

<h1>Regulatory Analysis Form</h1>		This space for use by IRRC RECEIVED 2004 FEB 24 AM 11:52 REVIEW COMMISSION
(1) Agency  Department of State, Bureau of Professional and Occupational Affairs, State Board of Veterinary Medicine		IRRC Number: 2391
(2) I.D. Number (Governor's Office Use)  16A-5715		
(3) Short Title  Implanting Electronic Identification; Certified Veterinary Technicians		
(4) PA Code Cite  49 Pa. Code §§ 31.1, 31.31 – 31.33, 31.35 and 31.38 – 31.41	(5) Agency Contacts & Telephone Numbers Primary Contact: Teresa Lazo-Miller, Counsel State Board of Veterinary Medicine (717) 783-7200 Secondary Contact: Joyce McKeever, Deputy Chief Counsel, Department of State (717) 783-7200	
(6) Type of Rulemaking (check one)  <input checked="" type="checkbox"/> Proposed Rulemaking <input type="checkbox"/> Final Order Adopting Regulation <input type="checkbox"/> Policy Statement	(7) Is a 120-Day Emergency Certification Attached? <input checked="" type="checkbox"/> No Yes: By the Attorney General Yes: By the Governor	
(8) Briefly explain the regulation in clear and nontechnical language.  <p>In February 2003, amendments to the Veterinary Medicine Practice Act by Act 167 of 2002 (Dec. 9, 2002) became effective. One of the amendments to the Act provides that implanting electronic identification is the practice of veterinary medicine. The amendment also provides for the Board to promulgate regulations in this area. The proposed rulemaking would allow certified veterinary technicians to implant electronic identification under indirect veterinary supervision and would allow noncertified employees of a veterinarian to implant electronic identification under direct veterinary supervision. Act 167 also changed the name animal health technician to veterinary technician and changed the grounds for disciplining a veterinarian or technician.</p>		
(9) State the statutory authority for the regulation and any relevant state or federal court decisions.  <p>Section 3 of the Act (Definitions) was amended to change the name animal health technician to veterinary technician. Section 21 of the Act was amended to provide grounds for disciplining technicians and veterinarians who are disciplined in another state or who are convicted of a misdemeanor crime related to the profession or any crime of moral turpitude.</p> <p>Section 3(10)(viii) of the Veterinary Medicine Practice Act (Act) (63 P.S. § 485.3(10)(viii)) provides that the practice of veterinary medicine includes the practice by any person who implants electronic identification, as determined by the Board. Section 5(2) of the Act (63 P.S. § 485.5(2)) authorizes the Board to adopt rules and regulations of professional conduct appropriate to establish and maintain a high standard of integrity, skills and practice in the profession of veterinary medicine.</p>		

### Regulatory Analysis Form

(10) Is the regulation mandated by any federal or state law or court order, or federal regulation? If yes, cite the specific law, case or regulation, and any deadlines for action.

**The regulation is mandated by state law in that it conforms the Board's regulations to the statute.**

(11) Explain the compelling public interest that justifies the regulation. What is the problem it addresses?

**The regulation allows certain persons other than veterinarians to implant electronic identification with appropriate supervision thereby making this service more readily available to the public. The amendments related to renaming veterinary technicians is necessary to eliminate any confusion caused by having different terms used in the practice act and the Board's regulations. The amendments related to discipline are also necessary to eliminate any confusion caused by having contradictions between the statute and regulations.**

(12) State the public health, safety, environmental or general welfare risks associated with nonregulation.

**There are no known public health, safety, environmental or general welfare risks associated with nonregulation.**

(13) Describe who will benefit from the regulation. (Quantify the benefits as completely as possible and approximate the number of people who will benefit.)

**The general public will benefit by having more people authorized to implant electronic identification in animals thereby decreasing the waiting time for the service. In addition, the general public will benefit economically because veterinarians may charge less for services performed by a technician or employee than for services performed by the veterinarian. All licensees and the general public benefit by having the statute and regulations be consistent.**

### Regulatory Analysis Form

(14) Describe who will be adversely affected by the regulation. (Quantify the adverse effects as completely as possible and approximate the number of people who will be adversely affected.)

**The Board cannot identify any group that will be adversely affected by the regulation.**

(15) List the persons, groups or entities that will be required to comply with the regulation. (Approximate the number of people who will be required to comply.)

**All licensees and noncertified employees will be required to comply with the regulation.**

(16) Describe the communications with and input from the public in the development and drafting of the regulation. List the persons and/or groups who were involved, if applicable.

**In accordance with the requirements of Executive Order 1996-1 (February 6, 1996), in drafting and promulgating the regulation, the Board sent the text of the proposed regulation to interested parties, including state and regional veterinary medical associations, associations of animal health technicians, and schools of veterinary medicine. One certified veterinary technician commented and expressed support for the regulation, noting that she found the regulation consistent with the scope of practice for certified veterinary technicians and noncertified employees. The Board did not seek input from the public or licensees regarding the amendments that conform the regulations to the practice act.**

(17) Provide a specific estimate of the costs and/or savings to the regulated community associated with compliance, including any legal, accounting or consulting procedures which may be required.

**Licensees will likely experience some costs related to complying with the new continuing education requirements; however, these costs are a product of the statutory changes, not of the regulatory changes.**

### **Regulatory Analysis Form**

(18) Provide a specific estimate of the costs and/or savings to local governments associated with compliance, including any legal, accounting or consulting procedures which may be required.

**There are no costs or saving to local governments associated with the regulation.**

(19) Provide a specific estimate of the costs and/or savings to state government associated with the implementation of the regulation, including any legal, accounting, or consulting procedures which may be required.

**There are no costs or savings to state governments associated with the regulation.**

### Regulatory Analysis Form

(20) In the table below, provide an estimate of the fiscal savings and costs associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years.

	Current FY Year	FY +1 Year	FY +2 Year	FY +3 Year	FY +4 Year	FY +5 Year
<b>SAVINGS:</b>	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Regulated Community						
Local Government						
State Government						
Total Savings						
<b>COSTS:</b>	0	0	0	0	0	0
Regulated Community						
Local Government						
State Government						
Total Costs						
<b>REVENUE LOSSES:</b>	0	0	0	0	0	0
Regulated Community						
Local Government						
State Government						
Total Revenue Losses						

(20a) Explain how the cost estimates listed above were derived.

Any savings in broadening the scope of practice of certified veterinary technicians and noncertified employees are savings are to the general public and are therefore not applicable to the charge in question 20.

### Regulatory Analysis Form

(20b) Provide the past three year expenditure history for programs affected by the regulation.

	FY 99-00	FY 00-01	FY 01-02	FY 02-03
Program	FY -3	FY -2	FY -1	Current FY
Veterinary Board	197,487.51	348,088.02	341,658.88	300,000.00

(21) Using the cost-benefit information provided above, explain how the benefits of the regulation outweigh the adverse effects and costs.

**There are benefits of lower cost and greater availability of the service for the general public. There are no adverse cost effects.**

(22) Describe the nonregulatory alternatives considered and the costs associated with those alternatives. Provide the reasons for their dismissal.

**No nonregulatory alternatives were considered.**

(23) Describe alternative regulatory schemes considered and the costs associated with those schemes. Provide the reasons for their dismissal.

**No alternative regulatory schemes were considered.**

### Regulatory Analysis Form

(24) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulation.

**No provisions of the proposed rulemaking are more stringent than federal standards.**

(25) How does this regulation compare with those of other states? Will the regulation put Pennsylvania at a competitive disadvantage with other states?

**Only New York addresses the insertion of electronic identification, which is considered the practice of veterinary medicine. New York law provides that an employee of a not-for-profit pound, shelter, or society for the prevention of cruelty to animals may insert a microchip to identify a dog or cat held by the organization for adoption. N.Y. [Education] LAW §§ 6701, 6705 (McKinney 2003). The remaining amendments are mandated by changes to the Veterinary Medicine Practice Act. Therefore, it is not appropriate to compare the proposed rulemaking to regulations in other states to judge the regulation.**

(26) Will the regulation affect existing or proposed regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.

