



Common Sense Initiative

Mike DeWine, *Governor*
Jon Husted, *Lt. Governor*

Joseph Baker, *Director*

MEMORANDUM

TO: Theresa Stir, Ohio Veterinary Medical Licensing Board

FROM: Caleb White, Business Advocate

DATE: September 13, 2023

RE: **CSI Review – Five-Year Review 2024 Amended Rules (OAC 4741-1-01, 4741-1-11, 4741-1-14, 4741-1-16, 4741-1-17, 4741-1-20, 4741-1-23, 4741-3-01, 4741-3-02, 4741-3-05, and 4741-4-05)**

On behalf of Lt. Governor Jon Husted, and pursuant to the authority granted to the Common Sense Initiative (CSI) Office under Ohio Revised Code (ORC) section 107.54, the CSI Office has reviewed the abovementioned administrative rule package and associated Business Impact Analysis (BIA). This memo represents the CSI Office's comments to the Board as provided for in ORC 107.54.

Analysis

This rule package consists of one new, one rescinded, and ten amended rules proposed by the Ohio Veterinary Medical Licensing Board (Board) as a part of the statutory five-year review process. This rule package was submitted to the CSI Office on August 9, 2023, and the public comment period was held open through September 1, 2023. Unless otherwise noted below, this recommendation reflects the version of the proposed rules filed with the CSI Office on August 9, 2023.

The rules in this package contain various regulations which are due for their statutorily required five-year review. Ohio Administrative Code (OAC) 4741-1-01 sets forth the duties as well as the registration and continuing education requirements for registered veterinary technicians. This rule is amended to eliminate the requirement for potential veterinary technicians to submit a photo as a part of their initial application, add a requirement for out-of-state applicants to submit a license or certificate of good standing, add a late fee for the reactivation of inactive licenses, and to update the timeframe in which a license becomes inactive. Following discussions with the CSI Office, the Board further amended this rule to eliminate ambiguous language. OAC 4741-1-11 prescribes the form and content of continuing education hours required of veterinarians (thirty hours) and veterinarian

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technicians (ten hours) and is to be rescinded and replaced with a new rule of the same number. This new rule largely covers the same content as the rescinded rule but is amended to clarify the amount of online and in-person continuing education requirements. The language changes in this rule require twelve of a veterinarian's continuing education hours to be obtained in an in-person setting and permits up to eighteen continuing education hours to be obtained online. Conversely, registered veterinary technicians are required to obtain four hours of continuing education in-person and are permitted to obtain six hours of continuing education online. OAC 4741-1-14 outlines the duties of an animal aide and is amended to allow registered veterinary technicians to oversee the collection of blood samples.

OAC 4741-1-16 provides definitions and standards for companion animal vaccination clinics and is amended to account for the Board no longer printing veterinarian renewal licenses. As such, the amended rule requires the clinic to post the identification of their veterinarians in a conspicuous location. OAC 4741-1-17 outlines the standards regarding veterinary medical home visits for companion animals. This rule is amended to modify a requirement for house call veterinary practices to have a written affiliation with a veterinary care facility in the same region of the state. This modification requires the veterinary practice to provide their clients with after care hours or the contact information of a fixed veterinary location and requires the house call veterinarian to receive approval from the veterinary prior to referring clients to the facility.

OAC 4741-1-20 sets forth the standards and requirements for livestock ambulatory units and is amended to update and clarify the storage of drugs and biologics. OAC 4741-1-23 sets forth the standards for euthanasia and euthanasia technician certification course curriculum. This rule is amended to reflect the recent changes to ORC 4729.532, clarify that the rule requires the laboratory portion of euthanasia technician certification course must include the in-person supervision of a veterinarian or registered veterinary technician. In addition to these more substantive changes, this rule is also amended to update the rule language.

OAC 4741-3-01 states the purpose of the veterinary student loan repayment program and is amended to update language. OAC 4741-3-02 sets forth the definitions for the veterinary student loan repayment program and is amended to add llamas and alpacas to the definitions of "large animal veterinary services" and "livestock." OAC 4741-3-05 sets forth the selection criteria for the veterinary student loan repayment program and is amended to update language.

OAC 4741-4-05 sets forth the requirements surrounding the restricting and logging access to confidential personal information in computerized personal information systems and is amended to update language.

During early stakeholder outreach, the Board posted the review of the rules in their Spring newsletter

which is distributed to all licensees and posted them on their website. The Board also reviewed their rules during their May 24, June 14, July 12, and August 9, 2023 Board meetings. During this period, the Board received several comments regarding OAC 4741-1-11, which requested for all online continuing education to be permitted for licensing renewals. In response to this feedback the Board amended this rule to permit 18 hours of continuing education to be obtained virtually for veterinarians and six hours of continuing education for registered veterinary technicians to be obtained virtually. No comments were received during the CSI public comment period.

The business community impacted by the rules includes veterinarians and registered veterinary technicians. The adverse impacts created by the rules include continuing education requirements and licensing renewal costs. The Board notes that license renewal costs \$155 for veterinarians and \$35 for registered veterinary technicians, both of which are valid for two-year periods. The Board also notes the cost of continuing education can vary from free to the cost of conference fees which cost around \$330. The Board states that the adverse impacts to business are justified to protect the public by ensuring competent practitioners and to ensure that the Board complies with the national standards established by the American Association of Veterinary State Boards.

Recommendations

Based on the information above, the CSI Office has no recommendations on this rule package.

Conclusion

The CSI Office concludes that the Board should proceed in filing the proposed rules with the Joint Committee on Agency Rule Review.