

Regulatory Analysis Form

(Completed by Promulgating Agency)



IRRC

Independent Regulatory Review Commission

NOTED FOR REVIEW
12/15/01

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SECTION I: PROFILE

(1) Agency:

Department of State, Bureau of Professional and Occupational Affairs, State Board of Veterinary Medicine

(2) Agency Number:

Identification Number: 16A-5722

IRRC Number: 2787

(3) Short Title:

Responsibility to Clients and Patients

(4) PA Code Cite:

49 Pa. Code § 31.21, Principle 7

(5) Agency Contacts (List Telephone Number, Address, Fax Number and Email Address):

Primary Contact: Teresa Lazo, Counsel, State Board of Veterinary Medicine, tlazo@state.pa.us

Secondary Contact: Joyce McKeever, Deputy Chief Counsel, Regulatory Review, jmckeever@state.pa.us

3601 N. Third Street, P.O. Box 2649, Harrisburg, PA 17105-2649

phone: 717-783-7200

fax: 717-787-0251

(6) Primary Contact for Public Comments (List Telephone Number, Address, Fax Number and Email Address) – Complete if different from #5:

Michelle Roberts, Board Administrator, State Board of Veterinary Medicine, st-veterinary@state.pa.us

(All Comments will appear on IRRC'S website)

(7) Type of Rulemaking (check applicable box):

☒ Proposed Regulation

☐ Final Regulation

☐ Final Omitted Regulation

☐ Emergency Certification Regulation;

☐ Certification by the Governor

☐ Certification by the Attorney General

Regulatory Analysis Form

(8) Briefly explain the regulation in clear and nontechnical language. (100 words or less)

The regulation updates Rules of Professional Conduct by creating exceptions to the rule that veterinarians may choose whom they will serve. The regulation would require a veterinarian to provide humane euthanasia to relieve animal suffering. The regulation would require a veterinarian to notify a client before terminating care of a client's animal.

The regulation provides details about the veterinarian's duty to protect the personal privacy of clients. The regulation requires veterinarians to explain the benefits and significant potential risks of treatment options and obtain written consent to euthanasia and treatments that have significant risks.

(9) Include a schedule for review of the regulation including:

Drafter's note: these dates will be inserted when a delivery date is scheduled.

- A. The date by which the agency must receive public comments: 30 days from publication in the PA Bulletin
- B. The date or dates on which public meetings or hearings will be held: No specific date has been scheduled. The Board holds monthly meetings and considers public comment at those meetings.
- C. The expected date of promulgation of the proposed regulation as a final-form regulation: N/A
- D. The expected effective date of the final-form regulation: Date of publication in the PA Bulletin as final
- E. The date by which compliance with the final-form regulation will be required: Date of publication in the PA Bulletin as final
- F. The date by which required permits, licenses or other approvals must be obtained: N/A

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

The Board continuously reviews its regulations. The Board meets every other month throughout the year.

Regulatory Analysis Form

SECTION II: STATEMENT OF NEED

(11) State the statutory authority for the regulation. Include specific statutory citation.

Sections 21(11) and 21(12) of the Veterinary Medicine Practice Act, Act of December 27, 1974, P.L. 995, *as amended*, 63 P.S. § 485.21(11) and 21(12), and section 5(2) of the Act, 63 P.S. § 485.5(2).

Section 21(11) requires veterinarians to practice in accordance with the standards of acceptable and prevailing veterinary medical practice and is relevant to subsections (a)(1), (b), (d), (e) and (f). Section 21(12) requires veterinarians to practice in accordance with the standards of professional conduct established by the Board. This section applies to the entire regulation. Section 5(2) authorizes the Board to promulgate regulations to establish and maintain a high standard of integrity, skills and practice in the profession.

(12) Is the regulation mandated by any federal or state law or court order, or federal regulation? Are there any relevant state or federal court decisions? If yes, cite the specific law, case or regulation as well as, any deadlines for action.

No.

(13) State why the regulation is needed. Explain the compelling public interest that justifies the regulation. Describe who will benefit from the regulation. Quantify the benefits as completely as possible and approximate the number of people who will benefit.

