

321.181 Definitions for chapter.

As used in this chapter:

- (1) "Allied animal health professional" or "AAHP" means a professional who has completed an approved allied animal health professional program as defined in an administrative regulation promulgated by the board in accordance with KRS Chapter 13A and who offers specialized, limited services as defined in this chapter or by an administrative regulation to an animal patient in an area of practice as identified in KRS 321.251;
- (2) (a) "Allied animal health professional facility" or "AAHP facility" means any building, fixed facility, place, premises, mobile facility, mobile unit, or location from which the practice of allied animal health professionals on animals is conducted or performed, including but not limited to a mobile clinic or facility, outpatient clinic, emergency facility, specialty facility, referral facility, human facility, or center.
(b) An AAHP facility includes all fixed buildings used in AAHP practice at a single physical premises location.
(c) An AAHP facility does not include:
 1. The premises of a client unless a fixed allied animal health professional facility is located on the premises;
 2. A research facility;
 3. A federal military base;
 4. Locations for temporary animal exhibition;
 5. State or federal regulatory facilities; or
 6. An approved allied animal health professional program location;
- (3) "Allied animal health professional manager" or "AAHP manager" means at least one (1) board-licensed AAHP who registers to assume responsibility for the registration, management, and operation of a registered allied animal health professional facility;
- (4) "Allied animal health professional license" or "AAHP license" means a credential issued to an allied animal health professional who is licensed by the board to practice on animals in the Commonwealth and to conduct specialized services for an animal patient limited to the scope of work as defined in this chapter or by the board in administrative regulation;
- (5) "Animal" means any member of the animal kingdom other than a human, whether living or dead;
- (6) "Animal chiropractic" means the science of diagnosing and adjusting or manipulating the subluxations of the articulations of an animal's spine and its adjacent tissues and by applying methods of treatment designed to augment those adjustments or manipulations;
- (7) "Animal control agency" means an animal shelter fulfilling the duties required pursuant to KRS Chapter 258 that is owned, contracted with, or in service on behalf of a county or municipality;
- (8) "Animal shelter" means a public agency or private humane society, society for the

prevention of cruelty to animals, animal protection shelter or control agency, or other facility that provides shelter and care for homeless, stray, unwanted, or injured domestic animals;

- (9) "Applicant" means a person who submits an application for licensure, certification, license, or registration, whether complete or not, to the board;
- (10) "Approved allied animal health professional program" means a school or educational program offering specialized training to provide limited services to an animal patient that has been approved by the board in an administrative regulation as meeting its administrative standards;
- (11) "Approved foreign equivalency program" means a school or educational program that has been approved by the board as meeting its administrative standards, which offers additional training and testing for persons who graduated from a non-board-approved veterinary medical program or non-board-approved veterinary technology program;
- (12) "Approved program of continuing education" means an educational program approved by the board or offered by an approved provider of continuing education;
- (13) "Approved provider of continuing education" means any person that has met the requirements of the board to provide educational courses that are designed to ensure continued competence in the practice of veterinary medicine, veterinary technology, animal euthanasia, or other area of practice governed by the board;
- (14) "Approved veterinary medical program" means a school of veterinary medicine or a veterinary medical education program that has been approved by the board as meeting its administrative standards;
- (15) "Approved veterinary technology program" means a school of veterinary technology or a veterinary technology education program that has been approved by the board as meeting its administrative standards;
- (16) "Background check" means an inquiry within a system for the collection, processing, preservation, or dissemination of criminal history records maintained by one (1) or more local, state, or federal agencies;
- (17) "Board" means the Kentucky Board of Veterinary Examiners;
- (18) "Certificate holder" means a person certified by the board;
- (19) "Certified animal control agency" means an animal shelter that is certified by the board;
- (20) "Certified animal euthanasia specialist" means a person employed by a certified animal control agency who is authorized by the board to humanely euthanize animals by administering drugs designated by the board for euthanasia and sedation including animals owned by the certified animal control agency or animals in emergency care circumstances;
- (21) "Chemical restraint" means the use of any controlled substance, veterinary drug, prescription, veterinary prescription drug, or legend drug that assists in the restraint of or sedates the animal;
- (22) "Client" means the owner, owner's agent, or other person presenting the patient for care, who has entered into an agreement with a veterinarian or allied animal health

professional on behalf of a patient for the purposes of obtaining veterinary medical services or allied animal health professional services in person or by any means of communication or telehealth;

