

PROPOSED RULE CHANGES

During the January 26, 2016 meeting of the Texas Board of Veterinary Medical Examiners, the Board voted to propose the following rule changes. The Texas Board of Veterinary Medical Examiners invites comments on the proposed amendments to the rules from any member of the public. A written statement should be mailed or delivered to Loris Jones, Texas Board of Veterinary Medical Examiners, 333 Guadalupe, Ste. 3-810, Austin, Texas 78701-3942, by facsimile (FAX) to (512) 305-7574, or by e-mail vet.board@veterinary.texas.gov. Comments will be accepted for 30 days (**March 19, 2016 – April 17, 2016**) following publication in the Texas Register.

22 TAC §571.59

The Texas Board of Veterinary Medical Examiners (Board) proposes amendments to §571.59, concerning Expired Veterinary Licenses.

The Board proposes these amendments to reflect the correct title of Board rule 571.17.

§571.59. Expired Veterinary Licenses.

(a) A veterinarian's license expires on the first day of the month following his/her birth month and is considered delinquent. Within 90 days of the last day of the month of a licensee's birth month, a licensee must renew an unexpired license, in writing, by paying the required fee and furnishing all information required by the Board for renewal.

(b) A veterinary licensee who has failed to renew his or her license for a period of one year or more and wishes to reinstate the license may be required to appear before the Board to explain why the licensee allowed the license to expire and the licensee's reasons for wanting it reinstated. Subject to subsections (c) and (d) of this section, the licensee must take and pass the SBE and comply with §571.3 of this title (relating to Criminal History Evaluation Letters).

(c) A military spouse, military veteran, or military service member, as defined by Chapter 55, §55.001, of the Texas Occupations Code, who has failed to renew his or her Texas license for a period of one year or more may receive a license in accordance with §571.17 of this title (relating to Expedited and Alternative Licensure Procedure for Military [Spouses]) if the military spouse, military veteran, or military service member meets the requirements of §571.17.

(d) A licensee who has failed to renew his or her license for a period of one year or more may reinstate the licensee's expired license without taking and passing the SBE if the licensee:

- (1) previously had a Texas license and lived and/or practiced in Texas;
- (2) moved to another state and is licensed and practices in that state;
- (3) has been practicing in the other state during the past two years preceding application for reinstatement in Texas;
- (4) intends to return to and practice in Texas;
- (5) furnishes a letter of good standing from all states where the licensee is currently licensed; and
- (6) submits a complete application for license reinstatement within two years of the date the license expired and could not be renewed.

(e) A veterinary licensee who has failed to renew his or her license for a period of one year or more, shall have his or her license cancelled.

22 TAC §571.60

The Texas Board of Veterinary Medical Examiners (Board) proposes amendments to §571.60, concerning Expired Licenses for Equine Dental Providers and Licensed Veterinary Technicians.

The Board proposes these amendments in accordance with Senate Bill 1307 (84th Legislature, 2015) to allow military spouses, military veterans, and military service members, as defined by Chapter 55, §55.001, of the Texas Occupations Code, to receive a license even if they have failed to renew their license for a period of one year or more and if they meet the requirements of §571.17 for expedited licensure. The amendments are also proposed to ensure that references to licensed veterinary technicians and equine dental providers appear in the same order in the rule title and throughout the rule.

§571.60. Expired Licenses for ~~[Equine Dental Providers and]~~ Licensed Veterinary Technicians and Equine Dental Providers.

(a) Licensed veterinary technician and equine dental provider licenses expire on the first day of the month after his/her birth month and are considered delinquent. Within 90 days of the last day of a licensee's birth month, a licensee must renew an unexpired license, in writing, by paying the required fee and furnishing all information required by the Board for renewal.

