

To: Attorney General Jeff Landry
Attn: Department of Justice, Occupational Licensing Review Program

From: Jared B. Granier, MBA
Executive Director, Louisiana Board of Veterinary Medicine

Date: February 18, 2025

Subject: Amendments to Rules of Professional Conduct

The Louisiana Board of Veterinary Medicine has proposed amendments to LAC 46:LXXXV. Sections 301, 801, and 1201 in Chapters 3, 8 and 12 – respectively – in accordance with the Administrative Procedure Act, R.S. 49:950 et seq.

To facilitate the Department of Justice’s review of the proposed rule, Louisiana Board of Veterinary Medicine provides answers to the following questions.

1. Describe any relevant factual background to the occupational regulation and the purpose of the occupational regulation? *[Explain]*

The substantive amendments to sections 301.F, 801.F, and 1201.E will change the length of time for which an application is valid from two years to one year from the initial application submission date. The Board determined that this amendment is reasonable due to several changes which have accelerated the application process including: the Board’s transition to an online application process; the establishment of an online testing option for the required state jurisprudence exam; the repeal of the letters of recommendation requirement for licensure; the repeal of the eight-week preceptorship program requirement for DVM licensure; the addition of three total CAET trainings annually; and, the addition of a third testing window annually for the national exam (NAVLE) for DVMs. The purpose of reducing the lifespan of the applications for licensure/certification is to ensure that all application details submitted are as accurate and up-to-date as possible. By requiring applicants to submit all application material in a much timelier manner, it ensures that the Board can conduct final application reviews and issue licenses and certificates more judiciously.

2. Is the occupational regulation within the scope of the occupational licensing board’s general authority to regulate in a given occupation or industry? If so, identify the law that provides the authority for the rule and describe how the occupational regulation is within the scope. *[Explain]*

This Notice of Intent is within the Louisiana Board (“Board”) of Veterinary Medicine’s statutory authority to review the qualifications of candidates applying for licensure in accordance with La R.S. 37, section §1518, §1520, §1543, and §1553.

3. Check all of the following that apply as reasons the occupational regulation is subject to review:

- Creates a barrier to market competition
- Fixes prices, limits price competition, or results in high prices for a product or service provided by or to a license holder.
- Reduces competition or excludes present or potential competitors from the occupation regulated by the board

- Limits output or supply in this state of any good or service provided by the members of the regulated occupation.
- Reduces the number of providers that can serve a particular set of customers
- Other activity (please describe) – *[Explain]*

4. Identify the clearly articulated state policy (e.g., health, safety, welfare, or consumer protection) in state statute, or any supporting evidence of the harm the action/proposed action is intended to protect against? *[Explain]*

La R.S. 37:1518 enumerates the powers of the Board which include the examination and determination of qualifications and fitness of applicants, with La R.S. 37:1520 specifying those qualifications and supporting information and documentation as the Board may require by rule.

The purpose of reducing the lifespan of the applications for licensure/certification is to ensure that all application details submitted are as accurate and up-to-date as possible. Requiring applicants to submit all application material in a much timelier manner ensures that the Board can conduct final application reviews and issue licenses and certificates more judiciously. Issuing licenses and certificates to qualified individuals more quickly helps better protect the public and animals of Louisiana from the unlicensed practice of veterinary medicine by unqualified individuals and further reduces the shortage of qualified veterinary professionals in the state of Louisiana.

5. Do any less restrictive alternatives to the occupational regulation exist for addressing the same harm? If so, include a comparison of the occupational regulation to the alternatives and a justification for not pursuing a less restrictive alternative. If no less restrictive alternatives exist, explain why. *[Explain]*

No. This amendment would increase the timeliness of application material and subsequently increase the speed with which the Board can issue licenses and certificates.

6. Describe the process that the occupational licensing board followed in developing the proposed rule, including any public hearings held, studies conducted, and data collected or analyzed. *[Explain]*

- 10-03-2024 Board discussed and voted on amendments to sections 301, 801, and 1201.
- 10-21-2024 Notice of Intent and Fiscal & Economic Impact Statements submitted to Legislative Fiscal Office for review.
- 12-05-2024 Legislative Fiscal Office approved Fiscal & Economic Impact Statements.
- 12-05-2024 First Report submitted to Senate and House Legislative Oversight Committees on Agriculture, Forestry, Aquaculture, and Rural Development.
- 12-05-2024 Notice of Intent submitted to the Governor's Office for review.
- 12-05-2024 Notice of Intent submitted for publication in 2024 Louisiana Register, Volume 50, December edition.
- 12-20-2024 Notice of Intent to be published in 2024 Louisiana Register, Volume 50, December edition.
- 12-21-2024 Submission of written comments related to this rule proposal will be accepted only from Dec. 21st, 2024 to Jan. 9th, 2025.

- 01-09-2025 Deadline for submission of written comments to Board.* See instructions for submitting comments in Notice of Intent.
- NO PUBLIC HEARING SCHEDULED — * As there were no requests within twenty days (by January 9th, 2025) for a public hearing in accordance with §953.A(2)(b)(i), the Board will NOT hold a public hearing and will move forward with the rulemaking process.
- 02-10-2025 Notice of Intent will be submitted to Department of Justice’s Occupational Licensing Review Program (OLRP) for review.

This rulemaking process can be found at www.lsbvm.org/rulemaking-projects.

7. Does the occupational regulation relate to a matter on which there is pending litigation or a final court order? *[Explain]*

No.

8. Please identify the board members voting in favor of this rule, and state whether the member is an active market participant. *[Explain]*

Drs. Larry Findley, Sr., Christine McHughes Barr, Jesse Brandon, and Christopher Morris. Board member, Dr. Trisha Marullo, was absent from the meeting on October 3rd during which the vote for those amendments was held.

All are currently practicing veterinarians and active market participants in the state of Louisiana.

9. Is there anything else that the occupational licensing board would like the Department to know about the proposed rule? *[Explain]*

No.