

# Regulatory Analysis Form

(Completed by Promulgating Agency)



IRRC

## 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-5724

IRRC Number: 2858

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(3) Short Title:

Licensure, Continuing Education

(4) PA Code Cite:

49 Pa. Code §§ 31.11-31.13, 31.15, 31.16, 31.40 and 31.41

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

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

Secondary Contact: Joyce McKeever, Deputy Chief Counsel, Regulatory Review,

st-veterinary@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

(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 proposal would update the Board's regulations to identify an additional pathway to licensure for individuals who graduated from a school of veterinary medicine that is not accredited by the American Veterinary Medicine Association. The proposal would delete outdated references to the National Board Examination and Clinical Competency Test. The proposal would eliminate provisions and fees related to temporary practice permits because they are outdated. The proposal would clarify license renewal procedures and penalties. The proposal would accept as a pre-approved provider of continuing education the Department of Veterinary and Biomedical Sciences, College of Agricultural Sciences, Pennsylvania State University. The proposal would require licensees to verify attendance at individual continuing education courses rather than just at a continuing education conference.

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

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: Within 2 years of publication as proposed rulemaking.

D. The expected effective date of the final-form regulation: Date of publication in the PA Bulletin as final Anticipated Spring of 2011.

E. The date by which compliance with the final-form regulation will be required: Date of publication in the PA Bulletin as final Anticipated Spring of 2011.

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. The Board's 2010 meeting dates are as follows: March 19, May 6, July 9, August 16, October 15 and December 10.

## Regulatory Analysis Form

### **SECTION II: STATEMENT OF NEED**

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

Section 8 of the Veterinary Medicine Practice Act (act), (63 P.S. § 485.8,) authorizes the Board to approve schools and colleges of veterinary medicine, allows the Board to determine the educational requirements for licensure. The American Veterinary Medical Association and American Association of Veterinary State Boards have developed programs for assessing the equivalence of veterinary education at non-accredited schools, such that graduates from these schools may meet the educational requirements for licensure.

Section 18 of the act, (63 P.S. § 485.18,) authorizes the Board to approve all continuing education programs and to promulgate standards to ensure that the programs meet the educational and professional requirements of the profession and are designed to keep the members of the profession abreast of current learning and scholarship.

Section 5 (2) of the act (63 P.S. § 485.5 (2)) authorizes the Board to promulgate regulations to effectuate the act.

Section 11 of the act (63 P.S. § 485.11) authorizes the Board to promulgate regulations related to the practice of veterinary technicians.

(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.

## Regulatory Analysis Form

(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.

Prior to this proposed amendment, the Board accepted the equivalency evaluation of the American Veterinary Medical Association, which was the only equivalency evaluation program in existence. The American Association of Veterinary State Boards (AAVSB) developed its equivalency program over a number of years, and its program is now accepted in 27 states. The Board has followed the progress of the AAVSB program over the years and determined that it is equivalent to the AVMA equivalency assessment program. The Board voted to accept applications from individuals certified through PAVE in 2008. The amendment to the regulation conforms them to the Board's practice.

Current provisions related to licensure renewal do not adequately distinguish between licensees who ceased practicing when their licenses expired and those who, in violation of the act, did not. The proposal clarifies the renewal requirements and penalties related to renewal when a licensee practiced on a lapsed license.

The Department of Veterinary and Biomedical Sciences, College of Agricultural Sciences, Pennsylvania State University approached the Board and asked the Board to consider adding them as a provider of veterinary continuing education that is pre-approved by the Board to provide continuing education required for biennial license renewal to Pennsylvania's licensed veterinarians and veterinary technicians. After reviewing the information provided by the Department of Veterinary and Biomedical Sciences, College of Agricultural Sciences, Pennsylvania State University, the Board found that their courses are in accordance with standards equivalent to the standards employed by the Board in approving continuing education courses. The Board concluded that the Department of Veterinary and Biomedical Sciences, College of Agricultural Sciences, Pennsylvania State University courses are of consistently high educational quality and should have pre-approved status.

(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 proposed rulemaking is not based upon any scientific data, studies or references.

(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.

