



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 No-Change Rules (OAC 4741-1-03, 4741-1-04, 4741-1-08, 4741-1-10, 4741-1-13, 4741-2-02, 4741-2-04, 4741-3-03, 4741-3-04, and 4741-4-01 through 4741-4-04)

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 amended and twelve no-change 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. All thirteen rules in this package were originally submitted as no-change rules, however, the Board chose to resubmit one rule in this package as amended on August 23, 2023.

The rules in this package contain various regulations which are due for their statutorily required five-year review, and all but one of these rules are being filed as no-change rules. Ohio Administrative Code (OAC) 4741-1-03 sets forth the minimum standards which a stationary veterinary facility must meet. OAC 4741-1-04 sets forth the requirements applicants must meet to apply for veterinarian licensure. This rule was originally submitted as a no-change rule but was later amended to eliminate ambiguous language. OAC 4747-1-08 sets forth the definitions and requirements for mobile veterinary facilities and mobile veterinary practice facilities. OAC 4741-1-10 permits the Board to

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take action against veterinarians and veterinary technicians who fail to meet the minimal standards of care. OAC 4741-1-13 sets forth the definitions and guidelines surrounding livestock management practices. OAC 4741-2-02 requires veterinary business facilities to notify the Board within thirty days of a change in ownership of the facility, name of the facility, address or location facility, or licensed veterinarian responsible for the management of services at the facility. OAC 4741-2-03 sets forth the requirements and limits of limited veterinarian licenses. OAC 4741-2-04 sets forth the scope and requirements for a temporary permit to practice veterinary medicine.

OAC 4741-3-01 sets forth the purpose of the veterinary student loan repayment program, OAC 4741-3-03 defines a veterinary resource shortage area, and OAC 4741-3-04 outlines the criteria to be considered by the Board when determining the priorities for underserved areas as it relates to the veterinary student loan repayment program.

OAC 4741-4-01 sets forth the definitions to be used in OAC Chapter 4741-4. OAC 4741-4-02 and OAC 4741-4-03 set forth the procedures for accessing confidential personal information and the valid reasons for accessing this information. OAC 4741-4-04 cites the federal and state regulations and statutes which make the personal information maintained by the Board confidential.

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, 2023 and June 14, 2023 Board meetings. No comments were received during this period. 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 automatic suspension or other disciplinary action of an individual's license for failure to comply with the terms of these rules and licensing costs. The Board notes that the initial license costs \$275 for veterinarians and \$30 for registered veterinary technicians, both of which are valid for two-year periods. The Board states that the adverse impacts to business are justified to protect the public by ensuring competent practitioners and promote public safety.

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.