STATUTES AND REGULATIONS RELATING TO

THE KENTUCKY BOARD OF VETERINARY EXAMINERS

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DISCLAIMER

The statutes and regulations provided in this booklet are an unofficial version of the Kentucky Revised Statutes (KRS) and Kentucky Administrative Regulations (KAR) and are intended for informational purposes only. The official or certified versions of the KRSs and KARs should be consulted for all matters requiring reliance on the statutory text.

Compliance shall be determined by the language in the current, official statutes and administrative regulations as they exist on the Legislative Research Commission (LRC) website. For the official copies of the statutes and regulations pertaining to the professions of veterinary medicine, visit https://legislature.ky.gov.

- KRS Chapter 321 – https://apps.legislature.ky.gov/law/statutes/chapter.aspx?id=38842
- 201 KAR Chapter 16 – https://apps.legislature.ky.gov/law/kar/titles/201/016/

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KRS CHAPTER 321

KRS 321.175 - Purpose of chapter.

(1) This chapter shall be known as the Kentucky Veterinary Medicine Practice Act.

(2) It is hereby declared that:

(a) The practices of veterinary medicine, veterinary technology, animal euthanasia, and allied animal health professionals and the operation of veterinary facilities, AAHP facilities, and board-certified animal control agencies are privileges which are granted by legislative authority and are subject to regulation and control in the interest of public health, safety, and welfare to protect the public from:

1. Being misled by incompetent, unscrupulous, and unauthorized practitioners;

2. Unprofessional or illegal practices by persons licensed to practice veterinary medicine, veterinary technology, animal euthanasia, and the allied animal health professions;

3. Substandard care; and

4. Unlicensed persons;

(b) It is a matter of public interest and concern that the practices of veterinary medicine, veterinary technology, animal euthanasia, and allied animal health professions working on animals merit and receive the confidence of the public and that only qualified individuals be permitted to practice these professions in the Commonwealth. This chapter shall be liberally construed to carry out these objectives and purposes;

(c) The intent of this chapter is to regulate the professions of veterinary medicine, veterinary technology, animal euthanasia, and allied animal health professional work on animals and to establish standards for veterinary premises and AAHP premises, both fixed and mobile, and shall result in displacing competition by restricting licensure, permitting, certification, and registration to practice these professions, as this practice is defined and interpreted by the board, to persons and premises determined by the board to be qualified under this chapter; and

(d) Any resulting restriction on competition is outweighed by the broader interest in protection of the public health, safety, and welfare. It is understood that the regulatory structure calls for veterinarians, veterinary technicians, AAHPs, and citizens at large to serve on the board and this chapter recognizes the need for professional expertise provided by veterinarians and veterinary technicians serving the public interest.

(3) This chapter is intended to provide active oversight and supervision through its legislative enactment, the promulgation of administrative regulations, the appointment of board members by the Governor, legal representation of the board by competent counsel, legislative appropriation of moneys and spending authority to support the board, and engagement in the administrative regulation review process under the auspices of the Legislative Research Commission.

(4) It is the purpose of this chapter to promote, preserve, and protect the public health, safety, and welfare by and through the licensure, permitting, certification, registration, and regulation of individuals, whether physically located within or outside of the Commonwealth, who practice veterinary medicine, veterinary technology, animal euthanasia, and AAHP services within Kentucky, and the registration of veterinary facility locations, AAHP facility locations, and mobile facilities where veterinary medicine or AAHP activities are being practiced. In furtherance of this purpose, the Kentucky Board of Veterinary Examiners is created, and its members, functions, and procedures shall be established in accordance with this chapter.

(5) The purpose of this chapter is to establish a comprehensive scheme to fully occupy the fields of veterinary medicine, veterinary technology, AAHP work on animals, and animal euthanasia, and provide a uniform regulatory scheme to be enforced by the Kentucky Board of Veterinary Examiners as defined in the scopes of practice.

Effective: June 29, 2023

History: Amended 2023 Ky. Acts ch. 95, sec. 1, effective June 29, 2023. – Amended 2016 Ky. Acts ch. 116, sec. 1, effective July 15, 2016. -- Amended 1996 Ky. Acts ch. 318, sec. 282, effective July 15, 1996. -- Created 1992 Ky. Acts ch. 299, sec. 1, effective July 14, 1992.

Legislative Research Commission Note (7/14/92). This statute was created in 1992 Ky. Acts ch. 299, which contains the enrolled text of Senate Bill 250. A committee substitute for this bill was adopted by the House with a floor amendment, and the Senate subsequently concurred in this action by the House; this amended substitute thus became the enrolled version of the bill. In drafting the House Committee Substitute, the original Section 10 of the bill was deleted in its entirety, but internal section references within the bill were not renumbered to reflect this deletion. Therefore, in codifying this statute, the internal section reference within Acts ch. 299, sec. 1, has been changed pursuant to KRS 7.136(1).

KRS 321.181 - Definitions for chapter.

As used in this chapter:

(1) "Allied animal health professional" or "AAHP" means a professional who has completed an approved allied animal health professional program as defined in an administrative regulation promulgated by the board in accordance with KRS Chapter 13A and who offers specialized, limited services as defined in this chapter or by an administrative regulation to an animal patient in an area of practice as identified in KRS 321.251;

(2) (a) "Allied animal health professional facility" or "AAHP facility" means any building, fixed facility, place, premises, mobile facility, mobile unit, or location from which the practice of allied animal health professionals on animals is conducted or performed, including but not limited to a mobile clinic or facility, outpatient clinic, emergency facility, specialty facility, referral facility, human facility, or center.

(b) An AAHP facility includes all fixed buildings used in AAHP practice at a single physical premises location.

(c) An AAHP facility does not include:

1. The premises of a client unless a fixed allied animal health professional facility is located on the premises;
2. A research facility;
3. A federal military base;
4. Locations for temporary animal exhibition;
5. State or federal regulatory facilities; or
6. An approved allied animal health professional program location;

(3) "Allied animal health professional manager" or "AAHP manager" means at least one (1) board-licensed AAHP who registers to assume responsibility for the registration, management, and operation of a registered allied animal health professional facility;

(4) "Allied animal health professional license" or "AAHP license" means a credential issued to an allied animal health professional who is licensed by the board to practice on animals in the Commonwealth and to conduct specialized services for an animal patient limited to the scope of work as defined in this chapter or by the board in administrative regulation;

(5) "Animal" means any member of the animal kingdom other than a human, whether living or dead;

(6) "Animal chiropractic" means the science of diagnosing and adjusting or manipulating the subluxations of the articulations of an animal's spine and its adjacent tissues and by applying methods of treatment designed to augment those adjustments or manipulations;

(7) "Animal control agency" means an animal shelter fulfilling the duties required pursuant to KRS Chapter 258 that is owned, contracted with, or in service on behalf of a county or municipality;

(8) "Animal shelter" means a public agency or private humane society, society for the prevention of cruelty to animals, animal protection shelter or control agency, or other facility that provides shelter and care for homeless, stray, unwanted, or injured domestic animals;

(9) "Applicant" means a person who submits an application for licensure, certification, license, or registration, whether complete or not, to the board;

(10) "Approved allied animal health professional program" means a school or educational program offering specialized training to provide limited services to an animal patient that has been approved by the board in an administrative regulation as meeting its administrative standards;

(11) "Approved foreign equivalency program" means a school or educational program that has been approved by the board as meeting its administrative standards, which offers additional training and testing for persons who graduated from a non-board approved veterinary medical program or non-board-approved veterinary technology program;

(12) "Approved program of continuing education" means an educational program approved by the board or offered by an approved provider of continuing education;

(13) "Approved provider of continuing education" means any person that has met the requirements of the board to provide educational courses that are designed to ensure continued competence in the practice of veterinary medicine, veterinary technology, animal euthanasia, or other area of practice governed by the board;

(14) "Approved veterinary medical program" means a school of veterinary medicine or a veterinary medical education program that has been approved by the board as meeting its administrative standards;

(15) "Approved veterinary technology program" means a school of veterinary technology or a veterinary technology education program that has been approved by the board as meeting its administrative standards;

(16) "Background check" means an inquiry within a system for the collection, processing, preservation, or dissemination of criminal history records maintained by one (1) or more local, state, or federal agencies;

(17) "Board" means the Kentucky Board of Veterinary Examiners;

(18) "Certificate holder" means a person certified by the board;

(19) "Certified animal control agency" means an animal shelter that is certified by the board;

(20) "Certified animal euthanasia specialist" means a person employed by a certified animal control agency who is authorized by the board to humanely euthanize animals by administering drugs designated by the board for euthanasia and sedation including animals owned by the certified animal control agency or animals in emergency care circumstances;

(21) "Chemical restraint" means the use of any controlled substance, veterinary drug, prescription, veterinary prescription drug, or legend drug that assists in the restraint of or sedates the animal;

(22) "Client" means the owner, owner's agent, or other person presenting the patient for care, who has entered into an agreement with a veterinarian or allied animal health professional on behalf of a patient for the purposes of obtaining veterinary medical services or allied animal health professional services in person or by any means of communication or telehealth;

(23) "Compensation" includes any gift, bonus, fee, money, credit, or other thing of value;

(24) "Complementary and alternative veterinary medicine therapies" means a heterogeneous group of preventive, diagnostic, and therapeutic philosophies and practices that are not considered part of conventional veterinary medicine. These therapies include but are not limited to:

(a) Veterinary acupuncture, acutherapy, and acupressure;

(b) Veterinary homeopathy;

(c) Veterinary manual or manipulative therapy, such as therapies based on techniques practiced in osteopathy, chiropractic, or physical medicine and therapy;

(d) Veterinary nutraceutical therapy; and

(e) Veterinary phytotherapy;

(25) "Consultation" means a veterinarian's receipt of advice, assistance in person, or by any method of communication from a veterinarian or other person whose expertise, in the opinion of the

veterinarian, would benefit a patient while the responsibility for the welfare of the patient remains with the veterinarian receiving consultation;

(26) "Continuing education" means training that is designed to ensure continued competence in the practice of veterinary medicine, veterinary technology, or for certified animal euthanasia specialists, licensed allied animal health professionals, or any board credential holder;

(27) "Continuing education contact hour" means a fifty (50) minute clock hour of instruction, not including breaks or meals;

(28) "Conviction" means a formal declaration that someone is guilty of a crime by a court of competent jurisdiction and shall include a finding or verdict of guilt, an admission of guilt, a no contest plea, a plea of nolo contendere, or a guilty plea;

(29) "Credential" means:

(a) Any license, certificate, permit, registration, or other credential issued or approved by the board; or

(b) The authorization to serve as the veterinarian manager or registered responsible party designated on a veterinary facility registration, as the AAHP manager or registered responsible party designated on an AAHP facility registration, or as the designated on-site manager designated for a certified animal control agency;

(30) "Credential holder" means a person who holds an approved credential issued by the board, which may be one (1) or more of the following:

(a) Certificate;

(b) License;

(c) Registration; or

(d) Special permit;

(31) "Designated on-site manager" means a person who registers with the board to assume responsibility for the ordering, management, use, and disposal of controlled substances at a certified animal control agency;

(32) "Discipline" means any final order, settlement agreement, reprimand, fine, or other adverse consequence assessed against a person by the board or any of its counterparts in other jurisdictions;

(33) "Embryo transfer" means to remove an embryo from any animal for the purpose of transplanting the embryo into another animal, cryopreserving the embryo, or implanting the embryo into any animal, including food and companion animals;

(34) "Emergency care" means immediate treatment that is necessary to sustain life or end suffering of an animal that is in a life-threatening condition;

(35) "Equine dentistry" means any diagnosis, treatment, or surgical procedure performed on the head or oral cavity of an equine animal, including:

(a) Any procedure that invades the tissues of the oral cavity, including a procedure to:

1. Remove sharp enamel projections;

2. Treat malocclusions of the teeth;

3. Reshape teeth; or

4. Extract one (1) or more teeth;

(b) The treatment or extraction of damaged or diseased teeth;

(c) The treatment of diseased teeth through restoration and endodontic procedures;

(d) Periodontal treatments, including the:

1. Removal of calculus, soft deposits, plaque, and stains above the gum line; and

2. Smoothing, filing, and polishing of tooth surfaces; and

(e) Dental radiography;

(36) "Examination" means a qualifying examination approved by the board as a condition for certification, licensure, permit, or registration;

(37) "Expired" is a licensure status whereby the credential holder failed to renew the credential in a timely manner in accordance with the deadline set by the board;

(38) "Extralabel use" means actual use or intended use of a drug in an animal in a manner that is not in accordance with the approved labeling and includes but is not limited to:

(a) Use in species or production class not listed in the labeling;

(b) Use for indications such as disease or other conditions not listed in the labeling;

(c) Use at dosage levels, frequencies, or routes of administration other than those stated in the labeling; and

(d) Deviation from the labeled withdrawal time based on these different uses;

(39) "Felony" means a criminal act as defined by any jurisdiction or by definition under federal law;

(40) "Fixed facility" means a permanent location that is generally not moveable;

(41) "Grievance" or "complaint" means any allegation of misconduct that may constitute a violation of this chapter or any administrative regulation promulgated under the authority of this chapter;

(42) "Impaired" means that a credential holder, designated on-site manager, veterinarian manager, AAHP manager, or registered responsible party may reasonably be unable to perform that person's duties with competence, skill, and safety because of a physical or mental disability or incapacity, including deterioration of mental capacity, loss of motor skills, or substance use or disorder of sufficient degree which may reasonably diminish the person's ability to deliver competent patient care;

(43) "In-person" means physically in the same physical space;

(44) "Informed consent" or "consent" means the veterinarian or allied animal health professional licensee has informed the client or the client's authorized representative in a manner understood by the client or the client's authorized representative of the diagnostic and treatment options, potential outcomes, risk assessment, prognosis, and options and the client has consented to or knowingly declined the recommended services or treatment;

(45) "Jurisdiction" means:

(a) Any Commonwealth, state, or territory of the United States of America, including the District of Columbia;

(b) Any province of Canada; or

(c) A regulatory organization, including an international body; that issues licenses, registrations, permits, or certificates related to the professional fields of veterinary medicine;

(46) "Licensee" means a person licensed by the board under this chapter;

(47) "Livestock" means bovines, equines, sheep, goats, swine, poultry, captured or cultivated aquatic species, farm-raised cervidae and camelidae, bees, and any other species used in the production of fiber, meat, eggs, honey, milk, and other animal food products;

(48) "Mobile facility" or "mobile unit" means a motor vehicle that is utilized pursuant to KRS 321.205;

(49) "Patient" means any animal or group of animals receiving care from a veterinarian, veterinary technician, veterinary assistant, animal euthanasia specialist, allied animal health professional, veterinary student, veterinary technician student, or veterinary practice staff;

(50) "Permittee" means a person permitted by the board under this chapter;

(51) "Person" means any individual, firm, partnership, association, joint venture, cooperative, corporation, governmental body, or any other group, legal entity, or combination acting in concert, and whether or not acting as a principal, trustee, fiduciary, receiver, or as any kind of legal or personal representative, or as the successor in interest, assignee, agent, factor, servant, employee, director, officer, or any other representative of the person;

(52) "Practice of veterinary medicine" means any person who practices veterinary medicine when performing any one (1) or more of the following on an animal:

(a) Directly or indirectly diagnoses, prognoses, corrects, changes, relieves, prevents, supervises, recommends, or performs medical or surgical treatment, including complementary and alternative veterinary medicine therapies, obstetrics, dentistry, oral surgery, acupuncture, laser therapy, manipulation, and all other branches or specialties of veterinary medicine, for the diagnosis, prevention, cure, or relief of a wound, defect, deformity, fracture, bodily injury, disease, or dental, physical, behavioral, or mental condition;

(b) Prescribes, dispenses, or administers any drug, medicine, anesthetic, biologic, appliance, apparatus, application, treatment, or other therapeutic or diagnostic substance or technique for veterinary purposes, or performs euthanasia, in accordance with the applicable federal statutes and regulations governing controlled prescription drugs, legend drugs, and veterinary drugs;

(c) Performs any manual procedure for the diagnosis, treatment, or both of pregnancy, sterility, or infertility, including embryo transfer;

(d) Represents oneself, directly or indirectly, as engaging in the practice of veterinary medicine; or

(e) Uses any words, letters, or titles as to induce the belief that the individual using them is authorized to practice veterinary medicine under this chapter with such use being prima facie

evidence of the intention to represent oneself as engaged in the practice of veterinary medicine;

(53) Practice of veterinary technology" means:

(a) The practices of veterinary technology when performing patient care, professional medical care, monitoring, treatment, or other services on an animal that require a technical understanding of veterinary medicine on the basis of written or oral instruction of a veterinarian, or under supervision of a veterinarian; and

(b) 1. Representation of oneself, directly or indirectly, as a licensed veterinary technician or "LVT"; or

2. Use of any words, letters, or titles under circumstances that would induce the belief that the individual using them is authorized to practice as a veterinary technician under this chapter, with such use being prima facie evidence of the intention to represent oneself as engaged in practice as a veterinary technician;

(54) "Premises" means any place where an animal is located when veterinary medicine is being practiced;

(55) "Prescription" means an order for a drug or medicine, combination or mixture of drugs or medicines, or proprietary preparation that is signed, given, or authorized and intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in a patient;

(56) "Registrant" means a person or premises registered with the board under this chapter;

(57) "Registered allied animal health professional facility" or "registered AAHP facility" means an AAHP facility that is registered with the board;

(58) "Registered facility" means any AAHP facility or any veterinary facility that is registered with the board;

(59) "Registered responsible party" means at least one (1) person documented as the:

(a) Entity that is designated as the registered responsible party on a facility registration and is responsible for its operation and management in conjunction with the veterinarian manager or allied animal health professional manager; and

(b) Entity that is held accountable to the board as a credential holder for any violation of this chapter and its associated administrative regulations. At a minimum, the registered party shall include all persons, owners, and corporate owners of the registered veterinary facility or allied animal health professional facility;

(60) "Registered veterinary facility" means a veterinary facility that is registered with the board;

(61) "Supervision" pertains to any of the following:

(a) "Supervising veterinarian" means a veterinarian who assumes responsibility for the veterinary care given to a patient by an individual working under the veterinarian's direction and has examined the patient pursuant to currently acceptable standards of care;

(b) "Immediate supervision" means the supervising veterinarian is physically in the immediate area and within audible and visual range of the patient and the individual treating the patient;

(c) "Direct supervision" means the supervising veterinarian is readily available on the premises where the patient is being treated; and

(d) "Indirect supervision" means the supervising veterinarian need not be on the premises but has given either written or oral instructions for the treatment of the patient and is readily available for communication;

(62) "Teleadvice" means the provision of any health information, opinion, guidance, or recommendation concerning prudent future actions that are not specific to a particular patient's health, illness, or injury;

(63) "Teleconsulting" means telehealth in which a veterinarian, veterinary technician, AAHP, or other credential holder uses telehealth tools to communicate with a specialist or another professional to gain insights and advice on the care of a patient;

(64) "Telehealth" means all uses of technology to remotely gather and deliver health information, advice, education, and care;

(65) "Telemedicine" or "connected care" means the integration of digital technologies to enhance and support the VCPR and facilitate proactive and ongoing care through improved communication, diagnosis, and monitoring;

(66) "Telemonitoring," "mHealth," or "mobile health," means remote monitoring of a patient who is not at the same location as the health care provider;

(67) "Telesupervision" means the supervision of individuals using media such as audio or audio/video conference, text messaging, and e-mail;

(68) "Teletriage" means the safe, appropriate, and timely assessment and management of an animal patient via electronic consultation with its owner, regardless of whether there is an immediate referral to a veterinarian and where a diagnosis is not rendered;

(69) "Veterinarian" means an individual who is licensed to engage in the practice of veterinary medicine under this chapter;

(70) "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;

(71) "Veterinarian-client-patient relationship" or "VCPR" has the same meaning as in KRS 321.185;

(72) "Veterinary assistant" means a layperson without credentials who is employed by a veterinarian in accordance with KRS 321.443;

(73) (a) "Veterinary facility" means any building, fixed facility, place, premises, mobile facility, or mobile unit location from which the practice of veterinary medicine and practice of veterinary technology are conducted or performed, including but not limited to a mobile clinic or facility, outpatient clinic, veterinary hospital or clinic, emergency facility, specialty facility, referral facility or center, temporary health clinic, or spay/neuter location. A veterinary facility shall include all fixed buildings used for the practice of veterinary medicine at a single physical premises location.

(b) "Veterinary facility" does not include:

1. The premises of a veterinary client unless a fixed veterinary facility is located on the veterinary client's premises;
2. A research facility;
3. A federal military base;
4. Locations for temporary animal exhibition;
5. State or federal regulatory facilities;
6. Officially designated emergency and disaster response locations;
7. A facility with current accreditation by the Association of Zoos and Aquariums; or
8. An American Veterinary Medical Association-accredited college of veterinary medicine or veterinary technology;

(74) "Veterinary specialist" means a veterinarian that has been awarded and maintains certification from an American Veterinary Medical Association-recognized veterinary specialty organization, program, or college, and is registered in this specialty with the board;

(75) "Veterinary student" means:

(a) A person enrolled in an approved veterinary medical program while pursuing a degree in veterinary medicine; or

(b) A person in a post-Doctor of Veterinary Medicine temporary private internship, residency, or veterinary hospital-based program, not to exceed thirty (30) days in a calendar year;

(76) "Veterinary technician" means a person who has completed an approved veterinary technology program, is licensed in accordance with this chapter, and meets the requirements in KRS 321.441;

(77) "Veterinary wellness committee" means a committee appointed by the board that is composed of individuals who have expertise in the areas of alcohol abuse, chemical dependence, drug abuse, or physical or mental condition designated by the board to perform activities related to the veterinary wellness program; and

(78) "Veterinary wellness program" means the board-sponsored program for the identification, intervention, and monitoring of credential holders or applicants who may be impaired as a result of alcohol abuse, chemical dependence, drug abuse, or any physical or mental condition, alcohol abuse, chemical dependence, drug abuse, or any physical or mental condition.

Effective: June 27, 2025

History: Amended 2025 Ky. Acts ch. 87, sec. 1, effective June 27, 2025. – Repealed and reenacted 2023 Ky. Acts ch. 95, sec. 2, effective June 29, 2023. – Amended 2016 Ky. Acts ch. 116, sec. 2, effective July 15, 2016. -- Amended 2004 Ky. Acts ch. 189, sec. 28, effective July 13, 2004. -- Amended 1998 Ky. Acts ch. 126, sec. 1, effective July 15, 1998. -- Created 1992 Ky. Acts ch. 299, sec. 2, effective July 14, 1992.

KRS 321.185 - Veterinarian-client-patient relationship.

(1) In order for a veterinarian to practice veterinary medicine, a relationship among the veterinarian, the client, and the patient shall be established and maintained. The veterinarian-client-patient relationship or VCPR is the basis for veterinary care and means that:

(a) The veterinarian and the client or other caretaker of the patient both agree for the veterinarian to assume responsibility for making medical judgments regarding the health of the animal;

(b) There is sufficient knowledge of the animal by the veterinarian to initiate at least a general or preliminary diagnosis of the medical condition of the animal. This means that within the previous twelve (12) months the veterinarian either physically examined the animal or made a medically appropriate in-person visit to the premises where the animal is kept; and

(c) The veterinarian has assumed responsibility for providing follow-up care and continuation of care to the patient, except in cases where the veterinarian has:

1. Arranged for or contracted for emergency care or urgent care coverage by another veterinarian who can provide reasonable and appropriate medical care and has notified the client how to access emergency care; or

2. Notified the client of an available registered facility that can provide reasonable and appropriate medical care.

(2) The VCPR may extend to another veterinarian employed in the same registered facility who is licensed to practice veterinary medicine within the Commonwealth, so long as the other Kentucky-licensed veterinarian has sufficient knowledge in the medical record to make a decision.

(3) The veterinarian shall maintain records that document patient visits, diagnosis, treatment, and other relevant information, as required by KRS 321.187.

(4) (a) A veterinarian shall not violate the confidential relationship between the veterinarian and the veterinarian's client. Consultation by the veterinarian with another veterinarian or professional expert for the benefit of the patient shall not constitute a violation of confidentiality.

(b) A veterinarian shall not release information concerning a client or care of a client's animal, except:

1. On the veterinarian's receipt of:

a. A written authorization or other form of waiver executed by the client; or

b. An appropriate court order or subpoena;

2. In cases of animal abuse, pursuant to KRS 321.188;

3. In cases of reportable diseases as they relate to public or animal health pursuant to KRS 257.080 and 258.065 and the administrative regulations promulgated under the authority of those statutes;

4. Other exceptions established in KRS 321.187 and 321.200; or

5. Upon request from the board.

(c) A veterinarian who releases information under paragraph (b) of this subsection shall not be liable to any person, including the client, for an action resulting from the disclosure.

(d) The privilege provided by this subsection is waived by the client or the owner of an animal treated by the veterinarian to the extent the client or owner places at issue in a civil or criminal proceeding:

1. The nature and extent of the animal's injuries; or
2. The care and treatment of the animal provided by the veterinarian.

(e) This subsection shall not apply to:

1. An inspection or investigation conducted by the board or an agent of the board; or
2. The veterinary reporting requirements and regulatory authority of the Kentucky Horse Racing and Gaming Corporation to inspect, investigate, and supervise horses and other participants in horse racing as provided by KRS Chapter 230 and the administrative regulations promulgated under KRS Chapter 230, or any other state or federal law applicable to the regulation of horse racing in the Commonwealth.

(5) Veterinarians providing copies of records under this section may charge no more than the actual cost of copying, including reasonable staff time.

(6) A licensed veterinarian who in good faith engages in the practice of veterinary medicine by rendering or attempting to render emergency care or urgent care to an animal when a client cannot be identified shall not be subject to penalty based solely on the veterinarian's inability to establish a VCPR with an owner or the owner's representative.

(7) A VCPR shall not be established solely by telehealth means. In the absence of a VCPR, any advice provided through telehealth shall be general and not specific to a patient, diagnosis, or treatment. Veterinary telemedicine shall only be conducted within an existing VCPR, with the exception for advice given in an emergency care situation until that patient can be seen in person by a licensed veterinarian.

Effective: July 1, 2024

History: Amended 2024 Ky. Acts ch. 171, sec. 107, effective July 1, 2024. – Amended 2023 Ky. Acts ch. 95, sec. 10, effective June 29, 2023. -- Amended 2020 Ky. Acts ch. 117, sec. 2, effective July 15, 2020. -- Amended 2016 Ky. Acts ch. 116, sec. 3, effective July 15, 2016. -- Amended 2009 Ky. Acts ch. 39, sec. 1, effective June 25, 2009. -- Created 1992 Ky. Acts ch. 299, sec. 3, effective July 14, 1992.

KRS 321.186 - Telehealth -- Authorization -- Types.

Telehealth shall be authorized for veterinary practice. Telehealth is divided into categories based on who is involved in the communication. For communication between veterinarians and other persons, there are distinctions in practice related to whether a VCPR as set forth in KRS 321.185 has been established with the patient. Different types of veterinary telehealth include the following:

(1) Telemonitoring, mHealth, or mobile health applications and wearables which are:

(a) Designed to augment animal health care within VCPRs; or

(b) Designed and marketed directly to consumers for their education and for animal monitoring without clinical input and outside the context of a VCPR;

(2) Telesupervision, which shall be permitted as a part of telehealth practice;

(3) Telemedicine or connected care, which provides the delivery of information specific to a particular patient and shall be conducted within the context of an established VCPR to ensure protection for the patient, subject to the following:

(a) Telemedicine or connected care is an approach to veterinary practice that is patient- and client-centered, and actively engages the entire veterinary healthcare team. This type of telehealth involves use of one (1) or more tools to exchange medical information electronically from one (1) site to another to improve a patient's clinical health status, which may be utilized to augment the practice of veterinary medicine. The appropriate application of connected care or telemedicine can enhance animal care by facilitating communication, diagnostics, treatments, client education, scheduling, and other tasks;

(b) Practitioners providing telemedicine or connected care to patients in the Commonwealth shall be credentialed to practice by the board and operate in association with a registered veterinary facility or registered allied animal health professional facility in Kentucky. Practitioners practicing this type of telemedicine shall comply with all state and federal statutes and regulations, including requirements for access to follow-up care; and

(c) Telemedicine or connected care provided to patients in Kentucky shall only be conducted within an existing VCPR as set forth in KRS 321.185 and is required to be reestablished through an in-person visit every twelve (12) months, with the exception of advice given in an emergency care situation or teletriage until a patient can be seen by or transported to a veterinarian. The VCPR for that twelve (12) months shall be deemed to constitute a relationship in Kentucky, regardless of whether the patient or client travels outside the Commonwealth; and

(4) Telehealth conducted without a VCPR, which may include only the delivery of general advice, educational information, and teletriage. Telehealth which may be conducted without a VCPR includes:

(a) Teleadvice, which is general advice that is not intended to diagnose, prognose, treat, correct, change, alleviate, or prevent animal disease, illness, pain, deformity, defect, injury, or other physical, dental, or mental conditions. If the practitioner providing the teleadvice is a qualified veterinarian, veterinary technician, allied animal health professional, or other board credential holder, the practitioner shall be required to hold a valid credential from the Kentucky board, except as authorized by KRS 321.200, shall comply with all state and federal statutes and regulations, and shall disclose the practitioner's name and Kentucky credential number to the person receiving services;

(b) Teleconsulting, in which the established VCPR remains with the veterinarian seeking advice or counsel; and

(c) Teletriage, when in assessing patient condition electronically, the assessor determines urgency and the need for immediate referral to a veterinarian, based on the owner's or responsible party's report of history and clinical signs, sometimes supplemented by visual information, such as photographs or video. Practitioners providing teletriage to patients in the Commonwealth shall be credentialed to practice by the board in Kentucky, shall comply with all state and federal statutes and regulations, and shall disclose the practitioner's name and Kentucky credential number to the person receiving services.

Effective: June 29, 2023

History: Created 2023 Ky. Acts ch. 95, sec. 3, effective June 29, 2023.

KRS 321.187 - Medical recordkeeping -- Access to records.

(1) Each veterinarian or AAHP who provides medical services to animals shall maintain accurate electronic or legibly written medical records that include the identity of the credential holder or authorized representative who makes the entry.

(2) The information in the medical records are the property of the client, and the client has a right to a copy of those records. The practice where the records were prepared shall be the official records custodian. Original patient records shall be retained by the practice, the veterinary facility or AAHP facility where they were prepared, or the veterinarian or AAHP who prepared them and be readily retrievable for a period of five (5) years following the last patient encounter. Records stored by a third party shall not relieve the veterinarian or AAHP from the responsibility of supplying records to the client upon request.

(3) (a) The veterinarian or AAHP may require that a request for medical records be in writing and may charge a reasonable fee for copying or the staff time in preparing the requested medical records, unless there is a board investigation, in which case no charges shall be authorized.

(b) Copies of the medical records shall be provided to the client, designated veterinarian, AAHP, or authorized representative within seven (7) calendar days after receipt of a proper request or sooner in accordance with the patient's medical condition.

(c) Failure to provide the medical records in a timely fashion upon proper request shall be considered unprofessional conduct.

(4) All records required by law to be kept by a veterinarian or AAHP shall be open to inspection by the board or its authorized representatives, and a copy shall be provided immediately upon request.

(5) All records shall comply with the requirements set forth by the board in administrative regulations.

(6) An animal patient's medical record and medical condition is confidential and may not be furnished to or discussed with any person other than the client or other veterinarians, veterinary technicians, veterinary assistants, veterinary practice staff, veterinary students, AAHPs, or consultants involved in the care or treatment of the patient, except upon authorization of the client or under the following circumstances:

(a) Access to the records is specifically required by law, or as described in KRS 321.185 and 321.188;

(b) In response to a court order or subpoena with notice given to the client or the client's legal representative;

(c) For statistical and scientific research, if the information is abstracted in a way as to protect the identity of the patient and client;

(d) As part of an inspection or investigation conducted by the board or an agent of the board;

(e) To verify the rabies vaccination status of an animal to local law enforcement, or to state or local health departments;

(f) In the course of a consultation; and

(g) As required by other state or federal law.

(7) A veterinarian or AAHP shall not intentionally create a false record, make a false statement, or alter or modify any medical record, document, or report concerning treatment of a patient. When correcting a medical record, the original content should be readable, and the alteration shall be clearly identified with the correction, reason for correction, date, and author's name.

Effective: June 27, 2025

History: Amended 2025 Ky. Acts ch. 87, sec. 6, effective June 27, 2025. -- Created 2023 Ky. Acts ch. 95, sec. 4, effective June 29, 2023.

KRS 321.188 - Reporting of animal abuse.

If a veterinarian finds that an animal with which the veterinarian has a VCPR has been abused in violation of KRS 525.125, 525.130, 525.135, or 525.137, the veterinarian may make a report to:

(1) The Office of the State Veterinarian for any animal for which an on-farm livestock or poultry care standard has been promulgated under KRS 257.196; or

(2) Law enforcement for any other animal.

Effective: June 29, 2023

History: Amended 2023 Ky. Acts ch. 95, sec. 11, effective June 29, 2023. – Created 2020 Ky. Acts ch. 117, sec. 1, effective July 15, 2020.

KRS 321.189 - Criminal background investigation for applicants.

The board shall require a national and state criminal background investigation for every applicant seeking a license, certificate, registration, or permit issued by the board permitting the applicant to engage in a

veterinary practice or activity regulated by the board. The criminal background investigation shall be by means of a fingerprint check by the Department of Kentucky State Police or equivalent state police body in the applicant's home state and the Federal Bureau of Investigation, pursuant to the following requirements:

(1) The applicant shall provide his or her fingerprints to the Department of Kentucky State Police, or equivalent state police body in the applicant's home state, for submission to the Federal Bureau of Investigation after a state criminal background check is conducted;

(2) The results of the national and state criminal background check shall be sent to the board for the screening of applicants;

(3) The board shall be prohibited from releasing any criminal history record information to any private entity or other licensing board, or authorizing receipt by such entity or board; and

(4) Any fee charged by the Department of Kentucky State Police or the Federal Bureau of Investigation shall be an amount no greater than the actual cost of processing the request and conducting the background check. The board may charge this fee to the applicant for licensure or certification.

Effective: June 29, 2023

History: Created 2023 Ky. Acts ch. 95, sec. 7, effective June 29, 2023.

KRS 321.190 - License required to practice veterinary medicine or veterinary technology.

(1) The practice of veterinary medicine and the practice of veterinary technology in the Commonwealth are subject to enforcement by the board. Except as otherwise provided in this chapter, it shall be unlawful for any person to engage in the practice of veterinary medicine or the practice of veterinary technology in the Commonwealth through any means unless licensed under the applicable provisions of this chapter, except as provided in KRS 321.200 and 321.443.

(2) (a) A person shall not use the designation "veterinarian," "licensed veterinarian," or any other designation indicating licensure status, including abbreviations, or hold that person out as a veterinarian unless licensed for that profession.

(b) A person shall not use the designation "veterinary technician," "licensed veterinary technician," or any other designation indicating licensure status, including abbreviations, or hold that person out as a veterinary technician unless licensed for that profession.

(3) The practice of veterinary medicine by telephonic, videoconference, telehealth, or other means shall constitute the practice of veterinary medicine subject to licensure and enforcement by the board.

(4) A veterinarian shall utilize the services of a licensed veterinary technician or veterinary assistant in accordance with this chapter and the administrative regulations promulgated under the authority of this chapter. Unauthorized utilization of any person's services in violation of this chapter shall be considered as aiding and abetting any unlicensed person to practice veterinary medicine as described in KRS 321.351.

(5) Nothing in this chapter shall be construed to prevent members of other professions from performing functions for which they are credentialed by the board and that is within their defined scope of practice. However, these persons shall not hold themselves out or refer to themselves by any title or description stating or implying that they are licensed or otherwise entitled to engage in the practice of veterinary medicine or the practice of veterinary technology.

(6) Except as authorized by KRS 321.200, nothing in this chapter shall be construed to permit any person who is not a veterinarian to perform any of the following activities relating to animals:

(a) Surgery;

(b) Diagnosis;

(c) Prognosis; and

(d) Prescription.

(7) A supervising veterinarian is individually and separately responsible and liable for the performance of the acts delegated to and the omissions of the licensed veterinary technician, veterinary assistant, special permittee, intern, preceptor, resident, or any other individual working under the veterinarian's supervision. Nothing in this section shall be construed to relieve licensed veterinary technicians, veterinary assistants, special permittees, interns, preceptors, residents, or any other individuals working under supervision of any responsibility or liability for any of their own acts or omissions.

(8) Unless exempted by KRS 321.200, persons engaging in the practice of veterinary medicine or the practice of veterinary technology without a credential from the board shall be subject to enforcement and discipline by the board as established in KRS 321.352 and 321.990.

Effective: June 29, 2023

History: Repealed and reenacted 2023 Ky. Acts ch. 95, sec. 12, effective June 29, 2023. -- Amended 2016 Ky. Acts ch. 116, sec. 4, effective July 15, 2016. -- Amended 1992 Ky. Acts ch. 299, sec. 15, effective July 14, 1992. -- Created 1948 Ky. Acts ch. 181, sec. 15.

KRS 321.193 - Veterinarian's license -- Requirements.

The board shall issue a license as a "veterinarian" to an applicant who meets the following requirements:

(1) Has completed an application for licensure approved by the board in administrative regulation;

(2) Has paid the application fee and the appropriate examination fee;

(3) Is a person of good moral character. As one (1) element of good moral character, the board shall require each applicant for licensure to submit a full set of the applicant's fingerprints for the purpose of obtaining criminal records checks, pursuant to applicable law. All good moral character information, including the information obtained through the criminal background checks, shall be relevant to licensure eligibility determinations to the extent permitted by law;

(4) Has graduated and received a doctorate degree in veterinary medicine or equivalent degree in veterinary medicine from an approved veterinary medical program or approved foreign equivalency program;

(5) Has achieved a passing score on examinations required by administrative regulation promulgated by the board;

(6) Has been approved for licensure by the board; and

(7) Has complied with any other requirements of this chapter or of the board by administrative regulation.

Effective: June 29, 2023

History: Amended 2023 Ky. Acts ch. 95, sec. 13, effective June 29, 2023. – Amended 2016 Ky. Acts ch. 116, sec. 5, effective July 15, 2016. -- Amended 2000 Ky. Acts ch. 240, sec. 1, effective July 14, 2000. -- Created 1992 Ky. Acts ch. 299, sec. 11, effective July 14, 1992.

KRS 321.200 - Exemptions from application of chapter.

(1) No provision of this chapter shall be construed to prohibit any of the following:

(a) Any persons from gratuitously treating animals in cases of emergency care, provided they do not use the word "veterinarian," "veterinary," "veterinary technician," "veterinary nurse," or any title, words, abbreviation, or letters in a manner or under circumstances which may induce the belief that the person using them is qualified to engage in the practice of veterinary medicine or the practice of veterinary technology as described in KRS 321.181;

(b) 1. The owner of any animal or animals, the owner's full-time, or part-time, regular employees, or the owner's agent from caring for and treating animals maintained in their custody, including but not limited to euthanasia of livestock or administering drugs that are obtained and used in accordance with applicable state and federal statutes and regulations to, any animals belonging to the owner. With the exception of paragraph (c) of this subsection and other limiting statutes, treatment shall not include surgery.

2. Transfer of ownership, a temporary contract, or a temporary change in a person's employment status shall not be used for the purpose of circumventing this provision.

3. This provision shall not exempt an employee who would otherwise qualify for a board credential from the credentialing requirements of this chapter based on the employment status;

(c) Any person from castrating and dehorning food animals, as long as any drugs or medications are obtained and used in accordance with applicable state and federal statutes and regulations governing controlled substances, legend drugs, and veterinary drugs;

(d) Any veterinary student as defined in KRS 321.181 from working under the direct supervision of a veterinarian who is licensed under this chapter;

(e) Unlicensed graduate veterinarians in the United States Armed Services or employees of the United States Department of Agriculture, Animal and Plant Health Inspection Service, from engaging in the performance of their official duties;

(f) Other lawfully qualified veterinarians who reside in and are licensed in other jurisdictions from discussing or meeting, either in person or via telehealth, with licensed veterinarians of this Commonwealth in consultation about a patient so long as the Kentucky-licensed veterinarian has established and maintains a current VCPR with the patient;

(g) A trainer, sales agent, or herdsman from caring for animals, upon instruction from a Kentucky-licensed veterinarian, provided there is a current VCPR as defined in KRS 321.185;

(h) A university faculty member or unlicensed veterinarian employee from teaching veterinary science or related courses, providing services offered by the university's veterinary diagnostic laboratory, or from engaging in veterinary research through or on behalf of the university where the person is employed, including drug and drug testing research, provided that research is conducted in accordance with applicable state and federal statutes and regulations governing controlled substances, prescription drugs, veterinary drugs, and legend drugs. This provision shall not exempt the university faculty member or unlicensed veterinarian employee from the requirements of licensure if the person engages in the practice of veterinary medicine outside the authority of the university or the scope of employment with the university or engages in the private practice of veterinary medicine for compensation;

(i) Any person who holds a postgraduate degree in reproductive physiology or a related field, and who has performed embryo transfers in Kentucky during the five (5) years immediately preceding July 14, 1992, from performing embryo transfers on animals;

(j) Volunteer health practitioners providing services under KRS 39A.350 to 39A.366;

(k) A retailer or its agent from providing information and suggestions regarding the over-the-counter products it sells to treat animals so long as the information and suggestions are consistent with the product label and species appropriate;

(l) A Kentucky-licensed veterinarian from inspecting an animal, or an animal's radiographs or other medical records, on behalf of a potential buyer or potential seller, without regard to the existence of a VCPR;

(m) Any persons from implanting a microchip in an animal for the purposes of identification or the establishment of ownership;

(n) A veterinarian who is licensed in another jurisdiction of the United States or Canada, is in good standing in that jurisdiction, meets all criteria for licensure in Kentucky, and who has an active application on file with the board pending for less than ninety (90) days, from working as a veterinarian in Kentucky under the supervision of a Kentucky-licensed veterinarian while the board application for licensure is being processed, so long as the place of employment,

start date, contact information where the applicant works, and a supervising veterinarian are disclosed in the application;

(o) Allied animal health professionals who are working within the scope of the license;

(p) Certified animal euthanasia specialists who are working within the scope of their certificate; or

(q) Volunteer health practitioners consulting with and assisting a licensed veterinarian at a facility accredited by the Association of Zoos and Aquariums from assisting in the care of and procedures on the zoo animals at the facility while under the supervision of the veterinarian.

