



Board Transitioned into New Enterprise-Level Regulatory Platform

In July '2021, to better manage its licensees the LBVM moved into a secure, enterprise-level regulatory platform, and licensees were introduced to the LBVM License Portal at www.lsbvm.org/licenseportal with the '21-'22 renewal cycle. While there were certainly some expected challenges that both licensees and our staff experienced with this transition from our antiquated system into the new platform, overall the LBVM board members and office staff are very pleased with how well-received the new license portal has been. This transition has been greatly requested by board members and licensees alike, and in today's technological age, the Board must take advantage of the most effective means of managing its licensing and regulatory responsibilities.

Through the new license portal, licensees can not only complete the annual renewal process but can also complete a number of tasks throughout the year, including keeping information up-to-date such as contact information, employment details, areas of specialty, etc. And while the LBVM no longer mails hard copies of licenses, licensees can download and print copies of their licenses directly from the portal! Additionally, licensees can submit name change requests to the Board along with license verification requests for other state entities. All licensees are advised to keep contact and employment details as up-to-date as possible in the LBVM License Portal.

Continuing Education Requirements & Real-Time Activity Submission

In response to the COVID-19 pandemic, on July 9, 2021 the Louisiana Board of Veterinary Medicine (LBVM) exercised the emergency provisions of the Administrative Procedure Act, specifically La. R.S.49:953(B), to adopt an emergency rule which will add language to §405, §811, and §1227. The added language in these sections allowed the board to temporarily expand the manner in which continuing education units may be obtained related to the renewal and reinstatement of licenses to practice veterinary medicine, the certifications of registered veterinary technicians and certified animal euthanasia technicians during the current fiscal year. As such, all CE hours can be completed online between July 1, 2021 to June 30, 2022 for the upcoming Renewal Cycle (which opens July 1, 2022).

The Emergency Rule can be viewed in its entirety at www.lsbvm.org/rulemaking. The conditions of this emergency rule expire on June 30, 2022.

**Start submitting
CE hours today into
License Portal for
'22-'23 renewal cycle!**

Licensees can now enter into the portal and track – in real time - all continuing education hours being completed throughout the year! Licensees are strongly encouraged to start entering into the license portal all continuing education hours completed in the '21-'22 CE Period (from July 1, 2021 to June 30, 2022). No need to wait until the next renewal cycle opens on July 1, 2022! The earlier you get your CE entered, the quicker and easier your next renewal cycle will be.

LBVM Partners with HPFLA, Revives Peer Assistance Program for Licensees

Jared B. Granier, MBA – Executive Director of the Board

The LBVM is committed to its charge to promote the public health, safety, and welfare by safeguarding the people of this state against incompetent, dishonest, or unprincipled practitioners of veterinary medicine, including DVMs*, RVTs*, and CAETs*. In short, the Board's ultimate responsibility is the protection of the public through its regulatory powers. And while action against an impaired licensee can be taken by the Board through disciplinary procedures, the Board feels that a healthy licensee is an important first step towards ensuring its mission in protecting the public is successfully achieved.

The Board can, and is quite willing to, lawfully support the recovery and practice of those professionals/paraprofessionals who are cooperative and willing to receive assistance, and still properly discharge its duty of protecting the public. As such, of great importance to the Board in this past year was reviving its Peer Assistance Program. The Board is excited to

announce its new partnership with the **Healthcare Professionals' Foundation of Louisiana (HPFLA)**. HPFLA has been contracted by the Board to provide the necessary assistance to Louisiana's licensed veterinarians, registered veterinary technicians and certified animal euthanasia technicians who are impaired by chemical dependency on drugs or alcohol or by mental illness.

HPFLA is non-profit organization that provides confidential services to various licensing boards and licensees in the healthcare industry. They offer a voluntary advocacy and monitoring program that allows licensees with impairments or in need of medical treatment to possibly avoid formal disciplinary actions by their licensing boards and obtain remediation in order to practice with skill and safety. The primary role of the HPFL Professionals' Health Program (PHP) is to offer assistance to



health care professionals and paraprofessionals who may be suffering from difficulties such as substance use issues, depression, anxiety, etc., in addition to a host of physical ailments and disruptive behavioral patterns.

There are a few different avenues for one to gain access to HPFLA's services, the first of which is through self-reporting. If a licensee feels they are impaired and need assistance, help is available. Simply call the HPFLA. A referral can also be made by an outside party if someone knows or suspects that a licensee is impaired. LBVM Board Members are not notified of self-referrals or third-party referrals. Lastly, if a formal complaint is submitted to the Board in which a licensee is alleged to be impaired, rather than immediately disciplinary proceedings going forward, the Board has the option of first referring the alleged impaired licensee to HPFLA for an evaluation and assistance. For more information on the Healthcare Professional's Foundation of Louisiana and its services, visit www.hpfla.org or call at 888-743-5747.

