



LOUISIANA BOARD OF VETERINARY MEDICINE

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May 15, 2023

Senator P. Page Cortez
President, Louisiana Senate
Via Email: APA.SenatePresident@legis.la.gov

**Electronic Mail - Delivery
Receipt Requested**

RE: Report No. 1 of 2 for Regulatory Project 2023-1 ~ LAC 46LXXXV.301.801.1201
~ Repeal of Letters of Reference Requirement for Applications

Dear Senator Cortez:

In accordance with the provisions of the Administrative Procedure Act, the Board of Veterinary Medicine is submitting the enclosed rulemaking documents - specifically, the Fiscal and Economic Impact Statement and the Notice of Intent - related to proposed amendments to LAC 46LXXXV.301.801.1201. The Board intends to publish the Notice of Intent in the June 20, 2023 issue of the *Louisiana Register*. These changes are proposed under the authority of the Louisiana Veterinary Practice Act, La. R.S. 37:1518, et seq. The proposed changes are fully explained in the Notice of Intent and Fiscal and Economic Impact Statement.

At its May 12, 2023 meeting, the Occupational Licensing Review Commission reviewed and approved this Notice of Intent. In connection with this regulatory project, the following items are enclosed:

- Notice of Intent
- Fiscal & Economic Impact Statement

As indicated in the Notice of Intent, 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 Monday, June 26, 2023 to receive public comments and testimony on this proposed rule. We will summarize any comments received and our responses thereto in our next report to you.

In the event you have any questions or need additional information about this project, please contact me directly at director@lsbvm.org or 225-925-6620.

For the Board:

Jared B. Granier, MBA
Executive Director

CC: Speaker, House of Representatives - Via Email: APA.HouseSpeaker@legis.la.gov
Chair, Senate Agriculture Committee - Via Email: APA.s-agri@legis.la.gov
Chair, House Agriculture Committee - Via Email: APA.h-agri@legis.la.gov
Commissioner of Agriculture, LDAF – Via Email: commissioner@ldaf.state.la.us
Editor, *Louisiana Register* - Via Email: Reg.Submission@la.gov; Catherine.Brindley@la.gov
President, LBVM – Via Email: astevens@lsbvm.org
Legal Counsel, LBVM – Via Email: shvoqt@bellsouth.net

NOTICE OF INTENT

Department of Agriculture and Forestry Board of Veterinary Medicine

Licensing Procedures (LAC 46:LXXXV.301.801.1201)

In accordance with the Administrative Procedure Act, R.S. 49:953 et seq., the Louisiana Board (“Board”) of Veterinary Medicine has amended LAC 46:LXXXV. Sections 301, 801, and 1201 in Chapters 3, 8 and 12 – respectively – to remove the letters of recommendation licensure requirement for DVM, RVT, and CAET applicants. The Board determined that there is no empirical data to indicate that a letter of recommendation has ever been used to deny licensure. With numerous veterinary boards across the country taking similar steps to streamline the application for licensure process, removing this requirement allows the Board to remove additional barriers to the timely processing of applications and the issuance of licenses. This Rule is adopted for applications submitted on or after July 1, 2024.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part LXXXV. Veterinarians

Chapter 3. Licensure Procedures

§301. Applications for Licensure

A. - B.6. ...

~~7. three letters of recommendation from licensed veterinarians or other professionals, none of whom may be members of the applicant's family or currently enrolled in the same veterinary school curriculum as the applicant. Said references are to be furnished for the purpose of determining the applicant's professional capabilities and ethical standards;~~

8. - F. ...

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

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Veterinary Medicine, LR 8:66 (February 1982), amended LR 10:464 (June 1984), amended by the Department of Health and Hospitals, Board of Veterinary Medicine, LR 16:223 (March 1990), LR 19:343 (March 1993); LR 23:964 (August 1997), LR 25:2231 (November 1999), LR 28:1982 (September 2002), LR 40:308 (February 2014), LR 49:

Chapter 8. Registered Veterinary Technicians

§801. Applications for Certificate of Approval

A. - B.8. ...

~~9. a list of licensed veterinarians for reference and/or letters of recommendation from licensed veterinarians, furnished for the purpose of determining the applicant's professional capabilities and ethical standards;~~

10. - F. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1549.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Veterinary Medicine, LR 16:226 (March 1990), amended LR 40:309 (February 2014), LR 49:

Chapter 12. Certified Animal Euthanasia Technicians

§1201. Applications for Certificate of Approval

A.1 - 8. ...

~~9. two letters of reference on board approved forms from licensed veterinarians or other professional persons associated with animal control administration who can attest to the applicant's professional character and ethical standards;~~

10. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1558.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Veterinary Medicine, LR 19:1424 (November 1993), amended LR 26:317 (February 2000), LR 29:1479 (August 2003), LR 38:357 (February 2012), LR 40:310 (February 2014), LR 49:

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 p.m. on Tuesday, July 11, 2023. All written comments must be dated and must 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 p.m. on Tuesday, July 11, 2023. If the criteria set forth in R.S. 49:953(A)(2)(a) are satisfied, a public hearing will be conducted at 1 p.m. on Wednesday, July 26, 2023 at 5825 Florida Blvd, Baton Rouge, LA 70806. To confirm whether or not a public hearing will be held, interested parties should visit www.lsbvm.org/rulemaking-projects after Tuesday, July 11, 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.301.801.1201

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 the cost associated with publishing the proposed rule amendment, which is normally included in the annual operating budget of the Board of Veterinary Medicine (Board), which is estimated at \$750 in FY 2023.

The proposed rule change is to remove the letters of recommendation requirement for Doctor of Veterinary Medicine (DVM), Registered Veterinary Technician (RVT), and Certified Animal Euthanasia Technician (CAET) applicants for licensure in the state of Louisiana.

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

The proposed rule change will not affect revenue collections of state or local governmental units.

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

The proposed rule change will help streamline the application process and decrease the time it takes applicants to be issued a license in the state of Louisiana.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change will have no effect on competition or employment.