**The regulation will not affect existing or proposed regulations of the promulgating agency or other state agencies.**

(27) Will any public hearings or informational meetings be scheduled? Please provide the dates, times, and locations, if available.

**No public hearings or informational meeting will be scheduled. The Board's meeting schedule is available from the Board's home page on the Department of State website, [www.dos.state.pa.us/bpoa](http://www.dos.state.pa.us/bpoa).**

## Regulatory Analysis Form

(28) Will the regulation change existing reporting, record keeping, or other paperwork requirements? Describe the changes and attach copies of forms or reports which will be required as a result of implementation, if available.

**The regulation will not change existing reporting, record keeping or other paperwork requirements.**

(29) Please list any special provisions which have been developed to meet the particular needs of affected groups or persons including, but not limited to, minorities, elderly, small businesses, and farmers.

**The Board has not identified any particular affected groups.**

(30) What is the anticipated effective date of the regulation; the date by which compliance with the regulation will be required; and the date by which any required permits, licenses or other approvals must be obtained?

**The regulation will be effective upon publication of the final-form rulemaking.**

(31) Provide the schedule for continual review of the regulation.

**The Board continuously reviews its regulations. A schedule of Board meeting dates is available from the Board Administrator at 717-783-7134 and on the Department of State's website at [www.dos.state.pa.us/bpoa](http://www.dos.state.pa.us/bpoa).**



CDL-1

FACE SHEET  
FOR FILING DOCUMENTS  
WITH THE LEGISLATIVE REFERENCE BUREAU

(Pursuant to Commonwealth Documents Law)

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DO NOT WRITE IN THIS SPACE

Copy below is hereby approved as to  
form and legality. Attorney General

BY: Amy M. Elliott  
(DEPUTY ATTORNEY GENERAL)

FEB 10 2004

DATE OF APPROVAL

Copy below is hereby certified to be a true and correct  
copy of a document issued, prescribed or promulgated by:

State Board of Veterinary Medicine  
(AGENCY)

DOCUMENT/FISCAL NOTE NO. 16A-5715

DATE OF ADOPTION: \_\_\_\_\_

BY: Brian V. Harpster, VMD  
Brian V. Harpster, V.M.D.

TITLE: Chairperson  
(EXECUTIVE OFFICER, CHAIRMAN OR SECRETARY)

Copy below is approved as  
to form and legality.  
Executive or Independent  
Agencies.

BY: Tanya C. Gable

1/22/04  
DATE OF APPROVAL

Asst  
(Deputy General Counsel  
(Chief Counsel,  
Independent Agency  
Strike inapplicable  
title)

- [ ] Check if applicable  
Copy not approved.  
Objections attached.  
[ ] Check if applicable. No Attorney  
General approval or  
objection within 30 day  
after submission.

PROPOSED RULEMAKING  
COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS  
STATE BOARD OF VETERINARY MEDICINE  
49 PA. CODE, CHAPTER 31  
IMPLANTING ELECTRONIC IDENTIFICATION,  
VETERINARY TECHNICIANS

The State Board of Veterinary Medicine (Board) proposes to amend § 31.1, 31.31-31.33, 31.35 and 31.38-31.41 to read as set forth in Annex A. The proposed regulation would permit a certified veterinary technician to implant electronic identification under indirect veterinary supervision and would permit a noncertified employee to implant electronic identification under direct veterinary supervision.

The Board also proposes to change the term certified animal health technician in existing regulations to certified veterinary technician, consistent with Act 167 of 2002.

#### **Effective Date**

The rulemaking would become effective upon publication of the final-form regulation in the Pennsylvania Bulletin.

#### **Statutory Authority**

Section 3(10)(viii) of the Veterinary Medicine Practice Act (act) (63 P.S. § 485.3(10)(viii)) provides that the practice of veterinary medicine includes the practice by any person who “implants electronic identification, as determined by the Board.” Section 5(2) of the act (63 P.S. 485.5(2)) authorizes the Board to adopt rules and regulations of professional conduct appropriate to establish and maintain a high standard of integrity, skills and practice in the profession of veterinary medicine.

