



Common Sense Initiative

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Business Impact Analysis

Agency, Board, or Commission Name: Ohio Veterinary Medical Licensing Board

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Regulation/Package Title (a general description of the rules' substantive content):

Five year review 2024 Amended rules

Rule Number(s): 4741-1-01, 4741-1-11, 4741-1-14, 4741-1-16, 4741-1-17, 4741-1-20, 4741-1-23, 4741-3-01, 4741-3-02, 4741-3-05, and 4741-4-05 OAC

Date of Submission for CSI Review: 8/9/2023

Public Comment Period End Date: 9/1/23

Rule Type/Number of Rules:

New/ 1 rules

No Change/ rules (FYR?)

Amended/ 10 rules (FYR? yes)

Rescinded/ 1 rules (FYR? no)

The Common Sense Initiative is established in R.C. 107.61 to eliminate excessive and duplicative rules and regulations that stand in the way of job creation. Under the Common Sense Initiative, agencies must balance the critical objectives of regulations that have an adverse impact on business with the costs of compliance by the regulated parties. Agencies should promote transparency, responsiveness, predictability, and flexibility while developing regulations that are fair and easy to follow. Agencies should prioritize compliance over punishment, and to that end, should utilize plain language in the development of regulations.

Reason for Submission

1. **R.C. 106.03 and 106.031 require agencies, when reviewing a rule, to determine whether the rule has an adverse impact on businesses as defined by R.C. 107.52. If the agency determines that it does, it must complete a business impact analysis and submit the rule for CSI review.**

Which adverse impact(s) to businesses has the agency determined the rule(s) create?

The rule(s):

- a. **Requires a license, permit, or any other prior authorization to engage in or operate a line of business.**
- b. **Imposes a criminal penalty, a civil penalty, or another sanction, or creates a cause of action for failure to comply with its terms.**
- c. **Requires specific expenditures or the report of information as a condition of compliance.**
- d. **Is likely to directly reduce the revenue or increase the expenses of the lines of business to which it will apply or applies.**

Regulatory Intent

2. **Please briefly describe the draft regulation in plain language.**

Rule 4741-1-01 details the requirements for veterinary technician (RVT) registration, duties, and continuing education. The amended language is in response to recently enacted legislation (HB 509 of the 134th General Assembly) which removed the requirement for a picture upon initial application. The enacted House Bill 509 also reduced the fees for RVTs for initial licensure but eliminated the ability for an RVT to renew late. This rule will permit an RVT to renew with the current penalties assessed.

Rule 4741-1-11 relates to continuing education for renewal of licenses. The amended language is meant to clarify the online versus in-person hour requirements of continuing education for licensees upon renewal. The modification for veterinarians requires 12 hours of CE to be in-person while the remaining 18 hours for veterinarians can be obtained online. The RVT can obtain six hours of continuing education online and the remaining four hours must be in-person CE. This will require a New rule due to the percentage of modifications in the Rule.

Rule 4741-1-14 defines the duties of an animal aide. The amended version adds the registered veterinary technician as a practitioner who can provide oversight for collecting blood samples.

Rule 4741-1-16 sets the standards for a companion animal vaccination clinic. Since the Board transitioned to the Elicense system, the Board no longer prints a “renewal license” and does not require one to be posted. However, the public should know who the veterinarian is

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performing services at a vaccination clinic. Therefore, this amended rule requires something to be posted in a conspicuous location regarding the identity of the veterinarian.

Rule 4741-1-17 sets the standards for home visits for companion animals. The amended version sets out requirements for notification to the client of after hour care.

Rule 4741-1-20 sets the standards for a livestock ambulatory unit. The amended rule merely requires the proper storage of drugs and biologics.

Rule 4741-1-23 provides the requirements for a euthanasia technician certification course curriculum. The modification in the rule mirrors recent statutory changes of R.C.4729.532. The amended rule also clarifies that the laboratory portion of the course must be an in-person lab with oversight by a veterinarian or registered veterinary technician.

Rule 4741-3-02 provides the applicable definitions utilized in this section of the OAC. The rule was modified to include llamas and alpacas to the definition of large animal veterinary services and livestock.

The amendments to these rules are merely wordsmithing or corrections in grammar.

Rule 4741-3-01 describes the purpose of the veterinary student loan repayment program.

Rule 4741-3-05 provides the criteria for selection of applicants for the loan.

Rule 4741-4-05 describes restricting and logging access to confidential personal information in computerized personal information systems.

