

VETERINARY MEDICINE BOARD[811]

Regulatory Analysis

Notice of Intended Action to be published: Iowa Administrative Code 811—Chapter 11
“Continuing Education”

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

This proposed rulemaking establishes minimum continuing education requirements for veterinarians within the state of Iowa. The public benefits by having veterinarians in the state who are continually educated and updated on the most current veterinary medical standards. This will ensure greater quality of life for companion animals and healthy, safe, secure, and humane treatment of livestock that will be harvested and enter the human food supply. Continuing education for veterinarians on matters related to diversion of controlled substances is vital to addressing impaired practitioners.

Analysis of Impact

1. Persons affected by the proposed rulemaking:

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

Veterinarians seeking to maintain their license will bear the cost of seeking out continuing education opportunities.

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

All pet owners and producers of livestock within the state 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.

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:

There are no costs incurred by the public to comply with Chapter 11. The costs incurred by licensed veterinarians can vary depending upon the type and duration of the continuing education program, but licensees retain the ability to select the courses they take among a diverse array of courses with varying levels of cost.

- Qualitative description of impact:

The qualitative impacts of the rulemaking would likely be limited to the time required (60 hours over a three-year period) to attend and participate in the continuing education courses and preparing and submitting continuing education approvals to the Board.

3. Costs to the State:

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

Costs incurred to execute and enforce Chapter 11 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 are 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:

There will be minimal impact on state revenues. Continuing education is reported to the Board as part of the license renewal process, and the application process requires applicants to pay a fee to mitigate some of the costs to the State to review and approve license applications and continuing education.

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

Removing this chapter would potentially have a negative effect on the health and well-being of both companion animals and livestock within the state.

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

Continuing education is vitally important to ensuring that licensed veterinarians in Iowa are continually updated and educated on new issues and methods to safely and competently practice veterinary medicine. Iowa's requirements are in line with most other states.

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. The Board reviewed continuing education requirements in other surrounding states, and Iowa is in line with most other states.

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, only continuing education requirements on persons wishing to renew their license to practice veterinary medicine in Iowa. Accordingly, there does not appear to be any impact on small business.

Text of Proposed Rulemaking

ITEM 1. Rescind 811—Chapter 11 and adopt the following **new** chapter in lieu thereof:

CHAPTER 11
CONTINUING EDUCATION

811—11.1(169) Continuing education necessary for a veterinary licensee.

11.1(1) Within the last three licensing years, each licensee is to complete at least 60 hours of continuing education in courses approved by the board as a condition for license renewal. The licensee has financial responsibility for the cost of continuing education. These credit hours may be obtained by attending board-approved scientific or practice management seminars and meetings on the basis of one credit hour for each hour of attendance. Attendance at any approved national, state or regional meeting or RACE-approved meeting will be acceptable. One hour of credit may be approved for local meetings where a scientific paper is presented. Credit for qualified graduate college courses may be approved on the basis of multiplying each college credit hour by 10, to a maximum of 30 hours during any one triennial license period. A maximum of 20 hours during any one triennial license period of continuing education may be achieved by completion of approved distance education courses. A maximum of 20 hours of continuing education during any one triennial license period may be achieved by completion of approved practice management courses.

11.1(2) To qualify for license renewal, each licensee is to obtain the 60 credit hours between July 1 of the year the license was issued and June 30 of the following third year. Continuing education credits in excess of 60 hours for any three-year license period may be carried over to the next triennial license period, but the total number of credit hours carried over cannot exceed 20 hours.

11.1(3) A recent graduate is exempt from meeting continuing education requirements at the time of original licensure and for the first year of practice. For the purpose of this rule, “recent graduate” means a person who has graduated from an accredited or approved school of veterinary medicine, or received a certificate from the ECFVG or PAVE no more than three years prior to application for licensure. If a recent graduate is licensed during the first year of the triennial license period, the licensee needs to complete 40 hours of continuing education for the first license renewal. If a recent graduate is licensed during the second year of the triennial license period, the licensee needs to complete 20 hours of continuing education for the first license renewal. If a recent graduate is licensed during the third year of the triennial license period, the licensee is exempt from meeting continuing education requirements for the first license renewal.

11.1(4) Completion of the continuing education requirement will be reported to the secretary of the board, on a form provided by the board, at the time of license renewal. The form is to be signed by the licensee and be accompanied by renewal application and the proper renewal fee.

11.1(5) The board may waive continuing education requirements for qualifying military service personnel upon request.

811—11.2(169) Exemptions for an inactive veterinary licensee. A licensee residing within or outside Iowa who is not engaged in practice in the state of Iowa may be granted a waiver of compliance and obtain a certificate of exemption upon paying the annual license renewal fee. The licensee is to provide a written application to the board that includes a statement that the applicant will not engage in the practice of veterinary medicine in Iowa without first complying with all the rules governing reactivation after exemption. The application for a certificate of exemption is to be submitted on a form provided by the board.

811—11.3(169) Reactivation of license. A veterinarian whose license has lapsed or been placed on inactive status is to provide evidence of completion of a total number of hours of accredited continuing education computed by multiplying 20 by the number of years since the date of the last issuance of the license for which reactivation is sought.

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