

Dear Senators RICE, Bayer, Ward-Engelking, and  
Representatives ANDRUS, Boyle, Pence:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the  
Board of Veterinary Medicine:

IDAPA 46.01.01 - Rules of the State of Idaho Board of Veterinary Medicine - Proposed Rule (Docket  
No. 46-0101-1601);

IDAPA 46.01.01 - Rules of the State of Idaho Board of Veterinary Medicine - (Fee Rule) Temporary  
and Proposed Rule (Docket No. 46-0101-1603).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the  
cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research  
and Legislation no later than fourteen (14) days after receipt of the rules' analysis from Legislative  
Services. The final date to call a meeting on the enclosed rules is no later than 10/03/2016. If a meeting is  
called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules' analysis  
from Legislative Services. The final date to hold a meeting on the enclosed rules is 11/01/2016.

The germane joint subcommittee may request a statement of economic impact with respect to a  
proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement,  
and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has  
been held.

To notify Research and Legislation, call 334-4834, or send a written request to the address on the  
memorandum attached below.



Eric Milstead  
Director

# Legislative Services Office

## Idaho State Legislature

*Serving Idaho's Citizen Legislature*

### MEMORANDUM

**TO:** Rules Review Subcommittee of the Senate Agricultural Affairs Committee and the House Agricultural Affairs Committee

**FROM:** Deputy Division Manager - Katharine Gerrity

**DATE:** September 16, 2016

**SUBJECT:** Board of Veterinary Medicine

IDAPA 46.01.01 - Rules of the State of Idaho Board of Veterinary Medicine - Proposed Rule (Docket No. 46-0101-1601)

IDAPA 46.01.01 - Rules of the State of Idaho Board of Veterinary Medicine - (Fee Rule) Temporary and Proposed Rule (Docket No. 46-0101-1603)

#### **1. IDAPA 46.01.01 - Rules of the State of Idaho Board of Veterinary Medicine**

The Board of Veterinary Medicine submits notice of proposed rule at IDAPA 46.01.01 - Rules of the State of Idaho Board of Veterinary Medicine. According to the board, the purpose of the rulemaking is to add a provision to comply with a statutory requirement that the rules address when and where board meetings are to be held, to update and clarify provisions regarding continuing education requirements for certified veterinary technicians to be more consistent with comparable provisions for veterinarians, and to remove a provision that requires a member of the board sit on the Committee on Humane Euthanasia.

The board indicates that negotiated rulemaking was conducted. The rulemaking appears to be authorized pursuant to Section 54-2105, Idaho Code.

#### **2. IDAPA 46.01.01 - Rules of the State of Idaho Board of Veterinary Medicine**

The Board of Veterinary Medicine submits notice of temporary and proposed rulemaking at IDAPA 46.01.01 - Rules of the State of Idaho Board of Veterinary Medicine. This is a fee rule. According to the board, the rulemaking is required to implement a statutory provision establishing a procedure for a certified veterinary technician to go on inactive certification status and back to active status, as well as setting an appropriate renewal fee and a fee to cover board administrative costs. The board notes that the temporary rule justification is the fact that the current rule does not provide a procedure with corresponding fees for technicians to avail themselves of the statutory benefit of going on inactive status and returning to active status.

Mike Nugent, Manager  
Research & Legislation

Cathy Holland-Smith, Manager  
Budget & Policy Analysis

April Renfro, Manager  
Legislative Audits

Glenn Harris, Manager  
Information Technology

The board notes that the rule will impose a \$25 fee for certified veterinary technicians to remain on inactive status and a \$50 fee to convert from inactive to active status. The board states that the \$25 renewal fee for an inactive certification is a reduction from the \$75 fee for active status and that the \$50 reactivation fee is new.

