

Andy Beshear
Governor



John C. Park, DVM
Board Chairman

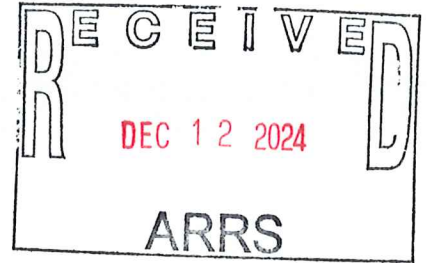
KENTUCKY BOARD OF VETERINARY EXAMINERS

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

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

kbve.ky.gov • vet@ky.gov

December 12, 2024



Senator Stephen West, Co-Chair
Representative Derek Lewis, Co-Chair
c/o Emily Caudill, Regulation Compiler
Administrative Regulation Review Subcommittee Legislative Research Commission
083, Capitol Annex
Frankfort, Kentucky 40601

RE: 201 KAR 16:520

Dear Co-Chairs West and Lewis:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 201 KAR 16:520, the Kentucky Board of Veterinary Examiners (KBVE) proposes the attached amendment to 201 KAR 16:520.

Sincerely,

A handwritten signature in blue ink, reading "Michelle M. Shane".

Michelle M. Shane, Executive Director
Kentucky Board of Veterinary Examiners
4047 Iron Works Parkway, Suite 104
Lexington, Kentucky 40511

Final, 12-5-2024

SUGGESTED SUBSTITUTE

BOARDS AND COMMISSIONS
Board of Veterinary Examiners

201 KAR 16:520. Approved veterinary medical programs for veterinarians[~~colleges~~]; approved veterinary technology programs for veterinary technicians.

RELATES TO: KRS **321.181**, 321.193, 321.441

STATUTORY AUTHORITY: KRS 321.190, 321.193(4)[~~321.193(3), (5)~~], 321.235(1)(a)-(c), (2)(b)1.a., 3.b.[~~321.235(3)~~], [~~321.240(5)~~], 321.441(1)(a), (d)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.193(4)[~~321.193(3)~~ requires a veterinarian applicant to have received a degree from an approved veterinary medical program[a veterinary college approved by the Kentucky Board of Veterinary Examiners]. KRS 321.441(1)(a) requires a veterinary technician applicant to be a graduate of an approved veterinary technology program[accredited program of veterinary technology or its equivalent as approved by the board]. KRS 321.235(1)(a)-(c) requires, (2)(b)1.a., and 3.b.[KRS 321.235(3) and 321.240(5)] [authorize] 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[~~veterinary colleges and veterinary technician programs approved~~] 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[~~Colleges~~].

- (1) The board approves a[A] veterinary medical program as an approved veterinary medical program if the program holds[~~college shall be approved if it held~~] 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[a] degree from the program[~~veterinary college~~].

Section 3.[~~Section 2.~~] Licensure of Veterinarians who Graduated from a Program that is Not an Approved Veterinary Medical Program[~~non-approved Schools~~].

- (1) If an applicant for a veterinarian license does not possess a degree from an approved veterinary medical program[a veterinary college within the scope established in Section 1 of this administrative regulation], 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[~~one of the following programs~~]:
 - (a)[~~(4)~~] The Educational Commission for Foreign Veterinary Graduates (ECFVG) of the American Veterinary Medical Association (AVMA); or
 - (b)[~~(2)~~] The Program for the Assessment of Veterinary Education Equivalence (PAVE) of the American Association of Veterinary State Boards (AAVSB).

Section 4. [Section 3.] Licensure of Veterinary Technicians who Graduated from an Approved Veterinary Technology Program [Technician Programs].

(1) The board approves a[A] veterinary technician program, or veterinary technologist program, or veterinary nurse program, as an[shall be] approved veterinary technology program if the program holds[if it held] 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[a] degree from the program[institution].

Section 5. [Section 4.] Licensure of Veterinary Technicians who Graduated from a Program that is Not an Approved Veterinary Technology Program [Non-approved Schools or Programs].

(1) If an applicant for a veterinary technician license does not hold[possess] a degree from an approved[a] veterinary technology[technician] program [within the scope established in Section 3 of this administrative regulation], the applicant[candidate] 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.

[(1)]

[(a)] [Following graduation, submitting an official copy of final transcripts from the college of study, and any other requested documentation, showing successful completion of the program for the board's review and determination of approval; or]

[(b)] [Successfully completing the program and receiving certification from 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; and]

[(2)] [Successfully completing all other application requirements for licensure.]

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

Andy Beshear
Governor



John C. Park, DVM
Board Chairman

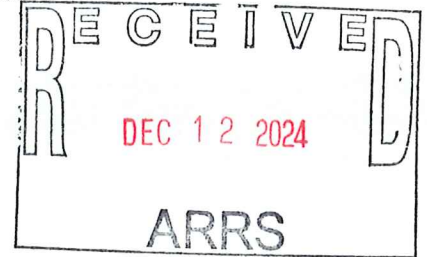
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Senator Stephen West, Co-Chair
Representative Derek Lewis, Co-Chair
c/o Emily Caudill, Regulation Compiler
Administrative Regulation Review Subcommittee Legislative Research Commission
083, Capitol Annex
Frankfort, Kentucky 40601

RE: 201 KAR 16:530

Dear Co-Chairs West and Lewis:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 201 KAR 16:530, the Kentucky Board of Veterinary Examiners (KBVE) proposes the attached amendment to 201 KAR 16:530.

Sincerely,

A handwritten signature in blue ink that reads "Michelle M. Shane".

Michelle M. Shane, Executive Director
Kentucky Board of Veterinary Examiners
4047 Iron Works Parkway, Suite 104
Lexington, Kentucky 40511

Final, 12-5-2024

SUGGESTED SUBSTITUTE

BOARDS AND COMMISSIONS
Board of Veterinary Examiners

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)[KRS 321.193(4)], 321.235(1)(a)-(c), (2)(b)1.a., 3.b.[321.235(3), 321.240(5)], 321.441(1)(b), (d)~~

NECESSITY, FUNCTION, AND CONFORMITY: KRS ~~321.193(5)[321.193(4)]~~ 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[, (2)(b)1.a., and 3.b.][321.235(3) and 321.240(5)]~~ **authorize** 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[required] 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 successful completion of] the North American Veterinary Licensing Examination (NAVLE) as administered by[-]

~~[(2)] [Candidates shall apply to the board for verification of eligibility to take the NAVLE.]~~

~~[(3)] [Candidates seeking to take the NAVLE shall apply directly to] 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).[- or]

(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[Candidates seeking] to retest after five (5) attempts **if the candidates[may]** 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~~[a fee]~~ directly to the ICVA, its designee, the American Association of Veterinary State Boards (AAVSB), or current official records custodian, to have examination~~[test]~~ 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~~[NALVE]~~ on the Application for a Special Permit~~[Retake of the NAVLE]~~ form or online equivalent form through the spring 2024 testing window. For all future testing windows, the ICVA shall conduct examination eligibility review.

