

## BOARDS AND COMMISSIONS

### Board of Veterinary Examiners

#### (Amended After Comments)

#### 201 KAR 16:735. Renewal requirements for AAHP permits -- renewal notice -- expiration.

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)1.

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.235(1)(b) ~~requires~~~~authorizes~~ the board to promulgate administrative regulations to implement ~~and enforce~~ KRS Chapter 321. KRS 321.235(1)(a)-(c) ~~requires~~~~provides~~ the board ~~authority~~ ~~to~~ promulgate administrative regulations to evaluate the qualifications of applicants ~~for applicants~~ for an allied animal health professional (AAHP) permit. KRS 321.235(2)(b)1. authorizes the board to require an AAHP permittee to obtain appropriate continuing education to ensure continued competency. This administrative regulation establishes renewal requirements, ~~and~~ renewal notification procedures for AAHP permittees of the board, ~~and as well as~~ required continuing education for AAHP permittees.

#### Section 1. Renewal Notices and Timeliness of Renewal Applications.

(1) The board shall, not later than ~~August 31~~~~July 1~~ of each year, email or mail to each permitted allied animal health professional a renewal notice.

(2) The Renewal Application for AAHP Permits~~renewal application~~ shall be completed by the permittee and returned to the board, including all required attachments, ~~fees~~, 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 Application for AAHP Permits~~renewal~~ form when it is returned to the board or paid online.

#### Section 2. Continuing Education Required.

(1) ~~Each~~ ~~Every~~ AAHP permittee shall list their continuing education hours received on the Renewal Application for AAHP Permits form or online equivalent form, including all required attachments, and if required, proof of attendance or completion of training to the board.

(a) For AAHP animal chiropractic providers (ACPs), permittees shall show proof of CE for a minimum of six (6) clinical hours annually from an approved program of the American Veterinary Chiropractic Association (AVCA) or International Veterinary Chiropractic Association (IVCA).

(b) For legacy pathway AAHP-ACPs, permittees shall show proof of CE for a minimum of six (6) clinical hours annually from an approved program of the AVCA, IVCA, or a board-approved CE program.

(2) Continuing education hours applied toward a reinstatement application shall not be eligible for credit on the renewal application.

(3) Continuing education hours earned during the grace period of a renewal cycle shall not be eligible for credit on the subsequent renewal application.

(4) The board shall not renew the permit of any person who fails to appropriately document the required hours of continuing education.

Section 3. 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 shall not be required to refund money to a permit holder who fails to renew in a timely manner pursuant to Section 1(4) of this administrative regulation.

(2) Failure to renew by the grace period deadline and in compliance with all requirements of the board shall cause the permit to move to expired status. The permit holder shall no longer be eligible to practice as an allied animal health professional in Kentucky.

(3) The former permit holder may apply for reinstatement of the permit within five (5) years from the date of expiration in accordance with 201 KAR 16:732. A reinstatement application shall be required during this period; an application for a new license shall not be accepted until five (5) years after the last date of expiration.

Section 4. Duty to Report. ~~Each AAHP~~~~Every AHHP~~ permit holder shall:

(1) File their legal name with the board;

(2) File their legal residential address with the board;

(3) File their legitimate mailing address with the board. The mailing address shall be subject to public disclosure;

(4) File their current employer with the board;

(5) File a current email address and phone number with the board; and

(6) Within thirty (30) days, notify the board of any changes to their name or addresses or email address by submitting a completed Request for Name or Address Change form, **incorporated by reference**~~as found~~ in 201 KAR 16:570 or online equivalent form.

Section 5. Incorporation by Reference.

(1) "Renewal Application for AAHP Permits", ~~2/2025~~~~10/2024~~, is incorporated by reference.

(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, Kentucky 40511, Monday through Friday, 8:30 a.m. to 4:30 p.m. This material may also be obtained at kbve.ky.gov.

(201 KAR 016:735. 51 Ky.R. 124, 1678; eff. 7-1-2025.)

*MICHELLE M. SHANE, Executive Director  
For JOHN C. PARK, DVM, Board Chair*

APPROVED BY AGENCY: January 30, 2025

FILED WITH LRC: February 14, 2025 at 7:51 a.m.

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## REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

**Contact Person: Michelle M. Shane**

**(1) Provide a brief summary of:**

**(a) What this administrative regulation does:**

This administrative regulation establishes renewal requirements and renewal notification procedures for allied animal health professional (AAHP) permittees, as well as required continuing education for AAHP permittees.

**(b) The necessity of this administrative regulation:**

This new administrative regulation is necessary to establish the requirements approved by the board for the application for an AAHP permit and the continuing education requirements.