The board states that negotiated rulemaking was not conducted because the temporary rule was necessary. The temporary rule became effective on July 1, 2016. The rulemaking appears to be authorized pursuant to Sections 54-2105 and 54-2112, Idaho Code.

cc: Board of Veterinary Medicine  
Jodie Ellis

## IDAPA 46 - BOARD OF VETERINARY MEDICINE

### 46.01.01 - RULES OF THE STATE OF IDAHO BOARD OF VETERINARY MEDICINE

#### DOCKET NO. 46-0101-1601

#### NOTICE OF RULEMAKING - PROPOSED RULE

**AUTHORITY:** In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section 54-2105, Idaho Code.

**PUBLIC HEARING SCHEDULE:** Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than September 21, 2016.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

**DESCRIPTIVE SUMMARY:** The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

This rulemaking is needed to: (1) implement a provision of Idaho Code; (2) provide clarity to continuing education requirements for certified veterinary technicians; and (3) eliminate an unnecessary requirement in existing rule regarding membership on the Committee on Humane Euthanasia. Currently, Board rules do not comply with a statute that states that Board of Veterinary Medicine rules must address when and where Board meetings are held. This rulemaking corrects this deficiency. The rulemaking also seeks to update and clarify provisions regarding continuing education requirements for certified veterinary technicians to be more consistent with comparable provisions for veterinarians. Finally, an existing rule requires that a member of the Board sit on the Committee on Humane Euthanasia. It is widely recognized that this provision is unnecessary and the rulemaking will remove this requirement.

**FEE SUMMARY:** The following is a specific description of the fee or charge imposed or increased: N/A

**FISCAL IMPACT:** The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking: N/A

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the June 1, 2016 Idaho Administrative Bulletin, [Vol. 16-6, pages 55-56](#).

**INCORPORATION BY REFERENCE:** Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: N/A

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the proposed rule, contact Jodie Ellis, Executive Director, at (208) 332-8588 or at [jodie.ellis@agri.idaho.gov](mailto:jodie.ellis@agri.idaho.gov).

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before September 28, 2016.

DATED this 5th Day of August, 2016

Jodie Ellis  
Executive Director  
Board of Veterinary Medicine  
2270 Old Penitentiary Rd.  
P. O. Box 7249  
Boise, ID 83707  
Phone: (208) 332-8588 / Fax: (208) 332-8645

**THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 46-0101-1601**  
**(Only Those Sections With Amendments Are Shown.)**

**004. GENERAL PROVISIONS.**

**01. Office.** (7-1-97)

**a.** The office of the Board is located at 2230 Old Penitentiary Road, Boise, Idaho 83712. (7-1-97)

**b.** The office mailing address is P.O. Box 7249, Boise, Idaho 83707. (7-1-97)

**c.** The office telephone number is (208) 332-8588. (7-1-97)

**d.** The Board's facsimile (FAX) number is (208) 332-8645. (4-7-11)

**e.** The Board's e-mail address is [bovminfo@agri.idaho.gov](mailto:bovminfo@agri.idaho.gov). (4-4-13)

**f.** The Board's website address is <http://www.bovm.idaho.gov>. (4-4-13)

**g.** Office hours are 8 a.m. to 5 p.m., Mountain Time, Monday through Friday, except holidays designated by the state of Idaho. (7-1-97)

**02. Communications.** All written communications and documents concerning any matter covered by these rules should be addressed to the office of the Board, and not to individual members of the Board or the Board's staff. All communications and documents are deemed to be officially received only when delivered to the Board office during office hours. (7-1-97)

**03. Filing of Documents.** All written communications and documents that are intended to be part of an official record for decision in a rulemaking or contested case must be filed with the executive director of the Board. Filing can be accomplished by personal delivery, mail, facsimile transmission (FAX), or electronic mail (e-mail). FAX and e-mail filings submitted after Board office hours will be deemed filed as of the next business day the Board office is open. (4-4-13)

**a.** In a rulemaking submission, the original and one (1) copy of all documents must be filed with the Board. (4-4-13)

**b.** In a contested case proceeding, filing is sufficient if one (1) original is delivered to the executive director, one (1) copy for the Board, one (1) copy for the hearing officer, and one (1) copy submitted to the opposing party, as applicable. Whenever documents are filed by FAX or e-mail, originals and copies required under this rule shall be deposited in the mail the same day or hand delivered the following business day to the executive director, the Board, the hearing officer, and opposing parties, as applicable. (4-4-13)

