

321.236 Administrative regulations -- Registration requirements -- Voluntary inspections by the board -- Disciplinary action against registrant.

- (1) The board may promulgate administrative regulations in accordance with KRS Chapter 13A defining:
 - (a) Application, renewal, and reinstatement requirements and fees for veterinary facilities and AAHP facilities;
 - (b) Responsibilities and limitations for registered responsible parties, veterinarian managers, and AAHP managers. This shall include an administrative regulation governing interference or control by unlicensed persons in the practice of veterinary medicine or veterinary technology, or by persons who do not hold a board credential. Both registered responsible parties and veterinarian managers shall be responsible for a registered veterinary facility's operation and management, and both registered responsible parties and AAHP managers shall be responsible for a registered AAHP facility. Both parties associated with a registered facility shall be held accountable to the board as a credential holder for any violation of this chapter; and
 - (c) Minimum standards for veterinary facilities, mobile facilities, and AAHP facilities, including requirements for application, inspection, sanitation, and other factors.
- (2)
 - (a) All existing veterinary facilities and AAHP facilities, both fixed and mobile, shall be registered with the board not later than June 30, 2025.
 - (b) The board shall charge a minimum fee of two hundred dollars (\$200) per initial registration.
 - (c) For initial registrations filed with the board by June 30, 2025, the initial registration fee shall be reduced by half to one hundred dollars (\$100).
 - (d) After initial registration, the board shall not charge more for a facility registration renewal fee than the cost to run the registration program.
- (3)
 - (a) After June 30, 2025, all new facilities shall submit a completed application for registration to the board, including fees as promulgated by the board in administrative regulation.
 - (b) A new veterinary facility or AAHP facility shall not begin operation in the Commonwealth until the completed application and fee have been accepted by the board and notification in writing has been sent to the applicant.
 - (c) After the registration deadline in 2025, each new registered facility may be inspected by the board to verify that the facility is an operational veterinary facility or AAHP facility within the first one hundred twenty (120) days of operation.
- (4) A mobile facility that is affiliated with a registered veterinary facility or AAHP facility shall be exempted from the requirement to register independently if a currently registered fixed facility identifies that unit as its affiliate. The board may charge additional registration fees to a registered veterinary facility or AAHP facility based upon the number of registered mobile units associated with a single facility registration through the promulgation of an administrative regulation in accordance with KRS Chapter 13A.

- (5) Each application to register a veterinary facility or an AAHP facility shall meet the minimum requirements established by this chapter and the board in an administrative regulation promulgated in accordance with KRS Chapter 13A and identify the following persons responsible for its operation and management:
 - (a) The registered responsible party;
 - (b) The veterinarian manager, if a veterinary facility; or
 - (c) The AAHP manager, if an AAHP facility.
- (6)
 - (a) The veterinarian manager shall include at least one (1) Kentucky-licensed veterinarian with an active license in good standing with the board.
 - (b) The AAHP manager shall include at least one (1) Kentucky-permitted AAHP with an active permit in good standing with the board.
- (7)
 - (a) The veterinarian manager and the registered responsible party are responsible for notifying the board of any change in the veterinarian manager's or registered responsible party's association with the veterinary facility.
 - (b) The AAHP manager and the registered responsible party are responsible for notifying the board of any change in the allied animal health professional's or registered responsible party's association with the AAHP facility.
- (8) An application for registration renewal shall be completed and submitted to the board periodically after the initial registration deadline in 2025, in accordance with KRS 321.203 and as set forth in administrative regulations promulgated in accordance with KRS Chapter 13A.
- (9) The board may conduct voluntary inspections in accordance with the following:
 - (a) Veterinary facilities and AAHP facilities shall be provided an option to conduct a self-inspection at the facility and may consult with the board or request a board inspection to ensure the facility is meeting minimum standards as established in administrative regulations promulgated in accordance with KRS Chapter 13A;
 - (b) The board may charge a fee for in-person consultations and inspections as established in administrative regulation promulgated in accordance with KRS Chapter 13A;
 - (c) Voluntary consultations or inspections by the board shall not trigger a notice to comply or a notice of violation for deficiencies. Nothing in this paragraph shall be construed to limit the board from filing a grievance based upon a significant violation impacting public health, safety, and welfare, and animal health;
 - (d) Each registered facility that passes a voluntary, in-person inspection by the board shall receive a certificate of inspection from the board for display in the registered facility;
 - (e) Inspections of mobile units shall not extend into a registrant's private residence; and
 - (f) This subsection shall not prevent the board from conducting inspections at or implementing disciplinary action against a registered facility in response to a complaint, grievance, or upon a suspected violation of this chapter.

- (10) The board may revoke, suspend, or take other disciplinary action deemed appropriate against the registrant, including ordering closure of the veterinary facility or AAHP facility, in accordance with KRS 321.351 and 321.353 on any of the following grounds:
- (a) The board or its agents are denied access to conduct an inspection or investigation;
 - (b) The holder of a registration does not pay all prescribed fees or monetary penalties;
 - (c) There is no veterinarian manager or AAHP manager identified within the timeframes set by this chapter;
 - (d) Registered responsible parties are interfering with, exercising control over, or attempting to influence the professional judgment of a credential holder in any manner;
 - (e) Failure to comply with minimum standards defined in administrative regulation by the board for the veterinary facility or AAHP facility; or
 - (f) Failure to comply with any provision of this chapter or administrative regulations promulgated under this chapter.
- (11) The board may require any veterinarian manager applicant, AAHP manager applicant, or registered responsible party applicant to submit to a criminal background investigation conducted in accordance with KRS 321.189.

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