**(c) How this administrative regulation conforms to the content of the authorizing statutes:**

KRS 321.235(1)(b) authorizes the board to promulgate administrative regulations to implement KRS Chapter 321. KRS 321.235(1)(a)-(c) provides the board authority to promulgate administrative regulations to evaluate the qualifications of applicants for applicants for an AAHP permit. KRS 321.235(2)(b)1. authorizes the board to require an AAHP permittee to obtain appropriate continuing education to ensure continued competency.

**(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:**

This new administrative regulation will assist in effective administration by clearly expressing the application requirements approved by the board for AAHP permittees.

**(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:**

N/A. This is a new administrative regulation.

**(b) The necessity of the amendment to this administrative regulation:**

N/A. This is a new administrative regulation.

**(c) How the amendment conforms to the content of the authorizing statutes:**

N/A. This is a new administrative regulation.

**(d) How the amendment will assist in the effective administration of the statutes:**

N/A. 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:**

An estimated twenty (20) persons in Kentucky offering AAHP services are estimated to be affected.

**(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 complete the appropriate application to apply to the board for AAHP permit.

**(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 AAHP permit applications.

**(c) As a result of compliance, what benefits will accrue to the entities identified in question (3):**

Administrative ease of clear communications of the fees associated with registration.

**(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:**

**(a) Initially:**

The KBVE expects costs for all board operations to be approximately \$759,700 annually in the near term.

**(b) On a continuing basis:**

The KBVE expects costs for all board operations to be approximately \$900,000 annually in future bienniums as new programming is brought online, per the mandates in the modernized Kentucky Veterinary Medicine Practice Act, KRS Chapter 321.

**(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation:**

KBVE does not receive any general funds. All funds for the agency come from licensing fees, service fees, and administrative fines.

**(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:**

There is no anticipation of an increase in fees to implement this administrative regulation, as the KBVE is already running an administrative program to process applications and an inspection program to ensure compliance.

**(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:**

This regulation does not establish or increase any fees, directly or indirectly.

**(9) TIERING: Is tiering applied?**

Tiering is not applied because this new administrative regulation applies to all persons providing AAHP services, except those entities excluded under KRS 321.200.

## FISCAL IMPACT STATEMENT

**(1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation.**

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

**(2) Identify the promulgating agency and any other affected state units, parts, or divisions:**

The promulgating agency is the Kentucky Board of Veterinary Examiners. There are no other affected state units, parts, or divisions.

**(a) Estimate the following for the first year:**

**Expenditures:**The KBVE expects costs for all board operations to be approximately \$759,700 annually in the near term. This includes the administration of the AAHP permit program, database management, infrastructure, overhead, and contractors, including legal counsel and investigators.

**Revenues:**There is no revenue generated by this filing.

**Cost Savings:**There will be no cost savings; this administrative regulation simply codifies the requirements, making them easily accessible for regulated entities.

**(b) How will expenditures, revenues, or cost savings differ in subsequent years?**

Staff time and database management will be required for record keeping. Costs will be minimal.

**(3) Identify affected local entities (for example: cities, counties, fire departments, school districts):**

KBVE does not anticipate that any local entities will be impacted.

**(a) Estimate the following for the first year:**

**Expenditures:**N/A

**Revenues:**N/A

**Cost Savings:**N/A

**(b) How will expenditures, revenues, or cost savings differ in subsequent years?**

N/A

**(4) Identify additional regulated entities not listed in questions (2) or (3):**

KBVE does not anticipate that any other regulated entities will be impacted.

**(a) Estimate the following for the first year:**

**Expenditures:**N/A

**Revenues:**N/A

**Cost Savings:**N/A

**(b) How will expenditures, revenues, or cost savings differ in subsequent years?**

N/A

**(5) Provide a narrative to explain the:**

**(a) Fiscal impact of this administrative regulation:**

This administrative regulation does not set fees and will not bring in revenue. Local entities will not be impacted by this regulation. This filing only impacts applicants for an AAHP permit in Kentucky.

**(b) Methodology and resources used to determine the fiscal impact:**

A large spreadsheet was used to calculate all board revenues, expenditures, proposed fees, and estimated quantities of applications based on historical numbers. Projections were calculated ten (10) years out to F.Y. 2036.

**(6) Explain:**

**(a) Whether this administrative regulation will have an overall negative or adverse major economic impact to the entities identified in questions (2) - (4). (\$500,000 or more, in aggregate)**

This new administrative regulation shall not have a “major economic impact”, as defined in KRS 13A.010(13). This administrative regulation does not set fees and will not bring in revenue.

**(b) The methodology and resources used to reach this conclusion:**

This amendment will not have a negative impact, as no fees are established or collected as a part of this administrative regulation.