

VETERINARY MEDICINE BOARD[811]

Notice of Intended Action

**Proposing rulemaking related to agency procedure for rulemaking
and providing an opportunity for public comment**

The Board of Veterinary Medicine hereby proposes to rescind Chapter 4, “Agency Procedure for Rule Making,” and adopt a new Chapter 4, “Agency Procedure for Rulemaking,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code section 169.5.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapters 17A, 169 and 272C.

Purpose and Summary

This proposed rulemaking updates the Board’s procedure for rulemaking rules by removing outdated or redundant provisions that are covered by statute.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to 811—Chapter 14.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking. Written or oral comments in response to this rulemaking must be received by the Board no later than 4:30 p.m. on March 29, 2024. Comments should be directed to:

Colin Tadlock
Iowa Department of Agriculture and Land Stewardship
Wallace State Office Building
502 East 9th Street
Des Moines, Iowa 50319
Phone: 515.518.7609
Email: colin.tadlock@iowaagriculture.gov

Public Hearing

Public hearings at which persons may present their views orally or in writing will be held as follows:

February 29, 2024
10 a.m.

Second Floor Boardroom
Wallace State Office Building
Des Moines, Iowa

March 8, 2024
10 a.m.

Second Floor Boardroom
Wallace State Office Building
Des Moines, Iowa

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Board and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind 811—Chapter 4 and adopt the following **new** chapter in lieu thereof:

CHAPTER 4

AGENCY PROCEDURE FOR RULEMAKING

The veterinary medicine board hereby adopts, with the following exceptions and amendments, the Uniform Rules on Agency Procedure relating to agency procedure for rulemaking, which are published at www.legis.iowa.gov/DOCS/Rules/Current/UniformRules.pdf on the general assembly's website.

811—4.1(17A,169,272C) Applicability. In lieu of “agency”, insert “the board of veterinary medicine (hereinafter referred to as “the board”)”.

811—4.3(17A,169,272C) Public rulemaking docket.

4.3(2) In lieu of “(commission, board, council, director)”, insert “board”.

811—4.4(17A,169,272C) Notice of proposed rulemaking.

4.4(3) In lieu of “(specify time period)”, insert “one year”.

811—4.5(17A,169,272C) Public participation.

4.5(1) In lieu of “(identify office and address)”, insert “the State Veterinarian, Department of Agriculture and Land Stewardship, Wallace State Office Building, 502 E. 9th Street, Des Moines, Iowa 50319-0053”.

4.5(5) In lieu of “(designate office and telephone number)”, insert “the state veterinarian office at 515.281.8617”.

811—4.6(17A,169,272C) Regulatory analysis.

4.6(2) In lieu of “(designate office)”, insert “state veterinarian's office”.

811—4.10(17A,169,272C) Exemptions from public rulemaking procedures.

4.10(2) This subrule is not adopted.

811—4.11(17A,169,272C) Concise statement of reasons.

4.11(1) In lieu of “(specify the office and address)”, insert “the State Veterinarian, Department of Agriculture and Land Stewardship, Wallace State Office Building, 502 E. 9th Street, Des Moines, Iowa 50319-0053”.

811—4.13(17A,169,272C) Agency rulemaking record.

4.13(2) In lieu of “(agency head)”, insert “chairperson of the board”.

These rules are intended to implement Iowa Code chapters 17A, 169, and 272C.