

321.187 Medical recordkeeping -- Access to records.

- (1) Each veterinarian or AAHP who provides medical services to animals shall maintain accurate electronic or legibly written medical records that include the identity of the credential holder or authorized representative who makes the entry.
- (2) The information in the medical records are the property of the client, and the client has a right to a copy of those records. The practice where the records were prepared shall be the official records custodian. Original patient records shall be retained by the practice, veterinarian, or AAHP who prepared them and be readily retrievable for a period of five (5) years following the last patient encounter. Records shall not be stored by a third party without a record of signed, informed consent by the client. Records stored by a third party shall not relieve the veterinarian or AAHP from the responsibility of supplying records to the client upon request.
- (3)
 - (a) The veterinarian or AAHP may require that a request for medical records be in writing and may charge a reasonable fee for copying or the staff time in preparing the requested medical records, unless there is a board investigation, in which case no charges shall be authorized.
 - (b) Copies of the medical records shall be provided to the client, designated veterinarian, AAHP permittee, or authorized representative within seven (7) calendar days after receipt of a proper request or sooner in accordance with the patient's medical condition.
 - (c) Failure to provide the medical records in a timely fashion upon proper request shall be considered unprofessional conduct.
- (4) All records required by law to be kept by a veterinarian or AAHP shall be open to inspection by the board or its authorized representatives, and a copy shall be provided immediately upon request.
- (5) All records shall comply with the requirements set forth by the board in administrative regulations.
- (6) An animal patient's medical record and medical condition is confidential and may not be furnished to or discussed with any person other than the client or other veterinarians, veterinary technicians, veterinary assistants, veterinary practice staff, AAHP permittees, or consultants involved in the care or treatment of the patient, except upon authorization of the client or under the following circumstances:
 - (a) Access to the records is specifically required by law, or as described in KRS 321.185 and 321.188;
 - (b) In response to a court order or subpoena with notice given to the client or the client's legal representative;
 - (c) For statistical and scientific research, if the information is abstracted in a way as to protect the identity of the patient and client;
 - (d) As part of an inspection or investigation conducted by the board or an agent of the board;
 - (e) To verify the rabies vaccination status of an animal;
 - (f) In the course of a consultation; and
 - (g) As required by other state or federal law.

- (7) A veterinarian or AAHP shall not intentionally create a false record, make a false statement, or alter or modify any medical record, document, or report concerning treatment of a patient. When correcting a medical record, the original content should be readable, and the alteration shall be clearly identified with the correction, reason for correction, date, and author's name.

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