

Dear Senators SIDDOWAY, Smyser, Bock, 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 (Docket No.
46-0101-1201).

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 10/10/2012. 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 11/08/2012.

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 334-4845, or send a written request to the address on the
memorandum attached below.



Jeff Youtz
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: Principal Legislative Research Analyst - Katharine Gerrity

DATE: September 21, 2012

SUBJECT: Board of Veterinary Medicine

IDAPA 46.01.01 - Rules of the State of Idaho Board of Veterinary Medicine (Docket No. 46-0101-1201)

The Board of Veterinary Medicine submits notice of proposed rulemaking at IDAPA 46.01.01 - Rules of the State of Idaho Board of Veterinary Medicine. According to the Board, the rulemaking will expressly authorize convenient methods for filing documents, allow the Board to more fully recover expenses incurred when an application for certification is withdrawn and streamline and clarify certain obligations and procedures required of certified euthanasia agencies and certified euthanasia technicians for safe, efficient and accountable practice. The Board notes that some minor "housekeeping" changes were also made and that it also proposes to adopt the most updated version of the American Veterinary Medical Association's principles of ethics. The rulemaking will also make all veterinary technician application and certification fees nonrefundable.

The Board states that it is estimated that the Board's dedicated fund account either will not be impacted, or that there will be a minimal positive impact of less than \$2,000 per year. The general fund will not be impacted. Negotiated rulemaking was not conducted. The rulemaking appears to be authorized pursuant to Section 54-2105, Idaho Code.

cc: Board of Veterinary Medicine
Karen Ewing
Carol Youtz

IDAPA 46 - BOARD OF VETERINARY MEDICINE

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

DOCKET NO. 46-0101-1201

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 19, 2012.

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:

The rulemaking will expressly authorize convenient methods for filing documents, allow the Board to more fully recover expenses incurred when an application for certification is withdrawn, and streamline and clarify certain obligations and procedures required of Certified Euthanasia Agencies and Certified Euthanasia Technicians for safe, efficient and accountable practice. The rulemaking makes a "housekeeping" change by adding the Board's website and e-mail information and simplifying filing requirements; adopts an updated version of the American Veterinary Medical Association's principles of ethics; makes all certified veterinary technician application fees nonrefundable; reorganizes existing provisions applicable to a Certified Euthanasia Agency (CEA) and a Certified Euthanasia Technician (CET); streamlines and clarifies procedures for a CEA and CET; eliminates any potential ambiguity in the grounds for discipline against a CEA or CET; and provides clarity to the procedures and requirements for addressing deficiencies found during an inspection of a CEA.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: None.

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:

The Board of Veterinary Medicine is a dedicated fund agency; therefore the General Fund will not be impacted by this rulemaking. It is estimated that the Board's dedicated fund account either will not be impacted, or that there will be a minimal positive impact of less than \$2,000/year.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because it was not feasible for several reasons.

First, some of the rulemaking is of a simple, non-controversial nature (e.g., putting the Board's website and e-mail information in rule and simplifying filing options).

Second, the change to make all veterinary technician application fees nonrefundable is consistent with a suggestion made to the Board by a legislative committee during 2012 rulemaking; and the change is also consistent with an identical change in statute for veterinarian application fees (thereby treating the two groups the same).

Third, the amendments to the euthanasia rules were essentially the product of the Certified Euthanasia Task Force, an entity comprised of veterinarians and technicians involved in animal euthanasia practices in the state; therefore, input, comments and recommendations from these professionals in the affected field was considered in drafting the rulemaking.

Fourth, the changes clarify arguably ambiguous or vague procedures, thereby benefiting certificate holders.

Fifth, the rulemaking has been posted and discussed at two Board meetings, thereby allowing notice and opportunity for comments from the public and licensees.

Finally, because the agency is very small (employing only two full-time employees) and has an extremely tight budget, any minimal benefit that might result from holding meetings on the rulemaking for further comment from potentially affected persons does not justify the additional expense and burden placed on the Board, its staff and financial resources.

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:

An updated version of the Principles of Veterinary Medical Ethics of the American Veterinary Medical Association (AVMA), as adopted and revised November 2010, is being incorporated.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Karen Ewing, Executive Director, at (208) 332-8588.

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 26, 2012.

DATED this 25th day of July, 2012.

