



LOUISIANA BOARD OF VETERINARY MEDICINE

5825 Florida Blvd, Baton Rouge, LA 70806
225-925-6620 (Office) | 225-925-6622 (Fax) | admin@lsbvm.org | www.lsbvm.org



February 13, 2023

Senator P. Page Cortez
President, Louisiana Senate
Via Email: APA.SenatePresident@legis.la.gov

Electronic Mail – Delivery Receipt Requested

RE: Summary Report for Regulatory Project 2022-2 ~ LAC 46LXXXV.1101-1123.1031.307.700.702.714
~ Repeal of Preceptorship Program as DVM Licensure Requirement

Dear Senator Cortez:

Pursuant to R.S. 49:968(D)(1)(b), the Board of Veterinary Medicine hereby announces its plan to proceed with rule-making by finalizing the Notice of Intent that was promulgated on page 2997 of the December 20, 2022 edition of the *Louisiana Register*.

As was indicated in our first report to your office on December 8, 2022, the Board is repealing Chapter 11 of the rules as the preceptor program is being discontinued as a requirement for DVM licensure. Rules 307, 700, 702, 714, and 1031 are being amended to reflect the repeal of the preceptorship requirement for DVM licensure.

The Board has received no comments and therefore has not conducted a hearing pursuant to R.S. 49:953(A)(2). The Board has made no changes to the proposed rule. The full text of the proposed rule is attached.

Pending the final review and anticipated approval of this proposed rule by the Occupational Licensing Review Commission at its March 15, 2023 meeting and pending any legislative oversight by either the House or Senate Agriculture, Forestry, Aquaculture, and Rural Development Committees, the Board intends to submit the Final Rule to the Office of the State Register for publication in the March 20, 2023 edition of the *Louisiana Register*.

Please contact me directly at director@lsbvm.org or 225-925-6620 if the Board may be of any assistance to you concerning this rule.

For the Board:

Jared B. Granier, MBA
Executive Director

CC: Speaker, House of Representatives - Via Email: APA.HouseSpeaker@legis.la.gov
Chair, Senate Agriculture Committee - Via Email: APA.s-agri@legis.la.gov
Chair, House Agriculture Committee - Via Email: APA.h-agri@legis.la.gov
Editor, Louisiana Register - Via Email: Reg.Submission@la.gov; Catherine.Brindley@la.gov
President, LBVM – Via Email: astevens@lsbvm.org
Legal Counsel, LBVM – Via Email: shvogt@bellsouth.net
Reference Files

Notices of Intent

NOTICE OF INTENT

Department of Agriculture and Forestry Board of Veterinary Medicine

Preceptor Program (LAC 46:LXXXV.Chapters 3-15)

In accordance with the Administrative Procedure Act, R.S. 49:950 et seq., the Board (“Board”) of Veterinary Medicine has amended LAC 46:LXXXV. Chapters 3-15, regarding the licensure of veterinarians in the state of Louisiana. Chapter 11 of the rules is being repealed as the preceptor program is being discontinued as a requirement for DVM licensure. The rationale behind the repeal and discontinuance of the preceptorship program is multi-faceted. Most schools of veterinary medicine require in their curriculum participation by students in externships, which provide most of the basic training offered by preceptorship. Further post-preceptorship surveys have cast doubt on the efficacy of the preceptorship program in familiarizing the candidate with the business demands and interactions with clients that served as the primary basis for implementing the preceptorship requirement. The board has found this requirement for out of state licensees where virtually no other state has a similar program to be increasingly unnecessary and problematic in granting Louisiana licenses to out of state applicants irrespective of the skills and prior clinic/business experience. The Rule would remove barriers to license mobility at a time many areas of the state are underserved with veterinary care and would align our state with most other states’ requirements for licensure. Sections 307, 700, 702, 714 are amended to reflect the removal of the preceptorship requirement for DVM licensure. This Rule is hereby adopted on the date of promulgation.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part LXXXV. Veterinarians

Chapter 3. Licensure Procedures

§307. Expedited License/Military Qualifications

- A. ...
- B. Repealed.
- C. - E. ...

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

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Veterinary Medicine, LR 8:66 (February 1982), amended by the Department of Health and Hospitals, Board of Veterinary Medicine, LR 23:965 (August 1997), LR 40:308 (February 2014), LR 49:

Chapter 7. Veterinary Practice

§700. Definitions

* * *

Preceptees—Repealed.

* * *

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 19:1328 (October 1993), amended LR 20:666 (June 1994), LR 20:1381 (December 1994), LR 24:940 and 941 (May 1998), LR 24:1932 (October 1998), LR 24:2257 (December 1998), LR 27:51 (January 2001), LR 27:543 (April 2001), LR 31:3162 (December 2005), LR 33:2424 (November 2007), LR 35:244 (February 2009), LR 40:308 (February 2014), LR 49:

§702. Direct Supervision

- A. - A.3. ...
- B. - B.2. Repealed.
- C. - D.2 f. ...

E. *Unlicensed veterinarians*, as defined in §700, shall not practice veterinary medicine until such time as they are licensed by the state of Louisiana. An unlicensed veterinarian may only function as a veterinary assistant under direct supervision.

