



1 BOARDS AND COMMISSIONS

2 Kentucky Board of Veterinary Examiners

3 (Amended After Comments)

4 201 KAR 16:767. Registered veterinary facilities – Duties of registered responsible parties and  
5 veterinarian managers.

6 RELATES TO: KRS 321.181, 321.203, 321.205, 321.235, 321.236

7 STATUTORY AUTHORITY: KRS 321.235(1)(b), 321.236(1)(b)

8 NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.235(1)(b) requires the Kentucky  
9 Board of Veterinary Examiners to promulgate administrative regulations to effectively carry out  
10 and enforce the provisions of KRS Chapter 321. KRS 321.236 requires all veterinary facilities to  
11 register with the Kentucky Board of Veterinary Examiners. KRS 321.236(5) requires each  
12 registered veterinary facility to identify both a veterinarian manager and each registered  
13 responsible party who shall be responsible for the operation and management of the veterinary  
14 facility. This administrative regulation establishes the responsibilities for registered responsible  
15 parties and veterinarian managers.

16 Section 1. Definitions.

17 (1) "Fixed facility" is defined by KRS 321.181(38).

18 (2) "Mobile facility" or "mobile unit" is defined by KRS 321.181(46).

19 (3) "Practice of veterinary medicine" is defined by KRS 321.181(50).

20 (4) "Practice of veterinary technology" is defined by KRS 321.181(51).

21 (5) "Registered responsible party" is defined by KRS 321.181(57).

1 (6) "Veterinarian manager" is defined by KRS 321.181(68)

2 (7) "Veterinary facility" is defined by KRS 321.181(71).

3 Section 2. Duties of Registered Responsible Parties. A registered responsible party shall

4 (1) Be responsible for maintaining minimum standards as promulgated by the board in **201 KAR**

5 **Chapter 16[administrative regulation]**;

6 (2) Designate a veterinarian manager for the registered veterinary facility;

7 (3) Comply with the requirements of and ensure employees and volunteers at the veterinary

8 facility comply with the provisions of KRS Chapter 321 and 201 KAR Chapter 16, ~~are met~~ in

9 addition to all local, state, and federal laws governing operations at the veterinary facility; and

10 (4) Comply with all duties to report, in accordance with Section 4 of this administrative

11 regulation, including the timely designation of a veterinarian manager for the facility.

12 Section 3. Duties of Veterinarian Managers.

13 (1) A veterinarian manager shall:

14 (a) Be responsible for maintaining minimum standards as promulgated by the board in **201 KAR**

15 **Chapter 16[administrative regulation]**;

16 (b) Maintain a Kentucky Board of Veterinary Examiners veterinarian license;

17 (c) Comply with all provisions of the Kentucky Veterinary Medicine Practice Act and 201 KAR

18 Chapter 16, in addition to all local, state, and federal laws governing operations at the veterinary

19 facility; and

20 (d) Ensure the current board approved veterinary facility registration is posted in the registered

21 facility and viewable by the public.

22 (2) The veterinarian manager shall be:

23 (a) The individual who oversees veterinary services at a veterinary facility;

1 (b) Knowledgeable about the veterinary facility and its:

2 1. Daily operations;[5]

3 2. Standard protocols;[5]

4 3. Drugs and supplies;[5],

5 4. Patient areas;[5]

6 5. Storage structures;[5]

7 6. Other organizational spaces;[5] and

8 7. Parts and spaces, both indoors and outdoors;

9 (c) Present at the veterinary facility with enough frequency to have knowledge of and control  
10 over the facility's methods for complying with minimum standards and the degree to which the  
11 minimum standards are being met; and

12 (d) Available and responsive to the board, its staff, inspectors, or other board designees, **if**~~in the~~  
13 ~~event of~~ of a facility inspection or any inquiry or investigation by the board **occurs**.

14 Section 4. Duty to Report. Either the registered responsible parties or veterinarian managers shall  
15 report to the board:

16 (1) Within thirty (30) days, any change of name, address, phone, or email to the registered  
17 facility by completing and submitting to the board the Request for Facility Information Change  
18 form or online equivalent form provided by the board, including all required attachments;

19 (2) Within ten (10) days, a change in the veterinarian manager for the registered veterinary  
20 facility on the Request for a New Veterinarian Manager form or online equivalent form,  
21 including all required attachments; and

22 (3) A written response to a grievance or inquiry from the board in accordance with 201 KAR  
23 16:610.

1 Section 5. Incorporation by Reference.

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

3 (a) "Request for Facility Information Change", 2/2025~~[10/2024]~~; and.

4 (b) "Request for a New Veterinarian Manager", 2/2025~~[10/2024]~~.

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

6 the Kentucky Board of Veterinary Examiners, 4047 Iron Works Parkway, Suite 104, Lexington,

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

8 obtained at [kbve.ky.gov](http://kbve.ky.gov).