- (23) "Compensation" includes any gift, bonus, fee, money, credit, or other thing of value;
- (24) "Complementary and alternative veterinary medicine therapies" means a heterogeneous group of preventive, diagnostic, and therapeutic philosophies and practices that are not considered part of conventional veterinary medicine. These therapies include but are not limited to:
 - (a) Veterinary acupuncture, acutheraPy, and acupressure;
 - (b) Veterinary homeopathy;
 - (c) Veterinary manual or manipulative therapy, such as therapies based on techniques practiced in osteopathy, chiropractic, or physical medicine and therapy;
 - (d) Veterinary nutraceutical therapy; and
 - (e) Veterinary phytotherapy;
- (25) "Consultation" means a veterinarian's receipt of advice, assistance in person, or by any method of communication from a veterinarian or other person whose expertise, in the opinion of the veterinarian, would benefit a patient while the responsibility for the welfare of the patient remains with the veterinarian receiving consultation;
- (26) "Continuing education" means training that is designed to ensure continued competence in the practice of veterinary medicine, veterinary technology, or for certified animal euthanasia specialists, licensed allied animal health professionals, or any board credential holder;
- (27) "Continuing education contact hour" means a fifty (50) minute clock hour of instruction, not including breaks or meals;
- (28) "Conviction" means a formal declaration that someone is guilty of a crime by a court of competent jurisdiction and shall include a finding or verdict of guilt, an admission of guilt, a no contest plea, a plea of nolo contendere, or a guilty plea;
- (29) "Credential" means:
 - (a) Any license, certificate, permit, registration, or other credential issued or approved by the board; or
 - (b) The authorization to serve as the veterinarian manager or registered responsible party designated on a veterinary facility registration, as the AAHP manager or registered responsible party designated on an AAHP facility registration, or as the designated on-site manager designated for a certified animal control agency;
- (30) "Credential holder" means a person who holds an approved credential issued by the board, which may be one (1) or more of the following:
 - (a) Certificate;
 - (b) License;
 - (c) Registration; or

- (d) Special permit;
- (31) "Designated on-site manager" means a person who registers with the board to assume responsibility for the ordering, management, use, and disposal of controlled substances at a certified animal control agency;
- (32) "Discipline" means any final order, settlement agreement, reprimand, fine, or other adverse consequence assessed against a person by the board or any of its counterparts in other jurisdictions;
- (33) "Embryo transfer" means to remove an embryo from any animal for the purpose of transplanting the embryo into another animal, cryopreserving the embryo, or implanting the embryo into any animal, including food and companion animals;
- (34) "Emergency care" means immediate treatment that is necessary to sustain life or end suffering of an animal that is in a life-threatening condition;
- (35) "Equine dentistry" means any diagnosis, treatment, or surgical procedure performed on the head or oral cavity of an equine animal, including:
 - (a) Any procedure that invades the tissues of the oral cavity, including a procedure to:
 - 1. Remove sharp enamel projections;
 - 2. Treat malocclusions of the teeth;
 - 3. Reshape teeth; or
 - 4. Extract one (1) or more teeth;
 - (b) The treatment or extraction of damaged or diseased teeth;
 - (c) The treatment of diseased teeth through restoration and endodontic procedures;
 - (d) Periodontal treatments, including the:
 - 1. Removal of calculus, soft deposits, plaque, and stains above the gum line; and
 - 2. Smoothing, filing, and polishing of tooth surfaces; and
 - (e) Dental radiography;
- (36) "Examination" means a qualifying examination approved by the board as a condition for certification, licensure, permit, or registration;
- (37) "Expired" is a licensure status whereby the credential holder failed to renew the credential in a timely manner in accordance with the deadline set by the board;
- (38) "Extralabel use" means actual use or intended use of a drug in an animal in a manner that is not in accordance with the approved labeling and includes but is not limited to:
 - (a) Use in species or production class not listed in the labeling;
 - (b) Use for indications such as disease or other conditions not listed in the labeling;
 - (c) Use at dosage levels, frequencies, or routes of administration other than those stated in the labeling; and
 - (d) Deviation from the labeled withdrawal time based on these different uses;

