



KENTUCKY BOARD OF VETERINARY EXAMINERS

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**Veterinary Medicine Practice Act Modernization Bill
23 RS BR 4 / HB 167 - Section Key**

Sec.	Pg	Subject	Summary
1	1	KRS 321.175 Purpose of Chapter	<ul style="list-style-type: none"> Amended to name the Chapter, “Kentucky Veterinary Medicine Practice Act” Amended to encompass all scopes assigned by the General Assembly (e.g., licensed veterinary technicians, certified animal control agencies, animal euthanasia specialist, and allied animal health professionals) Amended to clarify importance of public protection as related to the practices of veterinary medicine and associated fields under KBVE, and to ensure credential holders are adequately trained and qualified to do the work they are credentialed to perform
2	3	KRS 321.181 Definitions for chapter	<ul style="list-style-type: none"> Expanded definitions provide common language for all stakeholders Defines ‘Allied Animal Health Professional’ or ‘AAHP’ and related terms, including AAHP Facility Registration Defines ‘Veterinary Facility’ and related terms, including ‘Veterinary Facility Registration’ Clarifies tasks inclusive in the practices of veterinary medicine and veterinary technology Defines different types of telehealth Establishes registered responsible parties for non-licensee owned veterinary facilities
3	16	KRS 321.New Telehealth	<ul style="list-style-type: none"> Provides definitions for various types of telehealth Reinforces that most telehealth (with the exception of triage) must be done within the context of a current VCPR (re-established in-person at least every 12-months) Prevents out-of-state practitioners from providing unlimited prescriptions on demand Helps with drug diversion issues Ensures telehealth is used in medically appropriate manner

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4	18	KRS 321.New Medical Records	<ul style="list-style-type: none"> • Establishes that medical records require basic medical information to be included (not just invoices) • Establishes conditions under which records are releasable and reinforces privacy of records • Requires records to be true and accurate • Directs the board to provide more details on required contents of records in administrative regulation
5	20	KRS 321.New LVT License Renewal	<ul style="list-style-type: none"> • Establishes the criteria for renewing and reinstating a licensed veterinary technician (LVT) license
6	21	KRS 321.New Animal Control Agency and Animal Euthanasia Specialist Certificate Renewal	<ul style="list-style-type: none"> • Establishes the criteria for renewing and reinstating certificates for Animal Control Agencies and Animal Euthanasia Specialists
7	23	KRS 321.New Background Checks	<ul style="list-style-type: none"> • Required by the FBI in order for the KBVE to directly receive background check results • Background checks are used to screen for recent substance abuse issues which may lead to drug diversion or community harm • New regulations shall only require background checks on new applicants, those reinstating after two (2) years, designated on-site managers, and registered responsible parties • Checks will not be required for renewal or current licensees • If warranted, may request a check in the process of investigating a complaint or violation of the Practice Act

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8	24	KRS 321.New Veterinary Facility Registration and Allied Animal Health Professional (AAHP) Facility Registration	<ul style="list-style-type: none"> • Establishes a registration program for veterinary facilities and allied animal health professional (AAHP) facilities • Registration is required to: <ul style="list-style-type: none"> ○ Understand distribution of animal services and coverage areas ○ Assist the General Assembly in better understanding veterinary shortages ○ Assist in informing appropriate governmental and private programming to aid in alleviating veterinary shortages • Veterinary facility information cannot be collected during veterinary license renewal because: <ul style="list-style-type: none"> ○ Numerous licensees refuse to report accurate business information, or ○ Practice is owned by a non-licensee(s) • Ensures responsible party is identified in practices owned by non-licensees • Provides barriers to interference in veterinary medicine by non-licensed owners and other individuals • Establishes that KBVE can promulgate administrative regulations to establish basic/minimum standards for all practices (grievance cases indicate this is necessary) • Establishes a voluntary, self-inspection program to assist practitioners with meeting regulatory requirements
9	28	KRS 321.New Renewal for Facility Registrations	<ul style="list-style-type: none"> • Establishes the criteria for renewing and reinstating registrations for veterinary facilities and allied animal health professional facilities
10	29	KRS 321.185 Veterinary-Client-Patient-Relationship (VCPR)	<ul style="list-style-type: none"> • Amended to clarify that a VCPR must be established in person every 12-months • Reinforces that a VCPR is required for prescription writing, to ensure patient protections and for food safety in agriculture (in compliance with federal laws) • Clarifies requirements for follow-up care • Clarifies that a VCPR may extend to veterinarian associates within a practice, providing stronger client protections
11	32	KRS 321.188 Reporting of Animal Abuse	<ul style="list-style-type: none"> • LRC formatting of pronouns • Replaces the term “veterinary-client-patient-relationship” with the “VCPR” acronym