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

2/13/2025  
Date

APPROVED BY AGENCY: 4/25/2024, with updates 1/30/2025

## REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation Number: 201 KAR 016:767  
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 the responsibilities for registered responsible parties and veterinarian managers at registered veterinary facilities as approved by the board.

(b) The necessity of this administrative regulation:

This administrative regulation is necessary to ensure clear requirements regarding expectations and duties of registered responsible parties and veterinarian managers.

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

KRS 321.235(1)(b) requires the Kentucky Board of Veterinary Examiners to promulgate administrative regulations to effectively implement and enforce the provisions of KRS Chapter 321. KRS 321.236 requires all veterinary facilities to register with the Kentucky Board of Veterinary Examiners. KRS 321.236(5) requires each registered veterinary facility to identify both a veterinarian manager and each registered responsible party who shall be responsible for the operation and management of the veterinary facility.

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

This new administrative regulation will assist in effective administration by clearly expressing the responsibilities for registered responsible parties and veterinarian managers 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:

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:

An estimated 500 businesses in Kentucky offering veterinary services are estimated to be affected.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment:

Veterinary facility registered responsible parties and veterinarian managers will be required to provide timely and current contact information to the board, provide oversight in specific areas at the registered facility identified by the board, and ensure compliance with KRS Chapter 321 and 201 KAR Chapter 16.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3):

No costs are associated with compliance, as this administrative regulation simply establishes the

duties of veterinary facility registered responsible parties and veterinarian managers, as approved by the board.

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

Administrative ease of clear communications of the fees associated with registration.

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

(a) Initially: The KBVE expects costs for all board operations to be approximately \$759,700 annually in the near term.

(b) On a continuing basis: The KBVE expects costs for all board operations to be approximately \$900,000 annually in future bienniums as new programming is brought online, per the mandates in the modernized Kentucky Veterinary Medicine Practice Act, KRS Chapter 321.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation:

KBVE does not receive any general funds. 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 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 inspection program to ensure compliance.

(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 because this new administrative regulation applies to all premises at which the practice of veterinary medicine occurs, except those entities excluded under KRS 321.200.

## FISCAL IMPACT STATEMENT

Regulation Number: 201 KAR 016:767  
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 321.235(1)(b), 321.236(1)(b)

(2) Identify the promulgating agency and any other affected state units, parts, or divisions:

The promulgating agency is the Kentucky Board of Veterinary Examiners. There are no other affected state units, parts, or divisions.

(a) Estimate the following for the first year:

Expenditures: The KBVE expects costs for all board operations to be approximately \$759,700 annually in the near term. This includes the administration of the veterinary facility registration program, database management, infrastructure, overhead, and contractors, including legal counsel and investigators.

Revenues: There is no revenue generated by this filing.

Cost Savings: There will be no cost savings; this administrative regulation 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):

Kentucky counties may be impacted if the county animal control agency or animal shelter offers veterinary services to the public or conducts surgeries onsite.

(a) Estimate the following for the first year:

Expenditures: 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 new administrative regulation 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.

(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. This filing only impacts veterinary facility registrants in Kentucky.

(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.

## SUMMARY OF MATERIAL INCORPORATED BY REFERENCE

1) The “Request for Facility Information Change” form, 10/2024, is the 1-page application form that veterinary facility registrants are required to file in order to update the board with changes of information related to the registered facility. KRS 321.235(1)(a) requires the board to administer and enforce KRS Chapter 321 which necessitates an application form prescribed by the agency to update veterinarian manager information for the regulated entity.

2) The “Request for a New Veterinarian Manager” form, 10/2024, is the 2-page application form that veterinary facility registrants are required to file in order to update the board with new information on the registered veterinary manager. KRS 321.235(1)(a) requires the board to administer and enforce KRS Chapter 321 which necessitates an application form prescribed by the agency to update veterinary manager information for the regulated entity.

## SUMMARY OF CHANGES TO MATERIAL INCORPORATED BY REFERENCE

1) The “Request for Facility Information Change” form, 2/2025, is the 1-page application form that veterinary facility registrants are required to file in order to update the board with changes of information related to the registered facility.

- All pages were updated in the footer to show an edition date of 2/2025.

2) The “Request for a New Veterinarian Manager” form, 10/2024, is the 2-page application form that veterinary facility registrants are required to file in order to update the board with new information on the registered veterinary manager.