(2) (a) An unlicensed veterinarian who does not qualify for licensure in Kentucky and who is a nonresident of the United States may be employed in this Commonwealth to engage in the practice of veterinary medicine for not more than thirty (30) days in a calendar year, provided the person:

1. Holds a valid, current license as a veterinarian in the person's home country;

2. Practices under the direct supervision of a veterinarian licensed in Kentucky;

3. Registers with the board prior to commencing practice in the Commonwealth; and

4. Agrees to practice and follow all the rules and administrative regulations of this chapter and be subject to discipline for violations of those rules and administrative regulations by the Kentucky Board of Veterinary Examiners.

(b) This subsection shall not apply to a nonresident of the United States who is otherwise eligible for a Kentucky license or other credential under this chapter.

(3) Nothing in this chapter shall interfere with the professional activities of any licensed pharmacist.

Effective: June 27, 2025

History: Amended 2025 Ky. Acts ch. 87, sec. 7, effective June 27, 2025. -- Amended 2023 Ky. Acts ch. 16, sec. 13, effective June 29, 2023; and ch. 95, sec. 14, effective June 29, 2023. -- Amended 2016 Ky. Acts ch. 116, sec. 6, effective July 15, 2016. -- Amended 2007 Ky. Acts ch. 96, sec. 19, effective June 26, 2007. -- Amended 1992 Ky. Acts ch. 299, sec. 16, effective July 14, 1992. -- Created 1948 Ky. Acts ch. 181, sec. 16.

Legislative Research Commission Note (6/29/2023). This statute was amended by 2023 Ky. Acts chs. 16 and 95, which do not appear to be in conflict and have been codified together.

KRS 321.201 - Special permits -- Duration.

(1) The board may issue a special permit to practice veterinary medicine to an unlicensed veterinarian who is a qualified applicant to become a licensed veterinarian and who is awaiting the pending results of a board-approved national examination or the final examination stage of an approved foreign education equivalency program.

(2) Individuals seeking to obtain a special permit shall apply to the board for licensure and shall be employed by and working under the direct supervision of a Kentucky licensed veterinarian. The application shall include a letter of recommendation and acknowledgement of supervisory responsibilities and shall be signed by each supervising licensed veterinarian.

(3) The special permit shall not be issued until the application has been submitted to take the next examination given by an approved examination provider.

(4) The special permit shall expire seven (7) business days after the notice of results of the first examination given after the permit was issued.

(5) A special permit holder may be subject to the disciplinary procedures as set forth in KRS 321.351.

(6) If the special permit holder does not pass an examination attempt, the person may apply for and obtain a new special permit for subsequent examination attempts. The board shall not issue any individual person more than a total of four (4) special permits.

Effective: June 27, 2025

History: Amended 2025 Ky. Acts ch. 87, sec. 7, effective June 27, 2025. – Amended 2023 Ky. Acts ch. 16, sec. 13, effective June 29, 2023; and ch. 95, sec. 14, effective June 29, 2023. -- Amended 2016 Ky. Acts ch. 116, sec. 6, effective July 15, 2016. -- Amended 2007 Ky. Acts ch. 96, sec. 19, effective June 26, 2007. -- Amended 1992 Ky. Acts ch. 299, sec. 16, effective July 14, 1992. -- Created 1948 Ky. Acts ch. 181, sec. 16.

Legislative Research Commission Note (7/14/92). This statute was created in 1992 Ky. Acts ch. 299, which contains the enrolled text of Senate Bill 250. A committee substitute for this bill was adopted by the House with a floor amendment, and the Senate subsequently concurred in this action by the House; this amended substitute thus became the enrolled version of the bill. In drafting the House Committee Substitute, the original Section 10 of the bill was deleted in its entirety, but internal section references within the bill were not renumbered to reflect this deletion. Therefore, in codifying this statute, the internal section reference within Acts ch. 299, sec. 5, has been changed pursuant to KRS 7.136(1).

KRS 321.203 - Veterinary facilities -- Registration.

(1) Each veterinary facility and allied animal health professional facility registered with the board shall submit a completed renewal application by the renewal deadline and pay a biennial renewal fee for the renewal of the registration.

(2) A veterinary facility or AAHP facility with an expired registration may have its registration reinstated upon submission of a completed reinstatement application and payment of a reinstatement fee to the board.

(3) A suspended veterinary facility registration or AAHP facility registration is subject to expiration and termination and shall be renewed as provided in this chapter. Renewal or reinstatement shall not entitle the registrant to allow the practice of veterinary medicine or AAHP practice on the premises or from the mobile facility until the suspension has ended or is otherwise removed by the board and the right to operate or practice is restored by the board.

(4) A revoked registration is subject to expiration or termination but may not be renewed. If it is reinstated, the credential holder shall pay the reinstatement fee to the board.

(5) A veterinary facility or AAHP facility that fails to reinstate its registration within five (5) years after its expiration or termination shall not have it renewed, restored, reissued, or reinstated. A veterinary facility or AAHP facility may apply for and obtain a new registration by meeting the requirements of this chapter.

(6) The board may require that a veterinary facility or AAHP facility applying for renewal or reinstatement of registration show evidence of completion of continuing education by the veterinarian manager, AAHP manager, or registered responsible party as prescribed by administrative regulation promulgated by the board.

Effective: June 29, 2023

History: Created 2023 Ky. Acts ch. 95, sec. 9, effective June 29, 2023.

KRS 321.205 - Mobile facilities -- Authorized incidental activities.

(1) A credential holder may utilize a "mobile facility" or "mobile unit" to conduct business within the scope allowable by their credential.

(2) The mobile facility shall be registered under a current facility registration with the Kentucky Board of Veterinary Examiners in accordance with KRS 321.203 and 321.236 and the administrative regulations promulgated under the authority of this chapter.

(3) The mobile facility and its operators shall comply with all applicable local, state, and federal laws.

(4) The mobile facility may:

(a) Make farm or house calls in a motor vehicle or utilize a motor vehicle equipped with special medical or surgical equipment appropriate for the species-specific services offered if the credential holder has a permanent base of operations with a published address and telephone number where the credential holder may be contacted. The published contact information shall be on file with the board;

(b) Apply the principles of environmental sanitation, food inspection, animal nutrition, artificial insemination, environmental pollution control, zoonotic disease control, and disaster medicine in the promotion and protection of public and animal health in accordance with administrative regulations promulgated under this chapter; and

(c) Engage in the collection of hazardous biological specimens and the use of vaccine which may be injurious to humans, in accordance with applicable state and federal statutes and regulations.

Effective: June 29, 2023

History: Amended 2023 Ky. Acts ch. 95, sec. 16, effective June 29, 2023. -- Created 1992 Ky. Acts ch. 299, sec. 9, effective July 14, 1992.

KRS 321.207 - Authorization to apply to United States Drug Enforcement Administration for controlled substance registration -- Certification of animal control agencies and animal euthanasia specialists -- Possession and storage of drugs used for euthanasia.

(1) (a) The Kentucky Board of Veterinary Examiners, upon submission of a complete application and payment of a fee established by the board, shall issue to any animal control agency that it determines to be qualified, an authorization to apply to the United States Drug Enforcement Administration (DEA) for a controlled substance registration for the purchase, possession, storage, and administration of the specific drugs approved by the board to euthanize or sedate animals for euthanasia for animals owned by the certified animal control agency, or in the case of emergency care related to injured, sick, or abandoned animals.

(b) A certified animal control agency that successfully obtains a DEA controlled substance registration shall comply with all state and federal laws related to the ordering, purchase, storage, tracking, management, and disposal of the drugs obtained under the controlled substance registration.

(c) A certified animal control agency shall comply with certification renewal requirements as set forth in KRS 321.208 or the certificate shall expire.

(2) A certified animal control agency shall comply with administrative regulations promulgated by the board which contain standards for proper storage and handling of the drugs the board has approved for this use, and any other provisions as may be necessary to ensure that the drugs are used safely and solely for the purpose set forth in this section.

(3) (a) A certified animal control agency shall submit to periodic inspections by the board or its authorized representatives to ensure compliance with DEA controlled substance registration and board requirements.

(b) An applicant for certification as a certified animal control agency shall submit to an inspection by the board or its authorized representatives prior to certification by the board to ensure adequate security for controlled substances storage.

(c) A previously certified animal control agency with an expired certificate shall submit to inspections by the board or its authorized representatives to ensure proper log updates, removal, and disposal of all drugs obtained under the DEA controlled substance registration.

(4) Upon submission of a complete application, payment of a fee established by the board, and successful completion of a board-approved animal euthanasia specialist training course by the applicant, the Kentucky Board of Veterinary Examiners shall issue to a person whom it determines to be qualified, a certificate for the person to function as a certified animal euthanasia specialist, subject to the following restrictions:

(a) A certified animal euthanasia specialist shall comply with certification renewal requirements as set forth in KRS 321.208 or the certificate shall expire;

(b) A certified animal euthanasia specialist shall maintain an employment relationship with a certified animal control agency to be qualified to practice animal euthanasia;

(c) A certified animal euthanasia specialist is authorized to perform euthanasia only on the premises of the certified animal control agency, except in case of emergency care;

(d) A certified animal euthanasia specialist shall euthanize only animals that are owned by the certified animal control agency or in cases of emergency care. Transfer of ownership or a temporary contract shall not be used for the purpose of circumventing this subsection;

(e) A certified animal euthanasia specialist shall not perform euthanasia at a private residence; and

(f) A certified animal euthanasia specialist shall not perform euthanasia for compensation, except for compensation from the certified animal euthanasia specialist's employment relationship with a certified animal control agency.

(5) Euthanasia of animals in a certified animal control agency shall only be performed by:

(a) A licensed veterinarian;

(b) A licensed veterinary technician functioning under the supervision of a licensed veterinarian; or

(c) A certified animal euthanasia specialist as provided for in subsection (4) of this section.

(6) A certified animal control agency that employs a certified animal euthanasia specialist may purchase, possess, and administer the specific drugs approved by the board in an administrative regulation for the euthanasia or sedation of animals for euthanasia. The specific drugs approved by the board shall be the only drugs used by certified animal euthanasia specialists for the euthanasia of animals or sedation of animals for euthanasia in a certified animal control agency.

(7) Certified animal control agencies and certified animal euthanasia specialists shall be required to renew their certificates at intervals, upon conditions, and upon the payment of fees established by the board through the promulgation of administrative regulations.

(8) (a) A veterinarian who is contracted or otherwise employed by an animal shelter shall not store drugs obtained under the veterinarian's DEA controlled substance registration in the same locked storage unit where the drugs obtained under another DEA controlled substance registration are stored.

(b) Separate and secure storage arrangements, drug logs, drug order forms, and secure, limited access shall be required for each separate DEA controlled substance registration.

(c) A veterinarian shall not store drugs ordered under the veterinarian's DEA controlled substance registration at an animal shelter unless the DEA controlled substance registration under which the drugs are ordered lists the animal shelter address as the registrant address.

Effective: June 27, 2025

History: Amended 2025 Ky. Acts ch. 87, sec. 8, effective June 27, 2025. -- Amended 2023 Ky. Acts ch. 95, sec. 17, effective June 29, 2023. -- Amended 2016 Ky. Acts ch. 116, sec. 8, effective July 15, 2016. -- Created 1998 Ky. Acts ch. 126, sec. 2, effective July 15, 1998.

KRS 321.208 - Renewal of animal euthanasia specialist certificate and animal control agency certificate.

(1) Each person who is certified as an animal euthanasia specialist shall submit a complete renewal application by the renewal deadline and pay to the board an annual renewal fee for the renewal of the person's certificate.

(2) Each animal shelter that is certified as an animal control agency shall submit a completed renewal application by the renewal deadline and pay to the board an annual renewal fee for the renewal of the animal control agency certificate.

(3) A sixty (60) day grace period shall be allowed after the renewal deadline, during which time individuals and agencies may renew their certificates upon submission of a completed application, and payment of the renewal fee and a late fee to the board. Any certificate that was not renewed by the grace period deadline shall expire. Upon expiration, the holder of that certificate is no longer eligible to practice animal euthanasia in the Commonwealth or maintain a United States Drug Enforcement Administration controlled substances registration.

(4) After the sixty (60) day grace period, individuals and agencies with an expired certificate may have their certificates reinstated upon submission of a completed reinstatement application and payment of a reinstatement fee to the board if the reinstatement application is made within five (5) years from the date of expiration. Animal control agencies may be subject to inspection prior to reinstatement.

(5) A suspended certificate is subject to expiration and termination and shall be renewed as provided in this chapter. Renewal or reinstatement shall not entitle the certificate holder to engage in the practice until the suspension has ended or is otherwise removed by the board and the right to practice is restored by the board.

(6) A revoked certificate is subject to expiration or termination but may not be renewed. If it is reinstated, the certificate holder shall pay the reinstatement fee.

(7) A person or agency that fails to reinstate its certificate within five (5) years after its expiration or termination shall not have it renewed, restored, reissued, or reinstated. A person or agency may apply for and obtain a new certificate by meeting the requirements of this chapter.

(8) The board may require that a person or agency applying for renewal or reinstatement of the certificate show evidence of completion of additional training or continuing education as set forth by administrative regulation promulgated in accordance with KRS Chapter 13A.

(9) The board may grant retired or inactive certificate status for certified animal euthanasia specialists and may establish conditions under which retired or inactive certificates may be renewed as set forth by administrative regulations promulgated in accordance with KRS Chapter 13A.

(10) The board shall require any applicant seeking to become registered as the designated on-site manager for an animal control agency to submit to a criminal background investigation conducted in accordance with KRS 321.189.

Effective: June 29, 2023

History: Created 2023 Ky. Acts ch. 95, sec. 6, effective June 29, 2023.

KRS 321.211 - Renewal of veterinarian license -- Fees -- Expiration and termination of license -- Reinstatement -- Continuing education -- Retired or inactive licensure status.

(1) Each person licensed as a veterinarian shall biennially submit a completed renewal application and pay to the board a renewal fee for the renewal of the person's license.

(2) A sixty (60) day grace period shall be allowed after the renewal deadline, as required for renewal in subsection (1) of this section, during which time individuals may renew their licenses upon submission of a completed renewal application and payment of the renewal fee plus a late renewal fee. All licenses not renewed by the grace period deadline shall expire based on the failure of the individual to renew in a timely manner. Upon expiration, the licensee is no longer eligible to engage in the practice of veterinary medicine in the Commonwealth.

(3) After the sixty (60) day grace period, individuals with an expired license may have their licenses reinstated upon submission of a completed reinstatement application and payment of a reinstatement fee. No person who applies for reinstatement after expiration of the person's veterinarian license shall be required to submit to an examination as a condition for reinstatement, if the reinstatement application is made within five (5) years from the date of expiration.

(4) A suspended veterinarian license is subject to expiration and termination and shall be renewed as provided in this chapter. Renewal or reinstatement shall not entitle the licensee to engage in the practice of veterinary medicine until the suspension has ended, or is otherwise removed by the board and the right to practice is restored by the board.

(5) A revoked license is subject to expiration or termination but may not be renewed. If it is reinstated, the licensee shall pay the reinstatement fee.

(6) A person who fails to reinstate the person's veterinarian license within five (5) years after its expiration or termination shall not have it renewed, restored, reissued, or reinstated. A person may apply for and obtain a new license by meeting the requirements of this chapter.

(7) The board may require that a person applying for renewal or reinstatement of licensure show evidence of completion of continuing education as promulgated by the board in administrative regulation.

(8) The board may grant retired or inactive licensure status and may establish conditions under which retired or inactive licenses may be renewed and reinstated as set forth by the board in administrative regulation.

Effective: June 29, 2023

History: Amended 2023 Ky. Acts ch. 95, sec. 18, effective June 29, 2023. – Amended 2016 Ky. Acts ch. 116, sec. 9, effective July 15, 2016. -- Amended 2004 Ky. Acts ch. 189, sec. 33, effective July 13, 2004; and ch. 96, sec. 1, effective July 13, 2004. -- Created 1992 Ky. Acts ch. 299, sec. 12, effective July 14, 1992.

KRS 321.221 - Requirements for a credential by endorsement for individuals licensed in other jurisdictions.

(1) The board may issue a credential by endorsement to any applicant who, upon submitting a completed application to the board and remitting a fee established in administrative regulation, demonstrates to the board that the applicant has met the following requirements:

(a) The applicant is a graduate of an approved veterinary medical program, approved veterinary technology program, or other educational program approved by the board as appropriate to the board credential;

(b) The applicant is of good moral character. As one (1) element of good moral character, the board shall require each applicant to submit a full set of fingerprints for the purpose of obtaining criminal records checks, pursuant to applicable law. All good moral character information, including the information obtained through the criminal background checks, shall be relevant to credential eligibility determinations to the extent permitted by law;

(c) The applicant holds a valid credential to practice veterinary medicine, veterinary technology, animal euthanasia, or an allied animal health profession and has engaged in the practice in another state, the District of Columbia, a territory of the United States, or a province of Canada for at least one (1) year immediately preceding application, if the requirements for credentialing in the issuing state or province are equal to or higher than the standards required for the issuance of a new credential under the provisions of this chapter;

(d) The applicant has passed an examination given by the board on the laws and administrative regulations of the Commonwealth as required in administrative regulations promulgated in accordance with KRS Chapter 13A under the provisions of this chapter; and

(e) The applicant has been approved for a credential by the board.

(2) The board shall not issue a credential by endorsement to any applicant who is under investigation in another state, territory, the District of Columbia, a Canadian province, or any jurisdiction for an act which could result in disciplinary action in that jurisdiction until the investigation and disciplinary proceedings have been completed.

Effective: June 29, 2023

History: Amended 2023 Ky. Acts ch. 95, sec. 19, effective June 29, 2023. – Created 1992 Ky. Acts ch. 299, sec. 4, effective July 14, 1992.

KRS 321.230 - Kentucky Board of Veterinary Examiners -- Membership – Qualifications -- Appointment -- Terms -- Vacancies -- Compensation -- Removal of member.

There hereby is created a board to be known as the Kentucky Board of Veterinary Examiners.

(1) The board shall consist of eleven (11) members:

(a) Ten (10) members shall be appointed by the Governor as follows:

1. Seven (7) members shall be citizens of the Commonwealth and shall be veterinarians, each lawfully engaged in the practice of veterinary medicine in this Commonwealth for at least two (2) years immediately preceding the date of the member's appointment;

2. One (1) member shall be a citizen of the Commonwealth and shall be a citizen at large who is not associated with or financially interested in the practices or businesses regulated;

3. One (1) member shall be a citizen of the Commonwealth and a licensed veterinary technician who has been employed in the veterinary field in the Commonwealth for at least two (2) years immediately preceding the date of the member's appointment; and

4. One (1) member shall be a licensed allied animal health professional who has been working on animals in the Commonwealth for at least two (2) years immediately preceding the date of the member's appointment; and

(b) One (1) member shall be the Commissioner of Agriculture or designee.

(2) The Governor's appointments to the board shall maintain a composition that includes diverse representation from each of the following areas:

(a) Species of animals served, including food animals, equines, and small animals; and

(b) All regional areas of the Commonwealth, including eastern Kentucky, western Kentucky, central Kentucky, and northern Kentucky.

(3) All appointed members shall be appointed for a term of four (4) years and shall serve until the member is reappointed or a qualified successor is appointed. The terms shall be evenly staggered, so that no more than three (3) members are appointed to full terms in any given calendar year.

(4) Any vacancy in the appointed membership of the board shall be filled for the unexpired term by appointment by the Governor.

(5) Each member of the board shall receive one hundred dollars ($100) per day for each day or substantial part of a day of service actually given in carrying out the member's duties under this chapter, in addition to the member's necessary traveling, hotel, and contingent expenses incurred in attending the meetings of the board and in the performance of the member's duties.

(6) A board member may be removed by the Governor, or removed by a three-fourths (3/4) majority vote of the board upon one (1) or more of the following grounds:

(a) A poor attendance record, neglect of duty, or malfeasance in office;

(b) The refusal or inability for any reason of a board member to perform the duties as a member of the board in an efficient, responsible, and professional manner;

(c) The misuse of office by a member of the board to obtain financial or material gain or advantage personally or for another through the office;

(d) A final adjudication by a recognized body, including the courts, that the board member is in violation of the laws governing the practice of veterinary medicine, the practice of veterinary technology, or other board credentialed profession; or

(e) Other just and reasonable causes as determined solely by the board pursuant to applicable law. In these cases, removal of a member of the board shall be in accordance with KRS Chapters 13A and 13B and other applicable laws.

Effective: June 29, 2023
History: Amended 2023 Ky. Acts ch. 95, sec. 20, effective June 29, 2023. – Amended 2016 Ky. Acts ch. 116, sec. 10, effective July 15, 2016. -- Amended 1992 Ky. Acts ch. 299, sec. 17, effective July 14, 1992. -- Amended 1976 Ky. Acts ch. 206, sec. 15. -- Created 1948 Ky. Acts ch. 181, sec. 22.

KRS 321.235 - Powers and duties of board -- Personal immunity.

(1) The board shall:

(a) Administer and enforce this chapter and set and evaluate the qualifications of applicants for licensure, certification, permitting, and registration;

(b) Promulgate administrative regulations in accordance with KRS Chapter 13A to effectively carry out and enforce the provisions of this chapter;

(c) Promulgate administrative regulations in accordance with KRS Chapter 13A to establish the fee amounts for all fees required by this chapter and the fees for services provided by the board. Fees may not exceed amounts necessary to generate sufficient funds to effectively carry out and enforce the provisions of this chapter, including costs related to administration; overhead; staffing; information technology; investigations; inspections; administrative procedures; court costs; supplies; equipment; travel; educational awards; reserve funds for capital, operational, and programmatic expenses; and education and outreach efforts;

(d) Promulgate a code of conduct governing the practice of veterinary medicine that shall be based upon generally recognized principles of professional conduct; and

(e) Maintain jurisdiction over persons and premises, regardless of their licensure, certificate, permit, or registration status relative to acts, omissions, complaints, grievances, and investigations which occurred during the licensure, certification, permit, or registration period. The board shall also maintain jurisdiction over registered facilities, irrespective of their registration status, relative to acts, omissions, complaints, grievances, and investigations which occurred during the registration period. This jurisdiction shall be for purposes of enforcement of this chapter and any administrative regulations promulgated under this chapter, including the assessment and collection of fines, costs, and attorneys' fees. Jurisdiction of the board shall also extend to persons engaging in the unauthorized practice of veterinary medicine, unauthorized practice of veterinary technology, unauthorized practice of animal euthanasia, or unauthorized practice of an allied animal health professional on animals. Licensees, certificate holders, permittees, and registrants shall not divest the board of jurisdiction by changing or relinquishing licensure, certificate, permit, or registration status.

(2) The board may:

(a) Issue subpoenas, compel the attendance of witnesses and the production of accounts, books, and records, examine witnesses, pay appropriate witness fees, administer oaths, and investigate allegations of practices violating this chapter;

(b) Promulgate administrative regulations in accordance with KRS Chapter 13A:

1. To establish and enforce minimum standards for:

   a. Criteria of programs or other mechanisms to ensure the continuing competence of licensees, certificate holders, permittees, and registrants;

   b. Codes of conduct for its licensees, certificate holders, permittees, and registrants; and

   c. The registration of veterinary facilities, mobile facilities, and AAHP facilities;

2. Regarding the limited scopes of allied animal health professional practices or procedures on animals and the permitting thereof, including:

a. Minimum requirements;

b. Examination requirements and passing scores;

c. Board oversight;

d. Conditions for application, permitting, renewal, renewal grace periods, and reinstatement;

e. Limitations on practice; and

f. Minimum standards; and

3. To establish:

a. Specific duties and responsibilities of the board;

b. Administration of licensure, certification, permitting, or registration;

c. Standards in veterinary medicine, medical records, and other matters pertaining to veterinarians, veterinary technicians, animal control agencies, animal euthanasia specialists, designated on-site mangers, allied animal health professionals, veterinary facilities, AAHP facilities, veterinarian managers, AAHP managers, registered responsible parties, or unlicensed persons; and

d. A code of conduct for each license, certificate, permit, or registration class issued by the board;

(c) Conduct investigations, inspections, and hearings, and keep records and minutes necessary to carry out the function of this chapter;

(d) Enter and inspect any property or premises for the purpose of investigating either actual or suspected veterinary practices, including practice vehicles and mobile facilities, at any time for the purpose of ascertaining compliance or noncompliance with this chapter, or any administrative regulation that may be promulgated under this chapter, in accordance with protocols established in this chapter and by the board in an administrative regulation;

(e) Evaluate the qualifications for and authorize the issuance of licenses, certificates, permits, and registrations to qualified candidates and premises;

(f) Renew or deny licenses, certificates, permits, and registrations, require continuing education as a condition for renewal, and promulgate administrative regulations regarding the issuance and renewal of retired and inactive licenses, certificates, permits, and registrations;

(g) Limit, reprimand, suspend, or revoke licenses, certificates, permits, and registrations, or impose supervisory or probationary conditions upon licensees, certificate holders, permittees, or registrants, or impose administrative disciplinary fines, issue written reprimands, or any combination thereof;

(h) Issue a notice to comply or a notice of violation to any person for violations of any provision of this chapter or administrative regulations promulgated pursuant to this chapter. A "notice to

comply" or "NC" may be issued during the inspection process to request additional information needed to determine compliance or as a notice to correct a minor violation found during the inspection. Failure to take corrective action may lead to the issuance of a "notice of violation" or "NOV." A notice of violation means that a business or person is operating in violation of the law and subject to penalty pursuant to this chapter. Each day or part of a day that the violation continues is a separate violation subject to daily penalties. A notice of violation shall contain:

1. A citation to the statutory or regulatory requirement that has been or is being violated;
2. A description of the circumstances surrounding the violation, set forth in common and concise language;
3. Measures required to correct the violation;
4. A reasonable time for correction, if the respondent cannot take measures to correct the violation immediately; and
5. Notice of rights of appeal;

(i) Advise, consult, and cooperate with other agencies of the Commonwealth, other states, the federal government, interstate and interlocal agencies, and affected persons, groups, and industries;

(j) Seek injunctive relief in Franklin Circuit Court to stop the unlawful practice of veterinary medicine or practice of veterinary technology by unlicensed persons, or against any person for the enforcement of this chapter or any administrative regulations promulgated pursuant to this chapter;

(k) Appoint from its own membership or staff one (1) or more members or personnel to act as representatives of the board at any meeting within or outside the Commonwealth; and

(l) Implement an educational award program to award scholarships or educational awards as determined by the board, to a person in the act of advancing toward, or having completed a degree in, veterinary medicine or veterinary technology from an approved veterinary medical program or approved veterinary technology program, and may take any other appropriate action to effectuate the Veterinary Medicine Practice Act in accordance with the following:

1. The selected awardee or awardees shall agree to sign an award contract guaranteeing to provide food animal or rural veterinary services or to protect public health in a veterinary resource shortage area identified by the board. Failure of an awardee to comply with the terms of the award contract shall be cause for the board to seek reimbursement of the award;
2. The board shall establish the required members of an educational award review committee through an administrative regulation and may contract with other state agencies, entities, and nonprofit organizations for the endowment, management, and administration of the educational award program. The requirements for the educational awards program, including application requirements, criteria for selecting

applicants, criteria for identifying veterinary resource shortage areas, and criteria for prioritizing underserved areas, shall be determined by the board in administrative regulation. However, nothing contained in this section shall be construed as requiring the board to endow or award any scholarship or educational award; and

3. Educational award monies shall be collected as a portion of veterinarian and veterinary technician renewal fees. No more than fifteen percent (15%) of the monies collected during a single veterinarian renewal period may be applied to the educational awards program.

(3) As a part of any board investigation under this section or KRS 321.351, the board may require an applicant, credential holder, or any other person engaging in a veterinary practice or activity regulated by the board under this chapter to submit to a criminal background investigation conducted in accordance with KRS 321.189.

(4) Members of the board, its agents, and employees shall be immune from personal liability in any action, civil or criminal, which is based upon any official act or acts performed by them in good faith.

Effective: : June 29, 2023

History: Repealed and reenacted 2023 Ky. Acts ch. 95, sec. 21, effective June 29, 2023. -- Amended 2016 Ky. Acts ch. 116, sec. 11, effective July 15, 2016. -- Amended 1998 Ky. Acts ch. 126, sec. 3, effective July 15, 1998. -- Created 1992 Ky. Acts ch. 299, sec. 14, effective July 14, 1992.

KRS 321.236 - Administrative regulations -- Registration requirements – Voluntary inspections by the board -- Disciplinary action against registrant.

(1) The board may promulgate administrative regulations in accordance with KRS Chapter 13A defining:

(a) Application, renewal, and reinstatement requirements and fees for veterinary facilities and AAHP facilities;

(b) Responsibilities and limitations for registered responsible parties, veterinarian managers, and AAHP managers. This shall include an administrative regulation governing interference or control by unlicensed persons in the practice of veterinary medicine or veterinary technology, or by persons who do not hold a board credential. Both registered responsible parties and veterinarian managers shall be responsible for a registered veterinary facility's operation and management, and both registered responsible parties and AAHP managers shall be responsible for a registered AAHP facility. Both parties associated with a registered facility shall be held accountable to the board as a credential holder for any violation of this chapter; and

(c) Minimum standards for veterinary facilities, mobile facilities, and AAHP facilities, including requirements for application, inspection, sanitation, and other factors.

(2) (a) All existing veterinary facilities and AAHP facilities, both fixed and mobile, shall be registered with the board not later than June 30, 2025.

(b) The board shall charge a minimum fee of two hundred dollars ($200) per initial registration.

(c) For initial registrations filed with the board by June 30, 2025, the initial registration fee shall be reduced by half to one hundred dollars ($100).

(d) After initial registration, the board shall not charge more for a facility registration renewal fee than the cost to run the registration program.

(3) (a) After June 30, 2025, all new facilities shall submit a completed application for registration to the board, including fees as promulgated by the board in administrative regulation.

(b) A new veterinary facility or AAHP facility shall not begin operation in the Commonwealth until the completed application and fee have been accepted by the board and notification in writing has been sent to the applicant.

(c) After the registration deadline in 2025, each new registered facility may be inspected by the board to verify that the facility is an operational veterinary facility or AAHP facility within the first one hundred twenty (120) days of operation.

(4) A mobile facility that is affiliated with a registered veterinary facility or AAHP facility shall be exempted from the requirement to register independently if a currently registered fixed facility identifies that unit as its affiliate. The board may charge additional registration fees to a registered veterinary facility or AAHP facility based upon the number of registered mobile units associated with a single facility registration through the promulgation of an administrative regulation in accordance with KRS Chapter 13A.

(5) Each application to register a veterinary facility or an AAHP facility shall meet the minimum requirements established by this chapter and the board in an administrative regulation promulgated in accordance with KRS Chapter 13A and identify the following persons responsible for its operation and management:

(a) The registered responsible party;

(b) The veterinarian manager, if a veterinary facility; or

(c) The AAHP manager, if an AAHP facility.

(6) (a) The veterinarian manager shall include at least one (1) Kentucky-licensed veterinarian with an active license in good standing with the board.

(b) The AAHP manager shall include at least one (1) Kentucky-licensed AAHP with an active license in good standing with the board.

(7) (a) The veterinarian manager and the registered responsible party are responsible for notifying the board of any change in the veterinarian manager's or registered responsible party's association with the veterinary facility.

(b) The AAHP manager and the registered responsible party are responsible for notifying the board of any change in the allied animal health professional's or registered responsible party's association with the AAHP facility.

(8) An application for registration renewal shall be completed and submitted to the board periodically after the initial registration deadline in 2025, in accordance with KRS 321.203 and as set forth in administrative regulations promulgated in accordance with KRS Chapter 13A.

(9) The board may conduct voluntary inspections in accordance with the following:

(a) Veterinary facilities and AAHP facilities shall be provided an option to conduct a self-inspection at the facility and may consult with the board or request a board inspection to ensure the facility is meeting minimum standards as established in administrative regulations promulgated in accordance with KRS Chapter 13A;

(b) The board may charge a fee for in-person consultations and inspections as established in an administrative regulation promulgated in accordance with KRS Chapter 13A;

(c) Voluntary consultations or inspections by the board shall not trigger a notice to comply or a notice of violation for deficiencies. Nothing in this paragraph shall be construed to limit the board from filing a grievance based upon a significant violation impacting public health, safety, and welfare, and animal health;

(d) Each registered facility that passes a voluntary, in-person inspection by the board shall receive a certificate of inspection from the board for display in the registered facility;

(e) Inspections of mobile units shall not extend into a registrant's private residence; and

(f) This subsection shall not prevent the board from conducting inspections at or implementing disciplinary action against a registered facility in response to a complaint, grievance, or upon a suspected violation of this chapter.

(10) The board may revoke, suspend, or take other disciplinary action deemed appropriate against the registrant, including ordering closure of the veterinary facility or AAHP facility, in accordance with KRS 321.351 and 321.353 on any of the following grounds:

(a) The board or its agents are denied access to conduct an inspection or investigation;

(b) The holder of a registration does not pay all prescribed fees or monetary penalties;

(c) There is no veterinarian manager or AAHP manager identified within the timeframes set by this chapter;

(d) Registered responsible parties are interfering with, exercising control over, or attempting to influence the professional judgment of a credential holder in any manner;

(e) Failure to comply with minimum standards defined in an administrative regulation promulgated by the board for the veterinary facility or AAHP facility; or

(f) Failure to comply with any provision of this chapter or administrative regulations promulgated under this chapter.

(11) The board may require any veterinarian manager applicant, AAHP manager applicant, or registered responsible party applicant to submit to a criminal background investigation conducted in accordance with KRS 321.189.

Effective: June 27, 2025
History: Amended 2025 Ky. Acts ch. 87, sec. 10, effective June 27, 2025. – Created 2023 Ky. Acts ch. 95, sec. 8, effective June 29, 2023.

KRS 321.237 - Veterinary wellness committee.

(1) The board may establish a veterinary wellness committee to undertake the functions and responsibilities of a veterinary wellness program. The functions and responsibilities may include any of the following:

(a) Receiving and evaluating reports of suspected impairment or incapacitation from any source;

(b) Issuing an order directing an applicant, certificate holder, licensee, designated on-site manager, permittee, registrant, veterinarian manager, or AAHP manager to undergo a mental or physical examination or chemical dependency evaluation, when probable cause exists that the credential holder has engaged in conduct prohibited by this chapter or a statute or administrative regulation enforced by the board. For the purpose of this section, every credential holder is considered to have consented to undergo a mental or physical examination or chemical dependency evaluation when ordered to do so, in writing, by the board and to have waived all objections to the admissibility of the examiner's or evaluator's testimony or reports on the grounds that the testimony or reports constitute a privileged communication;

(c) Intervening in cases of verified or suspected impairment or incapacitation; or

(d) Referring impaired or incapacitated credential holders, registrants, designated on-site managers, veterinarian managers, AAHP managers, or applicants to treatment programs as a requirement of initial or continued licensure, certification, registration, or permitting.

(2) Other provisions of law notwithstanding, all board and committee records pertaining to the veterinary wellness program shall be kept confidential. No person in attendance at any meeting of the committee shall be required to testify as to any committee discussions or proceedings.

(3) Other provisions of law notwithstanding, no member of the board or the veterinary wellness committee shall be liable for damages to any person for any acts, omissions, or recommendations made by the member in good faith while acting within the scope of the member's responsibilities in accordance with this section.

Effective: June 29, 2023

History: Amended 2023 Ky. Acts ch. 95, sec. 22, effective June 29, 2023. – Amended 2016 Ky. Acts ch. 116, sec. 13, effective July 15, 2016. -- Created 1992 Ky. Acts ch. 299, sec. 10, effective July 14, 1992.

KRS 321.240 - Board officers -- Terms of officers -- Meetings -- Employment of staff.

(1) The board shall annually elect a chair and a vice chair from the appointed members of the board. Officers of the board shall serve for terms of one (1) year and until a successor is elected, as long as the officer holds a current appointment to the board.

(2) The board shall hold at least two (2) regular meetings annually and additional meetings as the board may deem necessary. The additional meetings may be held upon call of the chair or upon written request of three (3) members of the board.

(3) Five (5) members of the board shall constitute a quorum to conduct business.

(4) The board may employ its own executive director and staff, or employ or contract with any other persons it deems necessary to carry on the work of the board and shall define their duties and fix their compensation. Should the board prefer not to directly employ or contract with persons to serve as its executive director or staff, the board may enter into a contract with another state agency in which the board shall pay to the agency a sum sufficient to offset that agency's costs in the salary and benefits of one (1) or more employees who will be assigned to serve the board as its executive director and staff.

Effective: June 29, 2023

History: Amended 2023 Ky. Acts ch. 95, sec. 23, effective June 29, 2023. – Amended 2016 Ky. Acts ch. 116, sec. 14, effective July 15, 2016. -- Amended 1992 Ky. Acts ch. 299, sec. 18, effective July 14, 1992. -- Amended 1962 Ky. Acts ch. 279, sec. 1. - - Created 1948 Ky. Acts ch. 181, sec. 3.

KRS 321.251 - Allied animal health professional license -- Qualifications -- Areas of practice -- Administrative regulations – Requirements.

(1) The board shall issue an allied animal health professional license to a person who is qualified to be licensed under this section. A person is qualified to be licensed as an AAHP if the person:

(a) Has completed an application for AAHP licensing approved by the board through the promulgation of an administrative regulation;

(b) Has paid the application fee and the appropriate examination fee;

(c) Is a person of good moral character. As an element of good moral character, the board shall require each applicant for licensure to submit a full set of the applicant's fingerprints for the purpose of obtaining criminal records checks pursuant to KRS 321.189 and any other applicable law. All good moral character information, including the information obtained through the criminal background checks, shall be relevant to licensure eligibility determinations to the extent permitted by law;

(d) Has graduated and received a certification from an approved allied animal health professional program;

(e) Has achieved a passing score on any examinations required by the board in an administrative regulation;

(f) Has been approved for an AAHP license by the board; and

(g) Has complied with any other requirements of this chapter or the administrative regulations promulgated by the board.

(2) An AAHP licensee may work on animals in one (1) of the following areas of the practice of veterinary medicine so long as that practice is in accordance with and within the limitations established by the board in an administrative regulation promulgated in accordance with KRS Chapter 13A, including requirements for candidate qualifications, examinations, and applications:

(a) Animal chiropractic; or

(b) Equine dentistry.

(3) (a) An allied animal health professional seeking to work within the allowable scope of practice on animals shall be required to apply for an AAHP license from the board to practice on animals.

(b) If an applicant is approved for a license, the board shall designate the area of practice specific to the AAHP licensee on the license.

(c) A separate AAHP license shall be required for each scope of practice as listed in subsection (2) of this section.

(4) (a) The board may establish by administrative regulation procedures to license candidates for qualification in each distinct area of practice allowable under the AAHP license class by substituting experience for the education requirements in subsection (1)(d) of this section.

(b) As part of the application for an AAHP license, candidates who apply under this subsection shall:

1. Have been a Kentucky resident for at least twelve (12) months immediately preceding the date of application;

2. Provide a letter of recommendation from a minimum of two (2) Kentucky-licensed veterinarians;

3. Provide proof of employment or an Internal Revenue Service form 1099 showing self-employment in an area of practice as identified in subsection (2) of this section for a minimum of ten (10) years prior to the date of application for animal chiropractic, and a minimum of five (5) years prior to the date of application for equine dentistry;

4. Provide details regarding the duration of experience and times during which practice occurred, including average number of hours of practice per year; and

5. Provide a letter of good standing from any other jurisdictions in which the applicant is credentialed.

(c) The candidate application window under this subsection shall not exceed eighteen (18) months from the effective date of the administrative regulation governing applications for the AAHP license area of the practice. After the application window closes, individuals applying for a new AAHP license shall be required to meet the current standards of KRS Chapter 321 and administrative regulations promulgated by the board.

(5) AAHP licensees shall be required to register each premises or mobile unit from which he or she practices on animals as a registered AAHP facility in accordance with KRS 321.203, 321.205, and 321.236.

(6) AAHP licensees and AAHP registered facilities shall:

(a) Maintain an active credential with the board to maintain authorization to operate;

(b) Pay the application, renewal, reinstatement, and other required fees as established by the board in an administrative regulation;

(c) Renew the board credential on a schedule as established by the board in administrative regulation;

(d) Comply with all applicable provisions of KRS Chapter 321 and any administrative regulations promulgated thereunder and other applicable state and federal laws; and

(e) Be subject to disciplinary measures for failure to comply.

(7) Controls shall be established by the board in an administrative regulation promulgated in accordance with Chapter 13A regarding acquisition, distribution, and administration of drugs by AAHP licensees and their clients for use by the AAHPs in the services offered.

(8) (a) 1. Only a board-licensed allied animal health professional who is also licensed as a chiropractor with the Kentucky Board of Chiropractic Examiners and is qualified in the State of Kentucky to perform animal chiropractic within the limits established by the board in an administrative regulation may use the titles "animal chiropractor," "animal chiropractic practitioner," "ACP," or "AC."

2. A chiropractor shall not use the titles "veterinary chiropractor" or "veterinary adjuster" unless the chiropractor is also licensed to practice veterinary medicine in the State of Kentucky.

3. Nothing in this chapter shall prohibit a licensed veterinarian from using the titles "animal adjuster" or "animal spinal manipulation practitioner."

(b) 1. Only a duly licensed allied animal health professional who is a board licensed equine dental provider and is qualified in the State of Kentucky to perform equine dentistry within the limits established in KRS 321.255 may use the titles "equine dental provider," "equine dental practitioner," "certified equine dental provider," "CEPD," or "EDP."

2. An equine dental provider shall not use the titles "equine dentist," "veterinary dentistry," or "veterinary dentist" unless the equine dental provider is also licensed to practice veterinary medicine in the State of Kentucky.

3. Nothing in this chapter shall prohibit a licensed veterinarian from using the titles "animal dentist" or "equine dentist."

(9) An AAHP licensee shall be held to the same standard of care as a veterinarian when the provider practices on animals.

Effective: June 27, 2025

History: Created 2025 Ky. Acts ch. 87, sec. 2, effective June 27, 2025.

Legislative Research Commission Note (6/27/2025). 2025 Ky. Acts ch. 87, sec. 11, reads as follows: "Any valid permit held by an allied animal health professional under KRS Chapter 321 shall automatically become an allied animal health professional license on the effective date of this Act [June 27, 2025]."

KRS 321.253 - Allied animal health professional license -- Renewal application -- Expired, suspended, or revoked licenses -- Continuing education requirement – Retired or inactive status -- Fees to cover cost of operating licensee program.

(1) Each AAHP licensee shall submit a completed renewal application to the board and pay a renewal fee for the renewal of the license.

(2) A sixty (60) day grace period shall be allowed after the renewal deadline during which individuals may renew their licenses upon submission of a completed renewal application and payment of the renewal fee plus a late renewal fee. All licenses not renewed by the grace period deadline shall expire based on the failure of the individual to renew in a timely manner. Upon expiration, the licensee is no longer eligible to practice as an allied animal health professional in the Commonwealth.

(3) After the sixty (60) day grace period, individuals with an expired license may have their licenses reinstated upon submission of a completed reinstatement application and payment of the renewal fee, the renewal late fee, and the reinstatement fee. A person who applies for reinstatement after expiration of the person's AAHP license shall not be required to submit to an examination as a condition for reinstatement, if the reinstatement application is made within five (5) years from the date of expiration.

(4) A suspended AAHP license is subject to expiration and termination and shall be renewed as provided in this chapter. Renewal or reinstatement shall not entitle the licensee to engage in practice as an allied animal health professional until the suspension has ended or is otherwise resolved by the board and the right to practice is restored by the board.

(5) A revoked license is subject to expiration or termination but may not be renewed. If a revoked license is reinstated, the licensee shall pay a reinstatement fee.

(6) A person who fails to reinstate his or her AAHP license within five (5) years after its expiration or termination shall not have it renewed, restored, reissued, or reinstated and the person may apply for and obtain a new license by meeting the requirements of this chapter.

(7) The board may require that a person applying for renewal or reinstatement of a license provide evidence of completion of continuing education as promulgated by the board in an administrative regulation.

(8) The board may grant retired or inactive license status and may establish conditions under which retired or inactive licenses may be renewed and reinstated as set forth by the board in an administrative regulation.

(9) Fees set by the board shall be designed to fully cover the cost to operate the licensee program but shall not exceed it.

Effective: June 27, 2025

History: Created 2025 Ky. Acts ch. 87, sec. 3, effective June 27, 2025.

KRS 321.255 - Scope of practice -- Allied animal health professional equine dental provider.

(1) The services provided by allied animal health professional licensees are considered the practice of veterinary medicine that an AAHP licensee may provide to the public through authorization by the General Assembly and within strict limitations on the scope of practice for each allowable license type as established in KRS 321.251(2).

(2) For a licensed AAHP-equine dental provider, the scope of practice is limited to the following:

(a) A licensed AAHP-equine dental provider may not perform equine dentistry unless the provider holds an AAHP license as an equine dental provider from the board;

(b) A licensed AAHP-equine dental provider shall work under the indirect supervision of a veterinarian;

(c) A licensed AAHP-equine dental provider may perform only the following equine dental procedures in equine species:

1. Removing sharp enamel dental points;

2. Removing small dental overgrowths;

3. Rostral profiling of the first cheek teeth;

4. Reducing incisors;

5. Extracting loose, deciduous teeth;

6. Removing supragingival calculus;

7. Extracting loose, mobile, or diseased teeth or dental fragments with minimal periodontal attachments by hand and without the use of an elevator; and

8. Removing erupted, nondisplaced wolf teeth;

(d) Paragraph (b) of this subsection shall not be construed to prohibit a licensed veterinary technician employed by a veterinarian who is not a licensed AAHP-equine dental provider from performing the equine dental procedures described in paragraph (c) of this subsection if the licensed veterinary technician is under the direct supervision of a veterinarian;

(e) A copy of the dental chart of an equine animal shall be left with the person who authorizes an equine dental procedure and be made available to the veterinarian holding the VCPR with the client within an appropriate timeframe according to the condition, but no more than three (3) business days after services are provided; and

(f) Dispensing or prescribing any medication or drug associated with any equine dental procedure remains solely the domain of the veterinarian holding a valid VCPR with the client.

Effective: June 27, 2025

History: Created 2025 Ky. Acts ch. 87, sec. 4, effective June 27, 2025.

KRS 321.257 - AAHP advisory committee -- Duties -- Membership -- Terms -- Removal -- Mileage reimbursement.

(1) The AAHP advisory committee is hereby created as an informal advisory committee to the board.

(2) The AAHP advisory committee shall advise and assist the board in adopting rules and administrative regulations relating to AAHP licensees.

(3) The board shall consult the advisory committee regarding matters relating to a disciplinary action that involves an AAHP license holder.

(4) (a) The AAHP advisory committee shall be composed of members appointed by the chair of the board with approval from a majority of a quorum of the board.

(b) The AAHP advisory committee shall include subcommittees specific to each area of practice for the distinct types of AAHP licenses as identified in KRS 321.251(2).

(c) Each subcommittee shall be composed of the following:

1. Two (2) members who are AAHP licensees with a license in active status specializing in each of the specific areas of practice as identified in KRS 321.251(2), have resided in

and engaged in the AAHP practice in the Commonwealth for the five (5) years immediately preceding the date of appointment, and are of good moral character;

2. One (1) veterinarian member who holds an active veterinarian license in the Commonwealth in good standing and who engages with at least one (1) AAHP licensee providing services in each specific area of practice as identified in KRS 321.251(2); and

3. The AAHP licensees and veterinarian appointees shall be unique individuals for each area of practice as identified in KRS 321.251(2) and shall not hold more than one (1) seat on the AAHP advisory committee.

(d) Notwithstanding paragraph (c)1. of this subsection, advisory committee members appointed under paragraph (c)1. of this subsection shall not be required to hold an AAHP license issued under this chapter until the closure of the application window period for the AAHP license type as established in KRS 321.251(4).

(e) Appointments to the advisory committee shall be made without regard to the race, color, disability, sex, gender identity, sexual orientation, religion, age, or national origin of the appointees.

(5) (a) Members of the AAHP advisory committee shall be appointed for staggered five-year terms.

(b) The terms of the members shall expire no more than five (5) years from the date of appointment.

(c) If a vacancy occurs during a member's term, the chair of the board shall appoint a new member to fill the unexpired term.

(d) An advisory committee member may not serve more than two (2) consecutive full terms.

(6) (a) It shall be a ground for removal from the AAHP advisory committee if a member:

1. Does not have at the time of appointment the qualifications required by subsection (4) of this section and by KRS 321.251;

2. Does not maintain during service on the advisory committee the qualifications required by KRS 321.251; and

3. Cannot discharge the member's duties for a substantial part of the member's term due to illness or disability.

(b) The validity of an action of the AAHP advisory committee is not affected by the fact that the action is taken when a ground for removal of an advisory committee member exists.

(7) (a) The chair of the board shall designate biennially an AAHP advisory committee member as the chair of the advisory committee to serve in that capacity at the will of the chair of the board.

(b) The AAHP advisory committee or subcommittees shall meet at least one (1) time per year, or upon request by the board chair or board executive director.

(c) A meeting of the AAHP advisory committee may be held by telephone, conference call, or video conferencing.

(d) 1. Minutes shall be recorded for each meeting of the AAHP advisory committee.

2. A copy of the minutes shall be provided to the full board.

(e) The AAHP advisory committee may submit written reports or recommendations to the board for review.

(8) An AAHP advisory committee member shall not be entitled to reimbursement for travel expenses or any other form of compensation from the board other than mileage reimbursement at the current state reimbursement rate as established by the Finance and Administration Cabinet when a meeting of the AAHP advisory committee or a subcommittee is held in person.

Effective: June 27, 2025

History: Created 2025 Ky. Acts ch. 87, sec. 5, effective June 27, 2025.

KRS 321.320 - Revolving fund for administration -- Reserve fund

(1) All fees and other moneys received by the board pursuant to the provisions of this chapter shall be deposited in the State Treasury to the credit of a revolving fund for the use of the board.

(2) (a) No part of this revolving fund shall revert to the general funds of this Commonwealth.

(b) Notwithstanding KRS 45.229, fund amounts not expended at the close of a fiscal year shall not lapse but shall be carried forward into the next fiscal year.

(c) Any interest earnings of the fund shall become a part of the fund and shall not lapse.

(3) All expenses incurred by the board shall be paid from this revolving fund, including:

(a) The compensation of members of the board;

(b) Salaries, wages, and benefits of the employees of the board;

(c) Payment of contractors hired by the board;

(d) Administrative services provided to the board;

(e) Investigative and legal services;

(f) Court costs;

(g) Technology expenses related to administration of this chapter; and

(h) All other expenses incurred by the board.

(4) The board shall keep and maintain a reserve fund for capital, operational, and programmatic expenses.

(5) Scholarships and other educational awards approved by the board for the purpose of promoting persons entering into the fields of veterinary medicine shall be paid from this revolving fund.

(6) The board may receive and expend funds, in addition to fees collected from parties other than applicants and credential holders, provided that these funds shall be used in the pursuit of a specific objective that the board may accomplish by this chapter or which the board is qualified to accomplish by reason of its jurisdiction or professional expertise.

(7) The board may direct investment of that portion of its revolving fund not needed to meet current expenses, the earning from which investments shall also be credited to the revolving fund of the board.

(8) The fund shall be held subject to the order of the board, and to be used for meeting necessary expenses incurred in the performance of the purposes of this chapter and the duties imposed thereby.

Effective: June 29, 2023

History: Amended 2023 Ky. Acts ch. 95, sec. 24, effective June 29, 2023. – Amended 1992 Ky. Acts ch. 299, sec. 19, effective July 14, 1992. -- Amended 1966 Ky. Acts ch. 255, sec. 251. -- Created 1948 Ky. Acts ch. 181, sec. 13.

KRS 321.351 - Disciplinary action -- Offenses subject to disciplinary action – Private admonishment -- Criminal background investigation.

(1) The board may refuse to issue a credential, or may suspend, revoke, impose probationary or supervisory conditions upon, impose an administrative fine not to exceed five thousand dollars ($5,000) per violation, issue a written reprimand, issue a private admonishment, or any combination of actions regarding any credential holder upon proof that the credential holder has:

(a) Committed any act of dishonesty or corruption, if in accordance with KRS Chapter 335B. If the act constitutes a crime, conviction in a criminal proceeding is not a condition precedent to disciplinary action. Upon conviction of the crime, the judgment and sentence are presumptive evidence at the ensuing disciplinary hearing of the guilt of the credential holder or applicant. "Conviction," as used in this paragraph, shall include a finding or verdict of guilt, an admission of guilt, or a plea of nolo contendere;

(b) Misrepresented or concealed a material fact in obtaining a board credential, or in reinstatement of a board credential;

(c) Committed any unfair, false, misleading, or deceptive act or practice;

(d) Been incompetent or negligent in the practice of veterinary medicine, the practice of veterinary technology, animal euthanasia, allied animal health professional activities, or any associated professional activities;

(e) Violated any statute or administrative regulation governing the practice of veterinary medicine, veterinary technology, animal euthanasia, allied animal health professional activities, or any associated professional activities;

(f) Failed to comply with an order issued by the board or an assurance of voluntary compliance;

(g) Violated the code of conduct as set forth by the board by administrative regulation;

(h) Become impaired or incapacitated and unable to perform that person's duties with reasonable skill and safety; or

(i) Violated any applicable provision of any federal or state law or regulation regarding the dispensing of controlled substances, veterinary drugs, veterinary prescription drugs, or legend drugs, if in accordance with KRS Chapter 335B.

(1) Five (5) years from the date of a revocation, any person whose board credential has been revoked may petition the board for reinstatement. The board shall investigate the petition and may reinstate the board credential upon a finding that the individual has complied with any terms prescribed by the board and is again able to competently engage in practice.

(3) When in the judgment of the board, an alleged violation is not of a serious nature, and the evidence presented to the board after the investigation and appropriate opportunity for the credential holder to respond, provides a clear indication that the alleged violation did in fact occur, the board may issue a written reprimand to the credential holder. A copy of the reprimand shall be placed in the permanent file of the credential holder. The credential holder shall have the right to file a response to the reprimand within thirty (30) days of its receipt and to have the response placed in the permanent licensure file. The credential holder may alternatively, within thirty (30) days of the receipt, file a request for hearing with the board. Upon receipt of this request the board shall set aside the written reprimand and set the matter for hearing.

(4) At any time during the investigative or hearing processes, the board may enter into an agreed order, settlement agreement, or accept an assurance of voluntary compliance with the credential holder which effectively deals with the complaint or grievance.

(5) The board may reconsider, modify, or reverse its probation, reprimand, suspensions, or other disciplinary action.

(6) Private admonishment shall not be subject to disclosure to the public under KRS 61.878 and shall not constitute disciplinary action, but may be used by the board for statistical purposes or in a subsequent disciplinary action against the credential holder or applicant.

(7) As a part of any board investigation under this section or KRS 321.235, the board may require an applicant, credential holder, or any other person engaging in a veterinary practice or activity regulated by the board under this chapter to submit to a criminal background investigation conducted in accordance with KRS 321.189.

(8) For the purposes of this section, "credential holder" means a person who:

(a) Holds any license, certificate, permit, registration, or other credential issued or approved by the board; or

(b) Serves as the veterinarian manager, AAHP manager, registered responsible party designated on a facility registration or AAHP facility registration, or as the designated on-site manager for a certified animal control agency.

Effective: June 29, 2023

History: Amended 2023 Ky. Acts ch. 95, sec. 25, effective June 29, 2023. – Amended 2017 Ky. Acts ch. 158, sec. 69, effective June 29, 2017. -- Amended 2016 Ky. Acts ch. 116, sec. 15, effective July 15, 2016. -- Created 1992 Ky. Acts ch. 299, sec. 13, effective July 14, 1992.

KRS 321.352 - Board to establish fines through administrative regulation

(1) The board shall establish the amounts, limits, or ranges for any fines imposed under this chapter through the promulgation of administrative regulations. The board shall fine any person who:

(a) Violates or aids in the violation of KRS 321.190, 321.201, 321.207, 321.236, 321.441, or 321.443 for practicing or for performing services without a credential required by the board;

(b) Is issued a notice of violation by the board for failure to comply with this chapter or administrative regulations promulgated under this chapter;

(c) Exercises or attempts to exercise control over, interferes with, or attempts to influence the professional judgment of a credential holder in any manner, including through coercion, collusion, extortion, inducement, or intimidation;

(d) 1. Violates any ruling of the board or hinders any agent of the board in carrying out the duties assigned to the agent;

2. Is an officer who refuses to enforce the provisions of this chapter when called upon by the board to do so; or

3. Attempts in any way to hinder or obstruct the board in carrying out the provisions of this chapter; or

(e) Resists, obstructs, interferes with, threatens, attempts to intimidate, or in any other manner interferes with an agent of the board or who willfully refuses to obey their lawful orders.

(2) The board may impose additional fines on a person who is convicted under KRS 321.990.

(3) Each day or part of a day that a violation continues is a separate violation and subject to daily penalties.

(4) For any violation of the Kentucky Veterinary Medicine Practice Act, in addition to any other fines designated in this section, the board may impose on any person fines in an amount equal to the cost of investigative and legal fees incurred by the board in processing the case.

Effective: June 29, 2023

History: Created 2023 Ky. Acts ch. 95, sec. 30, effective June 29, 2023.

KRS 321.353 - Emergency order for immediate, temporary suspension of license, certificate, permit, or registration when necessary to protect the public – Right to appeal

(1) The board may, by a majority vote, issue an emergency order for the immediate, temporary suspension of a license, certificate, permit, or registration against which disciplinary action, an investigation, or initiating complaint is pending if the order is necessary to protect the public.

(2) The emergency order shall be made in accordance with KRS 13B.125 and shall be based upon a finding by the board that the emergency order is in the public interest and that there is substantial evidence of immediate danger to the health, welfare, and safety of the credential holder's clients, animals, or the general public.

(3) A licensee, certificate holder, permittee, or registrant may appeal the emergency order by filing a written request to the board for an emergency hearing in accordance with KRS 13B.125 within thirty (30) days after receipt of the order.

(4) The appeal of an emergency order shall address only the necessity for the action and shall not constitute an appeal of the merits of the underlying complaint or charge.

(5) The emergency order shall remain in effect until modified or vacated by the board or hearing officer or superseded by final disciplinary action of the board or hearing officer on the underlying complaint or charge.

(6) The board shall expedite disciplinary hearings in which a licensee, certificate holder, permittee, or registrant has been suspended under subsection (1) of this section.

(7) Any party aggrieved by a final order of the board may appeal to the Franklin Circuit Court after a written decision is issued by the board in accordance with KRS Chapter 13B.

Effective: June 29, 2023

History: Amended 2023 Ky. Acts ch. 95, sec. 26, effective June 29, 2023. – Created 2016 Ky. Acts ch. 116, sec. 12, effective July 15, 2016.

KRS 321.360 - Hearings by board – Appeal

(1) Except as provided in KRS 321.235, 321.351, and 321.353, the board, before suspending, revoking, imposing probationary or supervisory conditions upon, imposing an administrative fine, or any combination of actions regarding any license, certificate, permit, or registration, or regarding any veterinarian manager, AAHP manager, registered responsible party, or designated on-site manager under the provisions of this chapter, shall set the matter for hearing in accordance with KRS Chapter 13B. After denying an application under the provisions of this chapter, or issuing a written reprimand, the board shall grant a hearing in accordance with KRS Chapter 13B to the denied applicant only upon written request of the applicant made within thirty (30) days of the date of the letter advising of the denial or the reprimand.

(2) Any party aggrieved by a final order of the board may appeal to Franklin Circuit Court in accordance with KRS Chapter 13B.

Effective: June 29, 2023

History: Amended 2023 Ky. Acts ch. 95, sec. 27, effective June 29, 2023. – Amended 2016 Ky. Acts ch. 116, sec. 16, effective July 15, 2016. -- Amended 1996 Ky. Acts ch. 318, sec. 284, effective July 15, 1996. -- Amended 1992 Ky. Acts ch. 299, sec. 20, effective July 14, 1992. -- Amended 1980 Ky. Acts ch. 114, sec. 78, effective July 15, 1980. --Amended 1974 Ky. Acts ch. 315, sec. 57. -- Created 1948 Ky. Acts ch. 181, sec. 19.

KRS 321.441 - Veterinary technician's license -- Qualifications -- Scope of practice -- Annual fee -- Exception

(1) The board shall issue a license as a veterinary technician to an applicant who:

(a) Is a graduate of an approved veterinary technology program with an associate or bachelor's degree related to veterinary technology;

(b) Obtains a passing score on an examination as determined by the board to assess the qualifications and fitness of an applicant to engage in the practice;

(c) Is a person of good moral character. As one (1) element of good moral character, the board shall require each applicant for licensure to submit a full set of the applicant's fingerprints for the purpose of obtaining criminal records checks, pursuant to applicable law. All good moral character information, including the information obtained through the criminal background checks, shall be relevant to licensure eligibility determinations to the extent permitted by law;

(d) Has met all the requirements of the board as established by administrative regulation of the board; and

(e) Has been approved for licensure by the board.

(2) For the purpose of this chapter, "veterinary technician," "veterinary technologist," "veterinary nurse," or any other category of veterinary technician defined by the board in administrative regulation shall have the same meaning as "veterinary technician" under this chapter.

(3) The board shall promulgate administrative regulations for one (1) or more categories of veterinary technicians defining the:

(a) Minimum qualifications required;

(b) Specific tasks that the licensee may perform under a veterinarian's supervision; and

(c) Specific tasks that the licensee shall not perform.

(4) A veterinary technician shall be prohibited from performing the activities listed in KRS 321.190(6).

(5) The practice of veterinary technology by telehealth or other means shall constitute the practice of veterinary technology subject to licensure and enforcement by the board.

(6) A veterinary technician who performs veterinary technology contrary to this chapter and its associated administrative regulations shall be subject to disciplinary actions in a manner consistent with this chapter applicable to licensed veterinarians.

(7) Each veterinary technician licensed by the board shall pay an annual fee as prescribed by the board.

(8) Each veterinary technician licensed by the board shall complete annual continuing education hours to renew the license as required by the board in administrative regulation.

(9) Failure to renew shall result in the expiration of the license.

(10) A veterinarian shall utilize the services of a licensed veterinary technician in accordance with the terms and provisions of this chapter and its associated administrative regulations. Unauthorized utilization of licensed veterinary technicians by veterinarians shall be considered as aiding and abetting any unlicensed person to practice veterinary medicine as described in KRS 321.351.

(11) Nothing in this section shall prohibit volunteer health practitioners from providing services under KRS 39A.350 to 39A.366.

(12) Except as authorized by KRS 321.200, no person shall practice as a veterinary technician or perform any of the duties usually performed by a veterinary technician unless the person holds a license to practice as a veterinary technician issued and validly existing under this chapter.

Effective: June 29, 2023

History: Amended 2023 Ky. Acts ch. 95, sec. 28, effective June 29, 2023. – Amended 2016 Ky. Acts ch. 116, sec. 17, effective July 15, 2016. -- Amended 2007 Ky. Acts ch. 96, sec. 20, effective June 26, 2007. -- Created 1992 Ky. Acts ch. 299, sec. 7, effective July 14, 1992.

Legislative Research Commission Note (7/14/92). This statute was created in 1992 Ky. Acts ch. 299, which contains the enrolled text of Senate Bill 250. A

committee substitute for this bill was adopted by the House with a floor amendment, and the Senate subsequently concurred in this action by the House; this amended substitute thus became the enrolled version of the bill. In drafting the House Committee Substitute, the original Section 10 of the bill was deleted in its entirety, but internal section references within the bill were not renumbered to reflect this deletion. Therefore, in codifying this statute, the internal section references within Acts ch. 299, sec. 7, have been changed pursuant to KRS 7.136(1).

KRS 321.442 - Renewal of veterinary technician license

(1) Each person who is licensed as a veterinary technician shall submit a completed renewal application by the renewal deadline and pay to the board an annual renewal fee for the renewal of the person's license.

(2) A sixty (60) day grace period shall be allowed after the renewal deadline, during which time individuals may renew their licenses upon submission of a completed renewal application and payment of the renewal fee and a late fee to the board. All licenses not renewed by the grace period deadline shall expire based on the failure of the individual to renew in a timely manner. Upon expiration, the veterinary technician licensee is no longer eligible to practice in the Commonwealth.

(3) After the sixty (60) day grace period, individuals with an expired veterinary technician license may have their licenses reinstated upon submission of a completed reinstatement application and payment of a reinstatement fee to the board. No person who applies for reinstatement after expiration of the person's license shall be required to submit to an examination as a condition for reinstatement if a reinstatement application is made within five (5) years from the date of expiration.

(4) A suspended license is subject to expiration and termination and shall be renewed as provided in this chapter. Renewal or reinstatement shall not entitle the licensee to engage in the practice until the suspension has ended or is otherwise removed by the board and the right to practice is restored by the board.

(5) A revoked license is subject to expiration or termination but may not be renewed. If it is reinstated, the licensee shall pay the reinstatement fee.

(6) A person who fails to reinstate a license within five (5) years after its expiration or termination may not have it renewed, restored, reissued, or reinstated. A person may apply for and obtain a new license by meeting the requirements of this chapter.

(7) The board may require that a person applying for renewal or reinstatement of licensure show evidence of completion of continuing education as established in administrative regulations promulgated in accordance with KRS Chapter 13A.

(8) The board may grant retired or inactive licensure status and may establish conditions under which retired or inactive licenses may be renewed as established in administrative regulations promulgated in accordance with KRS Chapter 13A.

Effective: June 29, 2023

History: Created 2023 Ky. Acts ch. 95, sec. 5, effective June 29, 2023.

KRS 321.443 - Veterinary assistants -- Duties

(1) A veterinary assistant shall only work in the Commonwealth in the following circumstances:

(a) Under the supervision of a licensed veterinarian where a VCPR exists; or

(b) Under the direct supervision of a licensed veterinary technician who is under the supervision of a licensed veterinarian where a VCPR exists.

(2) Duties of a veterinary assistant shall exclude diagnosing, prescribing medication or treatment, and performance of surgical procedures other than castrating and dehorning of food animals.

(3) A veterinary assistant and the veterinary assistant's employer shall not represent the veterinary assistant as a veterinary technician.

(4) A veterinary assistant who performs the duties of a veterinary assistant contrary to this chapter or outside the scope defined by the board shall be subject to disciplinary actions in a manner consistent with this chapter applicable to licensed veterinarians.

(5) A veterinarian shall utilize the service of a veterinary assistant in accordance with the terms and provisions of this chapter and its associated administrative regulations. Unauthorized utilization of veterinary assistants shall be considered as aiding and abetting an unlicensed person to practice veterinary medicine as described in KRS 321.351.

Effective: June 29, 2023

History: Amended 2023 Ky. Acts ch. 95, sec. 29, effective June 29, 2023. – Created 1992 Ky. Acts ch. 299, sec. 8, effective July 14, 1992.

Legislative Research Commission Note (7/14/92). This statute was created in 1992 Ky. Acts ch. 299, which contains the enrolled text of Senate Bill 250. A committee substitute for this bill was adopted by the House with a floor amendment, and the Senate subsequently concurred in this action by the House; this amended substitute thus became the enrolled version of the bill. In drafting the House Committee Substitute, the original Section 10 of the bill was deleted in its entirety, but internal section references within the bill were not renumbered to reflect this deletion. Therefore, in codifying this statute, the internal section reference within Acts ch. 299, sec. 8, has been changed pursuant to KRS 7.136(1).

KRS 321.990 - Penalties

(1) Any person who violates or aids in the violation of KRS 321.190, 321.201, 321.207, 321.236, 321.441, or 321.443 for practicing or for performing services without a credential required by the board shall be guilty of a misdemeanor upon conviction in court, and shall be sentenced to jail for not less than ten (10) days nor more that ninety (90) days per violation.

(2) Any person exercising or attempting to exercise control over, interfering with, or attempting to influence the professional judgment of a credential holder in any manner, including through coercion, collusion, extortion, inducement, or intimidation, shall be guilty of a misdemeanor upon conviction in court, and shall be sentenced to jail for not less than ten (10) days nor more that ninety (90) days per violation.

(3) Any person who resists, obstructs, interferes with, threatens, attempts to intimidate, or in any other manner interferes with an agent of the board or who willfully refuses to obey their lawful orders shall be guilty of a misdemeanor upon conviction in court, and shall be sentenced to jail for not more than thirty (30) days for each offense.

(4) Each day or part of a day that a violation continues is a separate violation and subject to daily penalties.

(5) Nothing in this section shall limit, preclude, or supersede the board's power to:

(a) Impose fines for a violation of this chapter or any administrative regulations promulgated under this chapter;

(b) Deny, restrict, or revoke a license issued under this chapter or administrative regulations promulgated under this chapter; and

(c) Impose any other form of discipline based on a conviction under this section or as otherwise authorized by this chapter or administrative regulations promulgated under this chapter.

Effective: June 29, 2023

History: Amended 2023 Ky. Acts ch. 95, sec. 31, effective June 29, 2023. – Amended 2016 Ky. Acts ch. 116, sec. 18, effective July 15, 2016. -- Amended 1998 Ky. Acts ch. 126, sec. 4, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 318, sec. 283, effective July 15, 1996. -- Amended 1992 Ky. Acts ch. 299, sec. 22, effective July 14, 1992. -- Created 1948 Ky. Acts ch. 181, sec. 26.

History for former KRS 321.990: Repealed 1948 Ky. Acts ch. 181, sec. 28. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 63b-11, 63b-13.

Legislative Research Commission Note e (7/14/92). This statute was created in 1992 Ky. Acts ch. 299, which contains the enrolled text of Senate Bill 250. A committee substitute for this bill was adopted by the House with a floor amendment, and the Senate subsequently concurred in this action by the House; this amended substitute thus became the enrolled version of the bill. In drafting the House Committee Substitute, the original Section 10 of the bill was deleted in its entirety,

but internal section references within the bill were not renumbered to reflect this deletion. Therefore, in codifying this statute, the internal section reference within Acts ch. 299, sec. 22, has been changed pursuant to KRS 7.136(1).

201 KAR CHAPTER 16

201 KAR 16:500 - Code of ethical conduct for veterinarians.

RELATES TO: KRS 257.080, 321.185, 321.351(1)(g)

STATUTORY AUTHORITY: KRS 321.235(3), 321.240(5), (6), 321.351(1)(g)

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.240(6) requires the Kentucky Board of Veterinary Examiners to establish a code of ethical conduct governing the practice of veterinary medicine. KRS 321.351(1)(g) provides for the suspension or revocation of a license, imposition of probationary conditions or an administrative fine, or the issuance of a written reprimand for any violation of the code of ethical conduct promulgated by the board. KRS 321.235(3) and 321.240(5) authorize the board to promulgate administrative regulations to implement KRS Chapter 321. This administrative regulation establishes a code of ethical conduct for veterinarians.

Section 1. A veterinarian shall not engage in fraud, deceit, or misrepresentation in the practice of veterinary medicine.

Section 2. A veterinarian shall bill accurately and truthfully for services rendered.

Section 3. A veterinarian shall not engage in false, misleading, or deceptive advertising.

Section 4. A veterinarian shall not issue a certificate of veterinary inspection (CVI) unless the veterinarian has personal knowledge through appropriate examination. A veterinarian shall not issue a CVI unless he or she has complied with all entry requirements of the jurisdiction of destination.

Section 5. A veterinarian shall not represent to the public that he or she is a board certified specialist in any specialty of veterinary medicine unless that veterinarian has been certified by an entity approved by the American Veterinary Medical Association (AVMA) and has submitted the certification for filing with the board.

Section 6. A veterinarian's conduct shall conform to the currently accepted standards in the practice of veterinary medicine.

Section 7. A veterinarian shall maintain adequate equipment to treat patients that he or she is called upon to treat in the practice of veterinary medicine.

Section 8. A veterinarian shall maintain his or her service premises and equipment in a clean and sanitary condition.

Section 9. A veterinarian shall take sufficient time to perform a complete physical exam and recommend the appropriate tests as needed to diagnose the condition of the patient.

Section 10. A veterinarian shall not neglect a patient under his or her care.

Section 11. A veterinarian shall not physically abuse a patient under his or her care.

Section 12. Except as provided by Section 41 of this administrative regulation, a veterinarian shall have the right to refuse any patient.

Section 13. A veterinarian shall not practice veterinary medicine in a manner that endangers the health of a patient or endangers the health, safety, or welfare of the public.

Section 14. A veterinarian shall not practice veterinary medicine if his or her ability to practice with reasonable skill and safety is adversely affected by the use of alcohol, drugs, narcotics, chemicals, or other substances.

Section 15. A veterinarian shall not over utilize his or her practice. A practice shall be deemed to be over utilized if it exceeds the needs of the patient, considering the patient's history and subjective symptoms; the veterinarian's objective findings, the veterinarian's reasonable clinical judgment, and other information relevant to the practice of veterinary medicine.

Section 16. A veterinarian shall not aid or abet any person in the unlawful practice of veterinary medicine.

Section 17. A veterinarian shall ascertain, before hiring, whether a person who may be hired as a veterinarian has a license to practice veterinary medicine in the Commonwealth of Kentucky and shall be responsible for ensuring that the employee's license remains current.

Section 18. A veterinarian shall not permit a veterinary technician or veterinary assistant to diagnose, prescribe medical treatment, or perform surgical procedures other than the castrating and dehorning of food animals.

Section 19. A veterinarian shall create adequate records to document the veterinarian's examination and treatment of his or her patients in accordance with KRS 321.185(2).

Section 20. A veterinarian shall retain records of his or her examination and treatment of each patient for a period of at least five (5) years from the most recent examination of the patient.

Section 21.

(1) A veterinarian shall provide copies of the veterinarian's medical records of the examination and treatment of a patient upon the request of the client.

(2) Copies of records may be released to the client's designee or another veterinarian engaged by the client to examine or treat the patient upon submission of a signed Authorization for the Release of Medical Records form pursuant to KRS 321.185(3).

(3) A veterinarian shall provide copies of the veterinarian's medical records to the board upon request by the board or the board's designee for inspection or investigation pursuant to KRS 321.185(3)(e)1.

Section 22. A veterinarian shall not sell, or offer for sale, prescription medications, including controlled substances, at any place other than in his or her office, clinic, hospital, or mobile unit; or in another place where he or she is treating patients.

Section 23.

(1) Except as provided by subsection (2) of this section, a veterinarian shall prescribe, dispense, sell, or offer for sale, prescription medications only for his or her own patients.

(2) A veterinarian may dispense a non-controlled substance medication for a client that was prescribed by another veterinarian who has established a veterinarian-client-patient relationship (VCPR).

Section 24. A veterinarian shall comply with the requirements of 201 KAR 16:600.

Section 25. A veterinarian shall not write testimonials as to the virtue of medications, remedies, or foods except to report the results of properly controlled, unbiased experiments, or clinical studies.

Section 26. A veterinarian shall post at his or her facility, and make available over the telephone or online, the veterinarian's policy regarding the hours, emergency coverage, and other similar provisions for the operation of the facility.

Section 27. A veterinarian shall maintain a confidential relationship with his or her clients in accordance with KRS 321.185(3) and in accordance with KRS 257.080, or exceptions otherwise provided by law, or required by considerations related to public health or animal health.

Section 28. A veterinarian shall obtain the consent of the patient's owner (or the owner's agent) before administering general anesthesia or performing any surgical procedure unless circumstances qualifying as an emergency do not permit obtaining the consent.

Section 29. A veterinarian shall attempt to obtain the consent of a patient's owner (or the owner's agent) in writing, if feasible, before euthanizing a patient or transporting a patient to another facility. If it is not feasible to obtain consent in writing, the veterinarian shall obtain oral consent from the patient's owner (or the owner's agent) and document the consent in the medical record.

Section 30. A veterinarian shall make reasonable efforts to obtain the consent of the owner (or the owner's agent) before disposing of any patient that dies while in the veterinarian's care. Any patient disposal shall be done according to all applicable health and safety laws and regulations.

Section 31. A veterinarian shall, where possible, preserve the body of any patient that dies while in the veterinarian's care while its owner (or the owner's agent) is away, except as otherwise provided by law.

Section 32. A veterinarian shall not abuse or take advantage of the confidence of the client.

Section 33. A veterinarian shall not enter into a business transaction with a client in which the veterinarian and his or her client have differing interests:

(1) If the client reasonably expects the veterinarian to exercise his or her professional judgment for the protection of the client;

(2) If the veterinarian has not fully disclosed his or her interest in the transaction; or

(3) If the client has not given his or her informed consent to the transaction.

Section 34.

(1) If a veterinarian performed an inspection of an animal on behalf of a person that the veterinarian knew (or reasonably should have known) planned to sell that animal within sixty (60) days from the date of

inspection, then the veterinarian shall not perform an inspection of that animal on behalf of any person that the veterinarian knows (or reasonably should know) is a potential buyer of the animal without first disclosing to the potential buyer the fact and circumstances of the veterinarian's previous inspection of the animal.

(2) The creation, review, or analysis of a radiograph shall constitute an "inspection" for the purposes of this section.

Section 35. An applicant for a license shall be truthful in his or her representations to the board.

Section 36. A veterinarian shall comply with the board's request to appear before the board, to provide information to the board, or to make his or her premises available for inspection by the board.

Section 37. A veterinarian shall comply with restrictions on his or her practice of veterinary medicine imposed by the board.

Section 38. A veterinarian shall notify the board within thirty (30) days of a change to his or her legal name.

Section 39. A veterinarian shall notify the board within thirty (30) days of a change to his or her permanent address or mailing address.

Section 40. A veterinarian shall notify the board within thirty (30) days of the occurrence of the following events:

(1) Disciplinary action, revocation, suspension, or the voluntary surrender of his or her license to practice veterinary medicine in another jurisdiction;

(2) The suspension, revocation, or voluntary surrender of his or her United States Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS) Accreditation;

(3) The suspension, revocation, or voluntary surrender of his or her federal Drug Enforcement Administration (DEA) registration;

(4) The suspension, revocation, or voluntary surrender of his or her state controlled substances license in any jurisdiction; or

(5) The conviction, in any jurisdiction, of any felony or misdemeanor other than a minor traffic violation.

Section 41. A veterinarian shall not refuse treatment of a patient on the basis of the client's race, color, sex, gender identity, age, religion, national origin, veteran status, or disability.

Section 42. A veterinarian shall conduct professional activities in conformity with all federal, state, and municipal laws, ordinances, or regulations.

Section 43. A veterinarian shall not verbally abuse or harass, nor physically threaten or assault a client, an employee, a board member, or any agent of the board.

Section 44. Incorporation by Reference.

(1) "Authorization for the Release of Medical Records", 2/2020, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subjected to applicable copyright law, at the Kentucky Board of Veterinary Examiners, 107 Corporate Drive, Frankfort, Kentucky 40601, Monday through Friday, 8:00 a.m. to 4:30 p.m. This material may also be obtained at www.kybve.com.

(46 Ky.R. 1720, 2602; eff. 6-30-2020.)

201 KAR 16:510 - Fees for veterinarians.

RELATES TO: KRS 321.190, 321.193, 321.201, 321.211, 321.221, 321.235, 321.320

STATUTORY AUTHORITY: KRS 321.193(2), 321.201(1), 321.211(1)–(3), (5), 321.221(1), 321.235(1)(c), 321.320

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.235(1)(c) requires the Kentucky Board of Veterinary Examiners to promulgate administrative regulations as it may deem necessary and proper to effectively carry out and enforce the provisions of KRS Chapter 321, including to establish authorized fees. KRS 321.211(1) requires veterinarians to pay a renewal fee to the board as a condition of licensure. KRS 321.201 authorizes the board to issue a special permit for the practice of veterinary medicine, and KRS 321.235(1)(c) requires the board to set fees for such special permits. This administrative regulation establishes application, examination, renewal, late, reinstatement, inactive status, and retirement fees for veterinarians, as well as fees for special permits. This administrative regulation also establishes reduced and waived fees for military servicemembers.

Section 1. Payment and Submission of Fees.

(1) Fees to the board shall be paid by check or money order, or, if available, online payment by debit or credit card. Checks and money orders shall be made payable to the Kentucky State Treasurer.

(2) All fees shall be nonrefundable.

Section 2. Examination Fees for Veterinarians.

(1) The fee for the North American Veterinary Licensing Examination (NAVLE) shall be paid directly to the International Council for Veterinary Assessment (ICVA), its designee, or current test administrator.

(2) The fee for the Kentucky Board of Veterinary Examiners state jurisprudence exam shall be $100 paid directly to the board.

Section 3. Fees for Special Permits.

(1) The fee for a special permit issued by the board pursuant to KRS 321.201 shall be $200.

(2) The fee shall be attached to either the Application for Licensure as a Veterinarian form incorporated by reference in 201 KAR 16:540 or the Application for a Special Permit form incorporated by reference in 201 KAR 16:530, or online equivalent forms.

(3) A special permit application shall be accepted by the board only if a current Application for Licensure as a Veterinarian is on file with the board or included with the application for special permit.

(4) A special permit shall not be renewed. Following expiration of a special permit, an individual shall reapply for a new special permit pursuant to the limitations established in KRS 321.201.

Section 4. Application Fees for Veterinarians.

(1) The application fee for a veterinarian license shall be $350.

(2) The fee shall be attached to the completed Application for Licensure as a Veterinarian form incorporated by reference in 201 KAR 16:540 or online equivalent form, including all required attachments.

Section 5. Renewal Fees for Veterinarian Licenses.

(1) The renewal deadline shall be September 30 of each year ending in an even number. The renewal biennium shall be the time period beginning the day after the renewal deadline to the next renewal deadline.

(2) Except as established in subsections (5) and (6) of this section, the biennial renewal fee for licensure as a veterinarian in active status shall:

(a) Until June 30, 2026, be $275;

(b) Between July 1, 2026, and June 30, 2028, be $495;

(c) Between July 1, 2028, and June 30, 2030, be $550; and

(d) Between July 1, 2030, and June 30, 2032, be $550.

(3) The Renewal Application for Veterinarians form incorporated by reference in 201 KAR 16:570 or online equivalent form shall be complete, and include all required attachments, continuing education credits, and fee payment.

(4) No later than September 30 of the second year of the renewal biennium, the complete package shall be submitted to the board for review and approval.

(5) For veterinarians who are initially licensed in the second year of the biennium between 365 days and 182 days prior to the end of the renewal biennium, the licensure renewal fee shall be reduced by half during a licensee's first licensure cycle. The late fee for renewal, if applicable, shall not be reduced or waived without board authorization.