- (39) "Felony" means a criminal act as defined by any jurisdiction or by definition under federal law;
- (40) "Fixed facility" means a permanent location that is generally not moveable;
- (41) "Grievance" or "complaint" means any allegation of misconduct that may constitute a violation of this chapter or any administrative regulation promulgated under the authority of this chapter;
- (42) "Impaired" means that a credential holder, designated on-site manager, veterinarian manager, AAHP manager, or registered responsible party may reasonably be unable to perform that person's duties with competence, skill, and safety because of a physical or mental disability or incapacity, including deterioration of mental capacity, loss of motor skills, or substance use or disorder of sufficient degree which may reasonably diminish the person's ability to deliver competent patient care;
- (43) "In-person" means physically in the same physical space;
- (44) "Informed consent" or "consent" means the veterinarian or allied animal health professional licensee has informed the client or the client's authorized representative in a manner understood by the client or the client's authorized representative of the diagnostic and treatment options, potential outcomes, risk assessment, prognosis, and options and the client has consented to or knowingly declined the recommended services or treatment;
- (45) "Jurisdiction" means:
 - (a) Any Commonwealth, state, or territory of the United States of America, including the District of Columbia;
 - (b) Any province of Canada; or
 - (c) A regulatory organization, including an international body; that issues licenses, registrations, permits, or certificates related to the professional fields of veterinary medicine;
- (46) "Licensee" means a person licensed by the board under this chapter;
- (47) "Livestock" means bovines, equines, sheep, goats, swine, poultry, captured or cultivated aquatic species, farm-raised cervidae and camelidae, bees, and any other species used in the production of fiber, meat, eggs, honey, milk, and other animal food products;
- (48) "Mobile facility" or "mobile unit" means a motor vehicle that is utilized pursuant to KRS 321.205;
- (49) "Patient" means any animal or group of animals receiving care from a veterinarian, veterinary technician, veterinary assistant, animal euthanasia specialist, allied animal health professional, veterinary student, veterinary technician student, or veterinary practice staff;
- (50) "Permittee" means a person permitted by the board under this chapter;
- (51) "Person" means any individual, firm, partnership, association, joint venture, cooperative, corporation, governmental body, or any other group, legal entity, or combination acting in concert, and whether or not acting as a principal, trustee, fiduciary, receiver, or as any kind of legal or personal representative, or as the

successor in interest, assignee, agent, factor, servant, employee, director, officer, or any other representative of the person;

(52) "Practice of veterinary medicine" means any person who practices veterinary medicine when performing any one (1) or more of the following on an animal:

- (a) Directly or indirectly diagnoses, prognoses, corrects, changes, relieves, prevents, supervises, recommends, or performs medical or surgical treatment, including complementary and alternative veterinary medicine therapies, obstetrics, dentistry, oral surgery, acupuncture, laser therapy, manipulation, and all other branches or specialties of veterinary medicine, for the diagnosis, prevention, cure, or relief of a wound, defect, deformity, fracture, bodily injury, disease, or dental, physical, behavioral, or mental condition;
- (b) Prescribes, dispenses, or administers any drug, medicine, anesthetic, biologic, appliance, apparatus, application, treatment, or other therapeutic or diagnostic substance or technique for veterinary purposes, or performs euthanasia, in accordance with the applicable federal statutes and regulations governing controlled prescription drugs, legend drugs, and veterinary drugs;
- (c) Performs any manual procedure for the diagnosis, treatment, or both of pregnancy, sterility, or infertility, including embryo transfer;
- (d) Represents oneself, directly or indirectly, as engaging in the practice of veterinary medicine; or
- (e) Uses any words, letters, or titles as to induce the belief that the individual using them is authorized to practice veterinary medicine under this chapter with such use being prima facie evidence of the intention to represent oneself as engaged in the practice of veterinary medicine;

(53) "Practice of veterinary technology" means:

- (a) The practices of veterinary technology when performing patient care, professional medical care, monitoring, treatment, or other services on an animal that require a technical understanding of veterinary medicine on the basis of written or oral instruction of a veterinarian, or under supervision of a veterinarian; and
- (b)
 1. Representation of oneself, directly or indirectly, as a licensed veterinary technician or "LVT"; or
 2. Use of any words, letters, or titles under circumstances that would induce the belief that the individual using them is authorized to practice as a veterinary technician under this chapter, with such use being prima facie evidence of the intention to represent oneself as engaged in practice as a veterinary technician;

(54) "Premises" means any place where an animal is located when veterinary medicine is being practiced;

(55) "Prescription" means an order for a drug or medicine, combination or mixture of drugs or medicines, or proprietary preparation that is signed, given, or authorized and intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in a patient;

(56) "Registrant" means a person or premises registered with the board under this

chapter;

