

Kentucky Board of Veterinary Examiners
*****DISCUSSION DRAFT*****
(NOT FILED WITH LRC -- FOR DISCUSSION ONLY)

1 GENERAL GOVERNMENT CABINET

2 Kentucky Board of Veterinary Examiners

3 ~~(New Administrative Regulation)~~ – **DISCUSSION DRAFT ONLY** –

4 201 KAR 16:563. Responsibilities for allied professionals; limitations on practice.

5 RELATES TO: KRS 257....., 321.....

6 STATUTORY AUTHORITY: KRS 321.....

7 NECESSITY, FUNCTION, AND CONFORMITY: KRS 321..... requires the Kentucky Board of
8 Veterinary Examiners to issue a permit to a person who meets the qualifications of an allied
9 professional and is approved by the board for a permit. KRS 321.235(3) and 321.240(5)
10 authorize the board to promulgate administrative regulations to implement KRS Chapter 321.
11 This administrative regulation establishes the responsibilities for allied professionals and
12 limitations on practice.

13 Section 1. Prohibitions on practicing veterinary medicine. (1) Except as provided for in this
14 regulation, an allied professional permittee shall be prohibited practicing veterinary medicine.

15 Section 2. Communications with veterinarians. (1) Allied professional permit holders may
16 consult with a patient's veterinarian prior to commencing work on an animal to ensure:

17 (a) Appropriate treatments are provided, and

18 (b) No concerns exist related to an animal's condition and medicines...

19 (2) Allied professionals shall communicate any adverse findings or concerns to the client or the
20 client's veterinarian.

Kentucky Board of Veterinary Examiners
*****DISCUSSION DRAFT*****
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1 Section 3. Limitations on Practice. (1) An allied professional permittee shall be limited in their
2 work on animals, as established in this section, or the practice shall be considered the practice of
3 veterinary medicine and subject to penalty for practicing without a veterinarian license from the
4 board.

5 (2) An allied professional permittee's practice shall not be construed to allow the:

6 (a) Use of x-rays;

7 (b) Performance of surgery;

8 (c) Prescription, dispensation, or administration of medications; or

9 (d) Practice of veterinary medicine outside the scope of the allied professional's permitted
10 practice area.

11 (3) For animal manipulation or "chiropractic" work on animals, the applicant shall:

12 (a) Not manipulate equines within forty-eight (48) hours prior to an event;

13 (b)

14 (c) ...

15 (4) For animal massage, the applicant shall:

16 (a) Not manipulate equines within forty-eight (48) hours prior to an event;

17 (b)

18 (c) ...

19 (5) For equine dentistry, the applicant shall:

20 (a)

21 (b)

22 (c) ...

23 (6) For XXX work on animals, the applicant shall:

Kentucky Board of Veterinary Examiners
*****DISCUSSION DRAFT*****
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1 (a)

2 (b)

3 (c) ...

4 Section 4. Registration and Inspection of Allied Professional Permittee Animal Treatment

5 Facilities. (1) Each allied professional permittee animal treatment facility or mobile unit shall be

6 subject to KRS 321.XXX (Veterinary Facility Registrations... Inspections), KRS 321.XXX

7 (Renewal of Veterinary Facility Registrations...), and associated administrative regulations.

8 (2) The board, its inspector, or designee shall be provided unrestricted access to animal use areas

9 during an inspection.

10 (3) Inspections of an allied professional permittee animal treatment facility shall be limited to the

11 animal treatment areas unless the board, its inspector, or designee is accompanied by

12 representatives from the professional licensing board or certifying body in the human area of

13 specialty.

14 Section 5. Separate human and animal treatment areas required. (1) An allied professional

15 permittee who treats both animal and human patients in the same fixed facility shall:

16 (a) Post a conspicuous sign in the reception area of that facility informing customers that

17 nonhuman patients are treated on the premises;

18 (b) Maintain a separate, non-carpeted room for the purpose of practicing on animals;

19 (c) Utilize separate furniture and equipment for use with animals which shall not be used for

20 human patients; and

21 (d) ...

22 Section 6. Record Keeping. An allied professional permittee shall keep medical records on all

23 animal patients on which they practice their profession. (Veterinarians shall be required to meet

Kentucky Board of Veterinary Examiners
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1 the medical records standards described in **KRS 321.NEW – Medical Records** and associated
2 regulations.)

3 (1) The allied professional permittee’s animal patient medical records shall contain sufficient
4 information to justify and describe the course of care on the patient. The records shall contain, at
5 a minimum:

6 (a) Name, address, and telephone number of owner;

7 (b) Identity of the animals, including name, age, sex, and breed;

8 (c) Name, address, and telephone number of the animal patient’s veterinarian;

9 (d) Dates of consultations, examinations, or treatments;

10 (e) Brief history of the condition of each animal treated;

11 (f) Working allied health diagnosis;

12 (g) Treatment plan including expected duration and frequency;

13 (h) Daily treatments, including areas adjusted or otherwise treated;

14 (i) Progress and disposition of the case;

15 (j) Name of practitioner(s) providing service to the patient; and

16 (k) Name of any person consulted for medical advice on the treatment of the patient.

17 (2) Patient medical records shall be complete and accurate.

18 (3) Patient medical records shall be maintained in the chiropractor's office for at least five (5)
19 years past the date of the last patient visit.

20 (4) An allied professional permittee shall not violate the confidential relationship between the
21 permittee and the client. Consultation by the permittee with another allied professional permittee
22 or veterinarian for the benefit of the patient shall not constitute a violation of confidentiality.

Kentucky Board of Veterinary Examiners
*****DISCUSSION DRAFT*****
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1 (a) An allied professional shall not release information concerning a client or care of a client's
2 animal, except:

3 1. On the allied professional's receipt of:

4 a. A written authorization or other form of waiver executed by the client; or

5 b. An appropriate court order or subpoena;

6 2. In cases of animal abuse, pursuant to KRS 321.188;

7 3. In cases of reportable diseases as they relate to public or animal health pursuant to KRS
8 257.080 and 258.075 and the administrative regulations promulgated under the authority of those
9 statutes, or

10 4. Upon request to the board or to the professional licensing board in the human area of
11 specialty.

12 (b) An allied professional shall, if requested by the client, communicate their findings and
13 treatment plan with the client's designated veterinarian.

14 Section 7. Duty to Report. Allied professional permittees shall report to the board:

15 (1) Any change of address, phone, or email within thirty (30) days;

16 (2) Any infraction of KRS Chapter 321 or 201 KAR Chapter 16 by themselves or another person
17 within fifteen (15) days;

18 (3) Providing a written response to a grievance or inquiry from the board within twenty (20) days
19 of receipt; and

20 (4) ...

21 Section 8. Compliance and Disciplinary Action. (1) Allied professional permittees shall comply
22 with the following, or shall be subject to disciplinary action pursuant to KRS 321.235(7) and

23 321.351 for a violation of state statutes or administrative regulations.

Kentucky Board of Veterinary Examiners
*****DISCUSSION DRAFT*****
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- 1 (a) KRS Chapter 321 and 201 KAR Chapter 16; and
- 2 (b) Other applicable federal, state, and local laws.
- 3 (2) The board shall report any grievance or disciplinary action received against an allied
- 4 professional permittee to the professional licensing board in the human area of specialty.

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DISCUSSION DRAFT