(6) For veterinarians who are initially licensed in the second year of the biennium between 181 days and the last day of the renewal biennium, the licensure renewal fee shall be waived during a licensee's first licensure cycle.

(7) Utilization of Renewal Grace Period.

(a) During the sixty (60) day grace period established by KRS 321.211(2), a licensed veterinarian who failed to meet the September 30 renewal deadline may continue to function as though licensed until a late renewal application is submitted to and approved by the board.

(b) The late fee for biennial renewal shall be $300 in addition to the renewal fee established in subsections (2), (5), and (6) of this section.

(c) The veterinarian shall submit the complete Renewal Application for Veterinarians form incorporated by reference in 201 KAR 16:570 or online equivalent form, including all required attachments, continuing education hours, and fee payment, to the board between October 1 and November 30 of a year ending in an even number.

(8) A veterinarian's license shall expire if a renewal application package and all attachments, and late fee if applicable, is not submitted to the board by November 30 each year ending in an even number.

Section 6. Reinstatement Fees for Veterinarians.

(1)

(a) Except as established in subsection 2 of this section, and Section 7 of this administrative regulation, if not more than five (5) years have elapsed since the last date of license expiration pursuant to KRS 321.211(6), a veterinarian shall pay a reinstatement fee as established in subparagraphs 1. through 3. of this paragraph to reinstate their license to active status.

1. Until June 30, 2026, the licensure reinstatement fee shall be $675.

2. Between July 1, 2026, and June 30, 2028, the licensure reinstatement fee shall be $775.

3. After June 30, 2028, the licensure reinstatement fee shall be $850.

(b) The applicant shall submit a complete Reinstatement Application for Veterinarians form incorporated by reference in 201 KAR 16:540 or online equivalent form, including all required attachments, to the board for reinstatement of their license.

(c) A veterinarian shall not apply for a new license during this five (5) year window; a reinstatement application shall be required.

(2) If more than five (5) years have elapsed since the last date of license expiration, a veterinarian shall apply as a new applicant to obtain a license in the Commonwealth of Kentucky.

Section 7. Inactive Status of License.

(1)

(a) A veterinarian shall request inactive licensure status in accordance with 201 KAR 16:580.

(b) If more than ninety (90) days prior to the renewal deadline or more than 150 days prior to the grace period deadline, the Request for Licensure Status Change form incorporated by reference in 201 KAR 16:580, or online equivalent form, shall be required, and there shall not be a fee.

(c) If less than ninety (90) days prior to the renewal deadline or less than 150 days prior to the grace period deadline, the Renewal Application for Veterinarians form incorporated by reference in 201 KAR 16:570, or online equivalent form, shall be required, and the required fee shall be paid as established in subsection (2) of this section.

(2) Renewal of an inactive veterinary license.

(a) The biennial renewal fee for inactive veterinarian licensure status shall be $100 per renewal biennium.

(b) The late fee for biennial renewal of an inactive veterinarian license shall be $200 in addition to the renewal fee established in paragraph(a) of this subsection, and shall apply to a veterinarian license in an inactive status that was not renewed by September 30 of the second year of the renewal biennium.

(c) A veterinarian license in an inactive status that is not renewed by November 30 shall be moved to an expired status.

(3) Reinstatement of inactive veterinarian license status to active status.

(a) A veterinarian licensee in inactive status may reinstate their license to active status in accordance with 201 KAR 16:580.

(b) There shall be a reinstatement fee due at the time of application, as established in subparagraphs 1. and 2. of this paragraph.

1. For an inactive veterinarian license that has been in inactive status less than twenty-four (24) months:

a. Until June 30, 2026, the licensure reinstatement fee shall be $500;

b. Between July 1, 2026, and June 30, 2028, the licensure reinstatement fee shall be $550; and

c. After June 30, 2028, the licensure reinstatement fee shall be $600.

2. For an inactive veterinarian license that has been in inactive status greater than twenty-four (24) months, the licensure reinstatement fee shall be $400.

Section 8. Retirement of a Veterinary License.

(1)

(a) A veterinarian may request to retire their license at any time.

(b) The one-time fee for this service shall be twenty-five (25) dollars, which shall be attached to a Request for Licensure Status Change form incorporated by reference in 201 KAR 16:580 or the Renewal Application for Veterinarians form incorporated by reference in 201 KAR 16:570 or online equivalent forms.

(2) Once a license is retired it shall not be reactivated. If a veterinarian holds a retired license and wishes to practice again, they shall apply to the board for a new license to practice veterinary medicine in the Commonwealth of Kentucky.

Section 9. Fee Reduction for Military Personnel.

(1) If a veterinarian applicant submits a copy of their current military orders or DD-214 (or other documentation acceptable to the board) with their application or renewal paperwork, the board shall waive or reduce fees as established in this section.

(a) For active duty military, active reserves, and National Guard service persons, an individual's initial application fees, the Kentucky State Exam fee, and the biennial renewal fees shall be waived.

(b) For retired military personnel with twenty (20) or more years of service, an individual's initial application fees shall be waived, and the biennial renewal fees shall be reduced by half, rounded to the nearest whole dollar.

(c) For any other military veteran, the initial application fees shall be waived.

(d) All other requirements of licensure, including renewal deadlines and continuing education requirements established in 201 KAR 16:590, shall be met.

(2) In conformity with federal Pub.L. No 117-333, for a veterinarian applicant who is an active duty servicemember, or whose spouse is an active duty servicemember, all application fees to the board shall be waived if:

(a) The servicemember, or the service member's spouse, has their residency relocated to Kentucky for the duration of current military orders;

(b) The veterinarian holds at least one (1) license equivalent in scope in another United States jurisdiction;

(c) Within ninety (90) days of relocating, the veterinarian registers with the board on the Application for Licensure as a Veterinarian form incorporated by reference in 201 KAR 16:540 or online equivalent form, in conformity with this subsection;

(d) The servicemember submits a copy of their current military orders to the board;

(e) All veterinarian licenses held in any jurisdiction by the veterinarian remain in good standing;

(f) In order to demonstrate compliance with the requirement of paragraph (e) of this subsection, the servicemember or their spouse submits an AAVSB VAULT report to the board; and

(g) The veterinarian licensee submits to the authority of the board for the purposes of standards of practice, discipline, and fulfillment of any continuing education requirements.

(201 KAR 016:510. 46 Ky.R. 1723, 2460, 2604; eff. 6-30-2020; 50 Ky.R. 721, 1291, 1469; eff. 4-2-2024; 51 Ky.R. 972, 1661; eff. 7-1-2025.)

201 KAR 16:512 - Fees for veterinary technicians.

RELATES TO: KRS 321.190, 321.235, 321.441, 321.442

STATUTORY AUTHORITY: KRS 321.235(1)(c), 321.320, 321.441(7)

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.235(1)(c) requires the Kentucky Board of Veterinary Examiners to promulgate administrative regulations as it may deem necessary and proper to effectively carry out and enforce the provisions of KRS Chapter 321, including to establish authorized fees. KRS 321.441(7) requires veterinary technicians to pay an annual fee to the board as a condition of licensure. This administrative regulation establishes application, examination, renewal, late, reinstatement, inactive

status, and retirement fees for veterinary technicians. This administrative regulation also establishes reduced and waived fees for military servicemembers applying for a veterinary technician license.

Section 1. Payment and Submission of Fees.

(1) Fees to the board shall be paid by check or money order, or, if available, online payment by debit or credit card. Checks and money orders shall be made payable to the Kentucky State Treasurer.

(2) All fees shall be nonrefundable.

Section 2. Examination Fees for Veterinary Technicians. The fee for the Veterinary Technician National Exam (VTNE) shall be paid directly to the American Association of Veterinary State Boards (AAVSB), its designee, or current test administrator.

Section 3. Application Fees for Veterinary Technicians.

(1) The application fee for a veterinary technician shall be fifty (50) dollars.

(2) The fee shall be attached to the completed Application for Licensure as a Veterinary Technician form as found in 201 KAR 16:540 or online equivalent form, including all required attachments.

Section 4. Renewal Fees for Veterinary Technicians.

(1) The renewal deadline shall be September 30 of each year. The renewal period shall be the time period beginning the day after the renewal deadline to the next renewal deadline.

(2) Except as established in subsection (5) of this section, the annual renewal fee for licensure as a veterinary technician in active status shall :

(a) Until June 29, 2026, be forty (40) dollars;

(b) Between June 30, 2026, and June 30, 2028, be forty-five (45) dollars; and

(c) After June 30, 2028, be fifty (50) dollars .

(3) The Renewal Application for Veterinary Technicians form as found in 201 KAR 16:570 or online equivalent form shall be complete, and include all required attachments, continuing education credits, and fee payment.

(4) [2 No later than September 30 of the renewal period, the complete package shall be submitted to the board for review and approval .

(5) For a veterinary technician who is initially licensed 120 days prior to the end of the renewal period, the licensure renewal fee shall be waived during a licensee's first licensure cycle.

(6) Utilization of Renewal Grace Period.

(a) A sixty (60) day grace period shall be allowed after September 30, during which time the licensed veterinary technician who failed to meet the September 30 renewal deadline may continue to function as though licensed until a late renewal application is submitted to the board.

(b) The late fee for annual renewal shall be thirty (30) dollars in addition to the renewal fee established in subsections (2) and (5) of this section.

(c) The veterinary technician shall submit the complete Renewal Application for Veterinary Technicians form as found in 201 KAR 16:570, including all required attachments, continuing education credits, and fee payment, to the board between October 1 and November 30.

(7) A veterinary technician's license shall expire if a renewal application package and all attachments, and late fee if applicable, is not submitted to the board by November 30.

Section 5. Reinstatement Fees for Veterinary Technicians.

(1)

(a) Except as established in subsection (2) of this section and Section 6(3) of this administrative regulation, if not more than five (5) years have elapsed since the last date of license expiration, a veterinary technician shall pay a reinstatement fee as established in subparagraphs 1. through 3. of this paragraph to reinstate their license to active status.

1. Until June 29, 2026, the licensure reinstatement fee shall be ninety (90) dollars.

2. Between June 30, 2026, and June 30, 2028, the licensure reinstatement fee shall be $100.

3. After June 30, 2028, the licensure reinstatement fee shall be $115.

(b) The applicant shall submit a complete Reinstatement Application for Veterinary Technicians form as found in 201 KAR 16:540 or online equivalent form, including all required attachments, to the board for reinstatement of their license.

(c) A veterinary technician shall not apply for a new license during this five (5) year window; a reinstatement application shall be required.

(2) If more than five (5) years have elapsed since the last date of license expiration, a veterinary technician shall apply as a new applicant to obtain a license in the Commonwealth of Kentucky.

Section 6. Inactive Status of a License.

(1)

(a) A veterinary technician shall request inactive licensure status in accordance with 201 KAR 16:580.

(b) If more than ninety (90) days prior to the renewal deadline or more than 150 days prior to the grace period deadline,„] the Request for Licensure Status Change form shall be required, and there shall not be a fee.

(c) If less than ninety (90) days prior to the renewal deadline or less than 150 days prior to the grace period deadline, the Renewal Application for Veterinary Technicians form shall be required, and the required fee shall be paid as established in subsection (2) of this section.

(2) Renewal of an inactive veterinary technician license.

(a) The annual renewal fee for inactive veterinary technician licensure status shall be ten (10) dollars per renewal period.

(b) The late fee for renewal of an inactive veterinary technician license shall be twenty-five (25) dollars in addition to the renewal fee established in paragraph (a) of this subsection, and shall apply to a veterinarian technician license in an inactive status that was not renewed annually by September 30.

(c) A veterinarian technician license in an inactive status that is not renewed by November 30 shall be moved to an expired status.

(3) Reinstatement of inactive veterinary technician license status to active status.

(a) A licensed veterinary technician in inactive status may reinstate their license to active status in accordance with 201 KAR 16:580.

(b) There shall be a reinstatement fee due at the time of application, as established in subparagraphs 1. and 2. of this paragraph.

1. For an inactive veterinary technician license that has been in inactive status less than twelve (12) months:

a. Until June 29, 2026, the licensure reinstatement fee shall be ninety (90) dollars;

b. Between June 30, 2026, and June 30, 2028, the licensure reinstatement fee shall be $100; and

c. After June 30, 2028, the licensure reinstatement fee shall be $115.

2. For an inactive veterinary technician license that has been in inactive status greater than twelve (12) months, the licensure reinstatement fee shall be seventy-five (75) dollars.

Section 7. Retirement of a Veterinary Technician License.

(1)

(a) A veterinary technician may request to retire their license at any time.

(b) The one-time fee for this service shall be ten (10) dollars, which shall be attached to a Request for Licensure Status Change form as found in 201 KAR 16:580, Renewal Application for Veterinary Technicians form as found in 201 KAR 16:570, or online equivalent forms.

(2) Once a license is retired, it shall not be reactivated. If a veterinary technician holds a retired license and wishes to practice again, they shall apply to the board for a new license to practice the profession of a veterinary technician in the Commonwealth of Kentucky.

Section 8. Fee Reduction for Military Personnel.

(1) If a veterinary technician applicant submits a copy of their current military orders or DD-214 (or other documentation acceptable to the board) with their application or renewal paperwork, the board shall waive or reduce fees as established in this section.

(a) For active duty military, active reserves, and National Guard service persons, an individual's initial application fees and annual renewal fees shall be waived.

(b) For retired career military, an individual's initial application fees shall be waived, and the annual renewal fees shall be reduced by half, rounded to the nearest whole dollar.

(c) For any other military veteran, the initial application fees shall be waived.

(d) All other requirements of licensure, including renewal deadlines and continuing education requirements established in 201 KAR 16:590, shall be met.

(2) In conformity with federal Pub.L. No 117-333, for a veterinary technician applicant who is an active duty servicemember, or whose spouse is an active duty servicemember, all application fees to the board shall be waived if:

(a) The servicemember, or the service member's spouse, has their residency relocated to Kentucky for the duration of current military orders;

(b) The veterinary technician holds at least one (1) license equivalent in scope in another United States jurisdiction;

(c) Within ninety (90) days of relocating, the veterinary technician registers with the board on the Application for Licensure as a Veterinary Technician form as found in 201 KAR 16:540 or online equivalent form, in conformity with 201 KAR 16:540, Section 1(4);

(d) The servicemember submits a copy of their current military orders to the board;

(e) All veterinary technician licenses held in any jurisdiction by the veterinary technician remain in good standing;

(f) In order to demonstrate compliance with the requirement of paragraph (e) of this subsection, the servicemember or their spouse submits an AAVSB VAULT report to the board; and

(g) The veterinary technician licensee submits to the authority of the board for the purposes of standards of practice, discipline, and fulfillment of any continuing education requirements.

(46 Ky.R. 1725, 2461, 2605; eff. 6-30-2020; 50 Ky.R. 724, 1294, 1471; eff. 4-2-2024.)

201 KAR 16:513. Fees for Allied Animal Health Professional (AAHP) Permits.

RELATES TO: KRS 321.175, 321.181(1)-(4), 321.235

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

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.235(1)(a)-(c) requires the Kentucky Board of Veterinary Examiners to promulgate administrative regulations as it may deem necessary and proper to effectively carry out and enforce the provisions of KRS Chapter 321, including regulations to establish authorized fees. KRS 321.235(2)(b)2. authorizes the board to promulgate administrative regulations regarding allied animal health professional (AAHP) permits. This administrative regulation establishes fees for AAHP permits.

Section 1. Payment and Submission of Fees.

(1) Fees to the board shall be paid by check or money order, or, if available, online payment by debit or credit card. Checks and money orders shall be made payable to the Kentucky State Treasurer.

(2) All fees shall be nonrefundable.

Section 2. Application Fees for Allied Animal Health Professional Permits

(1) The application fee for an AAHP permit shall be $250.

(2) The fee shall be attached to the completed Application for Allied Animal Health Professional Provider Permit form incorporated by reference in 201 KAR 16:732 or online equivalent form, including all required attachments.

Section 3. Examination Fees for Allied Animal Health Professionals. The fee for the Kentucky Board of Veterinary Examiners State Jurisprudence Examination for AAHP applicants shall be $100 paid directly to the board.

Section 4. Renewal Fees for Allied Animal Health Professional Permits. The following fees shall be paid to renew an AAHP permit.

(1) Except as established in subsection (2)(c) of this section, the annual renewal fee for an AAHP permit in active status shall:

(a) Until June 30, 2026, be $150;

(b) Between July 1, 2026 and June 30, 2028, be $175; and

(c) After June 30, 2028, be $200.

(2) Ontime renewal.

(a) The fee shall be attached to the complete Renewal Application for AAHP Permits form incorporated by reference in 201 KAR 16:735 or online equivalent form, including all required attachments, continuing education credits, and other documents required by the board.

(b) The complete package shall be submitted to the board for review and approval not later than September 30 of each year.

(c) For an AAHP permittee who is initially permitted 120 days prior to the end of the renewal period, the permit renewal fee and any continuing education (CE) shall be waived during the first permit cycle.

(3)

(a) A renewal grace period shall be provided for sixty (60) days following the renewal deadline. During the grace period, an AAHP permittee who failed to meet the September 30 renewal deadline may continue to function as though permitted by the board until a late renewal application is submitted to the board.

(b) The late fee for renewal shall be $300 in addition to the renewal fee as described in subsection (1) of this section.

(c) The fee shall be attached to the complete Renewal Application for AAHP Permits form incorporated by reference in 201 KAR 16:735 or online equivalent form, including all required attachments, an accounting of earned continuing education hours, and other documents required by the board, to the board between October 1 and November 30. If audited by the board, the AAHP permittee shall provide proof of CE credits earned in accordance with 201 KAR 16:735.

(4) An AAHP's permit shall expire if no renewal application package and all attachments, and late fee if applicable, is paid to the board by November 30 of each year.

Section 5. Reinstatement Fees for Allied Animal Health Professional Permits.

(1) The reinstatement period is limited to five (5) years past the date of permit expiration.

(a) Except as provided by Section 6(3)(b)3. of this administrative regulation, if not more than five (5) years have elapsed since the last date of permit expiration, an AAHP may pay a reinstatement fee of $675 and submit a complete Reinstatement Application for AAHP Permits form incorporated by reference in 201 KAR 16:732 or online equivalent form, including all required attachments, to the board for reinstatement of the permit.

(b) An AAHP permittee shall not apply for a new permit during this five (5) year window; a reinstatement application shall be required.

(2) If more than five (5) years have elapsed since the last date of permit expiration, an AAHP shall apply as a new applicant to obtain a new permit from the Kentucky Board of Veterinary Examiners.

Section 6. Inactive Status of Permits.

(1)

(a) An AAHP permittee shall request inactive permit status in accordance with 201 KAR 16:580.

(b) If more than ninety (90) days prior to the renewal deadline or more than 150 days prior to the grace period deadline, the Request for Licensure Status Change form incorporated in 201 KAR 16:580, or online equivalent form shall be required, and there shall not be a fee.

(c) If less than ninety (90) days prior to the renewal deadline or less than 150 days prior to the grace period deadline, the Renewal Application for AAHP Permits incorporated by reference in 201 KAR 16:735, or online equivalent form shall be required, and the required fee shall be paid as established in subsection (2) of this section.

(2) Renewal of an inactive AAHP permit.

(a) The annual renewal fee for inactive AAHP permits status shall be $50 per renewal.

(b) The late fee for annual renewal of an inactive AAHP permit shall be $150 in addition to the renewal fee as described in paragraph (a) of this subsection, and shall apply to a AAHP permit in an inactive status that was not renewed by September 30 of the renewal period.

(c) An AAHP permit in an inactive status that is not renewed by November 30 shall be moved to an expired status.

(3) Reinstatement of inactive AAHP permit status to active status.

(a) A AAHP permittee in inactive status may reinstate their permit to active status in accordance with 201 KAR 16:580.

(b) There shall be a reinstatement fee due at the time of application, as provided for in subparagraphs 1.-2. of this paragraph.

1. For an inactive AAHP permit that has been in inactive status less than twenty-four (24) months, the permit reinstatement fee shall be $600.

2. For an inactive AAHP permit that has been in inactive status greater than twenty-four (24) months to seven (7) years, the permit reinstatement fee shall be $400.

3. After seven (7) years, the permit shall expire and the permit holder shall be required to apply for a new AAHP permit.

(201 KAR 016:513. 51 Ky.R. 1012, 1664; eff. 7-1-2025.)

201 KAR 16:514 - Fees for animal control agencies and animal euthanasia specialists.

RELATES TO: KRS 321.200(1)(p), 321.207, 321.208, 321.235

STATUTORY AUTHORITY: KRS 321.207, 321.208, 321.235(1)(c), 321.320

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.207(1) requires the Kentucky Board of Veterinary Examiners to permit qualified animal control agencies in the Commonwealth of Kentucky to apply for a registration certificate from the United States Drug Enforcement Administration (DEA) to purchase, manage, and utilize the specific drugs approved by the board for the purpose of euthanizing animals. KRS 321.207(4) requires the board to issue certificates to those persons who are deemed to be qualified to work as animal euthanasia specialists. KRS 321.235(1)(c) requires the board to promulgate administrative regulations as it may deem necessary and proper to effectively carry out and enforce the provisions of KRS Chapter 321, including to establish authorized fees. This administrative regulation establishes fees for animal control agencies and animal euthanasia specialists.

Section 1. Payment and Submission of Fees.

(1) Fees to the board shall be paid by check or money order, or, if available, online payment by debit or credit card. Checks and money orders shall be made payable to the Kentucky State Treasurer.

(2) All fees shall be nonrefundable.

Section 2. Application Fees.

(1) The application fee for issuance of a board certificate authorizing an animal control agency to apply for a restricted controlled substance registration with the United States Drug Enforcement Administration (DEA) shall be $300. The fee shall be attached to the completed Application for Certification as an Animal Control Agency form as found in 201 KAR 16:550 or online equivalent form, including all required attachments. The animal control agency shall undergo inspection by an authorized representative of the board in accordance with 201 KAR 16:550, Section 1(3) prior to the issuance of a certificate.

(2) The application fee for a certified animal euthanasia specialist shall be fifty (50) dollars. The fee shall be attached to the completed Application for Certification as an Animal Euthanasia Specialist form as found in 201 KAR 16:560 or online equivalent form, including all required attachments.

Section 3. Renewal Fees for Animal Control Agencies.

(1) The renewal deadline shall be March 1 of each year. The renewal period shall be the time period beginning the day after the renewal deadline to the next renewal deadline.

(2) Except as established in subsection (4) of this section, a certified animal control agency shall annually pay to the board a renewal fee as established in paragraphs (a) through (c) of this subsection for the renewal of the certificate.

(a) Until June 29, 2026, the renewal fee shall be ninety (90) dollars.

(b) Between June 30, 2026, and June 30, 2028, the renewal fee shall be $115.

(c) After June 30, 2028, the renewal fee shall be $150.

(3) The animal control agency shall submit the complete Renewal Application for Animal Control Agencies form as found in 201 KAR 16:572 or online equivalent form, including all required attachments, and fee payment to the board.

(4) The renewal fee for the first renewal shall be waived for a certificate issued 120 days prior to the end of the renewal period.

(5) Utilization of Renewal Grace Period.

(a) A sixty (60) day grace period shall be allowed after March 1, during which time the animal control agency may continue to function as though certified until a late renewal application is submitted to the board.

(b) The late fee for renewal shall be seventy-five (75) dollars in addition to the renewal fee established in subsection(2) of this section. The late fee for renewal, if applicable, shall not be reduced or waived without board authorization.

(c) The animal control agency shall submit the complete Renewal Application for Animal Control Agencies form as found in 201 KAR 16:572 or online equivalent form, including all required attachments, and fee payment, to the board between March 2 and April 30 of the grace period.

(6) An animal control agency restricted controlled substance registration certificate shall expire if a renewal package, and late fee if applicable, is not submitted to the board annually by April 30.

(7) If not more than five (5) years have elapsed since the last date of certificate expiration, an animal control agency that has an expired restricted controlled substance registration certificate may be reinstated upon the submission of a completed Reinstatement Application for Animal Control Agencies form as found in 201 KAR 16:550 or online equivalent form, including all attachments, and the payment of a reinstatement fee of $300. The animal control agency shall undergo inspection by an authorized representative of the board in accordance with 201 KAR 16:550, Section 5 prior to the reinstatement of a certificate. An animal control agency shall not apply for a new certificate during this five (5) year window; a reinstatement application shall be required.

(8) If more than five (5) years have elapsed since the last date of certificate expiration, an animal control agency shall reapply to obtain a board certificate authorizing restricted controlled substance registration with the DEA.

Section 4. Renewal Fees for Animal Euthanasia Specialists.

(1) The renewal deadline shall be March 1 of each year. The renewal period shall be the time period beginning the day after the renewal deadline to the next renewal deadline.

(a) Except as established in paragraph (b) of this subsection, a certified animal euthanasia specialist shall annually, on or before March 1, pay to the board a renewal fee of fifty (50) dollars for the renewal of the certificate. The animal euthanasia specialist shall submit the complete Renewal Application for Animal Euthanasia Specialists form as found in 201 KAR 16:572 or online equivalent form, including all required attachments, and fee payment to the board.

(b) The renewal fee for the first renewal shall be waived for a certificate issued 120 days prior to the end of the renewal period.

(2) A sixty (60) day grace period shall be allowed after March 1, during which time the certified animal euthanasia specialist may continue to function as though certified until a late renewal application is submitted to the board. The late fee for renewal shall be fifty (50) dollars in addition to the renewal fee established in subsection (1) of this section. The animal euthanasia specialist shall submit the complete Renewal Application for Animal Euthanasia Specialists form as found in 201 KAR 16:572 or online equivalent form, including all required attachments and fee payments, to the board between March 2 and April 30 of the renewal period. The late fee for renewal, if applicable, shall not be reduced without board authorization.

(3) An animal euthanasia specialist certificate shall expire if a renewal package, and late fee if applicable, is not submitted to the board annually by April 30.

(4) If not more than five (5) years have elapsed since the last date of certificate expiration, an animal euthanasia certificate that has expired may be reinstated upon the submission of a completed Reinstatement Application for Animal Euthanasia Specialists form as found in 201 KAR 16:560 or online equivalent form, including all attachments, and the payment of a reinstatement fee of seventy-five (75) dollars. An animal euthanasia specialist shall not apply for a new certificate during this five (5) year window; a reinstatement application shall be required.

(5) If more than five (5) years have elapsed since the last date of certificate expiration, an individual shall reapply to obtain a certificate as an animal euthanasia specialist in the Commonwealth of Kentucky.

Section 5. Inactive Status for Animal Euthanasia Specialists.

(1)

(a) A certified animal euthanasia specialist may request to be moved to inactive status, or be moved to inactive licensure status by the board in accordance with 201 KAR 16:580. There shall not be a fee.

(b) There shall not be a renewal fee for a certified animal euthanasia specialist with inactive licensure status.

(2)

(a) A certified animal euthanasia specialist shall reinstate their certificate to active status in accordance with 201 KAR 16:580.

(b) There shall be a reinstatement fee of fifty (50) dollars only if the certificate was placed in inactive status as a result of:

1. The certificate holder's request; or

2. By severing employment with the affiliated animal control agency on record with the board.

(46 Ky.R. 1726, 2463, 2606; eff. 6-30-2020; 50 Ky.R. 726, 1297, 1473; eff. 4-2-2024.)

201 KAR 16:515. Fees for veterinary facility registrations.

RELATES TO: KRS 321.203, 321.235, 321.320

STATUTORY AUTHORITY: KRS 321.203, 321.205, 321.235(1)(c), 321.236, 321.320

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.235(1)(c) requires the Kentucky Board of Veterinary Examiners to promulgate administrative regulations to establish the fee amounts for all fees required by KRS Chapter 321 and the fees for services provided by the board. KRS 321.236(1)(a) and (4) authorize the board to establish application fees for veterinary facilities and mobile units. This administrative regulation establishes fees for veterinary facility registrants and their associated mobile units, including the cost for application, renewal, and reinstatement.

Section 1. Payment and Submission of Fees.

(1) Fees to the board shall be paid by check or money order, or, if available, online payment by debit or credit card. Checks and money orders shall be made payable to the Kentucky State Treasurer.

(2) All fees shall be nonrefundable.

Section 2. Application Fees for Veterinary Facility Registration.

(1)

(a) In accordance with KRS 321.236(2), the initial registration fee for a veterinary facility that is registered with the board by June 30, 2025, shall be $200 and reduced by half to $100 for facilities registered by the mandated deadline.

(b) After June 30, 2025, the initial application fee for a veterinary facility with up to two (2) mobile units shall:

1. Until June 30, 2026, be $500;

2. Between July 1, 2026, and June 30, 2028, be $550; and

3. After June 30, 2028, be $625.

(2) In addition to the initial application fee for a registered veterinary facility, an additional fee shall be paid to the board, calculated based on the number of mobile units associated with the facility, as follows:

(a) For a registered veterinary facility with two (2) or fewer mobile units identified on the application, no additional fees shall be collected; and

(b) For a registered veterinary facility with three (3) or more mobile units identified on the application, an additional fee of twenty-five (25) dollars per mobile unit shall be due to the board with the initial application for each additional mobile unit beyond two (2) mobile units per veterinary facility.

(3) The fees shall be attached to the completed Application for Veterinary Facility Registration form incorporated by reference in 201 KAR 16:762 or online equivalent form, including all required attachments.

Section 3. Renewal Fees for Veterinary Facility Registration. The following fees shall be paid biennially for the renewal of a veterinary facility registration:

(1)

(a) Except as provided for in subsection (3) of this section, the base renewal fee for a veterinary facility registration in active status shall be $200.

(b) The fees shall be attached to the Renewal Application for Registered Veterinary Facilities form incorporated by reference in 201 KAR 16:765 or online equivalent form.

1. To qualify for renewal, the form shall be complete, including all required attachments, continuing education credits if required, and fee payment; and

2. The complete package is submitted to the board for review and approval not later than September 30 of each odd-numbered year.

(2) In addition to the renewal base fee for a registered veterinary facility, an additional fee shall be paid to the board, calculated based on the number of mobile units associated with the facility, as follows:

(a) For a registered veterinary facility with two (2) or fewer mobile units identified on the registration, no additional fees shall be collected; and

(b) For a registered veterinary facility with three (3) or more mobile units identified on the registration, an additional fee of twenty-five (25) dollars per mobile unit shall be due to the board with the biennial renewal application for each additional mobile unit beyond two (2) mobile units per veterinary facility registration.

(3) For a veterinary facility initially registered less than 120 days prior to the end of the renewal period, the registration renewal fees shall be waived during the first registration cycle.

(4) There shall be no renewal grace period provided for veterinary facility registrations. Veterinary facilities that fail to renew their registration by September 30 of each odd-numbered year shall expire. If a veterinary facility intends to continue operations following a missed renewal, the registered responsible party or veterinary manager shall apply for reinstatement for the veterinary facility and obtain board approval before continuing operations at the registered facility.

Section 4. Reinstatement Fees for Veterinary Facility Registration.

(1) To reinstate a veterinary facility registration following expiration, the registered responsible party or veterinary manager shall submit a complete Reinstatement Application for Registered Veterinary Facilities

form incorporated by reference in 201 KAR 16:765 or online equivalent form, including all required attachments and fees, to the board for reinstatement of the veterinary facility registration.

(a) If less than six (6) months has elapsed since the expiration date of the facility registration, the veterinary facility shall pay a reinstatement fee of $675.

(b) If more than six (6) months and not more than five (5) years have elapsed since the expiration date of the facility registration, the veterinary facility reinstatement fee shall:

1. Until June 30, 2027, be $725;

2. Between July 1, 2027, and June 30, 2029, be $900; and

3. After June 30, 2029, be $1,050.

(2) A veterinary facility shall not apply for a new registration during this five (5) year window; a reinstatement application shall be required.

(3) If more than five (5) years have elapsed since the last date of registration expiration, a veterinary facility shall apply as a new applicant to obtain a new veterinary facility registration in the Commonwealth of Kentucky.

(201 KAR 016:515. 51 Ky.R. 1014, 1666; eff. 7-1-2025.)

201 KAR 16:516 - Fees - other fees.

RELATES TO: KRS 321.235(1)(c)

STATUTORY AUTHORITY: KRS 321.235(1)(c)

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.235(1)(c) requires the Kentucky Board of Veterinary Examiners to promulgate administrative regulations as it may deem necessary and proper to effectively carry out and enforce the provisions of KRS Chapter 321, including to establish authorized fees. This administrative regulation establishes fees for various services provided by the board.

Section 1. Payment and Submission of Fees.

(1) Fees to the board shall be paid by check or money order, or, if available, online payment by debit or credit card. Checks and money orders shall be made payable to the Kentucky State Treasurer.

(2) All fees shall be nonrefundable.

Section 2. Fees for License Verification Letters and Letters of Good Standing.

(1) The fee for a license verification letter or a letter of good standing shall be thirty (30) dollars per jurisdiction per request.

(a) Except as established in paragraph (b) of this subsection, the fee shall be attached to a Request for Licensure Verification form or online equivalent form.

(b) The board may accept orders for licensure verification letters without the required form from the American Association of Veterinary State Boards (AAVSB) on behalf of licensees requesting the letter through the AAVSB VAULT Transfer program, billed by invoice on a periodic basis at the same rate as individual requests.

(2) Upon receipt of the request and payment, the board shall issue the requested letter and complete any forms required by regulatory bodies in other jurisdictions.

Section 3. Fees for Board Credential Holder Mailing Lists.

(1)

(a) The fee for a request to obtain a copy of the mailing list for a commercial purpose shall be sixty (60) dollars.

(b) The fee for a request to obtain a copy of the mailing list for a non-commercial purpose shall be thirty (30) dollars.

(c) The board shall not charge a fee to obtain a copy of the mailing list for the first three (3) requests in a calendar year to the Kentucky Veterinary Medical Association (KVMA), its constituent in-state VMAs, or Kentucky state universities.

(2) The fee shall be attached to a Request for Mailing List form or online equivalent form.

(3) Within thirty (30) calendar days of the receipt of the request and payment, the board shall send a current credential holder mailing list to the requesting party.

Section 4. Fees for Duplicate Wall Certificates and Laminated Credentials.

(1) The fee for a duplicate wall certificate, including the board's seal, shall be thirty (30)dollars.

(2) The fee for a new laminated wallet-sized card shall be thirty (30) dollars.

(3) The fee shall be attached to a Request for Printed Credentials form or online equivalent form.

Section 5. Request for Continuing Education Approval. The fee for an applicant to obtain board approval as an Approved Program of Continuing Education shall be fifty (50) dollars paid directly to the board and attached to the Request for Continuing Education Approval form as found in 201 KAR 16:590 or online equivalent form.

Section 6. Fees for Processing Payments.

(1) The board may require a reasonable service charge for processing any payments submitted online or in paper form. The fees shall be calculated as a percentage of the underlying fee and shall not be higher than the board's current contracted rate for payment processing services.

(2) Service charges fees shall be non-refundable.

Section 7. Incorporation by Reference.

(1) The following material is incorporated by reference:

(a) "Request for Licensure Verification", 8/2023;

(b) "Request for Mailing List", 8/2023;

(c) "Request for Printed Credentials", 8/2023; and

(d) "Request for Continuing Education Course Approval", 8/2023.

(2) This material may be inspected, copied, or obtained, subjected to applicable copyright law, at the Kentucky Board of Veterinary Examiners, 107 Corporate Drive, Frankfort, Kentucky 40601, Monday through Friday, 8:30 a.m. to 4:30 p.m. This material may also be obtained at www.kybve.com.

(46 Ky.R. 1728, 2465, 2608; eff. 6-30-2020; 50 Ky.R. 729, 1299, 1472; eff. 4-2-2024.)

201 KAR 16:517. Fees for AAHP facility registrations.

RELATES TO: KRS 321.203, 321.205, 321.235, 321.320

STATUTORY AUTHORITY: KRS 321.203, 321.205, 321.235(1)(c), 321.236, 321.320

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.235(1)(c) requires the Kentucky Board of Veterinary Examiners to promulgate administrative regulations to establish the fee amounts for all fees required by KRS Chapter 321 and the fees for services provided by the board. KRS 321.236(1)(a) and (4) authorize the board to establish application fees for allied animal health professional (AAHP) facilities and mobile units. This administrative regulation establishes fees for AAHP facility registrants and their associated mobile units, including the cost for application, renewal, and reinstatement.

Section 1. Payment and Submission of Fees.

(1) Fees to the board shall be paid by check or money order, or, if available, online payment by debit or credit card. Checks and money orders shall be made payable to the Kentucky State Treasurer.

(2) All fees shall be nonrefundable.

Section 2. Application Fees for Allied Animal Health Professional (AAHP) Facility Registration.

(1)

(a) In accordance with KRS 321.236(2), the initial registration fee for an AAHP facility shall be $200 and if the facility is registered with the board by June 30, 2025, the fee shall be reduced by half to $100.

(b) After June 30, 2025, the initial application fee for an AAHP facility registration with up to two (2) mobile units shall:

1. Until June 30, 2026, be $500;

2. Between July 1, 2026 and June 30, 2028, be $550; and

3. After June 30, 2028, be $625.

(2) In addition to the initial application fee for a registered AAHP facility, an additional fee shall be paid to the board, calculated based on the number of mobile units associated with the facility, as follows:

(a) For a registered AAHP facility with two (2) or fewer mobile units identified on the application, no additional fees shall be collected; and

(b) For a registered AAHP facility with three (3) or more mobile units identified on the application, an additional fee of twenty-five (25) dollars per mobile unit shall be due to the board with the initial application for each additional mobile unit beyond two (2) mobile units per AAHP facility.

(3) The fees shall be attached to the completed Application for AAHP Facility Registration form incorporated by reference in 201 KAR 16:772 or online equivalent form, including all required attachments.

Section 3. Renewal Fees for AAHP Facility Registration. The following fees shall be paid biennially for the renewal of an AAHP facility registration:

(1)

(a) Except as provided for in subsection (3) of this section, the renewal base fee for a AAHP facility registration in active status shall be $200.

(b) The fees shall be attached to the completed Renewal Application for Registered AAHP Facilities form incorporated by reference in 201 KAR 16:775 or online equivalent form.

1. To qualify for renewal, the form shall be complete, including all required attachments, and continuing education credits, if required, and fee payment; and

2. The complete package is submitted to the board for review and approval not later than September 30 of each odd-numbered year.

(2) In addition to the renewal base fee for a registered AAHP facility, an additional fee shall be paid to the board, calculated based on the number of mobile units associated with the facility, as follows:

(a) For a registered AAHP facility with two (2) or fewer mobile units identified on the registration, no additional fees shall be collected; and

(b) For a registered AAHP facility with three (3) or more mobile units identified on the registration, an additional fee of twenty-five (25) dollars shall be due to the board with the biennial renewal application for each additional mobile unit beyond two (2) mobile units per AAHP facility registration.

(3) For an AAHP facility initially registered less than 120 days prior to the end of the renewal period, the registration renewal fee shall be waived during the first registration cycle.

(4) There shall be no grace period afforded to registered AAHP facilities. AAHP facilities that fail to renew their registration by September 30 of each odd-numbered year shall expire. If an AAHP facility intends to continue operations following a missed renewal, the registered responsible party or AAHP manager shall apply for reinstatement for the AAHP facility and obtain board approval before continuing operations at the registered facility.

Section 4. Reinstatement Fees for AAHP Facility Registration.

(1) To reinstate an AAHP facility registration following expiration, the registered responsible party or AAHP manager shall submit a complete Reinstatement Application for Registered AAHP Facilities form incorporated by reference in 201 KAR 16:775 or online equivalent form, including all required attachments and fees, to the board for reinstatement of the AAHP facility registration.

(a) If less than six (6) months has elapsed since the expiration date of the facility registration, the AAHP facility shall pay a reinstatement fee of $675.

(b) If more than six (6) months and not more than five (5) years have elapsed since the expiration date of the facility registration, the AAHP facility reinstatement fee shall:

1. Until June 30, 2027, be $725;

2. Between July 1, 2027, and June 30, 2029, be $900; and

3. After June 30, 2029, be $1,050.

(2) An AAHP facility shall not apply for a new registration during this five (5) year window; a reinstatement application shall be required.

(3) If more than five (5) years have elapsed since the last date of license expiration, an AAHP facility shall apply as a new applicant to obtain a new AAHP facility registration in the Commonwealth of Kentucky.

(201 KAR 016:517. 51 Ky.R. 1016, 1670; eff. 7-1-2025.)

201 KAR 16:520 - Approved veterinary colleges; approved programs for veterinary technicians.

RELATES TO: KRS 321.181, 321.193, 321.441

STATUTORY AUTHORITY: KRS 321.190, 321.193(4), 321.235(1)(a)-(c), (2)(b)1.a., 3.b., 321.441(1)(a), (d)

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.193(4) requires a veterinarian applicant to have received a degree from an approved veterinary medical program. KRS 321.441(1)(a) requires a veterinary technician applicant to be a graduate of an approved veterinary technology program. KRS 321.235(1)(a)-(c) requires[, the board to promulgate administrative regulations to implement and enforce KRS Chapter 321. KRS 321.235(2)(b)1.a. and 3.b. authorizes the board to promulgate administrative regulations to establish and enforce minimum standards for the criteria of programs or other mechanisms to ensure continuing competence, and to administer licensure, certification, permitting, and registration. This administrative regulation establishes the approved veterinary medical programs and approved veterinary technology programs that are authorized by the board.

Section 1. Definitions.

(1) "Approved foreign equivalency program" is defined by KRS 321.181(10).

(2) "Approved veterinary medical program" is defined by KRS 321.181(13).

(3) "Approved veterinary technology program" is defined by KRS 321.181(14).