~~[(6)] [In addition to achieving a passing score on the NAVLE, applicants for licensure shall be required to achieve a score of eighty (80) percent or higher on the Commonwealth of Kentucky State Board Examination, which shall cover the specific requirements of KRS Chapter 321 and 201 KAR Chapter 16.]~~

~~[(7)] [The board shall recognize passing scores on the National Board Examination (NBE) and the Clinical Competency Test (CCT) in lieu of a NAVLE test score if the applicant for licensure completed both examinations prior to May, 2000.]~~

~~[(8)] [Graduates of veterinary schools or programs not approved by the American Veterinary Medical Association (AVMA) shall also submit proof of successful completion of one (1) of the following programs:]~~

~~[(a)] [The Educational Commission for Foreign Veterinary Graduates (ECFVG) program offered by the AVMA; or]~~

~~[(b)] [The Program for the Assessment of Veterinary Education Equivalence (PAVE) program offered by the American Association of Veterinary State Boards (AAVSB).]~~

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~~[tests]~~ prior to 1990, the board shall, as qualification for board approved licensure, accept official score report results showing a passing score on:

1. The ~~[board shall also accept official results showing a passing score from the]~~Animal Technician National Exam (ATNE) if taken during the years 1986 – 1989; or

2. ~~A~~ [The board shall also accept official results showing a passing score from 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. ~~(a)~~** 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 ~~(b) Candidates seeking~~~~** to retest after five (5) attempts **if the candidates ~~may~~** make a request to the board to sit for the examination **for** additional times beyond five (5) attempts.
 - ~~(b)~~ ~~(c)~~** 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)~~ ~~(d)~~** 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 ~~[a fee]~~ directly to the AAVSB, the current exam service provider ~~[PSI Services]~~, one **(1)** of their designees, or to the current official records custodian to have examination ~~[test]~~ scores sent directly to the board. Copies of scores from applicants or other sources shall not be accepted.

Section 4. ~~[Section 3.]~~ Incorporation by Reference.

- (1) "Application for **a** Special Permit", **09/08/2024** ~~["Application for Retake of the NAVLE", 3/2020]~~, 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, 4047 Iron Works Parkway, Suite 104, Lexington, Kentucky 40511 ~~[407 Corporate Drive, Frankfort, Kentucky 40601]~~, Monday through Friday, 8:30 ~~[8:00]~~ a.m. to 4:30 p.m. This material may also be obtained at kbve.ky.gov ~~[www.kybve.com]~~.

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

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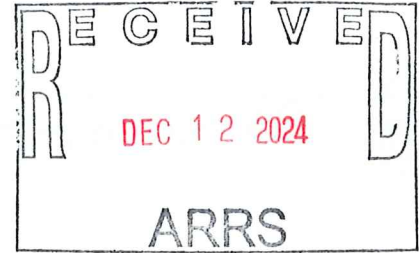
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December 12, 2024



Senator Stephen West, Co-Chair
Representative Derek Lewis, Co-Chair
c/o Emily Caudill, Regulation Compiler
Administrative Regulation Review Subcommittee Legislative Research Commission
083, Capitol Annex
Frankfort, Kentucky 40601

RE: 201 KAR 16:590

Dear Co-Chairs West and Lewis:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 201 KAR 16:590, the Kentucky Board of Veterinary Examiners (KBVE) proposes the attached amendment to 201 KAR 16:590.

Sincerely,

A handwritten signature in blue ink that reads "Michelle M. Shane".

Michelle M. Shane, Executive Director
Kentucky Board of Veterinary Examiners
4047 Iron Works Parkway, Suite 104
Lexington, Kentucky 40511

Final, 12-5-2024 :

SUGGESTED SUBSTITUTE

BOARDS AND COMMISSIONS Board of Veterinary Examiners

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.[321.235(3), 321.240(5)], 321.441(8)[321.441(3)], 321.442(7)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.235(2)(b)1.a., 321.211(7), [and]321.441(8)[321.441(3)], 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~~, ~~(2)(b)1.a., and 3.b.~~[321.235(3) and 321.240(5)] ~~authorize~~ 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[the practice of veterinary medicine] 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~~[their] 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~~[his or her] 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~~[his or her] 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/subsections-(1) and (2)~~[Section 2(4) and (2)]~~ of this administrative regulation~~[section]~~[administrative regulation]. There shall not be a limit to the number of online hours a licensee may apply to his or her renewal.]

(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[may] 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[the following] 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)[(5)] A veterinarian applying for renewal after completing their[his or her] 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[his or her] initial term of licensure who graduated from a veterinary college during the first year of the renewal[preceeding] 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[his or her] initial term of licensure who graduated during the second year of the renewal[preceeding] biennium.

(7)[(6)] For a veterinary technician, continuing education requirements shall be waived for a new licensee completing their[his or her] initial term of licensure who also graduated within twelve (12) [12-] months of initial licensure. [This paragraph shall not apply to applicants for licensure by endorsement who graduated prior to the renewal cycle during which they were initially licensed.]

(8)[(7)]

(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[hours] 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; ~~and~~
 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) ~~(8)~~ Continuing education hours shall be required as follows for reinstatement applications:
- (a) For veterinarians, thirty (30) hours earned in a twenty-four~~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**~~website~~.

Section 4.~~Section 2.~~ Approved Programs of Continuing Education~~Courses~~.

- (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;~~and~~
 - (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)~~(2)~~ 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~~By a majority vote, 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~~be~~:

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.[Section 3.] 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[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[201 KAR 16:700] or online equivalent forms, as appropriate, and include the name, dates, and identifying information for each course they[he or she] attended;[-and]

(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[of his or her] 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[where]** 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; **[and]**

(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.[Section 4.] Continuing Education Requirement Waivers.

(1) Medical disability, illness, or other extenuating circumstances. The board may, in individual cases involving medical disability,[-of] illness, or other extenuating circumstances clearly warranting relief,

grant a waiver~~[waivers]~~ of the continuing education requirements or an extension~~[extensions]~~ 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,~~[-or] illness, or other extenuating circumstances clearly warranting relief~~~~[reasons waiver or extension of time]~~ 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~~[calendar year]~~.

(c) If the medical disability,~~[-or] 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 engaged in active military duty and deployed outside the United States for more than eight (8) months shall not be required to complete the continuing education requirement for licensure periods during which that status exists.]~~

~~[(b)]~~ 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)~~~~[(c)]~~ The licensee requesting an extension or waiver pursuant to this subsection shall submit with their~~[his or her]~~ 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.~~[Section 5.]~~ Incorporation by Reference.

(1) "Request for Continuing Education Approval", 9/2024~~[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, 4047 Iron Works Parkway, Suite 104, Lexington, Kentucky 40511~~[407 Corporate Drive, Frankfort, Kentucky 40604]~~, Monday through Friday, 8:30 a.m.~~[8:00 a.m.]~~ to 4:30 p.m. This material may also be obtained at kbve.ky.gov~~[www.kybve.com]~~.

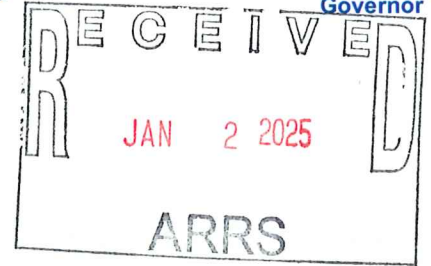
CONTACT PERSON: Michelle M. Shane, Executive Director, Kentucky Board of Veterinary Examiners, 4047 Iron Works Parkway, Suite 104, Lexington, Kentucky 40511, phone 502-564-5433, fax 502-753-1458, email Michelle.Shane@ky.gov.

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KENTUCKY BOARD OF NURSING

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Andy Beshear
Governor



January 2, 2025

Senator Stephen West, Co-Chair
Representative Derek Lewis, Co-Chair
c/o Emily Caudill, Regulation Complier
Administrative Regulation Review Subcommittee
Legislative Research Commission
029, Capitol Annex
Frankfort, KY 40601

Re: 201 KAR 20:057. Scope and standards of practice of advanced practice registered nurses.

Dear Co-Chairs West and Lewis:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 201 KAR 20:057, the Kentucky Board of Nursing proposes the attached suggested substitute – Amended After Comments to 201 KAR 20:057.

Sincerely,

Jeffrey R. Prather, General Counsel
Kentucky Board of Nursing
312 Whittington Parkway, Suite 300
Louisville, KY 40222
Phone: (502) 338-2851
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SUGGESTED SUBSTITUTE – AMENDED AFTER COMMENTS

GENERAL GOVERNMENT CABINET

Board of Nursing

201 KAR 20:057. Scope and standards of practice of advanced practice registered nurses.

RELATES TO: KRS 218A.171, 218A.172, 218A.202, 218A.205(3)(a), (b), 314.011(7), (8), 314.039, 314.042, 314.091, ~~[314.193(2),]~~ 314.195, 314.475

STATUTORY AUTHORITY: KRS 218A.205(3)(a), (b), 314.042, 314.131(1)~~[, 314.193(2)]~~

NECESSITY, FUNCTION, AND CONFORMITY: KRS 218A.205(3)(a) and (b) require the Board of Nursing, in consultation with the Kentucky Office of Drug Control Policy, to establish by administrative regulation mandatory prescribing and dispensing standards for licensees authorized to prescribe or dispense controlled substances, and in accordance with the Centers for Disease Control and Prevention (CDC) guidelines, to establish a prohibition on a practitioner issuing a prescription for a Schedule II controlled substance for more than a three (3) day supply if intended to treat pain as an acute medical condition, unless an exception applies. KRS 314.131(1) authorizes the board to promulgate administrative regulations necessary to enable it to carry into effect the provisions of KRS Chapter 314 and authorizes the board to require by administrative regulation that licensees and applicants utilize a specific method of submission of documents or information that is required to be provided to the board, including electronic submission. ~~[KRS 314.193(2) authorizes the board to promulgate administrative regulations establishing standards for the performance of advanced practice registered nursing to safeguard the public health and welfare.]~~ This administrative regulation establishes the scope and standards of practice for an advanced practice registered nurse.

Section 1. Definitions.

- (1) "Collaboration" means the relationship between the advanced practice registered nurse (APRN) and a physician in the provision of prescription medication, including both autonomous and cooperative decision-making, with the APRN and the physician contributing their respective expertise.
- (2) "Collaborative Agreement for the Advanced Practice Registered Nurse's Prescriptive Authority for Controlled Substances" or "CAPA-CS" means the written document pursuant to KRS 314.042(11).
- (3) "Collaborative Agreement for the Advanced Practice Registered Nurse's Prescriptive Authority for Nonscheduled Legend Drugs" or "CAPA-NS" means the written document ***required by KRS 314.042(12)[pursuant to KRS 314.042(8)]***.
- (4) "Good standing" is defined by KRS 314.039.
- (5) "Immediate family member" means a spouse, parent, parent-in-law, stepparent, child, stepchild, son-in-law, daughter-in-law, sibling, stepsibling, brother-in-law, sister-in-law, grandparent, grandchild, spouse of grandparent or grandchild, or other person residing in the same residence as the APRN.
- (6) "KBML" means the Kentucky Board of Medical Licensure.
- (7) "PDMP" means the electronic prescription drug monitoring program system for monitoring scheduled controlled substances and medicinal cannabis currently in use in Kentucky pursuant to KRS 218A.202, including the Kentucky All Schedule Prescription Electronic Reporting (KASPER) System.

Section 2.

Section 4. Advanced practice registered nursing shall include prescribing and administering medications, as well as ordering treatments, devices, diagnostic tests, and performing certain procedures that shall be consistent with the scope and standards of practice of the APRN.

Section 5. Advanced practice registered nursing shall not preclude the practice by the APRN of registered nursing practice as defined by KRS 314.011(6).

Section 6.

(1)

(a) A CAPA-NS and a CAPA-CS shall include the:

1. Name;
2. Practice address;
3. Phone number;
4. License number of both the APRN and each physician who is a party to the agreement; and
5. Population focus and area of practice of the APRN and each physician.

(b) An APRN shall use a CAPA-NS Agreement Form.

(c) An APRN shall use the Standardized CAPA-CS Agreement Form.

(2)

(a) To notify the board of the existence of a CAPA-NS pursuant to KRS 314.042(8)(b), the APRN shall submit an online notification as established in paragraph (e) of this subsection.

(b) To notify the board that the requirements of KRS 314.042(9) have been met and that the APRN will be prescribing nonscheduled legend drugs without a CAPA-NS, the APRN shall submit an online notification as established in paragraph (e) of this subsection.

(c) To notify the board of the existence of a CAPA-CS pursuant to KRS 314.042(11)(b), the APRN shall submit an online notification as established in paragraph (e) of this subsection.

(d) To notify the board that the requirements of KRS 314.042(14) have been met and request that the APRN be exempt from prescribing scheduled legend drugs under a CAPA-CS, the APRN shall complete the request for APRN exemption from CAPA-CS prescriptive authority and pay the listed fee in 201 KAR 20:240, Section 3(1)(e). Each submitted request shall be subject to the fee, regardless of whether the board grants the exemption after making a determination under Section 7 of this administrative regulation.

(e) Each notification, rescission, and exemption request shall be submitted by the APRN to the board via the online KBN Nurse Portal at www.kbn.ky.gov, and shall include the information and documentation required by subsection (1) of this section and this subsection.

(f) Upon request by the board, the APRN shall furnish to the board a copy of the executed CAPA-NS Agreement Form or Standardized CAPA-CS Agreement Form.

(3) For purposes of the CAPA-NS and the CAPA-CS, in determining whether the APRN and the collaborating physician are qualified in the same or a similar specialty, the board shall consider the facts of each [particular] situation and the scope of the APRN's and the physician's actual practice.

(4) An APRN with controlled substance prescriptive authority, shall:

(a) Obtain a United States Drug Enforcement Administration (DEA) Controlled Substance Registration Certificate and shall report the APRN's Kentucky DEA number, and any change in the status of a certificate by providing a copy of each registration certificate to the board within thirty (30) days of issuance.