All veterinarians and veterinary technicians will benefit from having an additional source of pre-approved continuing education.

## 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.

No costs or savings to the regulated community are anticipated.

(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.

No costs or savings to local governments are 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. Explain how the dollar estimates were derived.

No costs or savings to state government is 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	0	0	0	0	0	0
Local Government	0	0	0	0	0	0
State Government	0	0	0	0	0	0
<b>Total Savings</b>	0	0	0	0	0	0
<b>COSTS:</b>						
Regulated Community	0	0	0	0	0	0
Local Government	0	0	0	0	0	0
State Government	0	0	0	0	0	0
<b>Total Costs</b>	0	0	0	0	0	0
<b>REVENUE LOSSES:</b>						
Regulated Community	0	0	0	0	0	0
Local Government	0	0	0	0	0	0
State Government	0	0	0	0	0	0
<b>Total Revenue Losses</b>	0	0	0	0	0	0

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

Program	FY 06-07 Actual	FY 07-08 Actual	FY 08-09 Projected	FY 09-10
State Board of Veterinary Medicine	\$635,628	\$534,629	\$706,000	\$775,000

## Regulatory Analysis Form

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

As there are no costs associated with the proposed regulation; the benefit to the Board's licensees in increased clarity of the regulations and having an additional CE provider clearly favors adopting the regulation.

(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 considered comments on the rulemaking from the Pennsylvania Veterinary Medical Association and Penn State University.

(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 did not consider any alternative regulatory provisions.

(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.

None of the provisions of the proposed regulation are more stringent than federal standards.

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

The regulation is comparable to other states' regulations that permit veterinarians to obtain continuing education credit for courses from state universities.

(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.



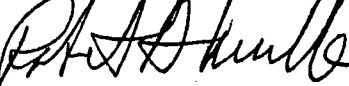
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Copy below is hereby approved as to  
form and legality. Attorney General



BY: \_\_\_\_\_  
(DEPUTY ATTORNEY GENERAL)

**JUN 25 2010**

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)

16A-5724

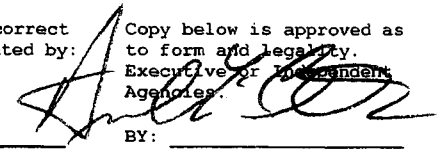
DOCUMENT/FISCAL NOTE NO. \_\_\_\_\_

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

BY: \_\_\_\_\_  
Robin J. Bernstein, Esquire

TITLE: Chairman  
(EXECUTIVE OFFICER, CHAIRMAN OR SECRETARY)

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to form and legality.  
Executive or Independent  
Agencies.



BY: \_\_\_\_\_  
Andrew C. Clark

**MAY 13 2010**

DATE OF APPROVAL

(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, §31.16  
LICENSE RENEWAL, CONTINUING EDUCATION

The State Board of Veterinary Medicine (Board) proposes to amend §§ 31.11, 31.13, 31.15, 31.16, 31.40 and 31.41 and to delete § 31.12 (relating to temporary permits), to read as set forth in Annex A. The proposal would update the Board's regulations with regard to original licensure, temporary permits, license renewal and continuing education.

### **Effective Date**

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

### **Statutory Authority**

Section 8 of the Veterinary Medicine Practice Act (act) (63 P.S. § 485.8) authorizes the Board to determine the educational requirements for licensure. Section 18 of the act (63 P.S. § 485.18), authorizes the Board to approve all continuing education programs and to promulgate standards to ensure that the programs meet the educational and professional requirements of the profession and are designed to keep the members of the profession abreast of current learning and scholarship. Section 5(2) of the act (63 P.S. § 485.5(2)) authorizes the Board to promulgate regulations to effectuate the act. Section 11 of the Act (63 P.S. § 485.11) authorizes the Board to promulgate regulations related to the practice of veterinary technicians.

