



KENTUCKY BOARD OF  
VETERINARY EXAMINERS



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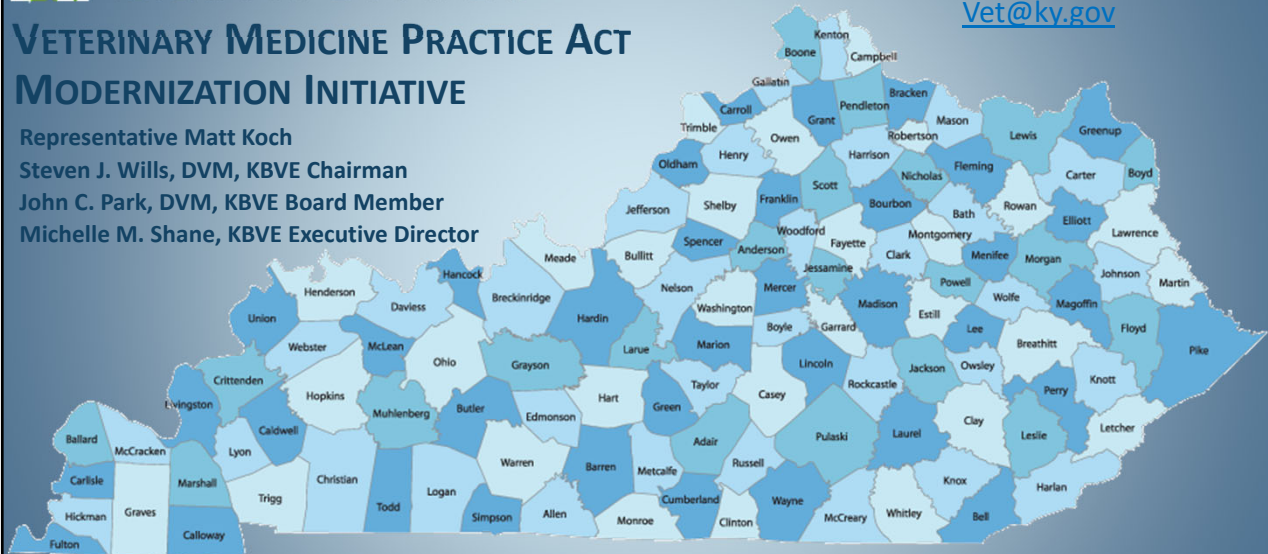
## VETERINARY MEDICINE PRACTICE ACT MODERNIZATION INITIATIVE

Representative Matt Koch

Steven J. Wills, DVM, KBVE Chairman

John C. Park, DVM, KBVE Board Member

Michelle M. Shane, KBVE Executive Director



Learn more about the Kentucky Practice Act at [www.kybve.com/practice-act.html](http://www.kybve.com/practice-act.html)

## THE KENTUCKY PRACTICE ACT

### • Practice Act Modernization

- **1942** – Creation of the Board, Meeting requirements, Vet License required, Penalties, Exemptions, Reporting requirements for County Clerks
- **1948** – Repeal of all statutes; passage of new statutory package for the Board, Meeting requirements, Funding Source, Vet License required, Penalties, Exemptions
- **1992, 1998** – Added statutes KBVE Power and Duties, Definitions, VCPR, Animal Control Agencies (ACAs) and Animal Euthanasia Specialists (AESs), Disciplinary Authority, Veterinary Technician licensure, Veterinary Assistants, Wellness Committee, and Mobile Facilities; as well as some minor edits to existing statutes; repealed multiple statutes, some requirements moved to regulation
- **1962, 2000, 2004, 2007, 2009, 2016, and 2017** – Minor edits, created Emergency Order for immediate suspension
- **2020** – added provisions for Animal Abuse Reporting
- **2021-22** – Complete Modernization Effort



**In summary, more than 30 years since any substantial updates –  
a lot has changed in veterinary medicine in 30 years**

## PRACTICE ACT MODERNIZATION OVERVIEW

- KBVE worked for more than one year on this initiative
- Reviewed national Practice Act Models (PAMs)
  - American Association of Veterinary State Boards (AAVSB)
  - American Veterinary Medical Association (AVMA)
- Reviewed state regulations and outreached to other state Boards on specific topics
  - VCPR
  - Veterinary Facility standards, registrations, and inspections
  - Veterinary technicians and assistants
- Engaged veterinary medicine professional associations KVMA and KVTA Leadership for input on early drafts
  - Proposed Practice Act Modernization package
  - Preliminary development of veterinary facility registration requirements and minimum standards