(b) Register for a master account with the PDMP, within thirty (30) days of obtaining a DEA Controlled Substance Registration Certificate, and prior to prescribing controlled substances. A copy of the PDMP

(b) An APRN wishing to practice in Kentucky through licensure by endorsement who has had the authority to prescribe controlled substances for less than four (4) years and wishes to continue to prescribe controlled substances shall enter into a CAPA-CS with a physician licensed in Kentucky and comply with the provisions of KRS 314.042(11), until the requirements of this section are met.

(6) If the board determines that the APRN is eligible for the exemption after a review and determination of the exemption request under this section, the board shall notify the APRN in writing that the CAPA-CS is no longer required. The board shall not require the APRN to maintain a CAPA-CS as a condition to prescribe controlled substances unless the board imposes the requirement as part of an action instituted under KRS 314.091(1).

(7) If the board denies the exemption request, the denial shall be in writing and shall state the reasons for the denial. The requestor may request a hearing pursuant to KRS Chapter 13B within twenty (20) days of receiving written notification of the denial. If a hearing is requested and the order of the board is adverse to the advance practice registered nurse, the board may impose costs pursuant to 201 KAR 20:162, Section 7.

(8) The APRN nurse shall not prescribe controlled substances without a CAPA-CS until the board has completed its review and has notified the APRN in writing that the APRN is exempt from the CAPA-CS requirement.

Section 8. Prescribing Medications without Prescriptive Authority. Prescribing nonscheduled legend drugs without a CAPA-NS or prescribing controlled substances without a CAPA-CS shall constitute a violation of KRS 314.091(1), unless:

(1) In the case of nonscheduled legend drugs, the CAPA-NS has been discontinued pursuant to KRS 314.042(9) or if the prescribing occurred within the grace period established in Section 6(6) of this administrative regulation; or

(2) In the case of controlled substances, the APRN was granted an CAPA-CS exemption by the board under KRS 314.042(14)(e) prior to the date the medications were prescribed.

Section 9. The board may make an unannounced visit to an APRN's practice to determine if it is consistent with the requirements established by KRS Chapter 314 and 201 KAR Chapter 20. Patient and prescribing records shall be made available for immediate inspection.

Section 10. Prescribing Standards for Controlled Substances.

(1)

(a) This section shall apply to APRNs with controlled substance prescriptive authority. It also applies to the utilization of the PDMP.

(b) The APRN shall practice according to the applicable scope and standards of practice for the APRN's role and population focus. This section does not alter the prescribing limits established in KRS 314.011(8).

(2) Prior to the initial prescribing of a controlled substance to a patient, the APRN shall:

(a) Obtain the patient's medical history, including history of substance use, and conduct an examination of the patient and document the information in the patient's medical record. An APRN certified in psychiatric-mental health shall obtain a medical and psychiatric history, perform a mental health assessment, and document the information in the patient's medical record;

(b) Query the PDMP for the twelve (12) month period immediately preceding the request for available data on the patient and maintain all PDMP report identification numbers and the date of issuance of each PDMP report in the patient's record;

- (b) Query the PDMP for the twelve (12) month period immediately preceding the request for available data on the patient and document the data in the patient's record;
 - (c) Develop a written treatment plan stating the objectives of the treatment and further diagnostic examinations required; and
 - (d) Discuss the risks and benefits of the use of controlled substances with the patient, the patient's parent if the patient is an unemancipated minor child, the patient's legal guardian, or health care surrogate, including the risks of tolerance and drug dependence, and document that the discussion occurred and that the patient consented to that treatment.
- (10) For each patient for whom an APRN prescribes a controlled substance, the APRN shall keep accurate, readily accessible, and complete medical records, which include:
- (a) Medical history and physical or mental health examination;
 - (b) Diagnostic, therapeutic, and laboratory results;
 - (c) Evaluations and consultations;
 - (d) Treatment objectives;
 - (e) Discussion of risk, benefits, and limitations of treatments;
 - (f) Treatments;
 - (g) Medications, including date, type, dosage, and quantity prescribed;
 - (h) Instructions and agreements;
 - (i) Periodic reviews of the patient's file; and
 - (j) The date and time of the [All PDMP report identification numbers and the date of issuance-]request and review of each PDMP query[report].
- (11) The requirement to query the PDMP shall not apply to:
- (a) An APRN prescribing or administering a controlled substance immediately prior to, during, or within the fourteen (14) days following an operative or invasive procedure or a delivery if the prescribing or administering is medically related to the operative or invasive procedure of the delivery and the medication usage does not extend beyond the fourteen (14) days;
 - (b) An APRN prescribing or administering a controlled substance necessary to treat a patient in an emergency situation; or
 - (c) An APRN prescribing a controlled substance:
 - 1. For administration in a hospital or long-term-care facility with an institutional account, or an APRN in a hospital or facility without an institutional account, if the hospital, long-term-care facility, or licensee queries the PDMP for all available data on the patient or resident for the twelve (12) month period immediately preceding the query within twelve (12) hours of the patient's or resident's admission and places a copy of the query in the patient's or resident's medical records during the duration of the patient's stay at the facility;
 - 2. As part of the patient's hospice or end-of-life treatment;
 - 3. For the treatment of pain associated with cancer or with the treatment of cancer;
 - 4. To assist a patient with submitting to a diagnostic test or procedure;
 - 5. Within seven (7) days of an initial prescription pursuant to subsection (1) of this section if the prescriber:
 - a. Substitutes a controlled substance for the initial prescribing;
 - b. Cancels any refills for the initial prescription; and
 - c. Requires the patient to dispose of any remaining unconsumed medication;
 - 6. Within ninety (90) days of an initial prescription pursuant to subsection (1) of this section if the prescribing is done by another licensee in the same practice or in an existing coverage arrangement, if done for the same patient for the same condition;

(16) An APRN may prescribe electronically. Electronic prescription shall be as established in KRS 218A.171.

(17) For any prescription for a controlled substance, the prescribing APRN shall discuss with the patient the effect the patient's medical condition and medication may have on the patient's ability to safely operate a vehicle in any mode of transportation.

Section 11. Immediate Family Member and Self-prescribing or Administering Medications.

(1) An APRN shall not self-prescribe or administer controlled substances.

(2) An APRN shall not prescribe or administer controlled substances to his or her immediate family member except as established in subsections (3) and (4) of this section.

(3) An APRN may prescribe or administer controlled substances to an immediate family member:

(a) In an emergency situation;

(b) For a single episode of an acute illness through one (1) prescribed course of medication; or

(c) In an isolated setting, if no other qualified practitioner is available.

(4)

(a) An APRN who prescribes or administers controlled substances for an immediate family member pursuant to subsections (3)(a) or (b) of this section shall document all relevant information and notify the appropriate provider.

(b) An APRN who prescribes or administers controlled substances for an immediate family member pursuant to subsection (3)(c) of this section shall maintain a provider-practitioner relationship and appropriate patient records.

