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**INDEPENDENT REGULATORY REVIEW COMMISSION**  
333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

November 29, 2006

Thomas J. McGrath, DVM, Chairman  
State Board of Veterinary Medicine  
2601 North 3rd Street  
Harrisburg, PA 17110

Re: Regulation #16A-5719 (IRRC #2565)  
State Board of Veterinary Medicine  
Recordkeeping

Dear Chairman McGrath:

Enclosed are the Commission's comments for consideration when you prepare the final version of this regulation. These comments are not a formal approval or disapproval of the regulation. However, they specify the regulatory review criteria that have not been met.

The comments will be available on our website at [www.irrc.state.pa.us](http://www.irrc.state.pa.us). If you would like to discuss them, please contact me.

Sincerely,

Kim Kaufman  
Executive Director  
wbg  
Enclosure  
cc: Honorable Pedro A. Cortes, Secretary, Department of State

# Comments of the Independent Regulatory Review Commission

on

## State Board of Veterinary Medicine Regulation #16A-5719 (IRRC #2565)

### Recordkeeping

November 29, 2006

We submit for your consideration the following comments on the proposed rulemaking published in the September 30, 2006 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)) directs the State Board of Veterinary Medicine (Board) to respond to all comments received from us or any other source.

#### **Section 31.22. Recordkeeping. – Clarity.**

We have three concerns with this section.

First, we agree with the House Professional Licensure Committee (HPLC) that the terms “animal” and “patient” are used interchangeably throughout the regulation, and recommend that one term be used consistently.

Second, the Board should clearly indicate which recordkeeping methods would meet the required standards. This section contains the phrase “problem-oriented or similar format.” The preamble states that a “problem oriented medical record” (POMR) is a “recognized standard form of all medical recordkeeping.” Board staff indicated that POMR is a general recordkeeping method and there are several more specific methods that fall under it. Which of these methods are acceptable to the Board?

Finally, Paragraph (4) requires the veterinary record of an animal, “except a production animal,” to include documentation of communication with a client. The Board excluded production animals because existing Federal regulations address communication between veterinarians and owners of production animals. The HPLC questioned whether a citation to the Federal regulations should be included in this regulation. We agree and recommend that the final-form regulation include a cross-reference to the appropriate Federal regulations.

**Facsimile Cover Sheet**

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2006 NOV 29 AM 10:02

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REVIEW COMMISSION

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**To:** Tom Blackburn  
Cynthia Montgomery  
**Agency:** Department of State  
Licensing Boards and Commissions  
**Phone:** 7-2628  
**Fax:** 7-0251  
**Date:** November 29, 2006  
**Pages:** 3

**Comments:** We are submitting the Independent Regulatory Review Commission's comments the State Board of Veterinary Medicine's regulation #16A-5719 (IRRC #2565). Upon receipt, please sign below and return to me immediately at our fax number 783-2664. We have sent the original through interdepartmental mail. You should expect delivery in a few days. Thank you.

Accepted by:

Date:

11/29/06