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Regulatory
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Fast Track Proposed Regulation Agency Background Document

Agency name	Board of Veterinary Medicine, Department of Health Professions
Virginia Administrative Code (VAC) citation	18VAC150-20-10 et seq.
Regulation title	Regulations Governing the Practice of Veterinary Medicine
Action title	Elimination of restriction on practical training in veterinary college
Date this document prepared	6/11/14

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Orders 14 (2010) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Brief summary

Please provide a brief summary (no more than 2 short paragraphs) of the proposed new regulation, proposed amendments to the existing regulation, or the regulation proposed to be repealed. Alert the reader to all substantive matters or changes.

An amendment to section 130 will eliminate the restriction that a veterinary student must be in his final year of training in order to practice in a preceptorship or externship. The change is in response to a petition for rulemaking.

Acronyms and Definitions

Please define all acronyms used in the Agency Background Document. Also, please define any technical terms that are used in the document that are not also defined in the "Definition" section of the regulations.

None

Statement of final agency action

Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.

On June 11, 2014, the Board of Veterinary Medicine amended section 130 of 18VAC150-20-10 et seq., Regulations Governing the Practice of Veterinary Medicine.

Legal basis

Please identify the state and/or federal legal authority to promulgate this proposed regulation, including (1) the most relevant citations to the Code of Virginia or General Assembly chapter number(s), if applicable, and (2) promulgating entity, i.e., agency, board, or person. Your citation should include a specific provision authorizing the promulgating entity to regulate this specific subject or program, as well as a reference to the agency/board/person's overall regulatory authority.

Chapter 24 of Title 54.1 establishes the general powers and duties of health regulatory boards, including the Board of Veterinary Medicine, the responsibility to promulgate regulations:

§ 54.1-2400. General powers and duties of health regulatory boards.--The general powers and duties of health regulatory boards shall be:

6. To promulgate regulations in accordance with the Administrative Process Act (§ 9-6.14:1 et seq.) which are reasonable and necessary to administer effectively the regulatory system. Such regulations shall not conflict with the purposes and intent of this chapter or of Chapter 1 and Chapter 25 of this title...

The specific authority of the Board relating to practical training for students of veterinary medicine is found in:

§ 54.1-3804. Specific powers of Board.

In addition to the powers granted in § 54.1-2400, the Board shall have the following specific powers and duties:

1. To establish essential requirements and standards for approval of veterinary programs.
2. To establish and monitor programs for the practical training of qualified students of veterinary medicine or veterinary technology in college or university programs of veterinary medicine or veterinary technology.

Purpose

Please explain the need for the new or amended regulation. Describe the rationale or justification of the proposed regulatory action. Detail the specific reasons the regulation is essential to protect the health, safety or welfare of citizens. Discuss the goals of the proposal and the problems the proposal is intended to solve.

The purpose of the regulatory action is to eliminate a burdensome restriction on the preceptorships for veterinary students in which they gain practical experience under the direct

supervision of a licensed veterinarian. Currently, students are not allowed to be engaged in a preceptorship until their final year in veterinary college. Therefore, they do not have the opportunity to practice what they are learning in the first three years and believe that they are less skillful and competent as practitioners when they graduate. Since preceptees are restricted to perform only those tasks for which they have been adequately instructed and must practice under the on-premises supervision of a licensed veterinarian, the Board believes supervised practical experience through the course of veterinary college will be beneficial to patients and will adequately protect the health and safety of the public.

Rationale for using fast track process

Please explain the rationale for using the fast track process in promulgating this regulation. Why do you expect this rulemaking to be noncontroversial?

The amendment is very straightforward and was overwhelmingly supported by 245 commenters to the petition for rulemaking. It is supported by the Virginia/Maryland Regional College of Veterinary Medicine. Therefore, the Board does not expect the rulemaking to be controversial and has adopted the proposed change by a fast-track action.

Substance

Please briefly identify and explain the new substantive provisions, the substantive changes to existing sections, or both where appropriate. (Provide more detail about these changes in the "Detail of changes" section.) Please be sure to define any acronyms.

An amendment to section 130 is as follows: A veterinary student who is duly enrolled and in good standing in a veterinary college or school accredited or approved by the AVMA ~~and in the final year of his training or after completion of an equivalent number of hours as approved by the board~~ may be engaged in a preceptorship or externship.

Issues

Please identify the issues associated with the proposed regulatory action, including:

- 1) the primary advantages and disadvantages to the public, such as individual private citizens or businesses, of implementing the new or amended provisions;*
 - 2) the primary advantages and disadvantages to the agency or the Commonwealth; and*
 - 3) other pertinent matters of interest to the regulated community, government officials, and the public.*
- If there are no disadvantages to the public or the Commonwealth, please indicate.*

- 1) The primary advantage to the public is the availability of veterinarians with more supervised, practical experience when they graduate and begin practice in veterinary establishments. There are no disadvantages.
- 2) There are no advantages or disadvantages to the agency or the Commonwealth.
- 3) There are no other pertinent matters of interest.