Section 2. Licensure of Veterinarians who Graduated from an Approved Veterinary Medical Program.

(1) The board approves a veterinary medical program as an approved veterinary medical program if the program holds full accreditation, limited accreditation, or approval by the American Veterinary Medical Association (AVMA) Council on Education (COE).

(2) As one (1) part of the requirements for a veterinarian license to be granted, the applicant shall hold an advanced veterinary medical degree from an approved veterinary medical program which held full accreditation, limited accreditation, or approval by the AVMA COE on the date when the applicant received their degree from the program.

Section 3. Licensure of Veterinarians who Graduated from a Program that is Not an Approved Veterinary Medical Program.

(1) If an applicant for a veterinarian license does not possess a degree from an approved veterinary medical program, the applicant shall be eligible to qualify for licensure and board approval after successfully completing and receiving certification from an approved foreign equivalency program for veterinarians.

(2) The board approves each of the following programs as an approved foreign equivalency program for veterinarians:

(a) The Educational Commission for Foreign Veterinary Graduates (ECFVG) of the American Veterinary Medical Association (AVMA); or

(b) The Program for the Assessment of Veterinary Education Equivalence (PAVE) of the American Association of Veterinary State Boards (AAVSB).

Section 4. Licensure of Veterinary Technicians who Graduated from an Approved Veterinary Technology Program.

(1) The board approves a veterinary technician program, or veterinary technologist program, or veterinary nurse program, as an approved veterinary technology program if the program holds full accreditation, limited accreditation, or approval by the American Veterinary Medical Association (AVMA) Committee on Veterinary Technician Education and Activities (CVTEA).

(2) As one (1) part of the requirements for a veterinary technician license to be granted, the applicant shall hold a veterinary technology degree from an approved veterinary technology program which held full accreditation, limited accreditation, or approval by the AVMA CVTEA on the date when the applicant received their degree from the program.

Section 5. Licensure of Veterinary Technicians who Graduated from a Program that is Not an Approved Veterinary Technology Program.

(1) If an applicant for a veterinary technician license does not hold a degree from an approved veterinary technology program, the applicant shall be eligible to qualify for licensure and board approval by successfully completing and receiving certification from an approved foreign equivalency program for veterinary technicians.

(2) The board approves as an approved foreign equivalency program for veterinary technicians the Program for the Assessment of Veterinary Education Equivalence (PAVE) or its equivalent program of the American Association of Veterinary State Boards (AAVSB) for veterinary technicians.

(46 Ky.R. 1730, 2608; eff. 6-30-2020; 51 Ky.R. 729, 1425; eff. 5-6-2025.)

201 KAR 16:530 - Examination requirements for veterinarians and veterinary technicians.

RELATES TO: KRS 321.193, 321.201, 321.441

STATUTORY AUTHORITY: KRS 321.190, 321.193(5) , 321.235(1)(a)-(c), (2)(b)1.a., 3.b., 321.441(1)(b), (d)

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.193(5) requires the Kentucky Board of Veterinary Examiners to establish required examinations and passing scores for veterinarian applicants. KRS 321.441(1)(b) requires the board to establish required examinations and passing scores for veterinary technician applicants. KRS 321.235(1)(a)-(c) requires the board to promulgate administrative regulations to implement and enforce KRS Chapter 321. KRS 321.235(2)(b)1.a. and 3.b. authorizes the board to promulgate administrative regulations to establish and enforce mechanisms to ensure continuing competence, and to administer licensure, certification, permitting, and registration. This administrative regulation establishes examination requirements and passing scores for veterinarians and veterinary technicians for applicants to qualify for licensure by the board.

Section 1. National Exam Qualifications for Veterinarians.

(1) The board shall require a passing score on a board-approved national veterinary medical examination as one (1) requirement for licensure by the board as a veterinarian.

(2) The required qualifying national veterinary medical examination for veterinarian licensure shall be determined by the date of the completed examination, and shall be approved by the board as listed in this subsection.

(a) Applicants for licensure who tested during or after May 2000 shall be required to successfully complete and achieve a passing score on the North American Veterinary Licensing Examination (NAVLE) as administered by the International Council for Veterinary Assessment (ICVA), its designee, or current administrator of the NAVLE for admission to the examination. A passing score shall be established by the ICVA or current examination administrator at the time of testing.

(b) New applicants for licensure who tested between 1954 and April 2000 shall have successfully completed and achieved a passing score on the National Board Examination (NBE). A passing score on the NBE shall be seventy-five (75).

(c) Applicants for licensure who tested prior to 1954 shall have successfully completed and achieved a passing score on a state level competency exam, if one (1) was available.

(3) Exam Qualification and Registration.

(a) Applicants for licensure shall apply to the board for verification of eligibility to take or retake the NAVLE through the spring 2024 testing window. For all future testing windows, the ICVA shall conduct examination eligibility review.

(b) Candidates seeking to take the NAVLE shall apply directly to the ICVA, its designee, or current administrator of the NAVLE for admission to the examination.

(c) Candidates seeking to take or retake the NAVLE may:

1. Sit for the examination up to twelve (12) months in advance of the applicant's anticipated graduation date from an approved veterinary medical program if the veterinary student is in good academic standing with the approved veterinary medical program; and

2. Seek to retest after five (5) attempts if the candidates make a request to the board to sit for the examination for additional times beyond five (5) attempts.

a. A candidate request to retest after five (5) attempts shall include a detailed remediation plan, including the process by which the applicant proposes to improve their performance on the NAVLE, the time proposed to be spent on remediation, and with whom the applicant proposes to study or obtain further instruction, and any other information requested by the board.

b. Upon approval of the remediation plan by the board, the board shall petition ICVA or the current examination administrator for the candidate to have the opportunity to sit for the exam again.

(4) Applicants for veterinarian licensure to the board shall request and pay all necessary fees directly to the ICVA, its designee, the American Association of Veterinary State Boards (AAVSB), or current official records custodian, to have examination scores sent directly to the board. Unofficial copies of scores from applicants or other sources shall not be accepted.

(5) Candidates for the NAVLE who designate Kentucky as their chosen state for a score report, and who do not receive a passing score shall apply to the board to retake the NAVLE on the Application for a Special Permit form or online equivalent form through the spring 2024 testing window. For all future testing windows, the ICVA shall conduct examination eligibility review.

Section 2. State Jurisprudence Exam Requirements for Veterinarians.

(1) The board shall require a passing score on a board-approved state jurisprudence examination as one (1) requirement for licensure by the board as a veterinarian.

(2) Candidates seeking a veterinarian license shall pay a state examination fee pursuant to 201 KAR 16:510.

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

(4) Applicants for a veterinarian license shall be required to achieve a score of eighty (80) percent or higher on the Kentucky Board of Veterinary Examiners Jurisprudence Examination for Veterinarians.

Section 3. National Exam Qualifications for Veterinary Technicians.

(1)

(a) Except as provided by paragraph (b) of this subsection, the examination required for licensure by the board as a veterinary technician shall be the successful completion of the Veterinary Technician National Exam (VTNE). A passing score for the VTNE shall be established by the AAVSB or current examination administrator at the time of testing.

(b) If the applicant for licensure as a veterinary technician graduated from an approved veterinary technology program prior to 1990, and successfully completed and passed one (1) of the following examinations prior to 1990, the board shall, as qualification for board approved licensure, accept official score report results showing a passing score on:

1. The Animal Technician National Exam (ATNE) if taken during the years 1986 – 1989; or

2. A jurisdictional level competency exam if taken prior to 1986.

(2) Candidates seeking to take the VTNE shall apply directly to the AAVSB, its designee, or current administrator of the VTNE for verification of eligibility and admission to the examination.

(3)

(a) Candidates seeking to take the VTNE may:

1. Apply to sit for the exam up to two (2) months in advance of graduation from an approved veterinary technology program provided the student is in good academic standing with the program, and a resident of Kentucky; and

2. Seek to retest after five (5) attempts if the candidates make a request to the board to sit for the examination for additional times beyond five (5) attempts.

(b) A candidate request to retest after five (5) attempts shall include a detailed remediation plan, including the process by which the applicant proposes to improve their performance on the VTNE, the time proposed to be spent on remediation, and with whom the applicant proposes to study or obtain further instruction, and any other information requested by the board.

(c) Upon approval of the remediation plan by the board, the board shall petition AAVSB or the current examination administrator for the candidate to have the opportunity to sit for the exam again.

(4) Applicants for veterinary technician licensure to the board shall request and pay any required fees directly to the AAVSB, the current exam service provider, one (1) of their designees, or to the current official records custodian to have examination scores sent directly to the board. Copies of scores from applicants or other sources shall not be accepted.

Section 4. Incorporation by Reference.

(1) "Application for a Special Permit", 09/2024, is incorporated by reference.

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

(46 Ky.R. 1731, 2609; eff. 6-30-2020; 51 K.R. 731, 1426; eff. 5-6-2025.)

201 KAR 16:540 - Application requirements for veterinarians and veterinary technicians.

RELATES TO: KRS 321.193, 321.235, 321.221, 321.441

STATUTORY AUTHORITY: KRS 321.193, 321.221(1), 321.235(3), 321.240(5), 321.441(1)

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.193, 321.235(3), and 321.221(1) authorize the Kentucky Board of Veterinary Examiners to establish application requirements for veterinarians. KRS 321.441(1) authorizes the board to establish the requirements for licensure as a veterinary technician. KRS 321.235(3) and 321.240(5) authorize the board to promulgate administrative regulations to implement KRS Chapter 321. This administrative regulation establishes application requirements for veterinarians and veterinary technicians applying for licensure in the Commonwealth of Kentucky from the board.

Section 1.

(1) A new application to the board for licensure as a veterinarian shall include the following components:

(a) A completed application on an Application for Licensure as a Veterinarian form or online equivalent form, including all required attachments;

(b) A current color photograph of the applicant not smaller than 2 in. x 2 in., or a color copy of the applicant's current valid driver's license or passport with photo;

(c) An official copy of final transcripts, or a copy of the applicant's diploma from the issuing school;

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

(e) An official copy of an applicant's testing score report. The score report shall be sent directly to the board from the International Council for Veterinary Assessment (ICVA), the American Association of Veterinary State Boards (AAVSB), other board recognized testing body, their designee, or official records custodian. The report shall include results for either:

1. The North American Veterinary Licensing Exam (NAVLE); or

2. The National Board Examination (NBE) and the Clinical Competency Test (CCT), if completed prior to May 31, 2000;

(f) The completed State Exam Answer Sheet; and

(g) Payment for the application fee required by 201 KAR 16:510.

(2) In addition to the requirements listed in subsection (1)(a), (b), (d), (f), and (g) of this section, requirements for veterinary license endorsement applications shall include:

(a) Licensure verifications from all jurisdictions in which an applicant once held or currently holds a license as a veterinarian; and

(b) A current Veterinary Application for Uniform Licensure Transfer (VAULT) credential report, which shall include an applicant's score report for the NAVLE or NBE and CCT, directly from the AAVSB, its designee, or official records custodian.

(3) In addition to the requirements listed in subsection (1)(a), (b), (d), (f), and (g) of this section, requirements for foreign graduate veterinary license applications shall include:

(a) Licensure verifications from all jurisdictions in which an applicant once held or currently holds a license as a veterinarian;

(b) A current VAULT credential report, which shall include an applicant's score report for the NAVLE or NBE and CCT, directly from the AAVSB, its designee, or official records custodian; and

(c) An official report or letter showing completion of one (1) of the programs listed in subparagraphs 1 and 2 of this paragraph. The report or letter shall be sent directly to the board from the testing organization, its designee, or current official records custodian.

1. The Educational Commission for Foreign Veterinary Graduates (ECFVG) Program of the American Veterinary Medical Association (AVMA); or

2. The Program for the Assessment of Veterinary Education Equivalence (PAVE) of the AAVSB.

Section 2. A veterinarian may apply for reinstatement of an expired license if not more than five (5) years have elapsed since the last date of license expiration pursuant to KRS 321.211(3). Reinstatement applications to the board for licensure as a veterinarian shall include the following components:

(1) A completed application on a Reinstatement Application for Veterinarians form or online equivalent form, including all required attachments;

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

(3) Licensure verifications from all jurisdictions in which an applicant once held or currently holds a license as a veterinarian;

(4) A current VAULT credential report directly from the AAVSB, its designee, or official records custodian;

(5) Proof of a minimum of thirty (30) continuing education credits (as approved pursuant to 201 KAR 16:590) during the twenty-four (24) months immediately prior to the date of application; and

(6) Payment for the reinstatement application fee pursuant to 201 KAR 16:510.

Section 3. A veterinary license holder of the board shall renew his or her license pursuant to 201 KAR 16:570.

Section 4.

(1) New applications to the board for licensure as a veterinary technician shall include the following components:

(a) A completed application on an Application for Licensure as a Veterinary Technician form or online equivalent form, including all required attachments;

(b) A current color photograph of the applicant not smaller than 2 in. x 2 in., or color copy of the applicant's current valid driver's license or passport with photo;

(c) An official copy of final transcripts, or copy of the applicant's diploma from the issuing school;

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

(e) An official copy of an applicant's test scores pursuant to 201 KAR 16:530, Section 2(1), directly from PSI Services, the American Association of Veterinary State Boards (AAVSB), their designee, or official records custodian; and

(f) Payment for the application fee pursuant to 201 KAR 16:512.

(2) In addition to the requirements listed in subsection (1) of this section, requirements for endorsement veterinary technician applications shall include licensure verifications from all jurisdictions in which an applicant once held or currently holds a license as a veterinary technician.

(3) In addition to the requirements listed in subsection (1) of this section, requirements for foreign graduate veterinary technician license applications shall include:

(a) Licensure verifications from all jurisdictions in which an applicant once held or currently holds a license as a veterinary technician;

(b) A current Veterinary Application for Uniform Licensure Transfer (VAULT) credential report directly from the AAVSB, its designee, or official records custodian; and

(c) An official score report or letter showing results for the Program for the Assessment of Veterinary Education Equivalence (PAVE) or equivalent program of the AAVSB for veterinary technicians. The score report shall be sent directly to the board from the testing organization, its designee, or official records custodian.

Section 5. A veterinary technician may apply for reinstatement of an expired license if not more than five (5) years have elapsed since the last date of license expiration. Reinstatement applications to the board for licensure as a veterinary technician shall include the following components:

(1) A completed application on a Reinstatement Application for Veterinary Technicians form or online equivalent form, including all required attachments;

(2) A copy of any court documents, settlement agreements, or other documents requested by the board in support of the application;

(3) Proof of a minimum of six (6) continuing education credits (as approved pursuant to 201 KAR 16:590) during the twelve (12) months immediately prior to the date of application;

(4) Licensure verifications from all jurisdictions in which the applicant once held or currently holds a license as a veterinary technician;

(5) If more than one (1) year since the date of license expiration, a current VAULT credential report from the AAVSB; and

(6) Payment for the application fee pursuant to 201 KAR 16:512.

Section 6. A veterinary technician license holder of the board shall renew his or her license pursuant to 201 KAR 16:570.

Section 7. Change in Licensure Status. Veterinarian and veterinary technician license holders may apply to the board for a change in licensure status in accordance with 201 KAR 16:580.

Section 8. Background checks. The board may conduct a national or jurisdictional level background check on each applicant for licensure. The check shall be processed by a board-approved background check provider, and may include a copy of the applicant's fingerprints captured at a board-approved location. The board may reject background checks that do not have an official seal or watermark, or that are more than ninety (90) days old. The board may impose additional requirements as a condition of licensure or deny licensure following the board's review of findings from a background check.

Section 9. Incorporation by Reference.

(1) The following material is incorporated by reference:

(a) "Application for Licensure as a Veterinarian", 3/2020;

(b) "Reinstatement Application for Veterinarians", 3/2020;

(c) "Application for Licensure as a Veterinary Technician", 3/2020; and

(d) "Reinstatement Application for Veterinary Technicians", 3/2020.

(2) This material may be inspected, copied, or obtained, subjected to applicable copyright law, at the Kentucky Board of Veterinary Examiners, 107 Corporate Drive, Frankfort, Kentucky 40601, Monday through Friday, 8:00 a.m. to 4:30 p.m. This material may also be obtained at www.kybve.com.

(46 Ky.R. 1732, 2466, 2610; eff. 6-30-2020.)

201 KAR 16:550 - Authorization for animal control agencies to apply for a restricted controlled substances certificate from DEA.

RELATES TO: KRS 217.177(1), (4), Chapter 258, Chapter 321, 321.207, 321.351

STATUTORY AUTHORITY: KRS 321.207(1) – (3),(5)-(8), 321.235(1)(a), (b), (2)(b)3

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.207(1) requires the Kentucky Board of Veterinary Examiners to authorize an animal control agency, which the board determines to be qualified, to apply for a registration certificate by the United States Drug Enforcement Administration (DEA) to euthanize animals. KRS 321.207(2) requires an applicant agency to comply with administrative regulations

that establish standards for the proper storage and handling of drugs, including procurement, management, and disposal of drugs the board has authorized for use, and other provisions that may be necessary to ensure that the drugs are used safely and solely for the purpose of euthanizing animals. KRS 321.235(1)(a) and (b) require the board to promulgate administrative regulations to implement KRS Chapter 321. KRS 321.235(2)(b)3. authorizes the board to promulgate administrative regulations to establish standards in veterinary medicine, medical records, and other matters pertaining to veterinarians, veterinary technicians, animal control agencies, animal euthanasia specialists, designated on-site mangers, allied animal health professionals, veterinary facilities, AAHP facilities, veterinarian managers, AAHP managers, registered responsible parties, or unlicensed persons. This administrative regulation establishes the application, renewal, and reinstatement requirements for certification of an animal shelter as an animal control agency, and the requirements for board inspections at certified animal control agencies.

Section 1. Definitions.

(1) "Animal control agency" means an animal shelter fulfilling the duties required pursuant to KRS Chapter 258, and the animal shelter is either owned, contracted with, or in service on behalf of a county or municipality.

(2)

(a) "Animal shelter" means a public agency or private humane society, society for the prevention of cruelty to animals, animal protection shelter or control agency, or other facility that provides shelter and care for homeless, stray, unwanted, or injured animals.

(b) An "animal shelter" shall not include:

1. Shelter or care of wildlife; or

2. Premises of a Kentucky Department of Fish and Wildlife Resources credentialed:

a. Certified wildlife rehabilitator;

b. Commercial nuisance wildlife control operator;

c. Captive wildlife holder; or

d. Wildlife transporter.

(3) "Certified animal control agency" means an animal shelter that is certified under the provisions of KRS Chapter 321 and 201 KAR Chapter 16.

(4) "Designated on-site manager" means a person who registers with the board to assume responsibility for the procurement, management, and disposal of drugs at a board-certified animal control agency.

(5) "Dispose" means to destroy or transfer.

(6) "Manage" means to administer, dispense, or inventory.

(7) "Procure" means to order, purchase, or receive.

Section 2. Application and Renewal Requirements.

(1) An applicant animal shelter shall apply to the board for authorization to operate as a certified animal control agency and to apply to the federal Drug Enforcement Administration (DEA) for a Controlled Substance Registration as established by KRS 321.207.

(2) A complete application to the board shall include:

(a) A completed Application for Certification as an Animal Control Agency form or online equivalent form, including all required attachments;

(b) Identification of the agency designated on-site manager;

(c) A complete and current list of all individuals performing euthanasia or related activities at the animal shelter, whether or not each individual holds a credential from the board;

(d) An animal control agency verification letter signed by the governing body within the county or municipality, including a statement about the animal shelter's role as an animal control agency or contractor pursuant to KRS 258.195;

(e) A list of all Kentucky counties which are provided service by the animal shelter; and

(f) Payment of the fee in accordance with 201 KAR 16:514.

(3) Prior to the board's issuance of the animal control agency certificate, an applicant shall undergo an inspection of the facility by the board, its inspector, or other designee of the board in accordance with Section 5 of this administrative regulation.

(4) Following board application approval, an applicant shall apply to the DEA for registration as a practitioner and designate "animal shelter" on the appropriate DEA application form.

(5) A certified animal control agency shall submit to inspection by a board representative at any time, with or without advanced notice.

(6) A certified animal control agency shall identify a designated on-site manager in accordance with 201 KAR 16:552.

(a) The agency shall notify the board in writing within ten (10) days of any change in the designated on-site manager of the certified animal control agency by submitting a completed Request for a New Designated On-site Manager form or online equivalent form, including all required attachments.

(b) The designated on-site manager shall be responsible for complying with all state and federal laws related to the ordering, purchase, storage, tracking, management, and disposal of the drugs obtained under the DEA controlled substances registration.

(7) Background checks. Pursuant to KRS 321.189, the board shallconduct a national or jurisdictional level background check on each designated on-site manager. The check shall be processed by a board approved background check provider, and shall include a copy of the designated on-site manager's fingerprints captured at a board approved location.

(a) The board may accept the results of a state-wide employment background check in lieu of a state or federal background check if the background check results are not more than ninety (90) days old from the date of application.

(b) The board may reject background checks that do not have an official seal or watermark, or that are more than ninety (90) days old.

(c) The board may impose additional administrative or safety requirements as a condition of certification for the animal control agency or deny certification following the board's review of findings from a background check.

Section 3. Renewal Requirements for a Certified Animal Control Agency.

(1) A board-certified animal control agency shall renew the board certification annually in accordance with 201 KAR 16:572.

(2) Failure to renew the certificate for an animal control agency shall result in the following actions by the board:

(a) The animal control agency certificate shall be moved to expired status;

(b) Each "active" status certified animal euthanasia specialist under the employment of the expired certified animal control agency shall be moved to "inactive" status;

(c) The DEA shall be notified of the lapse in certification; and

(d) The board shall conduct a closeout inspection within six (6) months of the date of expiration of the certificate to ensure that the controlled substances and other drugs on-site are properly disposed of. An animal shelter with an expired certificate shall continue to maintain the drugs in accordance with 201 KAR 16:552, and the Kentucky Veterinary Medicine Practice Act (KRS Chapter 321), and 201 KAR Chapter 16, until the drugs are transferred in accordance with state and federal laws, or disposed of in accordance with 201 KAR 16:552, Section 7.

Section 4. Reinstatement Requirements for Certified Animal Control Agencies.

(1) An animal control agency with an expired certificate shall have five (5) years to reinstate their certificate by submitting a completed Reinstatement Application for Animal Control Agencies form or online equivalent form, including all required attachments and payment of the reinstatement application fee pursuant to 201 KAR 16:514.

(2) The animal control agency shall undergo inspection by an authorized representative of the board in accordance with Section 5(3) of this administrative regulation prior to the reinstatement of a certificate.

(3) After five (5) years of the date of the expiration of the certificate, the agency shall not reinstate the certificate and the animal control agency shall be required to apply for a new certificate in accordance with 201 KAR Chapter 16.

Section 5. Inspection Requirements.

(1) A certified animal control agency shall be subject to inspection by the board, its investigator, or a board representative.

(2) An inspection may occur at any time, with or without advance notice. The designated on-site manager shall make themselves available to provide access and information during the inspection.

(3) An inspection shall be required:

(a) Prior to the approval of a new Application for Certification as an Animal Control Agency;

(b) Prior to the approval of a Reinstatement Application for Animal Control Agencies, if the last inspection was completed more than twelve (12) months prior to the date of the application;

(c) Periodically on a schedule set by the board, not more routinely than every ten (10) months, and at least once every two (2) years;

(d) As needed due to staff turnover at the animal control agency;

(e) Under suspicion of probable cause for violation of KRS Chapter 321 or 201 KAR Chapter 16; and

(f) Following the expiration, termination, suspension, or surrender of the certificate in accordance with Section 3(2)(d) of this administrative regulation.

Section 6. Incorporation by Reference.

(1) The following material is incorporated by reference:

(a) "Application for Certification as an Animal Control Agency", 7/2023;

(b) "Reinstatement Application for Animal Control Agencies", 7/2023; and

(c) "Request for a New Designated On-site Manager", 7/2023.

(2) This material may be inspected, copied, or obtained, subjected to applicable copyright law, at the Kentucky Board of Veterinary Examiners, 107 Corporate Drive, Frankfort, Kentucky 40601, Monday through Friday, 8:30 a.m. to 4:30 p.m. This material may also be obtained at www.kybve.com.

(46 Ky.R. 1735, 2468, 2611; eff. 6-30-2020; 49 Ky.R.1473, 1903; eff. 7-5-2023; 50 Ky.R. 413, 1301, 1475; eff. 4-2-2024.)

201 KAR 16:552 - Responsibilities for certified animal control agencies; limitations on drugs.

RELATES TO: KRS 321.181, 321.207, 321.235, 321.351

STATUTORY AUTHORITY: KRS 321.207(1) – (3),(5)-(8), 321.235(1)(a), (b), (2)(b)3.

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.207(1) requires the Kentucky Board of Veterinary Examiners to authorize an animal control agency, that it determines to be qualified, to apply for a registration certificate by the United States Drug Enforcement Administration (DEA) to procure, manage, and dispose of controlled substances which are authorized by the board for use in animal sedation and euthanasia. KRS 321.207(2) requires an applicant agency to comply with administrative regulations that establish standards for the proper storage and handling of the drugs the board has authorized for use, and other provisions that may be necessary to ensure that the drugs are used safely and solely for the purpose of

euthanizing animals. KRS 321.235(1)(a) and (b) require the board to promulgate administrative regulations to implement KRS Chapter 321. KRS 321.235(2)(b)3. authorizes the board to establish standards in veterinary medicine, medical records, and other matters pertaining to veterinarians, veterinary technicians, animal control agencies, animal euthanasia specialists, designated on-site mangers, allied animal health professionals, veterinary facilities, AAHP facilities, veterinarian managers, AAHP managers, registered responsible parties, or unlicensed persons. This administrative regulation establishes the duties for the animal control agency designated on-site manager, standards for proper drug storage, and drugs that may be used by certified animal control agencies and the certified animal euthanasia specialists they employ.

Section 1. Definitions.

(1) "Dispose" means to destroy or transfer.

(2) "Manage" means to administer, dispense, or inventory.

(3) "Procure" means to order, purchase, or receive.

Section 2. Responsibilities of a Certified Animal Control Agency. A certified animal control agency shall:

(1) Ensure staff shall comply with all requirements of KRS Chapter 321 and 201 KAR Chapter 16;

(2) Identify an agency designated on-site manager and ensure the person complies with the requirements in Section 3 of this administrative regulation;

(3) Report any change to the designated on-site manager in writing to the board within ten (10) business days by submitting a completed Request for a New Designated On-site Manager form or online equivalent form, including all required attachments;

(4) Notify the board in writing within ten (10) business days following the termination or severance of employment of a certified animal euthanasia specialist in order that the certificate of the animal euthanasia specialist may be moved to inactive status;

(5) Ensure that the United States Drug Enforcement Administration (DEA) Controlled Substances Registration is kept in active status if there are controlled substances in the possession of the animal control agency;

(6) Submit to inspection by a board representative at any time, with or without advanced notice in accordance with 201 KAR 16:550, Section 5; and

(7) Report to the board and to DEA within twenty-four (24) hours any suspected diversion of controlled substances or theft of controlled substances.

Section 3. Responsibilities of a Designated On-site Manager.

(1) The designated on-site manager shall be responsible for reviewing educational materials provided by the board and submitting a responsive answer sheet for review by the board. A board inspector or representative shall periodically review educational materials with the designated on-site manager.

(2) The designated on-site manager shall:

(a) Ensure proper controls are in place in accordance with all state and federal laws for all controlled substances and other drugs at the animal control agency;

(b) Ensure drugs for euthanasia and drugs used for sedation prior to euthanasia shall be limited to the substances identified in Section 4 of this administrative regulation;

(c) Ensure all employees authorized to conduct animal euthanasia at the certified animal control agency are trained and certified in accordance with the requirements of 201 KAR 16:560 and 16:562, unless the employee is a board-licensed veterinarian or board-licensed veterinary technician;

(d) Ensure all animal euthanasia specialists who conduct euthanasia at the certified animal control agency maintain an active certificate with the board;

(e) Notify the board in writing within ten (10) business days following the termination of a certified animal euthanasia specialist so the certificate of the animal euthanasia specialist may be taken out of active status;

(f) Develop and maintain standard operating procedures in writing for carcass disposal in accordance with all state and local laws and ordinances;

(g) Ensure that a designated area is provided for animal euthanasia activities, and that the area is kept clean and orderly, and is maintained as a safe workspace;

(h) Ensure that drugs ordered under DEA Registration held by any person or entity other than the certified animal control agency are kept in separate secure storage pursuant to KRS 321.207(8); and

(i) Be responsive and cooperative to the board's request for access and information to the certified animal control agency.

(3) The designated on-site manager shall ensure that the animal euthanasia process shall be conducted within the restrictions set forth in this subsection.

(a) Euthanasia shall only be conducted upon animals owned by the certified animal control agency, except in cases of emergency care as defined by KRS 321.181(33).

1. Transfer of ownership or a temporary contract shall not be used for the purpose of circumventing this subsection.

2. Wildlife shall be redirected to one (1) of the following:

a. A board-licensed veterinarian;

b. A Certified Wildlife Rehabilitator authorized to operate pursuant to 301 KAR 2:075;

c. A Commercial Nuisance Wildlife Control Operator authorized to operate pursuant to 301 KAR 3:120;

d. A Captive Wildlife Holder authorized to operate pursuant to 301 KAR 2:081;

e. A Wildlife Transporter authorized to operate pursuant to 301 KAR 2:082;

f. KDFWR wildlife biologist; or

g. KDFWR conservation officer.

(b) Euthanasia shall only be conducted upon the premises of the certified animal control agency, except in cases of emergency care as defined by KRS 321.181(33).

(c) All euthanized animals shall be disposed of in accordance with the certified animal control agency's standard operating procedures for carcass disposal.

Section 4. Authorized Drugs for Animal Euthanasia and Anesthesia or Sedation of Animals Prior to Euthanasia.

(1) For the purpose of animal euthanasia, a certified animal control agency shall be restricted to the purchase of only sodium pentobarbital.

(2) For the purpose of animal anesthesia or sedation prior to euthanasia, a certified animal control agency shall be restricted to the purchase of only the following board-authorized specific drugs, or any combination thereof:

(a) Acepromazine;

(b) Dexmedetomidine;

(c) Ketamine; and

(d) Xylazine.

(3) Scheduled drugs (controlled substances) shall be limited to a thirty (30) day supply, or the smallest quantity available for purchase if that quantity is greater than a thirty (30) day supply.

(4) The DEA's Schedule II order forms (titled "DEA-222") shall be used for each purchase or transfer of board authorized controlled substances.

(5) Expired drugs.

(a) Expired drugs shall not be used.

(b) Expired drugs shall be properly disposed of in accordance with Section 8 of this administrative regulation.

Section 5. Storage.

(1) Board authorized euthanasia and sedation drugs shall be stored at the DEA address of record for the certified animal control agency in a secure steel safe or securely locked steel cabinet within:

(a) A locked storage room; or

(b) Other locked enclosure; and

(c) If the safe or cabinet weighs less than 750 lbs, it shall be bolted securely to the floor or wall.

(2) DEA Controlled Substance Schedule II order forms shall be maintained at the DEA address of record for the certified animal control agency in a securely locked cabinet that is:

(a) Separate from the storage location of the drugs; and

(b) Within a locked storage room or other locked enclosure.

Section 6. Disposal of Needles and Medical Waste.

(1) All needles in an animal control agency shall:

(a) Not be accessible to the public;

(b) After one (1) use, be rendered incapable of re-use; and

(c) Be disposed of in an approved biohazard or sharps container.

(2) All syringes used in the process of euthanasia shall be disposed of in an approved biohazard or sharps container.

Section 7. Records.

(1) A certified animal control agency shall maintain records of procurement, management, and disposal of board authorized euthanasia drugs and sedation drugs, as listed in Section 4 of this administrative regulation, for a minimum of two (2) years.

(2) Records of administration shall, at a minimum, include:

(a) The date of use;

(b) Identification of the animal;

(c) The amount of the drug used;

(d) Any amount wasted;

(e) The signature of the person administering the drug;

(f) The signature of the designated on-site manager certifying the accuracy of the administration of board authorized euthanasia drugs and sedation drugs not less than once per month; and

(g) The signature of the designated on-site manager certifying to the accuracy of the records not less than once per month, as well as on the annual inventory.

(3) Records of procurement and destruction of board authorized euthanasia drugs and sedation drugs shall be maintained in a separate file from the records of administration of those substances.

(4) The records of procurement, management, and disposal may be audited by representatives of the DEA or authorized designees of the board to determine adequacy, accuracy, and validity of the recordkeeping. The board may impose restrictions and administrative penalties on certificate holders or designated on-site managers as a result of substandard controls or records of the drugs.

(5) The records of purchase, administration, transfer, and destruction of euthanasia and sedation drugs, shall be maintained at the DEA address of record for the certified animal control agency.

Section 8. Destruction or Disposal of Drugs. Drugs at an animal control agency that require disposal shall be disposed of in accordance with one (1) of the methods set forth in this section. A written receipt with appropriate signatures shall be obtained for the methods in subsections (1) through (3) of this section, and a record of the action taken shall be made for the method in subsection (4) of this section. The record shall be maintained with the drug logs at the animal control agency.

(1) Transfer non-expired, non-controlled drugs to a licensed veterinarian.

(2) Transfer non-expired, controlled drugs to a DEA registered, board-licensed veterinarian using DEA Form 222. Copies of the DEA Form 222 shall be distributed per federal law.

(3) Surrender expired or non-expired drugs to local law enforcement for destruction.

(4) Inject expired or non-expired drugs into and incinerate an animal carcass in accordance with state and local rules on incineration. Written documentation shall describe the amounts disposed of, type of carcass, date of injection and incineration, witnesses, and any other pertinent details.

Section 9. Disciplinary Action. An animal control agency, designated on-site manager, and animal euthanasia specialists shall be subject to disciplinary action pursuant to KRS 321.235 and 321.351 for a violation of state or federal statutes or administrative regulations.

Section 10. Incorporation by Reference.

(1) "Request for a New Designated On-site Manager", 07/2023, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subjected to applicable copyright law, at the Kentucky Board of Veterinary Examiners, 107 Corporate Drive, Frankfort, Kentucky 40601, Monday through Friday, 8:30 a.m. to 4:30 p.m. This material may also be obtained at www.kybve.com.

(49 Ky.R. 1540, 1905; eff. 7-5-2023; 50 Ky.R. 416, 1304, 1476; eff. 4-2-2024.)

201 KAR 16:560 - Certification as an animal euthanasia specialist.

RELATES TO: KRS 257.160, 321.207, 321.351, Chapter 335B

STATUTORY AUTHORITY: KRS 321.207(4)-(7), 321.235(1)(a), (b), (2)(b)3

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.207(3) requires the Kentucky Board of Veterinary Examiners to issue a certificate to a person who meets the qualifications of an animal euthanasia specialist and is approved by the board for a certificate. KRS 321.235(1)(a), (b), and (2)(b)3. authorize the board to promulgate administrative regulations to implement KRS Chapter 321. This administrative regulation establishes the qualifications for certification as an animal euthanasia specialist, renewal, and reinstatement requirements, and the required course contents for the euthanasia by injection training each applicant is required to receive.

Section 1. To be eligible for certification as a board-certified animal euthanasia specialist an applicant shall:

(1) Be at least twenty-one (21) years of age;

(2) Be of good moral character;

(3) Not have been convicted of, or entered an "Alford" plea or plea of nolo contendere to, irrespective of an order granting probation or suspending imposition of any sentence imposed following the conviction or

entry of the plea, one (1) or more or the following in the last ten (10) years, subject to the provisions of KRS Chapter 335B:

(a) A felony;

(b) An act involving moral turpitude or gross immorality; or

(c) A violation of any law, rule, or administrative regulation of this state, any other state, or the United States government that involves the use or trafficking of illegal substances;

(4) Have a high school diploma or general equivalency degree (GED);

(5) Pay the certification fee as specified in 201 KAR 16:514;

(6) Be employed by a board-certified animal control agency; and

(7) Have successfully completed a board approved sixteen (16) hour euthanasia by injection (EBI) course as established in Section 2 of this administrative regulation within twelve (12) months prior to application.

Section 2. Euthanasia by Injection (EBI) Training Course Curriculum.

(1) The curriculum for the sixteen (16) hour EBI course shall provide information on the following subjects:

(a) Pharmacology, proper administration, and storage of euthanasia solutions that shall consist of a minimum of eight (8) hours;

(b) Federal and state laws regulating the procurement, management, and disposal for euthanasia drugs and sedation drugs used to assist in euthanasia;

(c) Euthanasia specialist stress management and compassion fatigue;

(d) Proper animal handling with emphasis on easing the trauma and stress to the animal; and

(e) Disposal of euthanized animals.

(2) An EBI training course shall be reviewed and approved by the board prior to presentation. A provider of an EBI training shall submit the following information to the board for consideration of approval:

(a) A published course or similar description;

(b) Names and qualifications of current instructors;

(c) A copy of the program agenda indicating hours of education, refreshment, and lunch breaks;

(d) A copy of the full program curriculum;

(e) A copy of an official certificate of completion from the sponsoring agency; and

(f) Upon completion of the instruction of a sixteen (16)-hour euthanasia course, a complete attendee list to the board, including the following:

1. The dates and locations of the course;

2. Each attendee's full name and address; and

3. Notation by an individual's name if the course was not completed, or more than fifteen (15) consecutive minutes of any portion of the course was missed.

Section 3. An application to the board for certification as an animal euthanasia specialist shall include the following:

(1) A completed application on an Application for Certification as an Animal Euthanasia Specialist form or online equivalent form, including all required attachments;

(2) An official copy of final transcripts or a copy of the applicant's diploma from high school, or GED certificate, or other highest level of education attained;

(3) A copy of a certificate of completion from a board approved sixteen (16)-hour euthanasia by injection training course; and

(4) Payment for the application fee pursuant to 201 KAR 16:514.

Section 4. Renewal Requirements for a Certified Animal Euthanasia Specialist.

(1) A board-certified animal euthanasia specialist shall renew the board certification annually in accordance with 201 KAR 16:572.

(2) Failure to renew the certificate for an animal euthanasia specialist shall result in expiration of the certificate.

Section 5. An individual with an expired animal euthanasia specialist certificate may reinstate their certificate if not more than five (5) years have elapsed since the last date of certificate expiration. Reinstatement applications seeking board approval for certification as an animal euthanasia specialist shall include the following:

(1) A completed application on a Reinstatement Application for Animal Euthanasia Specialists form or online equivalent form, including all required attachments;

(2) Payment for the application fee pursuant to 201 KAR 16:514; and

(3) Proof of certification in the 16-hour euthanasia by injection training course pursuant to Section 1(7).

Section 6. An application to the board for approval for a change in certification status shall be made in accordance with 201 KAR 16:580.

Section 7. Background Checks. Pursuant to KRS 321.189, the board may:

(1) Conduct a national or jurisdictional level background check on each applicant for certification. The check shall be processed by a board approved background check provider, and may include a copy of the applicant's fingerprints captured at a board approved location;

(2) Accept the results of a state-wide employment background check in lieu of a state or federal background check if the background check results are not more than six (6) months old from the date of application;

(3) Reject background checks that do not have an official seal or watermark, or that are more than ninety (90) days old; and

(4) Impose additional administrative or safety requirements as a condition of certification or deny certification following the board's review of findings from a background check.

Section 8. Employment and Termination.

(1) A person may function as a certified animal euthanasia specialist only while the person remains employed by a board-certified animal control agency in the Commonwealth of Kentucky.

(2) Upon termination of employment with a certified animal control agency, a certified animal euthanasia specialist's certificate status shall automatically be moved by the board from an active to inactive status. The inactive certified individual shall not perform animal euthanasia until the person has obtained employment with a certified animal control agency with a certificate in active status, and applied to the board and been approved to move the animal euthanasia specialist certificate back into active status in accordance with 201 KAR 16:580.

Section 9. Disciplinary Action. A certified animal euthanasia specialist shall be subject to disciplinary action pursuant to KRS 321.235 and 321.351 for a violation of state or federal statutes or administrative regulations.

Section 10. Incorporation by Reference.

(1) The following material is incorporated by reference:

(a) "Application for Certification as an Animal Euthanasia Specialist", 07/2023; and

(b) "Reinstatement Application for Animal Euthanasia Specialists", 07/2023.

(2) This material may be inspected, copied, or obtained, subjected to applicable copyright law, at the Kentucky Board of Veterinary Examiners, 107 Corporate Drive, Frankfort, Kentucky 40601, Monday through Friday, 8:30 a.m. to 4:30 p.m. This material may also be obtained at www.kybve.com.

(46 Ky.R. 1736, 2470, 2612; eff. 6-30-2020; 49 Ky.R. 1475, 1907; eff. 7-5-2023; 50 Ky.R. 419, 1307, 1478; eff. 4-2-2024.)

201 KAR 16:562 - Duties and responsibilities of an animal euthanasia specialist.

RELATES TO: KRS 257.160, 321.181, 321.207, 321.235, 321.351

STATUTORY AUTHORITY: KRS 321.207, 321.235

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.207(4) requires the Kentucky Board of Veterinary Examiners to issue a certificate to a person who meets the qualifications of an animal euthanasia specialist and is approved by the board for a certificate. KRS 321.235(1)(b) requires the board to promulgate administrative regulations to implement KRS Chapter 321. This administrative regulation establishes the duties and responsibilities of an animal euthanasia specialist.

