

321.200 Exemptions from application of chapter.

- (1) No provision of this chapter shall be construed to prohibit any of the following:
 - (a) Any persons from gratuitously treating animals in cases of emergency care, provided they do not use the word "veterinarian," "veterinary," "veterinary technician," "veterinary nurse," or any title, words, abbreviation, or letters in a manner or under circumstances which may induce the belief that the person using them is qualified to engage in the practice of veterinary medicine or the practice of veterinary technology as described in KRS 321.181;
 - (b)
 1. The owner of any animal or animals, the owner's full-time, or part-time, regular employees, or the owner's agent from caring for and treating animals maintained in their custody, including but not limited to euthanasia of livestock or administering drugs that are obtained and used in accordance with applicable state and federal statutes and regulations to, any animals belonging to the owner. With the exception of paragraph (c) of this subsection and other limiting statutes, treatment shall not include surgery.
 2. Transfer of ownership, a temporary contract, or a temporary change in a person's employment status shall not be used for the purpose of circumventing this provision.
 3. This provision shall not exempt an employee who would otherwise qualify for a board credential from the credentialing requirements of this chapter based on the employment status;
 - (c) Any person from castrating and dehorning food animals, as long as any drugs or medications are obtained and used in accordance with applicable state and federal statutes and regulations governing controlled substances, legend drugs, and veterinary drugs;
 - (d) Any veterinary student as defined in KRS 321.181 from working under the direct supervision of a veterinarian who is licensed under this chapter;
 - (e) Unlicensed graduate veterinarians in the United States Armed Services or employees of the United States Department of Agriculture, Animal and Plant Health Inspection Service, from engaging in the performance of their official duties;
 - (f) Other lawfully qualified veterinarians who reside in and are licensed in other jurisdictions from discussing or meeting, either in person or via telehealth, with licensed veterinarians of this Commonwealth in consultation about a patient so long as the Kentucky-licensed veterinarian has established and maintains a current VCPR with the patient;
 - (g) A trainer, sales agent, or herdsman from caring for animals, upon instruction from a Kentucky-licensed veterinarian, provided there is a current VCPR as defined in KRS 321.185;
 - (h) A university faculty member or unlicensed veterinarian employee from teaching veterinary science or related courses, providing services offered by the university's veterinary diagnostic laboratory, or from engaging in veterinary research through or on behalf of the university where the person is

employed, including drug and drug testing research, provided that research is conducted in accordance with applicable state and federal statutes and regulations governing controlled substances, prescription drugs, veterinary drugs, and legend drugs. This provision shall not exempt the university faculty member or unlicensed veterinarian employee from the requirements of licensure if the person engages in the practice of veterinary medicine outside the authority of the university or the scope of employment with the university or engages in the private practice of veterinary medicine for compensation;

- (i) Any person who holds a postgraduate degree in reproductive physiology or a related field, and who has performed embryo transfers in Kentucky during the five (5) years immediately preceding July 14, 1992, from performing embryo transfers on animals;
 - (j) Volunteer health practitioners providing services under KRS 39A.350 to 39A.366;
 - (k) A retailer or its agent from providing information and suggestions regarding the over-the-counter products it sells to treat animals so long as the information and suggestions are consistent with the product label and species appropriate;
 - (l) A Kentucky-licensed veterinarian from inspecting an animal, or an animal's radiographs or other medical records, on behalf of a potential buyer or potential seller, without regard to the existence of a VCPR;
 - (m) Any persons from implanting a microchip in an animal for the purposes of identification or the establishment of ownership;
 - (n) A veterinarian who is licensed in another jurisdiction of the United States or Canada, is in good standing in that jurisdiction, meets all criteria for licensure in Kentucky, and who has an active application on file with the board pending for less than ninety (90) days, from working as a veterinarian in Kentucky under the supervision of a Kentucky-licensed veterinarian while the board application for licensure is being processed, so long as the place of employment, start date, contact information where the applicant works, and a supervising veterinarian are disclosed in the application;
 - (o) Allied animal health professional permittees who are working within the scope of the permit;
 - (p) Certified animal euthanasia specialists who are working within the scope of their certificate; or
 - (q) Volunteer health practitioners consulting with and assisting a licensed veterinarian at a facility accredited by the Association of Zoos and Aquariums from assisting in the care of and procedures on the zoo animals at the facility while under the supervision of the veterinarian.
- (2) (a) An unlicensed veterinarian who does not qualify for licensure in Kentucky and who is a nonresident of the United States may be employed in this Commonwealth to engage in the practice of veterinary medicine for not more than thirty (30) days in a calendar year, provided the person:
- 1. Holds a valid, current license as a veterinarian in the person's home

- country;
2. Practices under the direct supervision of a veterinarian licensed in Kentucky;
 3. Registers with the board prior to commencing practice in the Commonwealth; and
 4. Agrees to practice and follow all the rules and administrative regulations of this chapter and be subject to discipline for violations of those rules and administrative regulations by the Kentucky Board of Veterinary Examiners.
- (b) This subsection shall not apply to a nonresident of the United States who is otherwise eligible for a Kentucky license or other credential under this chapter.
- (3) Nothing in this chapter shall interfere with the professional activities of any licensed pharmacist.

Effective: June 29, 2023

History: Amended 2023 Ky. Acts ch. 16, sec. 13, effective June 29, 2023; and ch. 95, sec. 14, effective June 29, 2023. -- Amended 2016 Ky. Acts ch. 116, sec. 6, effective July 15, 2016. -- Amended 2007 Ky. Acts ch. 96, sec. 19, effective June 26, 2007. -- Amended 1992 Ky. Acts ch. 299, sec. 16, effective July 14, 1992. -- Created 1948 Ky. Acts ch. 181, sec. 16.

Legislative Research Commission Note (6/29/2023). This statute was amended by 2023 Ky. Acts chs. 16 and 95, which do not appear to be in conflict and have been codified together.