- (57) "Registered allied animal health professional facility" or "registered AAHP facility" means an AAHP facility that is registered with the board;
- (58) "Registered facility" means any AAHP facility or any veterinary facility that is registered with the board;
- (59) "Registered responsible party" means at least one (1) person documented as the:
 - (a) Entity that is designated as the registered responsible party on a facility registration and is responsible for its operation and management in conjunction with the veterinarian manager or allied animal health professional manager; and
 - (b) Entity that is held accountable to the board as a credential holder for any violation of this chapter and its associated administrative regulations. At a minimum, the registered party shall include all persons, owners, and corporate owners of the registered veterinary facility or allied animal health professional facility;
- (60) "Registered veterinary facility" means a veterinary facility that is registered with the board;
- (61) "Supervision" pertains to any of the following:
 - (a) "Supervising veterinarian" means a veterinarian who assumes responsibility for the veterinary care given to a patient by an individual working under the veterinarian's direction and has examined the patient pursuant to currently acceptable standards of care;
 - (b) "Immediate supervision" means the supervising veterinarian is physically in the immediate area and within audible and visual range of the patient and the individual treating the patient;
 - (c) "Direct supervision" means the supervising veterinarian is readily available on the premises where the patient is being treated; and
 - (d) "Indirect supervision" means the supervising veterinarian need not be on the premises but has given either written or oral instructions for the treatment of the patient and is readily available for communication;
- (62) "Teleadvice" means the provision of any health information, opinion, guidance, or recommendation concerning prudent future actions that are not specific to a particular patient's health, illness, or injury;
- (63) "Teleconsulting" means telehealth in which a veterinarian, veterinary technician, AAHP, or other credential holder uses telehealth tools to communicate with a specialist or another professional to gain insights and advice on the care of a patient;
- (64) "Telehealth" means all uses of technology to remotely gather and deliver health information, advice, education, and care;
- (65) "Telemedicine" or "connected care" means the integration of digital technologies to enhance and support the VCPR and facilitate proactive and ongoing care through improved communication, diagnosis, and monitoring;
- (66) "Telemonitoring," "mHealth," or "mobile health," means remote monitoring of a

patient who is not at the same location as the health care provider;

- (67) "Telesupervision" means the supervision of individuals using media such as audio or audio/video conference, text messaging, and e-mail;
- (68) "Triage" means the safe, appropriate, and timely assessment and management of an animal patient via electronic consultation with its owner, regardless of whether there is an immediate referral to a veterinarian and where a diagnosis is not rendered;
- (69) "Veterinarian" means an individual who is licensed to engage in the practice of veterinary medicine under this chapter;
- (70) "Veterinarian manager" means at least one (1) Kentucky-licensed veterinarian who registers to assume responsibility for the registration, management, and operation of a registered veterinary facility;
- (71) "Veterinarian-client-patient relationship" or "VCPR" has the same meaning as in KRS 321.185;
- (72) "Veterinary assistant" means a layperson without credentials who is employed by a veterinarian in accordance with KRS 321.443;
- (73) (a) "Veterinary facility" means any building, fixed facility, place, premises, mobile facility, or mobile unit location from which the practice of veterinary medicine and practice of veterinary technology are conducted or performed, including but not limited to a mobile clinic or facility, outpatient clinic, veterinary hospital or clinic, emergency facility, specialty facility, referral facility or center, temporary health clinic, or spay/neuter location. A veterinary facility shall include all fixed buildings used for the practice of veterinary medicine at a single physical premises location.
(b) "Veterinary facility" does not include:
 - 1. The premises of a veterinary client unless a fixed veterinary facility is located on the veterinary client's premises;
 - 2. A research facility;
 - 3. A federal military base;
 - 4. Locations for temporary animal exhibition;
 - 5. State or federal regulatory facilities;
 - 6. Officially designated emergency and disaster response locations;
 - 7. A facility with current accreditation by the Association of Zoos and Aquariums; or
 - 8. An American Veterinary Medical Association-accredited college of veterinary medicine or veterinary technology;
- (74) "Veterinary specialist" means a veterinarian that has been awarded and maintains certification from an American Veterinary Medical Association-recognized veterinary specialty organization, program, or college, and is registered in this specialty with the board;
- (75) "Veterinary student" means:
 - (a) A person enrolled in an approved veterinary medical program while pursuing

a degree in veterinary medicine; or

- (b) A person in a post-Doctor of Veterinary Medicine temporary private internship, residency, or veterinary hospital-based program, not to exceed thirty (30) days in a calendar year;
- (76) "Veterinary technician" means a person who has completed an approved veterinary technology program, is licensed in accordance with this chapter, and meets the requirements in KRS 321.441;
- (77) "Veterinary wellness committee" means a committee appointed by the board that is composed of individuals who have expertise in the areas of alcohol abuse, chemical dependence, drug abuse, or physical or mental condition designated by the board to perform activities related to the veterinary wellness program; and
- (78) "Veterinary wellness program" means the board-sponsored program for the identification, intervention, and monitoring of credential holders or applicants who may be impaired as a result of alcohol abuse, chemical dependence, drug abuse, or any physical or mental condition.

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