for an AAHP license~~[permit]~~ shall ~~[be required to]~~ achieve a score of eighty (80) percent or higher.

Section 2. National Exam Qualifications for Allied Animal Health Professionals. As one (1) qualifying component of licensure~~[the Application for an AAHP license]~~, an~~[the]~~ applicant for an AAHP license shall successfully pass a national qualifying exam approved by the board.

(1) The examination required for an AAHP license~~[permitting by the board as an allied animal health professional]~~ shall be the successful completion of a certification exam required by an approved allied animal health professional program, pursuant to 201 KAR 16:730.

(a) A candidate shall be limited to five (5) examination attempts.

(b) An official score report, verified certificate of completion, or other official documentation from the certifying body shall be provided directly from the certifying body to the board to provide proof of successful completion of the board-approved~~[board approved]~~ exam.

(2) ~~[For AAHP animal chiropractic providers, the board approved examinations and passing scores are as established in paragraphs (a) and (b) of this subsection.]~~

~~[(a)] [The American Veterinary Chiropractic Association (ACVA) passing score shall be the passing score set by ACVA.]~~

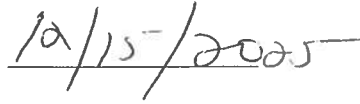
~~[(b)] [The International Veterinary Chiropractic Association (ICVA) passing score shall be the passing score set by ICVA.]~~

~~[(3)]~~ Applicants for an AAHP license~~[permit]~~ to the board shall pay any required national exam or score transfer fees directly to the approved allied animal health professional program, their designee, or official records custodian.

APPROVED: 7/31/2025, and 10/23/2025

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

Michelle M. Shane, KBVE Executive Director for
John C. Park, DVM, Board Chair
Kentucky Board of Veterinary Examiners

A handwritten date "10/15/2025" in black ink, written over a horizontal line.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

201 KAR 16:731

Contact Person: Michelle Shane

Phone: 502-564-5433

Email: Michelle.Shane@ky.gov

Subject Headings: Animals: Domestic; Chiropractic; Equine and Horses; Occupations and Professions; Veterinary Services

(1) Provide a brief summary of:

(a) What this administrative regulation does:

This administrative regulation establishes examination requirements as one part of the requirements to qualify for an allied animal health professional (AAHP) license from the board.

(b) The necessity of this administrative regulation:

This regulation is necessary to establish the required examinations needed for applicants to qualify for an AAHP license from the board

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

KRS 321.175(2)(c), (4) 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 authorized allied animal health professionals. KRS 321.181(1)-(4) define key AAHP terminology. KRS 321.235(1)(b) and (2)(b) authorize the board to promulgate administrative regulations in accordance with KRS Chapter 13A to effectively carry out and enforce the provisions of the Kentucky Veterinary Medicine Practice Act. KRS 321.235(2)(b)2. requires the Kentucky Board of Veterinary Examiners to establish examination requirements and passing scores for allied animal health professionals. KRS 321.251 defines the allowable AAHP professions, including equine dental providers, and requires licensure by the Board. KRS 321.253 requires AAHP providers to maintain and renew a license to provide AAHP services in the Commonwealth.

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

This administrative regulation assists in effective administration by clearly defining the examination requirements for AAHP applicants as approved by the board.

(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 for conformity with Acts Chapter 87; changes the “permit” to a “license”; and defines examination requirements for the added AAHP equine dental providers (EDPs).

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

This amendment is necessary to establish conformity with Acts Chapter 87 and to define examination requirements for the added AAHP EDP applicants.

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

KRS 321.175(2)(c) states the intent of KRS Chapter 321 is to regulate the professions of veterinary medicine, including work done by authorized allied animal health professional (AAHP) providers. KRS 321.175(4) states that regulations are necessary to protect the public and animals of the commonwealth. KRS 321.175(5) states that KRS Chapter 321 shall fully occupy the field of AAHP provider work on animals to be enforced by the Board. KRS 321.181(1)-(4) defines key terms related to AAHP providers. KRS 321.235(1)(a)-(c) requires the board to implement and enforce the chapter and to promulgate administrative regulations to do so. KRS 321.235(2)(b)2 allows the Board to establish minimum requirements for AAHP licensees. KRS 321.251 defines the allowable AAHP professions, including equine dental providers, and requires licensure by the Board.