Section 12. Incorporation by Reference.

(1) The following material is incorporate by reference:

(a) "AACN Scope and Standards for Adult-Gerontology and Pediatric Acute Care Nurse Practitioners~~[Practitioner Practice]~~", 2021~~[2017]~~ Edition, American Association of Critical-Care Nurses;

(b) "AACN Scope and Standards for Acute Care Clinical Nurse Specialist Practice", 2022~~[2014]~~ Edition, American Association of Critical-Care Nurses;

(c) "Neonatal Nursing: Scope and Standards of Practice", 2021, 3rd~~[2013]~~ Edition, American Nurses Association/ National Association of Neonatal Nurses;

(d) "Nursing: Scope and Standards of Practice", 2021, 4th~~[2015]~~ Edition, American Nurses Association;

(e) "Pediatric Nursing: Scope and Standards of Practice", 2015, 2nd Edition, American Nurses Association/ Society of Pediatric Nursing/ National Association of Pediatric Nurse Practitioners;

(f) "Psychiatric-Mental Health Nursing: Scope and Standards of Practice", 2022, 3rd Edition~~[2014]~~, American Nurses Association/ American Psychiatric Nursing Association;

(g) "Scope of Practice for Nurse Practitioners", 2022~~[2019]~~ Edition, American Association of Nurse Practitioners;

(h) "Standards of Practice for Nurse Practitioners", 2022~~[2019]~~ Edition, American Association of Nurse Practitioners;

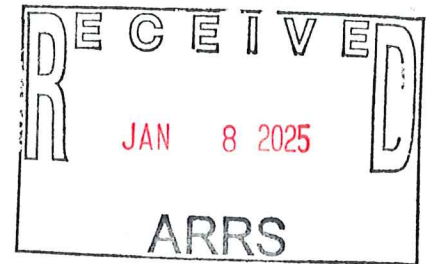
(i) "Scope of Nurse Anesthesia Practice", 2020~~[2013]~~ Edition, American Association of Nurse Anesthetists;

(j) "Standards for Nurse Anesthesia Practice", 2019 Edition, American Association of Nurse Anesthetists;

(k) [~~"Standards for Office Based Anesthesia Practice", 2019 Edition, American Association of Nurse Anesthetists;~~]

[~~(l)~~] "Standards for the Practice of Midwifery", 2022~~[2014]~~ Edition, American College of Nurse Midwives;

[~~(l)~~]~~(m)~~] "Oncology Nursing Scope and Standards of Practice", 2019 Edition, Oncology Nursing Society;



January 2, 2024

Senator Stephen West, Co-Chair
Representative Derek Lewis, Co-Chair
c/o Emily Caudill, Regulations Compiler
Administrative Regulation Review Subcommittee
Legislative Research Commission
029, Capitol Annex
Frankfort, KY 40601

Re: 202 KAR 7:401

Dear Co-Chairs West and Lewis:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 202 KAR 7:401, the Kentucky Board of Emergency Medical Services proposes the attached amendment to 202 KAR 7:401.

Sincerely,

John R. Holder, Chair
Kentucky Board of Emergency Medical Services
500 Mero Street, 5th Floor 5SE32
Frankfort, KY 40601

Kentucky Board of Emergency Medical Services
500 Mero Street, 5th Floor 5SE32, Frankfort, KY 40601
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SUGGESTED SUBSTITUTE

KENTUCKY BOARD OF EMERGENCY MEDICAL SERVICES

202 KAR 7:401. Paramedics.

RELATES TO: KRS 12.355, 72.020, 311A.025, 311A.030, 311A.050-311A.100, 311A.120, 311A.135, 311A.142, 311A.170, ~~[311A.185,]~~311A.190, 446.400

STATUTORY AUTHORITY: KRS 311A.020, 311A.025, 311A.030, 311A.120, 311A.125, 311A.135, 311A.170

NECESSITY, FUNCTION, AND CONFORMITY: KRS 311A.025 requires the board to promulgate administrative regulations relating to requirements and procedures for licensure, relicensure, and reciprocity for paramedics. This administrative regulation establishes those requirements and procedures.

Section 1. Paramedic Student Eligibility. Individuals shall be eligible to enroll as a student in a paramedic education and training program if the applicant:

- (1) Holds current unrestricted certification as an Emergency Medical Technician or Advanced Emergency Medical Technician in Kentucky or holds current unrestricted certification with the National Registry of Emergency Medical Technicians (NREMT) as an Emergency Medical Technician or Advanced Emergency Medical Technician;
- (2) Is not currently subject to disciplinary action pursuant to KRS Chapter 311A that would prevent licensure; and
- (3) Meets all additional requirements established by the EMS Training and Educational Institution (EMS-TEI).

Section 2. Licensure Requirements.

~~(1)~~ Individuals desiring initial licensure as a paramedic shall:

~~(1)(a)~~ Successfully complete a board approved education and training program that conforms to the curriculum of the United States Department of Transportation, National Highway Traffic Safety Administration, National Emergency Medical Services Education Standards- Paramedic Instructional Guidelines;

~~(2)(b)~~ Successfully complete all EMS-Training and Educational Institute (EMS-TEI) requirements for the education or training program **that[which]**:

~~(a)(1-)~~ Meet or exceed the National Emergency Medical Services Educational Standards- Paramedic Instructional Guidelines, which shall not be satisfied by the completion of refresher or transition courses alone; and

~~(b)(2-)~~ Meet all educational standards established in 202 KAR 7:601;

~~(c)~~ ~~[Present evidence of completion of education and training regarding determination of death and preservation of evidence as required by KRS 311A.185;]~~

~~(3)(d)~~ Obtain certification as a paramedic by the National Registry of Emergency Medical Technicians;

~~(4)(e)~~ Submit a completed Paramedic Initial Licensure Application in the Kentucky Emergency Medical Services Information System (KEMSIS);

~~(5)(f)~~ Pay the fee pursuant to 202 KAR 7:030;

~~(6)(g)~~ Undergo a background check pursuant to KRS 311A.050 and 311A.100. ~~[:]~~

~~(a)(1-)~~ The background check shall be:

1. ~~(a-)~~ National in scope for an applicant not currently certified at any level in Kentucky;

~~2.[b.]~~ Statewide in scope for an applicant with current certification in Kentucky;

~~3.[c.]~~ Less than six (6) months old when the applicant submits to the board all requirements for licensure; and

~~4.[d.]~~ Provided by a vendor that has been contracted through the board; and

~~(b)[2.]~~ An applicant shall not directly submit a background check to meet the requirements of this section. The background check shall be submitted to the board by the company that conducts the background check; and

~~(7)[(h)]~~ Be a citizen of the United States, a permanent resident of the United States, or otherwise lawfully present in the United States, as evidenced by submission to the board of:

~~(a)[1.]~~ A Social Security card;

~~(b)[2.]~~ Birth certificate;

~~(c)[3.]~~ A United States Citizenship and Immigration Services (U.S.C.I.S.) Permanent Resident Card (form I-551/Green Card); or

~~(d)[4.]~~ Other legal authorization to live and work in the United States.

