

CSI - Ohio

The Common Sense Initiative

Business Impact Analysis

Agency Name: Ohio Veterinary Medical Licensing Board

Regulation/Package Title: National exam for veterinarians

Rule Number(s): 4741-1-04

Date: _____

Rule Type:

☐ New

☒ Amended

☐ 5-Year Review

☐ Rescinded

The Common Sense Initiative was established by Executive Order 2011-01K and placed within the Office of the Lieutenant Governor. Under the CSI Initiative, agencies should balance the critical objectives of all regulations with the costs of compliance by the regulated parties. Agencies should promote transparency, consistency, predictability, and flexibility in regulatory activities. Agencies should prioritize compliance over punishment, and to that end, should utilize plain language in the development of regulations.

Regulatory Intent

1. Please briefly describe the draft regulation in plain language.

Please include the key provisions of the regulation as well as any proposed amendments.

This rule is being amended to reflect the changes to be enacted in HB 64 (Budget Bill) of the 131st General Assembly. The change to 4741.11 of the Ohio Revised Code permits the Board to accept the applications of candidates for veterinary licensure who have been issued

77 SOUTH HIGH STREET | 30TH FLOOR | COLUMBUS, OHIO 43215-6117

CSIOhio@governor.ohio.gov

a certificate from the Program for the Assessment of Veterinary Education Equivalence (PAVE) of the American Association of Veterinary State Boards (AAVSB). Rule 4741-1-04 has been amended to mirror the language of the law. Ohio will join the other 40 states in the United States and 2 countries (Australia and New Zealand) to recognize PAVE as meeting the education component of the licensure requirements. Applicants will take one of the national examinations if they are graduates of a foreign veterinary program not accredited by the American Veterinary Medical Association.

2. Please list the Ohio statute authorizing the Agency to adopt this regulation.

ORC 4741.03(C)(9) authorizes the Board to adopt rules necessary for the administration and enforcement of Chapter 4741 (the Veterinary Medical Practice Act).

3. Does the regulation implement a federal requirement? Is the proposed regulation being adopted or amended to enable the state to obtain or maintain approval to administer and enforce a federal law or to participate in a federal program?

If yes, please briefly explain the source and substance of the federal requirement.

No, the regulation is not related to federal requirements, laws or programs.

4. If the regulation includes provisions not specifically required by the federal government, please explain the rationale for exceeding the federal requirement.

Not Applicable.

5. What is the public purpose for this regulation (i.e., why does the Agency feel that there needs to be any regulation in this area at all)?

The public purpose of this rule is to provide guidance to the new applicant in obtaining an initial veterinary license to practice veterinary medicine in the State of Ohio.

6. How will the Agency measure the success of this regulation in terms of outputs and/or outcomes?

The Board will measure the success of this regulation as being written clearly and concisely so that the licensees and the public understand the rule, and therefore, will be compliant with the rule. The Board will monitor feedback from licensees and take to the Board members for review. Through feedback, the Board would evaluate the current method to see if changes were needed.

Development of the Regulation

7. Please list the stakeholders included by the Agency in the development or initial review of the draft regulation.

77 SOUTH HIGH STREET | 30TH FLOOR | COLUMBUS, OHIO 43215-6117

CSIOhio@governor.ohio.gov

If applicable, please include the date and medium by which the stakeholders were initially contacted.

This rule is amended as a result of a law change. The proposed law change was presented to the Registered Veterinary Technicians at their October, 2014 "Discovery" annual conference. The Ohio Veterinary Medical Association holds an annual conference for veterinarians and registered veterinary technicians in February of each year. The attendees were made aware of the proposed changes to the Veterinary Practice Act contained in HB 64.

The proposed law changes were also included in the annual Board newsletter that was sent out in December, 2014 to the board listserve.

The OVMA was provided a copy of the draft amended Rule on March 18, 2015. The Ohio Veterinary Medical Licensing Board, at their May 13, 2015 board meeting, motioned and moved to begin the CSI process in anticipation of the passage of HB 64 with the Veterinary Medical Practice Act language changes.

8. What input was provided by the stakeholders, and how did that input affect the draft regulation being proposed by the Agency?

There were no negative comments received by the Ohio Veterinary Medical Licensing Board as a result of the presentations or the newsletter related to the proposed legislation. The Board members and staff received positive oral comments in support of the measure following the presentations.

9. What scientific data was used to develop the rule or the measurable outcomes of the rule? How does this data support the regulation being proposed?

Not applicable.

10. What alternative regulations (or specific provisions within the regulation) did the Agency consider, and why did it determine that these alternatives were not appropriate? If none, why didn't the Agency consider regulatory alternatives?

The Board did not consider other alternative regulations as this rule was mandated by law.

11. Did the Agency specifically consider a performance-based regulation? Please explain. *Performance-based regulations define the required outcome, but don't dictate the process the regulated stakeholders must use to achieve compliance.*

No. The purpose of the rule is to provide guidance to the licensee in compliance with the statute.

12. What measures did the Agency take to ensure that this regulation does not duplicate an existing Ohio regulation?

77 SOUTH HIGH STREET | 30TH FLOOR | COLUMBUS, OHIO 43215-6117

CSIOhio@governor.ohio.gov

This Board is the only licensing agency for veterinarians and registered veterinary technicians.

13. Please describe the Agency's plan for implementation of the regulation, including any measures to ensure that the regulation is applied consistently and predictably for the regulated community.

