

NOTICE OF INTENT

Department of Agriculture and Forestry Board of Veterinary Medicine

Preceptor Program (LAC 46:LXXXV.Chapters 1-15)

In accordance with the Administrative Procedure Act, R.S. 49:950 et seq., the Louisiana Board (“Board”) of Veterinary Medicine has amended LAC 46:LXXXV. Chapters 1-15, regarding the licensure of veterinarians in the State of Louisiana. Chapter 11 of the rules is being repealed as the preceptor program is being discontinued as a requirement for DVM licensure. The rationale behind the repeal and discontinuance of the preceptorship program is multi-faceted. Most schools of veterinary medicine require in their curriculum participation by students in externships, which provide most of the basic training offered by preceptorship. Further post-preceptorship surveys have cast doubt on the efficacy of the preceptorship program in familiarizing the candidate with the business demands and interactions with clients that served as the primary basis for implementing the preceptorship requirement. The Board has found this requirement for out of state licensees where virtually no other state has a similar program to be increasingly unnecessary and problematic in granting Louisiana licenses to out of state applicants irrespective of the skills and prior clinic/business experience. The Rule would remove barriers to license mobility at a time many areas of the state are underserved with veterinary care and would align our state with most other states’ requirements for licensure. Rules 1031, 307, 700, 702, 714 are amended to reflect the removal of the preceptorship requirement for DVM licensure. This Rule is adopted on the date of promulgation.

Title 46 PROFESSIONAL AND OCCUPATIONAL STANDARDS Part LXXXV. Veterinarians

Chapter 3. Licensure Procedures

§307. Expedited License/Military Qualifications

A. . . .

~~B. To ensure public health and safety, in the event the applicant has not actively practiced such discipline for the 90 day period immediately prior to submission of the application to the board, the applicant will be required to satisfy the preceptorship program requirement prior to the issuance of an expedited license.~~

C. - E. . . .

Chapter 7. Veterinary Practice

§700. Definitions

~~*Preceptees*—individuals who are unlicensed veterinarians or who are full time, fourth year students of an accredited college of veterinary medicine and who are in a board approved preceptorship program.~~

§702. Direct Supervision

A. ...

~~B. Persons meeting the definition of a *preceptee* as defined in §700 may also perform the following services:~~

- ~~1. surgery, diagnosis and prognosis of animal diseases, and prescription of drugs, medicine, and appliances for domestic animals under the direct supervision of the licensed, supervising veterinarian acting as an approved preceptor;~~
- ~~2. the preceptee (intern) may perform these services only for the period of time allotted for the preceptorship (internship) program by the board.~~

C. - D. ...

~~E. *Unlicensed veterinarians*, as defined in §700, shall not practice veterinary medicine until such time as they are licensed by the state of Louisiana. An unlicensed veterinarian may only function as a veterinary assistant under direct supervision. However, Chapter 11 governing the preceptorship program shall apply to a qualified preceptee as defined in §1103.~~

§714. Student/Shelters and Faculty Veterinarian

A. – E. ...

~~F. The duties, actions or work performed by a student shall not be considered a component of, nor applied to, the requirements regarding the preceptorship program established by the board. The period of time necessary to satisfactorily complete a preceptorship program shall not run concurrently with the period of time a student performs or works as such.~~

G. A student extern who is working during a school vacation for a licensed veterinarian shall be under continuous, visual, and on-site supervision of a veterinarian licensed by the board. The supervising veterinarian shall be ultimately responsible and held accountable by the board for the duties, actions, or work performed by such person; however, at no time shall the student's role extend beyond observing the supervising veterinarian in a support capacity during assessment, diagnosis, treatment, and surgery. The student extern shall not perform supervision of any nature, as defined in §§700 and §702, of the tasks or procedures performed by other personnel of the facility at issue. ~~Furthermore, the duties, actions or work performed by the student extern shall not be considered a component of, nor applied to, the requirements regarding the preceptorship program, nor shall it run concurrently with, or be any part of the board's preceptorship program requirements.~~

Chapter 10. Rules of Professional Conduct

§1071. Direct supervision of laypeople, preceptees, unlicensed veterinarians, and technicians

~~**Chapter 11. Preceptor Program**~~

§1101. Purpose

~~A. The major purpose of the program is to acquaint the applicant prior to licensure with the scope and pace of a clinical practice and to teach the applicant aspects of management, finances, client relations, personnel supervision, and housekeeping as can only be found in an actual practice situation.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1518.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Veterinary Medicine, LR 16:232 (March 1990).