~~[(2)]~~

~~[(a)] [A paramedic licensed pursuant to this section shall complete training regarding determination of death and preservation of evidence as required by KRS 311A.185 prior to beginning work for a licensed agency in Kentucky.]~~

~~[(b)] [Training in determination of death and preservation of evidence as required by KRS 311A.185 shall be provided during employee orientation, or by entities authorized to conduct continuing education pursuant to 202 KAR 7:601.]~~

Section 3. Renewal of Licensure and Continuing Education Requirements.

(1) A paramedic shall be eligible for license renewal if:

(a) The applicant submits a completed Paramedic License Renewal Application in KEMSIS;

(b) The applicant maintains written evidence of:

1. HIV/AIDS training required by KRS 311A.120;
2. Pediatric Abusive Head Trauma as required by KRS 311A.120; and
3. Awareness of Sexual Violence Training required by KRS 311A.120;

(c) The applicant pays the fee pursuant to 202 KAR 7:030; and

(d) The applicant maintains evidence of:

1. Current certification by the NREMT as a paramedic, and if this option is used the board may request, through a continuing education audit, proof of continuing education to verify compliance with the continuing education requirements of this section; or
2. NREMT Paramedic National Component of the Continued Competency Program Paramedic for Continuing Education.

(2) All continuing education shall be validated by entities authorized to conduct continuing education pursuant to 202 KAR 7:601.

(3) An application for renewal of licensure shall be denied if:

(a) Prior to the licensure expiration date, the paramedic applicant has not met the applicable requirements of this administrative regulation; or

(b) The applicant has been subjected to disciplinary action that prevents relicensure at the time of application.

(4) A licensed paramedic, in good standing, who is a member of a National Guard or a military reserve unit called to active duty by presidential order pursuant to 10 U.S.C. 121 and 12304 shall be renewed in accordance with KRS 12.355 upon submission of the Military Extension Application.

(5) The board office may audit a paramedic's continuing education and continuing education records. The paramedic shall submit the documentation requested within ten (10) business days of receipt of the board's request.

(6) If documentation of continuing education hours consistent with this administrative regulation are not received using the board-approved submission process within ten (10) business days of receipt of the board's request, the paramedic license for the individual shall be summarily revoked and the individual shall reapply for licensure through reinstatement if eligible.

(7) The ten (10) business days for submission shall not apply to investigations pursuant to KRS Chapter 311A.

(8) The paramedic shall maintain documentation of all continuing education for three (3) years from the date of completion.

Section 4. Reinstatement of License.

(1) A paramedic whose Kentucky license has lapsed may reinstate their license if the applicant submits:

(a) A completed Paramedic Reinstatement License Application in KEMSIS;

(b) Evidence of previous licensure as a paramedic in the Commonwealth of Kentucky;

(c) Evidence of current training in:

1. Pediatric Abusive Head Trauma as required by KRS 311A.120;

2. Awareness of Sexual Violence Training required by KRS 311A.120; and

~~3.] [Training regarding determination of death and preservation of evidence as required by KRS 311A.185; and]~~

3.]4.] HIV/AIDs training required by KRS 311A.120; and

(d) Payment of the fee pursuant to 202 KAR 7:030.

(2)

(a) The applicant for reinstatement of license shall undergo a national background check provided by a vendor that has been contracted through the board.

(b) An applicant shall not directly submit a background check to meet the requirements of this section. The background check shall be submitted to the board by the company that conducts the background check.

(c) Background checks that are older than six (6) months shall not be considered current, and the applicant shall undergo another national background check prior to approval of reinstatement of license.

(3) The applicant for reinstatement of licensure shall bear the burden of proof of previous licensure in Kentucky if the previous paramedic license is in issue or dispute.

(4) An applicant shall provide evidence of successful completion of the NREMT-Paramedic national component of the continued competency program for continuing education within the twelve (12) months preceding application for reinstatement of the paramedic license.

(5) An applicant ineligible for licensure pursuant to KRS 311A.050 through 311A.090 shall be ineligible for reinstatement.

Section 5. Paramedic Reciprocity.

(1) ~~An [Pursuant to KRS 311A.142, an]~~ individual who is certified or licensed in another ~~[a contiguous]~~ state ~~[to the Commonwealth of Kentucky]~~ or by the NREMT as a paramedic or any member of the United States Armed Forces, or veteran who has transitioned within the past six (6) years from the United States Armed Forces, and has been registered by the National Registry as a paramedic or has obtained National Registry as a paramedic by successfully completing a board-approved United States Armed Forces

medical training course that meets the National Emergency Medical Services Education Standards for Paramedic, shall be eligible for reciprocity for Kentucky licensure as a paramedic if the applicant submits:

- (a) A completed Paramedic Reciprocity Licensure Application in KEMSIS;
- (b) Proof of the applicant's current unrestricted certification as a NREMT-Paramedic, or current paramedic license in ~~another~~^[a contiguous] state~~[-to the Commonwealth of Kentucky]~~, or proof of completing a board-approved United States Armed Forces medical training course which included NREMT-Emergency Medical Technician certification and completion of a board-approved bridge course; and

(c) Completion of current training in:

- 1. HIV/AIDS training required by KRS 311A.120;
- 2. Pediatric Abusive Head Trauma training required by KRS 311A.120; and
- 3. Awareness of Sexual Violence Training required by KRS 311A.120; ~~[and]~~
- ~~[4.] [Training regarding determination of death and preservation of evidence as required by KRS 311A.185.]~~

(2) An applicant shall pay the fee required for licensure through reciprocity pursuant to 202 KAR 7:030.

(3) An applicant for paramedic reciprocity shall undergo a national background check provided by a vendor that has been contracted through the board. An applicant shall not directly submit a background check. The background check shall be submitted to the board by the company that conducts the background check. Background checks that are older than six (6) months shall not be considered current, and the applicant shall undergo another national background check prior to approval of licensure through reciprocity.

(4) An applicant shall not have been convicted of offenses described in KRS 311A.050.

(5) An applicant shall not have been subjected to discipline that would prevent reciprocity at the time of application.

(6) A paramedic licensed pursuant to this section shall not perform any procedures or skill on which the paramedic has not been trained. A paramedic who performs a skill for which the paramedic does not have documented training shall have exceeded the scope of practice and shall be in violation of KRS 311A.050.

