

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

201 KAR 16:775. AAHP facilities -- Renewal notice -- Requirements for renewal and reinstatement.

RELATES TO: KRS 321.175, 321.181(1)-(4), 321.203, 321.205, 321.235

STATUTORY AUTHORITY: KRS 321.175(2)(c), (5), 321.181(1)-(4), 321.203, 321.205, 321.235(1)(a)-(c), (2)(b)2., 321.236

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.235(1)(b) requires 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 establish conditions for applications and permitting of allied animal health professional (AAHP) facilities. This administrative regulation establishes requirements for AAHP facility registration renewal and reinstatement applications.

Section 1. Renewal Notices and Timeliness of Renewal Applications.

- (1) The board shall, not later than July 1 of each odd-numbered year, email or mail to each registered AAHP facility a biennial renewal notice.
- (2) The renewal application shall be completed by the AAHP manager or registered responsible party and returned to the board, including all required attachments and, if required by the board, proof of course completion for the required continuing education.
- (3) Timely receipt of renewal application.
 - (a) Renewals bearing a postmark, or, if an online renewal, a timestamp, of September 30 of every odd year or earlier shall be considered received on time.
 - (b) Renewals bearing a postmark, or, if an online renewal, a timestamp, on or after October 1 of every odd year shall be considered late and shall cause the registration status to be changed to expired. There shall be no grace period for registered facility renewal.
- (4) Applicants for renewal that miss the deadline will be required to complete a reinstatement application in accordance with Section 4 of this administrative regulation.

Section 2. Renewal Application.

- (1) The renewal application shall be completed by the registered responsible party or AAHP manager and returned to the board, including all required attachments.
- (2) A renewal application to the board for an AAHP facility registration shall include the following components:
 - (a) A completed application on the Renewal Application for Registered AAHP Facilities form or online equivalent form, including all required attachments and fees;
 - (b) Identification of any changes to the registered responsible party;
 - (c) Identification of the AAHP manager;
 - (d) A copy of the business registration from the Kentucky Secretary of State;
 - (e) Identification of the type of AAHP facility from one or more in a list provided by the board;
 - (f) Identification of the species served by the facility from one or more in a list provided by the board;
 - (g) Identification of the patient services offered at the veterinary facility from one (1) or more in a list provided by the board;
 - (h) A complete list of AAHP permittees working at the facility;
 - (i) A complete list of all mobile units affiliated with the AAHP facility;
 - (j) Disclosure of afterhours care arrangements;
 - (k) For fixed facilities, county of location and counties served;

- (l) For mobile units, a list of the counties served by the mobile unit;
 - (m) Hours of facility operation; and
 - (n) A copy of any court documents, final orders, settlement agreements, or other documents requested by the board in support of the application.
- (3) A change in fifty (50) percent or more of ownership or of the registered responsible parties shall be cause for the board to deny an AAHP facility renewal and require a new AAHP facility application.

Section 3. Renewal Fee.

- (1) The renewal fee shall be paid in accordance with 201 KAR 16:517; and
- (2) The renewal fee shall be attached to the completed renewal form when it is returned to the board or paid online with the completion of the online renewal form.

Section 4. Reinstatement. A registered responsible party or AAHP manager may apply for reinstatement of an expired AAHP facility registration if not more than five (5) years have elapsed since the last date of registration expiration pursuant to KRS 321.203. Applications to the board for reinstatement of a AAHP facility registration shall include the following components:

- (1) A completed application on a Reinstatement Application for Registered AAHP Facilities form or online equivalent form, including the following components and all required attachments and fees pursuant to 201 KAR 16:517;
- (2) Identification of any changes to the registered responsible party;
- (3) Identification of the AAHP manager;
- (4) A copy of the business registration from the Kentucky Secretary of State;
- (5) Identification of the type of AAHP facility from one or more in a list provided by the board;
- (6) Identification of the type of AAHP facility from one or more in a list provided by the board;
- (7) Identification of the species served by the facility from one or more in a list provided by the board;
- (8) Identification of the patient services offered at the veterinary facility from one (1) or more in a list provided by the board;
- (9) A complete list of AAHP permittees working at the facility;
- (10) A complete list of all mobile units affiliated with the AAHP facility;
- (11) Disclosure of afterhours care arrangements;
- (12) For fixed facilities, county of location and counties served;
- (13) For mobile units, a list of the counties served by the mobile unit;
- (14) Hours of facility operation; and
- (15) A copy of any court documents, final orders, settlement agreements, or other documents requested by the board in support of the application.

Section 5. Background Checks. Pursuant to KRS 321.189, the board may:

- (1) Conduct a national or jurisdictional level background check on each AAHP manager applicant for AAHP facility registration. 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 registration or deny the AAHP facility application or the designated veterinarian manager following the board's review of findings from a background check.

Section 6. Incorporation by Reference.

- (1) The following material is incorporated by reference:

- (a) "Renewal Application for Registered AAHP Facilities", 10/2024; and
 - (b) "Reinstatement Application for Registered AAHP Facilities", 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, Suite 104, 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 Parkway, Suite 104, Lexington, Kentucky 40511, Phone: 502-564-5433, Fax: 502-753-1458, Email: Michelle.Shane@ky.gov.