

BOARDS AND COMMISSIONS

Board of Veterinary Examiners

(Amendment)

201 KAR 16:737. Responsibilities for AAHP providers; limitations on practice.

RELATES TO: KRS 321.175, 321.181(1)-(4), 321.187, 321.200, 321.203, 321.205, 321.235, 321.251, 321.255

STATUTORY AUTHORITY: KRS 321.175(2)(c), (4), (5), 321.181(1)-(4), 321.203, 321.205, 321.235(1)(a)-(c)(2)(b)2., 321.236, 321.255

CERTIFICATION STATEMENT: This certifies that this administrative regulation complies with the requirements of 2025 RS HB 6, Section 8.

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.175(4) states the purpose of the Kentucky Veterinary Medicine Practice Act is to promote, preserve, and protect the public health, safety, and welfare by and through, in part, setting limitations and responsibilities for AAHP licensure. KRS 321.235(1)(b) requires the board to promulgate administrative regulations to implement and enforce KRS Chapter 321 and 201 KAR Chapter 16. KRS 321.235(2)(b)2. authorizes the board to promulgate administrative regulations to establish conditions for licensing and limitations on practice upon allied animal health professional (AAHP) licensees. KRS 321.235(2)(b)2. authorizes the board to promulgate administrative regulations to limit the scope of practice allowable by AAHP providers on animals. This administrative regulation establishes the responsibilities for AAHP providers licensed by the board and limitations on their practice on animal patients and establishes an allied animal health professional's allowable scope of practice on animals.

Section 1. Prohibitions on Practicing Veterinary Medicine.

- (1) Except as provided for in KRS 321.200 and this administrative regulation, an allied animal health professional licensee shall not practice veterinary medicine.
- (2) An AAHP provider shall be held to the same standard of care as a veterinarian if the licensee provides services within the scope of practice as established in this administrative regulation.

Section 2. Communications with Veterinarians.

- (1) To ensure patient safety, an allied animal health professional licensee may communicate with an animal patient's veterinarian regarding services to be rendered by the AAHP provider on an animal to ensure:
 - (a) Appropriate services are provided; and
 - (b) No concerns exist related to an animal patient's condition, current treatment regime, and medicines.
- (2) If the AAHP provider does not communicate with the animal patient's veterinarian prior to initiation of services, then in the event of an adverse outcome the liability lies solely with the AAHP provider.
- (3) AAHP licensees shall communicate findings, services provided, or relevant information to the client and the client's veterinarian within an appropriate timeframe according to the condition, but no more than three (3) business days after services are rendered.
- (4) Communication between an AAHP licensee and a veterinarian shall be recorded in the medical record.
- (5) An AAHP licensee providing services to a patient that results in harm shall be cause for the AAHP licensee to be liable for that harm. The patient's veterinarian shall not be liable for harm as a result of services provided by an AAHP licensee.

Section 3. Limitations on Practice.

- (1) An AAHP licensee shall be limited in their practice on animal patients, as established in KRS 321.255 and this section, or the practice shall be considered the practice of veterinary medicine and subject to penalty for practicing without a veterinarian license from the board.
- (2) An AAHP licensee shall only provide AAHP services to the species for which the licensee has received training.
- (3) An AAHP licensee's practice shall not be construed to allow any of the following on animals:
 - (a) Performance of radiographs or other medical imaging;
 - (b) Performance of surgery;
 - (c) Performance of shockwave, laser, ultrasound, electrotherapy, or similar therapies;
 - (d) Rehabilitation activities;
 - (e) Prescription or dispensation of medications, supplements, or nutraceuticals, or diet;
 - (f) Provision of dietary guidance;
 - (g) Administration of medications except in the context of KRS 321.200(1)(b);
 - (h) For AAHP EDP licensees, offer or conduct a veterinary oral exam on the mouth of patients; or
 - (i) Practice of veterinary medicine outside the scope of the allied animal health professional's licensed practice area.
- (4) AAHP licensees shall:
 - (a) Conform with applicable requirements of the Horseracing Integrity and Safety Authority (HISA) and the Kentucky Horse Racing and Gaming Corporation; and
 - (b) Comply with other state and federal laws.

Section 4. EDP Students.

- (1) An EDP licensee who was granted licensure by the Board through the traditional licensure pathway and who is certified by a board-approved AAHP program may provide immediate supervision to EDP students, so long as both the licensed EDP and the EDP student are under the indirect supervision of a Kentucky licensed veterinarian.
 - (a) The supervising veterinarian must sign a statement taking on the liability for each student.
 - (b) An EDP licensee as in the above subsection may supervise no more than three (3) students concurrently.
- (2) An EDP who was granted licensure by the Board through the legacy pathway shall not be authorized to provide supervision to EDP students.
- (3) The supervising veterinarian shall:
 - (a) Hold a license as a veterinarian in good standing with the board.
 - (b) Provide indirect supervision of EDP students who are supervised by board-licensed AAHP EDPs, totaling no more than six (6) students concurrently, except as allowable in paragraph (c) of this subsection;
 - (c) Provide direct supervision in an EDP workshop setting to no more than twenty (20) EDP students;
 - (d) Be readily available and responsive to the needs of the patient that are beyond the scope of practice allowable by an EDP in KRS 321.255 and as established in this administrative regulation;
 - (e) Obligated to be available for and to provide follow up care to patients worked on by students.
- (4) Prior to an EDP student beginning practice in the commonwealth, the veterinarian supervisor shall complete and submit to the board the Registration for Supervision of EDP Students form or online equivalent form provided by the board, including all required attachments. One such attachment shall be a written agreement between the

supervising veterinarian, the supervising AAHP EDP, and the EDP student outlining and acknowledging their respective responsibilities for supervision and liability regarding the patient and client.

