

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[permitting]~~ and limitations on practice upon allied animal health professional (AAHP) ~~licensees[permittees]~~. ~~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[permitted]~~ 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[permittee]~~ shall not practice veterinary medicine.
- (2) An AAHP provider shall be held to the same standard of care as a veterinarian if the ~~licensee[permittee]~~ 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[permit holder]~~ 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[permittees]~~ 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[permittee]~~ and a veterinarian shall be recorded in the medical record.
- (5) An AAHP ~~licensee[permittee]~~ providing services to a patient that results in harm shall be cause for the AAHP ~~licensee[permittee]~~ 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[permittee]~~.

Section 3. Limitations on Practice.

(1) An AAHP ~~licensee~~~~[permittee]~~ 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~~~~[permittee'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~~[, or administration]~~ of medications, supplements, or nutraceuticals, or diet;~~[or]~~

(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) ~~[(f)]~~ Practice of veterinary medicine outside the scope of the allied animal health professional's ~~licensed~~~~[permitted]~~ practice area.

(4) ~~[(3)]~~ ~~[For]~~ AAHP ~~licensees~~~~[permittees]~~ ~~specializing in animal chiropractic, the applicant]~~ 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[permittee] 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[permittee'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[permittee] 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) ~~[(3)]~~ Patient medical records shall be maintained in the AAHP licensee's registered facility or other location~~[permittee's office]~~ 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) ~~[(4)]~~ An AAHP licensee~~[permittee]~~ shall not violate the confidential relationship between the licensee~~[permittee]~~ and the client, pursuant to KRS 321.187(6). Consultation by the licensee~~[permittee]~~ with another AAHP licensee~~[permittee]~~ or veterinarian for the benefit of the patient shall not constitute a violation of confidentiality.

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

Section 6. ~~[Section 5.]~~ Duty to Report. AAHP licensees~~[permittees]~~ 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. ~~[Section 6.]~~ Compliance and Disciplinary Action.

(1) AAHP licensees~~[permittees]~~ 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.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person:Michelle Shane

Subject Headings:Animals: Domestic, Chiropractic, Equine and Horses, Occupations and Professions, Veterinary Services

(1) Provide a brief summary of:

(a) What this administrative regulation does:

This administrative regulation establishes the responsibilities for an allied animal health professional (AAHP) licensee and limitations on the allowable scope of work on animals patients.

(b) The necessity of this administrative regulation:

This administrative regulation is necessary to communicate clear requirements regarding limitations on scope of practice on animal patients and the duties of AAHP licensees.

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

KRS 321.175(2)(c), (4) and (5) establish that the intent of the Kentucky Veterinary Medicine Practice Act is to regulate the professions of veterinary medicine, including the work of authorized allied animal health professionals. KRS 321.181(1)-(4) define key AAHP terminology. KRS 321.235(1)(a)-(c) and (2)(b)2 require the board to ensure the competence of credential holders and to administer credentialing programs to ensure competency to practice and to protect the public. This administrative regulation will assist in effective administration by clearly expressing what requirements have been established by the board. KRS 321.251 defines the allowable AAHP professions, including equine dental providers, and required licensure by the Board. KRS 321.253 requires AAHP providers to maintain and renew a license to provide AAHP services in the Commonwealth.

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

This administrative regulation will assist in effective administration by clearly expressing the responsibilities and limitations for AAHP provider licensees as established by the board.

(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:

This amendment updates the administrative regulation for conformity with Acts Chapter 87; changes the "permit" to a "license"; and defines limitations and responsibilities for the added AAHP equine dental providers (EDPs); places limitations on EDP students who are learning to practice, including who may supervise these students and required registration with the board.

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

This amendment is necessary to establish conformity with Acts Chapter 87 and to define limitations and responsibilities for the added AAHP EDP applicants.

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

KRS 321.175(2)(c) states the intent of KRS Chapter 321 is to regulate the professions of veterinary medicine, including work done by authorized allied animal

health professional (AAHP) providers. KRS 321.175(4) states that regulation is necessary to protect the public and animals of the commonwealth. KRS 321.175(5) states that KRS Chapter 321 shall fully occupy the field of AAHP provider work on animals to be enforced by the Board. KRS 321.181(1)-(4) defines key terms related to AAHP providers. KRS 321.235(1)(a)-(c) requires the board to implement and enforce the chapter and to promulgate administrative regulations to do so. KRS 321.235(2)(b)2 allows the Board to establish minimum requirements for AAHP licensees. KRS 321.251 defines the allowable AAHP professions, including equine dental providers, and requires licensure by the Board. KRS 321.253 requires AAHP providers to maintain and renew a license to provide AAHP services in the Commonwealth.

