



# LOUISIANA BOARD OF VETERINARY MEDICINE

5825 Florida Blvd, Baton Rouge, LA 70806  
225-925-6620 (Office) | 225-925-6622 (Fax) | [admin@lsbvm.org](mailto:admin@lsbvm.org) | [www.lsbvm.org](http://www.lsbvm.org)



October 21, 2024

Department of Justice  
Attn: Civil Division- Occupational Licensing Review Program  
1885 N. 3rd St.  
Baton Rouge, LA 70802  
Email: [olrp@ag.louisiana.gov](mailto:olrp@ag.louisiana.gov)

**Electronic Mail - Delivery  
Receipt Requested**

RE: OLPR Report for Regulatory Project 2024-07a  
~ LAC 46LXXXV.700, 701, 702, 704, 705, 707, and 712  
~ Veterinary Practice

In accordance with the provisions of the Administrative Procedure Act, the Board of Veterinary Medicine published the first Notice of Intent related to proposed amendments to LAC 46LXXXV.700, 701, 702, 704, 705, 707, & 712 in the August 20, 2024 edition of the *Louisiana Register*.

This Notice of Intent amended the Veterinarian-Client-Patient-Relationship definition relative to in-person, physical examinations. It also amended the definition of an unlicensed veterinarian to include DVM graduates who have not yet passed the national examination and to also include those individuals whose license is in an expired status for failure to properly renew their license by the September 30<sup>th</sup> deadline. An additional amendment provides greater discretion to licensed veterinarians with respect to the allowable drugs prescribed and dispensed to deer farmers. All other proposed amendments are cleaning up rule language.

The period for submission of public comments was August 21 to September 9, 2024 during which time the Board received only one public comment and no requests for a public hearing. The sole public comment along with the Board's response is included in this OLRP report.

Please contact me directly at [director@lsbvm.org](mailto:director@lsbvm.org) or 225-925-6620 if the Board may be of any assistance to you concerning this rule.

For the Board:

Jared B. Granier, MBA  
Executive Director

**From:** [Loren Breen](#)  
**To:** [LBVM, Executive Director](#)  
**Subject:** Attn: Jared B. Granier - Rule-making comments  
**Date:** Monday, September 9, 2024 4:26:45 PM  
**Attachments:** [image001.png](#)

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Dr. Granier and Louisiana Board of Veterinary Medicine,

My name is Loren Breen; I am the Director of Policy, Research, and Government Relations at Animal Policy Group. We work with the animal health community, providing a voice to over 90,000 veterinary professionals. I would like to submit comment related to the rulemaking process for [LAC 46:LXXXV. 700, 701, 702, 704, 705, 707, & 712.](#)

**We respectfully ask that you not amend your language that would restrict the establishment of a VCPR by adding “in-person, physical”, and removing animal records as a means for a veterinarian to keep with care for the animal.**

In the past two years we have seen more and more states pass laws allowing a veterinarian to establish care through telemedicine. Arizona’s 2023 pro-telehealth care bill for example was supported by coalition that came together to support the bill including the Humane Society, the Animal Defense League, Arizona Farm Bureau, and the ASPCA. The American Veterinary Medical Association and the Arizona Veterinary Medical Association were also at round table discussions during the shaping of the bill and withdrew their opposition of the bill after an agreed upon version was presented to legislators.

Since then, California, Florida, and Washington DC have passed bills that allow a veterinarian to establish care using telemedicine, providing over 1/3 of US citizens with access to care via telemedicine. All laws passed require a veterinarian to hold a license in the state where they practice telemedicine, giving the state board oversight authority of their activities. These laws in no way force a veterinarian to use telemedicine, but trust highly-trained professionals to provide the best care possible, which for many people may only be accessible through telehealth. Restricting care by telemedicine disproportionality affects persons with low-income, older populations, and persons with mobility issues. There are many aspects of care that absolutely require hands-on care. We wish every person had access to an in-person veterinarian on-demand. Unfortunately, the vast shortage of veterinarians severely limits that possibility. Letting a wishlist scenario cloud our judgement and impede progress leaves our pets with reduced access to care.

We have included the Arizona language on the following page for reference. We appreciate your time and dedication to the veterinary profession and Louisiana pets.

Best,

**Loren Breen**  
Director of Policy, Research  
& Government Relations  
(520) 975-9880  
[animalpolicygroup.com](http://animalpolicygroup.com)





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October 21, 2024

**RE: Public Comments to Proposed Regulatory Project 2024-07a ~  
LAC 46LXXXV.700, 701, 702, 704, 705, 707, & 712 – Veterinary Practice**

Dear Ms. Breen,

Thank you for submitting written comments pertaining to the proposed amendments to the Notice of Intent for LAC 46LXXXV.700, 701, 702, 704, 705, 707, & 712 published in the *2024 Louisiana Register, Volume 50, August Edition*. In accordance with Section 953 of the Louisiana Administrative Procedures Act, the board must issue responses to written or oral comments and submissions related to regulatory activity. At its October 3, 2024 meeting, the board was presented your comment regarding amendment requiring that the VCPR be established by virtue on an in-person, physical examination of the patient.

The board is aware of the ever-changing landscape regarding the use of electronic means in serving the public and public owned animals. However, after considerable discussion it was our board's decision considering many factors that the in-person and physical examination requirement be clarified as consistent with prior interpretations of our regulatory provisions and "best practices" in establishing the crucial relationship between veterinarian, client and patient that allows for the ethical and efficacious practice of veterinary medicine. We would also point out this is consistent with the provisions of the AVMA's Model Practice Act and federal requirements from the FDA for the use of regulated animal prescription drugs.

As no further amendments are being made to this Notice of Intent at this time, the board will continue with the rulemaking process in accordance with the Louisiana Administrative Procedure Act.

Again, the board would like to thank you for your comments regarding this regulatory action being taken.

Respectfully for the Board,

Jared B. Granier, MBA  
Executive Director