

VETERINARY MEDICINE BOARD[811]

Regulatory Analysis

Notice of Intended Action to be published: Iowa Administrative Code 811—Chapter 6
“Application for Veterinary Licensure”

Iowa Code section(s) or chapter(s) authorizing rulemaking: 169.5
State or federal law(s) implemented by the rulemaking: Iowa Code chapter 169

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

November 13, 2023
10 a.m.

Second Floor Conference Room
Wallace State Office Building
Des Moines, Iowa

Public Comment

Any interested person may submit written comments concerning this Regulatory Analysis. Written comments in response to this Regulatory Analysis must be received by the Board of Veterinary Medicine no later than 4:30 p.m. on the date of the public hearing. 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
Email: colin.tadlock@iowaagriculture.gov

Purpose and Summary

Proposed Chapter 6 provides for the process and requirements to obtain a license to practice veterinary medicine in Iowa. The chapter includes but is not limited to the application procedure, the requirements for license, the fees, and definitions of specific license types. The benefit to the public is a standardized process to ensure that the Board is granting licenses to qualified veterinarians. The benefit to veterinarians is a clear understanding of the process to become a licensed veterinarian in Iowa.

Analysis of Impact

1. Persons affected by the proposed rulemaking:

- Classes of persons that will bear the costs of the proposed rulemaking:

Veterinarians seeking licensure in Iowa will bear the costs.

- Classes of persons that will benefit from the proposed rulemaking:

Citizens of Iowa who need to seek the services of veterinarians will benefit. Because veterinarians are an integral part of food safety, the public can be assured that livestock are raised, treated and harvested in a humane way. Veterinarians would also benefit from this proposed rulemaking.

2. Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:

- Quantitative description of impact:

Costs associated with this rulemaking are the licensing fees and associated costs to obtain a veterinary license in Iowa. These costs are borne by the veterinarians seeking an Iowa license.

- Qualitative description of impact:

The rulemaking requires certain education, examination, and/or certification requirements be met before obtaining a license to practice veterinary medicine.

3. Costs to the State:

- Implementation and enforcement costs borne by the agency or any other agency:

Costs incurred to execute and enforce Chapter 6 are borne by the Iowa Department of Agriculture and Land Stewardship and the Board. The major cost is staff time. Staff and estimated percentage of time allocated is as follows: Executive Secretary of the Iowa Board of Veterinary Medicine (State Veterinarian), 0.15 full-time equivalent (FTE) position; Program Planner 2, 0.60 FTE position; and two Compliance Investigators, 0.40 FTE position each (one Compliance Investigator, 0.80 FTE position). Other costs associated would include but are not limited to hiring expert witnesses, costs associated with hearings, legal staff, and office supplies.

- Anticipated effect on state revenues:

The anticipated effect on state revenues is minimal. The license application process requires applicants to pay a fee to mitigate some of the costs to the State to review and approve license applications.

4. Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:

Inaction or not licensing veterinarians would have a huge negative impact in Iowa on the quality of veterinarians practicing and would have negative effects on pets and livestock.

5. Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:

There is not an alternative method because the license requirements for veterinarians are specified in Iowa Code chapter 169.

6. Alternative methods considered by the agency:

- Description of any alternative methods that were seriously considered by the agency:

No alternative methods were considered.

- Reasons why alternative methods were rejected in favor of the proposed rulemaking:

No alternative methods were considered.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

This rulemaking does not impose requirements on any businesses, but only imposes licensure requirements on persons wishing to practice veterinary medicine in Iowa. Accordingly, there does not appear to be any impacts on small business.

Text of Proposed Rulemaking

ITEM 1. Rescind 811—Chapter 6 and adopt the following **new** chapter in lieu thereof:

CHAPTER 6
APPLICATION FOR VETERINARY LICENSURE

811—6.1(169) Procedure.

6.1(1) *Application to take examination.* Any person desiring to take the NAVLE in Iowa for a license to practice veterinary medicine applies to the board in accordance with the guidelines and timelines established by the ICVA. The applicant will submit proof of completing the application process with ICVA along with the administrative fee by sending the proof and fee to:

Iowa Board of Veterinary Medicine
Iowa Department of Agriculture and Land Stewardship
Wallace State Office Building
502 E. 9th Street
Des Moines, Iowa 50319-0053

Proof of NAVLE application is to be submitted on forms provided by the board in accordance with the guidelines and timelines established by the ICVA. The completed form is to be notarized and includes one current passport size and quality photograph of the applicant. Incomplete applications will be returned to the applicant along with the tendered fee and a written statement setting forth the reasons for such rejections.

A completed form is to be accompanied by satisfactory evidence of the applicant having graduated from an AVMA-accredited school of veterinary medicine or satisfactory evidence that the applicant is expected to graduate within six months of the date of the examination.

Applications to take the NAVLE will not be accepted from any person who has previously taken and passed that examination in any jurisdiction, except on case-by-case petition to the board for good cause shown or other order of the board.

