

BOARDS AND COMMISSIONS
Board of Veterinary Examiners
(Amendment)

201 KAR 16:775. AAHP facilities -- Renewal notice -- Requirements for renewal and reinstatement.

RELATES TO: KRS 321.175, 321.181(1)-(4), 321.189, 321.203, 321.205, 321.235, 321.253, 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

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

NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.235(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 licensure~~[permitting]~~ of allied animal health professional (AAHP) facilities. This administrative regulation establishes requirements for AAHP facility registration renewal and reinstatement applications.

Section 1. Renewal Notices and Timeliness of Renewal Applications.

- (1) The board shall, not later than August 31 of each odd-numbered year, email or mail to each registered AAHP facility a biennial renewal notice.
- (2) The renewal application shall be completed by the AAHP manager or registered responsible party 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 not later than September 30 of every odd-numbered year beginning in 2027 and each odd-numbered year thereafter shall be considered received on time.
 - (b) Renewals bearing a postmark, or, if an online renewal, a timestamp, on or after October 1 of every odd-numbered year shall be considered late and shall cause the registration status to be changed to expired. There shall be no grace period for registered facility renewal.
- (4) Renewal fee.
 - (a) The renewal fee shall be paid pursuant to 201 KAR 16:517; 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.

Section 2. Renewal Application.

- (1) The renewal application shall be completed by the registered responsible party or AAHP manager and returned to the board, including all required attachments.
- (2) A renewal application to the board for an AAHP facility registration shall include the following components:
 - (a) A completed application on the Renewal Application for Registered AAHP Facilities form or online equivalent form, including all required attachments and fees pursuant to 201 KAR 16:517;
 - (b) Identification of any changes to the registered responsible party;
 - (c) Identification of the AAHP manager;
 - (d) Identification of the legal business name and the doing-business-as (D.B.A) name of the facility;
 - (e) Identification of the phone, address, and email address of the registered facility;

- (f) ~~[(d)]~~ A copy of the business registration from the Kentucky Secretary of State, county registration, or similar business registration, if one exists;
 - (g) ~~[(e)]~~ Identification of the type of AAHP facility from one (1) or more in a list provided by the board;
 - (h) ~~[(f)]~~ Identification of the species served by the facility from one (1) or more in a list provided by the board;
 - (i) ~~[(g)]~~ Identification of the patient services offered at the AAHP facility from one (1) or more in a list provided by the board;
 - (j) ~~[(h)]~~ A complete list of AAHP licensees~~[permittees]~~ working at the facility;
 - (k) ~~[(i)]~~ A complete list of all mobile units registered under the~~[affiliated with the]~~ AAHP facility;
 - (l) ~~[(j)]~~ Disclosure of afterhours care arrangements;
 - (m) ~~[(k)]~~ For fixed facilities, county of location and counties served;
 - (n) ~~[(l)]~~ For mobile units, a list of the counties served by the mobile unit;
 - (o) ~~[(m)]~~ Hours of facility operation; and
 - (p) ~~[(n)]~~ A copy of any court documents, final orders, settlement agreements, or other information requested by the board in support of the application.
- (3) A change in fifty (50) percent or more of ownership or of the registered responsible parties shall be cause for the board to deny an AAHP facility renewal and require a new AAHP facility application.

Section 3. Failure to Renew.

- (1) Applicants for renewal that miss the AAHP facility registration renewal deadline shall immediately cease operations offering AAHP services.
- (2) If the registered responsible party desires to continue offering AAHP services on the premises or from a mobile unit, they shall submit a complete reinstatement application in accordance with Section 4 of this administrative regulation.

Section 4. Reinstatement. A registered responsible party or AAHP manager may apply for reinstatement of an expired AAHP facility registration if not more than five (5) years have elapsed since the last date of registration expiration pursuant to KRS 321.203. Applications to the board for reinstatement of a AAHP facility registration shall include the following components:

- (1) A completed application on a Reinstatement Application for Registered AAHP Facilities form or online equivalent form, including the following components and all required attachments and fees pursuant to 201 KAR 16:517;
- (2) Identification of any changes to the registered responsible party;
- (3) Identification of the AAHP manager;
- (4) Identification of the legal business name and the doing-business-as (D.B.A) name of the facility;
- (5) Identification of the phone, address, and email address of the registered facility;
- (6) ~~[(4)]~~ A copy of the business registration from the Kentucky Secretary of State, county registration, or similar business registration, if one exists;
- (7) ~~[(5)]~~ Identification of the type of AAHP facility from one (1) or more in a list provided by the board;
- (8) ~~[(6)]~~ Identification of the type of AAHP facility from one (1) or more in a list provided by the board;
- (9) ~~[(7)]~~ Identification of the species served by the facility from one (1) or more in a list provided by the board;
- (10) ~~[(8)]~~ Identification of the patient services offered at the AAHP facility from one (1) or more in a list provided by the board;
- (11) ~~[(9)]~~ A complete list of AAHP licensees~~[permittees]~~ working at the facility;

