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To: Mr. Jared B. Granier
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From: Jessica Weimer, Section Chief
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Occupational Licensing Review Program

Date: April 23, 2025

Subject: Louisiana State Board of Veterinary Medicine
Proposed Amendments to LAC 46:LXXXV.301, 801, 1201
Regarding: Licensing Procedures

I. Summary

The Louisiana Board of Veterinary Medicine (the “**Board**”) has proposed to amend LAC 46: LXXXV §§301, 801, and 1201 regarding Licensing Procedures (collectively the “**Proposed Amendments**”). The Board published a Notice of Intent to promulgate the Proposed Amendments in the Louisiana Register on December 20, 2024.¹ The notice invited written public comments and requests for oral presentation, argument, or a public hearing through January 9, 2025.² The Board did not receive any public comments or request for public hearing prior to the deadline.

Pursuant to La. R.S. 49:260, the Board submitted the Proposed Amendments to the Louisiana Department of Justice’s Occupational Licensing Review Program (the “**OLRP**”) on February 18, 2025. The OLRP reviews proposed occupational regulations of participating state occupational licensing boards.³ An Occupational Regulation is a “rule defined in the Administrative Procedure Act that has reasonably foreseeable anti-competitive effects. Any license, permit, or regulation established by a ... board not composed of a controlling number of active market participants is excluded.”⁴ The Louisiana Administrative Procedure Act (“**APA**”) defines a rule as an agency (Board) requirement for conduct or action prescribing the procedure or practice requirements of the agency (Board).⁵ Anti-Competitive behavior is an act, or series of acts, that have the effect of harming the market or the process of competition among businesses, or a tendency to reduce or eliminate competition, with no legitimate business purpose.⁶

¹ Louisiana Register, Vol 50, No 12 December 20, 2025 p. 1863-1865

² Id. P 1865

³ LA RS 49:260 (B)

⁴ LSA-R.S. 49:260 (G) (4)

⁵ LSA-R.S. 49:951 (8)

⁶ Black’s Law Dictionary, 12th Edition p. 116

The OLRP invited public comments on the Proposed Amendments February 19- February 26, 2025 and received no comments. As set forth below, the OLRP has determined the Board’s Proposed Amendments to LAC LXXXV §§301, 801, and 1201 regarding licensing procedures are within the Board’s statutory authority and adhere to clearly articulated state policy.

II. Analysis

A. The Board’s Statutory Authority

The Board is a state regulatory body created “to promote the public health, safety, and welfare by safeguarding the people of this state against incompetent, dishonest, or unprincipled practitioners of veterinary medicine.”⁷

The Board has been granted the statutory authority to adopt, amend, or repeal all rules and regulations necessary to serve its purpose, including establishing standards of professional conduct for the practice of veterinary medicine, in accordance with the provisions of the APA.⁸ Additionally, the Board shall examine and determine the qualifications and fitness of applicants for licensure to practice veterinary medicine.⁹ Any person seeking licensure to practice veterinary medicine must submit a written application to the Board of Veterinary Medicine indicating they are at least 21 years old, possess a degree from an accredited veterinary school, and be of good moral character.¹⁰ The application must include the required information and any additional documentation as prescribed by board rules along with the applicable fees set and published by the Board.¹¹ The statutory authority given to the Board through the Louisiana Veterinary Practice Law (LA R.S. 37:1511 et al.) for the purpose of enabling the Board to effectively supervise the practice of veterinary medicine are to be construed liberally to accomplish this objective.¹² The Board may revoke or suspend a license for fraud, misrepresentation, or deception in obtaining a license.¹³

B. Proposed LAC 46:LXXXV §301 – Licensure Procedure; Application for Licensure

Currently §301 (A) requires application be in writing along with the following requirements (§301(B)):

- Sworn affidavit that the applicant has not practiced veterinary medicine in Louisiana without a license, temporary permit, or valid exception from licensure for a 2 year period immediate prior to the date of application;
- Current passport type photograph of applicant;
- Copy of applicant’s diploma from an American Veterinary Medical Association (“AMVA”) accredited or approved school;
- Certified scores on any previous national or state examinations previously taken by the applicant;

⁷ LSA-R.S. 37:1511

⁸ LSA-R.S. 37:1518 (A)(9)

⁹ LSA-R.S. 37:1518 (A)(1)

¹⁰ LSA-R.S. 37:1520 (A)

¹¹ Id.