6.1(2) License requirements. Prior to the board’s issuance of a license, the applicant will:

- a. Successfully complete the NAVLE as provided in rule 811—7.1(169);
- b. Remit the proper application fee for licensure;
- c. Graduate from:
 - (1) An AVMA-accredited school of veterinary medicine; or
 - (2) An AVMA-listed school of veterinary medicine and have received a certificate from either ECFVG or PAVE;
- d. Provide a statement indicating all jurisdictions in which the applicant is or has ever been licensed to practice veterinary medicine and consent to release to the board license information from jurisdictions in which the applicant is or has ever been licensed;
- e. Provide information or consent to the release of information pertinent to the character and education of the applicant as the board may deem necessary in order to evaluate the applicant’s qualifications; and
- f. Submit evidence of having completed at least 60 hours of approved continuing education within the last three licensing years. New graduates and applicants within one year after the date of graduation are exempt from continuing education requirements for initial licensing. Applicants who apply more than one year but less than two years after the date of graduation need to complete at least 20 hours of approved continuing education. Applicants who apply more than two years but less than three years after the date of graduation need to complete at least 40 hours of approved continuing education. As used in this paragraph, “date of graduation” also includes the date of PAVE or ECFVG certification.

A license issued during a triennium, upon the applicant’s completion of these requirements and payment of the prorated triennial license fee, is issued for the balance of the triennium. A license expires on June 30 of the third year of the triennium.

811—6.2(169) Fee schedule for veterinarians. The following fees are collected by the board and will not be refunded except by board action in unusual instances such as documented illness of the applicant, death of the applicant, inability of the applicant to comply with the rules of the board, or withdrawal of an examination application provided withdrawal is received in writing 45 days prior to the examination date. However, the state fees may be waived for qualifying military service personnel upon request. Examination fees are not transferable from one examination to another.

The fee for the NAVLE, which is utilized by the board as a part of the licensure process, is the fee charged that year by ICVA, plus an administrative fee payable to the board.

Based on the board’s anticipated financial requirements, the following fees are hereby adopted:

License—application fee	\$50
NAVLE examination fee	set by ICVA
Board administrative fee for NAVLE	\$25
Triennial license	\$60
Late renewal penalty	\$100
License by endorsement—application fee	\$50
License by verification—application fee	\$50

Reactivation fee for lapsed or inactive license	\$100
Reinstatement fee	\$100
Duplicate license.	\$15
Temporary permit	\$35
Temporary permit application fee	\$15
Official licensure verification	\$15
Charge for insufficient funds or returned checks.	\$25

This rule is intended to implement Iowa Code sections 169.5 and 169.12.

811—6.3(169) Reactivation fee. All applications for reactivation of a lapsed or inactive license to practice veterinary medicine are filed with the secretary of the board, together with the then current license fee, the current reactivation fee, and all applicable penalties for a lapsed or inactive license.

811—6.4(169) Graduates of foreign schools. Graduates of foreign veterinary schools may become eligible for examination and licensure by either of the following methods:

6.4(1) Examination eligibility through ECFVG. Graduates of foreign veterinary schools that, pursuant to the AVMA criteria, are not AVMA-accredited but are AVMA-listed may make application to take the NAVLE in this state provided that the application includes a copy of the applicant’s diploma or certificate indicating the award of a degree in veterinary medicine from an AVMA-listed college and a letter from the ECFVG verifying that the applicant is or will be participating in an ECFVG certification program.

6.4(2) Licensure eligibility through ECFVG. Graduates of foreign veterinary schools that are not AVMA-accredited but are AVMA-listed will not be considered for licensing until they have received the certificate granted by the ECFVG. A license will not be issued to an applicant until the applicant submits a certified copy of the applicant’s ECFVG certificate.

6.4(3) Examination eligibility through PAVE. Graduates of foreign veterinary schools may make application to take the NAVLE in this state provided that the application includes a certified copy of the applicant’s diploma or certificate indicating the award of a degree in veterinary medicine from a foreign veterinary school and a letter from the AAVSB on behalf of PAVE verifying that the applicant is participating in the PAVE certification program administered by the AAVSB, and has met the requirements for taking the NAVLE.

6.4(4) Licensure eligibility through PAVE. Graduates of foreign veterinary schools will not be considered for licensing until they have received the certificate granted by PAVE. A license will not be issued to an applicant until the applicant submits a copy of the applicant’s PAVE certificate.

811—6.5(169) License by endorsement.

6.5(1) A license by endorsement may be granted by the board pursuant to either Iowa Code section 169.10(1) or 169.10(2). An applicant may apply for a license by endorsement on a form provided by the board and pay the application fee and triennial license fee. In addition to the information specified in Iowa Code section 169.10, the applicant will supply the items referenced in paragraphs 6.1(2) “d” through “f.”

6.5(2) For an applicant with a non-Iowa license seeking licensure under Iowa Code section 169.10(1), the following applies:

a. If the applicant’s non-Iowa license was issued between December 31, 1964, and December 31, 1979, the applicant successfully completed the National Board Examination (NBE).

b. If the applicant’s non-Iowa license was issued between January 1, 1980, and December 31, 2000, the applicant successfully completed the NBE and the Clinical Competency Test (CCT).

c. If the applicant’s non-Iowa license was issued on or after January 1, 2001, the applicant successfully completed the NAVLE in accordance with rule 811—7.1(169).