## PRACTICE ACT MODERNIZATION – STAKEHOLDER OUTREACH

### Outreach to Key Stakeholder Organizations

- Kentucky Veterinary Medical Association (KVMA)
- Kentucky Veterinary Technician Association (KVTA)
- Kentucky Department of Agriculture (KDA)
- Kentucky Office of the State Veterinarian (OSV)
- Kentucky Cabinet for Health and Family Services (CHFS) Public Health Veterinarian
- Kentucky Animal Control Advisory Board (ACAB)
- Kentucky Animal Care & Control Association (KACCA)
- Kentucky Humane Society of the United States (KHSUS)
- American Veterinary Medical Association (AVMA)
- Humane Society of the United States (HSUS)
- Humane Society Veterinary Medical Association (HSVMA)
- Kentucky Association of Counties (KAC)
- Kentucky Cattleman's Association (KCA)
- Kentucky County Judge/Executive Association (KCJEA)
- Kentucky Farm Bureau (KFB)
- Kentucky League of Cities (KLC)
- Kentucky Magistrates and Commissioners Association (KMCA)



## PRACTICE ACT MODERNIZATION – STAKEHOLDER OUTREACH



- Mailing to all Kentucky Licensees and neighboring state licensees
- Outreach to Licensee Stakeholders – 10 regional meetings
  - Bowling Green, Burlington, Elizabethtown, Lexington (2), Louisville, Madisonville, Morehead, Paducah, and Zoom
  - Each meeting
    - Chairman Wills present at all but one meeting; each meeting had at least two (2) board members in attendance
    - 20-45 public participants
    - 45 min presentation
      - Demographics data
      - Preliminary regulations
    - 45+ min dialog
  - Follow-up outreach
- Renewal Responses



## PRACTICE ACT MODERNIZATION – STAKEHOLDER OUTREACH



### Agricultural Leadership Dialogue on Veterinary Shortage

- KDA Commissioner Ryan F. Quarles brought together agriculture and commodity group leadership with leaders from the veterinary community to dialogue about
  - Veterinary Shortage Issues
  - Practice Act Modernization
  - Possible shortage solutions
  - Common goals between industry and the profession
- Future dialogue sessions planned



Watch the first Kentucky dialogue on veterinary shortages:  
<https://vimeo.com/723831966/84509d16bc>

## THE KENTUCKY PRACTICE ACT



### Credentialed professions assigned by the Kentucky General Assembly

1. **Veterinarians**
  - Special permits
2. **Veterinary Technicians (LVTs)**
  - Veterinary Assistants (unlicensed)
3. **Animal Control Agencies**
  - Shelters who seek DEA Registration for purchase and use of controlled substances without a veterinarian
4. **Animal Euthanasia Specialists**
  - Only allowed to conduct euthanasia, and only on shelter owned animals

## PRACTICE ACT MODERNIZATION HIGHLIGHTS



### Administrative Clean-up

- 1) **Expanded Definitions** – common ground for stakeholders
- 2) **Additional Clarifying Statutes** –
  - a) **Renewal and Reinstatement Requirements** – for all credentials
  - b) **Clarifications for Animal Control Agencies (ACAs) and Animal Euthanasia Specialists (AESs)** – related to Controlled Substance Management and Administration, and boundaries of work for AES
  - c) **Medical Records** – requirements for records, and who has rights to records
- 3) **Criminal Background Checks** – required by FBI for direct results
- 4) **Clarifying the Roles of Veterinary Technicians and Veterinary Assistants** – enabling veterinarians to better utilize their LVTs in times of shortages
- 5) **Telehealth** – emphasizes the current requirements for VCPR, and establishes telehealth terminology



## PRACTICE ACT MODERNIZATION HIGHLIGHTS



### Requests for Expansion of Scope

- 1) **Educational Awards**
  - Other state boards already doing this: Ohio, Oklahoma
- 2) **Veterinary Facilities Registration and Inspection**
  - Help elevate the practice of veterinary medicine in the Commonwealth
  - Better understand and work to lessen the veterinary shortages

### Additional Requests for Expansion of Scope – in response to stakeholder feedback

- 1) **Allied Professional Permits**
  - Equine Dentists
  - Animal manipulation (e.g., chiropractic, therapy, etc.)
  - Animal massage
- 2) **Increased board authority to enforce chapter, esp. for non-credential holders**

