

## IDAPA 46 – BOARD OF VETERINARY MEDICINE

### 46.01.01 – RULES OF THE STATE OF IDAHO BOARD OF VETERINARY MEDICINE

#### DOCKET NO. 46-0101-1602 (FEE RULE)

#### NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

**AUTHORITY:** In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section 54-2105, Idaho Code.

**MEETING SCHEDULE:** A public meeting on the negotiated rulemaking will be held as follows:

A public meeting is scheduled by the Idaho Board of Veterinary Medicine for Thursday, July 14, 2016 at 1:00 p.m. (MT), via teleconference at the Idaho Department of Agriculture Building, 2270 Old Penitentiary Rd., Conference Room LL3, Boise, Idaho 83712.

The meeting site will be accessible to persons with disabilities, if needed. Requests for accommodation must be made not later than five (5) days prior to the meeting to the agency address below.

**METHOD OF PARTICIPATION:** Persons wishing to participate in the negotiated rulemaking must do the following:

All written comments received on or before Monday, July 11, 2016, will be included in the Board's distributed meeting materials for consideration. For those planning to attend the open, public meeting, written and verbal comments will be accepted by and/or presented before the Board.

Upon conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusions reached during the negotiated rulemaking will be addressed in a written summary and made available on the agency website.

**DESCRIPTIVE SUMMARY AND STATEMENT OF PURPOSE:** The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principle issues involved:

The Board of Veterinary Medicine will be considering amendments to its fee schedule codified at IDAPA 46.01.01.014. The schedule includes fees for licenses, certifications, renewals, reinstatements, and other Board services.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES:** For assistance on technical questions concerning this negotiated rulemaking or to obtain a preliminary draft copy of the rule text, if available, contact Jodie Ellis, Executive Director, at (208) 332-8588 or at [jodie.ellis@agri.idaho.gov](mailto:jodie.ellis@agri.idaho.gov). Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Board of Veterinary Medicine's web site at the following web address: <http://bovm.idaho.gov/>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be received on or before Monday, July 11, 2016, for inclusion in the Board's distributed meeting materials for consideration. Written comments may also be submitted in person on the day of the meeting at the location listed above.

DATED the 1<sup>st</sup> day of June 2016.

Jodie Ellis  
Executive Director  
Board of Veterinary Medicine  
2270 Old Penitentiary Rd.  
P. O. Box 7249  
Boise, ID 83707  
Phone: 332-8588  
Fax: (208) 334-2170

**RULEMAKING PARF**

**Agency:** Board of Veterinary Medicine

**Contact Person 1:** Jodie Ellis

**Phone:** (208) 332-8588

**Email:** [jodie.ellis@agri.idaho.gov](mailto:jodie.ellis@agri.idaho.gov)

**Contact Person 2:** Bernice Myles, Paralegal, Attorney General's Office

**Phone:** (208) 334-4520

**Email:** [bernice.myles@ag.idaho.gov](mailto:bernice.myles@ag.idaho.gov)

**Person Authorizing Rule:** Jodie Ellis

**Phone:** (208) 332-8588

**Email:** [jodie.ellis@agri.idaho.gov](mailto:jodie.ellis@agri.idaho.gov)

**Statutory Authority for Rulemaking:** Idaho Code section 54-2105

**IDAPA Number:** IDAPA 46.01.01

**Rule is:**  Proposed     Temporary     Proposed/Temporary

**If Temporary (select one):** N/A

- Necessary to protect public health, safety or welfare; or
- Compliance with deadlines in amendments to governing law or federal programs; or
- Conferring a benefit.

**Effective Date:** N/A

**Explanation for need for temporary rule:** N/A

**If temporary rule imposes a fee/charge, provide justification as described in Idaho Code 67-5226(2):** N/A

**Rule:**  Has Been Negotiated; or  
 Will Be Negotiated; or  
 Negotiation Not Feasible.

**If not feasible (select one):**

- \_\_\_\_\_ Rule is temporary; or
- \_\_\_\_\_ Rule is simple in nature; or
- \_\_\_\_\_ Lack of identifiable representatives or affected interests; or
- \_\_\_\_\_ Affected interests are not likely to reach consensus; or
- \_\_\_\_\_ Other.

**Explanation:**

**Short explanation of the need for the rulemaking:**

Research and analysis of the Board of Veterinary Medicine's financial situation indicates that unless fees and charges for Board goods and services are substantially increased, in a few short years the Board's expenses will exceed its revenues. Since the sole source of Board revenue is through these fees and charges, without access to the state General Fund, it is absolutely imperative that fees and charges be increased to maintain Board solvency and establish a minimum "rainy day" reserve for emergencies.

**Fiscal impact both positive and negative and include all funds:**

Because the Board of Veterinary Medicine does not receive any money from the state General Fund, that fund will not be affected by this rulemaking. The rulemaking will increase many of the fees currently in place for applying for, renewing, or reinstating a license or certificate issued by the Board. Those fees are deposited in the Board's Dedicated Fund. All revenues and expenses are managed through the Board's Dedicated Fund. Based upon Board analysis of the existing number of licensees and certificants as well as trends and anticipated growth in the profession, the Board projects that enactment of this rulemaking will result in an increase in revenue to the Board's Dedicated Fund of approximately \$80,000 per year.

**Summary of the change(s) this rulemaking makes:**

This rulemaking will increase most, but not all, of the charges for services provided by the Board of Veterinary Medicine that are codified at IDAPA 46.01.01.014.

**Persons or interest groups affected by rulemaking:**

Individuals or entities applying for, or who are currently licensed or certified by the Board of Veterinary Medicine, will be affected by this rulemaking. This group includes veterinarians, certified veterinary technicians, certified euthanasia technicians, and certified euthanasia agencies.

IDAPA 46  
TITLE 01  
CHAPTER 01

IDAPA 46 - BOARD OF VETERINARY MEDICINE

46.01.01 - RULES OF THE STATE OF IDAHO BOARD OF VETERINARY MEDICINE

**014. FEES.**

Fees are established as authorized under Title 54, Chapter 21, Idaho Code, by action of the Board as follows:

- (7-1-97)
- 01. Veterinarian:** (3-18-99)
- a.** Application and Original License Fee (~~Section 54-2107, Idaho Code~~) - Two hundred seventy-five dollars (\$275). (~~3-21-12~~)(\_\_\_\_\_)
- b.** Annual Renewal Fee (~~Section 54-2112, Idaho Code~~). (~~3-18-99~~)(\_\_\_\_\_)
- i.** Active License -- One hundred seventy-five dollars (\$175); (3-21-12)
- ii.** Inactive License -- Fifty dollars (\$50). (3-18-99)
- c.** License Without Clinical Competency Test Fee (~~Section 54-2110, Idaho Code~~): (~~3-30-01~~)(\_\_\_\_\_)
- i.** Application and Original License Fee -- Two hundred seventy-five dollars (\$275); (3-21-12)
- ii.** Annual Renewal Fee: (3-30-01)
- (1)** Active License -- One hundred seventy-five dollars (\$175); (3-21-12)
- (2)** Inactive License -- Fifty dollars (\$50). (3-30-01)
- d.** Reinstatement/Late Fee (~~Section 54-2112, Idaho Code~~) -- Two hundred dollars (\$200). (~~3-21-12~~)(\_\_\_\_\_)
- e.** Reactivation Fee (restore inactive license to active status) -- One hundred fifty dollars (\$150); (3-21-12)
- f.** Temporary Permit Fee (~~Section 54-2111, Idaho Code~~) -- One hundred fifty dollars (\$150). (~~3-21-12~~)(\_\_\_\_\_)
- g.** License Verifications (~~Sections 54-2105(6) and 54-2112, Idaho Code~~) -- Twenty dollars (\$20). (~~3-21-12~~)(\_\_\_\_\_)
- 02. Veterinary Technician Certification Fee.** (~~Section 54-2105(6)(d), Idaho Code~~). (~~3-30-01~~)(\_\_\_\_\_)
- a.** Application and Original Certification Fee -- One hundred twenty-five dollars (\$125). (3-21-12)

- b. Annual Renewal Fee -- Seventy-five dollars (\$75). (3-21-12)
- c. Reinstatement/Late Fee -- Fifty dollars (\$50). (3-21-12)
- d. Temporary Permit Fee -- Fifty dollars (\$50). (3-18-99)
- e. Certification Verification – Twenty dollars (\$20). ( )

**03. Certified Euthanasia Agency Certification Fee.** *(Section 54-2105(6)(d), Idaho Code).*  
 (~~3-30-01~~)( )

- a. Application and Original Certification Fee -- One hundred dollars (\$100). (3-30-01)
- b. Annual Renewal Fee -- Two hundred dollars (\$200). (3-21-12)
- c. Reinstatement/Late Fee -- Fifty dollars (\$50). (3-21-12)

**04. Certified Euthanasia Technician Certification Fee.** *(Section 54-2105(6)(d), Idaho Code).*  
 (~~3-30-01~~)( )

- a. Training and Certification Fee -- One hundred dollars (\$100). (3-30-01)
- b. Annual Renewal Fee -- One hundred dollars (\$100). (3-21-12)
- c. Reinstatement/Late Fee -- Fifty dollars (\$50). (3-21-12)

**05. Duplicate License and Certificate Fee -- Twenty-Five Dollars (\$25).** When a new license, wall certificate or certification is issued for the purpose of changing the license or certificate holder's name, the request for name change must be accompanied by a copy of the court order or marriage license authorizing the name change and the current license, certification or original wall certificate shall be returned to the Board office. (3-30-01)