

FILED WITH LRC
TIME: <u>9:15 am</u>
DEC 15 2025
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REGULATIONS COMPILER

1 BOARDS AND COMMISSIONS

2 Board of Veterinary Examiners

3 (Amended After Comments)

4 201 KAR 16:732. Application requirements for AAHP licenses[permits] -- reinstatement.

5 RELATES TO: KRS 321.175, 321.181(1)-(4), 321.189, 321.200, 321.235, 321.251, 321.253,

6 321.255, 321.257

7 STATUTORY AUTHORITY: KRS 321.175(2)(e), (4), (5),]321.181(1)-(4), 321.235(1)(a)-(c),

8 (2)(b)2, 321.251(4), 321.253, 321.255

9 CERTIFICATION STATEMENT: This certifies that this administrative regulation complies with

10 the requirements of 2025 RS HB 6, Section 8.

11 NECESSITY, FUNCTION, AND CONFORMITY: [KRS 321.175(4) states the purpose of the

12 Kentucky Veterinary Medicine Practice Act is to promote, preserve, and protect the public

13 health, safety, and welfare by and through, in part, setting application requirements for

14 allied animal health professional (AAHP) providers to establish their qualifications for

15 licensure.]KRS 321.235(1)(b) requires the board to promulgate administrative regulations to

16 implement and enforce KRS Chapter 321. KRS 321.235(2)(b)2. authorizes the board to

17 promulgate administrative regulations to limit the scope of practice of allied animal health

18 professional (AAHP) work on animals and to require an AAHP applicant to apply to the board on

19 an approved application to qualify for a license[permit] from the board. This administrative

20 regulation establishes application requirements for individuals applying for an AAHP

21 license[permit] from the board in the Commonwealth of Kentucky.

1 Section 1. Definitions.

2 (1) "Allied animal health professional" or "AAHP" is defined by KRS 321.181(1).

3 (2) "Allied animal health professional facility" or "AAHP facility" is defined by KRS 321.181(2).

4 (3) **"Allied animal health professional license" or "AAHP license" is defined by KRS**

5 **321.181(4).**

6 (4) "Allied animal health professional manager" or "AAHP manager" is defined by KRS

7 321.181(3).

8 ~~(4) "Allied animal health professional license[permit]" or "AAHP license[permit]" is~~

9 ~~defined by KRS 321.181(4).]~~

10 (5) "Fixed facility" is defined by KRS 321.181(40)[~~KRS 321.181(38)~~].

11 (6) "Legacy candidate" means a candidate for licensure[permitting] that did not complete the

12 ~~board-approved[board approved]~~ allied animal health professional program or ~~board-~~

13 ~~approved[board approved]~~ qualifying exam for an AAHP license[permit], but holds significant

14 experience as defined in Section 3 of this administrative regulation which shall qualify the person

15 for consideration of an AAHP license[permit] from the board.

16 (7) "Mobile facility" or "mobile unit" is defined by KRS 321.181(48)[~~KRS 321.181(46)~~].

17 (8) "Registered responsible party" is defined by KRS 321.181(59)[~~KRS 321.181(57)~~].

18 (9) "Veterinarian" is defined by KRS 321.181(69)[~~KRS 321.181(67)~~].

19 Section 2. Allied animal health professional provider practice falls under the scope and meaning

20 of the practice of veterinary medicine.

21 (1) A veterinarian shall not be subject to the scope of practice limitations established for an allied

22 animal health professional licensee[permittee].

1 (2) Pursuant to KRS 321.200(1)(o), after receiving a license[permit] from the board, an AAHP
2 provider shall be limited to providing services for animal patients within the scope designated
3 within KRS 321.255 and 201 KAR 16:737.

4 (3) Practice on animals without a board credential shall be prohibited. Except as provided for in
5 KRS 321.200, a person shall not provide veterinary or allied animal health professional services
6 to any animal unless they hold[without holding] a valid credential in active status issued by the
7 board.