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

This amendment will assist in effective administration by clearly expressing the examination requirements approved by the board for AAHP provider applicants

(3) Does this administrative regulation or amendment implement legislation from the previous five years? This administration implements legislation by the General Assembly in Acts Chapter 95 in 2023 and Acts Chapter 87 in 2025.

(4) 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 license. The board anticipates receiving approximately 45 initial applications for this credential under the new laws, and one-two (1-2) annually in future years.

(5) Provide an analysis of how the entities identified in question (4) 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 (4) will have to take to comply with this administrative regulation or amendment:

Applicants will be required to complete board approved AAHP examinations within the approved scope for the AAHP work to qualify for licensure as an AAHP provider in Kentucky.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (4):

There will not be any additional costs to the applicant. This administrative regulation simply clarifies the examination requirements needed to obtain an AAHP license 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 (4):

Applicants who complete the required AAHP examinations shall have met one (1) of the requirements of the board for licensure as an AAHP provider.

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

(a) Initially: Enforcement of this regulation will be accomplished using current funding.

(b) On a continuing basis: The KBVE expects that, on an ongoing basis, the agency will enforce the provisions of this regulation using the current funding available to the agency.

(7) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation or this amendment: KBVE does not receive any general funds. All funds for the agency come from application fees, service fees, and administrative fines.

(8) 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 and an enforcement program to ensure compliance.

(9) 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.

(10) TIERING: Is tiering applied? Tiering is not applied because this administrative regulation applies to all premises at which the practice of an AAHP provider occurs, except those entities excluded under KRS 321.200, KRS 321.181(2), and 201 KAR 16:772, Section 3.

FISCAL IMPACT STATEMENT

201 KAR 16:731

Contact Person: Michelle Shane

Phone: 502-564-5433

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, 181(1)-(4), 321.235(1)(a)-(c), (2)(b)2. , 321.251, 321.255

(2) State whether this administrative regulation is expressly authorized by an act of the General Assembly, and if so, identify the act: This administration is expressly authorized by the General Assembly in Acts Chapter 95 in 2023 and Acts Chapter 87 in 2025.

(3)(a) Identify the promulgating agency and any other affected state units, parts, or divisions: There are no other affected state units, parts, or divisions.

(b) Estimate the following for each affected state unit, part, or division identified in (3)(a):

1. Expenditures:

For the first year: The KBVE expects that it may enforce this provision of its regulations using existing fund available to the agency in the first year.

For subsequent years: The KBVE expects that, in subsequent years, the agency will enforce the provisions of this regulation using the funding available to the agency.

2. Revenues:

For the first year: There is no revenue generated by this filing.

For subsequent years: There is no revenue generated by this filing.

3. Cost Savings:

For the first year: There will be no cost savings; this administrative regulation simply codifies examination requirements for persons applying for an AAHP license, making them easily accessible for regulated entities.

For subsequent years: There will be no cost savings; this administrative regulation simply codifies examination requirements for persons applying for an AAHP license.

(4)(a) Identify affected local entities (for example: cities, counties, fire departments, school districts): KBVE does not anticipate that any local entities will be impacted.

(b) Estimate the following for each affected local entity identified in (4)(a):

1. Expenditures:

For the first year: N/A

For subsequent years: N/A

2. Revenues:

For the first year: N/A

For subsequent years: N/A

3. Cost Savings:

For the first year: N/A

For subsequent years: N/A

(5)(a) Identify any affected regulated entities not listed in (3)(a) or (4)(a): KBVE does not anticipate that any other regulated entities will be impacted.

(b) Estimate the following for each regulated entity identified in (5)(a):

1. Expenditures:

For the first year: N/A

For subsequent years: N/A

2. Revenues:

For the first year: N/A

For subsequent years: N/A

3. Cost Savings:

For the first year: N/A

For subsequent years: N/A

(6) Provide a narrative to explain the following for each entity identified in (3)(a), (4)(a), and (5)(a):

(a) Fiscal impact of this administrative regulation: This administrative regulation does not set fees and will not bring in revenue. This filing only impacts individuals seeking a license to practice as an AAHP provider in Kentucky.

(b) Methodology and resources used to reach this conclusion: Budget reports and licensure reports were inputted into a large spreadsheet 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.