**04. Board Meetings.** The Board will meet each year in the months of January and June, and at such other times as requested by the Board or Board president. Unless otherwise stated in the meeting notices, all meetings will be held in Boise, Idaho. ( )

**(BREAK IN CONTINUITY OF SECTIONS)**

**102. MANDATORY CONTINUING EDUCATION FOR CERTIFIED VETERINARY TECHNICIANS**  
**MANDATORY CONTINUING EDUCATION.**

**01. Statement of Purpose.** ~~In order to best serve the citizens of Idaho and their animals, each~~ It is of primary importance to the public that certified veterinary technicians ~~shall be required to complete a minimum of fourteen (14) hours of ongoing continuing education in the field of~~ continue their veterinary technology ~~in each and every two (2)-year~~ education throughout the period ~~following the date of his certification. A maximum of four (4) credit hours~~ of their active practice of veterinary technology. These rules establish the minimum continuing veterinary technology education ~~in management may be used toward the fulfillment of the CE requirements necessary for certified veterinary technicians to maintain a license to engage in the practice of veterinary technology in the state of Idaho.~~ ( )

**02. Approved Courses.** ~~attendance period, content of report, exemptions, and credit for attendance are the same as outlined in Section 015 of these rules, mandatory continuing veterinary education with the exception of Subparagraph 015.03.d.i.(5) of these rules, which shall be the veterinary technician's signature, under penalty of perjury, and Subparagraph 015.03.b.iii. of these rules, which shall be~~

**a. Approved courses include:** ( )

**i. Those courses and providers listed on the American Association of Veterinary State Board's Continuing Education Registry; and** ( )

**ii. Those courses and providers approved by the Board.** ( )

**b. Board approval for a continuing education course may be obtained by sending a written request to the Board office and enclosing copies of the course agenda, dates, times, locations, and requested number of credit hours in management and veterinary technology. Copies of the sign-in and sign-out sheets for each approved course are to be supplied to the Board office following completion of the course by the course provider.** ( )

**03. Education Requirements.** ( )

**a. Minimum Requirement.** Each active certified veterinary technician in the state of Idaho shall complete a minimum of fourteen (14) credit hours of accredited continuing veterinary technology education activity in each and every two (2)-year period following the date of his admission to the practice of veterinary technology in this state. ( )

**b. Credit Requirements.** The following are minimum and maximum credits that may be earned for each reporting period and the number of credits that may be obtained by participating in on-line or correspondence courses. ( )

**i. A minimum of ten (10) hours of continuing education in veterinary technology.** ( )

**ii. A maximum of four (4) hours of continuing education in management.** ( )

**iii. Certified veterinary technicians may obtain** a maximum of ten (10) credit hours ~~credit for through approved~~ on-line or correspondence courses. ~~No credit for attending approved courses in the field of veterinary technology shall be applicable to any reporting period other than that during which the credit is actually earned.~~ (3-20-14)( )

**c. Attendance Period.** The attendance period shall be based upon the fiscal year (July 1 through June 30). ( )

**d. Report.** Each certified veterinary technician subject to these rules shall file a written report with the Board executive director on a form prescribed by the Board, as provided in this rule. ( )

**i. Contents of report.** The report shall set forth the record of the certified veterinary technician's compliance with these rules during the two (2)-year attendance period and shall contain at least: ( )

