

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

201 KAR 16:732. Application requirements for AAHP permits -- reinstatement.

RELATES TO: KRS 321.175, 321.181(1)-(4), 321.235

STATUTORY AUTHORITY: KRS 321.175(2)(c), (5), 321.181(1)-(4), 321.235(1)(a)-(c), (2)(b)2.

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.235(1)(b) authorizes the board to promulgate administrative regulations to implement KRS Chapter 321. KRS 321.235(2)(b)2. provides the board authority to promulgate administrative regulations to limit the scope of practice of allied animal health professional (AAHP) work on animals and to require an AAHP applicant to apply to the board on an approved application to qualify for a permit from the board. This administrative regulation establishes application requirements for individuals applying for an AAHP permit from the board in the Commonwealth of Kentucky.

Section 1. Definitions.

- (1) "Allied animal health professional" or "AAHP" is defined by KRS 321.181(1).
- (2) "Allied animal health professional facility" or "AAHP facility" is defined KRS 321.181(2).
- (3) "Allied animal health professional manager" or "AAHP manager" is defined by KRS 321.181(3)
- (4) "Allied animal health professional permit" or "AAHP permit" is defined by KRS 321.181(4)
- (5) "Fixed facility" is defined by KRS 321.181(38).
- (6) "Legacy candidate" means a candidate for permitting that did not complete the board approved allied animal health professional program or board approved qualifying exam for an AAHP permit, but holds significant experience as defined in Section 3 of this administrative regulation which shall qualify the person for consideration of an AAHP permit from the board.
- (7) "Mobile facility" or "mobile unit" is defined by KRS 321.181(46).
- (8) "Registered responsible party" is defined by KRS 321.181(57).
- (9) "Veterinarian" is defined by KRS 321.181(67).

Section 2. Allied animal health professional provider practice falls under the scope and meaning of the practice of veterinary medicine.

- (1) A veterinarian shall not be subject to the limitations proscribed to an allied animal health professional permittee regarding the scope of practice.
- (2) Pursuant to KRS 321.200(1)(o), after receiving a permit from the board, an AAP provider shall be limited to providing services for animal patients within the scope designated within 201 KAR 16:737.
- (3) Practice on animals without a board credential shall be prohibited. Except as provided for in KRS 321.200, no person may provide veterinary or allied animal health professional services to any animal without holding a valid credential in active status issued by the board.

Section 3. Legacy Candidates.

- (1) In lieu of proof of completion of a board approved allied animal health professional program and board approved qualifying exam for an AAHP permit, legacy candidates may submit application materials in accordance with the provisions of this section.

(2) For AAHP animal chiropractor provider (ACP) applicants, legacy candidates shall be eligible until June 30, 2026. ACP legacy candidates shall submit:

- (a) Proof of employment or 1099 showing self-employment as an ACP for a minimum of ten (10) years prior to the date of application;
- (b) Identification of school where trained and hours of training;
- (c) Letters of recommendation from at least two (2) licensed veterinarians;
- (d) Letters of recommendation from at least two (2) licensed chiropractors;
- (e) Details regarding the duration of experience and times during which practice occurred, including:
 - 1. Length of time of practice; and
 - 2. Average number of hours practicing per year;
- (f) Letter of Good Standing from any other jurisdictions in which they are credentialed; and
- (g) Information about CE earned each year (number of hours, etc.).

(3) The board shall conduct a mandatory interview of each legacy candidate to confirm their eligibility and experience.

(4) Legacy candidates awarded an AAHP certificate by the board shall be required to comply with all terms of permitting, including earning continuing education requirements as established by the board in administrative regulation.

Section 4. Approval of an Allied Animal Health Professional provider permit application. The board shall issue a permit as an AAHP provider in a specific area of practice, as defined in KRS 321.181, to an applicant who meets the following requirements:

- (1) Has completed an Application for Allied Animal Health Professional Permit form or online equivalent form, including all required attachments;
- (2) Has paid the appropriate fees as established in 201 KAR 16:513;
- (3) Is a person of good moral character. As one (1) element of good moral character, the board shall require each applicant for licensure to submit a full set of the applicant's fingerprints for the purpose of obtaining criminal records checks, pursuant to applicable law and KRS 321.189. All good moral character information, including the information obtained through the criminal background checks, shall be relevant to permit eligibility determinations to the extent permitted by law;
- (4) Has graduated and received a degree or certificate from an approved allied animal health professional program, as approved by the board in 201 KAR 16:730, or qualifies as a legacy candidate during the legacy application window;
- (5) Has achieved passing examination scores, on examinations required by the board, as established in 201 KAR 16:731, or qualifies as a legacy candidate during the legacy application window;
- (6) Holds licensure in the AAHP practice area as established in 201 KAR 16:730, Section 2, or qualifies as a legacy candidate.
- (7) Has been approved for permitting by the board; and
- (8) Has complied with any other requirement of the board.

Section 5. New Application for an Allied Animal Health Professional Permit.