(7) Explain, as it relates to the entities identified in (3)(a), (4)(a), and (5)(a):

(a) Whether this administrative regulation will have a “major economic impact”, as defined by KRS 13A.010(13): This 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 016:731

BOARDS AND COMMISSIONS

Kentucky Board of Veterinary Examiners
(Amended After Comments)

I. The public hearing on 201 KAR 016:731, scheduled for Tuesday, October 21, 2025, at 1:30 PM EDT at the offices of the Kentucky Board of Veterinary Examiners (KBVE) was cancelled; however, written comments were received during the public comment period, which closed October 31, 2025.

II. The following people submitted written comments:

<u>Name and Title</u>	<u>Agency/Organization/Entity/Other</u>
Nathan Glaza, DVM Agency	Licking Valley Veterinary Service Kentucky Board of Veterinary Examiners

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

Name and Title

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

IV. Summary of Comments and Responses

(1) Subject Matter: Exam fees and licensing fees.

(a) Comment: Dr. Glaza – The commentor asked if exam and licensing fees will be less than the fines for practicing without a license. They want to know if there is incentive to complete application paperwork and keep the license current and active, or if potential AAHP licensees will find it easier to take the risk of providing services without a license and being fined if they are discovered.

(b) Response: Fees for applications, exams, and licensure for Allied Animal Health Professional (AAHP) providers are established in 201 KAR 16:513, and for AAHP facility registration fees are established in 201 KAR 16:517. Fees for other Board services which the AAHP provider may access are established in 201 KAR 16:516. Fines are established in 201 KAR 16:614. Penalties are established in KRS 321.990. Kentucky Veterinary Medicine Practice Act violations may be assessed up to \$5,000 per incident per day, which ultimately could be far more than the costs of licensure and facility registration.

Members of the Board are aware of community concerns that AAHP providers will simply not apply for licensure with the Kentucky Board of Veterinary Examiners (KBVE) now that this new license has been established. KBVE cannot predict what an individual will choose to do related to applications for licensure or maintaining licensure. KBVE has begun outreach efforts by sending notifications to known AAHP practitioners as well as other agencies with overlap in the affected areas of practice, including the Kentucky Horse Racing and Gaming Corporation.

The Board is tasked with enforcement of KRS Chapter 321 and 201 KAR Chapter 16, and will take action within the Board's scope of authority if individuals are found to be operating without a license. Members of the Board note that benefits of licensure include the ability to obtain liability insurance, a source of pride as a practitioner in an exclusive licensed field, and other reasons. In response to this comment, the Board did not make any changes.

(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 and the KRS Chapter 321, the Kentucky Veterinary Medicine Practice Act.

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

The public hearing on 201 KAR 016:731 was cancelled; however, written comments were received. The Kentucky Board of Veterinary Examiners responded to the comment as noted above and amends the administrative regulation as follows:

Page 1

RELATES TO

Line 5

After “321.181”,
Delete “(1)-(4)”.

Page 1

STATUTORY AUTHORITY

Line 6

After “KRS”,
Delete “321.175(2)(c), (4), (5),”.

Page 1

NECESSITY, FUNCTION, AND CONFORMITY

Line 10-13

After “CONFORMITY:”,
Delete “KRS 321.175(4) states the purpose of the Kentucky Veterinary Medicine Practice Act is to promote, preserve, and protect the public health, safety, and welfare by and through, in part, setting appropriate examination requirements for allied animal health professional (AAHP) providers to ensure their competency and work readiness.”.

Page 1

NECESSITY, FUNCTION, AND CONFORMITY

Line 15

After “provisions of”, insert the following:

KRS Chapter 321

Delete “the Kentucky Veterinary Medicine Practice Act”.

Page 2

Section 1(1)

Line 1

After “Examiners”, insert the following:

State

Page 2

Section 1(5)

Line 12-13

After “shall”,

Delete “be required to”.

Page 2

Section 2

Line 14-15

After “one (1)”, insert the following:

qualifying

After “component of”, insert the following:

licensure

Delete “the Application for an AAHP license”.

After “license,”, insert the following:

an

Delete “the”.

After “applicant”, insert the following:

for an AAHP license

Page 2

Section 2(1)(b)

Line 23

After “completion of the”, insert the following:

board-approved

Delete “board approved”.