¹² LSA-R.S. 37:1518 (C)

¹³ LSA-R.S. 37:1527(A)(1)

- Certificate by applicant that the applicant does not have a criminal record, other than minor traffic violations (including arrests, indictments, convictions, guilty or nolo contendere pleas); and
- Certificate from applicant that he has never had his license to practice veterinary medicine revoked, suspended, or denied in any state, territory, or district of the United States.

The proposed amendment to §301(A) removes the requirement the application be written, and the two year period an applicant must certify they have not practiced Veterinary medicine without a license, temporary permit or valid exception. The proposed amendments to the requirements for application in §301(B) change language regarding “Foreign Veterinary Schools” to “From a DVM program not accredited by the AVMA” and modifies language regarding documentation of a “certificate by the applicant” to “certification from the applicant stating that he...”

Further, the proposed amendment to §301(B) includes the following changes to the required documentation:

- Allows for an official transcript from a veterinary school accredited or approved by the AMVA as an alternative to the applicant’s diploma;
- Requires certified score on any national examinations taken by the applicant previously and removes the requirement for the certified score from any state (whether Louisiana, or other) examinations; and
- Adds that the applicant provide a list of all licenses in a state, territory, or district of the United States or Canada that the applicant currently holds or has previously held with the application to the Board.

The Board proposes amending §301(D) by replacing “and/or” with “or” when referring to required answers and information in an application. The change clarifies that the Board may reject an application if it lacks either full and complete answers or the requested information. While the wording is more precise, the Board’s authority to reject applicants or take action against the license based on false or misleading information remains the same.

Currently, under §301(E) the Board shall reject the application of an applicant who has practiced veterinary medicine without a license, temporary permit, or valid exception from licensure under LA R.S. 37:1514 during the two year period immediately prior to the date of application. The Board proposes reducing the period to a one-year period immediately prior to the initial application submission date. Further, the Board proposes reducing the expiration period of the license under §301(F) to one year from two years of the initial submission date. The Board indicates it has determined this change is reasonable due to several developments that have accelerated the application process. These include the transition to an online application system; the implementation of online testing for the required state jurisprudence exam; the repeal of the letters of recommendation requirement for licensure and eight-week preceptorship program requirement for DVM licensure; the addition of three annual CAET training sessions; and the introduction of a third testing window for the national exam (NAVLE) for DVMs.¹⁴

¹⁴ Louisiana Register, Vol 50, No 12 December 20, 2025 p. 1863

Licensing requirements are potential barriers to market entry and reduce competition, therefore the proposed amendment to §301 is properly considered an occupational regulation with reasonably foreseeable anti-competitive effects. However, qualifications for licensing requirements support the Board's duty to promote the public health, safety, and welfare by safeguarding the people of the state against incompetent, dishonest, or unprincipled practitioners of veterinary medicine.¹⁵

According to the Board, the lifespan of applications is reduced from two years to one year in order to ensure all application details submitted are as accurate and up to date as possible. Further, the requirement that all application material be submitted within one year, rather than two, ensures the Board may review and issue licenses and certificates more judiciously in order to protect the public and animals receiving veterinary care from unqualified individuals. As such, this proposed amendment furthers a legitimate public policy interest, does not present an unreasonable burden on the applicant, is within the Board's statutory authority, and adheres to clearly articulated state policy. The Board may proceed with promulgation of this amendment in accordance with the Louisiana APA.