**(1) A list of the approved courses attended or taken;** ( )

- (2) The dates of attendance or completion of the courses; ( )
- (3) The sponsoring organization; ( )
- (4) The hours attended or completed for each course, rounded to the nearest one-half (1/2) of an hour; ( )
- (5) Any other information requested by the Board; and ( )
- (6) The technician's signature, under penalty of perjury. ( )
- ii. Time of filing. The report shall be submitted or postmarked no later than June 30 in the year the certified veterinary technician is required to complete the continuing education requirement. ( )
- iii. Retention of original documentation. The supporting documentation for compliance with continuing education requirements shall not be submitted with the report. Rather, the certified veterinary technician shall retain original documentation of attendance or completion of fourteen (14) credit hours or approved courses at least until December 31 following the two-year renewal period covered by the course. ( )
- e. Auditing. Each year the Board will conduct an audit of renewals. ( )
- i. The percentage of renewals audited in any given year will be determined by the Board in its sound discretion. ( )
- ii. Within thirty (30) days of notification of an audit, a certified veterinary technician shall provide to the Board all documentation supporting completion of the courses reported. ( )
- 04. Exemptions.** Upon a showing of good cause by a certificant to the Board, the Board may exempt such person from any, all or part of the continuing education requirement or may grant an extension of the required period. Written requests for exemptions from continuing education credits shall be sent to the Board office. ( )
- 05. Credit for Attendance.** Continuing veterinary technology education credits may be earned by attending or presenting approved continuing veterinary technology education. ( )
- a. Credits. One (1) credit hour shall be given for each fifty (50) minutes actually spent by the active member in attendance at an accredited, domestic or foreign, course. No credit shall be given for: ( )
- i. Time spent in introductory remarks, coffee and lunch breaks, business meetings or other activities not involving the educational aspects of the courses; ( )
- ii. Any course attended before admission to practice veterinary technology in Idaho; or ( )
- iii. Journal and magazine articles, videos or correspondence courses, unless specially approved by the Board. ( )
- b. In cases of solo presentation, the presenter of an approved course shall be entitled to claim one (1) credit hour for each fifty (50) minutes of actual course instruction. By way of limitation, in no case shall the presenter be allowed more than eight (8) credit hours for any particular course or substantially related topic during the applicable two (2)-year reporting period, regardless of how many times the course is offered or given. ( )
- c. In cases of panel presentations, the number of continuing credit hours each panel member is entitled to claim shall be calculated by multiplying the actual number of course hours by two (2) and dividing that number by the number of panel members involved. ( )
- d. Carryover Credit. No credit for attending approved courses in continuing veterinary technology education shall be applicable to any reporting period other than that during which the credit is actually earned. ( )

**(BREAK IN CONTINUITY OF SECTIONS)**

**200. COMMITTEE ON HUMANE EUTHANASIA.**

Pursuant to Section 54-2105(8), Idaho Code, a Committee on Humane Euthanasia (COHE) is established for the purpose of training, examining, and certifying euthanasia agencies and euthanasia technicians. The COHE shall consist of no fewer than five (5) members appointed by the Board. At its discretion, the Board may appoint itself as the COHE. ~~The membership of the COHE shall always include at least one (1) member of the Board.~~ New members shall be nominated by either the Board or the COHE and be confirmed by the Board. Applicants for a COHE position shall be certified euthanasia technicians (CETs) as defined by Section 54-2103(9), Idaho Code, and employed by a certified euthanasia agency as defined by Section 54-2103(8), Idaho Code, or be an Idaho licensed veterinarian.

(4-2-08)( )

**01. Term.** Each member shall serve for three (3) years, at the pleasure of the Board. A COHE member may be eligible for reappointment. If there is a vacancy for any cause, the COHE or the Board shall nominate and the Board shall confirm a successor to fill the unexpired term. (4-7-11)

**02. Duties.** The duties of COHE members shall include, but not be limited to, the following: (7-1-93)

**a.** Coordinate and provide euthanasia training classes as needed. (7-1-97)

**b.** Inspect and certify agencies. (3-30-01)

**c.** Review the applications, records, performance, methods and procedures used by agencies and persons seeking to be certified or to renew their certification as a Certified Euthanasia Agency (CEA) or Certified Euthanasia Technician (CET). (3-30-01)

**d.** Conduct written and practical examinations for applicants applying for certification and authorize certification through the Board. (3-30-01)

**e.** Recommend suspension or revocation of a certification when necessary. (3-30-01)

**03. Compensation.** Members of the COHE shall be compensated as provided by Section 59-509(n), Idaho Code. (7-1-97)



## IDAPA 46 - BOARD OF VETERINARY MEDICINE

### 46.01.01 - RULES OF THE STATE OF IDAHO BOARD OF VETERINARY MEDICINE

#### DOCKET NO. 46-0101-1603 (FEE RULE)

#### NOTICE OF RULEMAKING - TEMPORARY AND PROPOSED RULE

**EFFECTIVE DATE:** The effective date of the temporary rule is July 1, 2016.

**AUTHORITY:** In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted a temporary rule, and proposed rulemaking procedures have been initiated. The action is authorized pursuant to Section 54-2105, Idaho Code.