3. **Please list the Ohio statute(s) that authorize the agency, board or commission to adopt the rule(s) and the statute(s) that amplify that authority.** Section 4741.03(C)(9) ORC authorizes the Board to adopt rules, in accordance with Chapter 119 of the Revised Code, which are necessary for its government and for the administration and enforcement of Chapter 4741.
4. **Does the regulation implement a federal requirement? *No* Is the proposed regulation being adopted or amended to enable the state to obtain or maintain approval to administer and enforce a federal law or to participate in a federal program? *No***
5. **If the regulation implements a federal requirement, but includes provisions not specifically required by the federal government, please explain the rationale for exceeding the federal requirement. *N/A***
6. **What is the public purpose for this regulation (i.e., why does the Agency feel that there needs to be any regulation in this area at all)?** The public purpose of this regulation is to assure the public that licensed veterinarians and registered veterinary technicians (RVTs) are professional, trustworthy, and competent practitioners. These rules provide guidelines to the Board staff and licensed practitioners for what the Board members believe are acceptable minimum standards of medical care as well as complying with other statutory requirements for licensure. ORC 4741.01(B) defines the practice of veterinary medicine as follows:

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(B) The "practice of veterinary medicine" means the practice of any person who performs any of the following actions:

- (1) Diagnoses, prevents, or treats any disease, illness, pain, deformity, defect, injury, or other physical, mental, or dental condition of any animal;*
- (2) Administers to or performs any medical or surgical technique on any animal that has any disease, illness, pain, deformity, defect, injury, or other physical, mental, or dental condition or performs a surgical procedure on any animal;*
- (3) Prescribes, applies, or dispenses any drug, medicine, biologic, anesthetic, or other therapeutic or diagnostic substance, or applies any apparatus for any disease, illness, pain, deformity, defect, injury, or other physical, mental, or dental condition of any animal;*
- (4) Uses complementary, alternative, and integrative therapies on animals;*
- (5) Renders professional advice or recommendation by any means, including telephonic or other electronic communication with regard to any activity described in divisions (B)(1) to (4) of this section;*
- (6) Represents the person's self, directly or indirectly, publicly or privately, as having the ability and willingness to perform an act described in divisions (B)(1) to (4) of this section;*
- (7) Uses any words, letters, abbreviations, or titles in such connection and under such circumstances as to induce the belief that the person using them is engaged in the practice of veterinary medicine.*

The Board reviewed the law regulating the Registered Veterinary Technician in Ohio and the duties they are permitted to perform as prescribed in ORC 4741.19(C):

(C) No person shall act as a registered veterinary technician unless the person is registered with the board on a biennial basis and pays the biennial registration fee. A registered veterinary technician registration expires biennially on the first day of March in the odd-numbered years and may be renewed in accordance with the standard renewal procedures contained in Chapter 4745. of the Revised Code upon payment of the biennial registration fee and fulfillment of ten continuing education hours during the two years immediately preceding renewal for registration. Each registered veterinary technician shall notify in writing the executive director of the board of any change in the registered veterinary technician's office address or employment within ninety days after the change has taken place.

(1) A registered veterinary technician operating under veterinary supervision may perform the following duties:

(a) Prepare or supervise the preparation of patients, instruments, equipment, and medications for surgery;

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(b) Collect or supervise the collection of specimens and perform laboratory procedures as required by the supervising veterinarian;

(c) Apply wound dressings, casts, or splints as required by the supervising veterinarian;

(d) Assist a veterinarian in immunologic, diagnostic, medical, and surgical procedures;

(e) Suture skin incisions;

(f) Administer or supervise the administration of topical, oral, or parenteral medication under the direction of the supervising veterinarian;

(g) Other ancillary veterinary technician functions that are performed pursuant to the order and control and under the full responsibility of a licensed veterinarian.

(h) Any additional duties as established by the board in rule.

(2) A registered veterinary technician operating under direct veterinary supervision may perform all of the following:

(a) Induce and monitor general anesthesia according to medically recognized and appropriate methods;

(b) Dental prophylaxis, periodontal care, and extraction not involving sectioning of teeth or resection of bone or both of these;

(c) Equine dental procedures, including the floating of molars, premolars, and canine teeth; removal of deciduous teeth; and the extraction of first premolars or wolf teeth.

The degree of supervision by a licensed veterinarian over the functions performed by the registered veterinary technician shall be consistent with the standards of generally accepted veterinary medical practices.

These sections of the law define the majority of licensees that the Board oversees which assists with defining and providing guidance on minimum standards of practice, licensure requirements, and renewal of licenses.

