

## NOTICE OF INTENT

### Department of Agriculture and Forestry Board of Veterinary Medicine

#### Peer Assistance Program for Impaired Veterinarians (LAC 46:LXXXV.Chapter 9)

In accordance with the Administrative Procedure Act, R.S. 49:950 et seq. and the 2022 Louisiana Administrative Code Review, the Louisiana Board of Veterinary Medicine (“Board”) has conducted a comprehensive review of Chapter 9 and intends to notify the public with the repromulgation of the sections below as is. The historical notes shall be updated to reflect this Chapter 9 rule review.

### Title 46 PROFESSIONAL AND OCCUPATIONAL STANDARDS Part LXXXV. Veterinarians

#### Chapter 9. Peer Assistance Program for Impaired Veterinarians

##### §901. Purpose

A. The purpose of the program is to identify and assist licensed veterinarians and paraprofessionals impaired by chemical dependency on drugs or alcohol or by mental illness and to establish a peer assistance program in conjunction with a state or national professional association and to report findings to the Louisiana Board of Veterinary Medicine.

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 16:228 (March 1990), repromulgated by the Department of Agriculture and Forestry, Board of Veterinary Medicine, LR 50:

##### §903. Terms Used in the Program

A. The following terms are used in the program of impaired veterinarians.

*Impaired Veterinarian*—a veterinarian licensed by the Louisiana Board of Veterinary Medicine whose ability to perform professional services is impaired by chemical dependency on drugs or alcohol or by mental illness.

*Paraprofessional*—a registered veterinary technician or a certified euthanasia technician.

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

16:228 (March 1990), repromulgated by the Department of Agriculture and Forestry, Board of Veterinary Medicine, LR 50:

##### §905. Reporting Instances of Impairment

A. If a person knows or suspects that an individual is impaired by chemical dependency on alcohol or drugs or by mental illness, the person may report the individual's name and any relevant information to an approved peer assistance program.

B. An approved peer assistance program shall report to the Louisiana Board of Veterinary Medicine in writing the name of a veterinarian or paraprofessional that the program knows or suspects to be impaired and any relevant information concerning that veterinarian or paraprofessional.

C. An approved peer assistance program that receives a report of referral under this Section may intervene to assist the impaired veterinarian or paraprofessional to obtain and complete successfully a course of treatment and rehabilitation.

D. If the Board of Veterinary Medicine receives an initial complaint relating to an impaired veterinarian or paraprofessional, the board:

1. may refer the veterinarian or paraprofessional to an approved peer assistance program; or

2. may require the veterinarian or paraprofessional to participate in or complete successfully a course of treatment or rehabilitation;

3. shall maintain separate records on all inquiries and referrals in connection with the peer assistance program in accordance with R.S. 37:1518.B of the Louisiana Veterinary Practice Act.

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 16:228 (March 1990), repromulgated by the Department of Agriculture and Forestry, Board of Veterinary Medicine, LR 50:

**§907. Enrollment in Program**

A. An impaired veterinarian or paraprofessional who enrolls in an approved treatment program shall enter into an agreement with the board authorizing appropriate board action if the veterinarian or paraprofessional does not remain in the program. The professional's license shall be suspended or revoked; but enforcement of the suspension or revocation may be stayed for the length of time the professional remains in the program and makes satisfactory progress to completion, complies with the terms of the agreement, and adheres to any limitations on his or her practice imposed by the board to protect the public. Failure to enter into such an agreement shall disqualify the veterinarian or paraprofessional from the peer assistance program.

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 16:228 (March 1990), repromulgated by the Department of Agriculture and Forestry, Board of Veterinary Medicine, LR 50: