

BOARDS AND COMMISSIONS

Board of Veterinary Examiners (New Administrative Regulation)

201 KAR 16:765. Veterinary facilities -- Renewal notice -- Requirements for renewal and reinstatement.

RELATES TO: KRS 321.203, 321.205, 321.235

STATUTORY AUTHORITY: KRS 321.175(2)(c), (5), 321.203(1), (2), (5), 321.203, 321.205, 321.235(1)(b), (2)(e), (2)(f)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.235(1)(b) requires the Kentucky Board of Veterinary Examiners to promulgate administrative regulations to effectively carry out and enforce the provisions of KRS Chapter 321. KRS 321.236 requires all veterinary facilities to register with the Kentucky Board of Veterinary Examiners. This administrative regulation establishes requirements for the renewal and reinstatement of veterinary facility registrations.

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 allied animal health professional facility a biennial renewal notice.
- (2) The renewal application shall be completed by the permittee 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 or earlier shall be considered received on time.
 - (b) Renewals bearing a postmark, or, if an online renewal, a timestamp, between October 1 and November 30 shall be considered late and therefore incur a late fee pursuant to 201 KAR 16:513.
- (4) The renewal fee shall be attached to the completed renewal form when it is returned to the board or paid online.

Section 2. Renewal application.

- (1) The renewal application for a veterinary facility shall be completed by the registered responsible party or veterinarian manager and returned to the board, including all required attachments.
- (2) A renewal application to the board for a veterinary facility registration shall include the following components:
 - (a) A completed application on a Renewal Application for Registered Veterinary 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 veterinarian manager;
 - (d) Identification of the name, phone, or email address of the registered facility;
 - (e) A current copy of the business registration from the Kentucky Secretary of State;
 - (f) Identification of the species served 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 veterinarians working at the facility, excluding veterinarians providing locum services on a temporary basis to the facility;
 - (i) A complete list of licensed veterinary technicians working at the facility;
 - (j) A complete list of allied animal health professional (AAHP) permittees working at the facility;
 - (k) A complete list of mobile units affiliated with the veterinary facility;

- (l) Disclosure of afterhours care arrangements;
 - (m) For fixed facilities, county of facility location and counties served;
 - (n) If the facility offers a haul-in instillation;
 - (o) For mobile units, a list of the counties served by the mobile unit;
 - (p) Hours of operation;
 - (q) A copy of any court documents, final orders, settlement agreements, or other documents requested by the board in support of the application; and
 - (r) Any other information requested by the board in support of the application.
- (3) A change in 50% or more of ownership or of the registered responsible parties shall be cause for the board to deny the renewal for a veterinary facility registration and require a new veterinary facility registration application.

Section 3. Timely receipt of renewal application.

- (1) Renewals bearing a postmark, or, if an online renewal, a timestamp, of September 30 of every odd numbered year beginning in 2027 and each odd numbered year thereafter shall be considered received on time.
- (2) Renewals bearing a postmark or, if an online renewal, a timestamp, after September 30 of the renewal period shall be considered late and shall cause the facility registration status to be changed to expired. There shall be no grace period for registered facility renewal.
- (3) Renewal fee.
 - (a) The renewal fee shall be paid in accordance with 201 KAR 16:515; and
 - (b) 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.
- (4) Applicants for renewal that miss the veterinary facility registration renewal deadline shall:
 - (a) Immediately cease operations; and
 - (b) If the registered responsible party desires to continue operations, submit a complete a reinstatement application in accordance with Section 4 of this administrative regulation.

Section 4. Reinstatement. A registered responsible party or veterinarian manager shall apply for reinstatement of an expired veterinary facility registration if not more than five (5) years have elapsed since the last date of registration expiration pursuant to KRS 321.203.

- (1) A reinstatement application to the board for a veterinary facility registration shall include the following components:
 - (a) A completed application on a Reinstatement Application for Registered Veterinary Facilities form or online equivalent form, including the following components, all required attachments, and fees pursuant to 201 KAR 16:515;
 - (b) Identification of any changes to the registered responsible party;
 - (c) Identification of the veterinarian manager;
 - (d) Identification of the name, phone, and email address of the registered facility;
 - (e) A copy of the business registration from the Kentucky Secretary of State;
 - (f) Identification of the species served 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 veterinarians working at the facility, excluding veterinarians providing locum services on a temporary basis to the facility;
 - (i) A complete list of licensed veterinary technicians working at the facility;
 - (j) A complete list of AAHP permittees working at the facility;
 - (k) A complete list of all mobile units affiliated with the veterinary facility;
 - (l) Disclosure of afterhours care arrangements;
 - (m) For fixed facilities, county of location and counties served;

- (n) If the facility offers a haul-in instillation;
 - (o) For mobile units, a list of the counties served by the mobile unit;
 - (p) Hours of operation;
 - (q) A copy of any court documents, final orders, settlement agreements, or other documents requested by the board in support of the application; and
 - (r) Any other information requested by the board in support of the application.
- (2) Reinstatement fee.
- (a) The reinstatement fee shall be paid in accordance with 201 KAR 16:515; and
 - (b) The reinstatement fee shall be attached to the completed reinstatement form when it is returned to the board or paid online with the completion of the online reinstatement form, if available.

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

- (1) Conduct a national or jurisdictional level background check on each veterinarian manager applicant for veterinary 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 registration 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 Veterinary Facilities", 10/2024; and
 - (b) "Reinstatement Application for Registered Veterinary 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.