Section 1. Duties of a Certified Animal Euthanasia Specialist. The duties of a board-certified animal euthanasia specialist shall include:

(1) Preparing animals for euthanasia;

(2) Carefully and accurately recording dosages, administration, and drug waste;

(3) Ordering supplies and drugs in accordance with the employing certified animal control agency's operating procedures;

(4) Maintaining the security of all controlled substances and board-approved drugs in accordance with 201 KAR 16:550, 16:552, and other applicable federal, state, and local laws;

(5) Reporting to the board any infraction of KRS Chapter 321 or 201 KAR Chapter 16;

(6) Humanely euthanizing animals;

(7) Disposing of the carcasses in a manner consistent with local, state, and federal laws, including KRS 257.160, and shall be carried out according to the standard operating procedures of the board-certified animal control agency;

(8) Maintaining active certification with the board;

(9) Reporting to the board any change of address, phone, or email within thirty (30) days; and

(10) Providing a written response to a grievance or inquiry from the board within twenty (20) days of receipt.

Section 2. Animals Approved for Euthanasia by Board-certified Animal Euthanasia Specialists. Animal euthanasia shall be conducted within the restrictions outlined in this section, or the practice shall be considered the practice of veterinary medicine and subject to a penalty for practicing without a license.

(1) Euthanasia shall only be conducted upon animals owned by the certified animal control agency, except in cases of emergency care as defined by KRS 321.181(33).

(a) Temporary transfer of ownership or a temporary contract shall not be used for the purpose of circumventing this subsection; and

(b) Wildlife shall be redirected to a board-licensed veterinarian, Certified Wildlife Rehabilitator authorized to operate pursuant to 301 KAR 2:075, or to a Nuisance Wildlife Control Operator authorized to operate pursuant to 301 KAR 3:120.

(2) Euthanasia shall only be conducted upon the premises of the certified animal control agency, except in cases of emergency care as defined by KRS 321.181(33).

(3) All euthanized animals shall be disposed of in accordance with the certified animal control agency's standard operating procedures for carcass disposal in accordance with Section 1(7) of this administrative regulation, and shall not be returned to a prior owner.

Section 3. Approved Drugs for Animal Euthanasia, and Anesthesia or Sedation of Animals Prior to Euthanasia by Certified Animal Euthanasia Specialists.

(1) The drugs approved by the board for euthanasia are:

(a) Sodium pentobarbital; and

(b) Sodium pentobarbital mix which has been approved by the U.S. Food and Drug Administration for animal euthanasia.

(2) The drugs approved by the board for animal anesthesia or sedation prior to euthanasia are, or any combination thereof:

(a) Acepromazine;

(b) Dexmedetomidine;

(c) Ketamine (thirty (30) day supply or less); and

(d) Xylazine.

(3) Expired drugs shall not be used.

(4) Expired drugs shall be disposed of in accordance with 201 KAR 16:552, Section 8.

Section 4. Approved Methods of Euthanasia.

(1) A certified animal euthanasia specialist shall perform euthanasia by means of lethal injection on an animal by use of board-approved euthanasia drugs and drugs used to anesthetize or sedate an animal prior to euthanasia in accordance with subsection (2) of this section.

(2) When using a lethal solution to perform euthanasia on an animal, a certified animal euthanasia specialist shall use the appropriate solution in accordance with the following methods and in the following order of preference, ensuring both humane euthanasia of the animal and the safety of the individuals handling the animal:

(a) Intravenous injection by hypodermic needle;

(b) Intracardial injection by hypodermic needle, but only on an anesthetized or unconscious animal;

(c) Intraperitoneal injection by hypodermic needle; or

(d) Solution or powder added to food.

Section 5. Except as provided for performing the duties set forth in this administrative regulation, an animal euthanasia specialist shall be prohibited from practicing veterinary medicine.

Section 6. Disciplinary Action. A certified animal euthanasia specialist shall be subject to disciplinary action pursuant to KRS 321.235 and 321.351 for a violation of state statutes or administrative regulations.

(49 Ky.R. 1543, 1908; eff. 7-5-2023; 51 Ky.R. 734, 1271; eff. 4-2-2025.)

201 KAR 16:570 - License renewal for veterinarians and veterinary technicians; renewal notice.

RELATES TO: KRS 321.193, 321.211, 321.221, 321.441

STATUTORY AUTHORITY: KRS 321.235(3), 321.240(5)

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.193, 321.221, and 321.441 require the Kentucky Board of Veterinary Examiners to issue a license to all persons successfully passing the examination and being qualified to engage in the practice of veterinary medicine or as a veterinary technician in the Commonwealth of Kentucky. KRS 321.211 and 321.441 provide for the renewal of the license. KRS 321.235(3) and 321.240(5) authorize the board to promulgate administrative regulations to implement KRS Chapter 321. This administrative regulation requires a renewal notice to all licensed veterinarians and veterinary technicians and requires all licensed veterinarians and veterinary technicians to complete the renewal application and return it, along with the renewal fee, to the board. It further requires all licensed veterinarians and veterinary technicians to keep the board apprised of the legal name and current address of the licensee.

Section 1.

(1) The board shall, not later than August 31 of each even-numbered year, email or mail to each licensed veterinarian a biennial renewal notice.

(2) The board shall, not later than August 31 of each year, email or mail to each licensed veterinary technician an annual renewal notice.

(3) The renewal application shall be completed by the licensee and returned to the board, including all required attachments and, if required by the board, proof of course completion for the required continuing education.

(4) Timely receipt of renewal application.

(a) Renewals bearing a postmark, or, if an online renewal, a timestamp, of September 30 or earlier shall be considered received on time.

(b) Renewals bearing a postmark, or, if an online renewal, a timestamp, between October 1 and November 30 shall be considered late and therefore incur a late fee pursuant to 201 KAR 16:510 for veterinarians and 201 KAR 16:512 for veterinary technicians.

(5)

(a) The renewal fee shall be attached to the completed renewal form when it is returned to the board.

(b) The renewal fee shall be paid in accordance with 201 KAR 16:510 for veterinarians and 201 KAR 16:512 for veterinary technicians.

Section 2.

(1) Every licensed veterinarian shall list his or her continuing education hours received pursuant to 201 KAR 16:590 on the Renewal Application for Veterinarians form or online equivalent form, including all required attachments, and if required, proof of attendance or completion of training to the board.

(2) Every licensed veterinary technician shall list his or her continuing education hours received pursuant to 201 KAR 16:590 on the Renewal Application for Veterinary Technicians form or online equivalent form, including all required attachments, and if required by the board, proof of course completion of the required continuing education.

(3)

(a) The board shall not renew the license of any person who fails to appropriately document the required hours of continuing education.

(b) The veterinarian license shall expire and subsequently be terminated as prescribed by KRS 321.211.

(c) The veterinary technician license shall expire and subsequently be terminated as prescribed by KRS 321.441.

Section 3. The board shall not be held responsible or liable for lost renewal notices, or renewal notices not received, or not received on time.

(1) Regardless of cause, the board shall not have to refund money to a licensee who fails to renew in a timely manner pursuant to Section 1(4) of this administrative regulation.

(2) If a licensee fails to renew by the grace period deadline, the license shall expire. The former licensee may apply for reinstatement of the license within five (5) years from the date of expiration in accordance with 201 KAR 16:540. A reinstatement application shall be required during this period; an application for a new license shall not be accepted until five (5) years after the last date of expiration.

Section 4. Every licensed veterinarian or veterinary technician shall:

(1) File his or her legal name and proper and current mailing address with the board at its principal office; and

(2) Within thirty (30) days, notify the board of any changes of his or her legal name or mailing address by submitting a completed Request for Name or Address Change form.

Section 5. Incorporation by Reference.

(1) The following material is incorporated by reference:

(a) "Renewal Application for Veterinarians", 3/2020;

(b) "Renewal Application for Veterinary Technicians", 3/2020; and

(c) "Request for Name or Address Change", 2/2020.

(2) This material may be inspected, copied, or obtained, subjected to applicable copyright law, at the Kentucky Board of Veterinary Examiners, 107 Corporate Drive, Frankfort, Kentucky 40601, Monday through Friday, 8:00 a.m. to 4:30 p.m. This material may also be obtained at www.kybve.com.

(46 Ky.R. 1738,2614; eff. 6-30-2020.)

201 KAR 16:572 - Certificate renewal for animal control agencies and animal euthanasia specialists; renewal notice.

RELATES TO: KRS 321.207

STATUTORY AUTHORITY: KRS 321.207(1), (3), 321.235(3), 321.240(5)

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.207(1) and (3) require the Kentucky Board of Veterinary Examiners to issue a certificate to all animal control agencies being qualified to register with the United States Drug Enforcement Administration (DEA) to purchase, possess, and use board authorized controlled substances, and to all persons qualified to engage in the practice of animal euthanasia in the Commonwealth of Kentucky. KRS 321.235(3) and 321.240(5) authorize the board to promulgate administrative regulations to implement KRS Chapter 321. This administrative regulation requires a renewal notice to all certified animal control agencies and animal euthanasia specialists and requires all certified animal control agencies and animal euthanasia specialists to complete the renewal application and return it, along with the renewal fee to the board. It further requires all certified animal control agencies and animal euthanasia specialists to keep the board apprised of the legal name and current address of the certificate holder.

Section 1.

(1) The board shall, not later than February 1 of each year, email or mail to each certified animal control agency and animal euthanasia specialist a renewal notice.

(2) The renewal application shall be completed by the credential holder and returned to the board, including all required attachments and fees.

(3) Timely receipt of renewal application.

(a) Renewals bearing a postmark, or, if an online renewal, a timestamp, of March 1 or earlier shall be considered received on time.

(b) Renewals bearing a postmark, or, if an online renewal, a timestamp, between March 2 and April 30 shall be considered late and therefore incur a late fee pursuant to 201 KAR 16:514.

(4) The renewal fee shall be attached to the completed renewal form when it is returned to the board.

(a) For certified animal control agencies, the renewal form shall be the Renewal Application for Animal Control Agencies form or online equivalent form, including all required attachments.

(b) For certified animal euthanasia specialists, the renewal form shall be the Renewal Application for Animal Euthanasia Specialists form or online equivalent form, including all required attachments.

(5) The renewal fee shall be paid in accordance with 201 KAR 16:514.

Section 2. The board shall not be held responsible or liable for lost renewal notices, or renewal notices not received, or not received on time.

(1) Regardless of cause, the board shall not have to refund money to a certificate holder who fails to renew in a timely manner pursuant to Section 1(3) of this administrative regulation.

(2) If a certificate holder fails to renew by the grace period deadline, the certificate shall expire. The former certificate holder may apply for reinstatement of the certificate within five (5) years from the date of expiration in accordance with 201 KAR 16:550 and 201 KAR 16:560. A reinstatement application shall be required during this period; an application for a new certificate shall not be accepted until five (5) years after the last date of expiration.

Section 3. Current contact information shall be on file with the board.

(1)

(a) Every certified animal control agency shall:

1. File a proper and current mailing address, phone, and, if available, email with the board at its principal office;

2. Within thirty (30) days, notify the board of any changes of the agency's mailing address by submitting a completed Request for Name or Address Change form or online equivalent form provided by the board; and

3. Identify on the renewal form each person who is currently employed for the purpose of animal euthanasia and each board credential holder who is employed with, either directly or by contract or agreement, to conduct animal euthanasia or the practice of veterinary medicine or the practice of veterinary technology at the animal control agency.

(b)

1. Every certified animal control agency shall file an update with the board to notify the board of any changes to the designated on-site manager tasked with management of controlled substances and the euthanasia program pursuant to 201 KAR 16:550, or of any changes of the on-site manager's legal name or personal address.

2. Updates may be filed on the annual Renewal Application for Animal Control Agencies form or online equivalent form, or on the Request for a New Designated On-site Manager form or online equivalent form, including all required attachments.

(c) Background checks. For a new agency designated on-site manager, the board may conduct a national or jurisdictional level background check on each designated on-site manager. The check shall be processed by a board approved background check provider, and may include a copy of the designated on-site manager's fingerprints captured at a board approved location. The board may accept the results of an employment background check from the county office in lieu of a state or federal background check if the background check results are not more than six (6) months old from the date of application. The board may reject background checks that do not have an official seal or watermark, or that are more than ninety (90) days old. The board may impose additional requirements as a condition of certification or deny certification

following the board's review of findings from a background check. The results shall be submitted to the board within thirty (30) days of designating a new designated on-site manager.

(2)

(a) Every certified animal euthanasia specialist shall:

1. File his or her legal name and proper and current mailing address with the board at its principal office; and

2. Within thirty (30) days, notify the board of any changes of his or her legal name or mailing address by submitting a completed Request for Name or Address Change form or online equivalent form provided by the board.

(b) Updates may be filed on the annual Renewal Application for Animal Euthanasia Specialists form or online equivalent form, or on the Request for Name or Address Change form or online equivalent form, including all required attachments.

Section 4. Incorporation by Reference.

(1) The following material is incorporated by reference:

(a) "Renewal Application for Animal Control Agencies", 12/2022;

(b) "Renewal Application for Animal Euthanasia Specialists", 12/2022;

(c) "Request for a New Designated On-site Manager", 12/2022; and

(d) "Request for Name or Address Change", 12/2022.

(2) This material may be inspected, copied, or obtained, subjected to applicable copyright law, at the Kentucky Board of Veterinary Examiners, 107 Corporate Drive, Frankfort, Kentucky 40601, Monday through Friday, 8:30 a.m. to 4:30 p.m. This material may also be obtained at www.kybve.com.

(46 Ky.R. 1740, 2472, 2615; eff. 6-30-2020; 49 Ky.R. 1476, 1909; eff. 7-5-2023.)

201 KAR 16:580 - Board issued licenses and certificates, inactive and retired statuses

RELATES TO: KRS 321.207, 321.211, 321.441

STATUTORY AUTHORITY: KRS 321.190, 321.211(8), 321.235(3), (6), 321.240(5)

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.235(3) and 321.240(5) authorize the Kentucky Board of Veterinary Examiners to promulgate administrative regulations to implement KRS Chapter 321. KRS 321.235(6) authorizes the board to promulgate administrative regulations regarding the issuance and renewal of retired and inactive licenses. This administrative regulation establishes the procedures for the issuance and renewal of retired and inactive licenses and certificates.

Section 1. Inactive License Status for Veterinarians and Veterinary Technicians.

(1) A veterinarian or veterinary technician licensee of the board with a license in active status may request inactive licensure status by:

(a) Submitting a completed application Request for Licensure Status Change form or online equivalent form, including all required attachments; or

(b) Designating his or her intent to convert to inactive status on the appropriate renewal form for that license type during a renewal period in accordance with 201 KAR 16:570.

(2) A licensee whose license is designated with an inactive status shall pay a renewal fee during each license cycle in accordance with 201 KAR 16:510 for veterinarians and 201 KAR 16:512 for veterinary technicians.

(3) Continuing education credits shall not be required for licensees while in inactive status.

(4) A licensee whose license is in an inactive status may request reinstatement to an active license status by:

(a)

1. Completing and submitting the appropriate reinstatement application or online equivalent form, including all required attachments:

a. Reinstatement Application for Veterinarians; or

b. Reinstatement Application for Veterinary Technicians; or

2. Designating intent to reinstate to active status on the appropriate renewal form for that license type during a renewal period in accordance with 201 KAR 16:570;

(b) Completing and providing proof of continuing education in accordance with 201 KAR 16:590; and

(c) Paying the reinstatement fee pursuant to 201 KAR 16:510 for veterinarians and 201 KAR 16:512 for veterinary technicians.

(5) There shall be no time limit on the number of years a veterinarian's license or veterinary technician's license may remain in an inactive status.

(6) A licensee whose license is in an inactive status shall not practice his or her profession in any capacity within the Commonwealth of Kentucky as long as the license remains in inactive status.

Section 2. Inactive License Status for Animal Euthanasia Specialists.

(1) A certified animal euthanasia specialist with a certificate in active status may request inactive licensure status by:

(a) Submitting a completed application Request for Licensure Status Change form or online equivalent form, including all required attachments; or

(b) Designating his or her intent to convert to inactive status on the Renewal Application for Animal Euthanasia Specialists form as found in 201 KAR 16:572 during a renewal period.

(2) A certified animal euthanasia specialist with a certificate in active status shall be moved to inactive licensure status by the board if:

(a) His or her employment is severed with the animal control agency of record in the certificate holder's file; or

(b) The animal control agency employing the animal euthanasia specialist fails to renew its certificate in a timely manner.

(3) A certified animal euthanasia specialist whose certificate is designated with a status of inactive shall not pay a renewal fee.

(4) A certified animal euthanasia specialist whose certificate is in an inactive status pursuant to subsection (1) of this section may request reinstatement to an active certificate status by:

(a)

1. Submitting a completed Reinstatement Application for Animal Euthanasia Specialists form, including all required attachments; or

2. Designating his or her intent to reinstate to active status on the Renewal Application for Animal Euthanasia Specialists form as found in 201 KAR 16:572 during a renewal period; and

(b) Paying the reinstatement fee pursuant to 201 KAR 16:514.

(5)

(a) A certified animal euthanasia specialist whose certificate is in an inactive status due to a board action may request reinstatement to active certificate status if:

1. The certificate of the animal control agency of record has been reinstated; or

2. The certified animal euthanasia specialist is employed by another certified animal control agency.

(b) The request shall be made by submitting a completed Reinstatement Application for Animal Euthanasia Specialists form and paying the reinstatement fee pursuant to 201 KAR 16:514.

(6) An animal euthanasia specialist certificate in inactive status shall expire after five (5) years.

(7) A certificate holder whose license is in an inactive status shall not practice his or her profession in any capacity within the Commonwealth of Kentucky as long as the certificate remains in inactive status.

Section 3. Background checks. The board may conduct a national or jurisdictional level background check on each applicant for reinstatement of licensure or certification. The check shall be processed by a board approved background check provider, and may include a copy of the applicant's fingerprints captured at a board approved location. The board may reject background checks that do not have an official seal or watermark, or that are more than ninety (90) days old. The board may impose additional requirements as a condition of licensure or certification or deny licensure or certification following the board's review of findings from a background check.

Section 4. Retired License Status.

(1) A licensee of the board may request retired status by:

(a) Submitting a completed application Request for Licensure Status Change form or online equivalent form, including all required attachments; or

(b) Designating his or her intent to convert to retired status on the appropriate renewal form for that license type during a renewal period in accordance with 201 KAR 16:570.

(2) A licensee whose license is designated in a retired status shall pay a one-time fee in accordance with 201 KAR 16:510 for veterinarians and 201 KAR 16:512 for veterinary technicians.

(3) Once a license has been designated in a retired status, the license cannot be reinstated.

(a) The board shall not authorize a person whose license is in a retired status to reinstate his or her license.

(b) A person whose license is in a retired status who desires to practice again shall complete and submit a new application for licensure to the board in accordance with 201 KAR 16:540.

(4) A person whose license is a retired status shall not be able to practice his or her profession in any capacity within the Commonwealth of Kentucky unless he or she holds a new, separate license issued by the board.

Section 5. Incorporation by Reference.

(1) The following material is incorporated by reference:

(a) "Request for Licensure Status Change", 2/ 2020;

(b) "Reinstatement Application for Veterinarians", 3/2020;

(c) "Reinstatement Application for Veterinary Technicians", 3/2020; and

(d) "Reinstatement Application for Animal Euthanasia Specialists", 3/2020.

(2) This material may be inspected, copied, or obtained, subjected to applicable copyright law, at the Kentucky Board of Veterinary Examiners, 107 Corporate Drive, Frankfort, Kentucky 40601, Monday through Friday, 8:00 a.m. to 4:30 p.m. This material may also be obtained at www.kybve.com.

(46 Ky.R. 1741, 2474, 2616; eff. 6-30-2020.)

201 KAR 16:590 - Continuing education requirements, veterinarians and veterinary technicians.

RELATES TO: KRS 321.181, 321.190, 321.211, 321.221, 321.235, 321.441, 321.442

STATUTORY AUTHORITY: KRS 321.211(7), 321.235(1)(a)-(c), (2)(b)1.a., 3.b., 321.441(8), 321.442(7)

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.235(2)(b)1.a., 321.211(7),321.441(8), and 321.442(7) authorize the Kentucky Board of Veterinary Examiners to require a person applying for renewal or reinstatement of a veterinarian or veterinary technician license to show evidence of completion of

continuing education to ensure the continued competence of licensees. KRS 321.235(1)(a)-(c) requires the board to promulgate administrative regulations to implement and enforce KRS Chapter 321. KRS 321.235(2)(b)1.a. and 3.b. authorizes the board to promulgate administrative regulations to establish and enforce mechanisms to ensure continuing competence, and to administer licensure, certification, permitting, and registration. This administrative regulation establishes the requirements for continuing education hours relating to licensure renewal for veterinarians and veterinary technicians.

Section 1. Definitions.

(1) "Approved program of continuing education" is defined by KRS 321.181(11).

(2) "Approved provider of continuing education" is defined by KRS 321.181(12).

(3) "Continuing education" is defined by KRS 321.181(25).

Section 2. Continuing education (CE) is designed to ensure the continued competence of a board credential holder. CE is a part of personal life-long learning in the credential holder's area of expertise, responsibility, and domains of practice, ensuring a commitment to furthering the person's professional knowledge, as well as learning new skills and techniques in the person's area of practice, in order to best serve and protect the public and animals of the Commonwealth.

Section 3. Continuing Education Requirements for Veterinarian and Veterinary Technician License Renewal and Reinstatement.

(1) A veterinarian shall complete biennially thirty (30) hours of continuing education to be eligible for renewal of their license.

(a) At least twenty (20) of the thirty (30) hours shall be directly related to the practice of veterinary medicine.

(b) For the renewal period and reinstatements beginning after September 30, 2024, at least two (2) of the thirty (30) required renewal hours shall be in:

1. Pharmacy or controlled substances;

2. Antimicrobials; or

3. State or federal laws and regulations related to the practice of veterinary medicine.

(c) No more than ten (10) of the thirty (30) hours shall pertain to practice management or other administrative, wellbeing, and professional topics that are not directly related to the practice of veterinary medicine.

(2) A veterinary technician shall annually complete six (6) hours of continuing education in the area of the practice of veterinary medicine or veterinary technology to be eligible for renewal of their license.

(a) For the renewal period and reinstatements beginning after September 30, 2024, at least one (1) of the six (6) hours shall be in:

1. Pharmacy or controlled substances;

2. Antimicrobials; or

3. State or federal laws and regulations related to the practice of veterinary medicine or the practice of veterinary technology.

(b) No more than three (3) of the six (6) hours shall pertain to practice management or other administrative, wellbeing, and professional topics that are not directly related to the practice of veterinary medicine or the practice of veterinary technology.

(3) In addition to attendance at a conference, lecture, or seminar, a veterinarian or veterinary technician may complete the hours of continuing education required for renewal or reinstatement by the completion of audio or video recordings or electronic, computer, or interactive material prepared or approved by any of the organizations established in Section 4(1) and (2) of this administrative regulation.

(a) A veterinarian shall earn at least fifteen (15) of the required thirty (30) CE hours and a veterinary technician shall earn at least three (3) of the required six (6) CE hours in a live, realtime format either in-person or online.

(b) A veterinarian shall earn no more than fifteen (15) of the required thirty (30) CE hours and a veterinary technician shall earn no more than three (3) of the required six (6) CE hours in an online format that is pre-recorded.

(4) All CE earned shall be new, continuing education. A veterinarian or veterinary technician shall not apply CE earned in the immediate prior renewal period, or earned and applied for licensure reinstatement toward renewal of their license in the current renewal cycle.

(5)

(a) Continuing education shall be earned from October 1 of each renewal period until September 30 at the end of the period, or until November 30 at the end of the grace period with the addition of a late fee in accordance with 201 KAR 16:510 for veterinarians and 201 KAR 16:512 for veterinary technicians.

(b) A licensee may apply continuing education hours to only one (1) renewal cycle. Continuing education hours earned for a given course shall not be applied to the total required hours again in any subsequent renewal cycle.

(c) A credential holder who receives a board discipline that requires continuing education as a part of any reprimand, settlement agreement, or final order, shall earn the required CE in addition to the CE required for licensure renewal.

(6) A veterinarian applying for renewal after completing their initial term of licensure after graduating from a veterinary college may complete a reduced number of hours of continuing education to be eligible for renewal as established in this subsection. This subsection shall not apply to applicants for licensure by endorsement under KRS 321.221 who graduated prior to the renewal biennium during which they were initially licensed.

(a) A veterinarian completing their initial term of licensure who graduated from a veterinary college during the first year of the renewal biennium shall complete fifteen (15) hours of continuing education to be eligible for renewal.

(b) Continuing education requirements shall be waived for a veterinarian completing their initial term of licensure who graduated during the second year of the renewal biennium.

(7) For a veterinary technician, continuing education requirements shall be waived for a new licensee completing their initial term of licensure who also graduated within twelve (12) months of initial licensure.

(8)

(a) A veterinarian or veterinary technician may submit a written request to the board for approval of a fellowship, internship, or residency in lieu of the continuing education courses required for license renewal, subject to board review for the number of hours to be awarded.

(b) The number of continuing education hours granted shall be determined by the board.

(c) The request shall:

1. Include a letter of verification from an authorized representative of the organization providing the fellowship, internship, or residency opportunity;

2. Be printed on the organization's letterhead;

3. Provide a brief description of the position itself, a summary of assigned tasks, and the anticipated or completed beginning and ending dates of the position; and

4. Be signed by an authorized representative of the organization who is knowledgeable about the position being verified.

(9) Failure to earn the minimum required amount of CE by the renewal deadline or grace period deadline shall be cause for the board to move a license to an expired status.

(10) Continuing education hours shall be required as follows for reinstatement applications:

(a) For veterinarians, thirty (30) hours earned in a twenty-four (24) month period immediately prior to the date of application, or as required by the board to complete the application after filing; and

(b) For veterinary technicians, six (6) hours earned in a twelve (12) month period immediately prior to the date of application, or as required by the board to complete the application after filing.

(11) During a statewide state of emergency declared by the Governor of Kentucky, a national emergency declared by the President of the United States, pandemic, or epidemic, the board may change the in-person requirement for CE or waive CE for a temporary period of time. After taking such an action, the board shall send notice to all licensees and post the change and duration of change on the board's Web site.

Section 4. Approved Programs of Continuing Education.

(1) The board hereby approves the following continuing education courses:

(a) All scientific programs of the American Veterinary Medical Association (AVMA), its constituent organizations and its recognized specialty groups as listed on the AVMA Web site, and Council on Education (COE) or Committee on Veterinary Technician Education and Activities (CVTEA) accredited veterinary medical institutions whose meetings impart educational material directly relating to veterinary medicine or veterinary technology;

(b) Programs approved by the Registry of Approved Continuing Education (RACE) of the American Association of Veterinary State Boards (AAVSB);

(c) Accreditation modules offered by the United States Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS), which shall be counted for one (1) hour per module;

(d) Attendance at a board meeting, which shall be counted for the time the attendee is present and during which the board is in session or the duration of the meeting in half-hour increments up to three (3) hours, per meeting. There shall be a maximum of six (6) hours allowable for veterinarians and three (3) hours per LVTs per renewal cycle; and

(e) All programs approved by the board pursuant to subsection (4) of this section.

(2) Licensees may use a maximum of six (6) USDA APHIS Modules for licensees certified in Category II and a maximum of three (3) USDA APHIS Modules for licensees certified in Category I in any single renewal period.

(3) Licensees shall earn new CE each renewal cycle, and shall not use CE previously applied to any past renewal or to reinstatement, if reinstatement occurred during the current renewal cycle.

(4) Board approved CE requirements.

(a) The board may approve programs that are deemed to impart knowledge directly relating to the practice of veterinary medicine, including the utilization and application of new techniques, scientific and clinical advances, and the achievement of research to assure expansive and comprehensive care to the public.

(b) To request approval, a completed Request for Continuing Education Approval form, including all required attachments, and the submission of fees as prescribed in 201 KAR 16:516, shall be submitted to the board.

(c) A continuing education program that satisfies board requirements for an approved program of continuing education shall:

1.

a. Be offered, provided, or sponsored by an organization that is an approved provider of continuing education; or

b. Be an approved program of continuing education;

2.

a. Have a clearly stated purpose and defined content area;

b. Be offered to the public or general licensee population, and not offered internally only to employees of a single organization;

c. Be consistent with the overall goals of continuing education as defined in Sections 2 and 3 of this administrative regulation;

d. Have a presenter who is a professional qualified in the defined content area; and

e. Clearly state the program's duration. Actual contact time shall be a minimum of one (1) continuing education contact hour as defined in KRS 321.181(26), and shall not include breaks or meals; and

3. If approved, the course provider shall maintain for a minimum of four (4) years records of CEs presented, and shall include the name and license number of each attendee.

Section 5. Continuing Education Documentation Requirements.

(1) A licensee shall:

(a) Secure official documentation from the course provider of completed attendance at a course, detailing the:

1. Hours earned;

2. Name of the course;

3. Provider of the course;

4. Method of delivery, and if an online course, live, interactive, or non-interactive;

5. Date of the course; and

6. Licensee's name.

(b) Submit on the Renewal Application for Veterinarians form or Renewal Application for Veterinary Technicians form as found in 201 KAR 16:570 or online equivalent forms, as appropriate, and include the name, dates, and identifying information for each course they attended;

(c) If audited by the board or upon request by the board, supply copies of official documentation from the course provider which includes all the information required in paragraph (a) of this subsection; and

(d) Retain copies of continuing education documentation for a period of four (4) years from the date of licensure renewal.

(2) The board may require an applicant or licensee to submit copies of documentation in accordance with subsection (1) of this section documenting their attendance at continuing education courses.

Section 6. Audits.

(1) The board shall audit documentation supporting the completion of the appropriate number of continuing education hours for:

(a) Any veterinarian or veterinary technician who was disciplined by the board in the renewal cycle or if an order of the board further specifies a CE audit of that veterinarian or veterinary technician; and

(b) At least one (1) member of the board.

(2) The board may audit any licensee for documentation supporting the completion of the appropriate number of continuing education hours for:

(a) A minimum of ten (10) percent of all veterinarians and veterinary technicians;

(b) Any licensee who does not renew their license by September 30 of each renewal cycle; or

(c) Any licensee against whom a grievance has been filed pursuant to 201 KAR 16:610.

Section 7. Continuing Education Requirement Waivers.

(1) Medical disability, illness, or other extenuating circumstances. The board may, in individual cases involving medical disability, illness, or other extenuating circumstances clearly warranting relief, grant a waiver of the continuing education requirements or an extension of time within which to fulfill the same or make the required reports.

(a) A written request for an extension or waiver of continuing education requirements for medical disability, illness, or other extenuating circumstances clearly warranting relief shall be submitted by the licensee. The board may require a signed document from a physician or other health care provider to verify the licensee's claimed disability or illness, or verification from an official for other extenuating circumstances.

(b) A waiver of the minimum continuing education requirements or an extension of time within which to fulfill the requirements shall not be granted by the board for a period of time exceeding one (1) renewal cycle.

(c) If the medical disability, illness, or other extenuating circumstances clearly warranting relief upon which a waiver or extension has been granted persists beyond the period of the waiver or extension, the licensee shall have the option to apply for another extension.

(2) Military duty. The board shall grant a waiver to a licensee who is unable to meet the continuing education requirements of this administrative regulation because of obligations arising from military duty.

(a) A licensee who is called to active duty in the armed forces shall not be required to complete the continuing education requirement for licensure periods during which that status exists.

(b) The licensee requesting an extension or waiver pursuant to this subsection shall submit with their renewal or reinstatement paperwork, the appropriate military assignment form, deployment orders, or a statement from the licensee's unit commander confirming the call-up or deployment.

Section 8. Incorporation by Reference.

(1) "Request for Continuing Education Approval", 9/2024, is incorporated by reference.

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

(46 Ky.R. 1743, 2475, 2617; eff. 6-30-2020; 51 Ky.R.736, 1427; eff. 5-6-2025.)

201 KAR 16:600 - Prescription and dispensation of drugs for animal use

RELATES TO: KRS 258.015, 321.181(5)(b)

STATUTORY AUTHORITY: KRS 321.235(3), 321.240(5)

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.181(5)(b) provides that the practice of veterinary medicine includes the prescribing, administering, or dispensing of drugs and medications for veterinary purposes. KRS 321.235(3) and 321.240(5) authorize the Kentucky Board of Veterinary Examiners to promulgate administrative regulations to carry out and enforce the provisions of KRS Chapter 321. This administrative regulation establishes a procedure for the prescription and dispensation of drugs by licensed veterinarians for use in animals.

Section 1. Definitions.

(1) "Legend drug" means a veterinary prescription drug.

(2) "Prescription" means an order from a veterinarian to a pharmacist or another veterinarian authorizing the dispensing of a veterinary prescription drug to a client for use on or in a patient.

(3) "Veterinary drug" means:

(a) A drug for animal use recognized in the official United States Pharmacopoeia or official National Formulary of the United States;

(b) A drug intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in animals;

(c) A drug, other than feed, medicated feed, or a growth promoting implant intended to affect the structure or function of the body of an animal; or

(d) A drug intended for use as a component of a drug in paragraph (a), (b), or (c) of this subsection.

(4) "Veterinary prescription drug" means:

(a) A drug that is not safe for animal use without a veterinarian using or ordering the use of the product, and that is required by federal law to bear the following statement: "Caution: federal law restricts this drug to use by or on the order of a licensed veterinarian";

(b) A drug that is required by state law to be dispensed only on order or prescription of a licensed veterinarian;

(c) The extra-label use of an over-the-counter animal drug or human drug; and

(d) A medicament compounded by mixing two (2) or more legally-obtained over-the-counter or prescription drugs.

Section 2. Prescribing and Dispensing.

(1) A veterinary prescription shall include all of the following:

(a) The name and address of the veterinarian and, if the prescription is a written order, the signature of the veterinarian;

(b) The name and address of the client;

(c) The species and identity of the patient for which the prescription is issued;

(d) The name, strength, and quantity of the drug prescribed;

(e) The date on which the prescription is issued;

(f) The directions for administering the drug;

(g) If the patient is a food producing animal, the withdrawal time for the veterinary drug;

(h) If the prescription authorizes extra-label use, the manner in which the client may use the drug;

(i) Any cautionary statements required by law; and

(j) Number of refills allowed, not to exceed the limitations established in Section 6(2) of this administrative regulation.

(2) A veterinarian shall not prescribe for or dispense to a client a veterinary prescription drug or a drug for extra-label use without first personally examining the patient unless a veterinarian-client-patient relationship (VCPR) already exists between the prescribing veterinarian, client and patient, and the veterinarian determines that the client has sufficient knowledge to administer the drug properly.

(3) A veterinarian shall not prescribe or dispense a veterinary prescription drug to a client unless the veterinarian indicates in the appropriate records described in Section 4 of this administrative regulation, within seventy-two (72) hours after the prescription is issued or the drug is dispensed, that the prescription has been issued or that the drug has been dispensed.

(4) A veterinarian shall not prescribe a drug to a client for extra-label use on a patient unless all of the following apply:

(a) The VCPR exists between the veterinarian, client and patient, and the veterinarian has made a careful medical diagnosis of the condition of the patient within the context of that VCPR;

(b) The veterinarian determines that there is no drug that is marketed specifically to treat the patient's diagnosed condition, or determines that all of the drugs that are marketed for that purpose are clinically ineffective;

(c) The veterinarian recommends procedures to ensure that the identity of the patient receiving the drug can be readily ascertained in the future; and

(d) If the patient is a food producing animal, the veterinarian prescribes a sufficient time period for drug withdrawal before the food from the patient may be marketed.

(5) A veterinarian shall not transmit a prescription electronically unless the client approves the transmission and the prescription is transmitted to a pharmacist or veterinarian designated by the client.

(6) A veterinarian shall not refuse to write an otherwise appropriate prescription for a patient with a valid VCPR solely because the prescription may be filled at an establishment other than the veterinarian's own clinic or pharmacy.

Section 3. Labeling.

(1) A veterinarian shall not dispense a drug that has been prepared, mixed, formulated, or packaged by the veterinarian unless the veterinarian affixes to the container in which the drug is dispensed a label containing

all of the information specified in Section 2(1) of this administrative regulation, except the address of the client.

(2) A veterinarian shall not dispense a veterinary prescription drug that has been prepackaged by its manufacturer for dispensing unless the veterinarian affixes to the container in which the drug is dispensed a label containing all of the information specified in Section 2(1) of this administrative regulation, except the address of the client.

(3) A veterinarian may dispense a veterinary over-the-counter drug without affixing any information to the container in which the drug is dispensed if a label that has been affixed to the container by its manufacturer provides adequate information for its use.

Section 4. Prescription Records.

(1) A veterinarian shall maintain complete records of each veterinary prescription drug that the veterinarian receives, prescribes, dispenses, or administers, and of each prescription issued by the veterinarian that authorizes extra-label use.

(2) Records of each veterinary prescription drug shall include:

(a) The name of each veterinary prescription drug that is received;

(b) The name and address of the person from whom the drug is received;

(c) The date and quantity received;

(d) The name and address of the person to whom the drug is dispensed;

(e) The date and quantity dispensed; and

(f) If the veterinarian prescribes or administers the drug, the information specified in Section 2(1) of this administrative regulation.

(3) Records of each prescription authorizing extra-label use shall include the information specified in Section 2(1) of this administrative regulation.

(4) A veterinarian shall maintain records of each veterinary prescription drug for at least five (5) years after the date on which the veterinarian prescribes, dispenses, or administers the drug or extra-label use.

Section 5.

(1) A veterinarian may refuse to write a prescription for controlled substances or a prescription for any medication that, in the veterinarian's medical judgment, is not appropriate for the patient's medical care.

(2) A veterinarian may refuse to write a prescription if it is not directly requested by a client with whom there is, in the veterinarian's opinion, a current and existing VCPR.

(3) A prescription shall be construed to include any manner of authorization for filling a prescription, including verbal or electronic communication.

(4) The veterinarian may delegate to an office employee the authority to communicate a refill of a legend drug to the pharmacy on behalf of the veterinarian pursuant to written protocol established prior to the delegation of that authority.

Section 6.

(1) A veterinarian shall ensure that federal legend drugs and veterinary prescription drugs are maintained, logged, administered, prescribed, dispensed, and destroyed in compliance with state and federal laws.

(2) A veterinarian shall not prescribe or dispense a quantity of drug that is greater than that the amount required for one (1) year of treatment for an animal, herd, or flock.

(3) To prescribe, sell, distribute, or dispense any drug requiring a prescription for use in the context of an animal, herd, or flock, a veterinarian shall first do all of the following:

(a) Perform an appropriate history and physical examination;

(b) Make a diagnosis based upon the history, physical examination, and pertinent diagnostic and laboratory tests;

(c) Formulate a therapeutic plan, and discuss it with the animal's owner (or the owner's agent), along with the basis for it and the risks and benefits of various treatments options, a part of which might be a prescription drug; and

(d) Ensure availability of the veterinarian or the veterinarian's staff for appropriate follow-up care.

Section 7. Rabies Vaccine Administration. The administration of a rabies vaccine shall be in accordance with the provisions of KRS 258.015 and 902 KAR 2:070.

Section 8.

(1) A veterinarian may dispense a prescription drug only if the prescribing veterinarian has established a VCPR.

(2) If the dispensing veterinarian does not have a VCPR, a licensed veterinary technician or a veterinary assistant may assist in the delivery of a veterinary drug, legend drug, or veterinary prescription drug only while he or she is under the direct supervision of a licensed veterinarian.

(3) If the dispensing veterinarian does have a VCPR, a licensed veterinary technician or veterinary assistant may assist in the delivery of a veterinary drug, legend drug, or veterinary prescription drug while he or she is under the indirect supervision of a licensed veterinarian.

(4) If a licensed veterinary technician or a veterinary assistant acts under the provisions of this section, the licensed veterinarian shall ensure that the requirements of this administrative regulation are met.

Section 9. Enforcement. If the board has reason to believe that a veterinarian or person claiming to be a veterinarian is violating or has violated this administrative regulation, the board may:

(1) Inspect the premises on which the veterinarian or person claiming to be a veterinarian possesses, prescribes, dispenses, labels or administers veterinary drugs;

(2) Inspect relevant records, equipment, materials, containers, or facilities;

(3) Collect samples of veterinary drugs found on the premises; and

(4) Conduct any other investigative activities necessary to open a case and issue a determination and, if necessary, hold hearings and enact discipline on the individual.

(46 Ky.R. 1745, 2477, 2618; eff. 6-30-2020.)

201 KAR 16:610 - Procedures for grievances, investigations, and administrative charge

RELATES TO: KRS Chapter 13B, 61.870 - 61.884, 321.190, 321.235(2), 321.351, 321.353, 321.360

STATUTORY AUTHORITY: KRS 321.235(2), (3), 321.240(5), 321.351, 321.353, 321.360

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.235(2) authorizes the Kentucky Board of Veterinary Examiners to investigate an allegation of a practice that violates the provisions of KRS Chapter 321. KRS 321.235(3) and 321.240(5) authorize the board to promulgate administrative regulations to implement KRS Chapter 321. This administrative regulation establishes the procedures for handling grievances, investigations, and administrative charges.

Section 1. Definition. "Grievance" means a complaint or any allegation of misconduct that might constitute a violation of KRS Chapter 321 or 201 KAR Chapter 16.

Section 2. Intake of Grievances.

(1)

(a) A grievance may be submitted by any individual, organization, credential holder, or entity.

(b) The board or its chair or its executive director may submit a grievance on its own initiative based on information in its possession that the board concludes is sufficiently credible to justify a request for a response from the credential holder (or other individual named in the grievance).

(2) The grievance shall be in writing on a Grievance Form or online equivalent form provided by the board, and shall include the complaining party's name, address, telephone number, and signature. Electronic signatures shall be accepted.

(3) At any time, the board may investigate or seek further information about any subject regarding a grievance filed with the board, or upon information received which may lead to a grievance filed with or by the board.