8 Section 3. Legacy Candidate Pathway for the AAHP License[Animal Chiropractic Provider (ACP)]
9 Permit.

10 (1) As established in KRS 321.251(4), in[In] lieu of proof of completion of a board-
11 approved[board approved] allied animal health professional program and board-
12 approved[board approved] qualifying exam for an AAHP license[permit], legacy candidates
13 may submit application materials in accordance with the provisions of this section.

14 (2) Legacy candidates awarded an AAHP license by the board shall [be required to] comply
15 with all provisions of an AAHP license, including earning continuing education requirements as
16 established in 201 KAR 16:730, Section 4 and 16:735, Section 2.

17 (3) For an AAHP Animal Chiropractic Provider (ACP) applicant[ACP applicants], the legacy
18 candidate pathway[candidates] shall be open[eligible] until March 31, 2026[June 30, 2026]. As
19 established in KRS 321.251(4), an AAHP ACP legacy candidate[candidates] shall submit as a
20 part of an Application for an Allied Animal Health Professional Provider License form or
21 online equivalent form[-the application for licensure]:

22 (a) Proof of employment or 1099 showing self-employment in the ACP area of practice[as an
23 ACP] for a minimum of ten (10) years prior to the date of application;

1 (b) Identification of school where the applicant was trained and hours of training received;

2 (c) Letters of recommendation from at least two (2) licensed veterinarians;

3 (d) Letters of recommendation from at least two (2) licensed chiropractors;

4 (e) Details regarding the duration of experience and times during which practice occurred,

5 including:

6 1. Length of time of practice; and

7 2. Average number of hours practicing per year;

8 (f) Letter of Good Standing from any other jurisdictions in which they are credentialed; and

9 (g) Information about CE earned in the past two (2) years[each year], including the CE

10 provider, topic, and the number of hours[(number of hours, etc.)].

11 (4) For an AAHP Equine Dental Provider (EDP) applicant, the legacy candidate pathway shall
12 be open until April 30, 2027. As established in KRS 321.251(4), an AAHP EDP legacy candidate
13 shall submit proof of competency and experience as a part of an Application for an Allied
14 Animal Health Professional Provider License form or online equivalent form[the
15 application for licensure]:

16 (a) Proof of employment or 1099 showing self-employment in the EDP area of practice for a
17 minimum of five (5) years prior to the date of application;

18 (b) Identification of where the applicant was trained and hours of training received;

19 (c) Letters of recommendation from at least two (2) licensed veterinarians;

20 (d) Letters of recommendation from at least two (2) clients who have utilized the applicant's
21 services in the last two (2) years;

22 (e) Details regarding the duration of experience and times during which practice occurred,

23 including:

1 1. Length of time of practice; and

2 2. Average number of hours practicing per year;

3 (f) Letter of Good Standing from any other jurisdictions in which they are credentialed as an
4 EDP; and

5 (g) Information about CE earned in the past two (2) years, if CE has been earned, including the
6 CE provider, topic, and the number of hours.

7 (5)(3) The board or the AAHP advisory committee as established in KRS 321.257 under the
8 direction of[per] the board chair may[shall] conduct an[a mandatory] interview of an AAHP[each]
9 legacy candidate to confirm their eligibility and, as necessary, ascertain details about their
10 experience.

11 (4) [Legacy candidates awarded an AAHP permit by the board shall be required to comply with
12 all provisions of an AAHP permit, including earning continuing education requirements as
13 established in 201 KAR 16:730, Section 4.]

14 Section 4. Approval of an Allied Animal Health Professional Provider License[Permit]
15 Application. The board shall issue a license[permit] as an AAHP provider in a specific area of
16 practice, as defined in KRS 321.181, to an applicant who[meets the following requirements]:

17 (1) Has completed an Application for an Allied Animal Health Professional Provider
18 License[Permit] form or online equivalent form, including all required attachments;

19 (2) Has paid the appropriate fees as established in 201 KAR 16:513;

20 (3) Is a person of good moral character. As one (1) element of good moral character, the board
21 shall require each applicant for licensure to submit a full set of the applicant's fingerprints for the
22 purpose of obtaining criminal records checks, pursuant to applicable law and KRS 321.189. All
23 good moral character information, including the information obtained through the criminal

