

BOARDS AND COMMISSIONS
Kentucky Board of Veterinary Examiners
(Amendment)

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, 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) and (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 321.175(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 321.235(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 licensing 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 and minimum requirements for operation as a registered AAHP facility.

Section 1. Definitions.

- (1) "Dedicated AAHP Services Space" or "DASS" is defined as a clearly distinct, purpose-built area that is physically and operationally separate from non-AAHP provider spaces and retail shopping areas, and that is designed to support the safe, private, and professional delivery of AAHP services while maintaining compliance with applicable regulations and ensuring client and patient comfort and preventing harm to the public.
- (2) "Allied animal health professional" or "AAHP" is defined by KRS 321.181(1).
- (3) "Allied animal health professional facility" or "AAHP facility" is defined by KRS 321.181(2).
- (4) "Fixed facility" is defined by KRS 321.181(40).
- (5) "Mobile facility" or "mobile unit" is defined by KRS 321.181(48).
- (6) "Registered responsible party" is defined by KRS 321.181(59).

Section 2. General Requirements. Each AAHP facility located in Kentucky at which an AAHP licensee practices on animal patients shall possess an AAHP facility registration issued by the Kentucky Board of Veterinary Examiners, unless the AAHP licensee 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 provision of the allied animal health professional services on animal patients.
- (3) Premises primarily devoted to activities other than AAHP services that still offer AAHP services to the public at a fixed facility shall be registered as an AAHP facility subject to the following requirements:
 - (a) The Dedicated AAHP Services Space (DASS) shall be physically and operationally distinct from areas of other use;

- (b) The DASS shall be confined and enclosed with walls floor to ceiling so that, at a minimum, patients are fully contained and separated from persons who are not AAHP personnel or an owner or owner's agent;
 - (c) The DASS shall exclude individuals who are not AAHP personnel or an owner or owner's agent;
 - (d) To ensure public and patient safety, the provision of AAHP services in a DASS shall be physically separate from other retail activity and public services offered; and
 - (e) AAHP facilities registered under this subsection shall be subject to inspection by the board to verify compliance with the provisions of this subsection to ensure both public and patient safety.
- (4) 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.
- (5) 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.
- (6) Registration Documentation.
- (a) A fixed registered AAHP facility shall prominently display the current registration certificate in a public area of the registered facility. The registration certificate shall:
 - (b) A mobile unit registered AAHP facility shall retain within the mobile unit the current registration certificate which may be produced upon demand.
 - (c) The registration certificate shall:
 - 1. Be legible; and
 - 2. 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 veterinarians or other AAHP licensees, who does not engage in practice on a patient directly, and who does not have a regular physical facility where the expert practices on animal patients; and
- (3) Rental vehicles or vehicles used on a temporary basis while a registered mobile unit is not operational.

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) 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) A copy of the business registration from the Kentucky Secretary of State, county registration, or similar business registration, if one exists;
- (7) Identification of the type of AAHP facility from one (1) or more in a list provided by the board;
- (8) Identification of the species served from one (1) or more in a list provided by the board;
- (9) Identification of the patient services offered at the AAHP facility from one (1) or more in a list provided by the board;
- (10) A complete list of AAHP licensees working at the facility;
- (11) A complete list of all mobile units being registered under the AAHP facility;
- (12) Disclosure of afterhours care arrangements;
- (13) For fixed facilities, county of location and counties served;
- (14) For mobile units, a list of the counties served by the mobile unit;
- (15) Hours of facility operation; and
- (16) 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 license 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 licensed in Kentucky and if a background check was previously conducted as a condition of licensure.

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", 8/2025, 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, Michelle.Shane@ky.gov.