(4) The board shall send a copy of each grievance to the credential holder (or other individual named in the grievance) along with a request for a response. The response shall be required within twenty (20) days from the date of when the board sent a copy of the written grievance. Failure to respond in writing within twenty (20) days may constitute a violation of KRS Chapter 321 and 201 KAR Chapter 16.

Section 3. Initial Review of Grievances.

(1) After the time period for the credential holder's (or named individual's) response has elapsed, at the next scheduled board meeting the Grievance Committee shall consider the grievance, the response if one was received, and other relevant information that is available to the Committee.

(2) The Grievance Committee shall determine if an investigation is warranted after reviewing the information that is available.

(3) If, in the opinion of the Grievance Committee, a grievance does not warrant an investigation, then the board shall notify the complaining party and the respondent that the grievance is being dismissed.

(4) The dismissal of a grievance shall constitute a final action of the board. Following the dismissal, the grievance, the response from the individual named in the grievance, and correspondence that is intended to give notice of the dismissal shall be subject to disclosure pursuant to the Kentucky Open Records Act, KRS 61.870 through 61.884.

(5) If, in the opinion of the committee, a grievance warrants an investigation, then the board shall open an investigation into the matter.

Section 4. Investigations.

(1) The Grievance Committee shall have the authority to direct an investigation and shall exercise those powers possessed by the board in regard to investigations as provided by KRS 321.235.

(2) The Grievance Committee shall have the authority to request the participation of any person in an investigation. The refusal or failure of any board credential holder to participate when requested, or to provide information and documents requested by the committee within the requested timeframe, shall be considered a violation of KRS Chapter 321 and 201 KAR Chapter 16.

(3) Investigative reports shall be reviewed at a meeting of the committee.

Section 5. Reports and Recommendations Following Investigation.

(1) If the committee determines that the results of an investigation do not warrant the issuance of an administrative charge against the individual named in the grievance, then the board shall notify the complaining party and the individual that the grievance is being dismissed without further action.

(2) The dismissal of a grievance following an investigation shall constitute a final action of the board. Following the dismissal, the grievance, the response from the individual named in the grievance, correspondence that is intended to give notice of the dismissal, and any other documents obtained or generated during the investigation (other than those documents that are subject to a legitimate claim of privilege or otherwise exempt from disclosure by law) shall be subject to disclosure pursuant to the Kentucky Open Records Act, KRS 61.870 through 61.884.

(3) If the committee determines that the results of an investigation warrant the issuance of an administrative charge against a credential holder, then the board may seek settlement or file a notice of administrative hearing under KRS Chapters 13B and 321.

(4) If the committee determines that the results of an investigation warrant proceedings against a person who is not a credential holder, then the board shall cause a civil action to be prepared for filing in the Franklin Circuit Court or other court of competent jurisdiction.

Section 6. Proceedings Following the Issuance of an Administrative Charge.

(1) The board shall arrange for the appointment of a hearing officer in accordance with KRS 13B.030 and 13B.040.

(2) The board's legal counsel shall act as the prosecuting attorney in regard to any disciplinary proceeding unless the board appoints a special prosecuting attorney.

(3) The board may appoint a representative of the Attorney General's office or another attorney to act as advisory counsel to the board in regard to any deliberations of the board following the issuance of an administrative charge.

(4) The provisions of KRS Chapter 13B shall govern the conduct of the proceeding.

(5) The board shall order the respondent to file an Answer to the Notice of Administrative Hearing within twenty (20) days of the date the Notice of Administrative Hearing was served on the respondent.

Section 7. At the conclusion of the case, the board shall notify the complainant of the outcomes.

Section 8. Incorporation by Reference.

(1) "Grievance Form", 12/2022, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subjected to applicable copyright law, at the Kentucky Board of Veterinary Examiners, 107 Corporate Drive, Frankfort, Kentucky 40601, Monday through Friday, 8:30 a.m. to 4:30 p.m. This material may also be obtained at www.kybve.com.

(46 Ky.R. 1747, 2620; eff. 6-30-2020; 49 Ky.R. 1480; eff. 7-5-2023.)

201 KAR 16:612 - Notice to Comply (NC) and Notice of Violation (NOV).

RELATES TO: KRS 321.187, 321.190, 321.203, 321.205, 321.207, 321.208, 321.211, 321.221, 321.235, 321.236, 321.352, 321.441, 321.442, 321.443, 321.990

STATUTORY AUTHORITY: KRS 321.235(1)(b), 321.235(2)(h)

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.235(2)(h) authorizes the board to issue a notice to comply (NC) or a notice of violation (NOV) to any person for violations of KRS Chapter 321. KRS 321.235(1)(b) requires the board to promulgate administrative regulations to implement KRS Chapter 321. This administrative regulation establishes the process and effect of issuing an NC and an NOV.

Section 1. Notice to Comply (NC).

(1) The board, or an employee or agent of the board, may issue an NC to any person or business for violation of any provision of KRS Chapter 321 or 201 KAR Chapter 16.

(2) An NC may be issued during an inspection to request additional information needed to determine compliance or as a notice to correct a minor violation found during the inspection. The failure to provide

the information requested or to correct the violation within the time allotted may result in an NOV being issued.

(3) An NC from the board shall contain:

(a) The name and address of the person or business to whom it is issued;

(b) A description of any information that is being requested;

(c) A citation to any statutory or regulatory requirement that has been or may have been violated;

(d) A description of the circumstances surrounding any violation or possible violation for which additional information is requested;

(e) Measures required to comply with the NC;

(f) A reasonable time for compliance;

(g) Notice that failure to take required action may result in the issuance of an NOV;

(h) Identification of the board's agent issuing the form; and

(i) The date the NC was issued.

(4) An NC may be issued in tangible or electronic form.

Section 2. Notice of Violation (NOV).

(1) The board, or an employee or agent of the board, may issue an NOV to any person for violation of any provision of KRS Chapter 321 or 201 KAR Chapter 16.

(2) An NOV establishes that a violation of statute or administrative regulation exists and that a business or person is operating in violation of the law and is subject to penalty pursuant to KRS Chapter 321.

(3) Each day or part of a day that a violation continues is a separate violation subject to daily penalties.

(4) An NOV from the board shall contain:

(a) The name and address of the person or business to whom it is issued;

(b) The items listed in KRS 321.235(2)(h);

(c) Notice that each day or part of a day that a violation continues is a separate violation;

(d) Notice of the penalty for the violation or violations for which the notice was issued;

(e) Identification of the board's agent issuing the notice; and

(f) Date the NOV was issued.

(5) An NOV may be issued in tangible or electronic form.

(51 Ky.R. 824, 1272; eff. 4-2-2025.)

201 KAR 16:614 - Fines.

RELATES TO: KRS 321.190, 321.201, 321.207, 321.236, 321.352, 321.441, 321.990

STATUTORY AUTHORITY: KRS 321.235(1)(b), 321.352(1)-(4)

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.352(1) requires the board to establish the amounts, limits, or ranges for any fines imposed under KRS Chapter 321 through the promulgation of administrative regulations. KRS 321.235(1)(b) requires the board to promulgate administrative regulations to implement and enforce KRS Chapter 321 and 201 KAR Chapter 16. This administrative regulation establishes the amounts, limits, or ranges for all fines imposed under KRS Chapter 321.

Section 1. Mandatory Fines.

(1) A person who, for practicing or performing services without a credential issued by the board, violates or aids in the violation of:

(a) KRS 321.190 shall be fined per violation per day for practice as a veterinarian:

1. For the first offense in an amount of not less than $250 and not more than $500; and

2. For subsequent offenses in an amount of not less than $500 and not more than $1,000;

(b) KRS 321.190 shall be fined per violation per day for practice as a veterinary technician:

1. For the first offense in an amount of not less than $100 and not more than $250; and

2. For subsequent offenses in an amount of not less than $250 and not more than $500;

(c) KRS 321.201 shall be fined per violation per day for the veterinarian supervisor and the individual acting as a special permittee:

1. For the first offense in an amount of not less than $250 and not more than $500; and

2. For subsequent offenses in an amount of not less than $500 and not more than $1,000;

(d) KRS 321.207 shall be per violation per day for the animal control agency, the designated on-site manager, and the individual acting as an animal euthanasia specialist:

1. For the first offense in an amount of not less than $50 and not more than $150; and

2. For subsequent offenses in an amount of not less than $150 and not more than $300;

(e) KRS 321.236 shall be fined per violation per day for the veterinarian manager and the registered responsible party:

1. For the first offense in an amount of not less than $250 and not more than $500; and

2. For subsequent offenses in an amount of not less than $500 and not more than $1,000; and

(f) KRS 321.441 shall be fined per violation per day:

1. For the first offense in an amount of not less than $100 and not more than $250; and

2. For subsequent offenses in an amount of not less than $250 and not more than $500.

(2) A person who is issued a notice of violation by the board for failure to comply with KRS Chapter 321 or 201 KAR Chapter 16 shall be fined in the amount per violation per day:

(a) For the first offense in an amount of not less than $100 and not more than $250; and

(b) For subsequent offenses in an amount of not less than $250 and not more than $500.

(3) A person who exercises or attempts to exercise control over, interferes with, or attempts to influence the professional judgment of a credential holder in any manner, including through coercion, collusion, extortion, inducement, or intimidation shall be fined per violation per day:

(a) For the first offense in an amount of not less than $500 and not more than $1,000; and

(b) For subsequent offenses in an amount of not less than $1,000 and not more than $2,500.

(4) A person who violates any ruling of the board or hinders any agent of the board in carrying out the duties assigned to the agent shall be fined per violation per day:

(a) For the first offense in an amount of not less than $500 and not more than $1,000; and

(b) For subsequent offenses in an amount of not less than $1,000 and not more than $2,500.

(5) A person who is an officer who refuses to enforce the provisions of KRS Chapter 321 if called upon by the board to do so shall be fined per violation per day:

(a) For the first offense in an amount of not less than $100 and not more than $250; and

(b) For subsequent offenses in an amount of not less than $250 and not more than $500.

(6) A person who attempts in any way to hinder or obstruct the board in carrying out the provisions of KRS Chapter 321 shall be fined per violation per day:

(a) For the first offense in an amount of not less than $100 and not more than $500; and

(b) For subsequent offenses in an amount of not less than $500 and not more than $1,000.

(7) A person who resists, obstructs, interferes with, threatens, attempts to intimidate, or in any other manner interferes with an agent of the board or who willfully refuses to obey their lawful order shall be fined per violation per day:

(a) For the first offense in an amount of not less than $500 and not more than $1,000; and

(b) For subsequent offenses in an amount of not less than $1,000 and not more than $2,500.

Section 2. Permissive Fines.

(1) The board may impose an additional fine per violation per day for a person who is convicted under KRS 321.990:

(a) For the first offense in an amount of not less than $500 and not more than $1,000; and

(b) For subsequent offenses in an amount of not less than $1,000 and not more than $2,500.

(2) The board may impose an additional fine for any violation of the Kentucky Veterinary Medicine Practice Act that consists of an amount equal to the cost of investigative and legal fees, court reporters, expert witnesses, administrative hearing officers, and all related costs incurred by the board in processing the case.

Section 3. Continuing Violation. Each day or part of a day that a violation continues is a separate violation and subject to additional fines per day.

(51 Ky.R. 826, 1273; eff. 4-2-2025.)

201 KAR 16:701 - Standards for medical records.

RELATES TO: KRS 257.080, 258.043, 258.065, 321.175, 321.181, 321.185, 321.187, 321.188, 321.200

STATUTORY AUTHORITY: KRS 321.175, 321.187, 321.235(2)(b)3.c.

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.175 establishes that the purpose of the Kentucky Veterinary Medicine Practice Act is to promote, preserve, and protect public health, safety, and welfare. KRS 321.235(2)(b)3.c. authorizes the Kentucky Board of Veterinary Examiners to promulgate administrative regulations to establish standards in medical records. This administrative regulation establishes standards for medical records created for animal patients by board credential holders.

Section 1. Definitions.

(1) "Clinical encounter" means an interaction between a patient, client, and a healthcare provider for the purpose of providing healthcare services or assessing the health status of a patient and is the point at which decisions about diagnosis and treatment are made and during which care takes place.

(2) "Complete medical record" means the record contains sufficient information to:

(a) Identify the patient and the client;

(b) Support the diagnosis or condition;

(c) Justify the care, treatment, and services;

(d) Provide options for spectrum of care, where appropriate;

(e) Document the course and results of care, treatment, and services; and

(f) Promote continuity of care among providers.

Section 2. Veterinary medical records shall be:

(1) Safeguarded against loss, tampering, or use by unauthorized persons;

(2) Be readily available to the veterinarian, other veterinarians at the same practice, employees of the veterinarian, and other authorized persons;

(3) Contain sufficient information to permit any veterinarian to proceed with the care and treatment of the patient by reading the medical record; and

(4) Be completed no more than forty-eight (48) hours following the clinical encounter.

Section 3. Maintenance of Records.

(1) Medical records shall be maintained in accordance with KRS 321.187.

(2) Cessation from practice, either temporarily or permanently, shall not relieve the practitioner from compliance with this section.

(3) Records stored by a third party shall not relieve the veterinarian or AAHP from the responsibility of supplying records to the client upon request.

(4) There shall not be a charge for a board investigation.

Section 4. Veterinary medical records shall, at a minimum, include:

(1) Patient or herd identification;

(2) Client identification;

(3) A record of every clinical encounter and consultation regarding the patient;

(4) Written or digital records and notes of each clinical encounter, including:

(a) Diagnosis or differential diagnosis;

(b) Treatments recommended, including spectrum of care options;

(c) Treatment plan agreed upon with client;

(d) If a prescription is issued, prescription details consistent with the requirements of 201 KAR 16:600;

(e) Recommendations;

(f) If a medical determination is made via telemedicine, a written statement about the digital information used to make the decision;

(g) If surgery is performed, details of surgery, including:

1. Amounts and duration of any drugs, sedatives, or other substances administered;

2. Documentation of appropriate, species-specific anesthetic monitoring, which may include temperature, pulse, and respiration;

3. Documentation of recovery; and

4. Materials used, including at a minimum:

a. Suture materials;

b. Mesh materials; and

c. Other materials used; and

(h) Any other pertinent details;

(5) Laboratory reports;

(6) Any information received as the result of a consultation, including the date, name, and contact information of the consultant;

(7) A reference notation of the existence of radiographs, sonographic images, video recordings, photographs, or other diagnostic imaging, with ready access to or copies of those images available;

(8) Any authorizations, details of conversations, releases, waivers, patient discharge instructions, records of informed consent, or other related documents;

(9) The first and last name of the veterinarian, licensed veterinary technician, or veterinary assistant, or AAHP permit holder practicing on the patient during the visit, whether in-person or via telehealth, or an identifying code that corresponds to the first and last name of the practitioner or person making the entry pursuant to subsection (12) of this section;

(10) The first and last name of the person making each entry in the medical record, or an identifying code for each person pursuant to subsection (12) of this section;

(11) The name of the veterinary facility or premises where the clinical encounter took place; and

(12) If an identifying code is used to denote the first and last name of the person making an entry into the medical record, a list of identifying codes and corresponding first and last names shall be made readily available with the medical records to the client or the board upon request.

Section 5.

(1) A person shall not:

(a) Intentionally create a false record;

(b) Make a false statement; or

(c) Alter or modify any medical record, document, or report concerning treatment of a patient.

(2) When correcting a completed medical record for a clinical encounter, the original content shall be readable, and the alteration shall be clearly identified with the:

(a) Correction;

(b) Reason for the correction;

(c) Date of correction; and

(d) First and last name of the person making the correction, or an identifying code pursuant to Section 4(12) of this administrative regulation.

Section 6. Rabies Clinics.

(1) During each rabies clinic held pursuant to KRS 258.043, copies of medical records shall be retained for each patient clinical encounter beyond the rabies vaccination.

(2) For rabies vaccinations only, a copy of the rabies certificate satisfies the requirement of this section.

Section 7. Confidentiality of Records. Medical records shall be kept confidential in accordance with KRS 321.187(6).

(50 Ky.R. 518, 1309, 1479; eff. 4-2-2024.)

201 KAR 16:702 - Standards for veterinary surgery.

RELATES TO: KRS 321.175, 321.190, 321.193, 321.441, 321.443

STATUTORY AUTHORITY: KRS 321.175, 321.235(2)(b)3.c.

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.175 establishes that the Kentucky Board of Veterinary Examiners shall protect the public by ensuring only qualified individuals are allowed to practice veterinary medicine in the Commonwealth in the interest of the health, safety, and welfare of the animal population and the citizens of Kentucky. KRS 321.235 requires the board to promulgate administrative regulations in accordance with KRS Chapter 13A to effectively carry out and enforce the provisions of this chapter. KRS 321.190 and 321.193 establish that a license is required for veterinarians to practice veterinary medicine in the Commonwealth. KRS 321.441 and 321.443 establish that veterinary technicians and veterinary assistants shall be properly supervised when assisting a veterinarian with the practice of veterinary medicine. This administrative regulation sets forth minimum standards for surgical procedures to ensure the safety and welfare of animal patients, and provides confidence in basic care and support for clients.

Section 1. Definitions.

(1) "Animal" is defined by KRS 321.181(5).

(2) "Large animal" includes bovids, camelids, cervids, equids, swine, or other animals ordinarily raised or used on a farm.

(3) "Patient" is defined by KRS 321.181(47).

(4) "Professional arrangements" means that the veterinary facility where surgery takes place or the veterinarian who performed surgery shall not list another veterinary facility as able to provide services to a client unless they have previously confirmed that the alternate veterinary facility is available to provide services. This shall not need to be done on a case-by-case basis but may be professionally arranged in advance for all clients.

(5) "Small animal" includes any animal not within the definition of large animal, and regardless of weight includes avians, canids, felines, rabbits, pocket pets, and other animals typically kept as companion animals.

Section 2. All veterinary surgical procedures performed in the Commonwealth shall comply with the following basic surgical standards.

(1) If patients are housed or retained for treatment in a veterinary facility:

(a) Appropriate housing shall be provided for each patient before and after surgery; and

(b) Enclosures shall be secure and provide a flat surface for the patient that is clean, dry, and warm with adequate space for the patient to turn around, while allowing for safety at various stages of sedation and anesthesia and sufficient visibility by the staff.

(2) All drugs and biologicals shall be labeled in accordance with 201 KAR 16:600, and procured, managed, and disposed of in compliance with state and federal laws.

(3) During the postoperative period, care shall be taken to provide patients with a smooth transition from the anesthetized state.

(4) Plans shall be in place to handle any emergency that might occur throughout the procedure, and immediately postoperatively while the patient is with the veterinarian or in the veterinary facility.

(5) Immediately prior to release, patients shall be evaluated and deemed adequately recovered, stable, mobile, and within normal physiological parameters following anesthesia. A veterinarian shall use their best professional judgment and medical training to make an appropriate determination about recovery for the specific species and patient.

(6) The client shall be provided clear instructions for postoperative care in writing. For clients who are provided repeated services, a single instance of written instructions may be provided during the term of the VCPR pursuant to KRS 321.185.

(7) The client shall be provided options in writing for follow-up or emergency care during the forty-eight (48) hour period after surgery that includes information for a twenty-four (24) hour emergency veterinary facility or with another veterinary facility where professional arrangements have been made to see clients.

Section 3. Additional Requirements for Small Animal Patients. All veterinary medical procedures performed on small animals in the Commonwealth shall comply with Section 2 of this administrative regulation and the following basic surgical standards.

(1) The operating area shall:

(a) Be dedicated to surgery while in use for surgical purposes; and

(b) Contain the necessary equipment for anesthesia, appropriate intubation, administration of oxygen, and monitoring.

(2) A veterinarian and operating area personnel shall establish, maintain, and comply with:

(a) Infectious disease protocols to be performed in an environment to minimize infectious disease;

(b) Aseptic surgical technique protocols;

(c) Sterile instruments protocols ensuring separate sterile instruments to be used for each patient. Cold sterilization shall not be an appropriate method to adequately sterilize surgical instruments for small animals, except for cold sterilization for endoscopic, laproscopic, and arthroscopic procedures. In these allowable

instances of cold sterilization, the method is permitted only by use of FDA-Cleared Liquid Chemical Sterilants and High Level Disinfectants;

(d) Anesthetic protocols that are balanced and include sedation, the provision of peri- and post-operative analgesia, stress reduction, muscle relaxation, and controlled, complete recovery of consciousness prior to discharge;

(e) Pre- and post-op monitoring protocols to monitor patients; and

(f) Thermal support protocols.

Section 4. Responsibility for Patient Care.

(1) During the forty-eight (48) hour period after surgery, a client shall be provided information in accordance with Section 2(7) of this administrative regulation.

(2) If there are no personnel on the premises during any time a patient is left at the veterinary facility:

(a) Prior notice of this fact shall be given to the client in writing and the notification recorded in the medical records; and

(b) If requested, the client shall be provided an option to transfer the patient care to a twenty-four (24) hour facility.

Section 5. Large Animal Patient Standards and Exceptions.

(1) Field surgeries shall be performed within an appropriate environment as possible.

(2) Appropriate cold sterilization is acceptable in field work.

(3) During the postoperative period, care shall be taken to provide patients with a smooth transition from the anesthetized state. A veterinarian shall use their best professional judgment and medical training to make an appropriate determination about recovery for the specific species and patient.

(4) All drugs and biologicals shall be labeled in accordance with 201 KAR 16:600, and procured, managed, and disposed of in compliance with state and federal laws.

(5) Plans shall be in place to handle any emergency that might occur throughout the procedure, and postoperatively while the patient is with the veterinarian.

(6) The client shall be provided clear instructions for postoperative care in writing. For clients who are provided repeated services, a single instance of written instructions may be provided during the term of the VCPR pursuant to KRS 321.185.

(7) The client shall be provided options in writing for follow-up or emergency care during the forty-eight (48) hour period after surgery that includes information for a 24-hour emergency veterinary facility or professional arrangements with another veterinary facility.

(50 Ky.R. 520, 1312, 1481; eff. 4-2-2024.)

201 KAR 16:730 - Approved allied animal health professional (AAHP) programs; education requirements.

RELATES TO: KRS 321.175, 321.181, 321.235, 321.251, 321.255

STATUTORY AUTHORITY: KRS 321.181(1)-(4), 321.235(1)(a)-(c), (2)(b)2., 321.251, 321.253

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

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.235(1)(b) requires the board to promulgate administrative regulations to implement and enforce KRS Chapter 321. KRS 321.235(2)(b)2. authorizes the board to promulgate administrative regulations to require an AAHP applicant to successfully complete training from an approved allied animal health professional program in order to qualify for a license from the board. This administrative regulation establishes the allied animal health professional educational programs approved by the board.

Section 1. Definitions.

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

(2) "Approved allied animal health professional program" is defined by KRS 321.181(10).

Section 2. Education Requirements.

(1) To be considered for approval by the board, as one (1) component of the Application for an Allied Animal Health Professional (AAHP) Provider License Form, as incorporated by reference in 201 KAR 16:732, an applicant for an AAHP license shall meet and show proof of the requirements as established in subsections (2) and (3) of this section.

(2) For an AAHP animal chiropractic provider (ACP) license:

(a) Holding current licensure in good standing from the Kentucky Board of Chiropractic Examiners; and

(b) Maintaining a current certificate in good standing with an approved allied animal health professional program designated in Section 3 of this administrative regulation.

(3) For an AAHP equine dental provider (EDP) license:

(a) Certification from an International Association of Equine Dentistry (IAED) EPD educational program that held full or limited approval by the IAED on the date when the applicant completed the educational program; and

(b) A current certificate of good standing, and not solely membership, with an approved allied animal health professional program designated in Section 3 of this administrative regulation.

Section 3. Approved allied animal health professional programs.

(1) For ACP programs, the board approves the allied animal health professional programs on animals from the:

(a) American Veterinary Chiropractic Association (AVCA);

(b) International Veterinary Chiropractic Association (IVCA); or

(c) An approved program of the AVCA or IVCA.

(2) For EDP programs, the board approves the allied animal health professional programs on animals from the:

(a) IAED approved academic institutions as listed on the association's publicly available website available at https://www.iaedonline.com/education/; or

(b) A similar professional organization with standards meeting or exceeding those of other board-approved organizations, as determined by the board through the completion of a Request for Continuing Education Course Approval form as incorporated by reference in 201 KAR 16:516, Section 7, and with subsequent approval by the board.

Section 4. Continuing education required. As one (1) part of the requirements for an allied animal health professional license to be granted and renewed, the AAHP provider shall provide proof that the degree or certificate obtained from the approved allied animal health professional program is in an active or current status with:

(1)

(a) The professional licensing board as required in Section 2(2)(a) of this administrative regulation, if applicable to the credential holder and required by the board; and

(b) The approved allied animal health professional program certifying entity identified in Section 3 of this administrative regulation.

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

(201 KAR 016:730. 51 Ky.R. 1018, 1672; eff. 7-1-2025; 52 Ky.R. 433, 1514; eff. 6-2-2026.)

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

RELATES TO: KRS 321.175, 321.181, 321.235, 321.251, 321.255

STATUTORY AUTHORITY: KRS 321.181(1)-(4), 321.235(1)(a)-(c), (2)(b)2., 321.251, 321.255

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

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.235(1)(b) requires the board to promulgate administrative regulations in accordance with KRS Chapter 13A to effectively carry out and enforce the provisions of KRS Chapter 321. KRS 321.235(2)(b)2. authorizes the Kentucky Board of Veterinary Examiners to establish examination requirements and passing scores for allied animal health professionals. This administrative regulation establishes examination requirements as one (1) part of the requirements to qualify for an allied animal health professional (AAHP) license from the board.

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

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

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

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

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

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

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

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

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

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

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

(201 KAR 016:731.; eff. 6-2-2026.)

201 KAR 16:732 - Application requirements for AAHP permits -- reinstatement.

RELATES TO: KRS 321.175, 321.181, 321.189, 321.200, 321.235, 321.251, 321.253, 321.255, 321.257

STATUTORY AUTHORITY: KRS 321.181(1)-(4), 321.235(1)(a)-(c), (2)(b)2., 321.251(4), 321.253, 321.255

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

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.235(1)(b) requires the board to promulgate administrative regulations to implement and enforce KRS Chapter 321. KRS 321.235(2)(b)2. authorizes the board 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. This administrative regulation establishes application requirements for individuals applying for an AAHP license from the board in the Commonwealth of Kentucky.

Section 1. Definitions.

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

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

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

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

(5) "Fixed facility" is defined by KRS 321.181(40).

(6) "Legacy candidate" means a candidate for licensure that did not complete the board-approved allied animal health professional program or board-approved qualifying exam for an AAHP license, but holds significant experience as defined in Section 3 of this administrative regulation which shall qualify the person for consideration of an AAHP license from the board.

(7) "Mobile facility" or "mobile unit" is defined by KRS 321.181(48).

(8) "Registered responsible party" is defined by KRS 321.181(59).

(9) "Veterinarian" is defined by KRS 321.181(69).

Section 2. Allied animal health professional provider practice falls under the scope and meaning of the practice of veterinary medicine.

(1) A veterinarian shall not be subject to the scope of practice limitations established for an allied animal health professional licensee.

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

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

Section 3. Legacy Candidate Pathway for the AAHP License.

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

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

(3) For an AAHP Animal Chiropractic Provider (ACP) applicant, the legacy candidate pathway shall be open until March 31, 2026. As established in KRS 321.251(4), an AAHP ACP legacy candidate shall submit as a part of an Application for an Allied Animal Health Professional Provider License form or online equivalent form:

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

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

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

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

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

1. Length of time of practice; and

2. Average number of hours practicing per year;

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

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

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

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

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

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

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

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

1. Length of time of practice; and

2. Average number of hours practicing per year;

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

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

(5) The board or the AAHP advisory committee as established in KRS 321.257 under the direction of the board chair may conduct an interview of an AAHP legacy candidate to confirm their eligibility and, as necessary, ascertain details about their experience.

Section 4. Approval of an Allied Animal Health Professional Provider License Application. The board shall issue a license as an AAHP provider in a specific area of practice, as defined in KRS 321.181, to an applicant who:

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

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

(3) Is a person of good moral character. As one (1) element of good moral character, the board shall require each applicant for licensure to submit a full set of the applicant's fingerprints for the purpose of obtaining criminal records checks, pursuant to applicable law and KRS 321.189. All good moral character information, including the information obtained through the criminal background checks, shall be relevant to licensure eligibility determinations to the extent permitted by law;

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

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

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

(7) Has been approved for licensure by the board; and

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

Section 5. New Application for an Allied Animal Health Professional License.

(1) A new application to the board for an allied animal health professional license shall include:

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

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

(c) A current color photograph of the applicant not smaller than 2 in. x 2 in., or a color copy of the applicant's current valid driver's license or passport with photo;

(d) An official licensure verification letter from the professional licensing board in Kentucky in the human AAHP discipline, if required by the application;

(e) An official copy of the certificate of completion or diploma showing graduation from an approved allied animal health professional program established in 201 KAR 16:730;

(f) A copy of any court documents, final orders, settlement agreements, or other documents required by the board in support of the application;

(g) The completed Kentucky Board of Veterinary Examiners State Jurisprudence Examination for AAHPs Exam Answer Sheet for each provider type the applicant is applying for; and

(h) Payment for the application fee required by 201 KAR 16:513.

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

Section 6. License Renewal Required. An AAHP licensee shall renew their license pursuant to 201 KAR 16:735.

Section 7. Inactive Status for an AAHP License. An AAHP licensee may place their license into an inactive status in accordance with 201 KAR 16:580.

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

(1) A reinstatement application shall be required during this period; an application for a new license shall not be accepted until five (5) years after the last date of expiration. Legacy candidates five (5) years after the last date of expiration shall meet the current requirements of KRS Chapter 321 and 201 KAR Chapter 16 and shall no longer qualify for the legacy candidate pathway.

(2) Reinstatement applications to the board for a license as an allied animal health professional shall include:

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

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

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

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

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

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

1. A background check pursuant to Section 9 of this administrative regulation; and

2. Verifications of good standing from all jurisdictions in which an applicant once held or currently holds a license or equivalent credential by the jurisdictional entities which regulate the profession.

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

(1) Conduct a national or jurisdictional level background check on each applicant for licensure. The check shall be processed by a board-approved background check provider, and may include a copy of the applicant's fingerprints captured at a board-approved location;

(2) Reject background checks that do not have an official seal or watermark, or that are more than ninety (90) days old; and

(3) Impose additional requirements as a condition of licensure or deny licensure following the board's review of findings from a background check.

Section 10. Denial. If any of the requirements of this administrative regulation are not met by the applicant, the board shall deny the license application.

Section 11. Incorporation by Reference.

(1) The following material is incorporated by reference:

(a) "Application for an Allied Animal Health Professional (AAHP) Provider License", 8/2025; and

(b) "Reinstatement Application for AAHP Licenses", 11/2025.

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

(201 KAR 016:732.; eff. 6-2-2026.)

201 KAR 16:735 - Renewal requirements for AAHP permits -- renewal notice -- expiration.

RELATES TO: KRS 321.175, 321.181, 321.235, 321.251, 321.255

STATUTORY AUTHORITY: KRS 321.181(1)-(4), 321.235(1)(a)-(c), (2)(b)1., 321.251(4), 321.253

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

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.235(1)(b) requires the board to promulgate administrative regulations to implement and enforce KRS Chapter 321. KRS 321.235(1)(a)-(c) requires the board to promulgate administrative regulations to evaluate the qualifications of applicants for an allied animal health professional (AAHP) license. KRS 321.235(2)(b)1. authorizes the board to require an AAHP licensee to obtain appropriate continuing education to ensure continued competency. This

administrative regulation establishes renewal requirements, renewal notification procedures for AAHP licensees of the board, and required continuing education for AAHP licensees.

Section 1. Renewal Notices and Timeliness of Renewal Applications.

(1) The board shall, not later than August 31 of each year, email or mail to each licensed allied animal health professional a renewal notice.

(2) The Renewal Application for AAHP Licenses shall be completed by the licensee and returned to the board, including all required attachments, fees as required by 201 KAR 16:513, and, if required by the board, proof of course completion for the required continuing education.

(3) Timely receipt of renewal application.

(a) Renewals bearing a postmark, or, if an online renewal, a timestamp, of September 30 or earlier shall be considered received on time.

(b) Renewals bearing a postmark, or, if an online renewal, a timestamp, between October 1 and November 30 shall be considered late and therefore incur a late fee pursuant to 201 KAR 16:513.

(4) The renewal fee, as established in 201 KAR 16:513, shall be attached to the completed Renewal Application for AAHP Licenses form when it is returned to the board or paid online.

Section 2. Continuing Education (CE) Required.

(1) Each AAHP licensee shall list their continuing education hours received on the Renewal Application for AAHP Licenses form or online equivalent form, including all required attachments, and if required, proof of attendance or completion of training to the board.

(a) For AAHP animal chiropractic providers (ACPs), licensees shall show proof of CE for a minimum of six (6) clinical hours annually from:

1. An approved program of the:

a. American Veterinary Chiropractic Association (AVCA); or

b. International Veterinary Chiropractic Association (IVCA); or

2. Animal chiropractic focused CE from one (1) or more of the following organizations:

a. American Veterinary Medical Association (AVMA) or its affiliate organizations as listed on the AVMA website available at https://www.avma.org/about/state-and-allied-groups;

b. American Association of Veterinary State Boards (AAVSB) Registry of Approved Continuing Education (RACE); or

c. A board-approved CE program.

(b) For AAHP Equine Dental Providers (EDPs), licensees shall show proof of CE for a minimum of six (6) clinical hours annually from:

1. The International Association of Equine Dentistry (IAED) annual conference; or

2. Equine dental focused CE from one (1) or more of the following organizations:

a. AVMA or its affiliate organizations as listed on the AVMA website available at https://www.avma.org/about/state-and-allied-groups;

b. Veterinary Dental Forum;

c. American Association of Equine Providers (AAEP);

d. AAVSBRACE; or

3. A board-approved CE program.

(2) AAHP CE hours shall be clinical in a topic specifically related to the area of practice for which they hold a license. Additional CE hours in practice management, wellness, or other topics may be earned, but shall not count toward the CE requirement for renewal or reinstatement of the AAHP license.

(3) CE Format. An AAHP licensee shall earn:

(a) A minimum of three (3) of the required six (6) hours CE for AAHP providers that is earned in person; and

(b) No more than three (3) of the required six (6) CE hours in an online format that is pre-recorded or non-interactive.

(4) All CE earned shall be new continuing education. An AAHP licensee shall not apply CE earned in a prior renewal period, or earned and applied for licensure reinstatement toward renewal of their license in the current renewal cycle.

(5) Continuing education shall be earned from October 1 of each renewal period until September 30 at the end of the period, or until November 30 at the end of the grace period with the addition of a late fee in accordance with 201 KAR 16:513.

(6) Continuing education hours earned during the grace period of a renewal cycle shall not be eligible for credit on subsequent renewal applications.

(7) The board shall not renew the license of any person who fails to appropriately document the required hours of continuing education.

(8) Continuing education requirements shall be waived for a new licensee completing their initial term of licensure who has also achieved board-approved certification within twelve (12) months of initial licensure.

Section 3. The board shall not be held responsible or liable for lost renewal notices, or renewal notices not received, or not received on time.

(1) Regardless of cause, the board shall not be required to refund money to a licensee who fails to renew in a timely manner pursuant to Section 1(3) of this administrative regulation.

(2) Failure to renew by the grace period deadline and in compliance with all requirements of the board shall cause the license to move to expired status. The licensee shall no longer be eligible to practice as an allied animal health professional in Kentucky.

(3) The former licensee may apply for reinstatement of the license within five (5) years from the date of expiration in accordance with 201 KAR 16:732. A Reinstatement Application for Registered AAHP Facilities, as incorporated by reference in 201 KAR 16:775, shall be required during this period; an Application for AAHP Facility Registration, as incorporated by reference in 201 KAR 16:772, for a new license shall not be accepted until five (5) years after the last date of expiration.

Section 4. Duty to Report. Each AAHP licensee shall maintain on file with the board their:

(1) Legal name;

(2) Legal residential address;

(3) Legitimate mailing address. The mailing address shall be subject to public disclosure;

(4) Current employer;

(5) Current email address and phone number; and

(6) Within thirty (30) days, notify the board of any changes to their name or addresses or email address by submitting a completed Request for Name or Address Change form, incorporated by reference in 201 KAR 16:570 or online equivalent form.

Section 5. Incorporation by Reference.

(1) "Renewal Application for AAHP Licenses", 11/2025, is incorporated by reference.

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

(201 KAR 016:735.; eff. 6-2-2026.)

201 KAR 16:737 - Responsibilities for AAHP providers; limitations on practice.

RELATES TO: KRS 321.175, 321.181, 321.187, 321.200, 321.203, 321.205, 321.235, 321.251, 321.255

STATUTORY AUTHORITY: KRS 321.181(1)-(4), 321.203, 321.205, 321.235(1)(a)-(c)(2)(b)2., 321.236, 321.255

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

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.235(1)(b) requires the board to promulgate administrative regulations to implement and enforce KRS Chapter 321 and 201 KAR Chapter 16. KRS 321.235(2)(b)2. authorizes the board to promulgate administrative regulations to establish conditions for licensing, limitations upon the practice of allied animal health professional (AAHP) licensees, and limitations on the scope of practice allowable by AAHP providers on animals. This administrative regulation establishes the responsibilities for AAHP providers licensed by the board, limitations upon their practice on animal patients, and allowable scope of practice for an allied animal health professional's practice on animals.

Section 1. Prohibitions on Practicing Veterinary Medicine.

(1) Except as provided for in KRS 321.200 and this administrative regulation, an allied animal health professional licensee shall not practice veterinary medicine.

(2) An AAHP provider shall be held to the same standard of care as a veterinarian if the licensee provides services within the scope of practice as established in this administrative regulation.

Section 2. Communications with Veterinarians.

(1) To ensure patient safety, an allied animal health professional licensee may communicate with an animal patient's veterinarian regarding services to be rendered by the AAHP provider on an animal to ensure:

(a) Appropriate services are provided; and

(b) No concerns exist related to an animal patient's condition, current treatment regime, and medicines.

(2) If the AAHP provider does not communicate with the animal patient's veterinarian prior to initiation of services, then if an adverse outcome occurs the liability lies solely with the AAHP provider.

(3) AAHP licensees shall communicate findings, services provided, or relevant information to the client and the client's veterinarian within an appropriate timeframe according to the condition, but no more than three (3) business days after services are rendered.

(4) Communication between an AAHP licensee and a veterinarian shall be recorded in the medical record.

(5) An AAHP licensee providing services to a patient that results in harm shall be cause for the AAHP licensee to be liable for that harm. The patient's veterinarian shall not be liable for harm as a result of services provided by an AAHP licensee.

Section 3. Limitations on Practice.

(1) An AAHP licensee shall be limited in their practice on animal patients, as established in KRS 321.255 and this section, or the practice shall be considered the practice of veterinary medicine and subject to penalty for practicing without a veterinarian license from the board.

(2) An AAHP licensee shall only provide AAHP services to the species for which the licensee has received training.

(3) An AAHP licensee's practice shall not be construed to allow on animals the:

(a) Performance of radiographs or other medical imaging;

(b) Performance of surgery;

(c) Performance of shockwave, laser, ultrasound, electrotherapy, or similar therapies;

(d) Rehabilitation activities;

(e) Prescription or dispensation of medications, supplements, or nutraceuticals, or diet;

(f) Provision of dietary guidance;

(g) Administration of medications, except in the context of KRS 321.200(1)(b);

(h) For AAHP equine dental provider (EDP) licensees, offering or conducting of a veterinary oral exam on the mouth of patients; or

(i) Practice of veterinary medicine outside the scope of the allied animal health professional's licensed practice area.

(4) AAHP licensees shall:

(a) Conform with applicable requirements of the Horseracing Integrity and Safety Authority (HISA) and the Kentucky Horse Racing and Gaming Corporation; and

(b) Comply with other state and federal laws.

Section 4. EDP Students.

(1) An EDP licensee who was granted licensure by the board through the traditional licensure pathway and who is certified by a board-approved AAHP program may provide immediate supervision to EDP students, if both the licensed EDP and the EDP student are under the indirect supervision of a Kentucky licensed veterinarian.

(a) The supervising veterinarian shall sign a statement taking on the liability for each student.

(b) An EDP licensee may supervise no more than three (3) students concurrently.

(2) An EDP who was granted licensure by the board through the legacy pathway shall not provide supervision to EDP students.

(3) The supervising veterinarian shall:

(a) Hold a license as a veterinarian in good standing with the board;

(b) Provide indirect supervision of EDP students who are supervised by board-licensed AAHP EDPs, totaling no more than six (6) students concurrently, except as allowable in paragraph (c) of this subsection;

(c) Provide direct supervision in an EDP workshop setting to no more than twenty (20) EDP students;

(d) Be readily available and responsive to the needs of the patient that are beyond the scope of practice allowable by an EDP in KRS 321.255 and as established in this administrative regulation; and

(e) Be available for and provide follow-up care to patients worked on by students.

(4) Prior to an EDP student beginning practice in the commonwealth, the veterinarian supervisor shall complete and submit to the board the Registration for Supervision of EDP Students form or online equivalent form provided by the board, including all required attachments. One (1) attachment shall be a written agreement between the supervising veterinarian, the supervising AAHP EDP, and the EDP student outlining and acknowledging their respective responsibilities for supervision and liability regarding the patient and client.

(5) An EDP student shall be limited in practice to six (6) consecutive months on live, privately owned animals.

(a) The board may extend in writing the allowable period of study for an EDP student for no more than six (6) months at a time and collectively not more than two (2) years in total time.

(b) There shall be no limitation for EDP student work on equine cadavers, except for that which may exist in state or federal laws related to animal cadavers.