Informal Practice Queries & Declaratory Statements Related to LA Veterinary Practice Act

Steve H. Vogt, Legal Counsel to the Board

An important function of the Louisiana Board of Veterinary Medicine is to answer questions from its licensees and other interested parties concerning the interpretation and practical application of the provisions of the Louisiana Veterinary Practice Act (La. R.S. 37:1511 et seq.), the Board Rules (Louisiana Administrative Code, 46:LXXXV) and the Board-adopted Principles of Veterinary Medical Ethics as promulgated by the AVMA. These provisions, which can be found on the Board's website at www.lsbvm.org/practice-act, together with prior Board rulings and consent orders, are the authorities the Board has to fulfill its statutory mandate to regulate the practice to protect the public.

The Board receives many questions from its licensees and the public in general regularly, in different forms and involving diverse issues of varying complexity. Some involve time-sensitive issues important to a particular licensee. Others affect the practice broadly. Many involve multiple state regulatory agencies and their rules. Since the Board has limited resources - it receives no funding from the state - yet realizes the importance in fulfilling this important function, it has adopted a policy intended to provide efficient clarity to its licensees.

Declaratory Statements: These are formal opinions rendered by the Board upon initiation by a licensee through a petition filed with the Board. These opinions have the force of law until repealed or modified by a subsequent Board Rule or declaratory statement. Since these opinions affect the whole practice of veterinary medicine, the licensee seeking the declaratory statement must provide information as to how an interpretation of a cited statute, rule or ethical principle has an adverse effect on his practice. A hearing may be held at the discretion of the Board so it has the benefit of all information which may be necessary to decide the issue. Declaratory statements are published in the Board minutes and again in its newsletter. Subsequent revisions and modifications are published in the same manner. This protocol is reserved to licensees.

Practice Act Queries: These are more informal queries than declaratory statements from licensees or - at the Board's discretion - from other parties, including the general public, which involve the Practice Act, Board Rules or principles of ethics. The responses to all practice act queries are either fashioned by or ratified by the Board. Queries must be in writing, state the name, address and type of license (if applicable) of the person asking the question, provide a description of the circumstances which require the opinion and give the Board sufficient facts to allow a suitable response. These are placed on the Board's general agenda and, if the query meets these requirements, the person posing the question is given the response as soon as practical. The individual requesting the opinion may rely on it with impunity until it is subsequently withdrawn or modified by the Board by subsequent Rule or contrary opinion. These opinions are published in the Board's minutes, as are subsequent withdrawals or modifications.

Consent Agenda Items: Where the subject matter of an informal practice act query has been addressed by the Board in the past, or involve issues clearly addressed by the Practice Act, Board Rules or principles of ethics, the executive director, with assistance from general counsel, may provide the opinion prior to ratification by the Board, and the person posing the query may rely on that opinion until withdrawn or modified by the Board at its next meeting. If withdrawn or modified by the Board, notification will be given to the person posing the query. These queries are placed on the Board's agenda as consent items.

Upcoming Rule Making Proposals

Licensees are encouraged to monitor www.lsbvm.org/rulemaking for details & progress regarding any rulemaking items.

Waiver Language for NAVLE* Retake Requirement – DVMs

Currently, if NAVLE scores are older than five years at the time of application, a DVM applicant is required to retake the NAVLE if specific conditions of the waiver rule are not satisfied. In its February 3, 2022 meeting, a proposal was considered to amend the language within Rule §303 specific to the requirement of the NAVLE retake, giving the Board greater discretion on the satisfactory conditions to qualify for the waiver.

Waiver Language for VTNE* Retake Requirement - RVTs

Currently, if VTNE scores are older than three years at the time of application, an RVT applicant is required to retake the VTNE. No Rule is in place which allows for the waiver of this VTNE retake requirement. In its February 3, 2022 meeting, the Board took action on a proposal to amend the language within Rule §803 specific to the requirement of the VTNE to closely mirror the NAVLE retake waiver language for DVMs, allowing an RVT applicant to petition the Board for a waiver of retaking the VTNE if a score is older than three years if certain conditions are satisfied.

State Exam Requirement for New RVT Applicants

In its February 3, 2022 meeting, the Board took action on a proposal to amend the language within Rule §803 and Rule §809 specific to the requirement of a written state board exam for RVT applicants and the associated fee for taking the state board exam. Currently, RVTs do not take a state jurisprudence exam; however, the rules state that an exam is, in fact, a requirement for licensure. The state board exam will be required for any new RVT applicant starting an application after July 1, 2022.

