

## BOARDS AND COMMISSIONS

### Board of Veterinary Examiners

#### (Amended After Comments)

#### **201 KAR 16:772. Application requirements for AAHP facility registration; AAHP managers; Registered responsible parties.**

RELATES TO: KRS 321.175, 321.181(1)-(4), 321.189, 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) and (2)(b)2., 321.236

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.235(1)(b) requires the board to promulgate administrative regulations to implement and enforce KRS Chapter 321. KRS 321.235(2)(b)2. authorizes the board to promulgate administrative regulations to establish conditions for applications and permitting of allied animal health professional (AAHP) facilities. This administrative regulation establishes application requirements for AAHP facilities, registered responsible parties at AAHP facilities, and AAHP managers.

#### 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 by KRS 321.181(2).
- (3) "Fixed facility" is defined by KRS 321.181(38).
- (4) "Mobile facility" or "mobile unit" is defined by KRS 321.181(46).
- (5) "Registered responsible party" is defined by KRS 321.181(57).

Section 2. General Requirements. Each AAHP facility located in Kentucky at which an AAHP permittee practices on animal patients shall possess an AAHP facility registration issued by the Kentucky Board of Veterinary Examiners, unless the AAHP permittee is practicing at a registered veterinary facility.

- (1) An AAHP facility registration shall not be issued without a physical facility, either a fixed facility or mobile facility.
- (2) An AAHP facility shall contain a dedicated space equipped for staffed, and primarily devoted to the practice of the allied animal health profession on animal patients.
- (3) A mobile facility shall be registered as an affiliate unit on a fixed facility registration, or independently under a unique AAHP facility registration with a designated physical location for parking and storage.
- (4) A registered facility shall have no more than two (2) mobile units under its registration without incurring additional registration and renewal fees as established in 201 KAR 16:517.
- (5) A registered AAHP facility shall prominently display the current registration certificate in a public area of the registered facility. The registration certificate shall:
  - (a) Be legible; and
  - (b) Show the current dates of registration.

Section 3. Exemptions from Requirements for AAHP Facility Registration. The following premises shall be exempt from the requirements of this administrative regulation:

- (1) Premises identified in KRS 321.181(2)(c);
- (2) An expert who provides consulting services only to other veterinarians or AAHP permittees, who does not engage in practice on a patient directly, and who does not have a regular physical facility where the consultant practices on animal patients; and
- (3) An AAHP Permittee who utilizes their personal vehicle for transport provided the equipment for AAHP services being transported is limited to an aide for height.

Transportation of any other equipment for services or pharmaceuticals shall trigger the requirement for registration of the vehicle as an AAHP facility or mobile unit.

#### Section 4. Registered Responsible Party.

(1) Each application for an AAHP facility registration shall name the facility and identify each registered responsible party.

(2) Pursuant to KRS 321.236(5), each registered responsible party shall be accountable for ensuring the requirements of KRS Chapter 321 and 201 KAR Chapter 16 are met, including the timely designation of an allied animal health professional manager for the facility, in accordance with 201 KAR 16:737.

(3) If it is determined that a registered responsible party has violated any provisions of the Kentucky Veterinary Medicine Practice Act or 201 KAR Chapter 16, the board may take disciplinary action equal to that for a licensed veterinarian as provided by the Kentucky Veterinary Medicine Practice Act.

#### Section 5. AAHP Manager.

(1) Each application for an AAHP facility registration shall name the facility and designate an AAHP manager. The application shall include the AAHP manager's original signature, or, if completed online, an equivalent digital signature.

(2) An AAHP manager shall be primarily responsible for meeting the requirements of KRS Chapter 321 and 201 KAR Chapter 16, including ensuring that minimum standards are met and maintained.

#### Section 6. New Application Requirements. A new application to the board for registration as a AAHP facility shall include the following components:

(1) A completed application on an Application for AAHP Facility Registration form or online equivalent form, including all required attachments and fees pursuant to 201 KAR 16:517;

(2) A complete list of persons or entities who shall be 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 (1) or more in a list provided by the board;

(6) Identification of the species served from one (1) or more in a list provided by the board;

(7) Identification of the patient services offered at the AAHP facility from one (1) or more in a list provided by the board;

(8) A complete list of AAHP permittees working at the facility;

(9) A complete list of all mobile units affiliated with the AAHP facility;

(10) Disclosure of afterhours care arrangements;

(11) For fixed facilities, county of location and counties served;

(12) For mobile units, a list of the counties served by the mobile unit;

(13) Hours of facility operation; and

(14) A copy of any court documents, final orders, settlement agreements, or other documents requested by the board in support of the application.

#### Section 7. Background Checks. Pursuant to KRS 321.189, the board may:

(1) Conduct a national or jurisdictional level background check on each AAHP permit applicant. 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;

- (3) Impose additional requirements as a condition of registration or deny the application following the board's review of findings from a background check; and
- (4) Waive the background check requirement for an AAHP manager who is already permitted in Kentucky and if a background check was previously conducted as a condition of permitting.

Section 8. Renewal and Reinstatement of AAHP Facility Registrations. Pursuant to 201 KAR 16:775, a registered responsible party or AAHP manager shall:

- (1) Ensure the timely renewal of the AAHP facility registration; and
- (2) If applicable, ensure an appropriate reinstatement application is made to the board.

Section 9. Incorporation by Reference.

(1) "Application for AAHP Facility Registration", 2/2025, 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, 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](http://kbve.ky.gov).

(201 KAR 016:772. 51 Ky.R. 1035, 1687; eff. 7-1-2025.)

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APPROVED BY AGENCY: January 30, 2025

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

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