



Kentucky

Kentucky Board of Veterinary Examiners – [April 25, 2024 Special Meeting Minutes](#)

GOVERNMENT AFFAIRS COMMITTEE Legislative Development

• Proposed Regulations for the Allied Animal Health Professional (AAHP) Permits and AAHP Facility Registration

At the direction of Chair Dr. Park, Ms. Shane facilitated a review of meeting notes from an April 18 meeting with the Kentucky Board of Chiropractic Examiners (KBCE) and the Kentucky Association of Chiropractors (KAC). During that meeting, representatives from both boards and the association reviewed concerns with the discussion drafts for AAHP permits and facility registrations.

Members of the Board discussed the highlighted concerns, sought comment and feedback from Dr. Rachel Wendt, Executive Director of KAC, and made determinations on how to proceed with each draft administrative regulation.

201 KAR 16:513 - Fees for Allied Animal Health Professional (AAHP) Permits

- Members approved a \$25 fee reduction to allow that the permit did not need to cost as much as a veterinarian license.

201 KAR 16:517 - Fees for allied animal health professional facility registrations

- Members declined to provide any fee reductions because of costs related to administration, staffing, database, and future inspections.
- Members noted that if there is still concern, there shall be a 60-day public comment period after filing with LRC.

201 KAR 16:523 - Approved allied animal health professional programs; education requirements

- Members directed the removal of the 2-year wait period.
- Members discussed adding a provision to require animal chiropractic training for veterinarians who wish to practice in this area. The Board determined that vets know how to stay in their lane, and as an example cited species work (small vs large animals), etc.

- Members of the Board noted that a future meeting agenda item should be a larger discussion about requirements for specialists of all kinds, including LVT specialists.

201 KAR 16:533 - Examination requirements for allied animal health professionals

- Mr. Brengelman provided an overview regarding Board responsibilities and duties related to establishing pass rates. Kentucky Board of Veterinary Examiners Special Board Meeting Minutes April 25, 2024 Page 4 of 12
- Members of the Board discussed keeping the minimum score provision as drafted but ultimately directed that the language establishing the pass score should mimic the language used in the regulation for veterinarians and veterinary technicians.
- Members directed that a limit of five (5) attempts should be added to the regulation. o Members agreed to change the required “official score report” to include a certificate of completion received directly from the approved educational program.

201 KAR 16:543 - Application requirements for allied animal health professional permits

o Members of the Board discussed legacy candidates (i.e., “grandfathered” candidates). The Board directed that the following be required for legacy candidates in animal chiropractic:

- Limited application window to end June 30, 2026.
- Experience shall include a minimum of 10 years of practice in animal chiropractic with a minimum of 500 clinical/direct patient contact hours per year.
- Applicant materials shall include:
 - Proof of employment or 1099 showing self-employment in this profession;
 - Identification of school where trained and hours of training;
 - Letters of recommendation from at least two (2) licensed veterinarians;
 - Letters of recommendation from at least two (2) licensed chiropractors;
 - Years of experience;
 - Length of time of practice;
 - Average number of hours practicing per year;
 - Letters of Good Standing from any other jurisdictions in which they are credentialed; and
 - Information about CE earned each year (number of hours, etc.).

- KBVE shall require a mandatory interview before Members of an Interview Panel, to include a representative from both the KBVE and KBCE. A standardized list of questions should be used for the interview to ensure equity during interviews.
- Members of the Board discussed CE requirements for legacy candidates, and determined such candidates that qualify for the AAHP permit may obtain appropriate CE from sources other than AVCA and IVCA, but would require at least 10 hours per year, consistent with the approved programs of AVCA and IVCA.

201 KAR 16:547 - Application requirements for AAHP Facility Registration; AAHP Managers; Registered Responsible Parties

- No changes proposed

201 KAR 16:563 - Responsibilities for allied animal health professionals; limitations on practice

- Members of the Board discussed the draft requirement, "shall", for AAHP animal chiropractor permittees to consult with a veterinarian vs. "may" consult.
- The intent of this provision is to ensure communication between the AAHP permittee and the veterinarian.
- Patient concern is primary – the Board's mission is public protection.
- Dr. Smith relayed a recent case of a preexisting condition not being communicated to an animal chiropractor. Following treatment, the patient had to be euthanized due to damage sustained from the animal chiropractic visit; no veterinarian consultation occurred in advance of the treatment.
- The Board also discussed expectations for the AAHP permit under other specialty areas, including animal massage or equine dental.
- In Colorado rules, the "shall" requirement for communication between practitioners comes after the appointment, where the animal chiropractor shall provide records within seven (7) days of treatment.
- Dr. Wendt relayed the concern that sometimes veterinarians don't return calls, and if the provision is too strict may prevent any treatment for the animal.
- Members of the Board are directed to:
 - Keep the "shall" requirement, and
 - Change the word "consult" to "communication within seven (7) days", with language indicating that the animal chiropractor may proceed with

following the seven (7) day window if the veterinarian is non-responsive to the outreach.