#### **Background and Need for Amendment**

The Board currently does not have a regulation to address section 3(10)(viii) of the Act, which was added when the act was amended, effective in February 2003. The regulation is necessary to allow certified veterinary technicians and noncertified employees, under either indirect or direct supervision, to implant electronic identification.

Act 167 of 2002 (December 9, 2002) amended the act to change the name animal health technician to veterinary technician, which is consistent with nationwide terminology. Consistent with § 31.1 and national practice, the Board will continue to refer to these licensed individuals as certified veterinary technicians rather than simply as veterinary technicians.

### **Description of Proposed Amendments**

The Board proposes to amend § 31.31 (relating to scope of practice) to authorize certified veterinary technicians and noncertified employees to implant electronic identification under appropriate supervision. In determining the level of supervision necessary to ensure the safety and welfare of animals, the Board considered the large gauge needle necessary to implant electronic identification and how the use of a large gauge needle compared to the scope of practice of certified veterinary technicians and noncertified employees already set forth in § 31.31. The Board determined that implanting electronic identification might raise the same types of risks associated with intravenous catheterization, which is done with a smaller gauge needle, but directly into a vein. Therefore, the Board determined, consistent with the scope of practice of certified veterinary technicians and noncertified employees already set forth in § 31.31, that certified veterinary technicians should be permitted to implant electronic identification under indirect veterinary supervision and noncertified employees should be permitted to implant electronic identification under direct veterinary supervision. Direct and indirect veterinary supervision are defined in § 31.1 (relating to definitions). Direct veterinary supervision means that a veterinarian has given either oral or written instructions, is on the premises and is easily and quickly available to assist. Indirect veterinary supervision means the veterinarian is not on the premises but is acquainted with the keeping and care of the animal by virtue of an examination of the animal and has given written or oral instructions for treatment of the animal. This will allow a noncertified employee, who generally has less formal education in veterinary technology, to implant electronic identification when a veterinarian is on the premises and easily and quickly available to assist. A certified veterinary technician, who has graduated from an approved school of veterinary technology, has passed a national licensing examination and has obtained licensure, need only have orders from the veterinarian who has examined the animal in order to implant electronic identification.

This proposed rulemaking also amends all sections of the Board's regulations that address certified animal health technicians to change the nomenclature of these licensees to certified veterinary technician, consistent with Act 167 of 2002.

Finally, this proposed rulemaking would conform the Board's regulations to the amended act by including as grounds for disciplining a veterinary technician the conviction of a misdemeanor related to the profession or a crime of moral turpitude. See section 21(15) of the act (63 P.S. § 485.21(15)).

### **Compliance with Executive Order 1996-1**

In accordance with the requirements of Executive Order 1996-1 (February 6, 1996), in drafting and promulgating the regulation, the Board sent the text of the proposed regulation to interested parties, including state and regional veterinary medical associations, associations of animal

health technicians, and schools of veterinary medicine.

### **Fiscal Impact and Paperwork Requirements**

The proposed amendment should not have any financial impact on licensees, the Board or any other state entity. The proposed amendment will have a positive financial impact on those members of the public who wish to have their animal implanted with electronic identification by expanding to paraprofessional personnel the ability to undertake the practice of implanting electronic identification.

The Board has already amended its licensing and biennial renewal applications to reflect the change in nomenclature. There are no additional paperwork requirements associated with the rulemaking.

### **Sunset Date**

The Board continuously monitors its regulations. Therefore, no sunset date has been assigned.

### **Regulatory Review**

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), the Board submitted a copy of this proposed regulation on February 24, 2004, to the Independent Regulatory Review Commission (IRRC), the Senate Consumer Protection and Professional Licensure Committee (SCP/PLC), and the House Professional Licensure Committee (HPLC). In addition to submitting the proposed rulemaking, the Board has provided IRRC, SCP/PLC, and HPLC with a copy of a detailed Regulatory Analysis Form prepared by the Board. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act (71 P.S. § 745.5(g)), if IRRC has comments, recommendations or objections to any portion of the proposed rulemaking, it will notify the Board within 30 days of the close of the public comment period. The notification will specify the regulatory review criteria that have not been met. The Regulatory Review Act specifies detailed procedures for review of comments, recommendations and objections by the Board, the General Assembly, and the Governor prior to publication of the regulations.