- 7. How will the Agency measure the success of this regulation in terms of outputs and/or outcomes?** The Board will measure the success of these regulations as being written clearly and concisely so that the licensees and the public understand the rules, and therefore, there will be compliance with the rules. The Board tracks all correspondence and complaints to determine if there is a further need to implement or modify a rule or to educate practitioners through educational opportunities, the Board newsletter, or via the website.

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8. **Are any of the proposed rules contained in this rule package being submitted pursuant to R.C. 101.352, 101.353, 106.032, 121.93, or 121.931? No**
If yes, please specify the rule number(s), the specific R.C. section requiring this submission, and a detailed explanation.

Development of the Regulation

9. **Please list the stakeholders included by the Agency in the development or initial review of the draft regulation.** The Board posted the review of these rules in its Spring newsletter that was distributed to all licensees and posted on the Board web site in April, 2023. Comments were solicited regarding the proposed rules. There were a few comments received from the public regarding Rule 4741-1-11 OAC, only one in writing, requesting that all online CE be permitted to meet the requirement for renewal (as HB 509 permitted). The proposed amendments to the rules were provided to the Ohio Veterinary Medical Association prior to the Board members review at their May 24, 2023, June 14, 2023, July 12, 2023, and August 9, 2023 board meeting so that discussion could be held.
10. **What input was provided by the stakeholders, and how did that input affect the draft regulation being proposed by the Agency?** The Board members, along with OVMA representatives, were provided several versions of the amended rules to aid in developing agreed to language. The Board selected the more simplistic Rule 4741-1-01 OAC, regarding registered veterinary technicians licensure and practice, of which OVMA agreed. Rule 4741-1-11 OAC regarding continuing education and the law permitting all CE to be virtual did not receive agreement between the board members and OVMA. Therefore, the rule was tabled for further discussion at the June and July board meeting. The remaining amended rules were accepted without further discussion. At the August board meeting, as proposed by OVMA, there were revisions made to Rule 4741-1-11 OAC that would permit 18 hours of CE for veterinarians and 6 hours of CE for RVTs to be completed online for the mandatory hours required for renewal. All other rules were accepted as amended at previous meetings.
11. **What scientific data was used to develop the rule or the measurable outcomes of the rule? How does this data support the regulation being proposed?** Research of other Veterinary Boards through the American Association of Veterinary State Boards was obtained to determine how other states addressed the continuing education and the number of hours obtained virtually. Research was also performed of other professional licensing agencies, such as nurses and attorneys, as to how many CE hours were permitted online.
12. **What alternative regulations (or specific provisions within the regulation) did the Agency consider, and why did it determine that these alternatives were not appropriate? If none, why didn't the Agency consider regulatory alternatives?** The Board did not consider an alternative regulation as there is no other entity that regulates the practice of veterinary medicine and licensure/renewal requirements of which these rules apply.
13. **What measures did the Agency take to ensure that this regulation does not duplicate an existing Ohio regulation?** This rule relates to the practice of Veterinary medicine. There is no other agency that has the authority to regulate the licensure of veterinary medicine.

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14. Please describe the Agency’s plan for implementation of the regulation, including any measures to ensure that the regulation is applied consistently and predictably for the regulated community. The Board will post the amended regulations in its newsletter that is distributed to all licensees, as well as emphasized at the educational opportunities presented, namely the Ohio Veterinary Medical Association Midwest Veterinary Conference and the Ohio Veterinary Technician Association Discovery Conference. The Board will measure the success of these regulations as being written clearly and concisely so that the licensees and the public understand the rules, and therefore, there will be compliance with the rules. The Board tracks all correspondence and complaints to determine if there is a further need to implement or modify a rule or to educate practitioners through educational opportunities, or via the listserve and web site. The Board also tracks disciplinary actions to determine the type and frequency of any violations of the Rules. Additionally, interested parties are able to request time on the Board Agenda to discuss issues that might arise as a result of how a rule is written. The discussion will then be reflected in the board minutes which are posted monthly on the Board web site at www.ovmlb.ohio.gov. Any pertinent issues related to the rules are done in consultation with the appropriate representative from the OVMA or OAVT, the Department of Agriculture, The Ohio State University College of Veterinary Medicine and/or another state agency whose regulations may impact the practice of veterinary medicine.

Adverse Impact to Business

15. Provide a summary of the estimated cost of compliance with the rule(s). Specifically, please do the following:

- a. Identify the scope of the impacted business community:** These rules apply to veterinarians and registered veterinary technicians and
- b. Quantify and identify the nature of all adverse impact (e.g., fees, fines, employer time for compliance, etc.).** The renewal costs for a veterinarian is \$155 for a two year period and \$35 for an RVT renewal. Rule 4741-1-11 OAC deals with the requirement for continuing education (CE) for the veterinarian and registered veterinary technician. The RVT must obtain 10 hours of CE for a two year period while the veterinarian must obtain 30 hours of CE for a two year period. The costs of CE varies from free to a three day conference at a fee of (\$330) for the OVMA Midwest Conference in February, 2022. There are multiple universities, medical facilities and veterinary organizations that offer free CE. There is an impact of at least time for the licensee to comply with the CE hour requirement. The Veterinary Practice Act provides a waiver of CE for those who may not be able to obtain the required CE due to illness or other circumstances. There is also waiver capabilities for the licensee impacted by active military duty.

Noncompliance with the No Change rules may involve disciplinary action or an Advisory Letter against the license of the individual. Discipline could be a reprimand, suspension of license, required course work, monetary fine and/or revocation of a license.

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- 16. Are there any proposed changes to the rules that will reduce a regulatory burden imposed on the business community? Please identify.** There has not been any increase in the licensure or renewal fees for RVTs or veterinarians for over 20 years. As mentioned above, the cost of continuing education varies. It can be provided free. For instance, provided by a pharmaceutical company or a regional veterinary association meeting. CE can be obtained on-line, usually at a much lesser cost than an in-person CE event. The price range for online courses varies from free to several hundred dollars depending on the number of hours of the CE course. The licensee can obtain their CE hours at a national, state, or local conference. Most employers pay for their employees to attend or obtain the CE online. The intent of the Board was to reduce the burden of travel, cost of hotels, etc for the licensee to obtain their continuing education in order to renew their license by permitting 15 hours of continuing education for veterinarians and six hours for registered veterinary technicians to be obtained online.
- 17. Why did the Agency determine that the regulatory intent justifies the adverse impact to the regulated business community?** The mission of the Board is to protect the public by ensuring competent practitioners. The Board is complying with the national standards established by the American Association of Veterinary State Boards (AAVSB) for licensure of veterinarians and certification of veterinary technicians in the State of Ohio. By complying with national standards, the Board can accomplish its mission of public protection by ensuring that the licensees have met minimal standards. This also enables mobility of the veterinarian or RVT to seek licensure in another state that recognizes reciprocal licenses.

Regulatory Flexibility

- 18. Does the regulation provide any exemptions or alternative means of compliance for small businesses?** No. The rule impacts veterinarians and registered veterinary technicians, but could be helpful to small business by streamlining a process for a licensee to obtain their continuing education who often pay for their employees.
- 19. How will the agency apply Ohio Revised Code section 119.14 (waiver of fines and penalties for paperwork violations and first-time offenders) into implementation of the regulation?** The Board does not fine licensees or impose penalties for first-time paperwork violations.
- 20. What resources are available to assist small businesses with compliance of the regulation?** The Board has a healthy working relationship with the associations representing veterinarians and registered veterinary technicians. There is time placed on each monthly Board agenda for the representatives of these associations to speak regarding issues of concern or awareness. The Board has a web site that is updated frequently with important issues and resources, in addition to having a newsletter distributed twice a year to all licensees and posted on the Board website.

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4741-1-01

Veterinary technician duties, registration and continuing education requirements.

"Registered veterinary technician" is a person who holds a registration certificate issued by the Ohio veterinary medical licensing board. The registered veterinary technician activities and duties must in all ways be compatible with Chapter 4741. of the Revised Code.

(A) A person desiring to be registered as a registered veterinary technician shall be of good moral character. Said applicant shall deliver to the board the following:

(1) A completed application prescribed by the board;

~~(2) A photograph of applicant;~~

~~(3)~~(2) A transcript showing satisfactory proof that the applicant has graduated from a board approved veterinary technology program or a certificate of successful completion of the American association of veterinary state boards program for the assessment of veterinary education equivalence for veterinary technicians;

~~(4)~~(3) A registration fee as prescribed in Chapter 4741. of the Revised Code;

~~(5)~~(4) A passing score of four hundred twenty-five or a converted score of seventy-five on the veterinary technician national examination (VTNE).

(5) If the applicant is applying from another state or jurisdiction, verification of a license or certificate in good standing must also be submitted.