§1103. Definitions

Fourth Year—the final year of study for a Doctor of Veterinary Medicine degree, or equivalent, at an accredited school of veterinary medicine.

Limited Approval—a specialty facility, such as but not limited to, referral clinics, research facilities, and humane societies, may be approved by the board for a preceptee to perform no more than one-half the required preceptorship program.

Preceptee—an applicant for the preceptorship program. The preceptee is not to be considered a substitute employee and shall not be represented as a licensed veterinarian.

Preceptor—a practitioner who is a licensed veterinarian, a member in good standing of his or her state association of the American Veterinary Medical Association and whose facility or practice has been approved by the board as a preceptorship host.

Preceptorship Program—a preceptorship program approved by the Louisiana Board of Veterinary Medicine.

1. The program shall consist of not less than eight calendar weeks in training in a program approved by the board.

2. For students graduating in calendar year 2001 and thereafter, the program must be performed after January of the fourth year of study.

Third Year—the year preceding the final year of study for a Doctor of Veterinary Medicine degree, or equivalent, at an accredited school of veterinary medicine.

Week in Training—a week in training shall consist of a minimum of 40 hours earned during a maximum of six calendar days. A calendar day shall not exceed twelve hours in duration.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1518 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Veterinary Medicine, LR 16:232 (March 1990), amended LR 19:208 (February 1993), LR 23:968 (August 1997), LR 24:1293 (July 1998), LR 27:543 (April 2001), LR 28:1208 (June 2002), LR 38:357 (February 2012), LR 40:309 (February 2014).

§1105. Applicants

A. Every applicant for a license to practice veterinary medicine in the state of Louisiana must successfully complete, during the fourth year in an accredited school of veterinary medicine or after graduation, a preceptorship program at a board-approved facility. Only one board-approved preceptorship program will be allowed to be performed by a preceptee.

B. Every applicant for a preceptorship program must:

- 1. choose a facility that has been pre-approved by the board or preceptorship committee. If the subject facility has not been pre-approved, the applicant or facility may request an assessment questionnaire;
- 2. complete an agreement form provided by the board in which the proposed start date and end date of the preceptorship is indicated. Said agreement form must be agreed upon and signed by both the applicant and *preceptor*. The completed agreement form must be submitted to the board two weeks prior to the start of the preceptorship.

C. An applicant may divide the preceptorship program into two sessions at two different approved facilities. However, a session must consist of no less than three consecutive weeks in training.

D. A preceptee may perform no more than one-half of the preceptorship program at a specialty facility, such as, but not limited to, referral clinics, research facilities, and humane societies, which have received

limited approval by the board.

~~E. The board shall have the discretionary right to waive compliance with the preceptorship program when the applicant has been licensed in another state or is eligible for a license without examination, and provides written proof of employment as a licensed veterinarian in a full time, clinical practice for a minimum of 90 days for the period immediately prior to submission of the license application to the board.~~

~~F. The board shall have the discretionary right to require a preceptee, who has received an unfavorable evaluation, to repeat the preceptorship program requirement for licensure, in its entirety or partially, with another preceptor selected by the preceptee and pre-approved by the board. If the preceptee is thereafter unable to obtain a favorable evaluation, the board shall have the discretionary right to deny licensure. Any decision made by the board pursuant to this subsection shall be subject to appeal and review in accordance with LAC 46:LXXXV.105.B.~~

~~G. The failure to comply with the time and duration requirements for any week(s) in training shall result in the preceptee having to successfully repeat the non-compliant week(s) in training at the same approved preceptorship site, or a successive board approved site, conditioned on submitting a revised preceptorship agreement to the board at least two weeks prior to the commencement of the makeup week(s) in training at issue. An applicant for a license to practice veterinary medicine must successfully complete the preceptorship requirement, or be granted a waiver pursuant to §1105.E, prior to being issued a license.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1518.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Veterinary Medicine, LR 16:232 (March 1990), amended LR 23:1686 (December 1997), LR 24:942 (May 1998), LR 27:543 (April 2001), LR 37:1571 (June 2011), LR 38:357 (February 2012).