6.5(3) An applicant who is a diplomate under Iowa Code section 169.10(2) will also include a copy of the applicant’s board or college specialty certificate. For the purpose of this rule, a specialty board or college means a specialty board or college that has been officially recognized by the AVMA. Changes of specialty status shall be reported to the board within 30 days of the action.

811—6.6(272C) Licensure by verification. Licensure by verification is available in accordance with the following:

6.6(1) Eligibility. A person may seek licensure by verification if the person is licensed in at least one other jurisdiction.

6.6(2) Board application. The applicant will submit the following:

a. A completed application for licensure by verification.

b. Payment of the application fee.

c. A verification form, completed by the licensing authority in the jurisdiction that issued the applicant's license, verifying that the applicant's license in that jurisdiction complies with the requirements of Iowa Code section 272C.12. The completed verification form is sent directly from the licensing authority to the board. This form is available on the board's website.

d. A copy of the relevant disciplinary documents if another jurisdiction has taken disciplinary action against the applicant.

6.6(3) Applicants with prior discipline or pending licensing complaints or investigations. If another jurisdiction has taken disciplinary action against an applicant or if the applicant has a complaint, allegation, or investigation relating to unprofessional conduct pending before any regulating entity in another jurisdiction, the board will proceed according to Iowa Code section 272C.12(1) "f."

811—6.7(169) Issuance of limited license; specialization.

6.7(1) The board may grant a license to practice veterinary medicine within a limited and specified scope:

a. As an option for board discipline under 811—Chapter 10.

b. To a qualified member of the faculty of the Iowa State University College of Veterinary Medicine.

c. To an applicant requesting limited or specialized status.

6.7(2) A licensed veterinarian will not claim or imply specialization unless the veterinarian is a diplomate in good standing of the respective specialty board or college recognized by the AVMA.

6.7(3) Veterinary student certificate. The board may issue a veterinary student certificate to a senior veterinary student who is attending an AVMA-accredited college of veterinary medicine, upon endorsement by the college that the student is competent to perform veterinary duties. The certificate issued by the board limits the student to performing duties under the direction of an instructor of veterinary medicine or under the direct supervision of a licensed veterinarian. Veterinary student certificate holders are barred from administering rabies vaccine to dogs as described in Iowa Code section 351.35 and signing a certificate of veterinary inspection as described in Iowa Code section 163.12.

6.7(4) Limited licensure for faculty. Faculty, not including residents or interns, at Iowa State University College of Veterinary Medicine may be issued a limited license to practice veterinary medicine. The applicant for a limited license for faculty has graduated from an AVMA-accredited or AVMA-listed school of veterinary medicine or has received a PAVE or ECFVG certificate and submitted a completed application and the necessary fees. Holders of limited licenses for faculty are limited to duties performed on the college premises during periods of employment at the college.

811—6.8(169) License renewal.

6.8(1) A license to practice veterinary medicine is issued for a three-year period, except that new licenses issued during a triennium are issued for the balance of that triennium, except that new certificates issued during a triennium are issued for the balance of the triennium. A license expires on June 30 of the third year of the triennium.

6.8(2) At least two months before the end of a triennium, a renewal notice will be sent to each licensee at the last address in the board's file. Failure to receive the notice does not relieve the licensee of the obligation to pay triennium renewal fees on or before June 30.

6.8(3) The license renewal application will include a statement that certifies the jurisdictions in which the licensee is currently or has in the past been licensed to practice veterinary medicine.

6.8(4) Renewal fees shall be received by the board on or before the end of the triennium on June 30. Whenever renewal fees are not received as specified, the license lapses and the practice of veterinary medicine ceases until all renewal fees and penalty fees are received by the board.

6.8(5) If the renewal fee has not been received by the board before the license has lapsed, an application for renewal filed with the board needs to include a renewal fee in addition to the reactivation fee and the late renewal penalty fee.

811—6.9(169) Renewal, lapsed or inactive license. A veterinarian whose license has lapsed may renew an expired license in circumstances authorized by Iowa Code section 169.12(2). A veterinarian whose license has lapsed or has been placed on

inactive status, prior to receiving active status licensure in the practice of veterinary medicine in the state of Iowa, satisfies the requirements in either subrule 6.9(1) or subrule 6.9(2) for renewal of a lapsed or inactive license as follows:

6.9(1) *Renewal of a lapsed or inactive license.* An applicant for renewal of a lapsed or inactive license needs to do the following:

- a.* Submit written application for renewal of a lapsed or inactive license to the board upon forms provided by the board;
- b.* Furnish evidence of compliance with continuing education requirements specified in rule 811—11.3(169).

6.9(2) *Renewal by endorsement.* An applicant for renewal by endorsement may submit an application for renewal by endorsement by following the procedures set out in rule 811—6.5(169).

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