(b) A licensed veterinary technician or an equine dental provider licensee, who has failed to renew his or her license for a period of one year or more and wishes to reinstate the license, may be required to appear before the Board to explain why the licensee allowed the license to expire and the licensee's reasons for wanting it reinstated. The licensee must take and pass the ~~[EDPE or the]~~ LVTE or the EDPE, as appropriate for his or her license.

(c) A ~~[licensed veterinary technician or an equine dental provider licensee, who is the spouse of a person serving on active duty as a member of the armed forces of the United States]~~ military spouse, military veteran, or military service member, as defined by Chapter 55, §55.001, of the Texas Occupations Code, who [held an equine dental provider or veterinary technician license in Texas within the past five years, and] has failed to renew his or her license for a period of one year or more ~~[while the licensee was living in another state for at least six months,]~~ may ~~[reinstate]~~ receive ~~[his or her]~~ a license ~~[without appearing before the Board. The licensee must still take and pass the~~

~~EDPE or the LVTE, as appropriate for his or her license]~~ in accordance with §571.17 of this title (relating to Expedited and Alternative Licensure Procedure for Military) if the military spouse, military veteran, or military service member meets the requirements of §571.17.

(d) A licensed veterinary technician or equine dental provider licensee, who had failed to renew his or her license for a period of one year or more, shall have his or her license cancelled.

22 TAC §577.20

The Texas Board of Veterinary Medical Examiners (Board) proposes amendments to §577.20, concerning Employee Education and Training.

The Board proposes these amendments in accordance with House Bill 3337 (84th Legislature, 2015) to impose certain requirements and limitations on training and education for agency employees.

§577.20. Employee Education and Training.

(a) The board may use state funds to provide education and training for its employees in accordance with the State Employees Training Act (Texas Government Code, §§656.041 - 656.104). To be eligible for training and education supported by the board, an employee must:

- (1) remain employed by the board for the duration of the training or education;
- (2) receive approval for the training or education from the employee's supervisor; and
- (3) accept the obligation to successfully complete the education or training program.

(b) The education or training shall be related to the employee's current position or prospective job duties at the board.

(c) The board's education and training program benefits both the board and the employees participating by:

- (1) preparing for technological and legal developments;
- (2) increasing work capabilities;
- (3) increasing the number of qualified employees in areas for which the board has difficulty in recruiting and retaining employees; and
- (4) increasing the competence of agency employees.

(d) Board employees may be required to complete an education or training program related to the employee's duties or prospective duties as a condition of employment.

(e) Participation in an education or training program requires the appropriate level of approval prior to participation and is subject to the availability of funds within the agency's budget.

(f) The employee education and training program for the board may include:

(1) mandatory agency-sponsored training required for all employees;

(2) education relating to technical or professional certifications and licenses;

(3) education and training relating to the promotion of employee development;

(4) employee-funded external education;

(5) board-funded external education; and

(6) other board-sponsored education and training determined by the board to fulfill the purposes of the State Employees Training Act.

(g) The board's Human Resources Director is designated as the administrator of the board's education and training program.

~~[(h) The administrator or the administrator's designee shall develop policies for administering each of the components of the employee education and training program. These policies shall include:~~

~~(1) eligibility requirements for participation;~~

~~(2) approval procedures for participation; and~~

~~(3) obligations of program participants.]~~

(h)[(f)] Approval to participate in any portion of the board's education and training program shall not in any way affect an employee's at-will status or constitute a guarantee or indication of continued employment, nor shall it constitute a guarantee or indication of future employment in a current or prospective position.

(i)[(g)] Permission to participate in any education and training program may be withdrawn if the board determines, in its sole discretion, that participation would negatively impact the employee's job duties or performance.

(j) If an employee seeks reimbursement for a training or education program offered by an institution of higher education or private or independent institution of higher education as defined by Texas Education Code §61.003, Education Code, the board may only pay the tuition expenses for a program course successfully completed by the

employee at an accredited institution of higher education. Before an employee may be reimbursed for training under this subsection, the Board's Executive Director must authorize the reimbursement.