



## **Notice of Proposed Changes to Regulations of the Board of Veterinary Examiners**

### **Proposed Regulations - FAQ**

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*June 2019*

#### **1. What are the changes to the regulations being proposed?**

The Board of Veterinary Examiners (Board) is proposing to update certain regulations, and add other regulations. The changes are listed below for each section.

**12 AAC 68.045, Temporary license.** This section is being updated to allow for official transcripts of a veterinary degree to be submitted in lieu of a notarized copy of the veterinary degree diploma for obtaining a temporary license. In addition, it updates the Educational Commission for Foreign Veterinary Graduates wording to match the statute.

**12 AAC 68.046, Temporary permits.** This section is being updated to allow for official transcripts of a veterinary degree to be submitted in lieu of a notarized copy of the veterinary degree diploma for obtaining a temporary license.

**12 AAC 68.075, Veterinary-Client-Patient relationship.** This is a new section that will define a client-patient relationship and require the relationship to be initiated before caring for or treating an animal.

**12 AAC 68.500, Student permit.** This section is being updated to repeal the \$125 student permit fee.

**12 AAC 68.930, Registration with the prescription drug monitoring program controlled substance prescription database.** This new section is being added to comply with current statutes under AS 08.68.050, which requires a veterinarian who holds a federal Drug Enforcement Administration (DEA) registration number to register with the prescription drug monitoring program (PDMP) controlled substance prescription database.

**12 AAC 68.940, Veterinary medical facility.** This is a new section requiring a veterinary facility or veterinary medical facility to have a licensed veterinarian designated as the facility manager. The manager will be responsible for the maintenance of all veterinary medical records.

**12 AAC 68.990, Definitions.** This section is being amended to change the definition for the division to its current name. In addition it adds a new definition for “veterinary facility” and “veterinary medical facility”.

## **2. Why are the changes being proposed?**

12 AAC 68.045 and 68.046 are being amended to allow for official transcripts of a veterinary degree in lieu of a notarized copy of a diploma, and ensure the wording in both sections mirror each other and use the same wording as the statutes. This will give an applicant under these sections an additional avenue to verify their veterinary degree.

12 AAC 68.075 is a new section being proposed. The Board felt it was necessary to define the veterinary-client-patient relationship due to current federal regulations and the increase of telehealth services nationwide. The Board also noted it will provide clarity for veterinarians, clarity for fish hatcheries, and safety for consumers.

This means that a veterinarian would not need to physically examine the animal allowing for telehealth practice. However, veterinarians must comply with federal regulations if under the federal feed directive, meaning an onsite examination of the animal must occur.

The provision for follow-up care under (b)(3) of this section requires all veterinarians providing veterinary care, including care in remote communities, to provide contact information of a veterinarian to the owner of the patient in the event of complications or adverse reactions. The contact veterinarian would refer the patient to see a veterinarian if the complications require a physical examination, even if the patient is in a remote community.

12 AAC 68.500 is being proposed to repeal the student permit fee. The Board felt that students don't have the necessary income to pay for the current \$125 fee. The student will still be required to obtain the permit, but no fee will be required.

12 AAC 68.930 is a new section being proposed. The regulation complies with the veterinary statutes and the PDMP statutes requiring all prescribing practitioners who hold a federal DEA registration number to register with the PDMP.

12 AAC 68.940 is a new section being proposed. The board decided it was necessary to ensure that a veterinarian was responsible for the veterinary medical records of a veterinary facility so owners of animal patients had access to the medical records when needed, and to provide recourse if necessary.

This will include veterinary practice facilities or clinics, humane societies, animal rescues, clinics in remote villages or other facilities where clinics are held, including community buildings, tribal halls, fire halls, or other types of buildings where any type of veterinary care is being provided. Under 12 AAC 68.910, medical records are to be kept for a minimum of five years. This is to ensure the owner of the animal can obtain the medical records for the veterinary care that was provided at these facilities.

12 AAC 68.990 is amended to clarify the definition of “division”. The division of corporations, business, and professional licensing changed its name several years ago, however, the Board of

Veterinary Examiners definition was never updated to reflect the change. In addition, the board is defining “veterinary facility” and “veterinary medical facility” in conjunction with 12 AAC 68.940.

### **3. What is the cost to comply with the new regulations?**

The registration fee for a licensed veterinarian to register with the PDMP is \$25 for a biennial licensing period which coincides with their license renewal.

The Board thinks the requirement for a veterinarian to comply with the PDMP program by reviewing the database when the veterinarian prescribes controlled substances, or uploads data to the database when dispensing controlled substances, may incur a cost for their time. At this time it is undetermined what that cost may be.

Do you have a question that is not answered here? Please email [RegulationsAndPublicComment@alaska.gov](mailto:RegulationsAndPublicComment@alaska.gov) so it can be added.