C. Proposed LAC 46:LXXXV §801 – Registered Veterinary Technicians; Applications for Certificate of Approval

The Board proposes similar changes to §801 regarding applications for certificate of approval to a registered veterinary technician. Currently §801(A) requires an application in writing signed by the applicant, which shall include a sworn affidavit the applicant has not practiced veterinary medicine in Louisiana without a license, temporary permit or valid exception. The Board proposes amending this to remove the requirement of a written, signed application and modify the sworn affidavit to a certification that the applicant has not practiced veterinary medicine *or veterinary technology* in this state without a certificate of approval.

Currently §801(B) provides a list of information an applicant must provide to the Board in addition to the requirements set forth in §801(A). The applicant is required to furnish:

- A current passport-type photograph of the applicant;
- An official transcript of the applicant's high school records;
- An official transcript of the applicant's veterinary technology school records;
- A copy of the applicant's diploma from the veterinary technology school of graduation;
- A certified score on any national or state examinations (whether in Louisiana or other states) previously taken by the applicant;
- A list of all certificates or licenses the applicant currently holds and/or has previously held;
- A certificate by the applicant that he does not have a criminal record, other than minor traffic violations (including arrests, indictments, convictions, guilty or nolo contendere pleas);
- A certificate that the applicant has never had his/her certificate as a registered veterinary technician in veterinary medicine revoked, suspended or denied; and
- A certificate that the applicant has received and read the Louisiana Veterinary Practice Law and the rules and regulations promulgated by the Board.

¹⁵ LSA-R.S. 37:1511

The Board proposes adding a certification from the applicant stating he has not violated, or been subject to, any of the grounds for denial of a certificate of approval as listed in LA R.S. 37:1544. The Board further proposes removing a copy of an official transcript of high school records and a certificate that the applicant has received and read the Louisiana Veterinary Practice Law and the rules and regulations promulgated by the Board from the list of required documents. Further, the proposed amendment to §801(B) includes the following changes to the required documentation:

- A copy of an official transcript or diploma from the veterinary technology school of graduation as opposed to the current requirement of both documents;
- Requires the certified score on any national examinations taken by the applicant previously and removes the requirement for the certified score from any state (whether Louisiana, or other) examinations; and
- Adds clarification that the applicant provide a list of all licenses in a state, territory, or district of the United States or Canada that the applicant currently holds or has previously held with the application to the Board.

§801(D) currently permits the Board to reject applications that are incomplete or contain false, misleading, fabricated, or incorrect information. The Board proposes amending §801(D) to add that the Board may also take action against the certificate of approval of any registered veterinary technician under the same circumstances. This change explicitly extends the Board's disciplinary authority and the consequences for providing inaccurate or deceptive information beyond rejection of the application to include disciplinary action for existing registered veterinary technicians.

The Board proposes the same amendments to §801 (E) and (F) as seen in §301(E) and (F). Currently, under §801(E) the Board shall reject the application of an applicant who has practiced veterinary medicine without a license, temporary permit, or valid exception from licensure under LA R.S. 37:1514 during the two year period immediately prior to the date of application. The Board proposes reducing the period to a one-year period immediately prior to the initial application submission date. Further, the Board proposes reducing the expiration period of the license under §801(F) to one year from two years of the initial submission date. The Board indicates it has determined this change is reasonable due to several developments that have accelerated the application process. These include the transition to an online application system; the implementation of online testing for the required state jurisprudence exam; the repeal of the letters of recommendation requirement for licensure and eight-week preceptorship program requirement for DVM licensure; the addition of three annual CAET training sessions; and the introduction of a third testing window for the national exam (NAVLE) for DVMs.¹⁶

Licensing requirements are potential barriers to market entry and reduce competition, therefore the proposed amendment to §801 is properly considered an occupational regulation with reasonably foreseeable anti-competitive effects. However, qualifications for licensing requirements support the Board's duty to promote the public health, safety, and welfare by safeguarding the people of the state against incompetent, dishonest, or unprincipled practitioners of veterinary medicine.¹⁷

¹⁶ Louisiana Register, Vol 50, No 12 December 20, 2025 p. 1863

¹⁷ LSA-R.S. 37:1511

According to the Board, the lifespan of applications is reduced from two years to one year in order to ensure all application details submitted are as accurate and up to date as possible. Further, the requirement that all application material be submitted within one year, rather than two, ensures the Board may review and issue licenses and certificates more judiciously in order to protect the public and animals receiving veterinary care from unqualified individuals.