**PUBLIC HEARING SCHEDULE:** Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than September 21, 2016.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

**DESCRIPTIVE SUMMARY:** The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule and a nontechnical explanation of the substance and purpose of the proposed rulemaking:

This rulemaking is required to implement a provision of Idaho Code. The rulemaking establishes a procedure for a certified veterinary technician to go on inactive certification status and back to active status, as well as setting an appropriate renewal fee and a fee to cover Board administrative costs.

**TEMPORARY RULE JUSTIFICATION:** Pursuant to Section(s) 67-5226(1)(b), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

Idaho statute authorizes certified veterinary technicians to place their certifications on "inactive" status, remain in that status, and return to "active" status if they comply with procedural and fee rules of the Board. Technicians have expressed a desire to avail themselves of this statutory benefit but have been prevented from doing so because there is no procedure or fees currently in place. This rulemaking rectifies this problem.

**FEE SUMMARY:** The following is a specific description of the fee or charge imposed or increased:

The rulemaking will impose a \$25 fee for a certified veterinary technician to remain on inactive status, and a \$50 fee to convert from inactive to active status. The \$25 renewal fee for an inactive certification is a reduction from the \$75 fee for active status. The \$50 reactivation fee is new. These fees are imposed pursuant to Sections 54-2105 and 54-2112, Idaho Code.

**FISCAL IMPACT:** The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year:

The Board is a dedicated fund agency; there will be no impact on the state general fund. Any minimal reduction in renewal fees will likely be offset by those CVTs that go on inactive status versus not renewing their licenses. Therefore, the Board estimates that there will likely be no fiscal impact on the Board's dedicated fund.

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because temporary rulemaking is necessary.

**INCORPORATION BY REFERENCE:** Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: N/A

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the temporary and proposed rule, contact Jodie Ellis, Executive Director, at (208) 332-8588 or at [jodie.ellis@agri.idaho.gov](mailto:jodie.ellis@agri.idaho.gov).

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before September 28, 2016.

DATED this 5th Day of August, 2016

Jodie Ellis, Executive Director  
Board of Veterinary Medicine  
2270 Old Penitentiary Rd.  
P. O. Box 7249  
Boise, ID 83707  
Phone: (208) 332-8588 / Fax: (208) 332-8645

**THE FOLLOWING IS THE TEMPORARY RULE AND THE PROPOSED TEXT  
OF DOCKET NO. 46-0101-1603 (FEE RULE)  
(Only Those Sections With Amendments Are Shown.)**

**014. FEES.**

Fees are established as authorized under Title 54, Chapter 21, Idaho Code, by action of the Board as follows:

- (7-1-97)

**01. Veterinarian:** (3-18-99)

  - a.** Application and Original License Fee (Section 54-2107, Idaho Code) - Two hundred seventy-five dollars (\$275). (3-21-12)
  - b.** Annual Renewal Fee (Section 54-2112, Idaho Code). (3-18-99)

    - i. Active License -- One hundred seventy-five dollars (\$175); (3-21-12)
    - ii. Inactive License -- Fifty dollars (\$50). (3-18-99)
  - c.** License Without Clinical Competency Test Fee (Section 54-2110, Idaho Code): (3-30-01)

    - i. Application and Original License Fee -- Two hundred seventy-five dollars (\$275); (3-21-12)
    - ii. Annual Renewal Fee: (3-30-01)

      - (1) Active License -- One hundred seventy-five dollars (\$175); (3-21-12)
      - (2) Inactive License -- Fifty dollars (\$50). (3-30-01)
  - d.** Reinstatement/Late Fee (Section 54-2112, Idaho Code) -- Two hundred dollars (\$200). (3-21-12)
  - e.** Reactivation Fee (restore inactive license to active status) – One hundred fifty dollars (\$150); (3-21-12)
  - f.** Temporary Permit Fee (Section 54-2111, Idaho Code) -- One hundred fifty dollars (\$150). (3-21-12)
  - g.** License Verifications (Sections 54-2105(6) and 54-2112, Idaho Code) -- Twenty dollars (\$20).