- All pages were updated in the footer to show an edition date of 2/2025.
- Page 1, paragraph under instructions beginning with “KRS 321.181(68)”, add a period to the end of the sentence.
- Page 1, Section I Table, lighten shading in cells and correct font size so it is uniform.
- Page 2, header, after “request”, insert “for a New Veterinarian Manager”. Delete “to Designate a New Agency On-site Manager”.
- Page 2, Section II Table, lighten shading in cells, resize cells in rows 2-3 and move “KY License Number” up next to “Last Name”. Delete row with “KY License Number”.
- Page 2, Section III, on the line with “Date Requested”, add “Or, if background check already on file, Date of check: \_\_\_\_\_”.
- Page 2, attestation statement, first paragraph after the words “and that”, add text to “I am not omitting any information which might be of value to this Board or its determination of my qualifications, whether it is requested or not and I agree that any falsification, omission, or withholding of pertinent information or facts in regard to my application. If”. Delete “should”. Change “determine” to “determines”. Change “certificate” to “credential”.

STATEMENT OF CONSIDERATION

RELATING TO 201 KAR 016:767

BOARDS AND COMMISSIONS

Kentucky Board of Veterinary Examiners  
(Amended After Comments)

I. The public hearing on 201 KAR 016:767, 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>
James Beckman, DVM	Gas Light Equine, Bluegrass Equine Emergency Service, and Three Fans Farms
Agency	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: 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.

(2) Subject Matter: Public Hearing scheduled date

(a) Comment: Dr. J. Beckman – The commentor expresses frustration that the public hearing for these regulations was scheduled on December 23, just two days before Christmas.

(b) Response: The meeting date for the public hearing required by KRS Chapter 13A is mandated by LRC to fall in a certain date window. This schedule is published on the LRC website at <https://legislature.ky.gov/Law/kar/Pages/KarFaqs.aspx> under the heading “Promulgating Agency”, “Filing Information”, “General Reference” – see the schedule for “Filing Deadlines and Dates”, which is updated annually. For a filing in October, the KBVE is required to hold the meeting between December 23-31 while avoiding state holidays (Dec 24-25, and 31). Members of the Board emphasize that this has been very inconvenient for everyone involved, including credential holders who may optionally attend, as well as Board Members and staff who were required to attend. One reason KBVE offered additional informational meetings via Zoom early in the public comment period was to provide licensees an opportunity to speak before Members of the Board, in a situation similar to that of the Hearing. The online public meetings offered the additional benefit of immediate feedback and dialogue with Board Members, which is different from the public hearing process where attendees may make statements to Members of the Board, but the Board does not respond to comments. KBVE notes that the commentor was able to attend the Zoom meeting on November 20. In response to these comments, the Board did not make any changes to the proposed administrative regulation.

(3) Subject Matter: Appreciation for the work of KBVE and its staff

(a) Comment: Dr. J. Beckman – The commentor thanks KBVE and the Members of the General Assembly for taking the time to hear and respond to concerns as outlined in their written letter to the board.

(b) Response: Members of the Board are grateful for every comment that is received during the administrative regulations process, allowing the Board to offer explanations and justification for the proposed changes, including the opportunity to appropriately adjust changes when warranted. Members appreciate the acknowledgment for the agency and its staff, who often go

unrecognized by the licensee population for their dedicated civil service to the public and the assistance they offer licensees daily. In response to these comments, the Board did not make any changes to the proposed administrative regulation.

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

The public hearing on 201 KAR 016:767 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

RELATES TO

Line 6

After "KRS", insert the following:

**321.181,**

Page 2

Section 2(1)

Line 4

After "board in", insert the following:

**201 KAR Chapter 16**

Delete "administrative regulation".

Page 2

Section 2(3)

Line 8

After "Chapter 16", insert the following:

Delete "are met".

Page 2

Section 3(1)(a)

Line 15

At the beginning of the line, insert the following:

**201 KAR Chapter 16**

Delete "administrative regulation".



Page 3

Section 3(2)(b)1.

Line 2

After “operations”, insert the following:

⋮  
Delete “,”.

Page 3

Section 3(2)(b)2.

Line 3

After “protocols”, insert the following:

⋮  
Delete “,”.

Page 3

Section 3(2)(b)3.

Line 4

After “supplies”, insert the following:

⋮  
Delete “,”.

Page 3

Section 3(2)(b)4.

Line 5

After “areas”, insert the following:

⋮  
Delete “,”.

Page 3

Section 3(2)(b)5.

Line 6

After “structures”, insert the following:

⋮  
Delete “,”.

Page 3  
Section 3(2)(b)6.  
Line 7

After “spaces”, insert the following:

**i**  
Delete “,”.

Page 3  
Section 3(2)(d)  
Line 12-13

After “designees,”, insert the following:

**if**  
Delete “in the event of”.

Page 3  
Section 3(2)(d)  
Line 13

After “board”, insert the following:

**occurs**

Page 4  
Section 5(1)(a)  
Line 3

After “Change”,”, insert the following:

**2/2025**  
Delete “10/2024”.

Page 4  
Section 5(1)(b)  
Line 4

After “Manager”,”, insert the following:

**2/2025**  
Delete “10/2024”.