Karen Ewing, Executive Director
Board of Veterinary Medicine
2270 Old Penitentiary Rd.
P. O. Box 7249
Boise, ID 83707
Phone: (208) 332-8588
FAX: (208)334-2170

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 46-0101-1201

004. GENERAL PROVISIONS.

- 01. Office.** (7-1-97)
- a.** The office of the Board is located at 2270 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) 334-2170. (4-7-11)
 - e.** The Board's e-mail address is bovminfo@agri.idaho.gov. ()
 - f.** The Board's website address is <http://www.bovm.idaho.gov>. ()
- eg.** 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. ()

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

b. In a contested case proceeding, filing is sufficient if ~~One~~ one (1) original is ~~sufficient for submission 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 ~~transmission 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. (4-7-11)()

005. INCORPORATION BY REFERENCE.

01. Documents Incorporated. The following documents are incorporated herein by reference in accordance with the provision of Section 67-5229, Idaho Code. A copy of each of these documents may be obtained or electronically accessed via the Board of Veterinary Medicine's website at <http://www.bovm.idaho.gov>. (3-29-10)

a. The Principles of Veterinary Medical Ethics of the American Veterinary Medical Association (AVMA), as adopted and revised ~~April 2008~~ November 2010. (3-29-10)()

b. The Educational Commission for Foreign Veterinary Graduates Information for Graduates of Colleges of Veterinary Medicine Outside the United States and Canada (ECFVG), adopted May 1, 2000. (3-30-01)

c. The American Association of Veterinary State Boards' (AAVSB) Program for the Assessment of Veterinary Education (PAVE), adopted August 15, 2002. (3-30-07)

(BREAK IN CONTINUITY OF SECTIONS)

100. CERTIFICATION OF VETERINARY TECHNICIANS.

Any person representing himself as a veterinary technician, licensed veterinary technician, registered veterinary technician, or certified veterinary technician, shall hold a valid, unexpired certificate to practice veterinary technology in the state of Idaho. (3-30-07)

01. Application for Certification -- Contents -- Examinations. An individual desiring to be certified as a veterinary technician shall make written application to the Board upon a form furnished by the Board. A complete application shall be valid and maintained at the Board office for a period of one (1) year, contain the applicant's notarized signature, and include: (3-30-01)

a. A copy of a birth certificate or current passport proving that the applicant is eighteen (18) years of age or older. (4-2-08)

b. Notarized affidavits issued during the year preceding certification from two (2) individuals, personally acquainted with the applicant, attesting to the fact that the applicant is of good moral character. (3-30-01)

c. Documentation of education/training/experience as follows: (3-30-01)

i. A certified copy of a diploma or transcript, or a letter verifying graduation from a veterinary

technology program, accredited by the American Veterinary Medical Association; (3-29-10)

ii. A certified copy of a diploma or transcript, or a letter verifying graduation from a veterinary technology program equivalent to a program accredited by the American Veterinary Medical Association, or from another college or institution approved by the Board; (3-29-10)

iii. A certified copy of a diploma or transcript, or a letter verifying the award of a D.V.M. or V.M.D. degree or equivalent, from an accredited school of veterinary medicine; or (3-29-10)

iv. If a foreign veterinary graduate, notarized verification of having been awarded a D.V.M. or V.M.D. degree or equivalent in a program of veterinary medicine from a foreign school of veterinary medicine or the veterinary department of a foreign university or another college or institution that is approved by the Board. (3-30-07)

d. Verification of a criterion-referenced passing score reported by the Professional Examination Service or its designee, or by other designated test vendors or their designees approved by the American Association of Veterinary State Boards on the Veterinary Technician National Examination (VTNE) or other national examination approved by the American Association of Veterinary State Boards or its designated test vendor or by the Board. If such a score is not available, the passing score shall be as reported by the Professional Examination Service or its designee, or by other designated test vendors or their designees approved by the American Association of Veterinary State Boards or by the Board and shall be considered equal to or greater than one and five-tenths (1.5) standard deviation below the mean score of the examination. (3-30-01)

i. The VTNE or other national examination approved by the American Association of Veterinary State Boards or its designated test vendor or by the Board may have been taken at any time. (3-30-01)

ii. Scores for the VTNE or other national examination approved by the American Association of Veterinary State Boards or its designated test vendor or by the Board are to be provided to the Board by the Professional Examination Service or its designee or by other designated test vendors or their designees approved by the American Association of Veterinary State Boards. (3-30-01)

e. A passing score for the jurisprudence examination, which should be ninety percent (90%) or such score as deemed appropriate by the Board. The jurisprudence examination, as prepared by the Board or its designee, may be taken more than once, at three-month intervals. (3-29-10)

02. Application for Certification -- Fee -- Deadline -- Validity. (3-30-01)

a. A completed application, other required documents, and first year's certification fee in the amount established by the Board shall be received at the Board office by the first day of January or June. All application and certification fees are nonrefundable. ~~(3-30-01)()~~

b. The Board will review applications and issue certifications in January and June of each year. Veterinary Technician Certifications shall be consecutively numbered beginning with the number one (1) and all numbers shall be prefixed with the letters CVT. If an applicant is found not qualified, the Board shall notify the applicant in writing of such finding and grounds therefor. An applicant denied certification may request a hearing pursuant to the procedures set forth in Title 67, Chapter 52, Idaho Code. ~~Any applicant who is denied certification shall be allowed the return of the certification fee portion of the application fee.~~ ~~(3-30-01)()~~

~~**e.** Any applicant taking and passing the Idaho Veterinary Technician Jurisprudence Examination and not wanting to be certified at the next review by the Board shall be allowed the return of the certification fee portion of the application fee only.~~ ~~(3-30-01)~~

(BREAK IN CONTINUITY OF SECTIONS)

204. CERTIFIED EUTHANASIA AGENCY.

A certified euthanasia agency is a law enforcement agency, an animal control agency, a humane society, or a society for the prevention of cruelty to an animals shelter that has been inspected and certified by the euthanasia task force or the Board, Section 54-2103(8), Idaho Code. In order to be certified to purchase and store approved drugs, certified euthanasia agencies shall be inspected by the CETF or the Board and shall meet the following criteria:

~~(3-30-01)~~()

01. Approved Drugs. Approved drugs shall be kept in a locked cabinet securely attached to the building in which it is housed. (3-30-01)

a. Each agency shall maintain a current written list of CET(s). ~~(3-30-01)~~()

b. Access to the drug storage cabinet shall be limited to licensed veterinary supervisors and assigned CET. Such persons shall be responsible for the security of the approved drugs and shall allow withdrawal of the approved drugs only to a person certified by the Board and registered with the Idaho Board of Pharmacy to administer such drugs. (3-30-01)

c. All approved drugs shall be prepared according to the manufacturer's instructions. (7-1-97)

d. Needles in a range of sizes that are the appropriate gauge for the intended use. Needles shall be of medical quality, and shall not be used if they are dirty, clogged, barbed, or might otherwise cause unnecessary discomfort for the animal. ~~Needles shall not be used more than five (5) times.~~ ~~(3-29-10)~~()

~~**fe.** Used n~~Needles and syringes ~~that are to~~ **shall not** be reused ~~shall be kept in the same secure or temporary storage as the approved drugs.~~ ~~(7-1-97)~~()

~~**ef.** Three (3) different syringe sizes are required: three (3), six (6), and twelve (12) cc. An agency may have other syringe sizes according to its needs. Syringes shall be of medical quality. They may be reused if they are properly cleaned.~~ ~~(3-30-01)~~()

g. Spent needles and syringes shall be disposed of in a manner that makes their re-use impossible. (7-1-93)

02. Proper Storage. When no CET is on duty, proper storage for approved drugs is in a locked storage cabinet. (3-30-01)

a. The cabinet shall be of such material and construction that it will withstand strong attempts to break into it. A metal safe is preferred. (7-1-93)

b. The cabinet shall be securely attached to the building in which it is housed. (7-1-93)

c. The temperature and environment in the storage cabinet shall be adequate to assure the proper keeping of the drug. (7-1-93)

03. Proper Labeling. ~~Proper labeling of approved drugs shall include:~~ ~~(7-1-97)~~

~~**a.** Shipment records showing receipt of the approved drugs shall be maintained and include all information required by federal law, the date the shipment was received, the amount, the source, and the invoice number.~~ Upon removal from the shipment carton, each individual container of an approved drug shall be labeled with the drug name and strength, the date the drug was prepared, a drug hazard warning label and the name and address of the agency owning the drug. ~~(7-1-97)~~()

~~**b.** Administration records showing the date an approved drug was administered, weight, species of animal and dosage of each drug administered for euthanasia and restraint, identification of the person who dispensed the approved drugs and if applicable identification of the veterinarian or CET who supervised the dispensing shall be maintained.~~ ~~(3-30-01)~~

~~c. Records of wastage shall be maintained and signed by the person administering the approved drug and the CET responsible for security. (3-30-01)~~

~~d. A weekly record of the approved drugs on hand, minus the amounts withdrawn for administration, signed by the CET or person responsible for security. (3-30-01)~~

~~e. Disposal records of any expired or unwanted approved drugs shall be maintained. Disposal of unwanted drugs and the containers, instruments and equipment used in the administration of the approved drugs shall be in conformance with the Idaho Board of Pharmacy law and rules and the Code of Federal Regulations. (3-30-01)~~

04. Temporary Storage. When a CET is on duty and when animals are being euthanized throughout the workday, approved drugs may be kept in a temporary storage cabinet. When approved drugs are transported in a vehicle, the temporary storage cabinet shall be securely bolted to the vehicle. The cabinet shall be constructed of any strong material and shall be securely locked when not in use. The key to this cabinet shall be secured by a licensed veterinary supervisor or the lead CET designated on the DEA controlled substance registration, and made available only to the licensed veterinary supervisor and designated CET(s) performing euthanasias that day. (3-29-10)()

05. Record Keeping. Proper record keeping of approved drugs shall include the following: (7-1-97)()

a. Shipment records showing receipt of the approved drugs shall be maintained and include all information required by federal law, the date the shipment was received, the amount, the source, and the invoice number. ()

b. Administration records showing the date an approved drug was: ()

i. Administered; ()

ii. Weight and species of animal; ()

iii. Dosage of each drug administered for pre-euthanasia sedation, euthanasia, and remote chemical capture restraint; ()

iv. Identification of the person who dispensed the approved drugs; and, if applicable ()

v. Identification of the veterinarian or CET who supervised the dispensing shall be maintained.()

c. Records of wastage shall be maintained and signed by the CET administering the approved drug and the CET responsible for security. ()

d. A weekly record of the approved drugs on hand, minus the amounts withdrawn for administration, signed by the CET responsible for security. ()

e. Disposal records of any expired or unwanted approved drugs shall be maintained. Disposal of unwanted drugs and the containers, instruments, and equipment used in the administration of the approved drugs shall be in conformance with the Idaho Board of Pharmacy law and rules and the Code of Federal Regulations. ()

~~f.~~ All records shall be filed in chronological order in a binder that is labeled with the name of the agency. (7-1-93)

~~g.~~ All records shall be kept for a period of three (3) years from the calendar date on the record. (7-1-93)

06. Proper Sanitation. The euthanasia area shall be clean and regularly disinfected. (3-30-01)

07. Other Site Conditions. Other site conditions relevant to the proper euthanasia environment.

- (7-1-93)
- a.** Each agency shall have a specific area designated for euthanasia. The area shall be: (7-1-93)
- i. A separate room; or (7-1-93)
- ii. An area that is physically separated from the rest of the agency by a wall, barrier or other divider; (7-1-93)
- or
- iii. An area that is not used for any other purpose while animals are being euthanized. (7-1-93)
- b.** The euthanasia area shall meet the following minimum standards: (7-1-93)
- i. Lighting shall be bright and even; (7-1-93)
- ii. The air temperature shall be within a reasonable comfort range for both the personnel and animals. A minimum sixty (60) degrees F and maximum ninety (90) degrees F is recommended; (7-1-93)
- iii. The area shall have adequate ventilation that prevents the accumulation of odors. At least one (1) exhaust fan vented directly to the outside is recommended; and (7-1-93)
- iv. The floor of the area shall provide dry, non-slip footing to prevent accidents. (7-1-93)
- c.** The euthanasia area shall have the following equipment: (7-1-93)
- i. A table or other work area where animals can be handled while being euthanized. (7-1-93)
- ii. A cabinet, table or work bench where the drugs, needles, syringes and clippers can be placed. (7-1-93)
- d.** The following items and materials shall either be kept in the euthanasia area or brought to the area each time an animal is euthanized: (3-29-10)
- i. A first aid kit that meets minimum first aid supply standards; (7-1-93)
- ii. One (1) or more tourniquets; (7-1-93)
- iii. Standard electric clippers with No. 40 blade; (7-1-93)
- iv. Animal control stick for dogs and animal net for cats (if the agency handles cats); (7-1-93)
- v. Stethoscope; (7-1-93)
- vi. Disinfectant. (3-29-10)
- vii. The current certification cards for the CEA and all CETs working at the CEA, which shall be kept together. The CEA is strongly encouraged to keep all DEA and Idaho Board of Pharmacy registration cards together with the certification cards. (3-29-10)
- e.** All equipment shall be in good working order. (7-1-93)
- 08. Equipment Stored.** All equipment shall be stored so that it does not create a safety hazard for the personnel. All drugs and other chemical agents used in the euthanasia area shall be clearly labeled as specified by Subsection 204.03 of these rules. (3-30-01)