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

This amendment will assist in effective administration by clearly expressing the responsibilities and limitations for AAHP provider licensees as established by the board.

(3) Does this administrative regulation or amendment implement legislation from the previous five years? This administration implements legislation by the General Assembly in Acts Chapter 95 in 2023 and Acts Chapter 87 in 2025.

(4) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

Future applicants to the board for an AAHP license. The board anticipates receiving approximately 45 initial applications for this credential under the new laws, and one-two (1-2) annually in future years.

(5) Provide an analysis of how the entities identified in question (4) 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 (4) will have to take to comply with this administrative regulation or amendment:

Licensees will be required to work within a limited scope of practice as established by the General Assembly and the board, and must also be responsible for creating appropriate medical records to document services provided to animal patients and clients in Kentucky. Further, any EDP who wishes to train students will need to register those students with the Board and operate within the boundaries as established in the regulation.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (4):

No costs are associated with compliance, as this administrative regulation simply establishes the duties and limitations on AAHP permittees as approved by the board.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (4):

Administrative ease of clear communications of the limited scope of practice and responsibilities for AAHP permittees, and limitations and requirements for EDP students and their authorized supervisors.

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

(a) Initially:

Enforcement of this regulation will be accomplished using current funding.

(b) On a continuing basis:

The KBVE expects that, on an ongoing basis, the agency will enforce the provisions of this regulation using the current funding available to the agency.

(7) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation or this amendment:

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

(8) 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 enforcement program to ensure compliance.

(9) 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.

(10) TIERING: Is tiering applied?

Tiering is not applied because this administrative regulation applies to all AAHP licensees.

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), (4), (5), 321.181(1)-(4), 321.203, 321.205, 321.235(1)(a)-(c)(2)(b)2., 321.236, 321.255

(2) State whether this administrative regulation is expressly authorized by an act of the General Assembly, and if so, identify the act:

This administration is expressly authorized by the General Assembly in Acts Chapter 95 in 2023 and Acts Chapter 87 in 2025.

(3)(a) 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.

(b) Estimate the following for each affected state unit, part, or division identified in (3)(a):

1. Expenditures:

For the first year:The KBVE expects that it may enforce this provision of its regulations using existing fund available to the agency in the first year.

For subsequent years:The KBVE expects that, in subsequent years, the agency will enforce the provisions of this regulation using the funding available to the agency.

2. Revenues:

For the first year:There is no revenue generated by this filing.

For subsequent years:There is no revenue generated by this filing.

3. Cost Savings:

For the first year:There will be no cost savings; this administrative regulation simply codifies responsibilities and limitations for AAHP licensees, making them easily accessible for regulated entities.

For subsequent years:There will be no cost savings; this administrative regulation simply codifies responsibilities and limitations for AAHP licensees.

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

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

(b) Estimate the following for each affected local entity identified in (4)(a):

1. Expenditures:

For the first year:N/A

For subsequent years:N/A

2. Revenues:

For the first year:N/A

For subsequent years:N/A

3. Cost Savings:

For the first year:N/A

For subsequent years:N/A

(5)(a) Identify any affected regulated entities not listed in (3)(a) or (4)(a):

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

(b) Estimate the following for each regulated entity identified in (5)(a):

1. Expenditures:

For the first year:N/A

For subsequent years:N/A

2. Revenues:

For the first year:N/A

For subsequent years:N/A

3. Cost Savings:

For the first year:N/A

For subsequent years:N/A

(6) Provide a narrative to explain the following for each entity identified in (3)(a), (4)(a), and (5)(a)

(a) Fiscal impact of this administrative regulation:

This administrative regulation does not set fees and will not bring in revenue. This filing only impacts individuals who hold a license to practice as an AAHP provider in Kentucky.

(b) Methodology and resources used to reach this conclusion:

Budget reports and licensure reports were inputted into a large spreadsheet 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.

(7) Explain, as it relates to the entities identified in (3)(a), (4)(a), and (5)(a):

(a) Whether this administrative regulation will have a "major economic impact", as defined by KRS 13A.010(14):

This 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.