

VETERINARY MEDICINE BOARD[811]

Regulatory Analysis

Notice of Intended Action to be published: Iowa Administrative Code 811— Chapter 7
“Veterinary Examinations”

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 chapter defines the veterinary examination process that includes the examination procedure and the conduct expected during the examination. The examination is generally required in order to obtain a license to practice veterinary medicine in Iowa. A definition of “ICVA” in rule 811—7.1(169) refers to the term as proposed in the Regulatory Analysis for 811—Chapter 1 (IAB 10/18/23).

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 of the proposed rulemaking.
 - Classes of persons that will benefit from the proposed rulemaking:
Citizens of Iowa that seek the services of veterinarians will benefit from the 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:
There are no direct costs to the public imposed by these proposed rules.
 - Qualitative description of impact:
There are no qualitative impacts relative to these proposed rules since the rulemaking simply explains the examination procedure and rules.

3. Costs to the State:
 - Implementation and enforcement costs borne by the agency or any other agency:
There are no costs to the State. The Board has outsourced the development, assessment and proctoring of the exam.
 - Anticipated effect on state revenues:

There is no anticipated effect on state revenues.

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

Costs of inaction (lack of requirement of a passing score on an examination) would have a huge negative impact in Iowa on the quality of veterinarians practicing and on pets and livestock.

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

Currently, there is no less costly method. The Board has outsourced the development, assessment and proctoring of the exam.

6. Alternative methods considered by the agency:

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

There were no alternative methods that were seriously considered by the Board.

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

There were no alternative methods that were seriously considered by the Board.

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?

These proposed rules do not impose requirements on any small businesses. The rules detail examination passage requirements for persons wishing to practice veterinary medicine in Iowa. Accordingly, there do not appear to be any impacts on small businesses.

Text of Proposed Rulemaking

ITEM 1. Rescind 811—Chapter 7 and adopt the following **new** chapter in lieu thereof:

CHAPTER 7 VETERINARY EXAMINATIONS

811—7.1(169) Examination procedure. In order to successfully complete the NAVLE, an applicant will achieve the minimum passing score as determined by the ICVA. The NAVLE is prepared by the ICVA for use by the board.

7.1(1) The dates for the examination are set by the ICVA. Examinations are held at a site to be determined by the ICVA.

7.1(2) Upon request, the ICVA will attempt to provide adequate individualized testing arrangements for applicants who establish the existence of a verified disability, including a verified learning disability, consistent with the provisions of the Americans with Disabilities Act of 1990 and regulations promulgated thereunder. Verification may be provided by a testing or evaluation agency approved by the ICVA or by a physician approved by the ICVA.

811—7.2(169) Conduct. An examinee who violates any of the ICVA rules or instructions applicable to them may be declared by the board to have failed the examination.

7.2(1) The ability of an examinee to read and interpret instructions will be evaluated and considered by the board as part of the examination.

7.2(2) Any examinee who gives or receives unauthorized assistance in any portion of the examination may be dismissed from the examination.

7.2(3) If the examinee fails the examination and desires to take a subsequent examination, the examinee will notify the board at least 60 days prior to the first day of the next examination, will certify that the material statements contained in the original applications are currently true and correct, will supplement that information as necessary, and will pay the requisite fee.

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