- Members also directed that veterinarian-AAHP permittee communications shall be required to be recorded in the medical record.
- Members of the Board discussed the draft requirement that rehabilitation and other treatment modalities (e.g., laser, shockwave, ultrasound, electrotherapy, etc.) be prohibited.
 - Members determined more research is needed to make an informed decision.
 - How is "rehabilitation" defined?
 - Does this include gate training? Stretching? Other?
 - How many hours of training would be required in rehab or various treatment modalities in order for a practitioner to safely provide such treatment?
- Members of the Board directed that edits be made to this proposed regulation and further research be conducted, as discussed, and that this regulation be placed on the May 23 meeting agenda for further discussion.

201 KAR 16:573 - Renewal requirements for AAHP permits; renewal notice

- Members of the Board discussed a provision in Colorado law that requires animal chiropractors to obtain a day-long CE training in diseases and includes an annual requirement of 1-2 hours in this subject area.
- Members of the Board opted not to include a similar provision in KBVE regulations at this time, because the board-approved programs required for certification include a unit on zoonotic diseases.

201 KAR 16:567 - Registered AAHP Facilities – Duties of Registered Responsible Parties and AAHP Managers

- At the request of KAC, Members of the Board discussed minimum requirements for mobile units. An animal chiropractor's only tools are their hands, and possibly a step stool.
- Members of the Board agreed to add a provision to the registration requirements that AAHP animal chiropractors shall not be required to register their personal vehicle as an AAHP facility so long as the only equipment being transported was an aide for height to provide treatment (e.g., a stool or bale of hay). Transportation of other equipment or

drugs shall trigger the requirement for registration of the mobile unit as an AAHP facility.

Legislative Development

Veterinary Facility Registrations Members of the Board discussed regulations for registered veterinary facility applications, renewal, and responsibilities for veterinary managers and responsible parties.

One comment was received from Dr. Tammy Smith of KVMA. Members clarified that initial veterinary facility registrations would not trigger inspections by the KBVE. Inspections would be only on those facilities that initially register after the deadline of June 30, 2025. No other comments were received from KVMA or KVTA.

A MOTION was made by Dr. Velasco, to approve the draft regulations as amended, and to direct Ms. Shane to proceed with filing the regulations listed below with LRC after the application forms have been created to match. Further, Ms. Shane, Chair Dr. Park, and KBVE legal counsel Mr. Brengelman are authorized to work together with LRC staff on any needed edits for conformity to KRS Chapter 13A. The motion, seconded by Dr. Smith, passed unanimously.

Veterinary Facility Regulations 201 KAR 16:515 - Fees for veterinary facility registrations 201 KAR 16:545 - Application requirements for veterinary facility registration; Veterinary managers; Registered responsible parties 201 KAR 16:565 - Registered Veterinary Facilities – Duties of Registered Responsible Parties and Veterinarian Managers 201 KAR 16:575 - Veterinary facilities -- Renewal notice -- Requirements for renewal and reinstatement Allied

Animal Health Professional (AAHP) Permits and Facilities 201 KAR 16:513 - Fees for Allied Animal Health Professional (AAHP) Permits 201 KAR 16:517 - Fees for allied animal health professional facility registrations 201 KAR 16:523 - Approved allied animal health professional programs; education requirements 201 KAR 16:533 - Examination requirements for allied animal health professionals 201 KAR 16:543 - Application requirements for allied animal health professional permits 201 KAR 16:547 - Application requirements for AAHP Facility Registration; AAHP Managers; Registered Responsible Parties 201 KAR 16:567 - Registered AAHP Facilities – Duties of Registered Responsible Parties and AAHP Managers 201 KAR 16:573 - Renewal requirements for AAHP permits; renewal notice 201 KAR 16:577 - AAHP facilities -- Renewal notice -- Requirements for renewal and reinstatement

Following filing of the regulations, Chair Dr. Park directed Ms. Shane to obtain a quote from PPC on adding new credentials to the licensing database.