- F. - F.4. ...

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 16:225 (March 1990), amended LR 19:1329 (October 1993), LR 24:940 (May 1998), LR 40:309 (February 2014), LR 49:

§714. Student/Shelters and Faculty Veterinarian

- A. - E. ...

F. A student extern who is working during a school vacation for a licensed veterinarian shall be under continuous, visual, and on-site supervision of a veterinarian licensed by the board. The supervising veterinarian shall be ultimately responsible and held accountable by the board for the duties, actions, or work performed by such person; however, at no time shall the student's role extend beyond observing the supervising veterinarian in a support capacity during assessment, diagnosis, treatment, and surgery. The student extern shall not perform supervision of any nature, as defined in §700 and §702, of the tasks or procedures performed by other personnel of the facility at issue.

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 29:1479 (August 2003), amended LR 34:1029 (June 2008), amended LR 49:

Chapter 11. Preceptor Program

§1101. Purpose

Repealed.

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 16:232 (March 1990), repealed LR 49:

§1103. Definitions

Repealed.

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 16:232 (March 1990), amended LR 19:208 (February 1993), LR 23:968 (August 1997), LR 24:1293 (July 1998), LR 27:543 (April 2001), LR

28:1208 (June 2002), LR 38:357 (February 2012), LR 40:309 (February 2014), repealed LR 49:

§1105. Applicants

Repealed.

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 16:232 (March 1990), amended LR 23:1686 (December 1997), LR 24:942 (May 1998), LR 27:543 (April 2001), LR 37:1571 (June 2011), LR 38:357 (February 2012), repealed LR 49:

§1107. Preceptorship Committee

Repealed.

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 16:233 (March 1990), repealed LR 49:

§1109. Preceptor's Responsibilities

Repealed.

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 16:233 (March 1990), amended LR 27:543 (April 2001), repealed LR 49:

§1111. Preceptee's Responsibilities

Repealed.

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 16:233 (March 1990), amended LR 27:544 (April 2001), repealed LR 49:

§1113. Practice Assessment Forms and Job Description Forms

Repealed.

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 16:233 (March 1990), amended LR 27:544 (April 2001), repealed LR 49:

§1115. Preceptorship Practice Requirements

Repealed.

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 16:233 (March 1990), amended LR 27:544 (April 2001), LR 28:1208 (June 2002), repealed LR 49:

§1117. Financial Arrangements and Agreements

Repealed.

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 16:234 (March 1990), amended LR 27:544 (April 2001), repealed LR 49:

§1119. Preceptorship Attendance Log

Repealed.

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 16:234 (March 1990), amended LR 23:968 (August 1997), LR 27:544 (April 2001), repealed LR 49:

§1121. Evaluations

Repealed.

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 16:234 (March 1990), amended LR 23:968 (August 1997), LR 27:544 (April 2001), repealed LR 49:

§1123. Effective Date

Repealed.

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 16:234 (March 1990), amended LR 27:545 (April 2001), repealed LR 49:

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

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 p.m. on Monday, January 9, 2023. All written comments must be dated and 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 p.m. on Monday, January 9, 2023. If the criteria set forth in R.S. 49:953(A)(2)(a) are satisfied, a public hearing will be conducted at 1 p.m. on Wednesday, January 24, 2023 at 5825 Florida Blvd, Baton Rouge, LA 70806. To confirm whether or not a public hearing will be held, interested parties must visit www.lsbvm.org/rulemaking-projects on or after January 9, 2023. 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: Preceptor Program**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

There will be no costs or savings to state or local governmental units, except for those associated with publishing the proposed rule amendment (estimated at \$750 in FY 2023). This proposed rule amendment would remove barriers to entry at a time many areas of the state are underserved with veterinary care and would align Louisiana's with most other states' requirements for licensure. All current licensees and potential applicants for licensure will be informed of this proposed rule amendment via the Board of Veterinary Medicine's regular newsletter, website, and by email which results in minimal costs to the board.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The Board of Veterinary Medicine (Board) anticipates a greater number of applications for the Doctor of Veterinary Medicine (DVM) licensure due to the removal of the preceptorship application requirement. As such, the proposed rule amendment is anticipated to increase revenues generated from fees for applications for DVM licensure as follows: FY2022 – \$5,500 (an increase of 10 applicants x \$550 fees); FY2023 – \$8,250 (an increase of 15 applicants x \$550 fees); and FY2024 – \$11,000 (an increase of 20 applicants x \$550 fees).

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule amendment removes the preceptorship requirement for out-of-state licensees where virtually no other state has a similar program, thus benefiting applicants for DVM licensure by having a more streamlined, less restrictive application process and a positive effect on the timeframe for DVM license issuance.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The number of licensed DVMs is anticipated to increase as a result of the proposed rule amendment. In the long term, this proposed rule amendment should increase overall competition for employment. However, at this time many areas of the state are currently underserved with veterinary care and a larger number of licensed DVMs are needed in the state to fill these employment opportunities.

Alfred G. Stevens, DVM
Board President
2212#034

Alan M. Boxberger
Interim Legislative Fiscal Office
Legislative Fiscal Office

[REDACTED]