§1107. Preceptorship Committee

~~A. The board may appoint a committee composed of not less than five nor more than eight veterinarians. Only two members of the veterinary board may be eligible to serve on the committee, one member from the faculty of Louisiana State University, School of Veterinary Medicine, and the other members from the Louisiana Veterinary Medical Association, with all members serving a five-year term. Whenever a vacancy occurs under this Section, the board shall nominate three or more qualified persons for each vacancy and vote on the nomination at the next regular meeting of the board.~~

~~B. A person shall be qualified to serve on the committee if he is a graduate of a veterinary school, a resident of this state, and has been licensed to practice veterinary medicine in this state for five years immediately preceding the time of his nomination.~~

~~C. Any member of the committee may be removed by a majority vote of the board.~~

~~D. The committee shall meet at least 30 days prior to the administration of the state examination. Other meetings of the committee may be called by the president of the board by giving notice. Except as may otherwise be provided, a majority of the committee constitutes a quorum.~~

~~E. The committee shall administer the preceptorship program pursuant to these rules and policies provided by the board.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1518.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Veterinary Medicine, LR 16:233 (March 1990).

§1109. Preceptor's Responsibilities

~~A. The preceptor shall have the following responsibilities:~~

~~1. to assume the responsibility of an instructor during the training period with the primary objective of~~

- training the preceptee under direct supervision as set forth in §§700 and 702.B;
- 2. to ensure that the degree of responsibility delegated to the applicant shall in no way conflict with the veterinary practice act of his/her state or those where work might be done;
 - 3. to conduct oneself in a professional and ethical manner;
 - 4. to extend the same privileges to the preceptee as afforded other practice employees;
 - 5. to never consider the preceptee as a substitute employee or to represent him/her as being a licensed veterinarian;
 - 6. to provide a written job description on forms provided by the board with the practice assessment questionnaire. A copy of said job description will be distributed to the preceptee upon applying for preceptorship at the facility, so that the preceptee will have an understanding of his/her responsibilities;
 - 7. to assure that the preceptee's assignments, as much as possible, cover all aspects of the practice including office management, bookkeeping, and economics unless the facility holds a limited approval by the board as a specialty facility;
 - 8. to be subject to unscheduled on-site visits by a member of the preceptorship committee or the board during the preceptorship period;
 - 9. to evaluate the preceptee's performance by completing and submitting the forms necessary for evaluation and licensure in the state of Louisiana;
 - 10. to verify the preceptee's preceptorship log as requested.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1518.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Veterinary Medicine, LR 16:233 (March 1990), amended LR 27:543 (April 2001).

§1111. Preceptee's Responsibilities

A. The failure of the preceptee to comply with all requirements of preceptorship assignment, can result in an additional preceptorship assignment and/or delay in licensure.

B. The preceptee's responsibilities are the following:

- 1. to regard the host veterinary practitioner as an instructor;
- 2. to conduct oneself in an ethical and professional manner;
- 3. to be responsible for keeping all professional matters confidential as in the true veterinarian-client-patient relationship;
- 4. to maintain a neat and clean personal appearance and a professional, congenial attitude befitting a professional of veterinary medicine;
- 5. to be responsible for personal clothing and footwear unless other arrangements are made with the host preceptor;
- 6. to be responsible for the completion and timely submission to the board of all required preceptorship documents, such as the agreement form, attendance log, and evaluation sheets;
- 7. to comply with the requirement of *direct supervision* set forth in §§700 and 702.B.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1518.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Veterinary Medicine, LR 16:233 (March 1990), amended LR 27:544 (April 2001).

§1113. Practice Assessment Forms and Job Description Forms

A. All practitioners who express an interest in participating in the preceptorship program must complete the following:

- 1. Practice Assessment Form. This form is used to determine if the practice meets the standards required by the American Veterinary Medical Association; and
- 2. Job Description Form. This form is to ensure that both parties understand in advance what is to be

expected from the other.

B. Applicants may request that forms be provided to practitioners with whom they have talked about the requirements for licensure.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1518.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Veterinary Medicine, LR 16:233 (March 1990), amended LR 27:544 (April 2001).

§1115. Preceptorship Practice Requirements

A. A completed Practice Assessment Questionnaire and Job Description Form shall be submitted to the board, at least two weeks prior to the start of a preceptorship, to provide adequate time for board review and approval of the facility and for applicant-practitioner negotiations prior to time the preceptorship begins.

B. A firm commitment must not be made between the preceptee and the preceptor before the practice is approved by the board or preceptorship committee.

C. Approval of a preceptor shall include the following.

–1. Practices providing small animal services must adhere to high standards of surgical service including a separate prep room, availability of gas anesthesia, and use of gowns, caps, and masks for orthopedic and other involved surgeries.

–2. Standards for large animal surgery must be consistent with good modern surgical techniques and provide for the performance of aseptic operative procedures.

–3. All practices must be equipped or have the availability to provide a full radiographic service without hazardous exposure and must comply with all state and federal radiological standards.

–4. Clinical pathology diagnostic services must be utilized.

–5. The caseload must be of such nature as to provide good exposure for the preceptee while allowing time for preceptor-preceptee interaction.

–6. The preceptor must be willing to provide supervised, hands-on experience.

D. Specialty facilities, such as but not limited to, referral clinics, research facilities, and humane societies, may receive limited approval by the board to allow for no more than one half of the required preceptorship program to be performed by a preceptee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1518.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Veterinary Medicine, LR 16:233 (March 1990), amended LR 27:544 (April 2001), LR 28:1208 (June 2002).

§1117. Financial Arrangements and Agreements

A. Financial arrangements are negotiated by the practitioner and the applicant. It should be borne in mind that the main objective of the preceptorship should be educational rather than remunerative. The primary and perhaps only concern should be to supply funds for living or other costs encountered by the preceptor.

B. A written agreement between the preceptee and preceptor setting forth the responsibilities of the student and the practitioner should be agreed to by both parties at the time the commitment is made. The agreement should include the starting and termination dates, duty hours, after duty hours, free time, salary and fringe benefits. This type of written agreement reduces possible misunderstandings and enhances the learning experience.

C. All written agreements are carried out between the preceptee and the preceptor. A firm commitment must not be made between the preceptee and the preceptor before the practice is approved by the committee or the board. Premature commitments to practices that were not approved will not be tolerated. When this occurs in the future, that particular practitioner will be denied for the applicant.

involved.

~~D. Splitting of the preceptorship between two practices will be permitted. In practices with satellite-clinics, the preceptee is expected to be under the direct supervision of the preceptor.~~

~~AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1518.~~

~~HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Veterinary Medicine, LR 16:234 (March 1990), amended LR 27:544 (April 2001).~~

§1119. Preceptorship Attendance Log

~~A. Each preceptee shall be required to keep a daily log on a form provided by the board of his/her attendance for the duration of the program. The attendance log form shall be reviewed and signed by the preceptor.~~

~~AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1518.~~

~~HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Veterinary Medicine, LR 16:234 (March 1990), amended LR 23:968 (August 1997), LR 27:544 (April 2001).~~

§1121. Evaluations

~~A. At the conclusion of the preceptorship program, the preceptor and preceptee shall complete an evaluation form provided by the board. The completed evaluation forms must be submitted to the board within a 20-day time period to begin with the conclusion of the preceptorship program. No preceptorship program is complete until all required documentation is received by the board.~~

~~AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1518.~~

~~HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Veterinary Medicine, LR 16:234 (March 1990), amended LR 23:968 (August 1997), LR 27:544 (April 2001).~~

§1123. Effective Date

~~A. These rules and regulations shall take effect upon publication in the March 20, 1990 issue of the *Louisiana Register* and as amended thereafter, and shall be complementary to all other rules and regulations.~~

~~AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1518.~~

~~HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Veterinary Medicine, LR 16:234 (March 1990), amended LR 27:545 (April 2001).~~

Family Impact Statement

The proposed Rule should not have any known or foreseeable impact on family formation, stability, and autonomy. In particular, the proposed Rule has no known or foreseeable impact on:

1. the stability of the family;
2. the authority and rights of persons regarding the education and supervision of their children;
3. the functioning of the family;
4. family earnings and family budget;
5. the behavior and personal responsibility of children;
6. the ability of the family or a local government to perform the function as contained in the proposed Rule.