There is confusion among licensees and the general public regarding the responsibilities of veterinarians in the areas of humane euthanasia, particularly where the animal's owner is unknown or cannot be contacted, information that must be kept confidential, informed consent, and the use of analgesic drugs and techniques. Nonregulation would adversely impact the Board's licensees and the public who may be unable to discern, without regulation, the requirements on veterinarians.

Regulatory Analysis Form

(14) If scientific data, studies, references are used to justify this regulation, please submit material with the regulatory package. Please provide full citation and/or links to internet source.

The Board has attached information regarding the widespread acceptance that the use of analgesia is the acceptable and prevailing standard of care.

(15) Describe who and how many will be adversely affected by the regulation. How are they affected?

The Board is unaware of any adverse effect of its proposal.

(16) 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.

Licensees will be required to comply with the regulation. The Board licenses 3,742 veterinarians.

Regulatory Analysis Form

SECTION III: COST AND IMPACT ANALYSIS

(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. Explain how the dollar estimates were derived.

The Board cannot easily estimate the fiscal impact to the regulated community associated with compliance. The provision of euthanasia is not costly, and the regulation does not in any way imply that a veterinarian may not charge for the provision of this service. The Board recognizes that its mandate may have a fiscal impact if veterinarians are required, as the regulation proposes, to provide humane euthanasia to relieve an animal's suffering even if the animal's owner is unknown or indicates an inability to pay. Nevertheless, the Board, in consultation with the Pennsylvania Veterinary Medical Association, believes that licensees are willing to accept this potential fiscal impact.

If every licensee donated \$25 of services in a year, the annual cost to the entire regulated community would be \$93,550. If every licensee donated \$75 of services in a year, the annual cost would be \$280,650.

(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. Explain how the dollar estimates were derived.

Local governments will not be affected by 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. Explain how the dollar estimates were derived.

The Board will not incur an increase in administrative costs by implementing the regulation. Indeed, the regulatory amendments will permit the Board to recoup the costs of its operations.

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
SAVINGS:	\$0	\$0	\$0	\$0	\$0	\$0
Regulated Community	0	0	0	0	0	0
Local Government	0	0	0	0	0	0
State Government	0	0	0	0	0	0
Total Savings	0	0	0	0	0	0
COSTS:						
Regulated Community	0	0	93,550	280,650	93,550	280,650
Local Government	0	0	0	0		0
State Government	0	0	0	0		0
Total Costs	0	0	93,550	280,650	93,550	280,650
REVENUE LOSSES:						
Regulated Community	0	0	0	0	0	0
Local Government	0	0	0	0	0	0
State Government	0	0	0	0	0	0
Total Revenue Losses	0	0	0	0	0	0

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

Program	FY 2005-2006 Actual	FY 2006-2007 Actual	FY 2007-2008 Projected	FY 2008-2009 Projected
State Board of Veterinary Medicine	503,000	599,000	670,000	690,000

Regulatory Analysis Form

(21) Explain how the benefits of the regulation outweigh any cost and adverse effects.

The Veterinary Medicine Practice Act was “enacted in the interest of society, health, safety and welfare of Pennsylvanians.” See section 2 of the Act, 63 P.S. § 485.2. The Board’s proposals advance the interests of the citizens of the Commonwealth while placing minimal burdens on the Board’s licensees. Therefore, the benefits of the regulation outweigh its costs.

(22) Describe the communications with and input from the public and any advisory council/group in the development and drafting of the regulation. List the specific persons and/or groups who were involved.

The Board submitted its draft rulemaking to interested parties and associations and considered all input received. The Board worked closely with interested licensees and the Pennsylvania Veterinary Medical Association to ensure that licensees would agree with the Board’s analysis that the benefits of the regulation to the public outweigh the costs to licensees.

(23) Include a description of any alternative regulatory provisions which have been considered and rejected and a statement that the least burdensome acceptable alternative has been selected.

The Board’s previously-published proposed rulemaking sets forth the alternative provisions considered and rejected. In consultation with its interested licensees and the PVMA, the Board determined that the current proposal is the least burdensome acceptable alternative.

(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 regulations.

No federal standards apply.

(25) How does this regulation compare with those of other states? How will this affect Pennsylvania’s ability to compete with other states?

All states require veterinarians to act in accordance with prevailing standards of care, including prevailing standards of professional conduct. The proposal will not negatively affect Pennsylvania’s ability to compete with other states.

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

No.

Regulatory Analysis Form

(27) Submit a statement of legal, accounting or consulting procedures and additional reporting, recordkeeping or other paperwork, including copies of forms or reports, which will be required for implementation of the regulation and an explanation of measures which have been taken to minimize these requirements.

No additional procedures or expenses are anticipated.

(28) 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.

There are no affected groups such as minorities, elderly, small businesses or farmers known to the Board.

**FACE SHEET
FOR FILING DOCUMENTS
WITH THE LEGISLATIVE REFERENCE BUREAU**

(Pursuant to Commonwealth Documents Law)

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INDEPENDENT REGULATORY
COMMISSION

DO NOT WRITE IN THIS SPACE

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

[Signature]
BY: _____
(DEPUTY ATTORNEY GENERAL)

MAY 18 2009

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-5722

DATE OF ADOPTION: _____

BY: *[Signature]*
Thomas J. McGrath, D.V.M.

TITLE: Chairperson
(EXECUTIVE OFFICER, CHAIRMAN OR SECRETARY)

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

BY: *[Signature]*
Andrew C. Clark

APR 28 2009

DATE OF APPROVAL

(Executive Deputy General Counsel
~~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, §31.21
RESPONSIBILITY TO CLIENTS AND PATIENTS**

The State Board of Veterinary Medicine (Board) proposes to amend § 31.21, Principle 7 (relating to rules of professional conduct for veterinarians, responsibility to clients and patients) to read as set forth in Annex A. The amendments would specify two exceptions to the existing rule that veterinarians may choose whom they will serve. First, the proposal would require a veterinarian to provide humane euthanasia to relieve the suffering of an animal physically presented to the veterinarian's facility during the veterinarian's business hours. Second, the proposal would require a veterinarian to provide notice and a reasonable time to secure alternative services should a veterinarian decide to discontinue treatment of an animal.

In addition, the proposal would clarify an existing provision related to protecting the personal privacy of clients. The proposal would also specifically require veterinarians to practice in accordance with current advancements in veterinary medicine and acceptable and prevailing standards of care, including with respect to drugs used by a veterinarian. Finally, the proposal would specifically require veterinarians to utilize analgesic drugs and therapies in accordance with current veterinary medical knowledge and acceptable and prevailing standards of care.

Effective Date

The amendments will be effective upon publication of the final-form rulemaking in the Pennsylvania Bulletin.

Statutory Authority

Section 21(11) of the Act (63 P.S. § 485.21(11)) provides that the Board "shall suspend or revoke" a licensee or certificate holder who "depart[s] from or fail[s] to conform to the standards of acceptable and prevailing veterinary medical practice." The Board's proposed subsections (d) and (f) are consistent with this provision.

Section 21(12) of the Act (63 P.S. § 485.21(12)) provides that the Board "shall suspend or revoke" a licensee or certificate holder who is found guilty of "[e]ngaging in practices in connection with the practice of veterinary medicine which are in violation of the standards of professional conduct as defined herein or prescribed by the rules of the board." Section 5(2) of the Veterinary Medicine Practice Act (63 P.S. § 485.5(2)) authorizes the Board to "[a]dopt 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." The Board's proposed subsections (a), (b), (c) and (e) update the Board's rules of professional conduct and set forth standards to maintain high standards of integrity, skills and practice in the profession.

Background and Need for Amendments

The Board published an earlier draft of this rulemaking as proposed rulemaking on March 3, 2007, at 37 Pa.B. 1038. The Board received comments from individual veterinarians and the Pennsylvania Veterinary Medical Association (PVMA). Both the House Professional Licensure Committee (HPLC) and the Independent Regulatory Review Commission (IRRC) provided comments as part of their review of the proposed rulemaking. The Board's original proposal related to the refusal to provide emergency services. Based on the extensive comments received by the Board, in writing and at a public hearing held on March 20, 2008, the Board made extensive revisions to the proposal. Due to the extent of the revisions, the Board determined it should republish as proposed rulemaking.

The Veterinary Medicine Practice Act was amended in December 2002; in part, the amendments defined "veterinarian-client-patient relationship." (63 P.S. § 485.3). Based on this statutory amendment, the Board proposes to rename Principle 7 "Responsibility to clients and patients."

The amendments are needed to conform the Board's regulatory mandates with current expectations for professional practice.

Description of Proposed Amendments

The Board proposes to add exceptions to the general rule that veterinarians may choose whom they will serve, to account for circumstances in which a veterinarian is presented with an animal in grave condition that is physically presented to the veterinarian during the veterinarian's regular business hours. The proposed amendment provides that a veterinarian may not refuse to provide humane euthanasia to relieve the suffering of an animal. The proposed amendment requires a veterinarian to make a reasonable attempt to identify and contact the owner of such an animal and permits the veterinarian to proceed without client consent if the owner cannot be identified or contacted. This provision would also allow a veterinarian to euthanize an animal brought to the veterinary facility in a life-threatening condition without the owner's consent if, in the veterinarian's professional judgment, euthanasia is the only appropriate option.

When the rulemaking was previously proposed, the Independent Regulatory Review Commission asked if this provision would have a disproportionate impact on farm animal veterinarians. The Board does not believe that the provision will have a significant effect on farm animal practitioners because it is unlikely that an owner would be able to load a cow that is in a grave condition into a trailer to transport it to a veterinary facility so that it can be physically presented to the veterinarian during regular business hours.

Second, the proposed amendment would permit a veterinarian to discontinue treatment of an animal after giving notice to the client of the veterinarian's intention to withdraw and after

providing the client with reasonable time to secure alternative treatment. The proposal specifies that a reasonable time is based on the condition of the animal and the availability of alternative services. This provision protects the public by ensuring that the public will have a reasonable time to find another veterinarian.

The Board proposes to delete the second sentence of subsection (b) as redundant.

The Board's current provision at subsection (c) requires veterinarian to "protect the personal privacy of clients." This provision has caused confusion among licensees. Therefore, the Board proposes to expand subsection (c) to provide guidance on the provision.

The Board proposes to strike the current text of subsections (d) and (e), which the Board believes is self-evident and does not need to be set forth in regulation.

The Board proposes amendments to what is currently subsection (e), but will become subsection (d). An individual approached the Board with the suggestion that the Board require veterinarians to provide a "client information sheet" whenever the veterinarian dispenses nonsteroidal anti-inflammatory drugs (NSAIDs). Virtually any drug may cause an adverse reaction. In addition, some drugs and other treatment options are not indicated for use in animals with certain health problems or animals receiving certain other drug therapies. The Board believes that its regulations should provide broad protection to the public in relation to veterinary medical diagnosis and treatment rather than focusing on one narrow class of drugs. The Board finds that public protection will be advanced by requiring veterinarians to inform clients of the benefits, risks and side effects of all recommended treatments, from surgeries to drug therapies, and to document client consent to or rejection of treatment in the animal's veterinary medical record. The latter requirement was promulgated as part of the Board's regulation related to recordkeeping. See, 49 Pa. Code § 31.22(4), published at 37 Pa. B. 3240 (July 14, 2007).

The Board proposes to expand this provision by requiring client signature for euthanasia and other treatments that have significant risks. The signature would not be required prior to performing the treatment, because the client is not always physically present. In such a case, the client may give oral consent, and the veterinarian may subsequently obtain the client's signature.

The former chairman of the Department of Agriculture's Animal Health and Diagnostic Commission, Dr. Paul Kneply, submitted comments to the Board on its draft rulemaking. The comments inquired about the implications of proposed subsection (f) for "normal farming activities and practices used in production animal medicine, such as castration and dehorning." Dr. Kneply noted: "A veterinarian may not normally administer anesthesia for these practices," and asked whether the proposed language would "prohibit 'normal animal agricultural practices' without anesthesia and pain medication." The Board is aware that the acceptable and prevailing standard of veterinary medical practice in production animal medicine does not always include the administration of anesthesia or analgesia for the performance of procedures that, if performed

on a companion animal, would require the administration of anesthesia or analgesia, or both. For this reason, the Board amended the draft language of subsection (f) to include language that the expectation of analgesia is consistent with the acceptable and prevailing standards of veterinary medical practice.

Finally, the Board proposes to add to subsection (g) the requirement that the veterinary medical record of an animal be provided to another veterinarian within a reasonable time. The Board declined to propose a specific time because, in many cases, all that is required is a one-page document, for example, of blood test results. In such cases, the document should be faxed upon request. Other requests for records may take longer. In any event, it would not be reasonable to take longer than the 72 hours permitted under the Board's regulations for responding to a request for records from a client.

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 draft regulation to interested parties, including state and regional veterinary medical associations and considered the comments made by these interested parties.

Fiscal Impact and Paperwork Requirements

The proposed amendments should not have any financial impact on licensees, the Board or any other state entity. The proposed amendment will have no fiscal impact on the public. 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)), on September 2, 2009, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the Senate Consumer Protection and Professional Licensure Committee (SCP/PLC), and the House Professional Licensure Committee (HPLC). A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must 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 final publication of the rulemaking.

Public Comment

Interested persons are invited to submit written comments, recommendations or objections regarding this proposed rulemaking to Michelle Roberts, Board Administrator, State Board of Veterinary Medicine, P.O. Box 2649, Harrisburg, Pennsylvania, 17105-2649, www.dos.state.pa.us/vet within 30 days following publication of this proposed rulemaking in the *Pennsylvania Bulletin*.

Thomas J. McGrath, D.V.M.
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**

PROFESSIONAL CONDUCT

§ 31.21. Rules of Professional Conduct for Veterinarians.

Principle 7. [Veterinarian/client/relationships.] Responsibility to clients and patients.

(a) [Veterinarians] Except as provided below, veterinarians may choose whom they will serve[. Once they have undertaken the care of an animal, however, they may not neglect the animal], but may not neglect an animal with which the veterinarian has an established veterinarian/client/patient relationship.

- (1) During a veterinarian's regular business hours, a veterinarian shall not refuse to provide humane euthanasia to relieve the suffering of an animal that is physically presented to the veterinarian at the veterinarian's facility. A veterinarian may provide humane euthanasia for an animal under this paragraph without a veterinarian/client/patient relationship. If the owner is unknown, the veterinarian shall make a

reasonable attempt to determine the identity of the animal's owner. If the owner is known or identified, the veterinarian shall make a reasonable attempt to contact the owner and obtain consent to euthanasia or treatment. If the owner cannot be identified or cannot be contacted, the veterinarian shall exercise proper veterinary medical judgment to determine whether to provide humane euthanasia or other veterinary medical care to the animal.

- (2) If a veterinarian deems it necessary to discontinue the treatment of an animal with which the veterinarian has a veterinarian/client/patient relationship, the veterinarian shall give notice to the client of his intention to withdraw and provide reasonable time to allow the client to obtain necessary veterinary care for the animal. A veterinarian shall exercise proper veterinary medical judgment by determining the length of time that is reasonable based on the condition of the animal and the availability of alternative veterinary medical services.

(b) [In their relations with clients, veterinarians should] Veterinarians shall consider first the welfare of the animal for the purpose of relieving suffering and disability while causing a minimum of pain or fright. [Benefit to the animal should transcend personal advantage or monetary gain in decisions concerning therapy.]

(c) Veterinarians and their staffs shall protect the personal privacy of clients, unless the veterinarians are required by law to reveal the confidences or it becomes necessary to reveal the confidences to protect the health and welfare of an individual, the animal or

others whose health and welfare may be endangered. Personal information that should be protected under this section includes a client's social security number and sensitive financial information and confidential health information about the client. Veterinary medical records of a client's animals shall be released to the Board or its agents upon demand, as set forth in section 27.1(b)(1) of the act (63 P.S. § 485.27a(b)(1)). Any portion of a veterinary medical record relevant to public health shall be released to public health or law enforcement officials upon demand. Veterinary medical records shall be released to the general public only with the written consent of the client, subpoena or court order.