~~[(7)] [A paramedic licensed pursuant to this section shall complete training regarding determination of death and preservation of evidence as required by KRS 311A.185 prior to beginning work for a licensed agency in Kentucky.]~~

~~[(a)] [Training in determination of death and preservation of evidence as required by KRS 311A.185 shall be provided during employee orientation, or by entities authorized to conduct continuing education pursuant to 202 KAR 7:601.]~~

~~[(b)] [Kentucky supplemental paramedic curricula consistent with 202 KAR 7:701 shall be provided during employee orientation, or by entities authorized to conduct continuing education pursuant to 202 KAR 7:601.]~~

~~[(c)] [Verification of competency on the supplemental curricula procedures in 202 KAR 7:701 shall be maintained by the paramedic for a minimum of three (3) years. Failure to submit the Paramedic Supplemental Curriculum Training Verification Report upon request shall result in revocation of the paramedic license.]~~

~~[(8)] [If a paramedic licensed pursuant to this section fails to supply verification of competency as required by subsection (7) of this section, the paramedic shall be ineligible to apply for and receive paramedic reciprocity license until the applicant has submitted the Paramedic Supplemental Curriculum Training Verification Report as required by 202 KAR 7:701 and shall reapply for reciprocity through the process listed in this section.]~~

Section 6. Scope of Practice. A paramedic shall provide emergency medical services consistent with the skills and procedures in the National EMS Scope of Practice Model and 202 KAR 7:701.

Section 7. Expiration of Licensure.

- (1) Licensure periods and expiration dates shall be pursuant to KRS 311A.095.
- (2) If a paramedic license lapses or expires, the paramedic shall cease provision of emergency medical services.
- (3) A paramedic who has allowed his or her license to lapse or expire shall be required to reinstate his or her licensure pursuant to Section 4 of this administrative regulation.

Section 8. Downgrading Licensure.

- (1) A paramedic currently licensed as a paramedic by the board shall be eligible for licensure downgrade if:
 - (a) The license is in good standing with no pending disciplinary action;
 - (b) The applicant submits a completed Paramedic License Downgrade Application in KEMSIS; and
 - (c) The applicant pays the fee pursuant to 202 KAR 7:030;
- (2) A paramedic shall only be eligible to downgrade his or her license to an Advanced Emergency Medical Technician, Emergency Medical Technician, or Emergency Medical Responder certification.
- (3) Certification periods and expiration dates shall be pursuant to KRS 311A.095.
- (4) The applicant shall undergo a background check pursuant to KRS 311A.050 and 311A.100. The background check shall be:
 - (a) Statewide in scope for an applicant with current certification in Kentucky;
 - (b) Less than six (6) months old when the applicant submits to the board all requirements for certification; and
 - (c) Provided by a vendor that has been contracted through the board.
- (5) Downgrade shall be denied if the applicant has not met the requirements of this section or has been subject to disciplinary action that prevents certification at the time of application.
- (6) The applicant shall be responsible for meeting the renewal requirements of the downgraded certification level issued prior to expiration of that certification.
- (7) To reinstate the certification or license that was previously held, the applicant shall meet the regulatory requirements for that level of certification or licensure.
- (8) The applicant shall notify the board's licensed service director with whom the applicant is affiliated immediately upon downgrading his or her license.
- (9) Once the applicant has downgraded his or her certification or license, the applicant shall not provide emergency medical services at the previous certification or license level held.
- (10) An applicant applying for downgrade that does not comply with this section shall be subject to disciplinary action pursuant to KRS Chapter 311A.
- (11) All endorsements, certifications, or licenses held at the previous certification or license level shall be void at the completion of the downgrade.

Section 9. Surrender of License.

- (1) A paramedic surrendering licensure shall:
 - (a) Submit a completed Paramedic License Surrender Application in KEMSIS; and
 - (b) Pay the fee pursuant to 202 KAR 7:030.
- (2) The applicant shall notify the board's licensed service director with whom the applicant is affiliated immediately upon surrendering his or her license.

Section 10. Reporting Requirements.

(1) A paramedic shall maintain current demographic information in KEMSIS including:

(a) Legal name;

1. Any changes to the paramedic's legal name shall be submitted using the Name Change application in KEMSIS; and

2. One (1) of the following documents as verification of name change:

a. Social Security card;

b. Driver's license; or

c. Passport;

(b) Mailing address;

(c) Email address; and

(d) Phone number.

(2) A paramedic that does not comply with this section shall be subject to disciplinary action pursuant to KRS Chapter 311A.

~~[Section 11.] [Determination of Death Protocol.]~~

~~[(1)] [The paramedic shall determine and document that the following signs of death are present:]~~

~~[(a)] [Unresponsiveness;]~~

~~[(b)] [Apnea;]~~

~~[(c)] [Absence of a palpable pulse at the carotid site;]~~

~~[(d)] [Bilaterally fixed and dilated pupils; and]~~

~~[(e)] [Except in a case of trauma, asystole determined in two (2) leads on an electrocardiograph.]~~

~~[(2)] [The paramedic shall determine that one (1) of the following factors or conditions exist:]~~

~~[(a)] [Lividity of any degree;]~~

~~[(b)] [Rigor mortis of any degree;]~~

~~[(c)] [Presence of venous pooling in the body;]~~

~~[(d)] [Damage or destruction of the body which is incompatible with life;]~~

~~[(e)] [A copy of the Kentucky Emergency Medical Services Do Not Resuscitate (DNR) Order or identification bracelet or other means of identification evidencing a patient's desire not to be resuscitated in accordance with KRS 311A.170; or]~~

~~[(f)] [A properly executed Kentucky Medical Orders for Scope of Treatment (MOST) form.]~~

~~[(3)] [If a paramedic has determined and documented that the conditions of subsections (1) and (2) of this section exist, the paramedic may, subject to the provisions of this administrative regulation, declare the patient dead.]~~

~~[(4)] [The paramedic may contact medical control or other licensed physician, if authorized in writing by the medical director, for advice and assistance in making a determination required by this administrative regulation.]~~

~~[(5)] [If a paramedic determines a patient to be dead, the paramedic shall remain on the scene unless the paramedic's personal safety is jeopardized, until the arrival of the coroner, deputy coroner, or law enforcement officer from that jurisdiction.]~~

Section 11.~~[Section 12.]~~ Discontinuance of Resuscitative Efforts.

~~[(1)] [A paramedic may discontinue resuscitation if:]~~

~~[(a)] [The patient has suffered cardiac arrest prior to arrival at the hospital;]~~

~~[(b)] [The paramedic has performed the resuscitative efforts required in the resuscitation protocol of the ambulance service medical director;]~~

~~[(c)] [The resuscitative efforts were unsuccessful; and]~~

- [(d)] [The patient meets the criteria established in Section 11(1) of this administrative regulation.]
- [(2)] [A paramedic may also discontinue resuscitation:]
 - [(a)] [If the safety of the paramedic is at risk; or]
 - [(b)] [At mass casualty incidents.]
- [(3)] [A paramedic may discontinue resuscitation initiated by someone other than a paramedic if:]
 - [(a)] [The patient has suffered cardiac arrest;]
 - [(b)] [The resuscitative efforts required in the resuscitation protocol of the ambulance service medical director have been performed and documented;]
 - [(c)] [The resuscitative efforts were unsuccessful; and]
 - [(d)] [The patient meets the criteria established in Section 11(1) of this administrative regulation.]
- [(4)] [If a paramedic discontinues resuscitation on a patient prior to transport of the patient to a medical facility, the paramedic shall make the notifications required by KRS 72.020 and at least one (1) member of the ambulance crew shall remain on the scene until the arrival of a coroner, deputy coroner, or law enforcement officer.]
- [(5)] [If a paramedic discontinues resuscitation on a patient during transport to a medical facility, the paramedic shall make the notifications required by KRS 72.020 to the officials of the county in which the paramedic discontinued resuscitation. Upon making the notification, the paramedic shall determine from the coroner whether to remain at that location, to return the deceased to a facility within the primary service area of the ambulance provider, or to continue on to the medical facility with the deceased.]
- [(6)] A paramedic shall discontinue resuscitation efforts if presented with a properly executed Kentucky Emergency Medical Services Do Not Resuscitate (DNR) Order, or properly executed Kentucky Medical Orders for Scope of Treatment (MOST) form.