### **Background and Need for Amendments**

Prior to this proposed amendment, the American Veterinary Medical Association (AVMA) Educational Commission for Foreign Veterinary Graduates (ECFVG) certification program was the only path by which a graduate of a school of veterinary medicine that was not accredited by the AVMA could obtain licensure in this Commonwealth. Over the past decade, the American Association of Veterinary State Boards (AAVSB) has developed the Program for the Assessment of Veterinary Education Equivalence (PAVE) certification program. The AAVSB presented information to the Board regarding the program, which has approved over 400 candidates and is now accepted in 29 jurisdictions states, including New York and Virginia. The Board has determined that both the PAVE and ECFVG certification programs assess educational equivalency in the public interest. In 2008, the Board voted to accept applications from individuals certified through PAVE. The Board's proposal now conforms the regulations to the Board's practice.

The Board also proposes to delete references to the National Board Examination and Clinical Competency Test, which have not been used for initial licensure in North America for well over 5 years.

The proposal would also delete regulatory provisions and fees related to temporary permits because these provisions are outdated. As described in section 10 of the act (53 P.S. §485.10) temporary permits were designed to permit graduates of approved schools to practice while awaiting the next administration of the licensing examination and the announcement of scores from the licensing examination. For at least 10 years, veterinary students have been taking the licensing examination prior to graduation from veterinary school. Applicants for licensure by reciprocity can have their licensure applications processed as quickly as they can have an application for a temporary permit processed. Therefore, there is no longer any need for temporary permits.

The proposal would update the Board's regulations related to license renewal by more clearly delineating between licensees who continue to practice while their licenses are lapsed, in violation of the act, and individuals who do not practice while their licenses are lapsed.

The proposal would also update the Board's continuing education provisions to recognize the Department of Veterinary and Biomedical Sciences (Department), College of Agricultural Sciences, Pennsylvania State University as a pre-approved provider of veterinary medical continuing education. The Department has requested approval of its courses on an annual basis for many years, and the Board has always approved the Department. After reviewing the information provided by the Department, the Board determined that the courses are of consistently high educational quality and advance the knowledge of licensees in the practice of veterinary medicine and should, therefore, be granted pre-approved status. Finally, the Board proposes additional requirements on pre-approved providers of continuing education consistent with National trends.

The proposal would require licensees attending veterinary medical conferences at which multiple continuing education courses are offered to use some method to verify their attendance at individual courses. All of the large National veterinary medical conferences use a system whereby the attendees register for particular courses online and schedules are printed. In addition, most of the conferences provide a log sheet for the attendees to write in the names of the courses they attended. One conference provides swipe cards that attendees use when they enter and leave individual courses and a computer-generated log is generated documenting the sessions attended.

The proposal would also add a new fee for a duplicate license. Veterinarians are required to display an original license issued by the Board at their practice location. Veterinarians who practice in more than one facility must obtain a duplicate license from the Board. The Boards and Commissions within the Bureau of Professional and Occupational Affairs charge \$5 for a duplicate license; however, the Board never put this fee into its regulatory schedule of fees. In order to inform licensees of the fee, the Board proposes to add the fee. While CVTs are not required to display their original license at their practice location, a CVT or a veterinarian may

need a duplicate license if their license is lost or destroyed. Therefore, the Board proposes to include the duplicate license fee for both veterinarians and veterinary technicians.

### **Description of Proposed Amendments**

The Board proposes to amend § 31.11(b)(1) (relating to application for licensure) to permit applicants who graduated from schools not accredited by the AVMA to demonstrate equivalent education through either the AVMA (ECFVG) or AAVSB (PAVE) equivalency evaluation process.

The Board proposes to amend § 31.11(b)(2) to delete references to the National Board Examination and Clinical Competency Test, examinations that have not been administered in well over 5 years.

The Board proposes to delete § 31.12 (relating to temporary permits) because veterinary students currently take the licensure examination prior to completing veterinary school and applicants for licensure by reciprocity do not need temporary permits because the processing time for a license and a permit is the same.

In addition, the Board proposes to amend § 31.13 (related to licensure renewal) to require licensees to report disciplinary action by another state veterinary licensing board or other authority that authorizes a veterinarian to practice. This provision is necessary to ensure that the Board is made aware of disciplinary action by state racing commissions or the United States Department of Agriculture. In addition, the Board proposes to require veterinarians to report criminal convictions to the Board. The Board proposes amendments to subsections (c) and (d) of § 31.13 to more clearly distinguish the requirements and penalties associated with license renewal between licensees who practiced on an expired license in violation of the act and those who ceased practicing upon expiration of their licenses.

The Board proposes to amend §§ 31.16(a) and 31.40(a) (relating to continuing education provider approval), which list those continuing education providers who are pre-approved by the Board to offer courses to licensed veterinarians and to certified veterinary technicians, by adding a new paragraph to include the Department of Veterinary and Biomedical Sciences, College of Agricultural Sciences, Pennsylvania State University.

The Board proposes to amend § 31.16(c) to require providers of continuing education to provide attendees with some method to verify their attendance at individual continuing education courses. All of the large National conferences have already developed some method of documenting attendance at individual courses.

Finally, the Board proposes to amend § 31.41 (relating to schedule of fees) to delete the fee for temporary permits and include the fee for duplicate licenses.

### **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. The amendment will permanently relieve the Department of Veterinary and Biomedical Sciences, College of Agricultural Sciences, Pennsylvania State University from having to apply to the Board for approval of a continuing education course to be offered by them.

The proposal requiring providers of continuing education offering multiple courses to provide a mechanism for tracking individual's attendance at particular courses may cause the providers to incur additional expenses and paperwork. However, all of the large, National meetings already provide either an online, written or electronic tracking sheet to attendees. Therefore, there should not be any fiscal impact or additional paperwork requirements.

### **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 July 14, 2010, 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](http://www.dos.state.pa.us/vet) within 30 days following publication of this proposed rulemaking in the *Pennsylvania Bulletin*.

Robin J. Bernstein, Esq.,  
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**

**LICENSURE**

**§ 31.11. Application for licensure.**

\* \* \* \* \*

(b) *Original licensure.* As a prerequisite to original licensure as a veterinarian, an applicant shall submit the following documentation to the Board:

(1) Evidence of graduation from an approved school or college of veterinary medicine[. The applicant's official transcript provided by the degree-granting institution or a verification of graduation from the degree-granting institution shall be evidence of graduation from an approved college of veterinary medicine. A graduate of a school or college of veterinary medicine outside of the United States and Canada shall submit certification by the] or certification of equivalence sent directly from the American Veterinary Medical Association, Educational Commission for Foreign Veterinary Graduates or [another program which may subsequently be approved by the American Veterinary Medical Association as proof of graduation from an approved school or college of veterinary medicine]

the American Association of Veterinary State Boards, Program for the  
Assessment of Veterinary Education Equivalence.

(2) North American Veterinary Licensing Examination (NAVLE) results as furnished through a National examination grade reporting service. [The Board will accept an applicant's grades from the National Board Examination (NBE) and Clinical Competency Test (CCT) examinations if taken within the last 5 years as furnished through a National examination grade reporting service in lieu of the NAVLE, if the applicant passed these examinations with a score equivalent to or higher than the passing score then prevailing in this Commonwealth.]

\* \* \* \* \*

**§ 31.12. [Temporary permits] (Reserved).**

(a) *Original licensure.* An applicant for original licensure who desires a temporary permit under section 10 of the act (63 P.S. § 485.10) may be granted a temporary permit to practice veterinary medicine upon graduation from an approved school or college of veterinary medicine, completion of an application form prescribed by the Board and payment of the fee required by § 31.41 (relating to schedule of fees). The applicant's official transcript provided by the degree-granting institution or a verification of graduation from the degree-granting institution shall be evidence of graduation from an approved school or college of veterinary medicine. A graduate of a school or college of veterinary medicine outside of the United States and Canada shall submit certification by the American Veterinary Medical Association, Educational Commission for Foreign Veterinary Graduates or another program which may subsequently be approved by the



American Veterinary Medical Association, as proof of graduation from an approved school or college of veterinary medicine.

(b) *Reciprocal licensure.* An applicant for reciprocal licensure who desires a temporary permit under section 10 of the act may be granted a temporary permit to practice veterinary medicine in this Commonwealth if the applicant completes an application form prescribed by the Board, pays the fee required by § 31.41, and otherwise meets the requirements of subsections (a) and (c) and section 10 of the act.

