

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

201 KAR 16:272. License renewal for registered animal control agencies and animal euthanasia specialists; renewal notice.

RELATES TO: KRS 321.207

STATUTORY AUTHORITY: KRS 321.207, 321.235

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.207 requires the board to issue a certificate or registration to all agencies being qualified to register with the U.S. Drug Enforcement Administration (DEA) to purchase, possess, and use board authorized controlled substances, and to all persons qualified to engage in the practice of animal euthanasia in the Commonwealth. This administrative regulation requires a renewal notice to all registered animal control agencies and animal euthanasia specialists and requires all registered animal control agencies and animal euthanasia specialists to complete the renewal application and return it, along with the renewal fee to the board. It further requires all registered animal control agencies and animal euthanasia specialists to keep the board apprised of the legal name and current address of the licensee.

Section 1. (1) The board shall, not later than February 1 of each year, email or mail to each registered animal control agencies and animal euthanasia specialists a renewal notice.

(2) The renewal application shall be completed by the certified entity and returned to the board, including all required attachments and fees.

(3) Timely receipt of renewal application.

(a) Renewals bearing a postmark, or, in the case of online renewal, a timestamp, of March 1 or earlier shall be considered received on time.

(b) Renewals bearing a postmark, or, in the case of online renewal, a timestamp, between March 2 and April 30 shall be considered late and therefore incur a late fee pursuant to 201 KAR 16:214.

(5) The renewal fee shall be attached to the completed renewal form when it is returned to the board.

(a) For certified animal control agencies, the renewal form is the Renewal Application for Animal Control Agencies form as found in 201 KAR 16:400 or online equivalent form provided by the board, including all required attachments.

(b) For certified animal euthanasia specialists, the renewal form is the Renewal 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.

(6) The renewal fee shall be paid in accordance with 201 KAR 16:214.

Section 2. The board shall not be held responsible or liable for lost renewal notices, or renewal notices not received, or not received on time. (1) Regardless of cause, the board has no obligation to refund money to a certificate holder who fails to renew in a timely manner pursuant to Section 1(3) of this administrative regulation.

(2) If a certificate holder fails to renew by the grace period deadline, the certificate shall expire. The former certificate holder has not more than five (5) years from the date of expiration to apply for reinstatement of the license in accordance with 201 KAR 16:250 and 201 KAR 16:260.

Section 3. Current contact information must be on file with the board. (1)(a) Every certified animal control agency shall file his or her proper and current mailing address with the board at its principal office and shall within thirty (30) days notify the board of any changes of his or her mailing address.

(b) Every certified animal control agency shall file an update with the board to notify the board of any changes to the designated onsite manager tasked with management of controlled substances and the euthanasia program pursuant to 201 KAR 16:250, or of any changes of his or her legal name.

(c) The certified animal control agency shall submit a complete national background check on the new agency designated onsite manager 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. The results shall be submitted to the board within thirty (30) days of designating a new onsite manager.

(2) Every certified animal euthanasia specialist shall file his or her legal name and proper and current mailing address with the board at its principal office and shall within thirty (30) days notify the board of any changes of his or her legal name or mailing address.

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.

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 requirements for persons seeking to renew a veterinary license or veterinary technician license.

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

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 321.193, 321.221 and 321.441 each require the board to approve materials needed for veterinary and veterinary technician license renewals.

(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 renewal 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: 2392 veterinary licenses, 421 veterinary technician 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 submit renewal 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 renewal.

(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: Costs of review and administration.

(b) On a continuing basis: Costs of review and administration.

(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 that are established in 201 KAR 210.

(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. 201 KAR 210 establishes the renewal fees.

(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, 321.221, KRS 321.441

(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 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: