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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

MEMORANDUM

TO: Sara Chambers, Department of Commerce, Community and Economic Development

FROM: April Simpson, Office of the Lieutenant Governor 
465.4081

DATE: March 19, 2024

RE: Filed Permanent Regulations: Board of Veterinary Examiners

Board of Veterinary Examiners regulations re: Updates to Education Requirements
under HB 56 (12 AAC 68.010 - .935)

Attorney General File:	2023200407
Regulation Filed:	3/19/2024
Effective Date:	4/18/2024
Print:	250, July 2024

cc with enclosures: Colleen Bailey, Department of Law
Judy Herndon, LexisNexis
Sylvan Robb, Division Director
Alison Osborne, Regulations Specialist
Stefanie Davis, Regulations Specialist



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Law
CIVIL DIVISION

P.O. Box 110300
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March 13, 2024

The Honorable Nancy Dahlstrom
Lieutenant Governor
State of Alaska
P.O. Box 110015
Juneau, AK 99811-0015

Re: *12 AAC 68.010 - .935: Board of Veterinary Examiners - Updates to
Education Requirements under HB 56*
Our file: 2023200407

Dear Lieutenant Governor Dahlstrom:

The Department of Law has reviewed the attached regulations of the Board of Veterinary Examiners against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This letter constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations. The regulations were adopted by the Board of Veterinary Examiners after the close of the public comment period.

Reflecting recent statutory changes to AS 08.98 under ch. 14, SLA 2023 (SCS HB 56(L&C)), the regulations update education and examination requirements and remove now redundant requirements for compliance with the Prescription Drug Monitoring Program (PDMP) controlled substance prescription database under AS 17.30.200.

The December 12, 2023 public notice and the February 2, 2024 certification of adoption order both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.060 is not required.

We have made some technical corrections to conform the regulations in accordance with AS 44.62.060. The corrections are incorporated into the attached copy of the regulations.

Sincerely,

TREG TAYLOR
ATTORNEY GENERAL

By: **Rebecca C. Polizzotto**
Digitally signed by
Rebecca C. Polizzotto
Date: 2024.03.13
11:28:18 -08'00'
Rebecca C. Polizzotto
Chief Assistant Attorney General
Legislation, Regulations, and
Legislative Research Section

SCW/scw

CC w/enclosure: Alison Osborne
Department of Commerce, Community and Economic Development

Steven C. Weaver, Assistant Attorney General
Department of Law

ORDER CERTIFYING THE CHANGES TO
REGULATIONS OF THE BOARD OF VETERINARY EXAMINERS

The attached ^{5-X} ~~ten~~ pages of regulations, dealing with recent statutory changes to AS 08.98 under HB56 – Chapter 14, SLA 2023 updating education and examination requirements and removing references to the Prescription Drug Monitoring Program (PDMP), are certified to be a correct copy of the regulation changes that the Board of Veterinary Examiners adopted at its February 1, 2024 meeting, under the authority of AS 08.01.062, AS 08.01.065, AS 08.01.100, and AS 08.98.190, and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

Although no public comments were received, the Board of Veterinary Examiners paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

DATE: 2/2/2024

DocuSigned by:
Rachel Bergartt
7D9BA489D85B4ED...

Rachel Bergartt, DVM, Chair
Alaska Board of Veterinary Examiners

April Simpson for

FILING CERTIFICATION

I, Nancy Dahlstrom, Lieutenant Governor for the State of Alaska, certify that on March 19, 2024 at 2:28 P.m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.

for 

for Nancy Dahlstrom, Lieutenant Governor

Effective: April 18, 2024
Register: 250, July 2024

FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY

I, NANCY DAHLSTROM, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA, designate the following state employees to perform the Administrative Procedures Act filing functions of the Office of the Lieutenant Governor:

April Simpson, Regulations and Initiatives Specialist

IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Alaska, in Juneau, on May 15th, 2023.



A handwritten signature in blue ink, reading "Nancy Dahlstrom", is written over a horizontal dotted line.

**NANCY DAHLSTROM
LIEUTENANT GOVERNOR**

Chapter 68. Board of Veterinary Examiners.

12 AAC 68.010(a)(4) is amended to read:

(4) official college transcripts showing graduation from an accredited veterinary school, or official records showing successful completion of the **Educational** [EDUCATION] Commission for Foreign Veterinary Graduates certification, **the Program for the Assessment of Veterinary Education Equivalence certification, or another certification process as approved by the board and as** required by AS 08.98.165(a)(1);

12 AAC 68.010(b) is repealed:

(b) Repealed 4 / 18 / 2024.

12 AAC 68.010(d) is repealed:

(d) Repealed 4 / 18 / 2024. (Eff. 3/27/71, Register 37; am 7/11/81, Register 79; am 4/22/83, Register 86; am 6/29/84, Register 90; am 4/10/88, Register 106; am 12/27/90, Register 116; am 5/9/98, Register 146; am 1/1/2000, Register 152; am 8/13/2000, Register 155; am 9/2/2001, Register 159; am 5/23/2003, Register 166; am 8/6/2006, Register 179; am 5/11/2007, Register 182; am 5/30/2015, Register 214; am 7/24/2022, Register 243; am 4 / 18 / 2024, Register 250)

Authority: AS 08.98.050 AS 08.98.165

Editor's note: The International Council for Veterinary Assessment (ICVA), described in 12 AAC 68.010(a)(3) [AND (b)], may be reached at P.O. Box 1356, Bismarck, ND 58502; .

telephone: (701) 224-0332. The website for the North American Veterinary License Examination (NAVLE), administered by the ICVA, is <https://www.icva.net/navle/>.

((As of Register 230 (July 2019), the regulations attorney made a technical revision under AS 44.62.125(b)(6), to 12 AAC 68.010(a)(7).))

12 AAC 68.035(a)(4) is amended to read:

(4) official college transcripts showing graduation from an accredited veterinary school, or official records showing successful completion of the **Educational** [EDUCATION] Commission for Foreign Veterinary Graduates certification, **the Program for the Assessment of Veterinary Education Equivalence certification, or another certification process as approved by the board and** required by AS 08.98.184(1);

(Eff. 1/1/2000, Register 152; am 8/13/2000, Register 155; am 9/2/2001, Register 159; am 5/11/2007, Register 192; am 4 / 18 / 2024, Register 250)

Authority: AS 08.98.050 AS 08.98.184

The introductory language of 12 AAC 68.041(b) is amended to read:

(b) The board **may** [WILL, IN ITS DISCRETION,] issue a courtesy license to an applicant who

...

12 AAC 68.041(b)(4)(C)(i) is amended to read:

(i) verification of having passed the examination of the

Educational [EDUCATION] Commission for Foreign Veterinary Graduates or

having completed the Program for the Assessment of Veterinary Education Equivalence certification process, or another certification process as approved by the board and as required by AS 08.98.165(a)(1); or

(Eff. 10/21/92, Register 124; am 12/8/95, Register 136; am 5/9/98, Register 146; am 1/1/2000, Register 152; am 4/9/2005, Register 174; am 11/4/2009, Register 192; am 7/7/2013, Register 207; am 1/20/2018, Register 225; am 4 / 18 / 2024, Register 250)

Authority: AS 08.01.062 AS 08.98.050 AS 08.98.165

12 AAC 68.045(a)(3) is amended to read:

(3) a notarized copy of the applicant's veterinary school diploma from an accredited veterinary school, an official transcript from an accredited veterinary school, or an official record showing completion of the **Educational** [EDUCATION] Commission for Foreign Veterinary Graduates certification, **the Program for the Assessment of Veterinary Education Equivalence certification, or another certification process as approved by the board and as** required under AS 08.98.165(a)(1); and

(Eff. 10/21/92, Register 124; am 8/13/2000, Register 155; am 5/30/2015, Register 214; am 9/20/2020, Register 235; am 4 / 18 / 2024, Register 250)

Authority: AS 08.98.050 AS 08.98.165 AS 08.98.180
AS 08.98.080

12 AAC 68.046(a)(3) is amended to read:

(3) a notarized copy of the applicant's veterinary school diploma from an accredited veterinary school, an official transcript from an accredited veterinary school, or an

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official record showing completion of the **Educational** [EDUCATION] Commission for Foreign Veterinary Graduates certification, **the Program for the Assessment of Veterinary Education Equivalence certification, or another certification process as approved by the board and** as required under AS 08.98.165(a)(1); and

(Eff. 1/1/2000, Register 152; am 4/9/2005, Register 174; am 9/20/2020, Register 235; am

4/18/2024, Register 250)

Authority: AS 08.98.050 AS 08.98.186

12 AAC 68.300(d) is amended to read:

(d) In this section, "under the supervision and direction of a licensed veterinarian" means that the veterinary technician [IS EMPLOYED BY THE SUPERVISING VETERINARIAN TO] **performs** [PERFORM] only those animal care duties delegated by, and within the routine practice of, the supervising veterinarian **licensed under AS 08.98** and that the supervising veterinarian

(1) accepts all responsibility for the quality and effectiveness of the care provided by the veterinary technician;

(2) personally examines the animals cared for by the veterinary technician to assure that the animal has received the proper care; however, a licensed veterinary technician may provide care to an animal under the remote direction of the technician's **supervising veterinarian licensed under AS 08.98** [EMPLOYING VETERINARIAN] in communities that do not have an established veterinary practice;

(3) does all billing for the services provided by a veterinary technician.

(Eff. 6/29/84, Register 90; am 10/21/92, Register 124; am 5/9/98, Register 146; am 8/13/2000,

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Register 155; am 9/2/2001, Register 159; am 8/10/2012, Register 203; am 4 / 18 / 2024,
Register 250)

Authority: AS 08.98.050 AS 08.98.080 AS 08.98.120

12 AAC 68.315(b) is repealed:

(b) Repealed 4 / 18 / 2024.

12 AAC 68.315(c) is repealed:

(c) Repealed 4 / 18 / 2024.

12 AAC 68.315(d) is repealed:

(d) Repealed 4 / 18 / 2024. (Eff. 10/21/92, Register 124; am 5/9/98, Register 146;
am 9/2/2001, Register 159; am 4/9/2005, Register 174; am 5/30/2015, Register 214; am
7/24/2022, Register 243; am 4 / 18 / 2024, Register 250)

12 AAC 68.930 is repealed:

**12 AAC 68.930. Registration with the prescription drug monitoring program
controlled substance prescription database. Repealed.** (Eff. 5/16/2020, Register 234; am
7/24/2022, Register 243; repealed 4 / 18 / 2024, Register 250)

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12 AAC 68.935 is repealed:

12 AAC 68.935. Compliance with the prescription drug monitoring program controlled substance prescription database. Repealed. (Eff. 7/24/2022, Register 243; repealed 4 / 18 / 2024, Register 250)