

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

**201 KAR 16:260. Certification as an animal euthanasia specialist.**

RELATES TO: KRS 321.207

STATUTORY AUTHORITY: KRS 321.235

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.207(3) requires the board to issue a certificate to a person who meets the qualifications of an animal euthanasia specialist and is approved by the board for a certificate. This administrative regulation establishes the qualifications for certification as an animal euthanasia specialist and the duties of an animal euthanasia specialist.

Section 1. In order to be eligible for certification as a certified animal euthanasia specialist an applicant shall:

- (1) Be twenty-one (21) years of age;
- (2) Be of good moral character;
- (3) Not have been convicted of, or entered an "Alford" plea or plea of nolo contendere to, irrespective of an order granting probation or suspending imposition of any sentence imposed following the conviction or entry of such plea, one (1) or more of the following in the last ten (10) years:
  - (a) A felony;
  - (b) An act involving moral turpitude or gross immorality; or
  - (c) A violation of any law, rule, or administrative regulation of this state, any other state, or the federal government which involves the use or trafficking of illegal substances;
- (4) Have received a high school diploma or GED;
- (5) Paid the initial certification fee as specified in 201 KAR 16:214;
- (6) Be employed by a board certified animal control agency; and
- (7) Complete a board approved sixteen (16) hour euthanasia specialist training course as set forth in Section 2 of this administrative regulation within ten (10) years prior to application.

Section 2. Euthanasia Specialist Training Course Curriculum. (1) The curriculum for the sixteen (16) hour euthanasia specialist course shall provide information on the following subjects:

- (a) Pharmacology, proper administration, and storage of euthanasia solutions that shall consist of a minimum of eight (8) hours;
  - (b) Federal and state laws regulating the storage and accountability for euthanasia solutions;
  - (c) Euthanasia specialist stress management;
  - (d) Proper animal handling with emphasis on easing the trauma and stress to the animal; and
  - (e) Disposal of euthanized animals.
- (2) A training course for a euthanasia specialist shall be reviewed and approved by the board prior to presentation. A provider of a euthanasia specialist training shall submit the following information:
- (a) A published course or similar description;
  - (b) Names and qualifications of current instructors;
  - (c) A copy of the program agenda indicating hours of education, coffee, and lunch breaks;

- (d) A copy of the full program curriculum; and
- (e) A copy of an official certificate of completion from the sponsoring agency.

Section 3. An application to the board for licensure as a certified animal euthanasia specialist shall include the following components:

- (1) A completed application on an Application for Certification as an Animal Euthanasia Specialist form as found in 201 KAR 16:400 or online equivalent form provided by the board, including all required attachments;
- (2) An official copy of final transcripts or a copy of the applicant's diploma from high school or highest level of education attained or G.E.D. certificate;
- (3) A copy of a certificate of completion from a board approved 16-hour euthanasia training course;
- (4) A complete national background check from a board approved background check provider, which may include a copy of the applicant's fingerprints captured at a board approved office for the purpose of a national background check; and
- (5) Payment for the application fee pursuant to 201 KAR 16:214.

Section 4. An individual with an expired animal euthanasia specialist certificate may reinstate their certificate. Reinstatement applications seeking board approval for certification as an animal euthanasia specialist shall include the following components:

- (1) A completed application on a Reinstatement Application for Animal Euthanasia Specialists form as found in 201 KAR 16:400 or online equivalent form provided by the board, including all required attachments;
- (2) A complete national background check from a board approved background check provider, which may include a copy of the applicant's fingerprints captured at a board approved office for the purpose of a national background check; and
- (3) Payment for the application fee pursuant to 201 KAR 16:214.

Section 5. An application to the board for approval for a change in licensure status shall include the following components:

- (1) A completed application on a Licensure Status Change Request or online equivalent form provided by the board, including all required attachments; and
- (2) Payment for the application fee pursuant to 201 KAR 16:214.

Section 6. The board is authorized to conduct a national background check on each applicant for licensure. The board has the power to impose additional requirements as a condition of licensure or deny licensure following the board's review of findings from a background check.

Section 7. Employment and Termination. (1) A person may function as a certified animal euthanasia specialist only while he or she remains employed by a certified animal control agency in Kentucky.

(2) Upon termination of employment with a certified animal control agency, a certified animal euthanasia specialist's certificate status shall automatically be moved by the board from an active to inactive status. The certified individual shall not perform animal euthanasia until he or she has obtained employment with a certified animal control agency, and applied to the board and been approved to move the certificate back into active status.

Section 8. Duties of a Certified Animal Euthanasia Specialist. The duties of certified animal

euthanasia specialist shall include the following:

- (1) Preparing animals for euthanasia;
- (2) Carefully and accurately recording dosages, administration, and drug waste;
- (3) Ordering supplies and drugs;
- (4) Maintaining the security of all controlled substances and drugs in accordance with 201 KAR 16:250;
- (5) Reporting to the board any infraction of KRS Chapter 321 or the administrative regulations promulgated thereunder;
- (6) Humanely euthanizing animals;
- (7) Disposing of the bodies in a manner consistent with KRS 257.160;
- (8) Maintaining his or her certification;
- (9) Reporting to the board any change of address within thirty (30) days; and
- (10) Providing a written response to a grievance or inquiry from the board within twenty (20) days of receipt.

Section 9. Approved Methods of Euthanasia. (1) A certified animal euthanasia specialist shall perform euthanasia by means of lethal injection on an animal by use of sodium pentobarbital or sodium pentobarbital with lidocaine, in a manufactured dosage form, whose only indication is for euthanizing animals.

(2) When using a lethal solution to perform euthanasia on an animal, a certified animal euthanasia specialist shall use the appropriate solution in accordance with the following methods and in the following order of preference:

- (a) Intravenous injection by hypodermic needle;
- (b) Intraperitoneal injection by hypodermic needle;
- (c) Intracardial injection by hypodermic needle, but only on a sedated or unconscious animal;
- (d) Solution or powder added to food.

Section 10. Disciplinary Action. A certified animal euthanasia specialist shall be subject to disciplinary action pursuant to KRS 321.235(7) and 321.351 for violations of state or federal statutes or regulations.

STEVEN J. WILLS, 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, 111 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](mailto: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 application requirements for animal euthanasia specialists.

(b) The necessity of this administrative regulation: This regulation is necessary to establish the application material that the KBVE board approves as a requirement for licensure.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 321.207 requires the board to create qualifications for authorization of applicant to seek board approval as an animal euthanasia specialists.

(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 application requirements are created 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: 57 animal control agencies and 196 animal euthanasia specialists, and future applicants.

(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 submit application materials as outlined in this filing.

(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 approved requirements.

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

(a) Initially: No costs are anticipated.

(b) On a continuing basis: No costs are anticipated.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: This administrative regulation does not establish fees. Fees for the KBVE come from license and certification fees.

(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 are necessary at this time.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: No fees are established.

(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 321.207

(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? No revenue will be generated from this filing.

(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? No revenue will be generated.

(c) How much will it cost to administer this program for the first year? Staff time will be required for record keeping.

(d) How much will it cost to administer this program for subsequent years? Staff time will be required for record keeping. Costs will be very minimal.

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

Revenues (+/-): None

Expenditures (+/-): None or negligible.

Other Explanation: