

BOARDS AND COMMISSIONS
Board of Veterinary Examiners
(New Administrative Regulation)

201 KAR 16:702. Standards for veterinary surgery.

RELATES TO: KRS 321.175, 321.190, 321.193, 321.441, 321.443

STATUTORY AUTHORITY: KRS 321.175, 321.235(2)(b)3.c.

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.175 and 321.235 declare that the Kentucky Board of Veterinary Examiners shall protect the public by ensuring only qualified individuals are allowed to practice veterinary medicine in the Commonwealth in the interest of the health, safety, and welfare of the animal population and the citizens of Kentucky. KRS 321.190 and 321.193 detail that a license is required for veterinarians to practice veterinary medicine in the Commonwealth. KRS 321.441 and 321.443 detail that veterinary technicians and veterinary assistants shall be properly supervised when assisting a veterinarian with the practice of veterinary medicine. This administrative regulation sets forth minimum standards for surgical procedures to ensure the safety and welfare of animal patients, and provides confidence in basic care and support for clients.

Section 1. All veterinary medical procedures performed in the Commonwealth shall comply with the following basic surgical standards.

- (1) If animals are housed or retained for treatment:
 - (a) Appropriate housing shall be provided for each animal before and after surgery; and
 - (b) Enclosures shall be secure and provide a flat surface for the animal that is clean, dry, and warm with adequate space for the animal to turn around, while allowing for safety at various stages of sedation and anesthesia and sufficient visibility by the staff.
- (2) All drugs and biologicals shall be labeled in accordance with 201 KAR 16:600, and maintained, administered, dispensed, and prescribed in compliance with state and federal laws.
- (3) During the postoperative period, care shall be taken to provide patients with a smooth transition from the anesthetized state.
- (4) Plans shall be in place to handle any emergency that might occur throughout the procedure, and postoperatively.
- (5) Patients shall be evaluated and deemed adequately recovered, stable, ambulatory, and within normal physiological parameters following anesthesia immediately prior to release.
- (6) Clear instructions for postoperative care by the client shall be provided to the client both verbally and in writing.
- (7) Arrangements for follow-up or emergency care during the 48-hour period after surgery shall be provided to the client both verbally and in writing.
- (8) A veterinarian may perform emergency aseptic surgical procedures in another room when the room designated for aseptic surgery is occupied or temporarily unavailable.

Section 2. Additional Requirements for Small Animals. All veterinary medical procedures performed on small animals in the Commonwealth shall comply with Section 1 of this administrative regulation and the following basic surgical standards.

- (1) The operating area shall:
 - (a) Be dedicated to surgery; and
 - (b) Contain the necessary equipment for anesthesia, appropriate intubation, administration of oxygen, and monitoring; and
- (2) Establish, maintain, and follow the following protocols:
 - (a) Infectious disease protocols to be performed in an environment to minimize infectious disease;

- (b) Aseptic surgical technique protocols;
- (c) Sterile instruments protocols ensuring separate sterile instruments to be used for each patient. Cold sterilization is not considered an appropriate method to adequately sterilize surgical instruments for small animals, except for cold sterilization for endoscopic, laproscopic, and arthroscopic procedures. In these allowable instances of cold sterilization, the method is permitted only by use of glutaraldehyde-based products;
- (d) Anesthetic protocols that are balanced and include sedation, the provision of pre- and post-operative analgesia, stress reduction, muscle relaxation, and controlled, complete recovery of consciousness prior to discharge;
- (e) Pre- and post-op monitoring protocols to monitor patients; and
- (f) Thermal support protocols.

Section 3. Responsibility for Patient Care.

- (1) During the forty-eight (48) hour period after surgery, the veterinarian who performed the surgery is responsible for patient aftercare and 24/7 emergency management following the surgery.
- (2) If there are no personnel on the premises during any time an animal is left at the veterinary facility:
 - (a) Prior notice of this fact shall be given to the client in writing and the notification recorded in the medical records; and
 - (b) If requested, the client shall be provided an option to transfer the patient care to a twenty-four (24) hour facility.
- (3) The veterinarian who performed the surgery shall be relieved of this responsibility only when the following conditions are met:
 - (a) The veterinarian or veterinary facility has made specific arrangements in writing with another veterinarian to provide emergency care for the surgical patient;
 - (b) The client has been informed both verbally and in writing of the transfer of responsibility; and
 - (c) The client has been provided current contact information for the new responsible care provider.

Section 4. Client Notification. Clients, owners, or the designated care provider for the patient shall be informed both verbally and in writing of the following information following surgery.

- (1) Post-operative medical care instructions; and
- (2) 24/7 emergency contact information for the forty-eight (48) hour period following surgery.

MICHELLE M. SHANE, Executive Director
For STEVEN J. WILLS, DVM, Board Chair

APPROVED BY AGENCY: July 12, 2023
FILED WITH LRC: July 12, 2023 at 1 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on September 25, 2023 at 1:00 p.m., at the Kentucky Department of Agriculture, Office of the State Veterinarian, 109 Corporate Drive, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing by five (5) 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 September 30, 2023. 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: Michelle Shane, Executive Director, Kentucky Board of Veterinary Examiners, 107 Corporate Drive, Second Floor, Frankfort, Kentucky 40601, phone (502) 782-0273, fax (502) 695-5887, email michelle.shane@ky.gov.