



1 GENERAL GOVERNMENT CABINET

2 Kentucky Board of Veterinary Examiners

3 (New Administrative Regulation)

4 201 KAR 16:562. Duties and responsibilities of an animal euthanasia specialist.

5 RELATES TO: KRS 257.160, 321.207, 321.235, 321.351

6 STATUTORY AUTHORITY: KRS 321.207, 321.235, 321.240

7 NECESSITY, FUNCTION, AND CONFORMITY: KRS 321.207 requires the Kentucky Board

8 of Veterinary Examiners to issue a certificate to a person who meets the qualifications of an

9 animal euthanasia specialist and is approved by the board for a certificate. KRS 321.235 and

10 321.240 authorize the board to promulgate administrative regulations to implement KRS Chapter

11 321. This administrative regulation establishes the duties and responsibilities of an animal

12 euthanasia specialist.

13 Section 1. Duties of a Certified Animal Euthanasia Specialist. The duties of a board-certified

14 animal euthanasia specialist shall include the following:

15 (1) Preparing animals for euthanasia;

16 (2) Carefully and accurately recording dosages, administration, and drug waste;

17 (3) Ordering supplies and drugs in accordance with the employing certified animal control

18 agency's operating procedures;

19 (4) Maintaining the security of all controlled substances and board-approved drugs in accordance

20 with 201 KAR 16:550, 16:552, and other applicable federal, state, and local laws;

21 (5) Reporting to the board any infraction of KRS Chapter 321 or 201 KAR Chapter 16;

- 1 (6) Humanely euthanizing animals;
- 2 (7) Disposing of the carcasses in a manner consistent with local, state, and federal laws,  
3 including KRS 257.160, and shall be carried out according to the standard operating procedures  
4 of the board-certified animal control agency;
- 5 (8) Maintaining active certification with the board;
- 6 (9) Reporting to the board any change of address, phone, or email within thirty (30) days; and
- 7 (10) Providing a written response to a grievance or inquiry from the board within twenty (20)  
8 days of receipt.

9 Section 2. Animals approved for euthanasia by board-certified animal euthanasia specialists.

10 (1) Animal euthanasia shall be conducted within the restrictions outlined in this section, or the  
11 practice shall be considered the practice of veterinary medicine and subject to penalty for  
12 practicing without a license.

13 (a) Euthanasia shall only be conducted upon animals owned by the certified animal control  
14 agency, except in cases of emergency as defined in KRS 321.181.

15 1. Temporary transfer of ownership or a temporary contract shall not be used for the purpose of  
16 circumventing this provision;

17 2. Wildlife shall be redirected to a board-licensed veterinarian, Certified Wildlife Rehabilitator  
18 authorized to operate pursuant to 301 KAR 2:075, or to a Nuisance Wildlife Control Operator  
19 authorized to operate pursuant to 301 KAR 3:120;

20 (b) Euthanasia shall only be conducted upon the premises of the certified animal control agency,  
21 except in cases of emergency as defined in KRS 321.181.

1 (c) All euthanized animals shall be disposed of in accordance with the certified animal control  
2 agency's standard operating procedures for carcass disposal in accordance with Section 1(7) of  
3 this administrative regulation, and shall not be returned to a prior owner.

4 Section 3. Approved drugs for animal euthanasia and anesthesia or sedation of animals prior to  
5 euthanasia by certified animal euthanasia specialists.

6 (1) The drugs approved by the board for euthanasia are:

7 (a) sodium pentobarbital; and

8 (b) sodium pentobarbital with lidocaine.

9 (2) The drugs approved by the board for animal anesthesia or sedation prior to euthanasia are, or  
10 any combination thereof:

11 (a) Acepromazine;

12 (b) Dexmedetomidine;

13 (c) Ketamine (30-day supply or less); and

14 (d) Xylazine.

15 (3) Expired drugs shall not be used.

16 (4) Expired drugs shall be disposed of in accordance with 201 KAR 16:552, Section 7.

17 Section 4. Approved Methods of Euthanasia.

18 (1) A certified animal euthanasia specialist shall perform euthanasia by means of lethal injection  
19 on an animal by use of board-approved euthanasia drugs and drugs used to anesthetize or sedate  
20 an animal prior to euthanasia in accordance with subsection 2 of this section of this  
21 administrative regulation.

22 (2) When using a lethal solution to perform euthanasia on an animal, a certified animal  
23 euthanasia specialist shall use the appropriate solution in accordance with the following methods

1 and in the following order of preference, ensuring both humane euthanasia of the animal and the  
2 safety of the individuals handling the animal:

3 (a) Intravenous injection by hypodermic needle;

4 (b) Intracardial injection by hypodermic needle, but only on an anesthetized or unconscious  
5 animal;

6 (c) Intraperitoneal injection by hypodermic needle, but only on an anesthetized or unconscious  
7 animal; or

8 (d) Solution or powder added to food.

9 Section 5. Except as provided for performing the duties set forth in this regulation, an animal  
10 euthanasia specialist shall be prohibited from practicing veterinary medicine.

11 Section 6. Disciplinary Action. A certified animal euthanasia specialist shall be subject to  
12 disciplinary action pursuant to KRS 321.235 and 321.351 for a violation of state statutes or  
13 administrative regulations.



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Steven J. Wills, DVM  
Chair, Kentucky Board of Veterinary Examiners

12/15/2022  
Date:

## PUBLIC HEARING AND PUBLIC COMMENT PERIOD

A public hearing on this administrative regulation shall be held on February 23, 2023 at 9:00 a.m., at the Kentucky Department of Agriculture, 109 Corporate Drive, Frankfort, KY 40601. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made prior to the end of the hearing. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through February 28, 2023. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

**CONTACT PERSON:** Michelle Shane, Executive Director, Kentucky Board of Veterinary Examiners, 107 Corporate Drive, Second Floor, Frankfort Kentucky 40601, phone (502) 782-0273, fax (502) 695-5887, email michelle.shane@ky.gov.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT  
201 KAR 16:562

Contact Person: Michelle Shane, Executive Director  
Phone: 502-782-0273  
Email: michelle.shane@ky.gov

(1) Provide a brief summary of:

(a) What this administrative regulation does:

This administrative regulation establishes the duties and responsibilities of an animal euthanasia specialists, standards for proper drug storage, limits drugs that may be used by certified animal euthanasia specialists, and the limits of scope of practice by certified animal euthanasia specialists.

(b) The necessity of this administrative regulation:

This administrative regulation is necessary to clarify limitations on drugs and drug use for euthanasia on shelter owned animals, as mandated by KRS 321.207.

(c) How this administrative regulation conforms to the content of the authorizing statutes:

KRS 321.207 specifically requires the board to promulgate administrative regulations related to standards for proper drug storage and drugs that may be used by certified animal euthanasia specialists to humanely euthanize shelter owned animals.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:

This administrative regulation will assist in effective administration by clearly detailing limitations on the operations of certified animal euthanasia specialists so that they do not exceed the scope of activities as authorized by the General Assembly.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation:

n/a

(b) The necessity of the amendment to this administrative regulation:

n/a

(c) How the amendment conforms to the content of the authorizing statutes:

n/a

(d) How the amendment will assist in the effective administration of the statutes:

n/a

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

50 board-certified animal control agencies and 161 animal euthanasia specialists, and future applicants.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment:

Certified animal euthanasia specialists will be required to read and understand limitations on their practice, as defined in administrative regulation. This includes types of drugs used, storage for those drugs, limitations on which animals are allowed to be euthanized, allowable methodologies for euthanasia, and how to properly dispose of carcasses.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3):

Minimal costs for appropriate locked and secure storage are anticipated in order to secure and limit access to the controlled substances onsite.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3):

Administrative ease of clear communications of the approved requirements.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: No costs are anticipated.

(b) On a continuing basis: No costs are anticipated.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation:

This administrative regulation does not establish fees. Funding for the KBVE comes from licensure and certification fees.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:



There is no anticipation of an increase in fees or needed funding to implement this administrative regulation, as the KBVE is already running an administrative program to process applications and an inspection program to ensure compliance.

(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:

No fees are established or increased by this administrative regulation.

(9) TIERING: Is tiering applied? (Explain why or why not)

No. All regulated entities have the same requirements.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT  
201 KAR 16:562

Contact Person: Michelle Shane, Executive Director  
Phone: 502-782-0273  
Email: michelle.shane@ky.gov

(1) What units, parts, or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation?

The Kentucky Board of Veterinary Examiners and KBVE-certified county animal shelter employees who are certified to conduct animal euthanasia.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation.

KRS 321.207, KRS 321.235, KRS 321.240

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year?

No revenue will be generated from this filing.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years?

No revenue will be generated from this filing.

(c) How much will it cost to administer this program for the first year?

This is not a new program. Staff time will be required for record keeping.

(d) How much will it cost to administer this program for subsequent years?

Staff time will be required for record keeping. Costs will be very minimal.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-): None.

Expenditures (+/-): None or negligible.

Other Explanation: n/a

(4) Estimate the effect of this administrative regulation on the expenditures and cost savings of regulated entities for the first full year the administrative regulation is to be in effect.

(a) How much cost savings will this administrative regulation generate for the regulated entities for the first year?

There will be no cost savings; this administrative regulation simply codifies the requirements, making them easily accessible for regulated entities.

(b) How much cost savings will this administrative regulation generate for the regulated entities for subsequent years?

There will be no cost savings.

(c) How much will it cost the regulated entities for the first year?

There will be no additional costs involved.

(d) How much will it cost the regulated entities for subsequent years?

There will be no additional costs involved.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Cost Savings (+/-): None.

Expenditures (+/-): None or negligible.

Other Explanation: n/a

(5) Explain whether this administrative regulation will have a major economic impact, as defined below. *"Major economic impact" means an overall negative or adverse economic impact from an administrative regulation of five hundred thousand dollars (\$500,000) or more on state or local government or regulated entities, in aggregate, as determined by the promulgating administrative bodies. [KRS 13A.010(13)]*

This amendment shall not have a "major economic impact", as defined in KRS 13A.010(13).