- (3-21-12)
- 02. Veterinary Technician Certification Fee.** (Section 54-2105(6)(d), Idaho Code). (3-30-01)
- a.** Application and Original Certification Fee -- One hundred twenty-five dollars (\$125). (3-21-12)
- b.** Annual Renewal Fee ~~Seventy-five dollars (\$75).~~ (3-21-12)(7-1-16)T
- i.** Active Certificate – Seventy-five dollars (\$75); (7-1-16)T
- ii.** Inactive Certificate – Twenty-five dollars (\$25). (7-1-16)T
- c.** Reinstatement/Late Fee -- Fifty dollars (\$50). (3-21-12)
- d.** Reactivation Fee (restore inactive certificate to active status) – Fifty dollars (\$50). (7-1-16)T
- ~~**e.**~~ Temporary Permit Fee -- Fifty dollars (\$50). (3-18-99)
- 03. Certified Euthanasia Agency Certification Fee.** (Section 54-2105(6)(d), Idaho Code). (3-30-01)
- a.** Application and Original Certification Fee -- One hundred dollars (\$100). (3-30-01)
- b.** Annual Renewal Fee -- Two hundred dollars (\$200). (3-21-12)
- c.** Reinstatement/Late Fee -- Fifty dollars (\$50). (3-21-12)
- 04. Certified Euthanasia Technician Certification Fee.** (Section 54-2105(6)(d), Idaho Code). (3-30-01)
- a.** Training and Certification Fee -- One hundred dollars (\$100). (3-30-01)
- b.** Annual Renewal Fee -- One hundred dollars (\$100). (3-21-12)
- c.** Reinstatement/Late Fee -- Fifty dollars (\$50). (3-21-12)
- 05. Duplicate License and Certificate Fee -- Twenty-Five Dollars (\$25).** When a new license, wall certificate or certification is issued for the purpose of changing the license or certificate holder’s name, the request for name change must be accompanied by a copy of the court order or marriage license authorizing the name change and the current license, certification or original wall certificate shall be returned to the Board office. (3-30-01)

**(BREAK IN CONTINUITY OF SECTIONS)**

**104. ~~EXPIRATION OF~~ VETERINARY TECHNICIAN CERTIFICATION -- ~~NOTICE~~ RENEWAL.**

~~**01. Term of Certification.** A certification to practice veterinary technology in the state of Idaho shall be valid for a period of one (1) year. (3-30-01)~~

**021. Expiration and Renewal.** Unless renewed on or before June 30, All certificates shall will expire annually on July 1; ~~but, An “active” or “inactive” veterinary technician certification~~ may be renewed by submission of the completed ~~and signed~~ annual renewal form prescribed by the Board, submission of a continuing education report as outlined in ~~Paragraph 015.03.d, Section 102~~ of these rules for the appropriate hours of continuing education, ~~by meeting other requirements as defined in the rules adopted by the Board,~~ and payment of all applicable fees. ~~The form for renewal of a veterinary technician certificate shall include, but not be limited to:~~ (3-30-01)(7-1-16)T

- ~~a. Name and social security number; (3-30-01)~~
- ~~b. Current employment status; (3-30-01)~~
- ~~c. Current employment address and phone number; (3-30-01)~~
- ~~d. Current home address and phone number; and (3-30-01)~~
- ~~e. Continuing education credits earned. (3-30-01)~~

**032. Notice and Form for Renewal.** On or about May 1, the Board shall mail a notice to each certified veterinary technician ~~whose certification expires on July 1 of that year~~, and shall also provide a form for renewal. In the alternative, the Board may provide the notice and renewal form electronically or make them accessible to technicians from the Board's website. The Board shall issue a new certificate to all qualified veterinary technicians certified under Title 54, Chapter 21, Idaho Code. ~~(3-30-01)~~(7-1-16)T