09. Certification Renewal. Certifications may be renewed upon successful completion of a facility inspection by a CETF member, a member of the Board or other individual appointed by the CETF and payment of the

annual renewal fee. (3-30-01)

205. CERTIFIED EUTHANASIA TECHNICIAN.

01. Training and Examinations. The CETF or the Board shall develop training sessions and materials that shall include, but not be limited to, the following topics: (3-30-01)

- a. Euthanasia: (3-30-01)
 - i. The theory and history of euthanasia methods; (3-30-01)
 - ii. Animal anatomy; (3-30-01)
 - iii. Proper animal handling to ease trauma and stress; (3-30-01)
 - iv. Dosages of chemical agents, record keeping and documentation of usage, storage, handling, and disposal of out-dated drugs and their containers, instruments and equipment used in their administration in accordance with the Idaho Board of Pharmacy law and rules and the Code of Federal Regulations; (3-30-01)
 - v. Proper injection techniques; and (3-30-01)
 - vi. Proper use and handling of approved euthanasia drugs and equipment; (3-30-01)
 - vii. Examination. Following the euthanasia training, a written examination shall be given. Those passing the written examination will be eligible for the practical examination. (3-30-01)

- b. Remote Chemical Capture: (3-30-01)
 - i. An overview of remote chemical capture; (3-30-01)
 - ii. Description and basic mechanism of action of approved drugs; (3-30-01)
 - iii. Laws, regulations and rules governing remote chemical capture; (3-30-01)
 - iv. Post-injection care; (3-30-01)
 - v. Proper use and handling of approved restraint drugs and equipment; (3-30-01)
 - vi. Human safety; (3-30-01)
 - vii. Tactics and strategy; and (3-30-01)
 - viii. Delivery systems and equipment. (3-30-01)

02. Certification Standards. Applicants for certification as a CET shall be eighteen (18) years of age or older and demonstrate proficiency in compliance with the following standards: (4-7-11)

- a. Demonstrate ~~efficiency~~ **competency** in euthanasia techniques in the presence of a CETF or Board member, or a person approved by the Board: ~~(4-7-11)~~ **()**
 - i. CETs are fully responsible for all actions that take place in the euthanasia area when an animal is brought to the area including, but not limited to, animal handling, use of the proper restraint technique, the proper drug dosage, and drug handling; (3-30-01)
 - ii. CETs shall be able to ~~properly~~ **competently** perform intravenous injections on dogs and intraperitoneal injections on both dogs and cats. Intravenous injections on cats shall not be required as part of the certification process, but when performed, shall meet the standards listed in Subparagraph 205.02.a.ii.(1) of these

rules. Intracardiac injections on dogs and cats shall not be required as part of the certification process, but when performed, are restricted to the limitations listed in Subparagraph 205.02.a.ii.(3) of these rules. ~~(4-7-11)~~()

(1) Intravenous Injections: The CET shall be able to ~~properly and efficiently~~ competently insert the needle into an animal's vein ~~in no more than two (2) attempts on ninety percent (90%) of the~~ when an animals ~~is~~ injected by this method. A minimum of two (2) people shall be required for any IV injection. One (1) person shall be a CET and one (1) or more people shall be the handler. The handler does not need to be a CET, but the handler should be trained in human safety and animal handling techniques; ~~(4-7-11)~~()

(2) Intraperitoneal Injections: The CET shall be able to efficiently competently insert the needle into the proper ~~injection site in no more than two (2) attempts on ninety five percent (95%) of the~~ area of the peritoneal cavity when an animals ~~is~~ injected by this method. It is recommended that animals injected by this method be placed into a cage or carrier with no other animals. The ~~front of the~~ cage or carrier shall be covered with cloth or other material that can keep the ~~edge~~ injected animal isolated from the normal activities in the euthanasia area. Intraperitoneal injections may be administered by a CET without a handler. ~~(4-7-11)~~()

