



North Dakota Board of Veterinary Medical Examiners

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Legislative Council Administrative Rules Committee March 11, 2009

The following testimony applies to rule changes for the Board of Veterinary Medical Examiners (Title 87), to be published in April 2009 (pages 95-102).

1. The rules did not result from statutory changes made by the Legislative Assembly.
2. The rules are not related to any federal statute or regulation.
3. The Board published the rule change notice through the North Dakota Newspaper Association in November 2008, and held a public hearing in its office on December 16, 2008. In addition, the proposed rule changes were discussed by the board at two meetings in 2008, and were shared with the North Dakota Veterinary Medical Association prior to the public hearing.
4. No person presented any written or oral concern, objection, or complaint to the Board regarding these rule changes during the comment period, and no comments were offered at the hearing.
5. The cost to the board for the publication of the rule change notice in the newspaper was \$1,374.44. There were no other significant costs associated with the rule change.
6. The change to 87-01.1-01-01 (pages 97-98) was made to allow the board to comply with the retake policy for the North American Veterinary Licensing Examination recommended by the National Board of Veterinary Medical Examiners.

The changes to 87-02-01-01 (page 99) increase the annual license renewal fee for veterinarians from \$45 to \$60, clarify the renewal notice and dates, and create a late fee for renewals received after the June 30 due date. The fee increase was necessary to enable the board to continue to have enough income to cover its expenses. The last fee increase was in 2004, when the fee was increased from \$35 to \$45.

The change to 87-02-01-03 (page 99) establishes an inactive license status for licensees who have reached the age of 65 and are no longer actively engaged in practice. Such persons will have to meet the continuing education requirement if they wish to return to practice.

The changes to 87-02-01-04 (pages 99-100) document that the board accepts continuing education programs approved by the Registry of Approved Continuing Education of the American Association of Veterinary State Boards, and document that the board accepts up to eight hours of continuing education for participation its veterinary exchange program. Both of these actions were taken previously by the board at one of its regular meetings.

Multiple references to "certification" and "certificate" in 87-03-01 (page 101) were changed to "licensure" and "license" to make the wording consistent with the wording in the practice act.

The word "veterinary technician" was added to 87-03-01-02 to make the wording consistent with the name of the examination.

The wording in 87-03-01-03 (page 101) was revised to reflect the policy of the American Association of Veterinary State Boards, which owns and administers the Veterinary Technician National Examination. This policy, which will take effect in 2010, will require candidates taking the examination to be graduates of accredited programs. Veterinary technician training programs are accredited by the Committee on Veterinary Technician Education and Activities of the American Veterinary Medical Association, as referenced in the practice act.

The changes to 87-03-01-04 (page 101) increase the license fee for veterinary technicians from \$10 to \$15 per year, and create a late fee for renewals received after the December 31 due date.

The changes to 87-04-01 (page 102) make the retention period for prescription drug records the same as the retention period for other medical records (three years, as noted in 87-05-02-02).

7. No regulatory analysis was required by NDCC Section 28-32-08.
8. No regulatory analysis or economic impact statement was required by NDCC Section 28-32-08.1.
9. No constitutional takings assessment was required by NDCC Section 28-32-09.
10. The changes were not adopted as emergency rules.