



North Dakota Board of Veterinary Medical Examiners

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Legislative Council Administrative Rules Committee December 12, 2013

The following testimony applies to rule changes for the Board of Veterinary Medical Examiners (Title 87), to be published in January 2014 (pages 221-230).

1. The changes to 87-01-01-01 (pages 223-224) were the result of a change in the statute (NDCC Section 43-29) made by the 2013 Legislative Assembly (SB 2116). The other rule changes did not result from statutory changes made by the Legislative Assembly.
2. The rules are not related to any federal statute or regulation.
3. The Board published the rule change notice through the North Dakota Newspaper Association in July 2013, and held a public hearing in its office on August 5, 2013. In addition, the proposed rule changes were discussed by the board at its meeting in June 2013, and were shared with the North Dakota Veterinary Medical Association prior to the public hearing.
4. One person submitted comments via e-mail on two of the rule changes, and each comment received a written response. The comments related to terminology used to refer to the national licensing examinations, and to the unusual use of capitalization by the Legislative Council for laws and rules (e.g. "American veterinary medical association"). No person presented any other written or oral concern, objection, or complaint to the Board regarding these rule changes during the comment period, and no comments were offered at the hearing.
5. The cost to the board for the publication of the rule change notice in the newspaper was \$1,737.00. There were no other significant costs associated with the rule change.
6. The changes to 87-01-01-01 (pages 223-224) were made to implement the statutory change approved by the 2013 Legislative Assembly (SB 2116), which added a veterinary technician member and a public member to the board.
The changes to 87-01.1-01-01 (pages 225-226) correct and clarify wording regarding national licensing examinations and the state board examination, and clarify examination application requirements.

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The changes to 87-02-01-01 (page 227) allow for on-line license renewal and increase the annual license renewal fee for veterinarians from \$60 to \$75. The fee increase was necessary to enable the board to continue to have enough income to cover its expenses, including the cost of implementing online renewal. The last fee increase was in 2009, when the fee was increased from \$45 to \$60.

The change to 87-02-01-04 (pages 227-228) clarifies one of the criteria for approved continuing education for license renewal.

The change to 87-05-02-01 (pages 229-230) adds a paragraph to the definition of unprofessional conduct.

7. No regulatory analysis was required by NDCC Section 28-32-08.
8. No regulatory analysis or economic impact statement was required by NDCC Section 28-32-08.1.
9. No constitutional takings assessment was required by NDCC Section 28-32-09.
10. The changes to 87-02-01-01 will increase the revenue to the board from license renewal fees for veterinarians. A copy of the Fiscal Note is provided here:

*Fiscal Note
Proposed Amendments to Administrative Rules*

One of the proposed amendments being submitted for review by the Attorney General (to N.D. Administrative Code Section 87-02-01-01) increases the annual license renewal fee for veterinarians from \$60 to \$75. The board licenses approximately 500 veterinarians, and approximately 275 of them have North Dakota mailing addresses. Therefore, the fiscal impact on the board of this rule change will be to increase the board's total revenue from all veterinarian license renewals by approximately \$7,500 per year, and to increase revenue from licensed veterinarians with North Dakota mailing addresses by approximately \$4,125 per year.

*John R. Boyce, Executive Secretary
August 22, 2013*

11. The changes were not adopted as emergency rules.