

VETERINARY MEDICINE BOARD[811]

Notice of Intended Action

**Proposing rulemaking related to organization and definitions
and providing an opportunity for public comment**

The Board of Veterinary Medicine hereby proposes to rescind Chapter 1, “Description of Organization and Definitions,” Iowa Administrative Code, and to adopt a new chapter with the same title.

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This proposed rulemaking updates the Board’s description of organization and definition rules by removing outdated or redundant provisions that are covered by statute.

The proposed rulemaking also makes conforming updates to reflect changes made by 2023 Iowa Acts, House File 670.

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 1 and adopt the following **new** chapter in lieu thereof:

CHAPTER 1
DESCRIPTION OF ORGANIZATION AND DEFINITIONS

811—1.1(17A,169) Organization and duties. The board of veterinary medicine has a membership as established in Iowa Code section 169.5(1) "a." One public member may be a graduate of an accredited veterinary technology program and hold a certificate of registration. The state veterinarian serves as secretary. The board may administer examinations to applicants for a license or temporary permit to practice veterinary medicine and to applicants for licenses or certificates for auxiliary personnel. The board investigates and disciplines, as necessary, persons for whom credentials have been issued or who are engaged in an activity regulated by the board.

811—1.2(17A,169) Headquarters of the board. The official mailing address of the board is: 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.

811—1.3(17A,169) Meetings. The board meets once a year at its headquarters and may hold additional meetings as necessary for the purpose of administering examinations and conducting its duties. The organizational meeting is the first board meeting of the fiscal year. The fiscal year begins July 1. Three members constitute a quorum authorized to act in the name of the board.

811—1.4(17A,169) Definitions. As used in the rules of the board, unless the context otherwise entails:

"AAVSB" means the American Association of Veterinary State Boards.

"AVMA" means the American Veterinary Medical Association.

"AVMA-accredited" means colleges in the United States and foreign colleges evaluated by the AVMA Council on Education and found to meet accreditation standards as published.

"AVMA-listed" means a foreign college recognized by the World Health Organization or the government of its own country whose graduates are eligible to practice veterinary medicine in that country and whose graduates may qualify for entrance in the ECFVG certification program.

"Board" means the same as defined in Iowa Code section 169.3(4).

“*Certificate of registration*” means a certificate issued by the board to a veterinary technician who has met the requirements of Iowa Code section 169.34 and rule 811—8.1(169), to perform authorized veterinary medical services to an animal patient under the supervision of a supervising veterinarian.

“*Classroom*” means any location where veterinary students are present and educational or research activities are being provided.

“*Client*” means the patient’s owner, owner’s designee, or other person responsible for the patient.

“*Client consent*” means that the licensed veterinarian has informed the client of the reasonable and usual diagnostic and treatment options available and provides an assessment of the risks and benefits of such choices, the prognosis and an estimate of the fees expected for the provision of services. The consent of the client shall be provided in verbal or written form prior to initiation of diagnostic and treatment procedures and documented in the medical record by the licensed veterinarian or veterinary auxiliary personnel. Consent is valid if it indicates that the client’s questions have been answered to the client’s satisfaction and that the client consents to the recommended treatments or procedures.

“*Credential*” means, as applicable, a certificate, license, or permit issued by the board.

“*Credential holder*” means a person who holds a certificate, license, or permit issued by the board.

“*Department*” means the Iowa department of agriculture and land stewardship.

“*ECFVG*” means the Educational Commission for Foreign Veterinary Graduates.

“*Emergency*” means that an animal has been placed in a life-threatening condition and immediate treatment is necessary to sustain life or that death is imminent and action is necessary to relieve extreme pain or suffering.

“*ICVA*” means the International Council for Veterinary Assessment.

“*License*” means a credential issued by the board that permits a person to practice veterinary medicine.

“*Licensee*” means a person holding a license issued by the board.

“*NAVLE*” means the North American Veterinary Licensing Examination.

“*Patient*” means an animal or group of animals examined or treated by a licensed veterinarian.

“*PAVE*” means the Program for the Assessment of Veterinary Education Equivalence.

“*Permit*” means a temporary educational permit or a temporary in-state practice permit issued by the board pursuant to rule 811—9.1(169).

“*Permit holder*” means a person holding a permit issued by the board.

“*Physical examination*” means a veterinarian is physically proximate, hands-on to the patient and subjectively and objectively evaluates the patient’s health status through the use of observation, auscultation, palpation, percussion or manipulations, or, for a group of patients, the veterinarian is physically proximate to the group of patients and has subjectively and objectively assessed a representative sample of the patients.

“*Premises*” means the land, buildings, enclosures, and facilities operated or owned by the client where the patient or representative patients are housed, kept, located, or grazed.

“*Qualifying military service personnel*” means a person, or the spouse of that person, who is currently or who has been during the past 12 months on federal active duty, state active duty, or national guard duty and has provided sufficient documentation to the board concerning the service and, if applicable, marriage.

“*RACE*” means the Registry of Approved Continuing Education, which is the national clearinghouse for approval of continuing education providers and their programs. All RACE-approved continuing education providers and programs are listed on the American Association of Veterinary State Boards website.

“*Veterinarian*” means the same as defined in Iowa Code section 169.3(11).

“*Veterinary student certificate*” means a certificate issued by the board to a veterinary student to practice on an animal pursuant to 811—subrule 6.7(3).

“*VTNE*” means the Veterinary Technician National Examination.

“VTSE” means the veterinary technician state examination.
These rules are intended to implement Iowa Code section 17A.3 and chapters 169 and 272C.