[Section 13.] [Training of Paramedics in Determination of Death and Preservation of Evidence.]

- [(1)] [The training program shall not be less than one (1) hour in length and, at a minimum, shall include:]
 - [(a)] [Information on and a copy of KRS 311A.170;]
 - [(b)] [Information on and a copy of this administrative regulation;]
 - [(c)] [Information on and a copy of KRS 72.020;]
 - [(d)] [Information on and a copy of KRS 446.400;]
 - [(e)] [Information on the duties of and role of the coroner and state medical examiner; and]
 - [(f)] [Information on preservation of evidence at the scene of a death.]
- [(2)] [The training shall be:]
 - [(a)] [Provided as part of a paramedic training course conducted by an approved EMS-TEI via:]
 - [1.] [Classroom instruction;]
 - [2.] [Video conferencing or other distance learning media; or]
 - [3.] [Video presentation or computer based learning; and]
 - [(b)] [Conducted under the supervision of a medical director.]
- [(3)] [The medical director of the ambulance service or EMS provider conducting the training shall request the coroner of the county in which the training is provided to attend and participate in the training.]
- [(4)] [The EMS-TEI or the medical director providing the training shall maintain the following records:]
 - [(a)] [A copy of the course outline used in the training to verify that the training has been conducted in accordance with the requirements of this administrative regulation;]

~~[(b)] [A sign-in sheet with the printed and signed names and certification or license numbers and state of license of all paramedics who successfully completed the training, including the signature of the educator supervising the education program; and]~~

~~[(c)] [Curriculum vitae for each member of the course faculty.]~~

~~[(5)] [A certificate or letter of certification shall be provided to each participant in the program at the conclusion of the training.]~~

~~[(6)] [The board office shall maintain an approved curriculum, Prehospital Determination of Death, that may be used by entities providing training specified by this administrative regulation.]~~

Section 12.~~[Section 14.]~~ Critical Care Endorsement.

(1) A paramedic licensed by the board may be granted a critical care endorsement upon completion of the Application for Paramedic Critical Care Endorsement, payment of the fee pursuant to 202 KAR 7:030, and completion of a board-approved training program that minimally meets the objectives of the University of Maryland Baltimore Campus CCEMTP Program.

(2) The critical care endorsement shall be valid if the paramedic maintains current licensure as a paramedic by the board.

(3) A paramedic with a critical care endorsement may perform the skills and procedures included in the paramedic's education and training subject to authorization by the medical director through established protocols.

(4) Notwithstanding subsections (1) through (3) of this section, on and after January 1, 2026, critical care endorsements shall not be valid. Paramedics wishing to provide critical care on and after January 1, 2026, shall obtain an advanced practice paramedic license and certification as a critical care paramedic in accordance with 202 KAR 7:410.

Section 13.~~[Section 15.]~~ Exemptions from Paramedic Administrative Regulations. The Kentucky licensure requirements for a paramedic shall not apply to:

(1) United States military members, National Guard personnel, or employees of the United States government if the individual provides emergency medical services:

(a) On land owned by the United States government;

(b) In facilities owned by the United States government;

(c) In the performance of official duties under federal law; or

(d) As part of assistance for a mass casualty or disaster incident pursuant to federal law or official state assistance request; or

(2) A paramedic licensed in another state or territory of the United States who:

(a) Enters Kentucky with a patient being transported to a medical facility or other final destination in Kentucky; or

(b) Travels through Kentucky during the course of a patient transport from an out-of-state location to a destination outside of Kentucky.

Section 14.~~[Section 16.]~~ Public Notice of Negative Action. The board office shall cause to be published on the board website the name of a paramedic that:

(1) Is fined;

(2) Is placed on probationary status;

(3) Is placed on restricted status;

(4) Is suspended; or

(5) Has had his or her certification revoked.

Section 15.~~[Section 17.]~~ The paramedic shall document all items required by Sections 11 and 12 of this administrative regulation on the Patient Care Report required by KRS 311A.190.

Section 16.~~[Section 18.]~~ Incorporation by Reference.

(1) The following material is incorporated by reference:

- (a) "National Emergency Medical Services Education Standards-Paramedic Instructional Guidelines", The United States Department of Transportation, National Highway Traffic Safety Administration, DOT HS 811 077E, January 2009;
- (b) "Paramedic Initial Licensure Application" in KEMSIS, April 2021;
- (c) "Paramedic License Renewal Application" in KEMSIS, April 2021;
- (d) "Paramedic Reciprocity Licensure Application" in KEMSIS, April 2021;
- (e) ~~[Kentucky Board of Emergency Medical Services, Prehospital Determination of Death Training Curriculum (05-02);]~~
- ~~(f)~~ "(f)" "Paramedic Reinstatement License Application" in KEMSIS, April 2021;
- ~~(g)~~ "(g)" "Kentucky Emergency Medical Services Do Not Resuscitate (DNR) Order", April 2021;
- ~~(h)~~ "(h)" "National EMS Scope of Practice Model", National Highway Traffic Safety Administration, DOT HS 810 657, February 2007;
- ~~(i)~~ "(i)" "National EMS Scope of Practice Model", National Highway Traffic Safety Administration, DOT HS 812 666, February 2019;
- ~~(j)~~ "(j)" "Kentucky Medical Orders for Scope of Treatment (MOST) Form", April 2021;
- ~~(k)~~ "(k)" "Application for Paramedic Critical Care Endorsement" in KEMSIS, April 2021;
- ~~(l)~~ "(l)" "Paramedic License Downgrade Application" in KEMSIS, April 2021;
- ~~(m)~~ "(m)" "Paramedic License Surrender Application", in KEMSIS April 2021;
- ~~(n)~~ "(n)" "National Registry of Emergency Medical Technicians National Continued Competency Program Paramedic", October 2016;
- ~~(o)~~ "(o)" "National Registry of Emergency Medical Technicians Advanced Level Examination Coordinator Manual", November 1, 2016;
- ~~(p)~~ "(p)" "Name Change Application" in KEMSIS, April 2021;
- ~~(q)~~ "(q)" "Military Extension Application" in KEMSIS, April 2021; and
- ~~(r)~~ "(r)" "United States Citizenship and Immigration Services (U.S.C.IS) Permanent Resident Card (form I-551/Green Card)", April 2021.

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(3) This material is also available on the board's Web site at: kyems.com.