1 background checks, shall be relevant to licensure[permit] eligibility determinations to the extent
2 permitted by law;

3 (4) Has graduated and received a degree or certificate from an approved allied animal health
4 professional program, as approved by the board in 201 KAR 16:730, or qualifies as a legacy
5 candidate according to the provisions established in Section 3 of this administrative regulation
6 during the legacy application window;

7 (5) Has achieved passing examination scores, on examinations required by the board, as
8 established in 201 KAR 16:731, or qualifies as a legacy candidate during the legacy application
9 window;

10 (6) Holds licensure in the AAHP practice area as established in 201 KAR 16:730, Section 2, or
11 qualifies as a legacy candidate;

12 (7) Has been approved for licensure[permitting] by the board; and

13 (8) Has complied with any other requirement of the board.

14 Section 5. New Application for an Allied Animal Health Professional License[Permit].

15 (1) A new application to the board for an allied animal health professional license[permit] shall
16 include [~~the following components~~]:

17 (a) A completed application on an Application for an Allied Animal Health Professional
18 (AAHP) Provider License[Permit] form or online equivalent form, including all required
19 attachments;

20 (b) Designation of one (1) or more qualified AAHP scopes as listed in the application, and
21 designated as available scope of practice in **KRS 321.251(2), 321.255, and 201 KAR 16:737**
22 **[KRS 321.181 and 201 KAR 16:730]**;

1 (c) A current color photograph of the applicant not smaller than 2 in. x 2 in., or a color copy of
2 the applicant's current valid driver's license or passport with photo;
3 (d) An official licensure verification letter from the professional licensing board in Kentucky
4 in the human AAHP discipline, if required by the application;
5 (e) An official copy of the certificate of completion or diploma showing graduation from an
6 approved allied animal health professional program established in 201 KAR 16:730;
7 (f) A copy of any court documents, final orders, settlement agreements, or other documents
8 required by the board in support of the application;
9 (g) The completed Kentucky Board of Veterinary Examiners State Jurisprudence Examination
10 for AAHPs Exam Answer Sheet for each provider type the applicant is applying for; and
11 (h) Payment for the application fee required by 201 KAR 16:513.

12 (2) In addition to the requirements listed in subsection (1) of this section, requirements for AAHP
13 license[permit] endorsement applications shall include verifications[:Verifications] of good
14 standing from all jurisdictions in which an applicant once held or currently holds a
15 license[permit] or equivalent credential by the jurisdictional entities which regulate the
16 applicant's profession in both human and animal practice.

17 Section 6. License[Permit] Renewal Required. An AAHP licensee[permit holder of the board]
18 shall renew their license[permit] pursuant to 201 KAR 16:735.

19 Section 7. Inactive Status for an AAHP License[Permit]. An AAHP licensee[license][permit
20 holder] may place their license[permit] into an inactive status in accordance with 201 KAR 16:580.

21 Section 8. An allied animal health professional may apply for reinstatement of an expired
22 license[permit] if not more than five (5) years have elapsed since the last date of license[permit]
23 expiration.

1 (1) A reinstatement application shall be required during this period; an application for a new
2 license[permit] shall not be accepted until five (5) years after the last date of expiration. Legacy
3 candidates five (5) years after the last date of expiration shall [be required to] meet the current
4 requirements of **KRS Chapter 321[the Kentucky Veterinary Medicine Practice Act]** and 201
5 KAR Chapter 16 and shall no longer qualify for the legacy candidate pathway.

6 (2) Reinstatement applications to the board for a license[permit] as an allied animal health
7 professional shall include[**the following components**]:

8 (a) A completed application on a Reinstatement Application for AAHP Licenses[Permits] form
9 or online equivalent form, including all required attachments;

10 (b) A copy of any court documents, final orders, settlement agreements, or other documents
11 requested by the board in support of the application;

12 (c) Proof of current certification in the allied animal health profession, including any required
13 continuing education by the board-approved allied animal health professional program;

14 (d) Payment for the reinstatement application fee pursuant to 201 KAR 16:513;

15 (e) If the license[permit] is in expired status for more than one (1) year since the date of
16 expiration, an official licensure verification letter from the professional licensing board in
17 Kentucky in the human AAHP discipline, if required by the application; and

18 (f) If the license[permit] is in expired status for more than two (2) years since the date of
19 expiration:

- 20 1. A background check pursuant to Section 9 of this administrative regulation; and
- 21 2. Verifications of good standing from all jurisdictions in which an applicant once held or
22 currently holds a license[permit] or equivalent credential by the jurisdictional entities which
23 regulate the profession.

1 Section 9. Background checks. Pursuant to KRS 321.189, the board may:

2 (1) Conduct a national or jurisdictional level background check on each applicant for licensure.

3 The check shall be processed by a board-approved background check provider, and may include

4 a copy of the applicant's fingerprints captured at a board-approved location;

5 (2) Reject background checks that do not have an official seal or watermark, or that are more

6 than ninety (90) days old; and

7 (3) Impose additional requirements as a condition of licensure or deny licensure following the

8 board's review of findings from a background check.

9 Section 10. Denial. If any of the requirements of this administrative regulation are not met by the

10 applicant, the board shall deny the license[permit] application.

11 Section 11. Incorporation by Reference.

12 (1) The following material is incorporated by reference:

13 (a) "Application for an Allied Animal Health Professional (AAHP) Provider License[Permit]",

14 8/2025[2/2025]; and

15 (b) "Reinstatement Application for AAHP Licenses[Permits]", 11/2025[8/2025][2/2025].

16 (2) This material may be inspected, copied, or obtained, subjected to applicable copyright law,

17 at the Kentucky Board of Veterinary Examiners, 4047 Iron Works Parkway, Lexington,

18 Kentucky 40511, Monday through Friday, 8:30 a.m. to 4:30 p.m. This material may also be

19 obtained at kbve.ky.gov.

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



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

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

201 KAR 16:732

Contact Person: Michelle Shane

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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 application requirements for allied animal health professionals (AAHPs) applying for an AAHP license from the board in the Commonwealth.

(b) The necessity of this administrative regulation:

This regulation is necessary to establish the application requirements for individuals to apply for an AAHP license from the board.

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

KRS 321.235(1)(b) authorizes the board to promulgate administrative regulations to implement KRS Chapter 321. KRS 321.235(2)(b)2. provides the board authority to promulgate administrative regulations to limit the scope of practice of allied animal health professional (AAHP) work on animals and to require an AAHP applicant to apply to the board on an approved application to qualify for a license from the board. 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. KRS 321.255 establishes limits on the scope of practice for equine dental providers.

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

This administrative regulations assists in effective administration by clearly expressing the application requirements for AAHP provider 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 application 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 application 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 regulation is 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. KRS 321.253 requires AAHP providers to maintain and renew a license to provide AAHP services in the Commonwealth. KRS 321.255 establishes limits on the scope of practice for equine dental providers.

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

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

(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 30 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 a board approved application to apply for an AAHP license 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 application 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 application 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 AAHP applicants.

FISCAL IMPACT STATEMENT

201 KAR 16:732

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 321.181(1)-(4), 321.235(1)(a)-(c), (2)(b)2., 321.251(4), 321.253, 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: The promulgating agency is the Kentucky Board of Veterinary Examiners. 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 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 application 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.

SUMMARY OF MATERIAL INCORPORATED BY REFERENCE

- (a) The “Application for Allied Animal Health Professional (AAHP) Provider Permit” form, 2/2025, is the 6-page permit application form that applicants are required to file before being approved by the board to engage in the practice of an allied animal health professional (AAHP) provider in a designated scope of practice. KRS 321.235(2)(b)2. requires the board to establish conditions for application for individuals to apply to the board for an AAHP permit. KRS 321.251(1) requires the board to issue an AAHP license to qualified applicants, and the application form is used to determine qualifications.
- (b) "Reinstatement Application for AAHP Permits", 2/2025, is the 6-page permit application form that former credential holders are required to file before their license can be reinstated and they are reauthorized by the board to engage in the practice of an AAHP provider. KRS 321.235(2)(b)2. requires the board to establish conditions for application for individuals to apply to the board for an AAHP permit. KRS 321.251(1) requires the board to issue an AAHP license to qualified applicants, and the application form is used to determine qualifications.

