

GENERAL GOVERNMENT CABINET
Kentucky Board of Veterinary Examiners
(New Administrative Regulation)

201 KAR 16:210. Fees for veterinarians.

RELATES TO: KRS 321.193, 321.211, 321.240

STATUTORY AUTHORITY: KRS 321.193, 321.211, 321.240

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.240(5) requires the board to promulgate administrative regulations as it may deem necessary and proper to effectively carry out and enforce the provisions of KRS Chapter 321, including regulations to establish authorized fees. This administrative regulation establishes those fees for veterinarians.

Section 1. Payment and Submission of Fees. (1) Fees shall be paid by check or money order, or, when available, online payment by debit or credit card. Checks and money orders shall be made payable to the Kentucky State Treasurer.

(2) All fees shall be nonrefundable.

Section 2. Application Fees for Veterinarians. (1) The application fee for a veterinarian shall be \$100 dollars.

(2) The fee shall be attached to the completed Application for Licensure as a Veterinarian form as found in 201 KAR 16:400 or online equivalent form, including all required attachments.

Section 3. Examination Fees for Veterinarians. (1) The fee for the North American Veterinary Licensing Examination (NAVLE) shall be paid directly to the International Council for Veterinary Assessment (ICVA) or its designee.

(2) The fee for the Kentucky State Board Examination shall be \$100 paid directly to the board.

(3) The fee for an applicant to obtain board approval to retake the NAVLE shall be fifty (50) dollars paid directly to the board and attached to the Application for Retake of the NAVLE form as found in 201 KAR 16:400 or online equivalent form.

Section 4. Renewal fees for Veterinarians. The following fees shall be paid in connection with licensure renewals:

(1) Except as provided for in subsections (a) and (b) of this section, the biennial renewal fee for licensure as a veterinarian in active status shall be \$200 if the Renewal Application for Veterinarians form as found in 201 KAR 16:400 or online equivalent form is complete, including all required attachments, continuing education credits, and fee payment, and the complete package submitted to the board for review and approval not later than September 30.

(a) For veterinarians who are initially licensed in the second year of the biennium between October 1 and March 31, the licensure renewal fee shall be reduced to \$100 dollars during a licensee's first licensure cycle. The late fee for renewal, if applicable, shall not be reduced or waived without board authorization.

(b) For veterinarians who are initially licensed in the second year of the biennium between April 1 and September 30, the licensure renewal fee shall be waived during a licensee's first licensure cycle.

(2) During the grace period established by KRS 321.211, a licensed veterinarian who failed to meet the September 30 renewal deadline may continue to function as though licensed until a late renewal application is submitted to the board. The late fee for biennial renewal shall be

\$100 in addition to the renewal fee as described in Section 4(1), Section 4(2), and Section 6 of this administrative regulation. The veterinarian shall submit the complete renewal form, including all required attachments, continuing education hours, and fee payment, to the board between October 1 and November 30 during the last year of the biennium.

(3) A veterinarian's license shall expire if no renewal application package and all attachments, and late fee if applicable, is paid to the board by November 30.

Section 5. Reinstatement Fees for Veterinarians. (1) Except as provided for in Section 6 of this administrative regulation, if not more than five (5) years have elapsed since the last date of license expiration pursuant to KRS 321.211(3), a veterinarian may pay a reinstatement fee of \$400 and submit a complete Reinstatement Application for Veterinarians form as found in 201 KAR 16:400 or online equivalent form is complete, including all required attachments, to the board for reinstatement of his or her license. A veterinarian may not apply for a new license during this five (5)-year window; a reinstatement application is required.

(2) If more than five (5) years have elapsed since the last date of license expiration, a veterinarian must apply as a new applicant to obtain a license in Kentucky.

Section 6. Inactive Status of License. (1) A veterinarian may opt to renew his or her license with status of "inactive" during the renewal period by completing the Renewal Application for Veterinarians form as found in 201 KAR 16:400 or online equivalent form, or at any point during the biennium by completing a Licensure Status Change Request form as found in 201 KAR 16:400 or online equivalent form. Licensees with an inactive status shall not practice the profession of veterinary medicine in Kentucky until the license status is approved by the board to return to active status.