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12	32	KRS 321.190 License Required to Practice Veterinary Medicine	<ul style="list-style-type: none"> • Strengthens title protections for veterinarians and licensed veterinary technicians (LVTs) • Clarifies that the practices of veterinary medicine and veterinary technology which occur over telehealth still fall within scope • Reinforces that only licensed veterinarians may perform surgery, diagnosis, prognosis, and prescription • Defines that a supervising veterinarian is responsible for their supervisees
13	34	KRS 321.193 Veterinarian’s license –requirements	<ul style="list-style-type: none"> • Amends that the good moral character required for licensure may be in part evaluated by a criminal background check • Amends to edit language to match definitions in Section 9 (KRS321.181)
14	35	KRS 321.200 Exemptions	<ul style="list-style-type: none"> • Clarifies exemption statements • Adds that other state and federal laws are still applicable • Amends that a license to practice veterinary medicine is required for employment in appropriate positions with the KDA Office of the State Veterinarian (OSV) • Allows for consultation within the context of existing VCPR • Requires university facility who practice for personal gain to obtain a license • Allows that veterinarians inspecting an animal or its medical records on behalf of a buyer or seller shall not be required to have a VCPR (particularly related to horse and livestock sales) • Allows non-licensees to implant microchips in animals for ownership identification • Allows new applicants to work under the supervision of a Kentucky licensed veterinarian if a current application is on file with the board while the application is being processed • Exempts the work of allied animal health professionals (AAHP) and animal euthanasia specialists from the requirement of a veterinarian license so long as the AAHP or euthanasia specialist is currently permitted or certified by the board
15	39	KRS 321.201 Special Permits	<ul style="list-style-type: none"> • Amended to clarify that the board may issue a special permit to individuals participating in a board-approved foreign equivalency program • Limits the issuance of special permits to four (4) per individual
16	40	KRS 321.205 Mobile Units	<ul style="list-style-type: none"> • Requires mobile units to register with the board • Clarifies that mobile units shall maintain a permanent base of operations and that location and a telephone number shall be on file with the board

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17	41	<p>KRS 321.207 Certification of Animal Control Agencies and Animal Euthanasia Specialists</p>	<ul style="list-style-type: none"> • Corrects name of federal DEA • Clarifies that the types of drugs used for the sedation of animals for euthanasia may be limited by the board • Clarifies that certified animal control agencies must undergo a periodic board inspection to ensure proper controls are in place for controlled substances <ul style="list-style-type: none"> ○ Note there is extremely high turnover in shelters, and that laypersons are handling controlled substances which have the power to end life • Clarifies that certified animal euthanasia specialists must be employed by a certified animal control agency, and shall only perform euthanasia on shelter animals • Clarifies that certified animal euthanasia specialists cannot do this work on privately owned animals or at a private residence, nor for personal gain • Clarifies that a veterinarian who holds a DEA Registration at the same location as a certified animal control agency must ensure separate secure and locked storage, and cannot mix drugs from separate registrations (as required by federal law)
18	44	<p>KRS 321.211 Renewal of Veterinarian License</p>	<ul style="list-style-type: none"> • Cleans-up word use based on definitions of terms in Act • Takes renewal date window out of statute and moves to administrative regulation
19	46	<p>KRS 321.221 Licensure by Endorsement</p>	<ul style="list-style-type: none"> • Amends to require criminal background check on new applicants • Cleans-up word use based on definitions of terms in Act
20	47	<p>KRS 321.230 Board Membership and Composition</p>	<ul style="list-style-type: none"> • Adds one (1) board seat for an allied animal health professional • Clarifies that the Commissioner of Agriculture (or designee) holds a voting seat on the board • Requires Governor appointments ensure diverse composition of veterinarians, including different species served and regional areas of the state • Requires appointed terms to be evenly staggered to reduce loss of operational knowledge • Establishes criteria for board member removal