SUMMARY OF CHANGES TO MATERIAL INCORPORATED BY REFERENCE

- (a) The “Application for an Allied Animal Health Professional (AAHP) Provider License” form, 8/2025, is the 6-page license application form that applicants are required to file before being approved by the board to engage in the practice as an allied animal health professional (AAHP) provider in a designated scope of practice. This form was amended as detailed below:
 - The fax number in the header was corrected.
 - All pages were updated in the footer to change the edition date from “2/2025” to “8/2025”.
 - Changed instances of the word “permit” to “license” throughout the form.
 - Changed instances of the word “credential” to “license” throughout the form.
 - In the table on page 1,
 - Changed “Business / Employer” to “Business Name or Employer”
 - Changed “Office Manager Name” to “Business Phone”;
 - Changed “Business Phone” to “Anticipated Start Date”, and
 - Changed “Anticipated Start Date” to “Business Website”.
 - In Section II, Background Information:
 - Question 1, after “license/permit/registration”, insert “(collectively, “license””).
 - Questions 3-6, change the word “credential” to “license” or a conjugation of “license”.

- Question 9, updated the statutory citation from “KRS 321.181(27)” to “KRS 321.181(28)”.
- In Section III, Education and Testing Information:
 - Question 13, changed the word “laws” to “statutes”, and updated the note after “access” to insert “KBVE” and delete “the” and delete “governing the Board”.
- In Section IV, Experience:
 - Questions 14:
 - Added a check box for “Animal Chiropractor Provider (ACP) Traditional pathway (Education, testing by board-approved program)”.
 - Changed the check box for the ACP Legacy pathway line by deleting the parenthesis after “(ACP)”, inserting a parenthesis after pathway, changing the capitalization of “open”, and updating the legacy pathway end date.
 - Added a check box for, “Equine Dental Provider (EDP) Traditional pathway (Education, testing by board-approved program)”
 - Added a check box for, “Equine Dental Provider (EDP) Legacy pathway (Open only until April 30, 2027)”
 - Question 17, changed “If a legacy candidate applicant” to “For legacy pathway candidates”, and deleted “(d)” and inserted “(e), as applicable”.
 - In part (a), after “trained”, added “or name of mentor/trainer”
 - In part (e), after “accrued”, insert “in the last two (2) years” and delete “sine original training”
- Section VI Application Check List:
 - Move the check box and text “Certificate of Completion...” below the check box “Licensure Verification...” and add summary statement, “Traditional Candidates”.
 - Clarify the first Legacy Candidate check box is for “ACPs” in the ACP “area of practice”
 - Add a Legacy Candidate check box for EDPs, including a list of requirements.
 - Under the “Fee payment” check box, delete “bank draft”, clarify that the check should be sent “with” the application and delete “attached to”, and delete the “*” (asterisk symbols) after the word “fee”.
- Attestation statement, insert “the KBVE AAHP Advisory Committee” and change “laws” to statutes”.
- Adjusted cell heights and line spacing to keep to 6 pages.

(b) "Reinstatement Application for AAHP Licenses", 11/2025, is the 6-page license application form that former credential holders are required to file before their license can be reinstated and they are reauthorized by the board to engage in the practice as an AAHP provider. This form was amended as detailed below:

- The fax number in the header was corrected.
- All pages were updated in the footer to change the edition date from “2/2025” to “11/2025”.
- Changed instances of the word “permit” to “license” throughout the form.

