

1 UPDATED: 03/13/2024 – DISCUSSION DRAFT ONLY -- NOT FILED WITH LRC

2 BOARDS AND COMMISSIONS

3 Kentucky Board of Veterinary Examiners

4 (New Administrative Regulation)

5 201 KAR 16:547 Application requirements for AAHP Facility Registration; AAHP Managers;
6 Registered Responsible Parties.

7 RELATES TO: KRS 321.175, 321.181(1)-(4), 321.203, 321.205, 321.235

8 STATUTORY AUTHORITY: KRS 321.175(2)(c), (5), 321.181(1)-(4), 321.203, 321.205,
9 321.235(1)(a)-(c) and (2)(b)2., 321.236

10 NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.235(1)(b) requires the board to
11 promulgate administrative regulations to implement KRS Chapter 321. KRS 321.235(2)(b)2.
12 provides the board authority to promulgate administrative regulations to establish conditions for
13 applications and permitting of allied animal health professional (AAHP) facilities. This
14 administrative regulation establishes application requirements for AAHP facilities, registered
15 responsible parties at AAHP facilities, and AAHP managers.

16 Section 1. Definitions.

17 (1) “Allied animal health professional” or “AAHP” is defined by ~~has the same meaning~~
18 ~~as~~ KRS 321.181(1).

19 (2) “Allied animal health professional facility” or “AAHP facility” is defined by ~~has the~~
20 ~~same meaning as~~ KRS 321.181(2).

21 (3) “Fixed facility” is defined by ~~has the same meaning as~~ KRS 321.181(38).

1 (4) "Mobile facility" or "mobile unit" ~~is defined by has the same meaning as~~ KRS
2 321.181(46). An AAHP mobile unit shall be primarily used for the practice of an AAHP
3 permittee.

4 (5) "Registered responsible party" ~~is defined by has the same meaning as~~ KRS
5 321.181(57).

6 Section 2. General Requirements. Each AAHP facility located in Kentucky at which an
7 AAHP permittee practices on animal patients shall possess an AAHP facility registration issued
8 by the Kentucky Board of Veterinary Examiners, unless the AAHP permittee is practicing at a
9 registered veterinary facility.

10 (1) An AAHP facility registration shall not be issued without a physical facility, either a
11 fixed facility or mobile facility.

12 (2) An AAHP facility shall contain a dedicated space equipped for staffed, and primarily
13 devoted to the practice of the allied animal health profession on animal patients.

14 (3) A mobile facility shall be registered as an affiliate unit on a fixed facility registration,
15 or independently under a unique AAHP facility registration with a designated physical location
16 for parking and storage.

17 (4) A registered facility shall have no more than two (2) mobile units under its
18 registration without incurring additional registration and renewal fees as established in 201 KAR
19 16:515.

20 (5) A registered AAHP facility shall prominently display the current registration
21 certificate in a public area of the registered facility. The registration certificate shall:

22 (a) Legible; and

23 (b) Show the current dates of registration.

1 ~~An expert who provides consulting services only to other veterinarians or AAHP~~
2 ~~permittees, who does not engage in practice on a patient directly, and who does not have a~~
3 ~~regular physical facility where the consultant practices on animal patients, shall be exempt from~~
4 ~~the requirements of this administrative regulation.~~

5 Section 3. Exemptions from Requirements for AAHP Facility Registration. The
6 following premises shall be exempt from the requirements of this administrative regulation:

7 (1) Premises identified in KRS 321.181(2)(c).

8 (2) An expert who provides consulting services only to other veterinarians or AAHP
9 permittees, who does not engage in practice on a patient directly, and who does not have a
10 regular physical facility where the consultant practices on animal patients.

11 Section 4. Registered Responsible Party.

12 (1) Each application for an AAHP facility registration shall name the facility and identify
13 each registered responsible party.