(5) An EDP student shall be limited in practice to six (6) consecutive months on live, privately owned animals.

(a) For good cause shown, the board may extend in writing the allowable period of study for an EDP student for no more than six (6) months at a time and collectively not more than two (2) years in total time.

(b) There shall be no limitation for EDP student work on equine cadavers except for that which may exist in state or federal laws related to animal cadavers.

Section 5. Record Keeping. An AAHP licensee shall keep medical records on all animal patients on which they practice their profession pursuant to KRS 321.187 and this section.

(1) The AAHP licensee's animal patient medical records shall contain sufficient information to justify and describe the course of care on the patient. The records shall contain, at a minimum:

(a) Name, address, and telephone number of the client, as defined in KRS 321.181(21);

(b) Identity of the animal patient, including name, age, sex, and breed;

(c) Name, address, and telephone number of the animal patient's veterinarian;

(d) Dates of consultations, examinations, or services provided;

(e) Brief history of the condition of each animal;

(f) AAHP provider findings and observations;

(g) Plan for services, including expected duration and frequency;

(h) Notations related to provided services;

(i) Progress and disposition of the case;

(j) Name of the practitioner or practitioners providing service to the patient;

(k) Name and contact information of any person consulted for medical advice regarding the patient; and

(l) Communication attempts of the AAHP licensee to the veterinarian of record.

(2) For AAHP EDP licensees, in addition to the information in the medical record as established in subsection (1) of this section, the dental chart shall include:

(a) A disclaimer stating that the work provided is not inclusive of a veterinary oral exam and is ancillary to veterinarian services;

(b) Notes of observations made;

(c) If sedation is administered as allowable by the client or supervising veterinarian, documentation of:

1. Drug name,

2. Amount of drug administered

3. Time of administration,

4. And if additional drugs are provided, subsequent name of drug, dosage, and time of administration for each additional administration event.

(d) Include a check box for referral to a veterinarian, which shall, as warranted, be checked in the event EDP observations determine the need for veterinary attention for the patient, and corresponding notes shall be included in the observation section of the chart detailing observations and concerns.

(3) For an AAHP-EDP, the dental chart may comprise the medical record if all required information as established in subsections (1) and (2) of this section is included.

(4) Patient medical records shall be complete and accurate.

(5) Patient medical records shall be maintained in the AAHP licensee's registered facility or other location for at least five (5) years past the date of the last patient visit. Cessation from practice, either temporarily or permanently, does not relieve the practitioner from compliance with this section.

(6) An AAHP licensee shall not violate the confidential relationship between the licensee and the client, pursuant to KRS 321.187(6). Consultation by the licensee with another AAHP licensee or veterinarian for the benefit of the patient shall not constitute a violation of confidentiality.

(a) An AAHP licensee shall not release information concerning a client or care of a client's animal, except as authorized by KRS 321.187(6).

(b) An AAHP licensee shall, if requested by the client, communicate their findings, service plan, or records with the client's designated veterinarian.

Section 6. Duty to Report. AAHP licensees shall report to the board:

(1) Any change of name, address, phone, or email within thirty (30) days;

(2) A written response to a grievance or inquiry from the board in accordance with 201 KAR 16:610; and

(3) Disciplinary action or conviction in any jurisdiction.

Section 7. Compliance and Disciplinary Action.

(1) AAHP licensees shall be subject to disciplinary action for violation of:

(a) KRS Chapter 321 and 201 KAR Chapter 16; and

(b) Other applicable federal, state, and local laws.

(2) The board shall report any grievance or disciplinary action received against an AAHP permittee to the professional licensing board in the human area of specialty and may consult with that board as experts in their professional field.

Section 8. Incorporation by Reference.

(1) "Registration for Supervision of EDP Students", 08/2025, 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.

MICHELLE M. SHANE, Executive Director

JOHN C. PARK, DVM, Board Chair

APPROVED BY AGENCY: July 31, 2025

FILED WITH LRC: August 14, 2025 at 3:05 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on October 21, 2025, at 1:30 p.m. EDT, at KBVE, 4047 Iron Works Parkway, 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 October 31, 2025. 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, KBVE Executive Director, 4047 Iron Works Parkway, Suite 104, Lexington, Kentucky 40511, phone 502-564-5433, fax 502-573-1458, email Michelle.Shane@ky.gov.