(B) In addition to the requirements set forth in paragraph (A) of this rule, an applicant for registration must submit to a criminal records check in accordance with section 4741.10 of the Revised Code within a year of requesting registration. The criminal records check must be completed by the bureau of criminal identification and investigation in which the results indicate that the individual has not been convicted of, pleaded guilty to, or had a judicial finding of guilty for any violation set forth in section 4741.22 of the Revised Code.

(1) An applicant requesting a criminal records check shall provide the bureau of criminal identification and investigation with the applicant's name and address and with the Ohio veterinary medical licensing board name and address.

(2) The applicant shall ask the superintendent of the bureau of criminal identification and investigation in the request to obtain from the federal

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bureau of investigation any information it has pertaining to the applicant.

- (C) Every action of the registered veterinary technician, as related to the practice of veterinary medicine, must be under the supervision of the licensed veterinarian. The registered veterinary technician must not be presented to the public in any way to imply that the registered veterinary technician is licensed to practice veterinary medicine. The licensed veterinarian must not offer, undertake, or represent to the public that the registered veterinary technician is able to diagnose, surgically operate or prescribe for any animal disease, pain, injury, deformity or physical condition.
- (D) The registered veterinary technician shall not diagnose, prescribe or change the prescribed order of the licensed veterinarian for the use of any drug, medicine, appliance or treatment for any animal.
- (E) The registered veterinary technician shall not invade the integument or the tissue of any animal for the purpose of performing any phase of a surgical procedure not defined as a normal management practice for livestock. The registered veterinary technician may act as a surgical assistant for a licensed veterinarian.
- (F) Prior to the expiration of a biennial registration on March first, in odd-numbered years, the executive director shall cause to be mailed or emailed in January of the registration year, a "notice for renewal application," listing the continuing education hours acquired prior to the biennial registration. The registered veterinary technician shall submit the biennial renewal fee as set forth in division (A)(10) of section 4741.17 of the Revised Code.
- A registration becomes inactive if not renewed at the end of the biennium by March 1st of the odd year. An inactive registration may be reactivated upon application to the board and the payment of a late fee not to exceed twenty five dollars. A registration that is inactive for more than four years expires if no application for reactivation is made. Upon expiration, a registration becomes void.
- (G) A waiver for continuing education hours may be granted by the board for unusual circumstances if a request is made in writing to the office of the board. The hours must be made up in the following calendar year, in addition to the regular required continuing education hours. No more than one waiver may be considered within a six-year period.
- (H) Registered veterinary technicians are exempt from listing continuing education hours for the first biennium after original registration.

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- (I) No veterinary technology student shall engage in the duties of a registered veterinary technician unless under the direct supervision of a licensed veterinarian or his or her assigned registered veterinary technician.

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4741-1-11

Form and content of continuing education hours.

(A) Veterinarians must report at least thirty hours of continuing education per renewal period. A minimum of twenty hours must be approved medical programs and directly related to the practice of veterinary medicine. No more than ten hours may be in practice management/professional development.

Registered veterinary technicians must report at least ten hours of continuing education per renewal period. A minimum of six hours must be approved medical programs and directly related to the practice of veterinary medicine. No more than four hours may be in practice management/professional development.

Hours earned above the required hours during a renewal period may not be carried over into subsequent renewal periods.

(B) Programs, whether medical or practice management/personal development in nature, from the following entities shall be considered approved for continuing education hours:

(1) Programs of the American veterinary medical association (AVMA), its constituent organizations and its recognized specialty groups and accredited veterinary medical institutions;

(2) Programs of state veterinary medical associations or veterinary technician associations;

(3) Programs which are approved by the registry of the approved continuing education (RACE) of the American association of veterinary state boards (AAVSB); and

(4) Programs approved by the board, not associated with the above entities.

(C) Continuing education programs may be either in person, online (presented live or recorded) or otherwise offered through means approved by the board. However at least twelve hours for veterinarians and four hours for registered veterinary technicians must be taken in person per renewal period unless a medical exemption is granted to a person by the board.

(D) Programs which are considered practice management/professional development continuing education include subject matter that help make veterinary medical professionals more competent and capable in serving the public interest in the delivery of veterinary services but which is not necessarily medical or clinical in nature. They may include but are not limited to business management, regulatory compliance, jurisprudence, skills-based training in instrumentation, medical records, software management, communication, and veterinary ethics. Programs in wellbeing may also qualify in this category.

(E) A licensed veterinarian or registered veterinary technician applying for an initial

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renewal is not required to complete the continuing education requirements but shall certify that they graduated within that biennium of the renewal period.

(F) Due to prolonged or extenuating illnesses or emergencies, alternative requirements for continuing education will be determined on a case by case basis. A request for waiver must be submitted to the board with documentation of the illness or emergency within thirty days of submission of a license or registration renewal.

(G) Prior to the expiration of a biennial license or registration on March first, the executive director shall cause to be sent in January of the renewal year, a "Notice For Renewal Application" for a renewal cycle of the licensed veterinarian or a registered veterinarian technician. For the veterinarian holding a limited license, the executive director shall cause the biennial license renewal application to be sent in May of the odd numbered year. Renewal applicants must certify completion of required continuing education at the time of renewal.

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4741-1-14

Animal aide duties.

- (A) After appropriate training consistent with generally accepted standards of veterinary medical practice, an animal aide may under the supervision of a licensed veterinarian or registered veterinary technician:
- (1) Prepare patients, instruments, equipment, and medications for surgery, exclusive of anesthetic agents and controlled substances;
 - (2) Collect and prepare voided specimens and perform laboratory procedures;
 - (3) Administer topical, oral and subcutaneous medications exclusive of anesthetic agents and controlled substances;
 - (4) Perform diagnostic radiographic procedures.
- (B) After appropriate training consistent with generally accepted standards of veterinary medical practice, an animal aide may perform venipuncture for the purpose of collecting blood samples under the direct supervision of a licensed veterinarian or registered veterinary technician.

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4741-1-16

Companion animal vaccination clinics.

- (A) Vaccination clinic is defined as a temporary clinic where a veterinarian performs vaccinations and/or immunizations against disease on multiple companion animals, and where the veterinarian may diagnose and perform preventive procedures for heartworm and prevention and treatment of intestinal parasites and fleas and ticks.
- (B) Companion animals shall have the same meaning as defined in section 959.131 of the Revised Code.
- (C) The vaccination clinic must register with the board in writing at least two weeks prior to providing services. The notification shall include the specific location of the vaccination clinic, the hours of operation, the permanent address where records for the clinic will be held, the names of all veterinarians who will be participating in the clinic and a phone number where those responsible for the clinic's operation may be reached during normal business hours.
- (D) A veterinarian must maintain autonomy for all medical decisions made. The veterinarian is responsible for proper immunizations and parasitic procedures and the completeness of recommendations made to the public by the paraprofessional staff that the veterinarian supervises or employs. The veterinarian is responsible for consultation and referral of clients when disease is detected or suspected.
- (E) The veterinarian must physically assess and make the determination that the animal is healthy enough to be vaccinated.
- (F) Medical records must comply with rule 4741-1-21 of the Administrative Code.
- (G) Clients must be made aware of where the medical records will be maintained via a printed form should a copy of the medical records be requested by the client or on behalf of the client by another veterinarian.
- (H) The disposal of waste material shall comply with all applicable state, federal, and local laws and regulations.
- (I) All drugs and biologicals shall be stored, maintained, administered, dispensed and prescribed according to the manufacturer's recommendations and in compliance with state and federal laws.
- (J) Lighting shall be adequate for the procedures to be performed in the vaccine clinic.
- (K) Table tops shall be of a material suitable for regular disinfecting and cleaning, and shall be cleaned and disinfected regularly.

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- (L) Equipment must be of the type and quality to provide for the delivery of vaccines and parasiticides in the best interest of the patient and with safety to the public.
- (M) Fresh, clean water shall be available for sanitizing and first aid. Disposable towels and soap shall be readily available.
- (N) The vaccination clinic shall have the ability to address sudden life-threatening emergencies.
- (O) The vaccine clinic shall provide a legible list of name, address, and hours of operation of facilities that provide or advertise veterinary emergency services within a reasonable distance.
- (P) The veterinarian(s) shall be readily identifiable to the public by some acceptable means, which shall ~~include the posting of a copy of the veterinarian's license~~ posted in a conspicuous location.
- (Q) The public shall be informed of the limitation of services by way of a posted notice in plain view and easily readable or by notice provided to the client by flier or card.
- (R) The veterinarian operating or providing permissible services in a vaccination clinic shall physically remain on site until all patients are discharged to their respective owners or authorized agents.
- (S) Compliance inspections may be conducted at vaccination clinics in accordance with section 4741.26 of the Revised Code.

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4741-1-17 Home visits for companion animals.

A veterinary medical home visit occurs when the veterinary health care of companion animals is performed at a private residence.