(c) *Temporary permit holder limitations.* A temporary permit holder shall be associated with a licensed doctor of veterinary medicine, shall limit his work to the practice of the licensed doctor of veterinary medicine and may not participate in any practice or operation of a branch office, clinic or allied establishment. The associating veterinarian shall be responsible for all veterinary activities of the temporary permit holder and shall be accessible to the temporary permit holder either by telephone or personal contact. When contact by telephone or personal contact is not possible as, for example, in the case of vacations or other travel, the associating veterinarian shall delegate the supervisory responsibilities to another licensed veterinarian. The associating veterinarian will continue to assume responsibility for the veterinary activities of the temporary permit holder in his absence. A temporary permit holder shall report to the next scheduled examination of the Board following the issuance of the temporary permit. The temporary permit shall expire on the day following the announcement of the grades of the first examination given after the temporary permit is issued.]

§ 31.13      **Licensure renewal.**

(a) Licenses expire on November 30 of each even-numbered year, regardless of the date of issuance. Licenses are renewable for a 2-year period beginning December 1 of each even-numbered year. The fee for biennial renewal is as set forth in § 31.41 (relating to schedule of fees). [Late fees as prescribed by the Bureau of Professional and Occupational Affairs Fee Act (63 P.S. §§ 1401-101—1401-501) will be added to the renewal fees of licensees who do not submit their renewal applications by December 1 of the year of expiration of their licenses.] Upon renewing their licenses, licensees will receive a blue 5 x 7 wall certificate and wallet-size license card which show the next expiration date of the license. [These documents are the only evidence of valid, current licensure.]

(b) A licensee who is also licensed to practice veterinary medicine in another state, territory or country shall report this information on the biennial registration form. Disciplinary action taken by the veterinary licensing authority or other authority that authorizes a licensee to the practice of veterinary medicine or that is related to veterinary medicine in [other states, territories or countries] another state, territory, country, or by a Federal authority in the United States, shall be reported to the Board on the biennial registration application or within 90 days of final disposition, whichever is sooner. Criminal convictions shall be reported to the Board on the biennial registration application or within 90 days of sentencing, including acceptance into an Accelerated Rehabilitative Disposition program, whichever is sooner.

(c) Licensed veterinarians who fail to renew their license shall cease from the practice of veterinary medicine in this Commonwealth on the last day of November of the

license will [result in] be subject to disciplinary action by the Board [under section 9(a) of the act (63 P.S. § 485.9(a))]. Late fees as prescribed by the Bureau of Professional and Occupational Affairs Fee Act (63 P.S. §§ 1401-101—1401-501) will be added to the renewal fee of a licensee who practiced on an expired license. The licensee will be required to pay the current biennial renewal fee as set forth in § 31.41 (relating to fees) and the fees that would have been paid had the license been maintained in good standing. The licensee will be required to submit continuing education certificates of attendance for the current and any past biennial renewal periods during which the licensee practiced on an expired license.

(d) A holder of an expired license to practice veterinary medicine who did not practice veterinary medicine in this Commonwealth while the licensee's license was expired may reactivate and renew the license [within 5 years from the date of its expiration,] upon application to and approval of the Board and upon payment of the current biennial renewal fee as set forth in § 31.41 [and the payment of the fees that would have been paid if the license had been maintained in good standing] and documentation that the licensee has complied with § 31.15 (related to continuing education). The application for renewal shall also be accompanied by [certificates of attendance at continuing education courses as required by § 31.15 (relating to continuing education) for the current and preceding biennial renewal periods in which the license was expired, and] an Affidavit of Non-Practice, verifying the period of time in which the licensee abstained from the practice of veterinary medicine in this Commonwealth. A licensee will not be assessed a late renewal fee under the Bureau of Professional and

Occupational Affairs Fee Act for the preceding biennial periods in which the licensee abstained from the practice of veterinary medicine in this Commonwealth.

(e) [A licensee will not be assessed a late renewal fee for the preceding biennial periods in which the licensee abstained from the practice of veterinary medicine in this Commonwealth.] The following individuals will be required to apply for a license in accordance with section 9 of the act (63 P.S. §485.9) if the licensee desires to resume practicing veterinary medicine in this Commonwealth:

(i) A licensee who practiced veterinary medicine in this Commonwealth on an expired Pennsylvania license for a period of more than 5 years.

(ii) A veterinarian who practiced veterinary medicine in another jurisdiction on an license issued by that jurisdiction that was expired for a period of more than 5 years.

(iii) A veterinarian who did not have an unexpired license in any jurisdiction and did not practice veterinary medicine with a current license in any jurisdiction for a period of more than 5 years.

**§ 31.15. Continuing education.**

[As a condition of licensure renewal under § 31.13 (relating to licensure renewal), a veterinarian]

(a) Veterinarians shall complete 30 clock hours of continuing education courses approved by the Board during the 24 months preceding the renewal date. [Continuing

education credit will not be given for a course in office management or practice building.]

(b) A maximum of 25% of the hours may be earned by taking individual study or written or computer-based correspondence courses for which third-party verification of satisfactory completion is provided. [The courses shall meet the requirements of § 31.16 (relating to continuing education provider approval).]

(c) Veterinarians shall maintain a list of all continuing education courses attended and certificates of attendance for a minimum of 3 years.

(d) Courses in office management or practice building may not be used to meet the 30-hour continuing education requirement.

**§ 31.16. Continuing education provider approval.**

(a) Subject to § 31.15 (relating to continuing education), 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 so long as the programs increase the skills, knowledge and competency of veterinarians in the practice of the profession:

\* \* \* \* \*

(9) The Department of Veterinary and Biomedical Sciences, College of Agricultural Sciences, Pennsylvania State University.

\* \* \* \* \*

(c) Organizations approved under subsections (a) and (b) shall provide certificates of attendance to the veterinarian which includes the name of the provider, 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. If a certificate of attendance covers a program with more than one course, organizations approved under subsections (a) and (b) shall require some method by which attendees verify attendance at individual courses. Organizations approved under subsection (b) shall also provide the Pennsylvania approval number.

\*\*\*\*\*

**§ 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] so long as the programs are specifically designed to increase the skills, knowledge and competency of certified veterinary technicians:

\*\*\*\*\*

(10) The Department of Veterinary and Biomedical Sciences, College of Agricultural Sciences, Pennsylvania State University.

\*\*\*\*\*

§ 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:

*Veterinarians:*

\*\*\*\*\*

Duplicate license.....\$5

[Temporary permit.....\$35]

\*\*\*\*\*

*Veterinary technicians:*

\*\*\*\*\*

Duplicate license.....\$5

\*\*\*\*\*



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

July 14, 2010

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

Re: Proposed Regulation  
State Board of Veterinary Medicine  
16A-5724: LICENSE RENEWAL, CONTINUING EDUCATION

Dear Chairman Coccodrilli:

Enclosed is a copy of a proposed rulemaking package of the State Board of Veterinary Medicine pertaining to License Renewal and Continuing Education.

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

RJB/TL:rs

Enclosure

cc: Basil L. Merenda, Commissioner  
Bureau of Professional and Occupational Affairs  
Steven V. Turner, 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-5724  
 SUBJECT: LICENSE RENEWAL, CONTINUING EDUCATION  
 AGENCY: DEPARTMENT OF STATE  
 STATE BOARD OF VETERINARY MEDICINE

**TYPE OF REGULATION**

- 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  
IRRC  
2010 JUL 14 A 10:21

**FILING OF REGULATION**

DATE	SIGNATURE	DESIGNATION
		HOUSE COMMITTEE ON PROFESSIONAL LICENSURE
7/14/10	<i>[Signature]</i>	MAJORITY CHAIRMAN <u>Michael P. McGeehan</u>
7/14/10	<i>[Signature]</i>	SENATE COMMITTEE ON CONSUMER PROTECTION & PROFESSIONAL LICENSURE
		MAJORITY CHAIRMAN <u>Robert M. Tomlinson</u>
7/14/10	<i>[Signature]</i>	INDEPENDENT REGULATORY REVIEW COMMISSION
		ATTORNEY GENERAL (for Final Omitted only)
7/14/10	<i>[Signature]</i>	LEGISLATIVE REFERENCE BUREAU (for Proposed only)