

CSI - Ohio

The Common Sense Initiative

MEMORANDUM

TO: Theresa Stir, Executive Director, Ohio Veterinary Medical Licensing Board

FROM: Mark Hamlin, Director of Regulatory Policy

DATE: June 15, 2012

RE: CSI Review – 2012 No-Change Rules (OAC 4741-1-01, 4741-1-02, 4741-1-05, 4741-1-06, 4741-1-07, 4741-1-09, 4741-1-11, 4741-1-12, 4741-1-18, 4741-1-19 and 4741-1-12)

On behalf of Lt. Governor Mary Taylor, 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. This memo represents the CSI Office's comments to the Agency as provided for in ORC 107.54.

Analysis

The proposed rule package consists of 11 rules that have been reviewed under the Ohio Revised Code 119.032 five-year review requirement and are being proposed with no changes. The rules address various aspects of the Ohio Veterinary Medical Licensing Board (OVMLB) structure and licensing process. The rule package and associated Business Impact Analysis (BIA) were filed with the CSI Office and electronically sent to stakeholders on April 18, 2012. The public comment period was held open through May 9, 2012. An associated rule package, which included rules being amended, was proposed at the same time and was subject to the same timeline but had a separate BIA and was reviewed by CSI separately. However, the package of amended rules received comments which caused the Board to consider additional changes, and a final determination on the Board's direction was made at its June 13 meeting.

In its BIA, the Board described a robust stakeholder input process that included providing information in a newsletter, an email to a listserv of licensed veterinarians, registered veterinary technicians, and veterinary business facility license holders. In addition, the Board presented at

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annual conventions of both the Ohio Veterinary Medical Association (OVMA) and the Ohio Association of Veterinary Technicians (OAVT).

In its stakeholder outreach and through the comment process, the Board received no suggestions for changes to these 11 rules, and as such, it proposed no changes. The Board provided detailed information about the adverse impact of these rules in the area of licensing fees, background checks, and continuing education requirements. However, it also cited national standards for veterinarians and veterinary technicians, as well as the Board's role in protecting the public by ensuring minimal standards for practitioners.

In general, the CSI Office finds that the OVMLB did involve stakeholders in the review and development of these rules, and was responsive to suggestions and concerns of these stakeholders. The Board adequately identified the public purpose to justify the rules which impact businesses, and is intending to strike the appropriate balance. As such, we believe the rule package satisfactorily meets the standards espoused by the CSI Office.

Recommendations

For the reasons described above, the CSI Office has no recommendations regarding this rule package.

Conclusion

Based on the above comments, the CSI Office concludes that the Agency should proceed with the formal filing of this rule package with the Joint Committee on Agency Rule Review (JCARR).