## PRACTICE ACT MODERNIZATION TAKEAWAYS



### Stakeholder Feedback Summary on Major Issues

- Veterinary-Client-Patient Relationship (VCPR) –
  - 100% agreement from Kentucky veterinary community on moving forward with changes
  - Pushback will come mainly from out-of-state and corporate interests, including animal rights groups
    - Large online corporate companies and animal rights activists are seeking to lift the in-person VCPR requirement nationally
    - Online pharmaceutical companies are seeking to provide prescriptions without ever setting foot in Kentucky, and bypassing requirements for follow-up care
  - Lifting the in-person VCPR requirement opens doors to:
    - Opportunities for drug diversion and abuse
    - Failure to promptly identify, properly diagnose, and quickly contain high-consequence diseases
  - Lifting the in-person VCPR requirement discourages veterinarians from staying in food animal work

## PRACTICE ACT MODERNIZATION TAKEAWAYS



### Stakeholder Feedback Summary on Major Issues

- **Veterinary Facilities Standards, Registration, and Inspections**
  - Estimates 70-80% support from licensees, much higher support from public
  - Hesitancy from some licensees about expanded government and additional fees
    - Fees would be minimal, estimated at \$250-\$350 every two (2) years – already in discussions with stakeholder leadership
  - Others strongly support minimum standards for veterinary facilities, to protect patients and clients
  - Veterinary Facility Standards, Registration, and Inspection will:
    - Allow the board to better understand and work to lessen the veterinary shortage in the Commonwealth
    - Help elevate the practice of veterinary medicine in the Commonwealth
    - Ensure that practitioners have access to transparent minimum standards
    - Offer protections for clients and producers by making standards transparent for everyone
    - Allow the board to conduct inspections to help licensees understand and comply with current regulations and basic standards
    - Define responsible parties in corporate or non-licensee owned practices
    - Address constituent complaints about basic standards of care in low-cost spay/neuter and health clinics
    - Reduce complaints to the board

## PRACTICE ACT MODERNIZATION TAKEAWAYS



### Stakeholder Feedback Summary on Major Issues

- **Educational Awards**
  - Some stakeholders did not like the idea of using their licensing fees toward educational awards
  - Others were very supportive given the growing issues with veterinary shortages, particularly in rural communities and food or mixed animal practices. They feel this will help them hire and retain new employees
  - Contractual educational awards would be available to graduates and those advancing toward a degree in veterinary medicine or veterinary technology to focus on relieving shortages in the workforce, **primarily in food animal medicine and rural communities**
    - Unlike contract spaces, awardees would be required to come back to Kentucky to work in targeted areas for a period of time
    - Unlike the Federal Veterinary Medicine Loan Repayment Program (VMLRP), awards will be targeted to acute shortage areas focused solely in Kentucky
    - Ohio has legislation allowing issuance of similar awards since 2009, Oklahoma just passed legislation in 2021 to help alleviate rural shortages

## PRACTICE ACT MODERNIZATION TAKEAWAYS



### Stakeholder Feedback Summary on Major Issues

- **Allied Professional Permits**

- Added at the request of multiple stakeholder organizations and licensees
  - Equine Dental
  - Animal massage
  - Animal manipulation (e.g., chiropractic, physical therapy, etc.)
  - Others
- This will enable the board to:
  - Provide protections for the public and patients related to allied professional services on animal patients
  - Allow clients an avenue for recourse when services result in harm or death to the patient
  - Ensure that allied professionals receive adequate and appropriate training for work on animals
  - Ensure continuing education requirements for these practitioners

## PRACTICE ACT MODERNIZATION TAKEAWAYS



### Stakeholder Feedback Summary on Major Issues

- **Stronger Enforcement Authority**

- Added at the request of a significant majority of stakeholders
- This will enable the board to:
  - Take action against non-credential holders
  - “Registered Responsible Parties”, i.e., non-licensee and corporate owners
  - Allow for a Notice of Violation (NOV) and fine for violation of Practice Act
  - Swift resolution of violations
  - Non-response would still be adjudicated in Franklin Circuit Court

## PRACTICE ACT MODERNIZATION NEXT STEPS



- **KBVE to continue stakeholder outreach**

- Stakeholder Organizations – seeking feedback to address any concerns
- Small group meetings with species-specific practitioners to better understand needs
  - Food animal
  - Equine
  - Small animal
- Coordination with other professional boards re Allied Professional Permits
  - Board of Chiropractic Examiners
  - Board of Licensure for Massage Therapy
  - Others

- **KBVE to move forward with development of regulations**

- Working with KVMA
  - Veterinary Facility minimum standards, fees, inspections
- Working with other professional boards