Since the Board already licenses veterinarians, all of the requirements for licensure and applications are on the Board web site. The Board will modify the Board web site to include the acceptance of PAVE as an authorized testing certification. The Board will notify the certifying association (AAVSB) of the acceptance of the examination by the State of Ohio which will then be added to AAVSB's list of accepting states.

The Board has two upcoming presentations—one to the Ohio Association of Veterinary Technicians and one at the Ohio Veterinary Medical Association's annual convention at which this rule will be presented to the licensees. The Board also has a newsletter that will go out to the licensees in December/January at which this rule will be described.

Adverse Impact to Business

14. Provide a summary of the estimated cost of compliance with the rule. Specifically, please do the following:

a. Identify the scope of the impacted business community;

The purpose of this rule is to lessen the regulatory burden and provide more flexibility for licensees who wish to practice veterinary medicine in the State of Ohio.

b. Identify the nature of the adverse impact (e.g., license fees, fines, employer time for compliance);

Rule 4741-1-04 OAC is a rule that has been in existence, but is being modified to reflect anticipated enacted legislation (HB 64). The veterinarian or RVT must first obtain an initial license by meeting the requirements established in rules 4741-1-01 for RVTs and Rule 4741-1-04 for veterinarians.

In Rule 4741-1-04 OAC, the veterinarian must complete an application, graduate from an AVMA accredited veterinary program, Achieved a score of at least 75 on the National Board of Veterinary Medicine examination, submit to a criminal background check and pay a fee (outlined in question (c)). The cost to take the North American Veterinary Licensing Examination is \$590.00. If the applicant has not graduated from an AVMA accredited veterinary program, the applicant must be certified by the Education Commission for Foreign Veterinary Graduates (ECFVG) of the American Veterinary Medical Association in order to obtain licensure in the State of Ohio. The

77 SOUTH HIGH STREET | 30TH FLOOR | COLUMBUS, OHIO 43215-6117

CSIOhio@governor.ohio.gov

new law also allows the applicant to be certified by another national veterinary organization – the Program for the Assessment of Veterinary Education Equivalence (PAVE) of the American Association of Veterinary State Boards (AAVSB). The cost to take the ECFVG in 2015 is \$1610. The cost to take the PAVE in 2015 is \$1875.

The initial cost of licensure for a veterinarian is \$425 in the even number year and \$300 in the odd number year. The veterinarians renew their licenses biannually in the even number year which is why the cost is less in the odd number year as the licensee will renew in the following year. The cost of renewal for a veterinary license is \$155 for a two year cycle.

The Board staff issues the license within 24 hours of a completed application. The applicant can either call the office to obtain their license number or check on the Board's web site under "License Verification" to see if their license has been activated if needed quickly rather than waiting for the license to arrive in the mail.

c. Quantify the expected adverse impact from the regulation.

The adverse impact can be quantified in terms of dollars, hours to comply, or other factors; and may be estimated for the entire regulated population or for a "representative business." Please include the source for your information/estimated impact.

Rule 4741-1-04 OAC applies to initial veterinary licenses only. There has not been any increase in the licensure or renewal fees for RVTs or veterinarians for over 15 years. In addition to the costs outlined in the previous question (b), the following applies to initial licenses. The cost for an initial veterinary license, as prescribed by Section 4741.17 ORC on or after the first day of March in an even numbered year is \$425.00 and on or after the first day of March in an odd numbered year is \$300.00 (ORC 4741.17(A)(1)). The cost for an initial license to practice veterinary medicine for an intern, resident in a veterinary specialty, or graduate student, is \$35.00 (ORC 4741.17(A)(2)). For an initial limited license to practice veterinary medicine for an instructor, researcher, or diagnostician, the cost is \$155 (ORC 4741.17(A)(3)). For a provisional veterinary graduate license, the cost is \$100.00. The BCII criminal background check is \$22 and \$24 for the FBI background check (BCII) plus the processing fee from the company obtaining the prints or law enforcement agency.

15. Why did the Agency determine that the regulatory intent justifies the adverse impact to the regulated business community?

The regulatory intent is to ease the burdens in the licensing process for licensees by accepting the credentials of an additional national examination for the foreign educated veterinary applicant. 40 states in the United States and 2 countries (Australia & New Zealand) recognize PAVE as meeting the education component of the licensure requirements. Ohio will be the 41st state.

Regulatory Flexibility

16. Does the regulation provide any exemptions or alternative means of compliance for small businesses? Please explain.

Not applicable.

17. How will the agency apply Ohio Revised Code section 119.14 (waiver of fines and penalties for paperwork violations and first-time offenders) into implementation of the regulation?

There are no fees or penalties.

18. What resources are available to assist small businesses with compliance of the regulation?

Board staff are always willing to help licensees with obtaining or renewing their license. The Board has a communication policy that all calls, emails, etc. will be responded to within 24 hours, and all voice mails will be taken off the machine by 9:00 a.m. and before the end of the day so that a call can be returned. The customer service policy is also on the Board's web site. The Board has a web site that is updated frequently with important issues and resources, in addition to the annual newsletter posted on the web site. The Board's contact information is as follows:

Ohio Veterinary Medical Licensing Board

77 So. High St., 16th Floor

Columbus, OH 43215

info@ovmlb.state.oh.us

www.ovmlb.ohio.gov

614-644-5281

77 SOUTH HIGH STREET | 30TH FLOOR | COLUMBUS, OHIO 43215-6117

CSIOhio@governor.ohio.gov