

1 BOARDS AND COMMISSIONS

2 Kentucky Board of Veterinary Examiners

3 (New Administrative Regulation)

4 201 KAR 16:767. Registered Veterinary Facilities – Duties of Registered Responsible Parties
5 and Veterinarian Managers.

6 RELATES TO: KRS 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
5 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
8 veterinary facility comply with the provisions of KRS Chapter 321 and 201 KAR Chapter 16 are
9 met in addition to all local, state, and federal laws governing operations at the veterinary facility;
10 and

11 (4) Comply with all duties to report, in accordance with Section 4 of this administrative
12 regulation, including the timely designation of a veterinarian manager for the facility.

13 Section 3. Duties of Veterinarian Managers.

14 (1) A veterinarian manager shall:

15 (a) Be responsible for maintaining minimum standards as promulgated by the board in
16 administrative regulation;

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

18 (c) Comply with all provisions of the Kentucky Veterinary Medicine Practice Act and
19 201 KAR Chapter 16, in addition to all local, state, and federal laws governing operations at the
20 veterinary facility; and

21 (d) Ensure the current board approved veterinary facility registration is posted in the
22 registered facility and viewable by the public.

23 (2) The veterinarian manager shall be:

- 1 (a) The individual who oversees veterinary services at a veterinary facility;
- 2 (b) Knowledgeable about the veterinary facility and its:
 - 3 1. Daily operations,
 - 4 2. Standard protocols,
 - 5 3. Drugs and supplies,
 - 6 4. Patient areas,
 - 7 5. Storage structures,
 - 8 6. Other organizational spaces, and
 - 9 7. Parts and spaces, both indoors and outdoors;

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

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

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

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

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

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

3 Section 5. Incorporation by Reference.

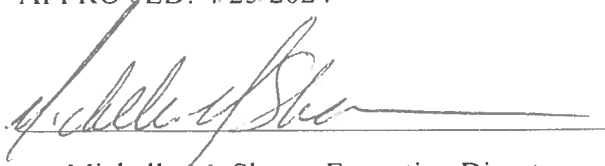
4 (1) The following material is incorporated by reference:

5 (a) "Request for Facility Information Change", 10/2024; and.

6 (b) "Request for a New Veterinarian Manager", 10/2024.

7 (2) This material may be inspected, copied, or obtained, subjected to applicable copyright
8 law, at the Kentucky Board of Veterinary Examiners, 4047 Iron Works Parkway, Suite 104,
9 Lexington, Kentucky 40511, Monday through Friday, 8:30 a.m. to 4:30 p.m. This material may
10 also be obtained at kbve.ky.gov.

APPROVED: 4/25/2024

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

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

A handwritten date "10/14/2024" written in black ink over a horizontal line.

Date

PUBLIC HEARING AND PUBLIC COMMENT PERIOD

A public hearing on this administrative regulation shall be held on December 23, 2024, at 10:00 am EST, at the offices of the Kentucky Board of Veterinary Examiners, 4047 Iron Works Pkwy, Suite 104, Lexington, KY 40511. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through December 31, 2024. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Michelle M. Shane, Executive Director, Kentucky Board of Veterinary Examiners, 4047 Iron Works Parkway, Suite 104, Lexington, KY 40511, Phone: 502-564-5433, Fax: 502-753-1458, Email: Michelle.Shane@ky.gov.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

201 KAR 016:767

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 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 carry out 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

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.

201 KAR 016:767

Contact Person: Michelle M. Shane

Phone: 502-564-9905

Email: Michelle.Shane@ky.gov

SUMMARY OF MATERIAL INCORPORATED BY REFERENCE

(a) 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.

(b) 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.



KENTUCKY BOARD OF VETERINARY EXAMINERS

4047 Iron Works Parkway, Suite 104, Lexington, KY 40511

Office: 502-564-5433 • Fax: 502-753-1458

kbve.ky.gov • [vet@ky.gov](mailto:veter@ky.gov)

Request for Facility Information Change

OFFICIAL USE ONLY

Instructions: This form shall be completed by a KBVE-registered facility veterinary manager, AAHP manager, or registered responsible party to update a registered facility's legal name, address, or other contact information. Forms may be completed electronically and emailed to Vet@ky.gov.