Poverty Impact Statement

The proposed Rule should not have any known or foreseeable impact on any child, individual or family

as defined by R.S. 49:973(B). In particular, there should be no known or foreseeable effect on:

1. the effect on household income, assets, and financial security;
2. the effect on early childhood development and preschool through postsecondary education development;
3. the effect on employment and workforce development;
4. the effect on taxes and tax credits;
5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis and Impact Statement

The proposed Rule should have no adverse impact on small businesses as defined in the Regulatory Flexibility Act.

Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service;
2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested parties may submit written comments to the Louisiana Board of Veterinary Medicine, Attention: Jared B. Granier, Executive Director, via U.S Mail at 5825 Florida Blvd, Baton Rouge, LA 70806 or via e-mail attachment to director@lsbvm.org or via hand delivery. Comments will be accepted until 3:00 p.m. on Monday, January 9, 2023. All written comments must be dated and include the first and last name, email address, mailing address, phone number, and the original signature of the person submitting the comments.

Public Hearing

Interested parties may submit a written request to conduct a public hearing to the Louisiana Board of Veterinary Medicine, Attention: Jared B. Granier, Executive Director, via U.S Mail at 5825 Florida Blvd, Baton Rouge, LA 70806 or via e-mail attachment to director@lsbvm.org or via hand delivery; however, such request must be received by no later than 3:00 p.m. on Monday, January 9, 2023. If the criteria set forth in R.S. 49:953(A)(2)(a) are satisfied, a public hearing will be conducted at 1:00p.m. on Wednesday, January 24, 2023 at 5825 Florida Blvd, Baton Rouge, LA 70806. To confirm whether or not a public hearing will be held, interested parties must [visit www.lsbvm.org/rulemaking-projects](http://www.lsbvm.org/rulemaking-projects) on or after January 9, 2023. If a public hearing is to be held, all interested parties are invited to attend and present data, views, comments, or arguments, orally or in writing. In the event of a hearing, parking is available to the public in front of the Department of Agriculture and Forestry Building at 5825 Florida Blvd, Baton Rouge, LA 70806.

Jared B. Granier
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: LAC 46:LXXXV.1101-1123.1031.307.700.702.714

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There will be no costs or savings to state or local governmental units, except for those associated with publishing the proposed rule amendment (estimated at \$750 in FY 2023). This proposed rule amendment would remove barriers to entry at a time many areas of the state are underserved with veterinary care and would align Louisiana's with most other states' requirements for licensure. All current licensees and potential applicants for licensure will be informed of this proposed rule amendment via the Board of Veterinary Medicine's regular newsletter, website, and by email which results in minimal costs to the board.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The Board of Veterinary Medicine (Board) anticipates a greater number of applications for the Doctor of Veterinary Medicine (DVM) licensure due to the removal of the preceptorship application requirement. As such, the proposed rule amendment is anticipated to increase revenues generated from fees for applications for DVM licensure as follows: FY2022 – \$5,500 (an increase of 10 applicants x \$550 fees); FY2023 – \$8,250 (an increase of 15 applicants x \$550 fees); and FY2024 – \$11,000 (an increase of 20 applicants x \$550 fees).

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NON-GOVERNMENTAL GROUPS (Summary)

The proposed rule amendment removes the preceptorship requirement for out-of-state licensees where virtually no other state has a similar program, thus benefiting applicants for DVM licensure by having a more streamlined, less restrictive application process and a positive effect on the timeframe for DVM license issuance.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The number of licensed DVMs is anticipated to increase as a result of the proposed rule amendment. In the long term, this proposed rule amendment should increase overall competition for employment. However, at this time many areas of the state are currently underserved with veterinary care and a larger number of licensed DVMs are needed in the state to fill these employment opportunities.