

1 UPDATED: 03/13/2024 – DISCUSSION DRAFT ONLY -- NOT FILED WITH LRC

2 BOARDS AND COMMISSIONS

3 Kentucky Board of Veterinary Examiners

4 (New Administrative Regulation)

5 201 KAR 16:543. Application requirements for allied animal health professional permits --
6 reinstatement.

7 RELATES TO: KRS 321.175, 321.181(1)-(4), 321.235

8 STATUTORY AUTHORITY: KRS 321.175(2)(c), (5), 321.181(1)-(4), 321.235(1)(a)-
9 (c), (2)(b)2.

10 NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.235(1)(b) authorizes the
11 board to promulgate administrative regulations to implement KRS Chapter 321. KRS
12 321.235(2)(b)2. provides the board authority to promulgate administrative regulations to limit
13 the scope of practice of allied animal health professional (AAHP) work on animals and to require
14 an AAHP applicant to have received training from an approved allied animal health professional
15 program in order to qualify for a permit from the board. This administrative regulation
16 establishes application requirements for allied animal health professionals (AAHPs) applying for
17 a permit from the board in the Commonwealth of Kentucky.

18 Section 1. Definitions.

19 (1) “Allied animal health professional” or “AAHP” is defined by ~~has the same meaning~~
20 ~~as~~ KRS 321.181(1).

1 (2) "Allied animal health professional facility" or "AAHP facility" is defined by ~~has the~~
2 ~~same meaning as~~ KRS 321.181(2).

3 (3) "Allied animal health professional manager" or "AAHP manager" is defined by ~~has~~
4 ~~the same meaning as~~ KRS 321.181(3)

5 (4) "Allied animal health professional permit" or "AAHP permit" is defined by ~~has the~~
6 ~~same meaning as~~ KRS 321.181(4)

7 (5) "Fixed facility" is defined by ~~has the same meaning as~~ KRS 321.181(38).

8 (6) "Mobile facility" or "mobile unit" is defined by ~~has the same meaning as~~ KRS
9 321.181(46).

10 (7) "Registered responsible party" is defined by ~~has the same meaning as~~ KRS
11 321.181(57).

12 (8) "Veterinarian" is defined by KRS 321.181(67).

13 Section 2. Allied animal health professional work falls under the scope and meaning of
14 the practice of veterinary medicine.

15 (1) A veterinarian shall not be subject to the limitations proscribed to an allied animal
16 health professional permittee regarding the scope of practice.

17 (2) Pursuant to KRS 321.200(1)(o), after receiving a permit from the board, an allied
18 animal health professional shall be limited to providing services for animal patients within the
19 scope designated within 201 KAR 16:563.

20 ~~(3)Section 2. (1)~~ Practice on animals without a board credential shall be prohibited.

21 Except as provided for in KRS 321.200, no person may provide veterinary or allied animal
22 health professional services to any animal without holding a valid credential in active status
23 issued by the board.

1 ~~(2) Pursuant to KRS 321.200(1)(e), after receiving a permit from the board, an allied~~
2 ~~animal health professional shall be allowed to practice within the scope designated within 201~~
3 ~~KAR 16:563.~~

4 Section 3. Grandfathering?? See notes for
5 discussion.

6 Section 4. Section 3. Approval of an Allied Animal
7 Health Professional permit application. The board shall
8 issue a permit as an allied animal health professional in a
9 specific area of practice, as defined in KRS 321.181(1), to
10 an applicant who meets the following requirements:

11 (1) Has completed an Application for Allied
12 Animal Health Professional Permit form or online
13 equivalent form, including all required attachments, ~~as~~
14 ~~approved by the board in this administrative regulation;~~

15 (2) Has paid the ~~application fee and the~~ appropriate
16 fees examination fee as established in 201 KAR 16:513;

17 (3) Is a person of good moral character. As one (1) element of good moral character, the
18 board shall require each applicant for licensure to submit a full set of the applicant's fingerprints
19 for the purpose of obtaining criminal records checks, pursuant to applicable law and KRS
20 321.189. All good moral character information, including the information obtained through the
21 criminal background checks, shall be relevant to permit eligibility determinations to the extent
22 permitted by law;

NOTES FOR DISCUSSION:

- **Grandfathering** needs to be discussed and parameters set
- There are a few laypeople equine chiropractors that have been practicing for 20+ years that will not qualify for licensure and who are also politically well connected. **A limited path may be needed for these individuals to not kill this permit.**
- Applicant materials may include:
 - References
 - Background / experience, supervision by a veterinarian or some sort of oversight with a certain number of hours of practice that a veterinarian would sign off on.
- Require a mandatory interview before the board
- Need to follow-up with KBCE for their opinion.

1 (4) Has graduated and received a degree or certificate from an approved allied animal
2 health professional program, as approved by the board in 201 KAR 16:523;

3 (5) Has achieved a passing examination scores score, as set by the board in 201 KAR
4 16:533, on examinations required by the board, as established in 201 KAR 16:533;

5 (6) Holds licensure in the AAHP practice area as established in 201 KAR 16:523, Section
6 2.

7 (7)(6) Has been approved for permitting by the board; and

8 (8)(7) Has complied with any other requirement of the board.

9 Section 5. Section 4. New Application for an Allied Animal Health Professional Permit.

10 (1) A new application to the board for an allied animal health professional permit shall
11 include the following components:

12 (a) A completed application on an Application for Allied Animal Health Professional
13 Permit form or online equivalent form, including all required attachments;

14 (b) Designation of one or more qualified AAHP allied animal health professional scopes
15 as listed in the application, and designated as available scope of practice in KRS 321.181(1) and
16 201 KAR 16:523;

17 (c) A current color photograph of the applicant not smaller than 2 in. x 2 in., or a color
18 copy of the applicant's current valid driver's license or passport with photo;

19 (d) An official licensure verification letter from the professional licensing board in
20 Kentucky in the human AAHP discipline, if required by the application;

21 (e) An official copy of the certificate of completion or diploma showing graduation from
22 an approved allied animal health professional program established in 201 KAR 16:523;

1 (f) A copy of any court documents, final orders, settlement agreements, or other
2 documents ~~required requested~~ by the board in support of the application;

3 (g) The completed Kentucky Board of Veterinary Examiners Jurisprudence Examination
4 for Allied Animal Health Professionals Exam Answer Sheet; and

5 (h) Payment for the application fee required by 201 KAR 16:513.

6 (2) In addition to the requirements listed in subsection (1) of this section, requirements
7 for AAHP permit endorsement applications shall include:

8 (a) Verifications of good standing from all jurisdictions in which an applicant once held
9 or currently holds a permit or equivalent credential by the jurisdictional entities which regulate
10 the applicant's profession in both human and animal practice.

11 ~~Section 6. Section 5.~~ License Renewal Required. An AAHP permit holder of the board
12 shall renew their license pursuant to 201 KAR 16:573.

13 ~~Section 7. Inactive Status for an AAHP Permit. An AAHP permit holder may place their~~
14 ~~permit into an inactive status in accordance with 201 KAR 16:580.~~

15 ~~Section 8. Section 6.~~ An allied animal health professional may apply for reinstatement of
16 an expired permit if not more than five (5) years have elapsed since the last date of permit
17 expiration.

18 (1) A reinstatement application shall be required during this period; an application for a
19 new license shall not be accepted until five (5) years after the last date of expiration.

20 (2) Reinstatement applications to the board for a permit as an allied animal health
21 professional shall include the following components:

22 (a) ~~(1)~~ A completed application on a Reinstatement Application for AAHP ~~Allied Animal~~
23 ~~Health Professional~~ Permits form or online equivalent form, including all required attachments;

1 ~~(b)(2)~~ A copy of any court documents, final orders, settlement agreements, or other
2 documents requested by the board in support of the application;

3 ~~(c)(3)~~ Proof of current certification in the allied animal health profession, including any
4 required continuing education by the board-approved allied animal health professional program;

5 ~~(d)(4)~~ Payment for the reinstatement application fee pursuant to 201 KAR 16:513, and

6 ~~(e)(5)~~ If the permit is in expired status for more than one (1) year ~~six (6) months~~ since the
7 date of expiration, an official licensure verification letter from the professional licensing board in
8 Kentucky in the human AAHP discipline, if required by the application;

9 ~~(f)(6)~~ If the permit is in expired status for more than two (2) years since the date of
10 expiration,

11 ~~(g)(a)~~ A background check pursuant to Section 9 ~~Section 8~~ of this administrative
12 regulation; and

13 ~~(h)(b)~~ Verifications of good standing from all jurisdictions in which an applicant once
14 held or currently holds a permit or equivalent credential by the jurisdictional entities which
15 regulate the profession;

16 Section 9. Section 7. Background checks. Pursuant to KRS 321.189, the board may:

17 (a) Conduct a national or jurisdictional level background check on each applicant for
18 licensure. The check shall be processed by a board-approved background check provider, and
19 may include a copy of the applicant's fingerprints captured at a board-approved location;

20 (b) Reject background checks that do not have an official seal or watermark, or that are
21 more than ninety (90) days old; and

22 (c) Impose additional requirements as a condition of licensure or deny licensure
23 following the board's review of findings from a background check.

1 Section 10. ~~Section 8.~~ Denial. If any of the requirements of this regulation are not met by
2 the applicant, the board shall deny the permit application.

3 Section 11. ~~Section 9.~~ Incorporation by Reference.

4 (1) The following material is incorporated by reference:

5 (a) "Application for Allied Animal Health Professional Permit", 5/2024~~3/2024~~; and

6 (b) "Reinstatement Application for AAHP Permits", 3/2024.

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DISCUSSION DRAFT (PRIOR TO PUBLIC FILING)