

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 16:567. Registered AAHP Facilities – Duties of Registered Responsible Parties and  
6 AAHP Managers.

7 RELATES TO: KRS 321.203, 321.205, 321.235, 321.236

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

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

17 Section 1. Definitions.

18 (1) “Allied animal health professional” or “AAHP” has the same meaning as KRS  
19 321.181(1).

20 (2) “Allied animal health professional facility” or “AAHP facility” has the same meaning  
21 as KRS 321.181(2).

1 (3) "Fixed facility" has the same meaning as KRS 321.181(38).

2 (4) "Mobile facility" or "mobile unit" has the same meaning as KRS 321.181(46).

3 (5) "Registered responsible party" has the same meaning as KRS 321.181(57).

4 Section 2. Registered Responsible Parties. A registered responsible party shall

5 (1) Be responsible for maintaining minimum standards as promulgated by the board in  
6 administrative regulation;

7 (2) Designate an AAHP manager for the registered AAHP facility;

8 (3) Ensure the requirements of KRS Chapter 321 and 201 KAR Chapter 16 are met in  
9 addition to all local, state, and federal laws governing operations at the veterinary facility;

10 (4) Comply with all duties to report, in accordance with Section 4 of this administrative  
11 regulation, including the timely designation of an AAHP manager for the facility; and

12 ~~(5) Ensure compliance with minimum AAHP facility standards promulgated by the board~~  
13 ~~in administrative regulation, as applicable to the registered AAHP facility.~~

14 Section 3. AAHP Manager.

15 (1) An AAHP manager shall:

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

18 (b) Maintain a Kentucky Board of Veterinary Examiners AAHP permit in good standing;

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

22 (2) The AAHP manager shall be:

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

1 (b) Knowledgeable about the AAHP facility, its:

2 (i) Daily operations,

3 (ii) Standard protocols,

4 (iii) Drug supplies,

5 (iv) Patient areas,

6 (v) Storage structures,

7 (vi) Other organizational spaces, and

8 (vii) Parts and spaces, both indoors and outdoors, ~~of the AAHP facility;~~

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

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

14 Section 4. Duty to Report. ~~Either the registered Registered~~ responsible ~~party parties or~~  
15 ~~and~~ AAHP managers shall report to the board:

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

20 (2) Within ten (10) days, a A change in the AAHP manager for the registered veterinary  
21 facility ~~within ten (10) days~~ by completing and submitting to the board a Request for a New  
22 AAHP Manager form or online equivalent form, including all required attachments, provided by  
23 the board; and

1           (3) ~~Any infraction of KRS Chapter 321 or 201 KAR Chapter 16 by themselves or another~~  
2 ~~person at the AAHP facility within fifteen (15) days; and~~

3           ~~(4) A written response to a grievance or inquiry from the board within twenty (20) days~~  
4 ~~of receipt, pursuant to 201 KAR 16:610.~~

5           Section 5. Registration and Inspection of Allied Animal Health Professional Facilities.

6           (1) Each AAHP permittee and AAHP facility or mobile facility shall be subject to KRS  
7 Chapter 321 and 201 KAR Chapter 16.

8           (2) During a facility inspection or investigation, the board or its designee shall be  
9 provided unrestricted access to animal use areas.

10           (3) Inspections of an AAHP facility shall be limited to the animal treatment areas unless  
11 the board or its designee is accompanied by at least one representative from the professional  
12 licensing board or certifying body in the human area of specialty.

13           ~~Compliance and Disciplinary Action. Registered responsible parties and AAHP~~  
14 ~~managers shall comply with KRS Chapter 321, 201 KAR Chapter 16, and other applicable~~  
15 ~~federal, state, and local laws, or shall be subject to disciplinary action pursuant to KRS~~  
16 ~~321.235(2)(h) or 321.351.~~

17           Section 6. Separate Human and Animal Treatment Areas Required.

18           (1) An AAHP permittee who treats both animal and human patients in the same  
19 registered facility shall:

20           (a) Post a conspicuous sign in the reception area of that facility informing customers that  
21 nonhuman patients are treated on the premises;

22           (b) Maintain a separate, non-carpeted room for the purpose of practicing on animal  
23 patients;

1 (c) Utilize separate furniture and equipment for use with animal patients which shall not  
2 be used for human patients;

3 (d) Apply appropriate biosecurity measures to  
4 prevent contamination and the spread of zoonotic disease;

5 (e) In the event of an animal bite, protocols to  
6 follow... reporting requirements, etc.

7 (f) ?

8 Section 7. Incorporation by Reference.

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

10 (a) "Request for a New AAHP Manager", 3/2024; and

11 (b) "Request for Facility Information Name or Address Change", 5/20242/2020.

12 (2) This material may be inspected, copied, or obtained, subjected to applicable copyright  
13 law, at the Kentucky Board of Veterinary Examiners, 107 Corporate Drive, Frankfort, Kentucky  
14 40601, Monday through Friday, 8:30 a.m. to 4:30 p.m. This material may also be obtained at  
15 www.kybve.com.

NOTE FOR DISCUSSION:

- Should there be a common lobby area?
- Are there any zoonotic concerns?