

PROPOSED RULE CHANGES

During the October 13, 2015 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 (**November 27, 2015 – December 27, 2015**) following publication in the *Texas Register*.

PART 24. TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS
CHAPTER 571. LICENSING
SUBCHAPTER A. GENERAL
22 TAC §571.7

The Texas Board of Veterinary Medical Examiners (Board) proposes an amendment to §571.7, concerning Veterinary Licensing Eligibility.

Under the current rule, an applicant may apply for the North American Veterinary Licensing Examination through the National Board of Veterinary Medical Examiners prior to graduation from veterinary medical school if the applicant provides certification that the applicant is within eight months of the expected graduation date. The proposed amendment changes the maximum time from graduation from eight months to ten months. This proposed amendment will conform the Board's procedures to that of most other states.

Nicole Oria, Executive Director, has determined that for each year of the first five years that the rule is in effect, there will be no impact on revenue to either state or local government as a result of the proposed rule. Ms. Oria has also determined that there will be no increase or reduction in costs to either state or local government as a result of enforcing or administering the rule as proposed.

Ms. Oria has further determined that the amendment to the rule will have no impact on local employment.

Ms. Oria has also determined that for each year of the first five years the rule is in effect, the anticipated public benefit will be that applicants who have not yet graduated will be able to begin the application process to take the licensing exam in Texas sooner. In addition, the proposed amendment will conform the Board's procedures to that of most other states.

Ms. Oria has determined that there will not be any economic cost to persons required to comply with the amended rule. There is thus no adverse impact expected for small or micro businesses, and no anticipated difference in cost of compliance between small and large businesses.

The Texas Board of Veterinary Medical Examiners invites comments on the proposed amendment to the rule 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 following publication in the *Texas Register*. Comments must be received within 30 days after publication of this proposal in order to be considered.

The amendment is proposed under the authority of the Veterinary Licensing Act, Texas Occupations Code, §801.151(a), which states that the Board may adopt rules necessary to administer the chapter and §801.307.

No other statutes, articles, or codes are affected by the proposal.

§571.7. Veterinary Licensing Eligibility.

(a) - (e) (No change.)

(f) Eligibility Prior to Graduation. An applicant for a veterinary license who has not graduated from veterinary medical school may apply for the SBE provided the following conditions have been met:

(1) An applicant must be enrolled in an approved and accredited veterinary medical school or college as defined in §571.1(10) of this title and must obtain a document from the dean of the school or college from which the applicant expects to graduate certifying that the applicant is within 60 days of completion of a veterinary college program and is expected to graduate.

(2) An applicant enrolled in a joint or combined degree program who has completed the applicant's veterinary medical education but has not received a diploma or transcript certifying the award of the applicant's DVM degree, must obtain a letter from the dean of the school or college of veterinary medicine stating that the applicant did in fact graduate before the applicant is eligible to sit for the SBE.

(3) To apply for the NAVLE through NBVME, a candidate shall, at the time an application is submitted, demonstrate that the candidate is:

(A) a student enrolled in an approved and accredited school or college of veterinary medicine as defined in §571.1 10) of this title, and who has submitted a document from the dean of the school or college from which the student expects to graduate, certifying that the applicant is within ten [eight] months of the student's expected graduation date and is expected to graduate, and has demonstrated compliance with all of the NBVME's testing requirements for the NAVLE; or

(B) a graduate of a school or college of veterinary medicine not approved and accredited, who is enrolled in the ECFVG or PAVE certification program and shall submit proof that the applicant passed all English language proficiency tests required by the certification program of choice and must have completed all other requirements of each program.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on November 16, 2015.

TRD-201504953

Loris Jones

Executive Assistant

Texas Board of Veterinary Medical Examiners

Earliest possible date of adoption: December 27, 2015

For further information, please call: (512) 305-7555

CHAPTER 573. RULES OF PROFESSIONAL CONDUCT

SUBCHAPTER G. OTHER PROVISIONS

22 TAC §573.64

The Texas Board of Veterinary Medical Examiners (Board) proposes an amendment to §573.64, concerning Continuing Education Requirements.

The Board proposes this amendment to provide that a licensee may not apply continuing education hours obtained prior to licensure in Texas to the number of continuing education hours required to maintain a license. This change reflects the agency's current practice.

Nicole Oria, Executive Director, has determined that for each year of the first five years that the rule is in effect, there will be no impact on revenue to either state or local government as a result of the proposed rule. Ms. Oria has also determined that there will be no increase or reduction in costs to either state or local government as a result of enforcing or administering the rule as proposed.

Ms. Oria has further determined that the amendment to the rule will have no impact on local employment.

Ms. Oria has also determined that for each year of the first five years the rule is in effect, the anticipated public benefit will be that licensees are meeting the minimum continuing education requirements. The amendment will also clarify the required continuing education for licensees.

Ms. Oria has determined that any economic cost to persons required to comply with the amended rule would be limited to the cost of obtaining the required continuing education after becoming licensed in Texas. There is no adverse impact expected for small or micro businesses, and no anticipated difference in cost of compliance between small and large businesses.

The Texas Board of Veterinary Medical Examiners invites comments on the proposed amendment to the rule 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 following publication in the *Texas Register*. Comments must be received within 30 days after publication of this proposal in order to be considered.

The amendment is proposed under the authority of the Veterinary Licensing Act, Texas Occupations Code, §801.151(a), which states that the Board may adopt rules necessary to administer the chapter, and §801.307, which authorizes the Board to adopt rules to require license holders to complete continuing education courses.

No other statutes, articles, or codes are affected by the proposal.

§573.64. Continuing Education Requirements.

(a) Required Continuing Education Hours.

(1) Licensed Veterinarians. Seventeen (17) hours of acceptable continuing education shall be required annually for renewal of all types of Texas veterinary licenses, except as provided in subsection (b) of this section. Veterinary licensees who successfully complete the Texas State Board Licensing Examination shall receive credit for 17 continuing education hours for the calendar year in which they were examined and licensed.

(2) Licensed Equine Dental Providers. Six (6) hours of acceptable continuing education shall be required annually for renewal of Texas equine dental provider licenses.

(3) Licensed Veterinary Technicians. Ten (10) hours of acceptable continuing education shall be required annually for renewal of Texas veterinary technician licenses.

(4) A licensee shall earn the required hours of acceptable continuing education during the calendar year immediately preceding the licensee's application for license renewal. Should a licensee earn acceptable continuing education hours during the year in excess of the required hours, the licensee may carry over and apply the excess hours to the requirement for the next year. Licensees may carry over excess hours to the following year only, and may not carry over more hours than the licensee is required to earn in a calendar year.

(5) Hardship extensions may be granted by appeal to the Executive Director of the Board. The executive director shall only consider requests for a hardship extension from licensees who were prevented from completing the required continuing education hours due to circumstances beyond the licensee's control. A hardship extension generally will not be allowed due to financial hardship or lack of time due to a busy professional or personal schedule. Requests for a hardship extension must be received in writing and in the Board offices by no later than December 15. Should such extension be granted, twice the number of hours of continuing

education required for a standard annual license renewal shall be obtained in the two-year period of time that includes the year of insufficiency and the year of extension. Licensees receiving a hardship extension shall maintain records of the continuing education obtained and shall file copies of these records with the Board by attaching the records to the license renewal application submitted following the extension year, or by sending them to the Board separately if the licensee submits his or her renewal application electronically (on-line).

(6) Except as provided in subsection (a)(1) of this section, continuing education hours obtained prior to licensure in Texas may not be applied toward the required number of continuing education hours.

(b) - (c) (No change.)

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

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For further information, please call: (512) 305-7555