14 (2) Pursuant to KRS 321.236(5), each registered responsible party shall be accountable
15 for ensuring the requirements of KRS Chapter 321 and 201 KAR Chapter 16 are met, including
16 the timely designation of an allied animal health professional manager for the facility, in
17 accordance with 201 KAR 16:563.

18 (3) When it is determined that a registered responsible party has violated any provisions
19 of the Kentucky Veterinary Medicine Practice Act or 201 KAR Chapter 16, the board may take
20 disciplinary action equal to that for a licensed veterinarian as provided by the Kentucky
21 Veterinary Medicine Practice Act.

22 Section 5. ~~Section 4.~~ AAHP Manager.

1 (1) Each application for an AAHP facility registration shall name the facility and
2 designate an AAHP manager. The application shall include the AAHP manager's original
3 signature, or, if completed online, an equivalent digital signature.

4 (2) An AAHP manager shall be primarily responsible for meeting the requirements of
5 KRS Chapter 321 and 201 KAR Chapter 16, ~~including and include~~ ensuring that minimum
6 standards are met and maintained.

7 ~~(3) An AAHP manager shall comply with the provisions of 201 KAR 16:563.~~

8 ~~Section 6. Section 5.~~ New Application Requirements.

9 (1) A new application to the board for registration as a AAHP facility shall include the
10 following components:

11 (a) A completed application on an Application for Registration of a AAHP Facility form
12 or online equivalent form, including all required attachments and fees;

13 (b) A complete list of persons or entities who shall be the registered responsible party;

14 (c) Identification of the AAHP manager;

15 (d) A copy of the business registration from the Kentucky Secretary of State;

16 (e) Identification of the type of AAHP facility from one or more in a list provided by the
17 board;

18 ~~(f)(e)~~ Identification of the species served ~~by percentage of patients seen by the facility~~
19 from one or more in a list provided by the board;

20 ~~(g)(f)~~ Identification of the patient services offered at the AAHP facility from one (1) or
21 more in a list provided by the board;

22 ~~(h)(g)~~ A complete list of AAHP permittees working at the facility;

23 ~~(i)(h)~~ A complete list of all mobile units affiliated with the AAHP facility;

1 ~~(j)(4)~~ Disclosure of afterhours care arrangements;

2 ~~(k)(j)~~ For fixed facilities, county of location and counties served;

3 ~~(l)(4)~~ For mobile units, a list of the counties served by the mobile unit; ~~and~~

4 (m) Hours of facility operation; and

5 ~~(n)(4)~~ A copy of any court documents, final orders, settlement agreements, or other
6 documents requested by the board in support of the application.

7 Section 7. Section 6. Background checks. Pursuant to KRS 321.189, the board may:

8 (1) Conduct a national or jurisdictional level background check on each AAHP permit
9 applicant. The check shall be processed by a board approved background check provider and
10 may include a copy of the applicant's fingerprints captured at a board-approved location;

11 (2) Reject background checks that do not have an official seal or watermark, or that are
12 more than ninety (90) days old;

13 (3) Impose additional requirements as a condition of registration or deny the application
14 following the board's review of findings from a background check; and

15 (4) Waive the background check requirement for an AAHP manager who is already
16 permitted in Kentucky and when a background check was previously conducted as a condition of
17 permitting.

18 Section 8. Section 7. Renewal and reinstatement of AAHP facility registrations. Pursuant
19 to 201 KAR 16:577, a registered responsible party or AAHP manager shall:

20 (1) Ensure the timely renewal of the AAHP facility registration;

21 (2) If applicable, ensure an appropriate reinstatement application is made to the board.

22 Section 8. Incorporation by Reference.

1 (1) " Registration of an Allied Animal Health Professional Facility", 3/2024, is
2 incorporated by reference.

3 (2) This material may be inspected, copied, or obtained, subjected to applicable copyright
4 law, at the Kentucky Board of Veterinary Examiners, 107 Corporate Drive, Frankfort, Kentucky
5 40601, Monday through Friday, 8:30 a.m. to 4:30 p.m. This material may also be obtained at
6 www.kybve.com.

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