Requirements more restrictive than federal

Please identify and describe any requirement of the proposal which is more restrictive than applicable federal requirements. Include a rationale for the need for the more restrictive requirements. If there are no applicable federal requirements or no requirements that exceed applicable federal requirements, include a statement to that effect.

There are no requirements in this proposal more restrictive than federal requirements.

Localities particularly affected

Please identify any locality particularly affected by the proposed regulation. Locality particularly affected means any locality which bears any identified disproportionate material impact which would not be experienced by other localities.

There are no localities particularly affected.

Regulatory flexibility analysis

Pursuant to §2.2-4007.1B of the Code of Virginia, please describe the agency's analysis of alternative regulatory methods, consistent with health, safety, environmental, and economic welfare, that will accomplish the objectives of applicable law while minimizing the adverse impact on small business. Alternative regulatory methods include, at a minimum: 1) the establishment of less stringent compliance or reporting requirements; 2) the establishment of less stringent schedules or deadlines for compliance or reporting requirements; 3) the consolidation or simplification of compliance or reporting requirements; 4) the establishment of performance standards for small businesses to replace design or operational standards required in the proposed regulation; and 5) the exemption of small businesses from all or any part of the requirements contained in the proposed regulation.

There are no regulatory methods that will accomplish the objectives of applicable law.

Economic impact

Please identify the anticipated economic impact of the proposed new regulations or amendments to the existing regulation. When describing a particular economic impact, please specify which new requirement or change in requirement creates the anticipated economic impact. Please keep in mind that we are looking at the impact of the proposed changes to the status quo.

Description of the individuals, businesses or other entities likely to be affected (positively or negatively) by this regulatory proposal. Think broadly, e.g., these entities may or may not be regulated by this board	The entities likely to be affected would be students in veterinary schools or colleges.
Agency's best estimate of the number of (1)	The Board has no information on how many

entities that will be affected, including (2) small businesses affected. Small business means a business, including affiliates, that is independently owned and operated, employs fewer than 500 full-time employees, or has gross annual sales of less than \$6 million.	students would be affected.
Benefits expected as a result of this regulatory proposal.	The primary benefit is greater opportunity for veterinary students to gain practical experience while they are still in school and under close supervision.
Projected cost to the <u>state</u> to implement and enforce this regulatory proposal.	There are no costs to the state.
Projected cost to <u>localities</u> to implement and enforce this regulatory proposal.	There are no costs to localities.
All projected costs of this regulatory proposal for <u>affected individuals, businesses, or other entities</u>. Please be specific and include all costs, including projected reporting, recordkeeping, and other administrative costs required for compliance by small businesses, and costs related to real estate development.	There are no costs to students or schools.

Alternatives

Please describe any viable alternatives to the proposal considered and the rationale used by the agency to select the least burdensome or intrusive alternative that meets the essential purpose of the action. Also, include discussion of less intrusive or less costly alternatives for small businesses, as defined in §2.2-4007.1 of the Code of Virginia, of achieving the purpose of the regulation.

No alternatives were considered as an amendment to section 130 is the least burdensome and intrusive alternative that meets the essential purpose of the action. The amendment is in response to a petition for rulemaking which was overwhelmingly supported by veterinary students and veterinarians.

Family impact

Please assess the impact of the proposed regulatory action on the institution of the family and family stability including to what extent the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.

There is no impact on the family.

Detail of changes

Please list all changes that are being proposed and the consequences of the proposed changes. If the proposed regulation is a new chapter, describe the intent of the language and the expected impact. Please describe the difference between existing regulation(s) and/or agency practice(s) and what is being proposed in this regulatory action.

Current section number	Current requirement	Proposed change, intent, rationale, and likely impact of proposed requirements
130	Sets out requirements for practical training in a preceptorship or externship.	In subsection A, the changes is as follows: A veterinary student who is duly enrolled and in good standing in a veterinary college or school accredited or approved by the AVMA and in the final year of his training or after completion of an equivalent number of hours as approved by the board may be engaged in a preceptorship or externship. <i>Students and recent graduates have strongly supported this change because they realize they could have been better prepared in the general practice of veterinary medicine had they been able to practice their training and hone their skills throughout the educational experience. The Virginia/Maryland Regional College of Veterinary Medicine reports that it is preparing to revamp its curriculum to keep up with newer technologies and techniques and that practical training throughout the four years in the program would be essential to a more innovative course of study.</i>