- Changed instances of the word “credential” to “license” throughout the form.
- In the table on page 1,
 - Changed “Business / Employer” to “Business Name or Employer”
 - Changed “Office Manage Name” to “Business Phone”,
 - Changed “Business Phone” to “Anticipated Start Date”, and
 - Changed “Anticipated Start Date” to “Business Website”.
- In Section II, Background Information:
 - Question 1, after “license/permit/registration”, insert “(collectively, “license””).
 - Questions 3-6, change the word “credential” to “license” or a conjugation of “license”.
 - Question 9, updated the statutory citation from “KRS 321.181(27)” to “KRS 321.181(28)”.
- In Section III, Education and Testing Information:
 - Question 13, changed the word “Laws” to “Statutes”, and updated the note after “access” to insert “KBVE” and delete “the” and delete “governing the Board”.
- In Section IV, Experience:
 - Questions 15:
 - Added to the check box for “Animal Chiropractor Provider (ACP)” the words “Traditional pathway (Education, testing by board-approved program)”.
 - Added a check box for, “Equine Dental Provider (EDP) Traditional pathway (Education, testing by board-approved program)”
 - Added a note stating “NOTE: following initial registration, the Legacy pathway closes and applicants must meet the full requirements of education and testing to be considered for licensure.”
 - Question 17, changed “If a legacy candidate applicant” to “For legacy pathway candidates”, and deleted “(d)” and inserted “(e), as applicable”.
 - In part (a), after “trained”, added “or name of mentor/trainer”
 - In part (e), after “accrued”, insert “in the last two (2) years” and delete “sine original training”
- Section VI Application Check List:
 - In the first check box for Continuing Education, after “all” insert “CE certificate of completion”, after “for” delete “during the next” and after “renewal” delete “period”
 - In the line “If your permit has been ‘Expired’”, “permit” was changed to “license”.
 - In the “background check” check box section, add “Applications and” before the word “forms”.
 - Under the “Fee payment” check box, delete “bank draft”, and clarify that the check should be sent “with” the application and delete “attached to”.
- Attestation statement,
 - Insert “the KBVE AAHP Advisory Committee” and change “laws” to statutes”

- In the second paragraph, after “bar me from” delete “this or”, and after “any” insert “credential issued” and delete “future examinations given”, and after “Kentucky AAHP” insert “License, if so awarded”.
- In the last paragraph, change “laws” to “statutes”.
- Adjusted cell heights and line spacing to keep to 6 pages.

STATEMENT OF CONSIDERATION

Relating to 201 KAR 016:732

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

I. The public hearing on 201 KAR 016:732, 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: Potential applicants for licensure have been practicing illegally for years.

(a) Comment: Dr. Glaza – The commentor stated that some Allied Animal Health Professional-Equine Dental Providers (AAHP-EDPs) have been practicing for many years without consequence. The Board didn't enforce the Practice Act in the past and they do not have confidence that the Board will enforce the new laws.

(b) Response: The Kentucky Board of Veterinary Examiners (KBVE) is provided authority in statute to enforce the provisions of the Kentucky Veterinary Medicine Practice Act, KRS Chapter 321 and associated regulations in 201 KAR Chapter 16. Members of the Board are responsible for ensuring the Practice Act is enforced within the Board's scope of authority. In the past, unlicensed individuals brought to the Board's attention were issued cease and desist letters, with some cases even taken to court to stop unlicensed practice. However, this has not always been the case. Members of the Board acknowledge that the enforcement action of the past decades varied over the years, lacking consensus in action. This was encouraged in part by veterinarian licensees making regular referrals to unlicensed EDPs because those veterinarians didn't want to do the work themselves or didn't have time to provide equine dental services.

Regardless of past practices, it is important to note the change in law today and the Board's actions moving forward. Before the new AAHP-EDP statutes passage, the Board unanimously voted to confirm that equine dental services do fall within the practice of veterinary medicine. The modernized Practice Act reflects this in KRS 321.181(52)(a). In addition, the Board posted a declaration on the agency website stating its clear intent to enforce laws against unlicensed EDPs. Following that publication, the Board issued cease and desist letters in multiple EDP and other unlicensed AAHP cases. While the new AAHP program for EDPs and animal chiropractic providers (ACPs) is coming online, the Board will offer some leniency during the legacy candidate application window, as allowable under KRS 321.251(4), but shall enforce the Practice Act to the fullest extent of its powers following the closure of the legacy periods established in 201 KAR 16:732, Section 3. In response to this comment, the Board did not make any changes.