(1) A new application to the board for an allied animal health professional permit shall include the following components:

- (a) A completed application on an Application for Allied Animal Health Professional (AAHP) Provider Permit form or online equivalent form, including all required attachments;
- (b) Designation of one or more qualified AAHP scopes as listed in the application, and designated as available scope of practice in KRS 321.181 and 201 KAR 16:730;
- (c) A current color photograph of the applicant not smaller than 2 in. x 2 in., or a color copy of the applicant's current valid driver's license or passport with photo;

- (d) An official licensure verification letter from the professional licensing board in Kentucky in the human AAHP discipline, if required by the application;
 - (e) An official copy of the certificate of completion or diploma showing graduation from an approved allied animal health professional program established in 201 KAR 16:730;
 - (f) A copy of any court documents, final orders, settlement agreements, or other documents required by the board in support of the application;
 - (g) The completed Kentucky Board of Veterinary Examiners Jurisprudence Examination for Allied Animal Health Professionals Exam Answer Sheet; and
 - (h) Payment for the application fee required by 201 KAR 16:513.
- (2) In addition to the requirements listed in subsection (1) of this section, requirements for AAHP permit endorsement applications shall include: Verifications of good standing from all jurisdictions in which an applicant once held or currently holds a permit or equivalent credential by the jurisdictional entities which regulate the applicant's profession in both human and animal practice.

Section 6. Permit Renewal Required. An AAHP permit holder of the board shall renew their permit pursuant to 201 KAR 16:735.

Section 7. Inactive Status for an AAHP Permit. An AAHP permit holder may place their permit into an inactive status in accordance with 201 KAR 16:580.

Section 8. An allied animal health professional may apply for reinstatement of an expired permit if not more than five (5) years have elapsed since the last date of permit expiration.

(1) A reinstatement application shall be required during this period; an application for a new permit shall not be accepted until five (5) years after the last date of expiration. Legacy candidates five (5) years after the last date of expiration shall be required to meet the current requirements of the Kentucky Veterinary Medicine Practice Act and 201 KAR Chapter 16 and shall no longer qualify for the legacy candidate pathway.

(2) Reinstatement applications to the board for a permit as an allied animal health professional shall include the following components:

- (a) A completed application on a Reinstatement Application for AAHP Permits form or online equivalent form, including all required attachments;
- (b) A copy of any court documents, final orders, settlement agreements, or other documents requested by the board in support of the application;
- (c) Proof of current certification in the allied animal health profession, including any required continuing education by the board-approved allied animal health professional program;
- (d) Payment for the reinstatement application fee pursuant to 201 KAR 16:513, and
- (e) If the permit is in expired status for more than one (1) year since the date of expiration, an official licensure verification letter from the professional licensing board in Kentucky in the human AAHP discipline, if required by the application;
- (f) If the permit is in expired status for more than two (2) years since the date of expiration,
- (g) A background check pursuant to Section 9 of this administrative regulation; and
- (h) Verifications of good standing from all jurisdictions in which an applicant once held or currently holds a permit or equivalent credential by the jurisdictional entities which regulate the profession;

Section 9. Background checks. Pursuant to KRS 321.189, the board may:

- (1) Conduct a national or jurisdictional level background check on each applicant for licensure. The check shall be processed by a board-approved background check provider, and may include a copy of the applicant's fingerprints captured at a board-approved location;

- (2) Reject background checks that do not have an official seal or watermark, or that are more than ninety (90) days old; and
- (3) Impose additional requirements as a condition of licensure or deny licensure following the board's review of findings from a background check.

Section 10. Denial. If any of the requirements of this regulation are not met by the applicant, the board shall deny the permit application.

Section 11. Incorporation by Reference.

- (1) The following material is incorporated by reference:
 - (a) "Application for Allied Animal Health Professional (AAHP) Provider Permit", 10/2024; and
 - (b) "Reinstatement Application for AAHP Permits", 10/2024.
- (2) This material may be inspected, copied, or obtained, subjected to applicable copyright law, at the Kentucky Board of Veterinary Examiners, 4047 Iron Works Parkway, Lexington, Kentucky 40511, Monday through Friday, 8:30 a.m. to 4:30 p.m. This material may also be obtained at kbve.ky.gov.

*MICHELLE M. SHANE, Executive Director on behalf of
JOHN C. PARK, DVM, Board Chair*

APPROVED BY AGENCY: October 14, 2024

FILED WITH LRC: October 15, 2024 at 8:15 a.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on December 23, 2024, at 10:00 am EST, at the offices of the Kentucky Board of Veterinary Examiners, 4047 Iron Works Pkwy, Suite 104, Lexington, Kentucky 40511. 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. 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 December 31, 2024. 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 M. Shane, Executive Director, Kentucky Board of Veterinary Examiners, 4047 Iron Works Pwky, Suite 104, Lexington, Kentucky 40511, Phone: 502-564-5433, Fax: 502-753-1458, Email: Michelle.Shane@ky.gov.