I. Requestor Information

Current Registered Facility Business Name (as registered with the Secretary of State)

KBVE Registration Number	Expiration Date	If a mobile unit, Mobile Unit: State and License Plate

Current Email Address

Current Cell Phone

Current Business Phone

II. Name Change Information, if any

NEW Registered Facility Business Name

III. Address Change Information, if any

Address Type	Street	City	ST	Zip	Country
NEW Business Mailing Address					
NEW Physical Business Address					
NEW Email					
NEW Business Cell					

IV. Required Attachments

For name or address change, include an updated copy of the Secretary of State registration.

Signature of Requestor	Date	
Printed Name of Requestor	Title	

Submit Complete Form to: Vet@ky.gov or via post to
 Kentucky Board of Veterinary Examiners
 4047 Iron Works Parkway, Suite 104
 Lexington, Kentucky 40511





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Request for a New Veterinarian Manager

OFFICIAL USE ONLY

Instructions: This request form shall be completed by the registered veterinary facility who must report a new veterinarian manager or to update the contact information for the veterinarian manager in accordance with 201 KAR 16:767. Completion of all fields on this application is mandatory. Insufficient answers or omissions will be sufficient grounds for rejection of this request. **Review the check list on the last page to ensure your request is complete. Print SINGLE SIDED; DO NOT staple.**

KRS 321.181 (68) states, "Veterinarian manager" means at least one (1) Kentucky-licensed veterinarian who registers to assume responsibility for the registration, management, and operation of a registered veterinary facility"

I. Registered Facility Information				
Name of Registered Veterinary Facility				
Facility Website				
Facility Phone Number				
Facility Email Address				
Address Type	Street	City	Zip	County
Mailing Address				
Physical Address				
Current Veterinarian Manager				
Full Name				
License Number				
Email Address				
Phone Number				

Submit Completed Form to
Vet@ky.gov (preferred) or mail to:
Kentucky Board of Veterinary Examiners
4047 Iron Works Parkway, Suite 104
Lexington, Kentucky 40511



II. New Veterinarian Manager					
First Name		Middle Name		Last Name	
Date of Birth (required)			Social Security Number (required)		
KY License Number					
Address Type	Street	City	ST	Zip	County
Personal Mailing Address					
Cell Phone			Business Phone		
Personal Email Address					
Business Email Address					
<p>1. Does this individual manage other veterinary facilities in Kentucky? <input type="checkbox"/> Yes or <input type="checkbox"/> No If yes, list the registration numbers of all other managed facilities.</p> <p>_____</p>					
<p>2. State the number of hours per month the veterinarian manager shall be on the premises of this registered veterinary facility. Attach supporting documents if necessary.</p> <p>_____</p>					

III. Application Check List

- Background Check.** Complete and submit the official results of a background check to KBVE for the new veterinarian manager from a board approved provider. Visit kbve.ky.gov on the Applications and Forms page and look under the Background Checks heading for more information.
 Date Requested: _____

I hereby state that the information contained herein is true and accurate to the best of my knowledge, and that should the Kentucky Board of Veterinary Examiners determine that any statement herein is false, I understand that the board may suspend, revoke, or terminate any certificate issued by the board.

Further, I understand that the veterinary facility and all employees, contractors, and volunteers at the facility, if any, are required to abide by KRS Chapter 321 and 201 KAR Chapter 16. For direct links to the statutes and administrative regulations that shall govern the registered facility activities, I am aware I can visit the KBVE website at <https://kbve.ky.gov/Pages/practice-act.aspx>.

 Signature Date

 Printed Name Title

Submit Completed Form to:
Vet@ky.gov (preferred) or mail to
 Kentucky Board of Veterinary Examiners
 4047 Iron Works Parkway, Suite 104
 Lexington, Kentucky 40511