Coming Soon:

Online Option Available for LBVM State Board Exam (SBE)

The LBVM is partnering with AAVSB to offer an option for new licensing applicants to take an online state jurisprudence exam. The SBE will still be given in-person on the first Tuesday of every month; however, applicants will have the option to take an online, open book exam through the AAVSB testing services. The offering of the new online SBE is anticipated to start by July 1, 2022, if not sooner. More details will be made available at www.lsbvm.org/sbe once available.

In the event a practice query involves a time-sensitive matter, yet the response has not been addressed by the Board previously, nor clearly answered by provisions of the Practice Act, Board Rules or principles of ethics, the executive director, with the assistance of general counsel and the discretionary approval of the Board's chairperson may render an opinion in advance of the next Board meeting. The person posing the query may rely on that opinion until notified of its withdrawal or modification by the Board.

Under certain circumstances the Board may entertain, at its discretion, requests for reconsiderations of declaratory statements and advisory opinions provided the request is made within 30 days of Board action.

Disciplinary Cases / Final Judgements in 2021

What is a Consent Order? An order involving a type of disciplinary action may be made to the board by the investigating board member with the consent of the person. To be accepted, a consent order requires formal consent of a majority of the quorum of the board. Such quorum does not include the investigating board member. It is not the result of the board's deliberation; it is the board's acceptance of an agreement reached between the board and the person. A proposed consent order may be rejected by the board in which event a formal hearing will occur. The consent order, if accepted by the board, is issued by the board to carry out the parties' agreement. *(Rule §1411 of the LA Veterinary Practice Act)*

Case 17-0916 I – Proposed Amendment to Current Consent Order - The licensee, having filed a petition for modification of a Consent Order, appeared at the hearing, with legal counsel. Counsel submitted evidence and argument supporting the petition and allowing credit for out of state employment to run against the term of the Consent Order. Mr. Vogt presented the terms of the Consent Order and history of compliance. After deliberation, the Board granted the licensee's petition, leaving intact all other provisions.

Case 21-1104 V – Consent Order was entered wherein the veterinarian failed to comply with state and federal laws regarding the maintenance, dispensing, storage and record keeping pertaining to controlled substances and prescription drugs having been sentenced to one misdemeanor violation. Respondent was assessed a \$1,000 disciplinary fine, ordered to pay a reimbursement of \$500 for investigative costs for said violations.



Case #21-0831 V - Consent Order was entered wherein the veterinarian failed to meet the acceptable standards of veterinary medicine, more particularly: 1) Malpractice in the care of the patient 2) Misleading statements concerning the scope of care that would be afforded the patient after hours and on weekends. Respondent was assessed a \$1,000 disciplinary fine, was ordered to pay a reimbursement of \$2,500 for investigative costs and received a formal reprimand for said violations.

Case #21-0221 V - Consent Order was entered wherein the veterinarian failed to honor a client's request for medical records made by the client's authorized representative, another veterinarian, pursuant to written authorization and authority to release. Respondent was assessed a \$250 disciplinary fine, was ordered to pay a reimbursement of \$750 for investigative costs and received a formal reprimand for said violations.

Case #20-1210 D - Consent Order was entered wherein the veterinarian plead guilty in state court to state law violations concerning the improper record keeping and improper prescribing and dispensing of controlled substances. Respondent was assessed a \$2,000 disciplinary fine, was ordered to pay a reimbursement of \$200 for investigative costs and was required to complete an additional five continuing education hours on topics specific to record-keeping and prescribing and dispensing controlled substances for said violations.


Case # 21-1006 I – A hearing was held on a complaint filed by the Board against a licensee allowed to practice veterinary medicine under a prior consent order restricting the practice of veterinary medicine under circumstances where the licensee admitted impairment and agreeing to drug/alcohol testing, counseling and veterinary supervision, and the abstention from the constructive or actual possession of a controlled substance without a lawful prescription. The licensee failed to abide by the terms of the prior Consent Order. The license of the Respondent was suspended by the Board for 6 months. The licensee was referred to the HPFL for an evaluation and submission to treatment recommendations and allowed to petition the Board for a limited reinstatement in six months provided there be total compliance with the recommendations by the HPFL and a certification of the ability to practice competently and safely.

Case #21-0512 V - Consent Order was entered wherein the veterinarian failed to confirm the sex of a feline thought to be presented for a spay by its owner. Following the unnecessary incision for a spay, the feline's sex was determined to be that of a male and a neuter effected. There was a dispute concerning the owner's representation to the licensee's staff as to the sex of the patient. Nevertheless, the investigating/charging Board member determined the failure to independently ascertain the sex of the patient before undergoing a surgical procedure was conduct below the standard of care. Respondent was assessed a \$250 disciplinary fine and was ordered to pay a reimbursement of \$300 for investigative costs for said violations.