The Board has the disciplinary authority to issue, suspend, renew, deny, or revoke licenses and temporary permits to practice veterinary medicine in this state or discipline licensed veterinarians.¹⁸ The Board may also deny, suspend, or revoke the certificate of approval held by any registered veterinary technician upon a finding of fraud or misrepresentation in applying for or procuring a certificate of approval to perform as a registered veterinary technician in this state.¹⁹

As such, this proposed amendment is within the Board's statutory authority and adheres to clearly articulated state policy. The Board may proceed with promulgation of this amendment in accordance with the Louisiana APA.

D. Proposed LAC 46:LXXXV §1201 – Certified Animal Euthanasia Technicians; Applications for Certificate of Approval

Similar to §§301 and 801, the Board proposes amending the required documentation for a certified animal euthanasia technician to receive the certificate of approval. In order to provide proof of attaining the age of 18 years required to commence the application process, the Board proposes allowing a copy of an official birth certificate or a copy of the current driver's license. Under the current rule, the applicant is required to provide an official copy of a birth certificate or a notarized copy of a current driver's license. The Board also adds a copy of a diploma indicating attendance at a higher learning institution among the required education documents to be provided by the applicant. The Board proposes removing the certified scores on any previous examinations in animal euthanasia and/or proof of successful completion of a board approved course in animal euthanasia within a three-year period from the list of required documentation. The Board also adds that it may require such application to be sworn to by the applicant, notarized, or attested to by the applicant under penalty of perjury.

The Board also proposes reducing the period to a one-year period immediately prior to the initial application submission date. Further, the Board proposes reducing the expiration period of the issuance of the certificate to one year from two years of the initial submission date. Lastly, similarly to §801, the Board may currently reject any applications that are incomplete or contain false, misleading, fabricated, or incorrect information. The Board proposes amending §1201 to add that the Board may also take action against the certificate of approval of any certified animal euthanasia technician under the same circumstances.

As detailed previously, the Board is a regulatory and disciplinary body with the authority to adopt, amend, repeal and establish all rules necessary for its government and all regulations necessary to

¹⁸ LSA-R.S. 37:1518(A) (1).

¹⁹ LSA-R.S.37:1544(A)(6)

carry out its purpose and policy of the state of Louisiana.²⁰ Further, the Board is tasked with examining and determining the qualifications and fitness of applicants and issue, renew, deny, suspend, or revoke licenses and temporary permits to practice veterinary medicine.²¹ The Board may also discipline a licensee for fraud, misrepresentation, or deception in obtaining a license to practice.²² While licensing requirements may be a barrier to market entry, these proposed regulations are within the Board's statutory authority, adhere to clearly articulated state policy, and are not overly burdensome. Therefore, the Board may proceed with promulgation of this proposed amendment in accordance with the APA.

III. Determination

The Board is a state regulatory and disciplinary body created to promote the public health, safety, and welfare by safeguarding the state against incompetent, dishonest, or unprincipled practitioners of veterinary medicine.²³ The Board holds the statutory authority to adopt, amend, or repeal all rules necessary to ensure the policy of the state is met and upheld.²⁴ The Proposed Amendments are within the Board's statutory authority and adhere to clearly articulated state policy. As such, the Board may proceed with promulgation of the Proposed Amendments in accordance with the APA.

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OCCUPATIONAL LICENSING REVIEW PROGRAM



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²⁰ LSA-R.S. 37:1558 (A)

²¹ LSA-R.S. 37:1518(A)(1)(2)

²² LSA-R.S. 37:1526(A)(1)

²³ LSA-R.S.37:1511

²⁴ LSA-R.S. 37:1518 (9)