(2) Subject Matter: Lack of enforcement has allowed animus to grow between veterinarians and EDPs; veterinarians have lost respect for the Board.

(a) Comment: Dr. Glaza – The commentor stated that the lack of consequences for those practicing without a license has fostered poor relationships between veterinarians and EDPs. They state that EDPs knowingly worked without licensure and intentionally stole business from veterinarians. Consequently, they do not feel that they will be willing to work with EDPs or as a supervisor for EDPs. They further chastise those illegal practitioners and the Board for not enforcing the law. They state that many veterinarians don't see value in paying fees to a Board

that fails to enforce the laws. They seek assurances that their clients will be protected, and that the profession will be protected.

(b) Response: The Board agrees that unlicensed practice is operating outside the law and is a disservice to the public and their animals as well as duly licensed practitioners. The Board is a public protection agency first and foremost; this is why licensure is required. However, the Board disagrees that all licensees share the perspective of the commentor. Some licensees actively promote the use of unlicensed equine dental providers (EDPs) by referral, or simply by not reporting these practitioners to the Board.

As stated in the prior response, the laws have been updated to clarify that animal dentistry falls within the practice of veterinary medicine and that Allied Animal Health Professionals (AAHPs)-EDPs require licensure with KBVE. Now that the laws have been updated at the General Assembly's behest, enforcement shall occur. In the past several years, the Board has taken necessary steps to establish strong enforcement protocols in regulation and internal policy to ensure appropriate enforcement measures are taken whenever the Board is made aware of unlicensed practice.

Thankfully, the regulation of this new credential is under the KBVE scope of authority and not carved out of veterinary medicine and place under "animal husbandry" or other alternatives. The General Assembly deserves recognition for reaffirming the practice of veterinary medicine requires a minimum level of education and licensure by the Board, including carve out services provided by the AAHPs like equine dental providers. By making clear that EDPs require appropriate training and licensure, the General Assembly continues to uphold public protection for clients and animals. Individuals operating outside the law should be reported to the Board through the complaint/grievance process for investigation.

KBVE has petitioned the Kentucky Horse Racing and Gaming Corporation (KRGHC) to include the requirement for AAHP- EDP licensure by KBVE in their regulations so that Kentucky agencies have consistent rules. According to KRS 321.251, all EDPs including KRGHC "dental techs" must hold a KBVE AAHP EDP license to operate legally in the Commonwealth. Consequently, multiple agencies should be supporting enforcement of the new laws. In response to this comment, the Board did not make any changes.

(3) Subject Matter: What is the plan for enforcement?

(a) Comment: Dr. Glaza – The commentor asked about the Board's plan for enforcement. They state that clients just want services and they won't report unlicensed practice. They feel the Board has not enforced the law in the past, and they ask, "What is the plan for enforcement?" Will legacy candidates need to cease their current practice until they are licensed?

(b) Response: The Board is limited in its scope of authority and must follow procedures for enforcement as established in KRS Chapter 321 and 201 KAR Chapter 16. The Board must follow due process. Additionally, the KBVE has limited staff and resources and is therefore unable to act as a policing body seeking out potential crimes. This is why a complaint process

has been established for licensing boards: reports to the Board of malpractice or unlicensed practice are investigated. If people are not willing to make a report to the Board, the Board has limited options to act. This is true for any potential violation of the Practice Act.

The General Assembly has established a legacy application window for the new AAHP-EDP license, allowing a limited time for these practitioners to apply – despite the fact that they were practicing without a license in the past. These individuals should not be penalized when they apply for licensure because that is not the will of the General Assembly who has established a pathway to licensure for these candidates. There will be a short period of transition as these candidates move to become licensed. Once the legacy application window closes, the KBVE will be positioned to investigate and take strong enforcement action where appropriate.

KBVE is hopeful that the establishment of a license will assist in the effort to educate the public about the essential education and training needed to offer animal services. In response to this comment, the Board did not make any changes.

(4) Subject Matter: What incentives do the legacy candidates have to become licensed?

(a) Comment: Dr. Glaza – The commentor stated that there is little incentive for EDPs to become licensed when they have been practicing illegally for years. Why should they start paying licensure fees and getting CE now, after all this time? They state that any threat of punishment is moot because these EDPs haven't suffered consequences in the past. Plus, they feel that having a license puts EDPs at greater risk of penalties (e.g., fines, licensure revocation), so why would they bother to get a license? They speculate that EDPs are already comfortable working illegally, so there is no reason for them to change. And for those that do get licensed, they (much like licensed veterinarians) will continually be undercut by the unlicensed because the unlicensed have lower overhead.

(b) Response: Members of the Board are aware of community concerns that AAHP providers will simply not apply for licensure with the KBVE now that the new AAHP-EDP 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. Penalties are established in KRS 321.990. Fines are established in 201 KAR 16:614. Practice Act violations may be assessed up to \$5,000 per incident per day, which ultimately could be far more than licensure.

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.

(5) 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 016:732 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 7

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

Page 1
NECESSITY, FUNCTION, AND CONFORMITY
Line 11-14

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 application requirements for allied animal health professional (AAHP) providers to establish their qualifications for licensure.”.

Page 2
Section 1(3)-(4)
Line 4-7

After "(3)", insert the following:

Allied animal health professional license" or "AAHP license" is defined by KRS 321.181(4).

(4)

Delete "(4) "Allied animal health professional license[permit]" or "AAHP license[permit]" is defined by KRS 321.181(4).".

Page 2
Section 1(6)
Line 10

At the beginning of the line, insert the following:

board-approved

Delete "board approved".

Page 2
Section 1(6)
Line 10

After "program or", insert the following:

board-approved

Delete "board approved".

Page 3
Section 3(1)
Line 7

After "completion of a", insert the following:

board-approved

Delete "board approved".

Page 3
Section 3(1)
Line 8

After "professional program and", insert the following:

board-approved

Delete "board approved".

Page 3
Section 3(2)
Line #

After "the board shall",
Delete "be required to".

Page 3
Section 3(3)
Line 16-17

After “part of”, insert the following:

an Application for an Allied Animal Health Professional Provider License form
or online equivalent form

Delete “the application for licensure”.

Page 4
Section 3(4)
Line 10

After “part of”, insert the following:

an Application for an Allied Animal Health Professional Provider License form
or online equivalent form

Delete “the application for licensure”.

Page 5
Section 4
Line 12

After “an applicant who”,

Delete “meets the following requirements”.

Page 5
Section 4(1)
Line 13

After “Application for”, insert the following:

an

Page 6
Section 5(1)
Line 12

After “include”,

Delete “the following components”.

Page 6
Section 5(1)
Line 13

After “Application for”, insert the following:

an

Page 6
Section 5(1)(b)
Line 16

After “scope of practice in”, insert the following:

KRS 321.251(2), 321.255, and 201 KAR 16:737

Delete “KRS 321.181 and 201 KAR 16:730”.

Page 7
Section 5(2)
Line 7

After “shall include”, insert the following:

verifications

Delete “: Verifications”.

Page 7
Section 7
Line 13

After “Status for an AAHP License[Permit]. An AAHP”, insert the following:

licensee

Delete “license”.

Page 7
Section 8(1)
Line 20

After “shall”,
Delete “be required to”.

Page 7
Section 8(1)
Line 21

After “requirements of”, insert the following:

KRS Chapter 321

Delete “the Kentucky Veterinary Medicine Practice Act”.

Page 8
Section 8(2)
Line 2

After “shall include”,
Delete “the following components”.

Page 9
Section 10
Line 5

After "of this", insert the following:
administrative

Page 9
Section 11(1)(a)
Line 9

After "Application for", insert the following:
an

Page 9
Section 11(1)(b)
Line 11

After "Licenses[Permits]", insert the following:
11/2025
Delete "8/2025".