**04. Return to "Active" Certification Status.** A technician may place a certification on "inactive" status by complying with the applicable provisions of Section 54-2112, Idaho Code. A technician whose certification is on inactive status shall not practice veterinary technology or technician duties in this state. A technician may convert from "inactive" status to "active" status by: ~~(7-1-16)T~~

- a. Submitting to the Board office a completed application form approved by the Board; ~~(7-1-16)T~~
- b. Providing evidence satisfactory to the Board of completion of required continuing education credits; ~~(7-1-16)T~~
- c. Providing any additional evidence deemed necessary by the Board to demonstrate the technician's continued competency in veterinary technology; and ~~(7-1-16)T~~
- d. Paying all applicable fees. ~~(7-1-16)T~~

**045. Expired Certification Fees.** Within thirty (30) days ~~of the date~~ after a certification expires due to nonrenewal, the certification may be reinstated by paying the established late fee, the renewal fee, and by fulfilling any other requirements of Section 104 of these rules and Section 54-2112, Idaho Code. Once a certification has expired, a veterinary technician may not perform technician duties until the certification has been reinstated or until the technician has applied for and received a new certification. ~~(3-30-01)~~(7-1-16)T

**056. Failure to Renew or Reinstate Certification.** Any person who shall practice as a veterinary technician after the expiration of a certification and who fails to renew or reinstate the certification shall be practicing in violation of Title 54, Chapter 21, Idaho Code. (3-30-01)

**067. Change of Address.** It is the responsibility of each certified veterinary technician to notify the Board office of any change of address. Failure to receive a renewal form from the Board shall not constitute an excuse for failure to pay the renewal fee and completion of the prescribed form. (3-30-01)

## PROPOSED RULE COST/BENEFIT ANALYSIS

Section 67-5223(3), Idaho Code, requires the preparation of an economic impact statement for all proposed rules imposing or increasing fees or charges. This cost/benefit analysis, which must be filed with the proposed rule, must include the reasonably estimated costs to the agency to implement the rule and the reasonably estimated costs to be borne by citizens, or the private sector, or both.

**Department or Agency:** Board of Veterinary Medicine

**Agency Contact:** Jodie Ellis, Executive Director   **Phone:** (208) 332-8588

**Date:** July 15, 2016

**IDAPA, Chapter and Title Number and Chapter Name:** IDAPA 46.01.01 – Rules of the State of Idaho Board of Veterinary Medicine

**Fee Rule Status:**     **Proposed**                     **Temporary**

**Rulemaking Docket Number:** 46-0101-1603

### STATEMENT OF ECONOMIC IMPACT:

The rulemaking will impose a \$25 fee for a certified veterinary technician to renew or maintain a certification on inactive status, and a \$50 fee for the technician to reactivate the certification. The annual renewal fee for an active certificate in veterinary technology is \$75 per year.

Section 54-2105, Idaho Code, authorizes the setting of fees for licensing and certifying veterinarians, veterinary technicians, euthanasia agencies, and euthanasia technicians. This rulemaking has no impact on the State General Fund. The Board of Veterinary Medicine (Board) is funded through dedicated funds paid by licensees and certificate holders, who will carry the full burden of these additional fees. Implementation will have a minimal economic effect on the Board or staff.

The main impact will be felt by a limited number of certified veterinary technicians (CVTs), as the proposed rule change allows technicians, for the first time, the option of choosing and retaining inactive certification, and subsequently the option of converting inactive certification back to active status when they desire. Previously, CVTs who wished to remain inactive in the state would have to allow their certification to lapse. To become active again, they would have to reapply for certification “from scratch.” Certified veterinary technicians represent a minority of the Board’s licensees and certificate holders (256 of 1394), although the number of Idaho CVTs is growing slowly. Based on inquiries to the Board office, we estimate that less than 5% of CVTs (approximately 12) will convert their active certificates to inactive status in any given year. It is estimated that the Board’s dedicated fund account either will not be impacted at all in years where no CVTs choose to go on inactive status, or that there will be a minimal positive impact of less than \$1,000 per year.