(2) Renewal of an inactive veterinary license.

(a) The biennial renewal fee for inactive veterinarian licensure status shall be \$100 per renewal biennium.

(b) The late fees established in Section 4(2) of this administrative regulation shall apply to licenses in an inactive status that was not renewed by September 30 of the biennium.

(c) No continuing education is required while veterinarian's license is in inactive status.

(d) A license in an inactive status that is not renewed by November 30 shall be deemed to be expired.

(3) Reinstatement of inactive veterinarian license status to active status.

(a) A veterinarian licensee in inactive status may reinstate his or her license to active status at any time by completing and submitting a reinstatement application or designating the status change on a renewal form during the open renewal period, paying a reinstatement fee of \$200, and complying with the provisions established in 201 KAR 16:240 and 16:280.

(b) At the time of reinstatement, an inactive licensee shall be required to comply with continuing education requirements established in 201 KAR 16:290.

Section 7. Retirement of a Veterinary License. (1) A veterinarian may request to retire his or her license at any time. The one (1)-time fee for this service is \$150, which must be attached to a Licensure Status Change Request form as found in 201 KAR 16:400 provided by the board or online equivalent form, or the renewal form provided by the board. Once a license is retired it cannot be reactivated. If a veterinarian holds a retired license and wishes to practice again, he or she must apply to the board for a new license to practice veterinary medicine in Kentucky.

STEVEN J. WILLIS, DVM, Chair

APPROVED BY AGENCY: June 14, 2019

FILED WITH LRC: June 19, 2019 at 3 p.m.

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held on August 27, 2019 at 1:00 p.m., at the Kentucky Department of Agriculture, 109 Corporate Drive, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made prior to the end of the hearing. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through August 31, 2019. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Clint Quarles, Staff Attorney, Kentucky Department of Agriculture, 107 Corporate Drive, Frankfort Kentucky 40601, phone (502) 330-6360, fax (502) 564-2133, email clint.quarles@ky.gov.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person: Clint Quarles

(1) Provide a brief summary of:

(a) What this administrative regulation does: This regulation establishes the fee for persons seeking a veterinary license.

(b) The necessity of this administrative regulation: This regulation is necessary to establish the fee that the KBVE board approves for veterinarian licensure.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 321.193, 321.211, 321.240 each require the board to set a fee for veterinary licenses.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation will assist in effective administration by clearly expressing what fee has been approved by the KBVE board.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: This is a new administrative regulation.

(b) The necessity of the amendment to this administrative regulation: This is a new administrative regulation.

(c) How the amendment conforms to the content of the authorizing statutes: This is a new administrative regulation.

(d) How the amendment will assist in the effective administration of the statutes: This is a new administrative regulation.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: 2392 veterinary licenses.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: Applicants will be required to have paid the fee prior to licensure.

(b) In complying with this administrative regulation or amendment, how much will it cost

each of the entities identified in question (3): No costs are associated with compliance, as this is a prerequisite for application.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): Administrative ease of clear communication of the fees.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: The KBVE expects costs for their operations to be approximately \$230,000 in the near term.

(b) On a continuing basis: The KBVE expects costs for their operations to exceed \$230,000 after the implementation of their revised administrative regulations.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: Fees for the KBVE come from license and certification fees established in this filing and the other fee filings.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: No fees increases are anticipated by the KBVE.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: Fees are established directly.

(9) TIERING: Is tiering applied? No. All regulated entities have the same requirements.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

(1) What units, parts, or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? The KBVE

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 321.193, 321.211, 321.240

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? This filing will generate approximately \$250,000.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? This filing will generate approximately \$250,000.

(c) How much will it cost to administer this program for the first year? The KBVE estimates expenditures of approximately \$230,000 or more in the near term.

(d) How much will it cost to administer this program for subsequent years? The KBVE estimates expenditures of approximately \$230,000 or more in the near term, with major expenses anticipated for computer systems and other needed items.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-): \$250,000

Expenditures (+/-): \$230,000

Other Explanation: Additional expenses are anticipated by the KBVE.