

NOTICE OF INTENT

Department of Agriculture and Forestry Board of Veterinary Medicine

Meetings (LAC 46:LXXXV.103)

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, Section 103 to meet the requirements of Act No. 393 of the 2023 Regular Session. This amendment sets forth guidance for public participation for members of the public and board members who have disabilities recognized by the Americans with Disabilities Act (ADA). This amendment also declares that the eligibility requirements have been met for the Board to conduct open public meetings via electronic means. This Rule is adopted on the date of promulgation.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part LXXXV. Veterinarians

Chapter 1. Operations of the Board of Veterinary Medicine

§103. Meetings

~~A. The annual meeting of the Board of Veterinary Medicine shall be held during the last quarter of the fiscal year in April, May or June of each year, at a time and place to be announced by posting public notice of the time and place of said meeting 24 hours in advance of such meeting at the principal office of the Board of Veterinary Medicine in Baton Rouge, Louisiana.~~

~~B. Additional meetings of the board may be called by the president or by any three members of the board and may be announced by posting notice of the date, time and place of such meeting at least 24 hours in advance thereof, at the principal office of the board located in Baton Rouge, Louisiana.~~

A. The annual meeting of the board shall be held during the last quarter of the fiscal year in April, May or June of each year, at a time and place to be announced by posting public notice.

1. Notice for In-Person Meetings. At least 24 hours prior to an in-person meeting, the board shall post the following at the principal office of the board in Baton Rouge, Louisiana as well as on the agency’s website at www.lsbvm.org:

a. Meeting notice and agenda; and

b. Detailed information regarding how members of the public may submit written comments regarding matters on the agenda prior to the meeting.

2. Notice for Meetings via Electronic Means. At least 24 hours prior to a meeting held via electronic means, the board shall post the following at the principal office of the board in Baton Rouge, Louisiana as well as on the agency’s website at www.lsbvm.org:

a. Meeting notice and agenda; and

b. Detailed information regarding how members of the public may:

i. Participate in the meeting via electronic means, including the applicable videoconference link and/or teleconference phone number; and

ii. Submit written comments regarding matters on the agenda prior to the meeting.

B. Additional meetings of the board may be called by the president or by any three members of the board. Additional meetings shall be announced in accordance with §103.A.

C. The board meets the below criteria pursuant to Act 393 to be eligible to conduct open public meetings via electronic means:

1. Is a state agency as defined by R.S. 49:951;

2. Has powers, duties, or functions that are not limited in scope to a particular political subdivision or region;

3. Conducts at least six regularly scheduled meetings in a calendar year; and

4. Is not one of the agencies identified by R.S. 42:17.2(I) to which open meetings via electronic means shall not apply.

D. Electronic Meeting Requirements and Limitations.

1. For any meeting conducted via electronic means, the board shall ensure compliance with all requirements outlined in R.S. 42:17.2(C).

2. The board shall not conduct any more than one-third of its open meetings via electronic means, and will only conduct successive meetings via electronic meetings as needed.

3. A schedule of meetings identifying which will be conducted via electronic means and which will be conducted as in-person meetings shall be posted on the agency's website at www.lsbvm.org on an annual basis.

4. All members of the board, whether participating from the anchor location or via electronic means, shall be counted for the purpose of establishing a quorum and may vote.

5. An online archive of any open meetings conducted via electronic means shall be maintained and available for two years on the agency's website at www.lsbvm.org.

E. Disability Accommodations.

1. Although an open meeting may be scheduled as in-person, the board is obligated to provide for participation via electronic means on an individualized basis by people with disabilities.

2. People with disabilities are defined as any of the following:

a. a member of the public with a disability recognized by the Americans with Disabilities Act (ADA);

b. a designated caregiver of such a person; or

c. a participant member of the agency with an ADA-qualifying disability.

3. The written public notice for an open meeting, as required by R.S. 42:19, shall include the name, telephone number and email address of the designated agency representative to whom a disability accommodation may be submitted.

4. The requestor shall be provided with an accommodation, including the teleconference and/or video conference link, for participation via electronic means as soon as possible following receipt of the request, but no later than the start of the scheduled meeting.

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

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Veterinary Medicine, LR 8:65 (February 1982), amended by the Department of Health and Hospitals, Board of Veterinary Medicine, LR 16:223 (March 1990), LR 19:345 (March 1993), LR 20:1380 (December 1994), LR 23:966 (August 1997), amended by the Department of Agriculture and Forestry, Board of Veterinary Medicine, LR 50:

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 Friday, February 9, 2024. 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 3:00 p.m. on Friday, February 9, 2024. 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 Thursday, February 29, 2024 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 on or after Monday, February 12, 2024. 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 change. This cost is normally included in the annual operating budget of the Board of Veterinary Medicine (Board), which is estimated at \$750 in FY 2024.

The proposed rule change is to meet the requirements of Act No. 393 of the 2023 Regular Session by setting forth guidance for public participation for members of the public and board members who have disabilities recognized by the Americans with Disabilities Act (ADA).

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 make meeting participation more accessible for members of the public or the board who have ADA-recognized disabilities. The proposed rule may result in travel savings to certain members of the public with disabilities as they can now participate in the meeting virtually.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

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