(3) Intracardiac Injections: Intracardiac injection shall be performed only on an anesthetized animal. CETs shall be able to efficiently competently insert the needle into the heart of an anesthetized animal, ~~in no more than two (2) attempts on ninety percent (90%) of the animals injected by this method.~~ and ~~fi~~ntracardiac injections may be administered by a CET without a handler. ~~(3-30-01)~~()

iii. No other euthanasia injection procedures are permitted in any type of animal with the exception of intramuscular and subcutaneous injections for pre-euthanasia sedation; ~~(3-30-01)~~()

iv. Oral administration of approved euthanasia drugs is permitted for any animal that cannot be captured or restrained without serious danger to human safety; ~~(3-30-01)~~()

b. Demonstrate proper record keeping. A record of all approved drugs received and used by the agency shall be kept. The record shall contain the following information: (3-30-01)

i. A weekly verification of the drug stock on hand, minus the amounts withdrawn for administration, signed by the CET responsible for security; ~~(3-30-01)~~()

ii. An entry of the date that a new bottle of any approved drug is opened and the volume of the bottle, signed by the CET responsible for security; ~~(3-30-01)~~()

iii. The species and approximate weight of each animal administered a drug; (3-30-01)

iv. The amount of the drug that was administered; (3-30-01)

v. The date the drug was administered; ()

vi. The signature of the CET who administered the drug; (3-30-01)

vii. A record of the amount of the drug wasted, if any, signed by the CET administering the drug and the CET responsible for security; and ~~(3-30-01)~~()

viii. A record of any disposal of expired or unwanted approved drugs, other chemical agent or the containers, instruments and equipment used in their administration, signed by the CET and disposed of in accordance with the Idaho Board of Pharmacy law and rules and the Code of Federal Regulations. (3-30-01)

c. Demonstrate understanding and concern for the needs and humane treatment of individual animals: (4-7-11)

i. All animals shall be handled in a manner that minimizes stress to the animal and maximizes the personal safety of the CET and the handler. Each animal shall be handled with the least amount of restraint necessary, but human safety shall always be the primary concern. Handling includes all aspects of moving an animal from one

(1) area to another; (4-7-11)

ii. The use of control sticks and other similar devices shall be limited to fractious or potentially dangerous animals; and (3-30-01)

iii. Animals shall not be placed in cages or kennels with other breeds or species that are incompatible with the animal in question. Animals shall not be overcrowded in a cage or kennel. (7-1-93)

d. Demonstrate ability to verify death. The animal should become unconscious and show terminal signs within sixty (60) minutes of drug administration. If any animal does not show any of these signs within the designated time period, the CET shall re-administer the drug. An animal that has received an approved drug orally may be injected with the same or another approved drug after it has become unconscious. Verification is the responsibility of the CET and shall be made by physical examination of the individual animal. One (1) of the following two (2) standards for death shall be met: (4-7-11)

i. Rigor mortis; or (7-1-93)

ii. Complete lack of heartbeat (as checked with a stethoscope), complete lack of respiration, and complete lack of corneal and palpebral reflexes. (4-2-08)

e. Demonstrate ability to communicate with handlers during the euthanasia process. (3-18-99)

03. Certification. An individual shall not be certified as a CET until such time as he has demonstrated proficiency in the practical examination that shall be conducted following the successful passing of the written exam. Training courses and written and practical examinations will be given as needed. Certification and renewal training sessions and examinations will be conducted prior to July 1 of each year at a place selected by the CETF or the Board. (3-29-10)

a. An individual who has passed the written exam, but has not attended a training session and has not passed the practical examination, may serve as a probationary euthanasia technician under the direct supervision of a currently certified CET until such time as the next training course, practical exam and certification are conducted by a CETF or Board member. (3-30-07)

b. An individual who has not passed the written exam may not serve as a euthanasia technician. (4-7-11)

c. An individual who attends a training session and passes the written exam but fails the practical exam may serve on probation until the CETF member re-examines the individual. If the individual fails to pass the practical exam a second time and wishes to apply again, the individual shall attend the next regular training session and written exam. (3-30-01)

d. Upon termination from an agency as defined in Section 204 of these rules, a CET's certification immediately becomes invalid and the CET shall not perform animal euthanasia until employed by another certified euthanasia agency, at which time the certification may be reinstated. (4-7-11)

e. The agency shall notify the Board office in writing within thirty (30) days from the date the CET's employment at that agency is terminated. (3-29-10)

f. If a CET is employed again by a CEA prior to the expiration of his certification, the CEA employer may request reinstatement of the CET's certification. If a CET has not attended a euthanasia training in the three (3)-year period preceding recertification, the CET may not be recertified and will need to reapply for certification, at CETF discretion. (4-7-11)

g. All certifications expire on July 1 of each year ~~and are effective for no longer than twelve (12) months from the date of certification.~~ (3-30-01) ()

04. Certification Renewal. (4-7-11)

a. Certifications may be renewed each year by payment of the annual renewal fee, provided that, every third year following the date of certification, the CET will need to attend a euthanasia training and pay the current training and certification fee prescribed by Section 014 of these rules. (4-7-11)

b. In addition to the above euthanasia training recertification requirement, CETs classified as law enforcement personnel who use chemical capture must recertify in remote chemical capture every third year following their original remote chemical capture certification. (4-7-11)

05. Duties. The duties of a CET shall include, but are not limited to: (7-1-97)

a. Preparing animals for euthanasia; (7-1-97)

b. Accurately recording the dosages for drugs that are administered and amounts for drugs wasted; (3-30-01)

c. Ordering supplies; (7-1-93)

d. Maintaining the security of all controlled substances and other approved drugs; (3-30-01)

e. Directly supervising probationary CET; (7-1-97)

f. Reporting to the Board violations or suspicions of a violation of these rules or any abuse of drugs; (3-30-01)

g. Humanely euthanizing animals; and (3-30-01)

h. Proper and lawful disposal of euthanized animals and expired or unwanted drugs, other chemical agent or the containers, instruments and equipment used in the administration of approved drugs. (3-30-01)

206. GROUNDS FOR DISCIPLINE -- CEAS AND CETs.

The Board may refuse to issue, renew, or reinstate the certification of a CEA or CET, or may deny, revoke, suspend, sanction, place on probation, or require voluntary surrender of the certification of a CEA or CET, impose other forms of discipline, and enter into consent agreements and negotiated settlements with CEAs and CETs pursuant to the procedures set forth in Title 67, Chapter 52, Idaho Code, for any of the following reasons: (3-30-01)

01. Failure to Carry Out Duties. Failure to carry out the duties of a CEA or CET. (3-30-01)

02. Abuse of Chemical Substances. Abuse of any chemical substance by: (3-30-01)

a. Selling or giving chemical substances away; or (7-1-97)

b. Stealing chemical substances; or (7-1-97)

c. Using The diversion or use of any chemical substances for other than legitimate chemical capture or euthanasia purposes; or ~~(3-18-99)~~ ()

d. Abetting anyone in the foregoing activities. (7-1-97)

03. Euthanizing of Animals Without Proper Supervision. Allowing uncertified individuals or probationary CETs to euthanize animals or personally euthanizing animals without proper supervision. (3-30-01)

04. Administration of Approved Drugs Without Proper Supervision. Allowing uncertified individuals or probationary CETs to administer approved drugs or personally administering approved drugs without proper supervision. (3-30-01)

05. Euthanizing of Animals Without Proper Certification. Allowing individuals or probationary

CETs to euthanize animals or personally euthanizing animals without being properly certified to do so. (3-30-01)

06. Fraud, Misrepresentation, or Deception. The employment of fraud, misrepresentation of a material fact, or deception by an applicant or certificate holder in ~~obtaining certification~~ securing or attempting to secure the issuance or renewal of a certificate. (~~3-30-01~~)()

07. Unethical or Unprofessional Conduct. Unethical or unprofessional conduct means to knowingly engage in conduct of a character likely to deceive or defraud the public and includes, but is not limited to: (3-30-01)

a. Working in conjunction with any agency or person illegally practicing as a CEA or CET; (3-30-01)

b. Failing to provide sanitary facilities or apply sanitary procedures for the euthanizing of any animal; (3-30-01)

c. Euthanizing animals in a manner that endangers the health and welfare of the public. A CET shall not euthanize animals if his ability to practice with reasonable skill and safety is adversely affected by reason of illness, excessive use of alcohol, drugs, narcotics, chemicals, or any other substance or as a result of any mental or physical disability; (3-30-01)

d. Gross ignorance, incompetence or inefficiency in the euthanizing of animals as determined by, but not limited to, the practices generally and currently followed and accepted by persons certified to practice as CETs in this state; (3-30-01)

e. Intentionally performing a duty, task or procedure involved in the euthanizing of animals for which the individual is not qualified; and (3-30-01)

f. Swearing falsely in any testimony or affidavits relating to practicing as a CEA or CET. (3-30-01)