Section 5. Record Keeping. An AAHP licensee shall keep medical records on all animal patients on which they practice their profession pursuant to KRS 321.187 and this section.

(1) The AAHP licensee's animal patient medical records shall contain sufficient information to justify and describe the course of care on the patient. The records shall contain, at a minimum:

(a) Name, address, and telephone number of the client, as defined by KRS 321.181(22);

(b) Identity of the animal patient, including name, age, sex, and breed;

(c) Name, address, and telephone number of the animal patient's veterinarian;

(d) Dates of consultations, observations, or services provided;

(e) Brief history of the condition of each animal;

(f) AAHP provider findings and observations;

(g) Plan for services, including expected duration and frequency;

(h) Notations related to provided services;

(i) Progress and disposition of the case;

(j) Name of the AAHP provider or providers providing service to the patient;

(k) Name and contact information of any person consulted for medical advice regarding the patient; and

(l) Communication attempts of the AAHP licensee to the veterinarian of record.

(2) For AAHP EDP licensees, in addition to the information in the medical record as established in subsection (1) of this section, the dental chart shall include:

(a) A disclaimer stating that the work provided is not inclusive of a veterinary oral exam and is ancillary to veterinarian services;

(b) Notes of observations made;

(c) If sedation is administered as allowable by the client or supervising veterinarian, documentation of:

1. Drug name;

2. Amount of drug administered;

3. Route of administration;

4. Time of administration; and

5. If additional drugs are provided, subsequent name of drug, dosage, route, and time of administration for each additional administration event; and

(d) Include a check box for referral to a veterinarian, which shall, as warranted:

1. Be checked if EDP observations determine the need for veterinary attention for the patient; and

2. Include corresponding notes in the observation section of the chart detailing observations and concerns.

(3) For an AAHP-EDP, the dental chart may comprise the medical record if all required information as established in subsections (1) and (2) of this section is included.

(4) Patient medical records shall be complete and accurate.

(5) Patient medical records shall be maintained in the AAHP licensee's registered facility or other location for at least five (5) years past the date of the last patient visit. Cessation from practice, either temporarily or permanently, does not relieve the practitioner from compliance with this section.

(6) An AAHP licensee shall not violate the confidential relationship between the licensee and the client, pursuant to KRS 321.187(6). Consultation by the licensee with another AAHP licensee or veterinarian for the benefit of the patient shall not constitute a violation of confidentiality.

(a) An AAHP licensee shall not release information concerning a client or care of a client's animal, except as authorized by KRS 321.187(6).

(b) An AAHP licensee shall, if requested by the client, communicate their findings, service plan, or records with the client's designated veterinarian.

Section 6. Duty to Report. AAHP licensees shall report to the board:

(1) Any change of name, address, phone, or email within thirty (30) days;

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

(3) Disciplinary action or conviction in any jurisdiction.

Section 7. Compliance and Disciplinary Action.

(1) AAHP licensees shall be subject to disciplinary action for violation of:

(a) KRS Chapter 321 and 201 KAR Chapter 16; and

(b) Other applicable federal, state, and local laws.

(2) The board shall report any grievance or disciplinary action received against an AAHP permittee to the professional licensing board in the human area of specialty and may consult with that board as experts in their professional field.

Section 8. Incorporation by Reference.

(1) "Registration for Supervision of EDP Students", 08/2025, is incorporated by reference.

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

(201 KAR 016:737. eff. 6-2-2026.)

201 KAR 16:750 - Licensed veterinary technicians (LVTs); Veterinary assistants; Scope of practice and supervisory requirements.

RELATES TO: KRS 321.175, 321.190, 321.441, 321.443

STATUTORY AUTHORITY: KRS 321.235(2)(b)3.c., 321.441(3)(b)

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.175 and 321.235 establish that the Kentucky Board of Veterinary Examiners shall protect the public by ensuring only qualified individuals are allowed to engage in the practice of veterinary technology in the Commonwealth to promote, preserve, and protect the public health, safety, and welfare. KRS 321.441 establishes that a license is required for veterinary technicians to practice veterinary technology in the Commonwealth. KRS 321.190(1) establishes that veterinary assistants may work in the Commonwealth without a veterinarian or veterinary technician license. KRS 321.441 and 321.443 establish that licensed veterinary technicians and veterinary assistants shall be properly supervised when assisting a veterinarian with the practice of veterinary medicine. This administrative regulation sets forth the scope of practice for licensed veterinary technicians (LVTs) and veterinary assistants under various levels of veterinarian supervision to ensure the safety and welfare of animal patients, clearly define appropriate roles to be assigned by supervisors, and to provide confidence in basic care and support for clients.

Section 1. Definitions.

(1) "Direct supervision" is defined by KRS 321.181(59)(c).

(2) "Immediate supervision" is defined by KRS 321.181(59)(b).

(3) "Indirect supervision" is defined by KRS 321.181(59)(d).

(4) "Veterinarian-client-patient relationship" or "VCPR" is defined in KRS 321.185.

Section 2. General Provisions.

(1) Supervisors and supervisees are separately responsible for their own actions pursuant to KRS 321.190(7).

(2) Except as authorized by KRS 321.200, KRS 321.201, and subsection (3) of this section, the acts of surgery, diagnosis, prognosis, and prescription are limited to a veterinarian pursuant to KRS 321.190(6).

(3) Veterinary students enrolled in good standing in an approved veterinary medical program or veterinary technology students enrolled in good standing in an approved veterinary technology program may perform tasks related to curriculum advancement or preparation for a board approved national exam while under the direct supervision of a veterinarian or immediate supervision of an LVT.

(4) Persons providing clinical care to patients shall comply with the medical record keeping requirements established in KRS 321.187 and 201 KAR 16:701.

Section 3. Restrictions on the Use of Licensed Veterinary Technicians.

(1) An LVT may perform acts as assigned under the direction, supervision, and responsibility of a board-licensed veterinarian who has established and maintains a current veterinarian-client-patient relationship (VCPR) with the patient and the client in accordance with KRS 312.185.

(2) The veterinarian and LVT shall comply with the record keeping requirements established in KRS 321.187 and 201 KAR 16:701.

(3) The decision about the level of supervision required by an LVT shall be at the discretion and professional judgement of the supervising veterinarian if:

(a) The supervising veterinarian is confident in the level of training and trust in the LVT; and

(b) The tasks assigned to the LVT are not otherwise prohibited by KRS Chapter 321 or 201 KAR Chapter 16 and comply with all state and federal laws.

Section 4. Patient Emergency Care Provided by LVTs. A supervising veterinarian in emergency care situations may assign to an LVT under indirect supervision, through verbal communication or in accordance with the supervising veterinarian's written protocols, the following tasks until the veterinarian is available on the premises to take over treatment:

(1) Application of tourniquets or pressure procedures to control hemorrhage;

(2) Application of appropriate wound dressings in severe burn cases;

(3) Resuscitative oxygen procedures;

(4) Anti-seizure treatment;

(5) Supportive treatment in heat prostration cases;

(6) Administer drugs to control pain and shock; or

(7) Initiate and perform CPR and provide immediate post resuscitation care, including:

(a) Administration of medication; and

(b) Defibrillation according to protocols established in writing at the veterinary facility.

Section 5. Restrictions on the Use of Veterinary Assistants.

(1) Pursuant to KRS 321.443, a veterinarian may employ a veterinary assistant and assign work at the discretion of the supervising veterinarian, except for those tasks identified in subparagraph (2) of this section, if:

(a) The veterinary assistant is under the direction, supervision, and responsibility of a board-licensed veterinarian[,] who has established and maintains a current Veterinarian-Client-Patient Relationship (VCPR) with the patient in accordance with KRS 321.185;

(b) The tasks assigned to the veterinary assistant are at all times:

1. Under the supervision of a veterinarian at a minimum supervisory level as established in subsections (3) through (5) of this section; or

2. Under the immediate or direct supervision of an LVT;

I The supervising veterinarian or supervising LVT is confident in the level of training and trust in the veterinary assistant and their ability to competently and safely perform assigned tasks; and

(d) The tasks assigned to the veterinary assistant comply with all state and federal laws.

(2) A veterinary assistant shall not be assigned the following tasks:

(a) Surgery;

(b) Diagnosis;

I Prognosis;

(d) Prescription;

I Euthanasia; or

(f) Tooth extractions of any kind.

(3) A supervising veterinarian or LVT may assign to a veterinary assistant the following tasks under immediate supervision:

(a) Regional anesthesia, including paravertebral blocks, epidurals, local blocks;

(b) Fluid aspiration from a body cavity or organ, known as centesis; or

I Small animal reproductive ultrasound, and semen collection.

(4) A supervising veterinarian or LVT may assign to a veterinary assistant the following tasks under direct supervision:

(a) Unless prohibited by state or federal regulation, the administration, preparation and application of treatments prescribed by a veterinarian, including:

1. Controlled substances; and

2. Enemas;

(b) Maintenance and recovery tasks following veterinarian or LVT administration of general anesthesia and sedation;

I Non-emergency endotracheal intubation and extubation;

(d) Imaging, including at a minimum:

1. Computed tomography (CT);

2. Magnetic resonance imaging (MRI);

3. Radiography;

4. Ultrasonography;

5. Fluoroscopy; and

6. Administration of radio-opaque agents or materials;

I Floating equine teeth;

(f) Ocular tonometry, Schirmer tear test, and fluorescein stain application; or

(g) Tasks at the discretion of the veterinarian, which are not in contravention of KRS 321.190, 321.181(50), 321.443, and this administrative regulation.

(5) A supervising veterinarian may assign to a veterinary assistant the following tasks under indirect supervision:

(a) Unless prohibited by state or federal law, the administration, preparation, and application of treatments prescribed by a veterinarian, including:

1. Drugs;

2. Medications;

3. Biological and immunological agents;

4. Collection of blood; and

5. Collection and preparation of cellular or microbiological samples by skin scrapings, impressions, or other non-surgical methods;

(b) Intravenous catheterization and maintenance;

I Collection of urine by voided sample;

(d) Monitoring, including at a minimum:

1. Electrocardiogram (ECG);

2. Blood pressure; and

3. CO2 and blood oxygen saturation;

I Clinical laboratory test procedures;

(f) Handling and disposal of biohazardous waste materials;

(g) Implantation of a microchip;

(h) Laser therapy;

(i) Animal rehabilitation therapies; or

(j) Suture and staple removal.

Section 6. Patient Emergency Care Provided by Veterinary Assistants. A supervising veterinarian in emergency care situations may assign to a veterinary assistant who they employ and who is under the veterinarian's direct supervision, through verbal communication and in accordance supervising veterinarian's written protocols, the following tasks:

(1) Application of tourniquets or pressure procedures to control hemorrhage;

(2) Application of appropriate wound dressings in severe burn cases;

(3) Resuscitative oxygen procedures;

(4) Anti-seizure treatment;

(5) Supportive treatment in heat prostration cases;

(6) Administration of drugs to control pain and shock in accordance with state and federal laws; or

(7) Initiation and performance of CPR and performance of immediate post resuscitation care, including:

(a) Administration of medication; and

(b) Defibrillation according to protocols established in writing at the veterinary facility.

(50 Ky.R. 522, 1314, 1485; eff. 4-2-2024.)

201 KAR 16:762 - Application requirements for veterinary facility registration; veterinarian managers; registered responsible parties.

RELATES TO: KRS 258.043, 321.175, 321.181, 321.189, 321.203, 321.236

STATUTORY AUTHORITY: KRS 321.203, 321.235(1)(b), (2)(b)1.c., 3.b., (2)(e), 321.236(1)(a)

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: 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, the registration and regulation of veterinary facilities and mobile facilities where and from which the practice of veterinary medicine occurs. KRS 321.236(1)(a) authorizes the Kentucky Board of Veterinary Examiners to promulgate administrative regulations defining the application requirements and fees for veterinary facilities. 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. This administrative regulation establishes application requirements for veterinary facilities.

Section 1. Definitions.

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

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

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

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

(5) "Premises" is defined by KRS 321.181(52).

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

(7) "Veterinarian manager" is defined by KRS 321.181(68).

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

Section 2. General Requirements. Each veterinary facility that is located in Kentucky where the practice of veterinary medicine or practice of veterinary technology occurs shall possess a veterinary facility registration issued by the Kentucky Board of Veterinary Examiners. Pursuant to KRS 321.236(2), all existing veterinary facilities in Kentucky shall be registered by June 30, 2025.

(1) A veterinary facility registration shall not be issued without a physical facility, either a fixed facility or mobile unit.

(2) A veterinary facility shall be a dedicated space equipped for, staffed, and primarily devoted to the practice of veterinary medicine or the practice of veterinary technology.

(3) A mobile facility shall be registered as an affiliate unit on a fixed facility registration, or independently under a unique veterinary facility registration with a designated physical location for parking and storage.

(4) A registered facility shall have no more than two (2) mobile units under its registration without incurring additional registration and renewal fees as established in 201 KAR 16:515.

(5) A registered veterinary facility shall prominently display the current registration certificate in a public area of the registered facility. The registration certificate shall:

(a) Be legible; and

(b) Show the current dates of registration.

Section 3. Exemptions from Requirements for Veterinary Facility Registration.

(1) The following premises shall be exempt from the requirements of this administrative regulation:

(a) Premises identified in KRS 321.181(71)(b);

(b) An expert who provides consulting services only to other veterinarians, who does not engage in the practice of veterinary medicine on a patient directly, and who does not have a physical facility, either fixed or mobile, where the consultant practices on animal patients;

(c) Public rabies vaccine-only clinics held in accordance with KRS 258.043; and

(d) Government sponsored vaccine clinics for animals solely to prevent infectious disease and that do not include diagnostics, surgery, or the dispensation of prescription medications.

(2) The exception to register a premises as a veterinary facility as identified in subsection (1)(c) and (d) of this section does not alleviate a veterinarian from creating and maintaining medical records in accordance with 201 KAR 16:701.

Section 4. Registered Responsible Party.

(1) Each application for a veterinary facility registration shall name the facility and identify each registered responsible party.

(2) Pursuant to KRS 321.236(5), each registered responsible party shall be accountable for ensuring the requirements of KRS Chapter 321 and 201 KAR Chapter 16 are met, including the timely designation of a veterinarian manager for the veterinary facility in accordance with the provisions of 201 KAR 16:767.

(3) If it is determined that a registered responsible party has violated any provisions of the Kentucky Veterinary Medicine Practice Act or 201 KAR Chapter 16, the board may take disciplinary action equal to that for a licensed veterinarian as provided by the Kentucky Veterinary Medicine Practice Act.

Section 5. Veterinarian Manager.

(1) Each application for a veterinary facility registration shall designate a veterinarian manager. The application shall include the veterinarian manager's original signature, or, if completed online, an equivalent digital signature.

(2) A veterinarian manager shall be responsible for meeting the requirements of KRS Chapter 321 and 201 KAR Chapter 16, including ensuring the requirements for minimum standards are met and maintained.

Section 6. New Application Requirements. A new application to the board for registration as a veterinary facility shall include the following components:

(1) A completed application on an Application for Veterinary Facility Registration form or online equivalent form, including all required attachments and fees pursuant to 201 KAR 16:515;

(2) A complete list of persons or entities who shall be the registered responsible party;

(3) Identification of the veterinarian manager;

(4) Identification of the name, phone, address, and email address of the registered facility;

(5) A copy of the Secretary of State business registration;

(6) Identification of the species served from one (1) or more in a list provided by the board;

(7) Identification of the patient services offered at the veterinary facility from one (1) or more in a list provided by the board;

(8) A complete list of veterinarians working at the facility, excluding veterinarians providing locum services less than fourteen (14) days in a calendar year to the facility;

(9) A complete list of licensed veterinary technicians working at the facility;

(10) A complete list of allied animal health professional (AAHP) permittees working at the facility;

(11) A complete list of mobile units affiliated with the veterinary facility;

(12) Disclosure of after-hours care arrangements;

(13) For fixed facilities, county of facility location and counties served;

(14) If the facility offers a haul-in installation for livestock;

(15) For mobile units, a list of the counties served by the mobile unit;

(16) Hours of operation;

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

(18) Any other information requested by the board in support of the application.

Section 7. Background Checks. Pursuant to KRS 321.189, the board may:

(1) Conduct a national or jurisdictional level background check on each veterinarian manager applicant for registration. The check shall be processed by a board approved background check provider and may include a copy of the applicant's fingerprints captured at a board-approved location;

(2) Reject background checks that do not have an official seal or watermark, or that are more than ninety (90) days old;

(3) Impose additional requirements as a condition of registration or deny registration following the board's review of findings from a background check; and

(4) Waive the background check requirement for a veterinarian manager who is already licensed in Kentucky and if a background check was previously conducted as a condition of licensure.

Section 8. Renewal and Reinstatement of Veterinary Facility Registrations. Pursuant to 201 KAR 16:765, a registered responsible party or veterinarian manager shall:

(1) Ensure the timely renewal of the veterinary facility registration; and

(2) If applicable, ensure an appropriate reinstatement application is made to the board.

Section 9. The veterinary facility registration certificate shall be posted in a publicly viewable area on the facility premises or on the mobile unit.

Section 10. Incorporation by Reference.

(1) "Application for Veterinary Facility Registration", 2/2025, is incorporated by reference.

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

(201 KAR 016:762. 51 Ky.R. 1028, 1682; eff. 7-1-2025.)

201 KAR 16:765 - Veterinary facilities -- Renewal notice -- Requirements for renewal and reinstatement.

RELATES TO: KRS 321.189, 321.203, 321.205, 321.235

STATUTORY AUTHORITY: KRS 321.175(2)(c), (5), 321.203, 321.205, 321.235(1)(b), (2)(e),(f)

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: 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. This administrative regulation establishes requirements for the renewal and reinstatement of veterinary facility registrations.

Section 1. Renewal Notices and Timeliness of Renewal Applications.

(1) The board shall, not later than August 31 of each odd-numbered year, email or mail to each registered veterinary facility a biennial renewal notice.

(2) The renewal application shall be completed by the permittee and returned to the board, including all required attachments and, if required by the board, proof of course completion for the required continuing education.

(3) Timely receipt of renewal application.

(a) Renewals bearing a postmark, or, if an online renewal, a timestamp, of not later than September 30 of every odd numbered year beginning in 2027 and each odd numbered year thereafter shall be considered received on time.

(b) Renewals bearing a postmark, or, if an online renewal, a timestamp, on or after October 1 of every odd year shall be considered late and shall cause the registration status to be changed to expired. There shall be no grace period for registered facility renewal.

(4) Renewal fee.

(a) The renewal fee shall be paid pursuant to 201 KAR 16:515; and

(b) The renewal fee shall be attached to the completed renewal form when it is returned to the board or paid online with the completion of the online renewal form.

Section 2. Renewal Application.

(1) The renewal application for a veterinary facility shall be completed by the registered responsible party or veterinarian manager and returned to the board, including all required attachments.

(2) A renewal application to the board for a veterinary facility registration shall include the following components:

(a) A completed application on a Renewal Application for Registered Veterinary Facilities form or online equivalent form, including all required attachments and fees pursuant to 201 KAR 16:515;

(b) Identification of any changes to the registered responsible party;

(c) Identification of the veterinarian manager;

(d) Identification of the name, phone, or email address of the registered facility;

(e) A current copy of the business registration from the Kentucky Secretary of State;

(f) Identification of the species served from one (1) or more in a list provided by the board;

(g) Identification of the patient services offered at the veterinary facility from one (1) or more in a list provided by the board;

(h) A complete list of veterinarians working at the facility, excluding veterinarians providing locum services on a temporary basis to the facility;

(i) A complete list of licensed veterinary technicians working at the facility;

(j) A complete list of allied animal health professional (AAHP) permittees working at the facility;

(k) A complete list of mobile units affiliated with the veterinary facility;

(l) Disclosure of afterhours care arrangements;

(m) For fixed facilities, county of facility location and counties served;

(n) If the facility offers a haul-in installation for livestock;

(o) For mobile units, a list of the counties served by the mobile unit;

(p) Hours of operation;

(q) A copy of any court documents, final orders, settlement agreements, or other information requested by the board in support of the application; and

(r) Any other information requested by the board in support of the application.

(3) A change in fifty (50) percent or more of ownership or of the registered responsible parties shall be cause for the board to deny the renewal for a veterinary facility registration and require a new veterinary facility registration application.

Section 3. Failure to Renew.

(1) Applicants for renewal that miss the veterinary facility registration renewal deadline shall immediately cease operations offering veterinary services.

(2) If the registered responsible party desires to continue offering veterinary services on the fixed premises or from a mobile unit, they shall submit a complete reinstatement application in accordance with Section 4 of this administrative regulation.

Section 4. Reinstatement. A registered responsible party or veterinarian manager shall apply for reinstatement of an expired veterinary facility registration if not more than five (5) years have elapsed since the last date of registration expiration pursuant to KRS 321.203.

(1) A reinstatement application to the board for a veterinary facility registration shall include the following components:

(a) A completed application on a Reinstatement Application for Registered Veterinary Facilities form or online equivalent form, including the following components, all required attachments, and fees pursuant to 201 KAR 16:515;

(b) Identification of any changes to the registered responsible party;

(c) Identification of the veterinarian manager;

(d) Identification of the name, phone, and email address of the registered facility;

(e) A copy of the business registration from the Kentucky Secretary of State;

(f) Identification of the species served from one (1) or more in a list provided by the board;

(g) Identification of the patient services offered at the veterinary facility from one (1) or more in a list provided by the board;

(h) A complete list of veterinarians working at the facility, excluding veterinarians providing locum services on a temporary basis to the facility;

(i) A complete list of licensed veterinary technicians working at the facility;

(j) A complete list of AAHP permittees working at the facility;

(k) A complete list of all mobile units affiliated with the veterinary facility;

(l) Disclosure of afterhours care arrangements;

(m) For fixed facilities, county of location and counties served;

(n) If the facility offers a haul-in installation for livestock;

(o) For mobile units, a list of the counties served by the mobile unit;

(p) Hours of operation;

(q) A copy of any court documents, final orders, settlement agreements, or other information requested by the board in support of the application; and

(r) Any other information requested by the board in support of the application.

(2) Reinstatement fee.

(a) The reinstatement fee shall be paid in accordance with 201 KAR 16:515; and

(b) The reinstatement fee shall be attached to the completed reinstatement form when it is returned to the board or paid online with the completion of the online reinstatement form, if available.

Section 5. Background Checks. Pursuant to KRS 321.189, the board may:

(1) Conduct a national or jurisdictional level background check on each veterinarian manager applicant for veterinary facility registration. The check shall be processed by a board approved background check provider and may include a copy of the applicant's fingerprints captured at a board-approved location;

(2) Reject background checks that do not have an official seal or watermark, or that are more than ninety (90) days old; and

(3) Impose additional requirements as a condition of registration or deny registration following the board's review of findings from a background check.

Section 6. Incorporation by Reference.

(1) The following material is incorporated by reference:

(a) "Renewal Application for Registered Veterinary Facilities", 3/2025; and

(b) "Reinstatement Application for Registered Veterinary Facilities", 3/2025.

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

(201 KAR 016:765. 51 Ky.R. 1031, 1685, 1770; eff. 7-1-2025.)

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

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

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

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: 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. This administrative regulation establishes the responsibilities for registered responsible parties and veterinarian managers.

Section 1. Definitions.

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

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

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

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

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

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

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

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

(1) Be responsible for maintaining minimum standards as promulgated by the board in 201 KAR Chapter 16;

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

(3) Comply with the requirements of and ensure employees and volunteers at the veterinary facility comply with the provisions of KRS Chapter 321 and 201 KAR Chapter 16, in addition to all local, state, and federal laws governing operations at the veterinary facility; and

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

Section 3. Duties of Veterinarian Managers.

(1) A veterinarian manager shall:

(a) Be responsible for maintaining minimum standards as promulgated by the board in 201 KAR Chapter 16;

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

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

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

(2) The veterinarian manager shall be:

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

(b) Knowledgeable about the veterinary facility and its:

1. Daily operations;

2. Standard protocols;

3. Drugs and supplies;

4. Patient areas;

5. Storage structures;

6. Other organizational spaces; and

7. Parts and spaces, both indoors and outdoors;

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

(d) Available and responsive to the board, its staff, inspectors, or other board designees, if a facility inspection or any inquiry or investigation by the board occurs.

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

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

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

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

Section 5. Incorporation by Reference.

(1) The following material is incorporated by reference:

(a) "Request for Facility Information Change", 2/2025; and

(b) "Request for a New Veterinarian Manager", 3/2025.

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

(201 KAR 016:767. 51 Ky.R. 1033, 1685, 1772; eff. 7-1-2025.)

201 KAR 16:772 - Application requirements for AAHP facility registration; AAHP managers; Registered responsible parties.

RELATES TO: KRS 321.175, 321.181, 321.189, 321.203, 321.205, 321.235, 321.253, 321.255

STATUTORY AUTHORITY: KRS 321.181(1)-(4), 321.203, 321.205, 321.235(1)(a)-(c) and (2)(b)2., 321.236

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

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.235(1)(b) requires the board to promulgate administrative regulations to implement and enforce KRS Chapter 321. KRS 321.235(2)(b)2. authorizes the board to promulgate administrative regulations to establish conditions for applications and licensing of allied animal health professional (AAHP) facilities. This administrative regulation establishes application requirements for AAHP facilities, registered responsible parties at AAHP facilities, and AAHP managers, and includes the minimum requirements for operation as a registered AAHP facility.

Section 1. Definitions.

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

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

(3) "Dedicated AAHP Services Space" or "DASS" means a clearly distinct, purpose-built area that is physically and operationally separate from non-AAHP provider spaces and retail shopping areas, and that is designed to support the safe, private, and professional delivery of AAHP services while maintaining compliance with applicable administrative regulations, ensuring client and patient comfort, and preventing harm to the public.

(4) "Fixed facility" is defined by KRS 321.181(40).

(5) "Mobile facility" or "mobile unit" is defined by KRS 321.181(48).

(6) "Registered responsible party" is defined by KRS 321.181(59).

Section 2. General Requirements. Each AAHP facility located in Kentucky at which an AAHP licensee practices on animal patients shall possess an AAHP facility registration issued by the Kentucky Board of Veterinary Examiners, unless the AAHP licensee is practicing at a registered veterinary facility.

(1) An AAHP facility registration shall not be issued without a physical facility, either a fixed facility or mobile facility.

(2) An AAHP facility shall contain a dedicated space equipped for, staffed for, and primarily devoted to the provision of the allied animal health professional services on animal patients.

(3) Premises primarily devoted to activities other than AAHP services, and which also offer AAHP services to the public at a fixed facility shall be registered as an AAHP facility and shall comply with paragraphs (a) through (e) of this subsection.

(a) The Dedicated AAHP Services Space (DASS) shall be physically and operationally distinct from areas of other use.

(b) The DASS shall be confined and enclosed with walls, floor to ceiling so that, at a minimum, patients are fully contained and separated from persons who are not AAHP personnel or an owner or owner's agent.

(c) The DASS shall exclude individuals who are not AAHP personnel or an owner or owner's agent.

(d) To ensure public and patient safety, the provision of AAHP services in a DASS shall be physically separate from other retail activity and public services offered.

(e) AAHP facilities registered under this subsection may be inspected by the board to verify compliance with the provisions of this subsection to ensure both public and patient safety.

(4) A mobile facility shall be registered as an affiliate unit on a fixed facility registration, or independently under a unique AAHP facility registration with a designated physical location for parking and storage.

(5) A registered facility shall have no more than two (2) mobile units under its registration without incurring additional registration and renewal fees as established in 201 KAR 16:517.

(6) Registration Documentation.

(a) A fixed registered AAHP facility shall prominently display the current registration certificate in a public area of the registered facility.

(b) A mobile unit registered AAHP facility shall retain within the mobile unit the current registration certificate which shall be presented upon demand.

(c) The registration certificate shall:

1. Be legible; and

2. Show the current dates of registration.

Section 3. Exemptions from Requirements for AAHP Facility Registration. The following premises shall be exempt from the requirements of this administrative regulation:

(1) Premises identified in KRS 321.181(2)(c);

(2) An expert who provides consulting services only to veterinarians or other AAHP licensees, who does not engage in practice on a patient directly, and who does not have a regular physical facility where the expert practices on animal patients; and

(3) Rental vehicles or vehicles used on a temporary basis while a registered mobile unit is not operational.

Section 4. Registered Responsible Party.

(1) Each Application for AAHP Facility Registration shall name the facility and identify each registered responsible party.

(2) Pursuant to KRS 321.236(5), each registered responsible party shall be accountable for ensuring the requirements of KRS Chapter 321 and 201 KAR Chapter 16 are met, including the timely designation of an allied animal health professional manager for the facility, in accordance with 201 KAR 16:737.

(3) If it is determined that a registered responsible party has violated any provisions of KRS Chapter 321 or 201 KAR Chapter 16, the board may take disciplinary action equal to that for a licensed veterinarian as provided by KRS Chapter 321.

Section 5. AAHP Manager.

(1) Each Application for AAHP Facility Registration shall name the facility and designate an AAHP manager. The application shall include the AAHP manager's original signature, or, if completed online, an equivalent digital signature.

(2) An AAHP manager shall be primarily responsible for meeting the requirements of KRS Chapter 321 and 201 KAR Chapter 16, including ensuring that minimum standards are met and maintained.

Section 6. New Application Requirements. A new application to the board for registration as an AAHP facility shall include the following components:

(1) A completed application on an Application for AAHP Facility Registration form or online equivalent form, including all required attachments and fees pursuant to 201 KAR 16:517;

(2) A complete list of persons or entities who shall be the registered responsible party;

(3) Identification of the AAHP manager;

(4) Identification of the legal business name and the doing-business-as (D.B.A.) name of the facility;

(5) Identification of the phone, address, and email address of the registered facility;

(6) A copy of the business registration from the Kentucky Secretary of State, county registration, or similar business registration, if one (1) exists;

(7) Identification of the type of AAHP facility from one (1) or more in a list provided by the board;

(8) Identification of the species served from one (1) or more in a list provided by the board;

(9) Identification of the patient services offered at the AAHP facility from one (1) or more in a list provided by the board;

(10) A complete list of AAHP licensees working at the facility;

(11) A complete list of all mobile units being registered under the AAHP facility;

(12) Disclosure of afterhours care arrangements;

(13) For fixed facilities, county of location and counties served;

(14) For mobile units, a list of the counties served by the mobile unit;

(15) Hours of facility operation; and

(16) A copy of any court documents, final orders, settlement agreements, or other documents requested by the board in support of the application.

Section 7. Background Checks. Pursuant to KRS 321.189, the board may:

(1) Conduct a national or jurisdictional level background check on each AAHP license applicant. The check shall be processed by a board-approved background check provider and may include a copy of the applicant's fingerprints captured at a board-approved location;

(2) Reject background checks that do not have an official seal or watermark or that are more than ninety (90) days old;

(3) Impose additional requirements as a condition of registration or deny the application following the board's review of findings from a background check; and

(4) Waive the background check requirement for an AAHP manager who is already licensed in Kentucky and if a background check was previously conducted as a condition of licensure.

Section 8. Renewal and Reinstatement of AAHP Facility Registrations. Pursuant to 201 KAR 16:775, a registered responsible party or AAHP manager shall:

(1) Ensure the timely renewal of the AAHP facility registration; and

(2) If applicable, ensure an appropriate reinstatement application is made to the board.

Section 9. Incorporation by Reference.

(1) "Application for AAHP Facility Registration", 11/2025, is incorporated by reference.

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

(201 KAR 016:772. eff. 6-2-2026.)

201 KAR 16:775 - AAHP facilities -- Renewal notice -- Requirements for renewal and reinstatement.

RELATES TO: KRS 321.175, 321.181, 321.189, 321.203, 321.205, 321.235, 321.253, 321.255

STATUTORY AUTHORITY: KRS 321.181(1)-(4), 321.203, 321.205, 321.235(1)(a)-(c), (2)(b)2., 321.236

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

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.235(1)(b) requires the board to promulgate administrative regulations to implement and enforce KRS Chapter 321. KRS 321.235(2)(b)2. authorizes the board to promulgate administrative regulations to establish conditions for applications and licensure of allied animal health professional (AAHP) facilities. This administrative regulation establishes requirements for AAHP facility registration renewal and reinstatement applications.

Section 1. Renewal Notices and Timeliness of Renewal Applications.

(1) The board shall, not later than August 31 of each odd-numbered year, email or mail to each registered AAHP facility a biennial renewal notice.

(2) The renewal application shall be completed by the AAHP manager or registered responsible party and returned to the board, including all required attachments and, if required by the board, proof of course completion for the required continuing education.

(3) Timely receipt of renewal application.

(a) Renewals bearing a postmark, or, if an online renewal, a timestamp, of not later than September 30 of every odd-numbered year beginning in 2027 and each odd-numbered year thereafter shall be considered received on time.

(b) Renewals bearing a postmark, or, if an online renewal, a timestamp, on or after October 1 of every odd-numbered year shall be considered late and shall cause the registration status to be changed to expired. There shall be no grace period for registered facility renewal.

(4) Renewal fee.

(a) The renewal fee shall be paid pursuant to 201 KAR 16:517; and

(b) The renewal fee shall be attached to the completed renewal form when it is returned to the board or paid online with the completion of the online renewal form.

Section 2. Renewal Application.

(1) The renewal application shall be completed by the registered responsible party or AAHP manager and returned to the board, including all required attachments.

(2) A renewal application to the board for an AAHP facility registration shall include the following components:

(a) A completed application on the Renewal Application for Registered AAHP Facilities form or online equivalent form, including all required attachments and fees pursuant to 201 KAR 16:517;

(b) Identification of any changes to the registered responsible party;

(c) Identification of the AAHP manager;

(d) Identification of the legal business name and the doing-business-as (D.B.A.) name of the facility;

(e) Identification of the phone, address, and email address of the registered facility;

(f) A copy of the business registration from the Kentucky Secretary of State, county registration, or similar business registration, if one (1) exists;

(g) Identification of the type of AAHP facility from one (1) or more in a list provided by the board;

(h) Identification of the species served by the facility from one (1) or more in a list provided by the board;

(i) Identification of the patient services offered at the AAHP facility from one (1) or more in a list provided by the board;

(j) A complete list of AAHP licensees working at the facility;

(k) A complete list of all mobile units registered under the AAHP facility;

(l) Disclosure of afterhours care arrangements;

(m) For fixed facilities, county of location and counties served;

(n) For mobile units, a list of the counties served by the mobile unit;

(o) Hours of facility operation; and

(p) A copy of any court documents, final orders, settlement agreements, or other information requested by the board in support of the application.

(3) A change in fifty (50) percent or more of ownership or of the registered responsible parties shall be cause for the board to deny an AAHP facility renewal and require a new AAHP facility application.

Section 3. Failure to Renew.

(1) Applicants for renewal that miss the AAHP facility registration renewal deadline shall immediately cease operations offering AAHP services.

(2) If the registered responsible party desires to continue offering AAHP services on the premises or from a mobile unit, they shall submit a complete reinstatement application in accordance with Section 4 of this administrative regulation.

Section 4. Reinstatement. A registered responsible party or AAHP manager may apply for reinstatement of an expired AAHP facility registration if not more than five (5) years have elapsed since the last date of registration expiration pursuant to KRS 321.203. Applications to the board for reinstatement of a AAHP facility registration shall include the following components:

(1) A completed application on a Reinstatement Application for Registered AAHP Facilities form or online equivalent form, including the following components and all required attachments and fees pursuant to 201 KAR 16:517;

(2) Identification of any changes to the registered responsible party;

(3) Identification of the AAHP manager;

(4) Identification of the legal business name and the doing-business-as (D.B.A.) name of the facility;

(5) Identification of the phone, address, and email address of the registered facility;

(6) A copy of the business registration from the Kentucky Secretary of State, county registration, or similar business registration, if one (1) exists;

(7) Identification of the type of AAHP facility from one (1) or more in a list provided by the board;

(8) Identification of the type of AAHP facility from one (1) or more in a list provided by the board;

(9) Identification of the species served by the facility from one (1) or more in a list provided by the board;

(10) Identification of the patient services offered at the AAHP facility from one (1) or more in a list provided by the board;

(11) A complete list of AAHP licensees working at the facility;

(12) A complete list of all mobile units registered under the AAHP facility;

(13) Disclosure of afterhours care arrangements;

(14) For fixed facilities, county of location and counties served;

(15) For mobile units, a list of the counties served by the mobile unit;

(16) Hours of facility operation; and

(17) A copy of any court documents, final orders, settlement agreements, or other information requested by the board in support of the application.

Section 5. Background Checks. Pursuant to KRS 321.189, the board may:

(1) Conduct a national or jurisdictional level background check on each AAHP manager applicant for AAHP facility registration. The check shall be processed by a board-approved background check provider and may include a copy of the applicant's fingerprints captured at a board-approved location;

(2) Reject background checks that do not have an official seal or watermark, or that are more than ninety (90) days old; and

(3) Impose additional requirements as a condition of registration or deny the AAHP facility application or the designated AAHP manager following the board's review of findings from a background check.

Section 6. Incorporation by Reference.

(1) The following material is incorporated by reference:

(a) "Renewal Application for Registered AAHP Facilities", 11/2025; and

(b) "Reinstatement Application for Registered AAHP Facilities", 11/2025.

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

(201 KAR 016:775.; eff. 6-2-2026.)

201 KAR 16:777 - Registered AAHP facilities – Duties of registered responsible parties and AAHP managers.

RELATES TO: KRS 321.175, 321.181, 321.203, 321.205, 321.235, 321.236, 321.251, 321.255

STATUTORY AUTHORITY: KRS 321.181(1)-(4), 321.203, 321.205, 321.235(1)(b), 321.236(1)(b), (5)

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

NECESSITY, FUNCTION, AND CONFORMITY: 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 allied animal health professional (AAHP) facilities to register with the Kentucky Board of Veterinary Examiners. KRS 321.236(5) requires each registered AAHP facility to identify both an AAHP manager and each registered responsible party who shall be responsible for the operation and management of the AAHP facility. This administrative regulation establishes the responsibilities for registered responsible parties and AAHP managers.

Section 1. Definitions.

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

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

(3) "Mobile facility" or "mobile unit" is defined by KRS 321.181(48).

(4) "Registered responsible party" is defined by KRS 321.181(59).

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

(1) Be responsible for maintaining minimum standards as promulgated by the board in 201 KAR Chapter 16;

(2) Designate an AAHP manager for the registered AAHP facility;

(3) Ensure the requirements of KRS Chapter 321 and 201 KAR Chapter 16 are met in addition to all local, state, and federal laws governing operations at the AAHP facility; and

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

Section 3. Duties of AAHP Managers.

(1) An AAHP manager shall:

(a) Be responsible for maintaining minimum standards as established by the board in 201 KAR Chapter 16;

(b) Maintain a Kentucky Board of Veterinary Examiners AAHP license in good standing;

(c) Comply with all provisions of the KRS Chapter 321 and 201 KAR Chapter 16, in addition to all local, state, and federal laws governing operations at the AAHP facility; and

(d) Ensure the current board-approved AAHP facility registration is posted in the registered facility and viewable by the public.

(2) The AAHP manager shall be:

(a) The individual who oversees AAHP services at the AAHP facility;

(b) Knowledgeable about the AAHP facility and its:

1. Daily operations;

2. Standard protocols;

3. Drug supplies;

4. Patient areas;

5. Storage structures;

6. Other organizational spaces; and

7. Parts and spaces, both indoors and outdoors;

(c) Physically present at the AAHP facility with enough frequency during each month to have sufficient knowledge of and control over the facility's methods for complying with minimum standards as established in KRS Chapter 321 and 201 KAR Chapter 16 and the degree to which the minimum standards are being met;

(d) Limited to the management of no more than five (5) registered AAHP facilities. Multiple mobile units registered under a single facility registration shall count as one (1) registered facility; and

(e) Available and responsive to the board, its staff, inspectors, or other board designees, if a facility inspection or any inquiry or investigation by the board occurs.

Section 4. Duty to Report. Either the registered responsible party or AAHP managers shall report to the board:

(1) Within thirty (30) days, any change of name, address, phone, or email to the registered AAHP facility by completing and submitting to the board the Request for Facility Information Change form incorporated by reference in 201 KAR 16:767, or online equivalent form, including all required attachments, provided by the board;

(2) Within ten (10) days, a change in the AAHP manager for the registered facility by completing and submitting to the board a Request for a New AAHP Manager form or online equivalent form, including all required attachments, provided by the board; and

(3) A written response to a grievance or inquiry from the board pursuant to 201 KAR 16:610.

Section 5. Registration and Inspection of Allied Animal Health Professional Facilities.

(1) Each AAHP licensee and AAHP facility or mobile facility shall be subject to KRS Chapter 321 and 201 KAR Chapter 16.

(2) During a facility inspection or investigation, the board or its designee shall be provided unrestricted access to animal use areas.

(3) Inspections of an AAHP facility shall be limited to the animal treatment areas unless the board or its designee is accompanied by at least one (1) representative from the professional licensing board or certifying body in the human area of specialty.

Section 6. Separate Human and Animal Treatment Areas Required. An AAHP licensee who treats both animal and human patients in the same registered facility shall:

(1) Post a conspicuous sign in the reception area of that facility informing customers that nonhuman patients are treated on the premises;

(2) Maintain a separate, non-carpeted room for the purpose of practicing on animal patients;

(3) Utilize separate furniture and equipment for use with animal patients which shall not be used for human patients;

(4) Apply appropriate biosecurity measures to prevent contamination and the spread of zoonotic disease; and

(5) If an animal bite occurs, report to the local health department within twelve (12) hours and comply with state law regarding required actions and, if necessary, quarantine the animal.

Section 7. Incorporation by Reference.

(1) "Request for a New AAHP Manager", 11/2025, is incorporated by reference.

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

(201 KAR 016:777. eff. 6-2-2026.)