- (A) There must be a valid veterinarian-client-patient relationship established. A physical examination must be performed to establish a valid veterinary-client-patient relationship.
- (B) Procedures requiring deep sedation or general anesthesia must be transported to a standing or mobile facility that meets the requirements of rule 4741-1-03 of the Administrative Code or rule 4741-1-08 of the Administrative Code unless the sedation is part of the euthanasia process. Deep Sedation allows purposeful response to repeated or painful stimulation only. General anesthesia makes the patient unarousable even with painful stimulation.
- (C) Equipment must be of the type and quality to provide for the delivery of basic veterinary medical care.
- (D) There must be proper sterilization or sanitation of all equipment used in diagnosis and treatment.
- (E) All house call veterinary practices that are not extensions of a fixed veterinary care facility shall ~~have written affiliation with a veterinary care facility in the same region of the state which is communicated to the client~~ provide the client with after hours care and/or fixed location veterinary facility names and contact information, which the client can refer to as necessary. The house call veterinarian shall receive a general approval from the veterinary facility to refer future patients to their facility.
- (F) All medical records shall be maintained at a permanent facility in compliance with rule 4741-1-21 of the Administrative Code. The client must be made aware of where the medical records will be maintained and contact information via a printed form.
- (G) The disposal of waste materials shall comply with all applicable state, federal, and local laws and regulations.
- (H) All drugs and biologicals shall be stored, maintained, administered, dispensed and prescribed according to the manufacturer's recommendations and in compliance with state and federal laws.
- (I) Companion animals shall have the same meaning as defined in section 959.131 of the Revised Code.

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4741-1-20 Livestock ambulatory units.

- (A) An ambulatory unit for livestock practice is a form of clinical veterinary practice driven from one location to another for delivery of veterinary services.
- (B) The ambulatory unit shall have a permanent base of operations with a published address and telephone number for making appointments or responding to emergency situations.
- (C) Ambulatory units shall provide and maintain the following equipment: stethoscope, thermometer, ~~refrigeration~~ proper storage of drugs and biologics, appropriate means of sterilization, adequate means of restraint, emergency drugs and supplies, instruments, gloves and surgical attire/equipment appropriate for surgeries performed, and telephone or wireless communication system. All equipment shall be clean, neat, and in good repair.
- (D) If surgical procedures are performed, the following standards must be met:
 - (1) All surgeries shall be performed in accordance with accepted surgical practice;
 - (2) A means for effective sterilization of instruments shall be available;
 - (3) Lighting of sufficient power to assure clear illumination of the surgical field shall be available; and
 - (4) Running water suitable for scrubbing and other surgical preparation shall be available.
- (E) Drugs and biologics must be maintained as required in paragraph (E) of rule 4741-1-03 of the Administrative Code.
- (F) Records must comply with rule 4741-1-21 of the Administrative Code.

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4741-1-23

Approval of euthanasia agents and euthanasia technician certification course curriculum.

- (A) Pursuant to division (A) of section 4729.532 of the Revised Code, the board approves the use of tiletamine and zolazepan for injection and ketamine hydrochloride for anesthetizing an animal and xylazine for the purpose of sedating an animal as part of the euthanasia process by a euthanasia technician.
- (B) No agent or employee of an animal shelter or county dog warden ~~or agent or employee of a county dog warden~~ shall perform euthanasia by means of lethal injection on an animal by use of any substance other than combination drugs that ~~contain~~contain penobarbital and at least one noncontrolled substance active ingredient, in a ~~manufactured~~manufactured dosage form, whose only indication is for euthanizing animals.
- (C) Euthanasia technician certification course curricula shall include, but are not limited to, the requirements listed in division (C) of section 4729.532 of the Revised Code.
- (1) The course will be a minimum of sixteen hours and shall include information on the following areas:
- (a) The pharmacology, proper administration, and storage of anesthetizing and sedative agents and euthanasia solutions;
 - (b) Federal and state laws regulating the storage and accountability of anesthetizing and sedative agents and euthanasia solutions;
 - (c) Euthanasia technician stress management;
 - (d) Proper disposal of euthanized animals.
- (2) The curriculum must be submitted in writing to the Ohio veterinary medical licensing board for consideration and approval. Requirements for courses submitted to the board for consideration and approval shall include, but are not limited to:
- (a) A copy of the course curriculum;
 - (b) Detailed learning objectives and the teaching methods used to achieve them;
 - (c) Classroom and laboratory hours devoted to each area of instruction as

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designated in division (A) of section 4729.532 of the Revised Code;

- (d) The supervision of a veterinarian or a registered veterinary technician in the in-person laboratory portion of the course presentation.

Candidates who have successfully completed the approved course shall be given a written certificate which includes: candidate's name; the name of the approved course; date of completion and the location where the course was given.