**Public Comment**

Interested persons are invited to submit written comments, recommendations, or objections regarding this proposed rulemaking to Robert Kline, State Board of Veterinary Medicine, P.O. Box 2649, Harrisburg, Pennsylvania, 17105-2649, [www.dos.state.pa.us](http://www.dos.state.pa.us), within 30 days following publication of this proposed rulemaking in the *Pennsylvania Bulletin*.

Brian V. Harpster, V.M.D.  
Chairman

**Annex A**

**TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS**

**PART I. DEPARTMENT OF STATE**

**Subpart a. Professional and Occupational Affairs**

**CHAPTER 31. STATE BOARD OF VETERINARY MEDICINE**

**GENERAL PROVISIONS**

**§ 31.1. Definitions.**

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

\*\*\*

*Certified [animal health] veterinary technician*—[An animal health] A veterinary technician certified by the Board.

\*\*\*

*Direct veterinary supervision*—A veterinarian has given either oral or written instructions to the certified [animal health] veterinary technician or noncertified [employee] employee, is on the premises and is easily and quickly available to assist the certified [animal health] veterinary technician or the noncertified [employee] employee.

\*\*\*

*Indirect veterinary supervision*—A veterinarian is not on the premises but is acquainted with the keeping and care of the animal by virtue of an examination of the animal or medically appropriate and timely visits to the premises where the animal is kept, and has given written or

oral instructions to the certified [animal health] veterinary technician for treatment of the animal patient.

*Noncertified [employee] employee* – An [employee] employee of a veterinarian who does not hold certification as an [animal health] veterinary technician and whom the veterinarian deems competent to administer medication or render auxiliary or supporting assistance under direct veterinary supervision or immediate veterinary supervision.

\*\*\*

## **VETERINARY TECHNICIANS AND NONCERTIFIED EMPLOYEES**

### **§ 31.31. Scope of practice.**

(a) *Certified [animal health] veterinary technicians.* A certified [animal health] veterinary technician may perform the duties enumerated in this subsection under direct veterinary supervision or indirect veterinary supervision as indicated. While some of the enumerated duties may be applicable primarily to small animal practices, the intended scope of this subsection is both large and small animal practices. This subsection does not prohibit the performance by a certified [animal health] veterinary technician of a service which is not listed in this subsection if the service is within the certified [animal health] veterinary technician's skills, forms a usual component of the veterinarian's scope of practice, and is requested by the supervising veterinarian. The veterinarian bears ultimate responsibility for assuring that the certified [animal health] veterinary technician to whom a duty is assigned is competent to perform it.

(1) A certified [animal health] veterinary technician may do the following only under direct veterinary supervision:

\*\*\*

- (2) Except as provided in paragraph (3), a certified [animal health] veterinary technician may do the following under indirect veterinary supervision:

\*\*\*

- (x) Implant an electronic identification device.

\*\*\*

- (3) If an animal is under anesthesia, a certified [animal health] veterinary technician may perform the services listed in paragraph (2) only under direct veterinary supervision.
- (4) Emergency treatment by certified [animal health] veterinary technicians is permitted without veterinary supervision when an animal has been placed in a life-threatening condition and immediate treatment is necessary to sustain the animal's life. The certified [animal health] veterinary technician shall immediately take steps to secure the direct supervision of a veterinarian. Emergency treatment may only consist of those duties enumerated under paragraphs (1) and (2).
- (b) *Noncertified [employees] employees.* Noncertified [employees] employees may perform the duties enumerated in this subsection under direct veterinary supervision or immediate veterinary supervision, as indicated. While some of the enumerated duties may be applicable primarily to small animal practices, the intended scope of this subsection is both large and small animal practices. This subsection does not prohibit a noncertified [employee] employee from administering medication or rendering auxiliary or other supporting assistance which is not listed in this



subsection if the service is within the noncertified [employee's] employee's skills and is requested by the supervising veterinarian. The veterinarian bears ultimate responsibility for assuring that the noncertified [employee] employee to whom a duty is assigned is competent to perform it.

- (1) A noncertified [employee] employee may do the following under direct veterinary supervision:

\*\*\*

- (xi) Implant an electronic identification device.

\*\*\*

- (2) A noncertified [employee] employee may do the following under immediate veterinary supervision:

\*\*\*

- (c) *Prohibited acts.* Neither certified [animal health] veterinary technicians nor noncertified [employees] employees may do the following:

\*\*\*

#### **§ 31.32. Certification.**

- (a) As a prerequisite to original certification as [an animal health] a veterinary technician, an applicant shall submit the following documentation to the Board:

- (1) A completed and signed application for [animal health] veterinary technician certification.

\*\*\*

- (3) Evidence of satisfactory completion of an approved program for the training and education of [animal] veterinary technicians.
- (4) A letter of good standing from the licensure board of each state where the applicant has held a license as [an animal health] a veterinary technician, if any, reporting the outcome of disciplinary actions taken against the applicant in that state.

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**§ 31.33. Applications.**

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- (b) An applicant for certification as [an animal health] a veterinary technician by endorsement shall complete and file with the Board an application for certification by endorsement on forms prescribed by the Board. The application form may be obtained from the Administrative Office of the State Board of Veterinary Medicine, Post Office Box 2649, Harrisburg, Pennsylvania 17105-2649 or by accessing the Board's web page at [www.dos.state.pa.us/bpoa/vetbd/mainpage.htm](http://www.dos.state.pa.us/bpoa/vetbd/mainpage.htm).

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**§ 31.35. Examinations.**

- (a) The examination required for certification as [an animal health] a veterinary technician is the Veterinary Technician National Examination (VTNE).

\*\*\*

**§ 31.38. Code of ethics for certified [animal health] veterinary technicians.**

- (a) The certificate of a certified [animal health] veterinary technician will only be valid for use when the holder is in the employ of or under the supervision of a veterinarian licensed in this Commonwealth.
- (b) The holder of a certificate may not accept a direct fee for services rendered as a certified [animal health] veterinary technician from other than the certificateholders' employer.
- (c) A certified [animal health] veterinary technician may not compromise the confidentiality of the doctor-client relationship.
- (d) A certified [animal health] veterinary technician who deals or communicates directly with a client shall explain to the client that the certified [animal health] veterinary technician is not a veterinarian.
- (e) A certified [animal health] veterinary technician shall be responsible to the client and to the veterinarian in the following respects:

\*\*\*

- (f) A certified [animal health] veterinary technician may not undertake an assignment that the certificateholder is not capable of performing.

**§ 31.39. Grounds for disciplinary proceedings.**

- (a) The Board may suspend or revoke certification of [an animal health] a veterinary technician or otherwise discipline a certified [animal health] veterinary technician or refuse to certify an applicant, or, upon certification, restrict the practice of an applicant who is found guilty by the Board or by a court of one or more of the following:

\*\*\*

- (4) Revocation, [or] suspension or other discipline by another state of the certification of the person as an animal health technician or a veterinary technician on grounds similar to those which in this Commonwealth allow disciplinary proceedings, in which case the revocation, [or] suspension or other discipline shall be conclusive evidence.

\*\*\*

- (6) Conviction of a felony, a misdemeanor related to the profession or a crime of moral turpitude in the courts of this Commonwealth or of a state, territory or country [which, if committed in this Commonwealth, would be deemed a felony] and suspension, [or] revocation or other discipline [of certification] is in the best interest of the public health and the general safety and welfare of the public. A record of conviction in a court of competent jurisdiction shall be sufficient evidence for disciplinary action to be taken as may be deemed proper by the Board.

\*\*\*

- (b) Certified [animal health] veterinary technicians and noncertified [employees] employees who deviate from the permitted scope of practice as set forth in § 31.31 (relating to scope of practice) will be subject to prosecution and the levying of a civil penalty by the Board under section 28(c) of the act (63 P. S. § 485.28(c)). Veterinarians who permit, order or direct certified [animal health] veterinary technicians or noncertified [employees]

employees to perform duties which are not authorized by § 31.31 will be subject to disciplinary action by the Board under section 21 of the act (63 P. S. § 485.21).

\*\*\*

**§ 31.40. Continuing education provider approval.**

- (a) The Board will approve without application to the Board and the fee required under § 31.41 (relating to schedule of fees), continuing education courses offered by the following providers as long as the programs are specifically designed to increase the skills, knowledge and competence of certified [animal health] veterinary technicians:

\*\*\*

- (c) Organizations approved under subsections (a) and (b) shall provide certification of attendance to the certified [animal health] veterinary technician which includes the name of the sponsor, the name of the licensee, the title of the course, the date of the course, the number of credit hours and the signature of the person authenticating attendance. Organizations approved under subsection (b) shall also provide the Pennsylvania approval number.

- (d) Instructors of continuing education programs may include:

\*\*\*

- (2) Licensed doctors of veterinary medicine in this Commonwealth or in another state who are not faculty members of those schools covered under paragraph (1) if, by virtue of their professional activities and achievements in a particular field, the doctors are recognized by the Board as qualified to speak on subjects of pertinent value to [animal health] veterinary technicians.

\*\*\*

## **FEEs**

### **§ 31.41. Schedule of fees.**

An applicant for a license, certificate or service shall submit a payment at the time of the request under the following fee schedule:

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*[Animal health] Veterinary technicians:*

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**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS  
STATE BOARD OF VETERINARY MEDICINE**

**Post Office Box 2649  
Harrisburg, Pennsylvania 17105-2649  
(717) 783-7134**

February 24, 2004

The Honorable John R. McGinley, Jr., Chairman  
INDEPENDENT REGULATORY REVIEW COMMISSION  
14<sup>th</sup> Floor, Harrisstown 2, 333 Market Street  
Harrisburg, Pennsylvania 17101

Re: Proposed Regulation  
State Board of Veterinary Medicine  
16A-5715: Implanting Electronic Identification, Veterinary Technicians

Dear Chairman McGinley:

Enclosed is a copy of a proposed rulemaking package of the State Board of Veterinary Medicine pertaining to implanting electronic identification and veterinary technicians.

The Board will be pleased to provide whatever information the Commission may require during the course of its review of the rulemaking.

Sincerely,

A handwritten signature in black ink that reads "Brian V. Harpster, VMD".

Brian V. Harpster, V.M.D., Chairperson  
State Board of Veterinary Medicine

BVH/TLM/kmh

Enclosure

cc: Linda C. Barrett, Chief Counsel  
Department of State  
Basil L. Merenda, Acting Commissioner  
Bureau of Professional and Occupational Affairs  
Joyce McKeever, Deputy Chief Counsel  
Department of State  
Cynthia Montgomery, Regulatory Counsel  
Department of State  
Herbert Abramson, Senior Counsel in Charge  
Department of State  
Teresa Lazo-Miller, Counsel  
State Board of Veterinary Medicine  
State Board of Veterinary Medicine

**TRANSMITTAL SHEET FOR REGULATIONS SUBJECT TO THE  
REGULATORY REVIEW ACT**

I.D. NUMBER: 16A-5715

SUBJECT: Implanting electronic identification - veterinary technicians

AGENCY: DEPARTMENT OF STATE

**TYPE OF REGULATION**

X Proposed Regulation

Final Regulation

Final Regulation with Notice of Proposed Rulemaking Omitted

120-day Emergency Certification of the Attorney General

120-day Emergency Certification of the Governor

Delivery of Tolled Regulation

a. With Revisions

b.

Without Revisions

**FILING OF REGULATION**

DATE

SIGNATURE

DESIGNATION

2/24/04 [Signature]

HOUSE COMMITTEE ON PROFESSIONAL LICENSURE

2/24/04 [Signature]

SENATE COMMITTEE ON CONSUMER PROTECTION &  
PROFESSIONAL LICENSURE

2/24/04 [Signature]

INDEPENDENT REGULATORY REVIEW COMMISSION

ATTORNEY GENERAL (for Final Omitted only)

2/24/04 [Signature]

LEGISLATIVE REFERENCE BUREAU (for Proposed only)

February 11, 2004