(d) [Veterinarians shall be fully responsible for their actions with respect to an animal from the time they accept the case until the animal is released from their care.

(e) In the choice of drugs, biologics or other treatments, veterinarians should use their professional judgment in the interests of the animal, based upon their knowledge of the condition, the probable effects of the treatment and the available scientific evidence that may affect these decisions.] Veterinarians shall practice in accordance with current advancements and acceptable and prevailing standards of care in veterinary medicine, including using current proven techniques, drugs and scientific research that may affect treatment decisions. Veterinarians shall practice in accordance with advancements and acceptable and prevailing standards of care related to the pharmacologic properties, indications and contraindications of drugs and biologics.

(e) Veterinarians shall explain the benefits and significant potential risks of treatment options to clients. Veterinarians shall document, by client signature, the client's consent

for euthanasia and other treatments that have significant potential risks. If the client is not present to provide a signature, veterinarians shall obtain oral consent and subsequently obtain the client's signature.

(f) Veterinarians shall serve as patient advocates especially regarding the alleviation of pain and suffering, consistent with the acceptable and prevailing standards of veterinary medical practice. Veterinarians shall utilize analgesic drugs, dosages, treatment intervals and combination therapies proven to be safe and effective in different species and in various conditions of age, illness or injury in accordance with current veterinary medical knowledge and acceptable and prevailing standards of care.

(g) If a client desires to consult with another veterinarian about the same case, the first veterinarian shall readily withdraw from the case, indicating the circumstances on the veterinary medical record of the animal, and shall forward copies of the animal's veterinary medical records in a reasonable period of time to other veterinarians who request them.

~~[(g)]~~(h) If a client requests referral to another veterinarian or veterinary hospital, the attending veterinarian shall honor the request and facilitate the necessary arrangements, which shall include forwarding copies of the veterinary medical records of the animal to the other veterinarian or veterinary hospital.



**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

September 2, 2009

The Honorable Arthur Coccodrilli, Chairman
INDEPENDENT REGULATORY REVIEW COMMISSION
14th Floor, Harristown 2, 333 Market Street
Harrisburg, Pennsylvania 17101

Re: Proposed Regulation
State Board of Veterinary Medicine
16A-5722: Responsibility to Clients and Patients

Dear Chairman Coccodrilli:

Enclosed is a copy of a proposed rulemaking package of the State Board of Veterinary Medicine pertaining to Responsibility to Clients and Patients.

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, appearing to read "Robin J. Bernstein".

Robin J. Bernstein, Esquire, Chairperson
State Board of Veterinary Medicine

TJM/TAL:apm

Enclosure

cc: Basil L. Merenda, Commissioner
Bureau of Professional and Occupational Affairs
Peter V. Marks, Executive Deputy Chief Counsel
Department of State
Joyce McKeever, Deputy Chief Counsel
Department of State
Cynthia Montgomery, Regulatory Counsel & Senior Counsel in Charge
Department of State
Teresa Lazo, 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-5722

SUBJECT: RESPONSIBILITY TO CLIENTS AND PATIENTS

AGENCY: DEPARTMENT OF STATE
STATE BOARD OF VETERINARY MEDICINE

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

RECEIVED
2009 SEP -2 11:11-27
INDEPENDENT REGULATORY
REVIEW COMMISSION

FILING OF REGULATION

DATE	SIGNATURE	DESIGNATION
HOUSE COMMITTEE ON PROFESSIONAL LICENSURE		
9/2/09	<i>Heather J. Nichols</i>	MAJORITY CHAIRMAN <i>Mc Geehan</i>
SENATE COMMITTEE ON CONSUMER PROTECTION & PROFESSIONAL LICENSURE		
9/2/09	<i>dmstehur</i>	MAJORITY CHAIRMAN <i>Tomlinson</i>
INDEPENDENT REGULATORY REVIEW COMMISSION		
ATTORNEY GENERAL (for Final Omitted only)		
LEGISLATIVE REFERENCE BUREAU (for Proposed only)		
9/2/09	<i>nicole Lattin</i>	

May 20, 2009