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4741-3-01

Purpose of veterinary student loan repayment program.

The board shall ~~provide~~administer a veterinarian student loan repayment program which would provide reimbursement for tuition; other educational expenses and/or room and board up to twenty thousand dollars in exchange for the veterinarian signing a letter of intent to provide large animal veterinary services or to protect public health in a veterinary resource shortage area identified by the board.

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4741-3-02

Definitions.

For purposes of this chapter, the following definitions apply:

- (A) “Board” means the Ohio veterinary medical licensing board.
- (B) “Large animal veterinary services” means veterinary service provided to any cattle, sheep, goat, swine, poultry, llamas, alpacas, or draft horse used for food or in the production of food, fiber, feed, or other agricultural-based consumer product.
- (C) “Livestock” means cattle, swine, sheep goats, poultry, llamas, alpacas, and draft horses.
- (D) “Veterinary services necessary to implement or enforce the law” means services provided by a veterinarian employed by local, state, or federal agencies or by a licensed, accredited veterinary practitioner that implements or enforces regulations that ensure the health of the nation’s livestock and animal populations and to protect the public health and well-being.
- (E) “Veterinary services necessary to protect public health” means the availability of a licensed, veterinarian to provide routine diagnosis, assessment, communication, and related duties necessary to advance public health, identify the presence of zoonotic disease risk and help prevent transmission of disease among human and animal populations.

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4741-3-05

Criteria for selection of applicants.

- (A) Purpose: The shortage area situations will be best served by a veterinarian who is likely to enthusiastically serve a community and who is likely to remain within that community after his or her payments from the loan repayment program have been terminated.
- (B) The veterinarian applying for participation should submit a biography and a personal statement explaining his or her motivation ~~in serving~~ to serve in veterinary shortage situations.
- (C) In addition to requiring the applicant to possess an Ohio veterinary license in good standing and be federally accredited, the board may consider the following factors in the selection process:
- (1) Percentage of professional activities to be devoted to food animal practice and veterinary public health activities;
 - (2) Types and number of elective courses or continuing education courses, internships and prior experience in food animal medicine and production medicine or public health;
 - (3) Preferences for a rural background and/or experience in production agriculture or for a career in government public health service;
 - (4) Is from the underserved area or has family ties to the area;
 - (5) Length of time applicant is willing to practice in the area.

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4741-4-05

Restricting and logging access to confidential personal information in computerized personal information systems.

For personal information systems that are computer systems and contain confidential personal information, the board shall do the following:

- (A) Access restriction. Access to confidential personal information that is kept electronically shall require a password or other authentication measure.
- (B) Acquisition of a new computer system. When the board acquires a new computer system that stores, manages or contains confidential personal information, the board shall include a mechanism for recording specific access by employees of the board to confidential personal information in the system.
- (C) Upgrading existing computer systems. When the board modifies an existing computer system that stores, manages or contains confidential personal information, the board shall make a determination whether the modification constitutes an upgrade. Any upgrades to a computer system shall include a mechanism for recording specific access by employees of the board to confidential personal information in the system.
- (D) Logging requirements regarding confidential personal information in existing computer systems.
 - (1) The agency shall require employees of the board who access confidential personal information within computer systems to maintain a log that records that access.
 - (2) Access to confidential information is not required to be entered into the log under the following circumstances:
 - (a) The employee of the board is accessing confidential personal information for official board purposes, including research, and the access is not specifically directed toward a specifically named individual or a group of specifically named individuals.
 - (b) The employee of the board is accessing confidential personal information for routine office procedures and the access is not specifically directed toward a specifically named individual or a group of specifically named individuals.
 - (c) The employee of the board comes into incidental contact with confidential personal information and the access of the information is not specifically directed toward a specifically named individual or a group

of specifically named individuals.

(d) The employee of the board accesses confidential personal information about an individual based upon a request made under either of the following circumstances:

(i) The individual ~~request~~requests confidential personal information about himself/herself.

(ii) The individual makes a request that the board takes some action on that individual's behalf and accessing the confidential personal information is required in order to consider or process that request.

(3) For purposes of this paragraph, the board may choose the form or forms of logging, whether in electronic or paper formats.

(E) Log management. The board shall issue a policy that specifies the following:

(1) Who shall maintain the log;

(2) What information shall be captured in the log;

(3) How the log is to be stored; and

(4) How long information kept in the log is to be retained.

Nothing in this rule limits the board from requiring logging in any circumstance that it deems necessary.