

1 AN ACT relating to allied animal health professional licenses.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 321.181 is amended to read as follows:

4 As used in this chapter:

- 5 (1) "Allied animal health professional" or "AAHP" means a professional who has
 6 completed an approved allied animal health professional program as defined in
 7 an~~by~~ administrative ***regulation promulgated by the board in accordance with***
 8 ***KRS Chapter 13A***~~regulation~~ and who offers specialized, limited services as
 9 defined in this chapter or by an administrative regulation to an animal patient in an
 10 area of practice as identified in Section 2 of this Act~~animal chiropractic~~;
- 11 (2) (a) "Allied animal health professional facility" or "AAHP facility" means any
 12 building, fixed facility, place, premises, mobile facility, mobile unit, or
 13 location from which the practice of allied animal health professionals on
 14 animals is conducted or performed, including but not limited to a mobile
 15 clinic or facility, outpatient clinic, emergency facility, specialty facility,
 16 referral facility, human facility, or center.
- 17 (b) An AAHP facility includes all fixed buildings used in AAHP practice at a
 18 single physical premises location.
- 19 (c) An AAHP facility does not include:
- 20 1. The premises of a client unless a fixed allied animal health professional
 21 facility is located on the premises;
- 22 2. A research facility;
- 23 3. A federal military base;
- 24 4. Locations for temporary animal exhibition;
- 25 5. State or federal regulatory facilities; or
- 26 6. An approved allied animal health professional program location;
- 27 (3) "Allied animal health professional manager" or "AAHP manager" means at least

- 1 one (1) board-~~licensed~~~~[permitted]~~ AAHP who registers to assume responsibility for
 2 the registration, management, and operation of a registered allied animal health
 3 professional facility;
- 4 (4) "Allied animal health professional ~~license~~~~[permit]~~" or "AAHP ~~license~~~~[permit]~~"
 5 means a credential issued to an allied animal health professional who is
 6 ~~licensed~~~~[permitted]~~ by the board to practice on animals in the Commonwealth and
 7 to conduct specialized services for an animal patient limited to the scope of work as
 8 defined **in this chapter or by the board** in administrative regulation~~[by the board]~~;
- 9 (5) "Animal" means any member of the animal kingdom other than a human, whether
 10 living or dead;
- 11 (6) "Animal chiropractic" means the science of diagnosing and adjusting or
 12 manipulating the subluxations of the articulations of an animal's spine and its
 13 adjacent tissues and by applying methods of treatment designed to augment those
 14 adjustments or manipulations;
- 15 (7) **"Animal control agency" means an animal shelter fulfilling the duties required**
 16 **pursuant to KRS Chapter 258 that is owned, contracted with, or in service on**
 17 **behalf of a county or municipality;**
- 18 **(8)** "Animal shelter" means a public agency or private humane society, society for the
 19 prevention of cruelty to animals, animal protection shelter or control agency, or
 20 other facility that provides shelter and care for homeless, stray, unwanted, or
 21 injured **domestic** animals;
- 22 ~~(9)~~~~(8)~~ "Applicant" means a person who submits an application for licensure,
 23 certification, ~~license~~~~[permit]~~, or registration, whether complete or not, to the board;
- 24 ~~(10)~~~~(9)~~ "Approved allied animal health professional program" means a school or
 25 educational program offering specialized training to provide limited services to an
 26 animal patient that has been approved by the board **in an administrative regulation**
 27 as meeting its administrative standards;

1 ~~(11)~~~~(10)~~ "Approved foreign equivalency program" means a school or educational
2 program that has been approved by the board as meeting its administrative
3 standards, which offers additional training and testing for persons who graduated
4 from a non-board-approved veterinary medical program or non-board-approved
5 veterinary technology program;

6 ~~(12)~~~~(11)~~ "Approved program of continuing education" means an educational program
7 approved by the board or offered by an approved provider of continuing education;

8 ~~(13)~~~~(12)~~ "Approved provider of continuing education" means any person that has met
9 the requirements of the board to provide educational courses that are designed to
10 ensure continued competence in the practice of veterinary medicine, veterinary
11 technology, animal euthanasia, or other area of practice governed by the board;

12 ~~(14)~~~~(13)~~ "Approved veterinary medical program" means a school of veterinary
13 medicine or a veterinary medical education program that has been approved by the
14 board as meeting its administrative standards;

15 ~~(15)~~~~(14)~~ "Approved veterinary technology program" means a school of veterinary
16 technology or a veterinary technology education program that has been approved by
17 the board as meeting its administrative standards;

18 ~~(16)~~~~(15)~~ "Background check" means an inquiry within a system for the collection,
19 processing, preservation, or dissemination of criminal history records maintained by
20 one (1) or more local, state, or federal agencies;

21 ~~(17)~~~~(16)~~ "Board" means the Kentucky Board of Veterinary Examiners;

22 ~~(18)~~~~(17)~~ "Certificate holder" means a person certified by the board;

23 ~~(19)~~~~(18)~~ "Certified animal control agency" means an animal shelter that is certified by
24 the board;

25 ~~(20)~~~~(19)~~ "Certified animal euthanasia specialist" means a person employed by a
26 certified animal control agency who is authorized by the board to humanely
27 euthanize animals by administering drugs designated by the board for euthanasia

1 and sedation including animals owned by the certified animal control agency or
2 animals in emergency care circumstances;

3 ~~(21)~~~~(20)~~ "Chemical restraint" means the use of any controlled substance, veterinary
4 drug, prescription, veterinary prescription drug, or legend drug that assists in the
5 restraint of~~restrains~~ or sedates~~tranquilizes~~ the animal;

6 ~~(22)~~~~(21)~~ "Client" means the owner, owner's agent, or other person presenting the
7 patient for care, who has entered into an agreement with a veterinarian or allied
8 animal health professional on behalf of a patient for the purposes of obtaining
9 veterinary medical services or allied animal health professional services in person
10 or by any means of communication or telehealth;

11 ~~(23)~~~~(22)~~ "Compensation" includes any gift, bonus, fee, money, credit, or other thing of
12 value;

13 ~~(24)~~~~(23)~~ "Complementary and alternative veterinary medicine therapies" means a
14 heterogeneous group of preventive, diagnostic, and therapeutic philosophies and
15 practices that are not considered part of conventional veterinary medicine. These
16 therapies include but are not limited to:

- 17 (a) Veterinary acupuncture, acuthery, and acupressure;
- 18 (b) Veterinary homeopathy;
- 19 (c) Veterinary manual or manipulative therapy, such as therapies based on
20 techniques practiced in osteopathy, chiropractic, or physical medicine and
21 therapy;
- 22 (d) Veterinary nutraceutical therapy; and
- 23 (e) Veterinary phytotherapy;

24 ~~(25)~~~~(24)~~ "Consultation" means a veterinarian's receipt of advice, assistance in person,
25 or by any method of communication from a veterinarian or other person whose
26 expertise, in the opinion of the veterinarian, would benefit a patient while the
27 responsibility for the welfare of the patient remains with the veterinarian receiving

1 consultation;

2 ~~(26)~~~~(25)~~ "Continuing education" means training that is designed to ensure continued
3 competence in the practice of veterinary medicine, veterinary technology, or for
4 certified animal euthanasia specialists, licensed~~permitted~~ allied animal health
5 professionals, or any board credential holder;

6 ~~(27)~~~~(26)~~ "Continuing education contact hour" means a fifty (50) minute clock hour of
7 instruction, not including breaks or meals;

8 ~~(28)~~~~(27)~~ "Conviction" means a formal declaration that someone is guilty of a crime by
9 a court of competent jurisdiction and shall include a finding or verdict of guilt, an
10 admission of guilt, a no contest plea, a plea of nolo contendere, or a guilty plea;

11 ~~(29)~~~~(28)~~ "Credential" means:

12 (a) Any license, certificate, permit, registration, or other credential issued or
13 approved by the board; or

14 (b) The authorization to serve as the veterinarian manager or registered
15 responsible party designated on a veterinary facility registration, as the AAHP
16 manager or registered responsible party designated on an AAHP facility
17 registration, or as the designated on-site manager designated for a certified
18 animal control agency;

19 ~~(30)~~~~(29)~~ "Credential holder" means a person who holds an approved credential issued
20 by the board, which may be one (1) or more of the following:

21 (a) Certificate;

22 (b) License;

23 (c)~~Permit~~;

24 ~~(d)~~ Registration; or

25 ~~(d)~~~~(e)~~ Special permit;

26 ~~(31)~~~~(30)~~ "Designated on-site manager" means a person who registers with the board to
27 assume responsibility for the ordering, management, use, and disposal of controlled

1 substances at a certified animal control agency;

2 ~~(32)~~~~(31)~~ "Discipline" means any final order, settlement agreement, reprimand, fine, or
3 other adverse consequence assessed against a person by the board or any of its
4 counterparts in other jurisdictions;

5 ~~(33)~~~~(32)~~ "Embryo transfer" means to remove an embryo from any animal for the
6 purpose of transplanting the embryo into another animal, cryopreserving the
7 embryo, or implanting the embryo into any animal, including food and companion
8 animals;

9 ~~(34)~~~~(33)~~ "Emergency care" means immediate treatment that is necessary to sustain life
10 or end suffering of an animal that is in a life-threatening condition;

11 **(35) "Equine dentistry" means any diagnosis, treatment, or surgical procedure**
12 **performed on the head or oral cavity of an equine animal, including:**

13 **(a) Any procedure that invades the tissues of the oral cavity, including a**
14 **procedure to:**

15 **1. Remove sharp enamel projections;**

16 **2. Treat malocclusions of the teeth;**

17 **3. Reshape teeth; or**

18 **4. Extract one (1) or more teeth;**

19 **(b) The treatment or extraction of damaged or diseased teeth;**

20 **(c) The treatment of diseased teeth through restoration and endodontic**
21 **procedures;**

22 **(d) Periodontal treatments, including the:**

23 **1. Removal of calculus, soft deposits, plaque, and stains above the gum**
24 **line; and**

25 **2. Smoothing, filing, and polishing of tooth surfaces; and**

26 **(e) Dental radiography;**

27 ~~(36)~~~~(34)~~ "Examination" means a qualifying examination approved by the board as a

1 condition for certification, licensure, permit, or registration;

2 ~~(37)~~~~(35)~~ "Expired" is a licensure status whereby the credential holder failed to renew
3 the credential in a timely manner in accordance with the deadline set by the board;

4 ~~(38)~~~~(36)~~ "Extralabel use" means actual use or intended use of a drug in an animal in a
5 manner that is not in accordance with the approved labeling and includes but is not
6 limited to:

7 (a) Use in species or production class not listed in the labeling;

8 (b) Use for indications such as disease or other conditions not listed in the
9 labeling;

10 (c) Use at dosage levels, frequencies, or routes of administration other than those
11 stated in the labeling; and

12 (d) Deviation from the labeled withdrawal time based on these different uses;

13 ~~(39)~~~~(37)~~ "Felony" means a criminal act as defined by any jurisdiction or by definition
14 under federal law;

15 ~~(40)~~~~(38)~~ "Fixed facility" means a permanent location that is generally not moveable;

16 ~~(41)~~~~(39)~~ "Grievance" or "complaint" means any allegation of misconduct that may
17 constitute a violation of this chapter or any administrative regulation promulgated
18 under the authority of this chapter;

19 ~~(42)~~~~(40)~~ "Impaired" means that a credential holder, designated on-site manager,
20 veterinarian manager, AAHP manager, or registered responsible party may
21 reasonably be unable to perform that person's duties with competence, skill, and
22 safety because of a physical or mental disability or incapacity, including
23 deterioration of mental capacity, loss of motor skills, or substance use or disorder of
24 sufficient degree which may reasonably diminish the person's ability to deliver
25 competent patient care;

26 ~~(43)~~~~(41)~~ "In-person" means physically in the same physical space;

27 ~~(44)~~~~(42)~~ "Informed consent" or "consent" means the veterinarian or allied animal

1 health professional licensee~~[permittee]~~ has informed the client or the client's
2 authorized representative in a manner understood by the client or the client's
3 authorized representative of the diagnostic and treatment options, potential
4 outcomes, risk assessment, prognosis, and options and the client has consented to or
5 knowingly declined the recommended services or treatment;

6 (45)~~[(43)]~~ "Jurisdiction" means:

7 (a) Any Commonwealth, state, or territory of the United States of America,
8 including the District of Columbia;

9 (b) Any province of Canada; or

10 (c) A regulatory organization, including an international body;

11 that issues licenses, registrations, permits, or certificates related to the professional
12 fields of veterinary medicine;

13 (46)~~[(44)]~~ "Licensee" means a person licensed by the board under this chapter;

14 (47)~~[(45)]~~ "Livestock" means bovines, equines, sheep, goats, swine, poultry, captured or
15 cultivated aquatic species, farm-raised cervidae and camelidae, bees, and any other
16 species used in the production of fiber, meat, eggs, honey, milk, and other animal
17 food products;

18 (48)~~[(46)]~~ "Mobile facility" or "mobile unit" means a motor vehicle that is utilized
19 pursuant to KRS 321.205;

20 (49)~~[(47)]~~ "Patient" means any animal or group of animals receiving care from a
21 veterinarian, veterinary technician, veterinary assistant, animal euthanasia
22 specialist,~~[-or]~~ allied animal health professional, *veterinary student, veterinary*
23 *technician student, or veterinary practice staff*;

24 (50)~~[(48)]~~ "Permittee" means a person permitted by the board under this chapter;

25 (51)~~[(49)]~~ "Person" means any individual, firm, partnership, association, joint venture,
26 cooperative, corporation, governmental body, or any other group, legal entity, or
27 combination acting in concert, and whether or not acting as a principal, trustee,

1 fiduciary, receiver, or as any kind of legal or personal representative, or as the
2 successor in interest, assignee, agent, factor, servant, employee, director, officer, or
3 any other representative of the person;

4 (52)~~[(50)]~~ "Practice of veterinary medicine" means any person who practices veterinary
5 medicine when performing any one (1) or more of the following on an animal:

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

26 (53)~~[(51)]~~ "Practice of veterinary technology" means:

- 27 (a) The practices of veterinary technology when performing patient care,

1 professional medical care, monitoring, treatment, or other services on an
 2 animal that require a technical understanding of veterinary medicine on the
 3 basis of written or oral instruction of a veterinarian, or under supervision of a
 4 veterinarian; and

- 5 (b) 1. Representation of oneself, directly or indirectly, as a licensed veterinary
 6 technician or "LVT"; or
 7 2. Use of any words, letters, or titles under circumstances that would
 8 induce the belief that the individual using them is authorized to practice
 9 as a veterinary technician under this chapter, with such use being prima
 10 facie evidence of the intention to represent oneself as engaged in
 11 practice as a veterinary technician;

12 ~~(54)~~~~(52)~~ "Premises" means any place where an animal is located when veterinary
 13 medicine is being practiced;

14 ~~(55)~~~~(53)~~ "Prescription" means an order for a drug or medicine, combination or mixture
 15 of drugs or medicines, or proprietary preparation that is signed, given, or authorized
 16 and intended for use in the diagnosis, cure, mitigation, treatment, or prevention of
 17 disease in a patient;

18 ~~(56)~~~~(54)~~ "Registrant" means a person or premises registered with the board under this
 19 chapter;

20 ~~(57)~~~~(55)~~ "Registered allied animal health professional facility" or "registered AAHP
 21 facility" means an AAHP facility that is registered with the board;

22 ~~(58)~~~~(56)~~ "Registered facility" means any AAHP facility or any veterinary facility that
 23 is registered with the board;

24 ~~(59)~~~~(57)~~ "Registered responsible party" means at least one (1) person **documented as**
 25 **the**~~who~~;

26 (a) **Entity that**~~Does not otherwise hold a credential with the board who~~ is
 27 designated as the registered responsible party on a facility registration and is

1 responsible for its operation and management in conjunction with the
2 veterinarian manager or allied animal health professional manager; and

3 (b) ***Entity that*** is held accountable to the board as a credential holder for any
4 violation of this chapter and its associated administrative regulations. At a
5 minimum, the registered party shall include all persons, owners, and corporate
6 owners of the registered veterinary facility or allied animal health professional
7 facility;

8 ~~(60)~~~~(58)~~ "Registered veterinary facility" means a veterinary facility that is registered
9 with the board;

10 ~~(61)~~~~(59)~~ "Supervision" pertains to any of the following:

11 (a) "Supervising veterinarian" means a veterinarian who assumes responsibility
12 for the veterinary care given to a patient by an individual working under the
13 veterinarian's direction and has examined the patient pursuant to currently
14 acceptable standards of care;

15 (b) "Immediate supervision" means the supervising veterinarian is physically in
16 the immediate area and within audible and visual range of the patient and the
17 individual treating the patient;

18 (c) "Direct supervision" means the supervising veterinarian is readily available on
19 the premises where the patient is being treated; and

20 (d) "Indirect supervision" means the supervising veterinarian need not be on the
21 premises but has given either written or oral instructions for the treatment of
22 the patient and is readily available for communication;

23 ~~(62)~~~~(60)~~ "Teleadvice" means the provision of any health information, opinion,
24 guidance, or recommendation concerning prudent future actions that are not
25 specific to a particular patient's health, illness, or injury;

26 ~~(63)~~~~(61)~~ "Teleconsulting" means telehealth in which a veterinarian, veterinary
27 technician, AAHP, or other credential holder uses telehealth tools to communicate

1 with a specialist or another professional to gain insights and advice on the care of a
2 patient;

3 ~~(64)~~~~[(62)]~~ "Telehealth" means all uses of technology to remotely gather and deliver
4 health information, advice, education, and care;

5 ~~(65)~~~~[(63)]~~ "Telemedicine" or "connected care" means the integration of digital
6 technologies to enhance and support the VCPR and facilitate proactive and ongoing
7 care through improved communication, diagnosis, and monitoring;

8 ~~(66)~~~~[(64)]~~ "Telemonitoring," "mHealth," or "mobile health," means remote monitoring
9 of a patient who is not at the same location as the health care provider;

10 ~~(67)~~~~[(65)]~~ "Telesupervision" means the supervision of individuals using media such as
11 audio or audio/video conference, text messaging, and e-mail;

12 ~~(68)~~~~[(66)]~~ "Triage" means the safe, appropriate, and timely assessment and
13 management of an animal patient via electronic consultation with its owner,
14 regardless of whether there is an immediate referral to a veterinarian and where a
15 diagnosis is not rendered;

16 ~~(69)~~~~[(67)]~~ "Veterinarian" means an individual who is licensed to engage in the practice
17 of veterinary medicine under this chapter;

18 ~~(70)~~~~[(68)]~~ "Veterinarian manager" means at least one (1) Kentucky-licensed veterinarian
19 who registers to assume responsibility for the registration, management, and
20 operation of a registered veterinary facility;

21 ~~(71)~~~~[(69)]~~ "Veterinarian-client-patient relationship" or "VCPR" has the same meaning as
22 in KRS 321.185;

23 ~~(72)~~~~[(70)]~~ "Veterinary assistant" means a layperson without credentials~~for noncredential~~
24 ~~holder~~ who is employed by a veterinarian in accordance with KRS 321.443;

25 ~~(73)~~~~[(71)]~~ (a) "Veterinary facility" means any building, fixed facility, place, premises,
26 mobile facility, or mobile unit location from which the practice of veterinary
27 medicine and practice of veterinary technology are conducted or performed,

1 including but not limited to a mobile clinic or facility, outpatient clinic,
 2 veterinary hospital or clinic, emergency facility, specialty facility, referral
 3 facility or center, temporary health clinic, or spay/neuter location. A
 4 veterinary facility shall include all fixed buildings used for the practice of
 5 veterinary medicine at a single physical premises location.

6 (b) "Veterinary facility" does not include:

- 7 1. The premises of a veterinary client unless a fixed veterinary facility is
 8 located on the veterinary client's premises;
- 9 2. A research facility;
- 10 3. A federal military base;
- 11 4. Locations for temporary animal exhibition;
- 12 5. State or federal regulatory facilities;
- 13 6. Officially designated emergency and disaster response locations;
- 14 7. A facility with current accreditation by the Association of Zoos and
 15 Aquariums; or
- 16 8. An American Veterinary Medical Association-accredited college of
 17 veterinary medicine or veterinary technology;

18 ~~(74)~~~~(72)~~ "Veterinary specialist" means a veterinarian that has been awarded and
 19 maintains certification from an American Veterinary Medical Association-
 20 recognized veterinary specialty organization, program, or college, and is registered
 21 in this specialty with the board;

22 ~~(75)~~~~(73)~~ "Veterinary student" means:

- 23 (a) A person enrolled in an approved veterinary medical program while pursuing
 24 a degree in veterinary medicine; or
- 25 (b) A person in a post-Doctor of Veterinary Medicine temporary private
 26 internship, residency, or veterinary hospital-based program, not to exceed
 27 thirty (30) days in a calendar year;

1 ~~(76)~~~~(74)~~ "Veterinary technician" means a person who has completed an approved
 2 veterinary technology program, is licensed in accordance with this chapter, and
 3 meets the requirements in KRS 321.441;

4 ~~(77)~~~~(75)~~ "Veterinary wellness committee" means a committee appointed by the board
 5 that is composed of individuals who have expertise in the areas of alcohol abuse,
 6 chemical dependence, drug abuse, or physical or mental condition designated by the
 7 board to perform activities related to the veterinary wellness program; and

8 ~~(78)~~~~(76)~~ "Veterinary wellness program" means the board-sponsored program for the
 9 identification, intervention, and monitoring of credential holders or applicants who
 10 may be impaired as a result of alcohol abuse, chemical dependence, drug abuse, or
 11 any physical or mental condition.

12 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 321 IS CREATED TO
 13 READ AS FOLLOWS:

14 **(1) The board shall issue an allied animal health professional license to a person**
 15 **who is qualified to be licensed under this section. A person is qualified to be**
 16 **licensed as an AAHP if the person:**

17 **(a) Has completed an application for AAHP licensing approved by the board**
 18 **through the promulgation of an administrative regulation;**

19 **(b) Has paid the application fee and the appropriate examination fee;**

20 **(c) Is a person of good moral character. As an element of good moral**
 21 **character, the board shall require each applicant for licensure to submit a**
 22 **full set of the applicant's fingerprints for the purpose of obtaining criminal**
 23 **records checks, pursuant to KRS 321.189 and any other applicable law. All**
 24 **good moral character information, including the information obtained**
 25 **through the criminal background checks, shall be relevant to licensure**
 26 **eligibility determinations to the extent permitted by law;**

27 **(d) Has graduated and received a certification from an approved allied animal**

- 1 health professional program;
- 2 (e) Has achieved a passing score on any examinations required by the board in
- 3 an administrative regulation;
- 4 (f) Has been approved for an AAHP license by the board; and
- 5 (g) Has complied with any other requirements of this chapter or the
- 6 administrative regulations promulgated by the board.
- 7 (2) An AAHP licensee may work on animals in one (1) of the following areas of the
- 8 practice of veterinary medicine so long as that practice is in accordance with and
- 9 within the limitations established by the board in an administrative regulation
- 10 promulgated in accordance with KRS Chapter 13A, including requirements for
- 11 candidate qualifications, examinations, and applications:
- 12 (a) Animal chiropractic; or
- 13 (b) Equine dentistry.
- 14 (3) (a) An allied animal health professional seeking to work within the allowable
- 15 scope of practice on animals shall be required to apply for an AAHP license
- 16 from the board to practice on animals.
- 17 (b) If an applicant is approved for a license, the board shall designate the area
- 18 of practice specific to the AAHP licensee on the license.
- 19 (c) A separate AAHP license shall be required for each scope of practice as
- 20 listed in subsection (2) of this section.
- 21 (4) (a) The board may establish by administrative regulation procedures to license
- 22 candidates for qualification in each distinct area of practice allowable
- 23 under the AAHP license class by substituting experience for the education
- 24 requirements in subsection (1)(d) of this section.
- 25 (b) As part of the application for an AAHP license, candidates who apply under
- 26 this subsection shall:
- 27 1. Have been a Kentucky resident for at least twelve (12) months

- 1 immediately preceding the date of application;
- 2 2. Provide a letter of recommendation from a minimum of two (2)
- 3 Kentucky licensed veterinarians;
- 4 3. Provide proof of employment or an Internal Revenue Service form
- 5 1099 showing self-employment in an area of practice as identified in
- 6 subsection (2) of this section for a minimum of ten (10) years prior to
- 7 the date of application for animal chiropractic, and a minimum of five
- 8 (5) years prior to the date of application for equine dentistry;
- 9 4. Provide details regarding the duration of experience and times during
- 10 which practice occurred, including average number of hours of
- 11 practice per year; and
- 12 5. Provide a letter of good standing from any other jurisdictions in which
- 13 the applicant is credentialed.
- 14 (c) The candidate application window under this subsection shall not exceed
- 15 eighteen (18) months from the effective date of the administrative
- 16 regulation governing applications for the AAHP license area of the
- 17 practice. After the application window closes, individuals applying for a new
- 18 AAHP license shall be required to meet the current standards of KRS
- 19 Chapter 321 and administrative regulations promulgated by the board.
- 20 (5) AAHP licensees shall be required to register each premises or mobile unit from
- 21 which he or she practices on animals as a registered AAHP facility in accordance
- 22 with KRS 321.203, 321.205, and Section 10 of this Act.
- 23 (6) AAHP licensees and AAHP registered facilities shall:
- 24 (a) Maintain an active credential with the board to maintain authorization to
- 25 operate;
- 26 (b) Pay the application, renewal, reinstatement, and other required fees as
- 27 established by the board in an administrative regulation;

- 1 (c) Renew the board credential on a schedule as established by the board in
2 administrative regulation;
- 3 (d) Comply with all applicable provisions of KRS Chapter 321 and any
4 administrative regulations promulgated thereunder and other applicable
5 state and federal laws; and
- 6 (e) Be subject to disciplinary measures for failure to comply.
- 7 (7) Controls shall be established by the board in an administrative regulation
8 promulgated in accordance with Chapter 13A regarding acquisition, distribution,
9 and administration of drugs by AAHP licensees and their clients for use by the
10 AAHPs in the services offered.
- 11 (8) (a) 1. Only a board-licensed allied animal health professional who is also
12 licensed as a chiropractor with the Kentucky Board of Chiropractic
13 Examiners is qualified in the state of Kentucky to perform animal
14 chiropractic within the limits established by the board in an
15 administrative regulation may use the titles "animal chiropractor,"
16 "animal chiropractic practitioner," "ACP," or "AC."
- 17 2. A chiropractor shall not use the titles "veterinary chiropractor" or
18 "veterinary adjuster" unless the chiropractor is also licensed to
19 practice veterinary medicine in the state of Kentucky.
- 20 3. Nothing in this chapter shall prohibit a licensed veterinarian from
21 using the titles "animal adjuster" or "animal spinal manipulation
22 practitioner."
- 23 (b) 1. Only a duly licensed allied animal health professional who is a board-
24 licensed equine dental provider and is qualified in the state of
25 Kentucky to perform equine dentistry within the limits established in
26 Section 4 of this Act may use the titles "equine dental provider,"
27 "equine dental practitioner," "certified equine dental provider,"

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"CEPD," or "EDP."

2. An equine dental provider shall not use the titles "equine dentist," "veterinary dentistry," or "veterinary dentist" unless the equine dental provider is also licensed to practice veterinary medicine in the state of Kentucky.
3. Nothing in this chapter shall prohibit a licensed veterinarian from using the titles "animal dentist" or "equine dentist."

(9) An AAHP licensee shall be held to the same standard of care as a veterinarian when the provider practices on animals.

➔SECTION 3. A NEW SECTION OF KRS CHAPTER 321 IS CREATED TO

READ:

- (1) Each AAHP licensee shall submit a completed renewal application to the board and pay a renewal fee for the renewal of the license.
- (2) A sixty (60) day grace period shall be allowed after the renewal deadline during which individuals may renew their licenses upon submission of a completed renewal application and payment of the renewal fee plus a late renewal fee. All licenses not renewed by the grace period deadline shall expire based on the failure of the individual to renew in a timely manner. Upon expiration, the licensee is no longer eligible to practice as an allied animal health professional in the Commonwealth.
- (3) After the sixty (60) day grace period, individuals with an expired license may have their licenses reinstated upon submission of a completed reinstatement application and payment of the renewal fee, the renewal late fee, and the reinstatement fee. A person who applies for reinstatement after expiration of the person's AAHP license shall not be required to submit to an examination as a condition for reinstatement, if the reinstatement application is made within five (5) years from the date of expiration.

1 (4) A suspended AAHP license is subject to expiration and termination and shall be
2 renewed as provided in this chapter. Renewal or reinstatement shall not entitle
3 the licensee to engage in practice as an allied animal health professional until the
4 suspension has ended or is otherwise resolved by the board and the right to
5 practice is restored by the board.

6 (5) A revoked license is subject to expiration or termination but may not be renewed.
7 If a revoked license is reinstated, the licensee shall pay a reinstatement fee.

8 (6) A person who fails to reinstate his or her AAHP license within five (5) years after
9 its expiration or termination shall not have it renewed, restored, reissued, or
10 reinstated and the person may apply for and obtain a new license by meeting the
11 requirements of this chapter.

12 (7) The board may require that a person applying for renewal or reinstatement of a
13 license provide evidence of completion of continuing education as promulgated
14 by the board in an administrative regulation.

15 (8) The board may grant retired or inactive license status and may establish
16 conditions under which retired or inactive licenses may be renewed and
17 reinstated as set forth by the board in an administrative regulation.

18 (9) Fees set by the board shall be designed to fully cover the cost to operate the
19 licensee program but shall not exceed it.

20 ➔SECTION 4. A NEW SECTION OF KRS CHAPTER 321 IS CREATED TO
21 READ AS FOLLOWS:

22 (1) The services provided by allied animal health professional licensees are
23 considered the practice of veterinary medicine that an AAHP licensee may
24 provide to the public through authorization by the General Assembly and within
25 strict limitations on the scope of practice for each allowable license type as
26 established in subsection (2) of Section 2 of this Act.

27 (2) For a licensed AAHP-equine dental provider, the scope of practice is limited to

1 the following:

2 (a) A licensed AAHP-equine dental provider may not perform equine dentistry
3 unless the provider holds an AAHP license as an equine dental provider
4 from the board;

5 (b) A licensed AAHP-equine dental provider shall work under the indirect
6 supervision of a veterinarian;

7 (c) A licensed AAHP-equine dental provider may perform only the following
8 equine dental procedures in equine species:

9 1. Removing sharp enamel dental points;

10 2. Removing small dental overgrowths;

11 3. Rostral profiling of the first cheek teeth;

12 4. Reducing incisors;

13 5. Extracting loose, deciduous teeth;

14 6. Removing supragingival calculus;

15 7. Extracting loose, mobile, or diseased teeth or dental fragments with
16 minimal periodontal attachments by hand and without the use of an
17 elevator; and

18 8. Removing erupted, nondisplaced wolf teeth;

19 (d) Paragraph (b) of this subsection shall not be construed to prohibit a
20 licensed veterinary technician employed by a veterinarian who is not a
21 licensed AAHP-equine dental provider from performing the equine dental
22 procedures described in paragraph (c) of this subsection if the licensed
23 veterinary technician is under the direct supervision of a veterinarian;

24 (e) A copy of the dental chart of an equine animal shall be left with the person
25 who authorizes an equine dental procedure and be made available to the
26 veterinarian holding the VCPR with the client within an appropriate
27 timeframe according to the condition, but no more than three (3) business

1 days after services are provided; and

2 (f) Dispensing or prescribing any medication or drug associated with any
3 equine dental procedure remains solely the domain of the veterinarian
4 holding a valid VCPR with the client.

5 ➔SECTION 5. A NEW SECTION OF KRS CHAPTER 321 IS CREATED TO
6 READ AS FOLLOWS:

7 (1) The AAHP advisory committee is hereby created as an informal advisory
8 committee to the board.

9 (2) The AAHP advisory committee shall advise and assist the board in adopting rules
10 and administrative regulations relating to AAHP licensees.

11 (3) The board shall consult the advisory committee regarding matters relating to a
12 disciplinary action that involves an AAHP license holder.

13 (4) (a) The AAHP advisory committee shall be composed of members appointed by
14 the chair of the board with approval from a majority of a quorum of the
15 board.

16 (b) The AAHP advisory committee shall include subcommittees specific to each
17 area of practice for the distinct types of AAHP licenses as identified in
18 subsection (2) of Section 2 of this Act.

19 (c) Each subcommittee shall be composed of the following:

20 1. Two (2) members who are AAHP licensees with a license in active
21 status specializing in each of the specific areas of practice as identified
22 in subsection (2) of Section 2 of this Act, have resided in and engaged
23 in the AAHP practice in the Commonwealth for the five (5) years
24 immediately preceding the date of appointment, and are of good moral
25 character;

26 2. One (1) veterinarian member who holds an active veterinarian license
27 in the Commonwealth in good standing and who engages with at least

1 one (1) AAHP licensee providing services in each specific area of
2 practice as identified in subsection (2) of Section 2 of this Act; and

3 3. The AAHP licensees and veterinarian appointees shall be unique
4 individuals for each area of practice as identified in subsection (2) of
5 Section 2 of this Act and shall not hold more than one seat on the
6 AAHP advisory committee.

7 (d) Notwithstanding paragraph (c)1. of this subsection, advisory committee
8 members appointed under paragraph (c)1. of this subsection shall not be
9 required to hold an AAHP license issued under this chapter until the
10 closure of the application window period for the AAHP license type as
11 established in subsection (4) of Section 2 of this Act.

12 (e) Appointments to the advisory committee shall be made without regard to the
13 race, color, disability, sex, gender identity, sexual orientation, religion, age,
14 or national origin of the appointees.

15 (5) (a) Members of the AAHP advisory committee shall be appointed for staggered
16 five-year terms.

17 (b) The terms of the members shall expire no more than five (5) years from the
18 date of appointment.

19 (c) If a vacancy occurs during a member's term, the chair of the board shall
20 appoint a new member to fill the unexpired term.

21 (d) An advisory committee member may not serve more than two (2)
22 consecutive full terms.

23 (6) (a) It shall be a ground for removal from the AAHP advisory committee if a
24 member:

25 1. Does not have at the time of appointment the qualifications required
26 by subsection (4) of this section and by Section 2 of this Act;

27 2. Does not maintain during service on the advisory committee the

- 1 qualifications required by Section 2 of this Act; and
- 2 3. Cannot discharge the member's duties for a substantial part of the
- 3 member's term due to illness or disability.
- 4 (b) The validity of an action of the AAHP advisory committee is not affected by
- 5 the fact that the action is taken when a ground for removal of an advisory
- 6 committee member exists.
- 7 (7) (a) The chair of the board shall designate biennially an AAHP advisory
- 8 committee member as the chair of the advisory committee to serve in that
- 9 capacity at the will of the chair of the board.
- 10 (b) The AAHP advisory committee or subcommittees shall meet at least one (1)
- 11 time per year, or upon request by the board chair or board executive
- 12 director.
- 13 (c) A meeting of the AAHP advisory committee may be held by telephone,
- 14 conference call, or video conferencing.
- 15 (d) 1. Minutes shall be recorded for each meeting of the AAHP advisory
- 16 committee.
- 17 2. A copy of the minutes shall be provided to the full board.
- 18 (e) The AAHP advisory committee may submit written reports or
- 19 recommendations to the board for review.
- 20 (8) An AAHP advisory committee member shall not be entitled to reimbursement for
- 21 travel expenses or any other form of compensation from the board other than
- 22 mileage reimbursement at the current state reimbursement rate as established by
- 23 the Finance and Administration Cabinet when a meeting of the AAHP advisory
- 24 committee or a subcommittee is held in person.

25 ➔ Section 6. KRS 321.187 is amended to read as follows:

- 26 (1) Each veterinarian or AAHP who provides medical services to animals shall
- 27 maintain accurate electronic or legibly written medical records that include the

- 1 identity of the credential holder or authorized representative who makes the entry.
- 2 (2) The information in the medical records are the property of the client, and the client
3 has a right to a copy of those records. The practice where the records were prepared
4 shall be the official records custodian. Original patient records shall be retained by
5 the practice, the veterinary facility or AAHP facility where they were prepared, or
6 the veterinarian or AAHP~~[veterinarian, or AAHP]~~ who prepared them and be
7 readily retrievable for a period of five (5) years following the last patient
8 encounter.~~[Records shall not be stored by a third party without a record of signed,~~
9 ~~informed consent by the client.]~~ Records stored by a third party shall not relieve the
10 veterinarian or AAHP from the responsibility of supplying records to the client
11 upon request.
- 12 (3) (a) The veterinarian or AAHP may require that a request for medical records be
13 in writing and may charge a reasonable fee for copying or the staff time in
14 preparing the requested medical records, unless there is a board investigation,
15 in which case no charges shall be authorized.
- 16 (b) Copies of the medical records shall be provided to the client, designated
17 veterinarian, AAHP~~[permittee]~~, or authorized representative within seven (7)
18 calendar days after receipt of a proper request or sooner in accordance with
19 the patient's medical condition.
- 20 (c) Failure to provide the medical records in a timely fashion upon proper request
21 shall be considered unprofessional conduct.
- 22 (4) All records required by law to be kept by a veterinarian or AAHP shall be open to
23 inspection by the board or its authorized representatives, and a copy shall be
24 provided immediately upon request.
- 25 (5) All records shall comply with the requirements set forth by the board in
26 administrative regulations.
- 27 (6) An animal patient's medical record and medical condition is confidential and may

1 not be furnished to or discussed with any person other than the client or other
 2 veterinarians, veterinary technicians, veterinary assistants, veterinary practice staff,
 3 veterinary students, AAHPs~~[AAHP permittees]~~, or consultants involved in the care
 4 or treatment of the patient, except upon authorization of the client or under the
 5 following circumstances:

- 6 (a) Access to the records is specifically required by law, or as described in KRS
 7 321.185 and 321.188;
- 8 (b) In response to a court order or subpoena with notice given to the client or the
 9 client's legal representative;
- 10 (c) For statistical and scientific research, if the information is abstracted in a way
 11 as to protect the identity of the patient and client;
- 12 (d) As part of an inspection or investigation conducted by the board or an agent of
 13 the board;
- 14 (e) To verify the rabies vaccination status of an animal to local law enforcement,
 15 or to state or local health departments;
- 16 (f) In the course of a consultation; and
- 17 (g) As required by other state or federal law.

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

23 ➔Section 7. KRS 321.200 is amended to read as follows:

- 24 (1) No provision of this chapter shall be construed to prohibit any of the following:
 - 25 (a) Any persons from gratuitously treating animals in cases of emergency care,
 26 provided they do not use the word "veterinarian," "veterinary," "veterinary
 27 technician," "veterinary nurse," or any title, words, abbreviation, or letters in a

1 manner or under circumstances which may induce the belief that the person
2 using them is qualified to engage in the practice of veterinary medicine or the
3 practice of veterinary technology as described in KRS 321.181;

4 (b) 1. The owner of any animal or animals, the owner's full-time, or part-time,
5 regular employees, or the owner's agent from caring for and treating
6 animals maintained in their custody, including but not limited to
7 euthanasia of livestock or administering drugs that are obtained and used
8 in accordance with applicable state and federal statutes and regulations
9 to, any animals belonging to the owner. With the exception of paragraph
10 (c) of this subsection and other limiting statutes, treatment shall not
11 include surgery.

12 2. Transfer of ownership, a temporary contract, or a temporary change in a
13 person's employment status shall not be used for the purpose of
14 circumventing this provision.

15 3. This provision shall not exempt an employee who would otherwise
16 qualify for a board credential from the credentialing requirements of this
17 chapter based on the employment status;

18 (c) Any person from castrating and dehorning food animals, as long as any drugs
19 or medications are obtained and used in accordance with applicable state and
20 federal statutes and regulations governing controlled substances, legend drugs,
21 and veterinary drugs;

22 (d) Any veterinary student as defined in KRS 321.181 from working under the
23 direct supervision of a veterinarian who is licensed under this chapter;

24 (e) Unlicensed graduate veterinarians in the United States Armed Services or
25 employees of the United States Department of Agriculture, Animal and Plant
26 Health Inspection Service, from engaging in the performance of their official
27 duties;

- 1 (f) Other lawfully qualified veterinarians who reside in and are licensed in other
2 jurisdictions from discussing or meeting, either in person or via telehealth,
3 with licensed veterinarians of this Commonwealth in consultation about a
4 patient so long as the Kentucky-licensed veterinarian has established and
5 maintains a current VCPR with the patient;
- 6 (g) A trainer, sales agent, or herdsman from caring for animals, upon instruction
7 from a Kentucky-licensed veterinarian, provided there is a current VCPR as
8 defined in KRS 321.185;
- 9 (h) A university faculty member or unlicensed veterinarian employee from
10 teaching veterinary science or related courses, providing services offered by
11 the university's veterinary diagnostic laboratory, or from engaging in
12 veterinary research through or on behalf of the university where the person is
13 employed, including drug and drug testing research, provided that research is
14 conducted in accordance with applicable state and federal statutes and
15 regulations governing controlled substances, prescription drugs, veterinary
16 drugs, and legend drugs. This provision shall not exempt the university
17 faculty member or unlicensed veterinarian employee from the requirements of
18 licensure if the person engages in the practice of veterinary medicine outside
19 the authority of the university or the scope of employment with the university
20 or engages in the private practice of veterinary medicine for compensation;
- 21 (i) Any person who holds a postgraduate degree in reproductive physiology or a
22 related field, and who has performed embryo transfers in Kentucky during the
23 five (5) years immediately preceding July 14, 1992, from performing embryo
24 transfers on animals;
- 25 (j) Volunteer health practitioners providing services under KRS 39A.350 to
26 39A.366;
- 27 (k) A retailer or its agent from providing information and suggestions regarding

- 1 the over-the-counter products it sells to treat animals so long as the
2 information and suggestions are consistent with the product label and species
3 appropriate;
- 4 (l) A Kentucky-licensed veterinarian from inspecting an animal, or an animal's
5 radiographs or other medical records, on behalf of a potential buyer or
6 potential seller, without regard to the existence of a VCPR;
- 7 (m) Any persons from implanting a microchip in an animal for the purposes of
8 identification or the establishment of ownership;
- 9 (n) A veterinarian who is licensed in another jurisdiction of the United States or
10 Canada, is in good standing in that jurisdiction, meets all criteria for licensure
11 in Kentucky, and who has an active application on file with the board pending
12 for less than ninety (90) days, from working as a veterinarian in Kentucky
13 under the supervision of a Kentucky-licensed veterinarian while the board
14 application for licensure is being processed, so long as the place of
15 employment, start date, contact information where the applicant works, and a
16 supervising veterinarian are disclosed in the application;
- 17 (o) Allied animal health professionals~~[professional permittees]~~ who are working
18 within the scope of the license~~[permit]~~;
- 19 (p) Certified animal euthanasia specialists who are working within the scope of
20 their certificate; or
- 21 (q) Volunteer health practitioners consulting with and assisting a licensed
22 veterinarian at a facility accredited by the Association of Zoos and Aquariums
23 from assisting in the care of and procedures on the zoo animals at the facility
24 while under the supervision of the veterinarian.
- 25 (2) (a) An unlicensed veterinarian who does not qualify for licensure in Kentucky
26 and who is a nonresident of the United States may be employed in this
27 Commonwealth to engage in the practice of veterinary medicine for not more

1 than thirty (30) days in a calendar year, provided the person:

- 2 1. Holds a valid, current license as a veterinarian in the person's home
- 3 country;
- 4 2. Practices under the direct supervision of a veterinarian licensed in
- 5 Kentucky;
- 6 3. Registers with the board prior to commencing practice in the
- 7 Commonwealth; and
- 8 4. Agrees to practice and follow all the rules and administrative regulations
- 9 of this chapter and be subject to discipline for violations of those rules
- 10 and administrative regulations by the Kentucky Board of Veterinary
- 11 Examiners.

12 (b) This subsection shall not apply to a nonresident of the United States who is
13 otherwise eligible for a Kentucky license or other credential under this
14 chapter.

15 (3) Nothing in this chapter shall interfere with the professional activities of any
16 licensed pharmacist.

17 ➔Section 8. KRS 321.207 is amended to read as follows:

18 (1) (a) The Kentucky Board of Veterinary Examiners, upon submission of a
19 complete application and payment of a fee established by the board, shall
20 issue to any animal control agency~~[shelter]~~ that it determines to be qualified,
21 an authorization to apply to the United States Drug Enforcement
22 Administration (DEA) for a controlled substance registration for the purchase,
23 possession, storage, and administration of the specific drugs approved by the
24 board to euthanize or sedate animals for euthanasia for animals owned by the
25 certified animal control agency, or in the case of emergency care related to
26 injured, sick, or abandoned animals.

27 (b) A certified animal control agency that successfully obtains a DEA controlled

- 1 substance registration shall comply with all state and federal laws related to
2 the ordering, purchase, storage, tracking, management, and disposal of the
3 drugs obtained under the controlled substance registration.
- 4 (c) A certified animal control agency shall comply with certification renewal
5 requirements as set forth in KRS 321.208 or the certificate shall expire.
- 6 (2) A certified animal control agency shall comply with administrative regulations
7 promulgated by the board which contain standards for proper storage and handling
8 of the drugs the board has approved for this use, and any other provisions as may be
9 necessary to ensure that the drugs are used safely and solely for the purpose set
10 forth in this section.
- 11 (3) (a) A certified animal control agency shall submit to periodic inspections by the
12 board or its authorized representatives to ensure compliance with DEA
13 controlled substance registration and board requirements.
- 14 (b) An applicant for certification as a certified animal control agency shall submit
15 to an inspection by the board or its authorized representatives prior to
16 certification by the board to ensure adequate security for controlled substances
17 storage.
- 18 (c) A previously certified animal control agency with an expired certificate shall
19 submit to inspections by the board or its authorized representatives to ensure
20 proper log updates, removal, and disposal of all drugs obtained under the
21 DEA controlled substance registration.
- 22 (4) Upon submission of a complete application, payment of a fee established by the
23 board, and successful completion of a board-approved animal euthanasia specialist
24 training course by the applicant, the Kentucky Board of Veterinary Examiners shall
25 issue to a person whom it determines to be qualified, a certificate for the person to
26 function as a certified animal euthanasia specialist, subject to the following
27 restrictions:

- 1 (a) A certified animal euthanasia specialist shall comply with certification
2 renewal requirements as set forth in KRS 321.208 or the certificate shall
3 expire;
- 4 (b) A certified animal euthanasia specialist shall maintain an employment
5 relationship with a certified animal control agency to be qualified to practice
6 animal euthanasia;
- 7 (c) A certified animal euthanasia specialist is authorized to perform euthanasia
8 only on the premises of the certified animal control agency, except in case of
9 emergency care;
- 10 (d) A certified animal euthanasia specialist shall euthanize only animals that are
11 owned by the certified animal control agency or in cases of emergency care.
12 Transfer of ownership or a temporary contract shall not be used for the
13 purpose of circumventing this subsection;
- 14 (e) A certified animal euthanasia specialist shall not perform euthanasia at a
15 private residence; and
- 16 (f) A certified animal euthanasia specialist shall not perform euthanasia for
17 compensation, except for compensation from the certified animal euthanasia
18 specialist's employment relationship with a certified animal control agency.
- 19 (5) Euthanasia of animals in a certified animal control agency shall only be performed
20 by:
- 21 (a) A licensed veterinarian;
- 22 (b) A licensed veterinary technician functioning under the supervision of a
23 licensed veterinarian; or
- 24 (c) A certified animal euthanasia specialist as provided for in subsection (4) of
25 this section.
- 26 (6) A certified animal control agency that employs a certified animal euthanasia
27 specialist may purchase, possess, and administer the specific drugs approved by the

1 board in an administrative regulation for the euthanasia or sedation of animals for
2 euthanasia. The specific drugs approved by the board shall be the only drugs used
3 by certified animal euthanasia specialists for the euthanasia of animals or sedation
4 of animals for euthanasia in a certified animal control agency.

5 (7) Certified animal control agencies and certified animal euthanasia specialists shall be
6 required to renew their certificates at intervals, upon conditions, and upon the
7 payment of fees established by the board through the promulgation of
8 administrative regulations.

9 (8) (a) A veterinarian who is contracted or otherwise employed by an animal shelter
10 shall not store drugs obtained under the veterinarian's DEA controlled
11 substance registration in the same locked storage unit where the drugs
12 obtained under another DEA controlled substance registration are stored.

13 (b) Separate and secure storage arrangements, drug logs, drug order forms, and
14 secure, limited access shall be required for each separate DEA controlled
15 substance registration.

16 (c) A veterinarian shall not store drugs ordered under the veterinarian's DEA
17 controlled substance registration at an animal shelter unless the DEA
18 controlled substance registration under which the drugs are ordered lists the
19 animal shelter address as the registrant address.

20 ➔Section 9. KRS 321.230 is amended to read as follows:

21 There hereby is created a board to be known as the Kentucky Board of Veterinary
22 Examiners.

23 (1) The board shall consist of eleven (11) members:

24 (a) Ten (10) members shall be appointed by the Governor as follows:

25 1. Seven (7) members shall be citizens of the Commonwealth and shall be
26 veterinarians, each lawfully engaged in the practice of veterinary
27 medicine in this Commonwealth for at least two (2) years immediately

- 1 preceding the date of the member's appointment;
- 2 2. One (1) member shall be a citizen of the Commonwealth and shall be a
3 citizen at large who is not associated with or financially interested in the
4 practices or businesses regulated;
- 5 3. One (1) member shall be a citizen of the Commonwealth and a licensed
6 veterinary technician who has been employed in the veterinary field in
7 the Commonwealth for at least two (2) years immediately preceding the
8 date of the member's appointment; and
- 9 4. One (1) member shall be a licensed~~an~~ allied animal health
10 professional~~permittee~~ who has been working on animals in the
11 Commonwealth for at least two (2) years immediately preceding the
12 date of the member's appointment; and
- 13 (b) One (1) member shall be the Commissioner of Agriculture or designee.
- 14 (2) The Governor's appointments to the board shall maintain a composition that
15 includes diverse representation from each of the following areas:
- 16 (a) Species of animals served, including food animals, equines, and small
17 animals; and
- 18 (b) All regional areas of the Commonwealth, including eastern Kentucky, western
19 Kentucky, central Kentucky, and northern Kentucky.
- 20 (3) All appointed members shall be appointed for a term of four (4) years and shall
21 serve until the member is reappointed or a qualified successor is appointed. The
22 terms shall be evenly staggered, so that no more than three (3) members are
23 appointed to full terms in any given calendar year.
- 24 (4) Any vacancy in the appointed membership of the board shall be filled for the
25 unexpired term by appointment by the Governor.
- 26 (5) Each member of the board shall receive one hundred dollars (\$100) per day for each
27 day or substantial part of a day of service actually given in carrying out the

1 member's duties under this chapter, in addition to the member's necessary traveling,
2 hotel, and contingent expenses incurred in attending the meetings of the board and
3 in the performance of the member's duties.

- 4 (6) A board member may be removed by the Governor, or removed by a three-fourths
5 (3/4) majority vote of the board upon one (1) or more of the following grounds:
- 6 (a) A poor attendance record, neglect of duty, or malfeasance in office;
 - 7 (b) The refusal or inability for any reason of a board member to perform the
8 duties as a member of the board in an efficient, responsible, and professional
9 manner;
 - 10 (c) The misuse of office by a member of the board to obtain financial or material
11 gain or advantage personally or for another through the office;
 - 12 (d) A final adjudication by a recognized body, including the courts, that the board
13 member is in violation of the laws governing the practice of veterinary
14 medicine, the practice of veterinary technology, or other board credentialed
15 profession; or
 - 16 (e) Other just and reasonable causes as determined solely by the board pursuant
17 to applicable law. In these cases, removal of a member of the board shall be in
18 accordance with KRS Chapters 13A and 13B and other applicable laws.

19 ➔Section 10. KRS 321.236 is amended to read as follows:

- 20 (1) The board may promulgate administrative regulations in accordance with KRS
21 Chapter 13A defining:
- 22 (a) Application, renewal, and reinstatement requirements and fees for veterinary
23 facilities and AAHP facilities;
 - 24 (b) Responsibilities and limitations for registered responsible parties, veterinarian
25 managers, and AAHP managers. This shall include an administrative
26 regulation governing interference or control by unlicensed persons in the
27 practice of veterinary medicine or veterinary technology, or by persons who

1 do not hold a board credential. Both registered responsible parties and
2 veterinarian managers shall be responsible for a registered veterinary facility's
3 operation and management, and both registered responsible parties and AAHP
4 managers shall be responsible for a registered AAHP facility. Both parties
5 associated with a registered facility shall be held accountable to the board as a
6 credential holder for any violation of this chapter; and

7 (c) Minimum standards for veterinary facilities, mobile facilities, and AAHP
8 facilities, including requirements for application, inspection, sanitation, and
9 other factors.

10 (2) (a) All existing veterinary facilities and AAHP facilities, both fixed and mobile,
11 shall be registered with the board not later than June 30, 2025.

12 (b) The board shall charge a minimum fee of two hundred dollars (\$200) per
13 initial registration.

14 (c) For initial registrations filed with the board by June 30, 2025, the initial
15 registration fee shall be reduced by half to one hundred dollars (\$100).

16 (d) After initial registration, the board shall not charge more for a facility
17 registration renewal fee than the cost to run the registration program.

18 (3) (a) After June 30, 2025, all new facilities shall submit a completed application for
19 registration to the board, including fees as promulgated by the board in
20 administrative regulation.

21 (b) A new veterinary facility or AAHP facility shall not begin operation in the
22 Commonwealth until the completed application and fee have been accepted
23 by the board and notification in writing has been sent to the applicant.

24 (c) After the registration deadline in 2025, each new registered facility may be
25 inspected by the board to verify that the facility is an operational veterinary
26 facility or AAHP facility within the first one hundred twenty (120) days of
27 operation.

- 1 (4) A mobile facility that is affiliated with a registered veterinary facility or AAHP
2 facility shall be exempted from the requirement to register independently if a
3 currently registered fixed facility identifies that unit as its affiliate. The board may
4 charge additional registration fees to a registered veterinary facility or AAHP
5 facility based upon the number of registered mobile units associated with a single
6 facility registration through the promulgation of an administrative regulation in
7 accordance with KRS Chapter 13A.
- 8 (5) Each application to register a veterinary facility or an AAHP facility shall meet the
9 minimum requirements established by this chapter and the board in an
10 administrative regulation promulgated in accordance with KRS Chapter 13A and
11 identify the following persons responsible for its operation and management:
- 12 (a) The registered responsible party;
- 13 (b) The veterinarian manager, if a veterinary facility; or
- 14 (c) The AAHP manager, if an AAHP facility.
- 15 (6) (a) The veterinarian manager shall include at least one (1) Kentucky-licensed
16 veterinarian with an active license in good standing with the board.
- 17 (b) The AAHP manager shall include at least one (1) Kentucky-
18 licensed~~permitted~~ AAHP with an active license~~permit~~ in good standing
19 with the board.
- 20 (7) (a) The veterinarian manager and the registered responsible party are responsible
21 for notifying the board of any change in the veterinarian manager's or
22 registered responsible party's association with the veterinary facility.
- 23 (b) The AAHP manager and the registered responsible party are responsible for
24 notifying the board of any change in the allied animal health professional's or
25 registered responsible party's association with the AAHP facility.
- 26 (8) An application for registration renewal shall be completed and submitted to the
27 board periodically after the initial registration deadline in 2025, in accordance with

1 KRS 321.203 and as set forth in administrative regulations promulgated in
2 accordance with KRS Chapter 13A.

3 (9) The board may conduct voluntary inspections in accordance with the following:

4 (a) Veterinary facilities and AAHP facilities shall be provided an option to
5 conduct a self-inspection at the facility and may consult with the board or
6 request a board inspection to ensure the facility is meeting minimum
7 standards as established in administrative regulations promulgated in
8 accordance with KRS Chapter 13A;

9 (b) The board may charge a fee for in-person consultations and inspections as
10 established in an administrative regulation promulgated in accordance with
11 KRS Chapter 13A;

12 (c) Voluntary consultations or inspections by the board shall not trigger a notice
13 to comply or a notice of violation for deficiencies. Nothing in this paragraph
14 shall be construed to limit the board from filing a grievance based upon a
15 significant violation impacting public health, safety, and welfare, and animal
16 health;

17 (d) Each registered facility that passes a voluntary, in-person inspection by the
18 board shall receive a certificate of inspection from the board for display in the
19 registered facility;

20 (e) Inspections of mobile units shall not extend into a registrant's private
21 residence; and

22 (f) This subsection shall not prevent the board from conducting inspections at or
23 implementing disciplinary action against a registered facility in response to a
24 complaint, grievance, or upon a suspected violation of this chapter.

25 (10) The board may revoke, suspend, or take other disciplinary action deemed
26 appropriate against the registrant, including ordering closure of the veterinary
27 facility or AAHP facility, in accordance with KRS 321.351 and 321.353 on any of

1 the following grounds:

2 (a) The board or its agents are denied access to conduct an inspection or
3 investigation;

4 (b) The holder of a registration does not pay all prescribed fees or monetary
5 penalties;

6 (c) There is no veterinarian manager or AAHP manager identified within the
7 timeframes set by this chapter;

8 (d) Registered responsible parties are interfering with, exercising control over, or
9 attempting to influence the professional judgment of a credential holder in any
10 manner;

11 (e) Failure to comply with minimum standards defined in an administrative
12 regulation promulgated by the board for the veterinary facility or AAHP
13 facility; or

14 (f) Failure to comply with any provision of this chapter or administrative
15 regulations promulgated under this chapter.

16 (11) The board may require any veterinarian manager applicant, AAHP manager
17 applicant, or registered responsible party applicant to submit to a criminal
18 background investigation conducted in accordance with KRS 321.189.

19 ➔Section 11. Any valid permit held by an allied animal health professional under
20 KRS Chapter 321 shall automatically become an allied animal health professional license
21 on the effective date of this Act.