

## RULE

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

#### Rules of Professional Conduct (LAC 46:LXXXV.106, 108, 401, 805, 807, 809, and 815)

Editor's Note: The following sections are being repromulgated in order to notify the public of the review of LAC 46:LXXXV.Chapters 1, 4, and 8 in accordance with 2022 *Louisiana Administrative Code Review*.

In accordance with the Administrative Procedure Act, R.S. 49:950 et seq. and the 2022 *Louisiana Administrative Code Review*, the Board ("Board") of Veterinary Medicine has conducted a comprehensive review of Rules 106, 108, 401, 805, 807, 809, and 815 and intends to notify the public with this repromulgation of the sections below as is. The historical notes shall be updated to reflect the review of these rules. This Rule is hereby adopted on the day of promulgation.

#### Title 46

### PROFESSIONAL AND OCCUPATIONAL STANDARDS

#### Part LXXXV. Veterinarians

#### Chapter 1. Operations of the Board of Veterinary Medicine

##### §106. Disciplinary Proceedings

A. Any person against whom disciplinary proceedings have been instituted and against whom disciplinary action has been taken by the board pursuant to R.S. 37:1526 and/or 37:1531 and/or the board's rules, shall have rights of review and/or rehearing and/or appeal in accordance with the terms and provisions of the Administrative Procedure Act and §1401 et seq., of the board's rules.

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 19:345 (March 1993), amended LR 23:967 (August 1997), LR 24:940 (May 1998), LR 25:2226 (November 1999), repromulgated by the Department of Agriculture and Forestry, Board of Veterinary Medicine, LR 51:000 (July 2025).

##### §108. Terms of Board Members

A. Terms of the members of the board shall be of five years duration beginning on August 1 of the year appointed by the governor and ending on July 30 of the fifth year. When a member is not appointed or seated by August 1, the term itself will begin on August 1 although the member may not be seated until the date of the governor's commission order. The outgoing member must remain seated on the board until such time as the governor's commission order is signed.

B. One board member will be appointed each year. The board office will notify the LVMA in writing in December of each year of the need to advertise for nominations to be made at the next regular full membership meeting of the LVMA in accordance with R.S. 37:1515.

C. In the event that a member of the board cannot fulfill the appointed term, the LVMA will be notified by the board office that an emergency appointment is needed. Nominations will be made by the LVMA as per R.S. 37:1515. Upon the selection and signing of the appointment commission by the governor, the member so appointed will serve until the July 30 date of the unexpired term. A person so appointed may be nominated for a full five-

year appointment to follow the expiration of the emergency appointment.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1518 and 37:1515.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Veterinary Medicine, LR 19:345 (March 1993), repromulgated by the Department of Agriculture and Forestry, Board of Veterinary Medicine, LR 51:000 (July 2025).

#### Chapter 4. Continuing Education

##### §401. Purpose

A. The Louisiana Board of Veterinary Medicine, recognizing that a veterinarian's competency is a safeguard for public health and the safety and welfare of the citizens of the state of Louisiana, hereby adopts the following continuing veterinary education requirements as a prerequisite for the annual veterinary re-registration of a license to practice in Louisiana. All such educational programs shall be designed to keep the members of the profession abreast with current learning and scholarship.

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 16:224 (March 1990), amended LR 19:1427 (November 1993), repromulgated by the Department of Agriculture and Forestry, Board of Veterinary Medicine, LR 51:000 (July 2025).

#### Chapter 8. Registered Veterinary Technicians

##### §805. Certificates without Examination

A. The board shall not issue certificates of approval without examination under any circumstances.

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 16:227 (March 1990), repromulgated by the Department of Agriculture and Forestry, Board of Veterinary Medicine, LR 51:000 (July 2025).

##### §807. Temporary Permits

A. The board shall not issue temporary permits for certificates of approval under any circumstances.

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 16:227 (March 1990), repromulgated by the Department of Agriculture and Forestry, Board of Veterinary Medicine, LR 51:000 (July 2025).

##### §809. Fees

A. The board hereby adopts and establishes the following fees.

Examination Fee, Pre-Examination, State or National (This fee does not include vendor's cost.)	\$40
Original Certificate Fee	\$30
Annual Renewal of Certificate Fee	\$30
Application Fee	\$25

B. The examination fee shall be exclusive of vendor costs which must also be paid by the examinee.

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 16:227 (March 1990), amended LR 26:84 (January 2000), repromulgated by the Department of Agriculture and Forestry, Board of Veterinary Medicine, LR 51:000 (July 2025).

##### §815. Appeals and Review

A. Any applicant for a certificate of approval desiring to review his or her national examination and/or the master

answer sheet and/or the examination questions shall make arrangements with the Veterinary Technicians Testing Committee and/ or any person, firm, corporation or entity charged with the preparation, grading and/or administration of the Veterinary Technicians National Examination by the Veterinary Technicians Testing Committee for such review. The Louisiana Board of Veterinary Medicine shall not conduct reviews of the questions contained on the national examination, the answers to the questions contained on the national examination, or any applicant's score on the national examination.

B. Persons Aggrieved by a Decision of the Board

1. Any person aggrieved by a decision of the board, other than a holder of certificate of approval against whom disciplinary proceedings have been brought pursuant to R.S. 37:1544-1548, may, within 30 days of notification of the board's action or decision, petition the board for a review of the board's actions.

2. A petition shall be in the form of a letter, signed by the person aggrieved, and mailed to the board at its principal office located in Baton Rouge, Louisiana.

3. Upon receipt of such petition, the board then may proceed to take such action as it deems expedient or hold such hearings as may be necessary, and may review such testimony and/or documents and/or records as it deems necessary to dispose of the matter, but the board shall not, in any event, be required to conduct any hearings or investigations, or consider any offerings, testimony, or evidence unless so required by statute or other rules or regulations of the board.

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 16:227 (March 1990), amended LR 25:2226 (November 1999), repromulgated by the Department of Agriculture and Forestry, Board of Veterinary Medicine, LR 51:000 (July 2025).

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