- (12) ~~[(10)]~~ A complete list of all mobile units registered under the~~[affiliated with the]~~ AAHP facility;
- (13) ~~[(11)]~~ Disclosure of afterhours care arrangements;
- (14) ~~[(12)]~~ For fixed facilities, county of location and counties served;
- (15) ~~[(13)]~~ For mobile units, a list of the counties served by the mobile unit;
- (16) ~~[(14)]~~ Hours of facility operation; and
- (17) ~~[(15)]~~ A copy of any court documents, final orders, settlement agreements, or other information requested by the board in support of the application.

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

- (1) Conduct a national or jurisdictional level background check on each AAHP manager applicant for AAHP 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 the AAHP facility application or the designated AAHP manager 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 AAHP Facilities", 8/2025~~[3/2025]~~; and
 - (b) "Reinstatement Application for Registered AAHP Facilities", 8/2025~~[3/2025]~~.
- (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 requirements for allied animal health professional (AAHP) facility registration renewal and reinstatement applications.

(b) The necessity of this administrative regulation:

This administrative regulation is necessary to establish clear requirements for renewal and reinstatement applications for AAHP facility registrations.

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

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, the registration and regulation of Allied Animal Health Professional (AAHP) providers and the facilities and mobile facilities where and from which AAHP services occur. KRS 321.236(1)(a) allows the Kentucky Board of Veterinary Examiners to promulgate administrative regulations defining the application requirements for AAHP facilities. KRS 321.235(1)(b) requires the board to promulgate administrative regulations to implement KRS Chapter 321. KRS 321.235(2)(b)2. provides the board authority to promulgate administrative regulations to establish conditions for applications and permitting of AAHP facilities.

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

This administrative regulation assists in effective administration by clearly expressing the application requirements approved by the board for the renewal and reinstatement of AAHP facility registrations.

(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 changes the "permit" to a "license"; and clarifies materials needed for renewal and reinstatement applications.

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

This amendment updates the administrative regulation for conformity with Acts Chapter 87. Further, the Kentucky Board of Veterinary Examiners received multiple questions and concerns from applicants for registered facilities related to the business name. The amendments clarify these issues.

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

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, the registration and regulation of AAHP facilities and mobile facilities where and from which AAHP services are provided. KRS 321.236(1)(a) allows the Kentucky Board of Veterinary Examiners to promulgate administrative

regulations defining the application requirements for AAHP facility registrations. KRS 321.235(1)(b) requires the agency to promulgate administrative regulations to effectively carry out and enforce the provisions of KRS Chapter 321.

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

This amendment will assist in effective administration by clearly expressing the application requirements for AAHP facility registration applicants as approved 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 facility registration. 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:

Applicants will be required to complete the appropriate application to request approval from the board for registration, renewal, or reinstatement of an AAHP facility registration.

(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 completing an application is a prerequisite for registration with the Board, as well as registration renewal and reinstatement.

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

Administrative ease of clear communications of the application requirements associated with facility registration.

(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 premises at which the AAHP services occur, except those entities excluded under KRS 321.200, KRS 321.181(2), and 201 KAR 16:772, Section 3.

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

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

The General Assembly expressly authorized the regulation of AAHP facilities by the Kentucky Board of Veterinary Examiners in Acts Chapter 95, and changed the AAHP "permit" to a "license" in Acts Chapter 87.

(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 the provisions of this regulation 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 application requirements, making them easily accessible for regulated entities.

For subsequent years:There will be no cost savings; this administrative regulation simply codifies the application requirements.

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

The Board 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):

Regulated entities not identified in questions (3)(a) or (4)(a) include all Allied Animal Health Professional (AAHP) facilities in Kentucky.

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

1. Expenditures:

For the first year:There will be minimal costs involved to register an AAHP facility; as established in KRS 321.236(2) and 201 KAR 16:517, initial registration for regulated AAHP facilities is \$100.

For subsequent years:As established in 201 KAR 16:517, renewal for regulated AAHP facilities is a biennial fee of \$200 to maintain the registration for operation.

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 application requirements, making them easily accessible for regulated entities.

For subsequent years:There will be no cost savings; this administrative regulation simply codifies application requirements.

(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 applicants for an AAHP facility registration 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):

The amendment to 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 as a part of this administrative regulation.