08. Conviction of Violating Any Federal or State Statute, Rule or Regulation. Conviction of a charge of violating any federal or state statute or rule or regulation regulating narcotics, dangerous drugs or controlled substances. (3-30-01)

09. Conviction of a Charge or Crime. Being found guilty, convicted, placed on probation, having entered a guilty plea that is accepted by the court, forfeiture of bail, bond or collateral deposited to secure a defendant's appearance, or having received a withheld judgment or suspended sentence by a court of competent jurisdiction in this state or any other state of one (1) or more of the following: (3-30-01)

a. Any felony, as defined by Title 18, Chapter 1, Idaho Code; or (3-30-01)

b. Any crime constituting or having as an element the abuse of any drug, including alcohol. ()

~~b.c.~~ Any other criminal act that in any way is related to practicing as a CEA or CET as defined by Section 54-2103(8) and (9), Idaho Code. (3-30-01)

10. Improper Record Keeping. Failure to follow proper record keeping procedures as outlined in the rules of the Board. (3-30-01)

11. Improper Security for Approved Drugs. Failure to provide and maintain proper security for approved euthanasia and restraint drugs as outlined in the rules of the Board. (3-30-01)

12. Improper Storage of Equipment and Approved Drugs. Failure to properly store equipment or approved drugs as outlined in the rules of the Board. (3-30-01)

13. Improper Disposal of Approved Drugs and Equipment. Failure to properly dispose of approved drugs and the containers, instruments and equipment used in their administration as outlined in the rules of the Board. (3-30-01)

14. Improper Labeling of Approved Drugs. Failure to properly label approved euthanasia and restraint drugs as outlined by the rules of the Board. (3-30-01)

15. Revocation, Suspension, Limitation or ~~Subjection~~ Restriction. The revocation, suspension, limitation, or ~~subjection~~ restriction of a license, certificate or registration or any other disciplinary action by another state or U.S. jurisdiction or voluntary surrender of a license, certificate or registration by virtue of which one is licensed, certified or registered to practice as a CEA or CET in that state or jurisdiction on grounds other than nonpayment of the renewal fee. ~~(3-30-01)~~()

16. Failure to Cooperate. (3-30-01)

a. Failure of any applicant or certificate holder to cooperate with the Board during any investigation, even if such investigation does not personally concern the applicant or certificate holder; or (3-30-01)

b. Failure to comply with the terms of any order, negotiated settlement, or probationary agreement of the Board; or (3-30-01)

c. Failure to comply with the terms for certification renewal or to timely pay certification renewal fees. (3-30-01)

17. Aiding and Abetting. Knowingly aiding or abetting an uncertified agency or person to practice as a CEA or CET. (3-30-01)

18. Current Certification. Practicing as a CEA or CET without a current certification. (3-30-01)

19. Improper Drug Preparation. Preparing approved drugs, contrary to manufacturer's instructions. (3-30-01)

20. Violation of any Law, Rules or Orders. Violating or attempting to violate, directly or indirectly, or assisting or abetting the violation or conspiracy to violate any provisions of the veterinary law and rules or a written order of the Board issued pursuant to Title 54, Chapter 21, Idaho Code, the Idaho Board of Pharmacy law and rules, or the Code of Federal Regulations. (3-30-01)

207. INSPECTION DEFICIENCIES.

If there are inspection deficiencies with either a CEA or CET, a CETF member or the Board shall document in writing areas for correction. The CEA or CET, or both, shall make corrections within ~~ten (10) days of receipt of the~~ time period specified in the notice of deficiency, and correction shall be verified by a CETF or Board member ~~shall re-inspect within ninety (90) days of the date of the initial notice of~~ as recorded on the deficiency documentation. If the deficiency has not been corrected, the certification may be revoked by the Board, and the Idaho Board of Pharmacy will be notified. ~~(3-30-01)~~()