

321.207 Authorization to apply to United States Drug Enforcement Administration for controlled substance registration -- Certification of animal control agencies and animal euthanasia specialists -- Possession and storage of drugs used for euthanasia.

- (1)
 - (a) The Kentucky Board of Veterinary Examiners, upon submission of a complete application and payment of a fee established by the board, shall issue to any animal shelter that it determines to be qualified, an authorization to apply to the United States Drug Enforcement Administration (DEA) for a controlled substance registration for the purchase, possession, storage, and administration of the specific drugs approved by the board to euthanize or sedate animals for euthanasia for animals owned by the certified animal control agency, or in the case of emergency care related to injured, sick, or abandoned animals.
 - (b) A certified animal control agency that successfully obtains a DEA controlled substance registration shall comply with all state and federal laws related to the ordering, purchase, storage, tracking, management, and disposal of the drugs obtained under the controlled substance registration.
 - (c) A certified animal control agency shall comply with certification renewal requirements as set forth in KRS 321.208 or the certificate shall expire.
- (2) A certified animal control agency shall comply with administrative regulations promulgated by the board which contain standards for proper storage and handling of the drugs the board has approved for this use, and any other provisions as may be necessary to ensure that the drugs are used safely and solely for the purpose set forth in this section.
- (3)
 - (a) A certified animal control agency shall submit to periodic inspections by the board or its authorized representatives to ensure compliance with DEA controlled substance registration and board requirements.
 - (b) An applicant for certification as a certified animal control agency shall submit to an inspection by the board or its authorized representatives prior to certification by the board to ensure adequate security for controlled substances storage.
 - (c) A previously certified animal control agency with an expired certificate shall submit to inspections by the board or its authorized representatives to ensure proper log updates, removal, and disposal of all drugs obtained under the DEA controlled substance registration.
- (4) Upon submission of a complete application, payment of a fee established by the board, and successful completion of a board-approved animal euthanasia specialist training course by the applicant, the Kentucky Board of Veterinary Examiners shall issue to a person whom it determines to be qualified, a certificate for the person to function as a certified animal euthanasia specialist, subject to the following restrictions:
 - (a) A certified animal euthanasia specialist shall comply with certification renewal requirements as set forth in KRS 321.208 or the certificate shall expire;

- (b) A certified animal euthanasia specialist shall maintain an employment relationship with a certified animal control agency to be qualified to practice animal euthanasia;
 - (c) A certified animal euthanasia specialist is authorized to perform euthanasia only on the premises of the certified animal control agency, except in case of emergency care;
 - (d) A certified animal euthanasia specialist shall euthanize only animals that are owned by the certified animal control agency or in cases of emergency care. Transfer of ownership or a temporary contract shall not be used for the purpose of circumventing this subsection;
 - (e) A certified animal euthanasia specialist shall not perform euthanasia at a private residence; and
 - (f) A certified animal euthanasia specialist shall not perform euthanasia for compensation, except for compensation from the certified animal euthanasia specialist's employment relationship with a certified animal control agency.
- (5) Euthanasia of animals in a certified animal control agency shall only be performed by:
- (a) A licensed veterinarian;
 - (b) A licensed veterinary technician functioning under the supervision of a licensed veterinarian; or
 - (c) A certified animal euthanasia specialist as provided for in subsection (4) of this section.
- (6) A certified animal control agency that employs a certified animal euthanasia specialist may purchase, possess, and administer the specific drugs approved by the board in administrative regulation for the euthanasia or sedation of animals for euthanasia. The specific drugs approved by the board shall be the only drugs used by certified animal euthanasia specialists for the euthanasia of animals or sedation of animals for euthanasia in a certified animal control agency.
- (7) Certified animal control agencies and certified animal euthanasia specialists shall be required to renew their certificates at intervals, upon conditions, and upon the payment of fees established by the board through the promulgation of administrative regulations.
- (8) (a) A veterinarian who is contracted or otherwise employed by an animal shelter shall not store drugs obtained under the veterinarian's DEA controlled substance registration in the same locked storage unit where the drugs obtained under another DEA controlled substance registration are stored.
- (b) Separate and secure storage arrangements, drug logs, drug order forms, and secure, limited access shall be required for each separate DEA controlled substance registration.
- (c) A veterinarian shall not store drugs ordered under the veterinarian's DEA controlled substance registration at an animal shelter unless the DEA controlled substance registration under which the drugs are ordered lists the animal shelter address as the registrant address.

Effective: June 29, 2023

History: Amended 2023 Ky. Acts ch. 95, sec. 17, effective June 29, 2023. -- Amended 2016 Ky. Acts ch. 116, sec. 8, effective July 15, 2016. -- Created 1998 Ky. Acts ch. 126, sec. 2, effective July 15, 1998.