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21	49	KRS 321.235 Powers and Duties of the Board	<ul style="list-style-type: none"> • Reorganizes powers into two sections: “the board shall” and “the board may” • Moves power to establish fees from diverse other statutes into one power/duty of the board • Provides that the board shall maintain jurisdiction over credential holders who surrender their license to avoid disciplinary action • Allows the board to establish basic/minimum standards for credential holders, veterinary facilities, and medical records • Allows the board to conduct inspections in grievance cases and instances of suspected violations of the Act • Provides board new enforcement mechanisms, similar to those in the Office of the State Veterinarian, including “Notice to Comply” and “Notice of Violation” to assist in resolving practice act violations more swiftly • Creates an educational awards program to be administered by a committee of stakeholders, including KVMA, KDA, commodity groups, and others, as established in administrative regulation • Grants that the board may request background checks on applicants and credential holders
22	55	KRS 321.237 Veterinary Wellness Committee	<ul style="list-style-type: none"> • Clarifies that credential holders may be directed by the board to undergo an evaluation if a report or evidence of suspected impairment or incapacitation from any source exists
23	56	KRS 321.240 Board Officers, Meetings	<ul style="list-style-type: none"> • Amended to allow this independent board to contract with other agencies for administrative services
24	57	KRS 321.320 Revolving Fund	<ul style="list-style-type: none"> • Clarifies expenses allowable by the board • Establishes that the board may maintain a reserve fund for capital, operational, and programmatic expenses • Allows the board to accept grants and other monies in addition to credential fees, and to apply the monies to specific programming or duties assigned under the Act • Allows the board to invest a portion of its revolving fund, and that interest and gains shall be credited to the board’s fund • Adds “notwithstanding” language from LRC
25	58	KRS 321.351 Disciplinary Action	<ul style="list-style-type: none"> • Clarifies that disciplinary action is applicable to all board credential holders, not just veterinarians

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26	61	KRS 321.353 Emergency Orders for Immediate Suspension	<ul style="list-style-type: none"> Clarifies that emergency orders are applicable to all board credential holders, not just veterinarians
27	62	KRS 321.360 Hearings by the Board	<ul style="list-style-type: none"> Clarifies that hearings are applicable to all board credential holders, not just veterinarians
28	63	KRS 321.441 Veterinary Technicians	<ul style="list-style-type: none"> Clarifies conditions for licensure, which may include a background check Adds various terms a Licensed Veterinary Technician (LVT) may be known as, including “veterinary nurse”, etc. Requires the board to promulgate administrative regulations to define the tasks an LVT may perform under various levels of veterinarian supervision Clarifies that the practice of veterinary technology by telehealth is still under the scope of the board Reinforces title protections for LVTs
29	65	KRS 321.443 Veterinary Assistants	<ul style="list-style-type: none"> Clarifies that a veterinary assistant must work in the context of an established VCPR Expands the supervision of veterinary assists, allowing supervision to occur by either a licensed veterinarian or adding they may also work under the direct supervision of an LVT Clarifies that a veterinary assistant may not be represented as an LVT (title protection)
30	66	KRS 321.New Fines	<ul style="list-style-type: none"> New statute to conform with LRC rules Establishes when the board may assess fines Mandates that the board shall establish fines in administrative regulation Clarifies that each day or part of a day where a violation occurs may be subject to fine Adds that the board may recuperate costs related to investigations and legal fees
31	67	KRS 321.990 Penalty for Violations	<ul style="list-style-type: none"> Establishes penalties for convictions, including designating level of violation (misdemeanors) and sentencing time for various violations Penalties requested in separate statute through consultation with LRC and Judiciary staff
32	69	Severability Clause	<ul style="list-style-type: none"> Standard bill language