Case #19-0405 I - Petition to Modify Current Consent Order - Petitioner practicing veterinary medicine under a consent order requested a modification to allow application for DEA and Board of Pharmacy Registrations, and to amend supervisory aspects of the original consent order. Respondent appeared and gave testimony. Following presentation of the case by Board legal counsel, the Board voted to grant the modification to the licensee's current consent order.

Case #21-0311 V - Consent Order was entered wherein the veterinarian failed to meet the acceptable standards of veterinary medicine in filing the incisors of a marsupial, in failing to obtain written consent for the use of a general anesthesia in conducting the dental filings, and in failing to make and maintain accurate and complete medical records. Respondent was assessed a \$5,000 disciplinary fine, was ordered to pay a reimbursement of \$750 for investigative costs and was required to complete an additional five continuing education hours on specific topics for said violations.

Through its impairment program, the Board enters into a consent agreement with a licensee/certificate holder regarding impairment issues whereby the participant will maintain licensure/certification status and is allowed to practice under certain conditions. There have been recent successful completions of the program and the Board thanks these particular persons for their cooperation and wishes them much success in their continued recovery. The identities of these professionals/paraprofessionals and specifics with regards to these matters, as well as any other prior or pending cases with the same subject matter, are confidential and will remain so as required by law.




2022-2023 Board Meeting Dates

The LBVM will meet at 8:30am on the following dates:

2022 - February 3, April 7, June 2, August 4, October 6, December 1;
2023* - February 2, April 6, June 1, August 3, October 5, and December 7

Location: LA Dept of Ag & Forestry Building, 5825 Florida Blvd, BR, LA 70806
**2023 dates not yet ratified by Board.*



Board Personnel Changes...

- ❑ The Board would like to congratulate Dr. Joseph Bondurant, Jr. from Ponchatoula, Louisiana on being elected President of the Board for the '21-'22 fiscal year.
- ❑ The Board also welcomed its newest member, Dr. Larry Findley, Sr., to the Board. Dr. Findley is a 1979 graduate of the LSU School of Veterinary Medicine and resides in southwest Louisiana, practicing at most Louisiana racecourses and at Delta Downs. He specializes in colic, arthroscopic and elective surgeries. Dr. Findley brings over 40 years of veterinary experience to the Board, with his appointment running through July 31, 2026.
- ❑ The Board would like to thank its departed member, Dr. James "Sonny" Corley, DVM, whose second term with the Board expired on August 1, 2021. We greatly appreciate his service, and the Board will greatly miss his knowledge of and dedication to the veterinary medicine profession.

The Board office staff is always pleased to assist anyone with questions concerning the Board and its role in regulating veterinary medicine in the State, and we extend continued best wishes for our administrative staff, Board members, and all of our licensees.

'21-'22 Renewal Cycle Update

The '21-'22 renewal cycle opened on July 1, 2021 with the introduction of the new **LBVM License Portal** for all DVMs, RVTs, and CAETs licensed in Louisiana. Due to Hurricane Ida, the Board passed an emergency rule in September which extended the renewal cycle deadline from September 30 to October 30, 2021. The Board office also started sending out many more reminders via email this year to licensees regarding the renewal process.

In the LBVM License Portal, the most important feature is the ability for licensees to log continuing education hours in real-time throughout the year.

Overall, the renewals figures are statistically on average from previous years. There is always a high turnover of CAETs and DVM Faculty licensees (turnover is predominantly SVM locums), so those percentages are not surprising.

'21-'22 Renewals	Not Renewed	Renewed *	% Renewed
CAET			80.9%
CAET - Active - Full	34	122	
CAET - Active - Lead		22	
DVM			96.5%
DVM - Active	61	1679	
DVM - Inactive, Disabled		2	
DVM - Inactive, Retired		15	
DVM - Military, Active Duty		1	
DVM - Faculty			45.4%
DVM - Faculty - Active	33	119	
RVT			94.2%
RVT - Active	19	311	
RED			100%
RED - Active		3	
Grand Total in '21-'22	147	2274 *	89.8%

* Reflects all licensees (including Inactive/Military statuses) as of 12/22/21.

(Previous year renewal totals: 2016 – 2025, 2017 – 2095; 2018 –2156; 2019 – 2274; and 2020 – 2336.)



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Member

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Member

Submit completed CE hours today into the License Portal for '22-'23 renewal cycle!

Current employment details must be kept up-to-date in the License Portal!

* DVM = Doctor of Veterinary Medicine; * RVT = Registered Veterinary Technicians;
* CAETs = Companion Animal Euthanasia Technicians; * NAVLE = North American Veterinary Licensing Examination; * VTNE = Veterinary Technician National Exam