

WEST VIRGINIA

SECRETARY OF STATE

KEN HECHLER

ADMINISTRATIVE LAW DIVISION

Form #3

FILED

1991 AUG 19 PM 4:00

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE AND FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

AGENCY: West Virginia Board of Veterinary Medicine TITLE NUMBER: 26

CITE AUTHORITY West Virginia Code 30-1-1 et seq

AMENDMENT TO AN EXISTING RULE: YES ___ NO X

IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

TITLE OF RULE BEING AMENDED: _____

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: 5

TITLE OF RULE BEING PROPOSED: Limited Licensure

~~THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE FOR THEIR REVIEW.~~

Albert C. [Signature]
348-2522

\$2.60

FISCAL NOTE FOR PROPOSED RULES

Rule Title: limited Licensure

Type of Rule: Legislative Interpretive Procedural

Agency Board of Veterinary Medicine Address 712 MacCorkle Ave.
S. Charleston, W. Va. 25303

1. Effect of Proposed Rule:	ANNUAL		FISCAL YEAR		
	Increase	Decrease	Current	Next	Thereafter
Estimated Total Cost	\$	\$	\$	\$	\$
Personal Services	15,000.00		20,000.00	20,000.00	20,000.00
Current Expense					
Repairs and Alterations					
Equipment					
Other					

2. Explanation of above estimates:
 Under personal services, increase estimated for inspection of veterinary facilities under new rules and regulations. Estimated 100 inspections at \$150.00 each will cover this expense. Also annual license renewal fee will increase from \$25.00 to 100.00.

3. Objectives of these rules:
 To establish rules and regulations to enforce the veterinary Medicine Practice act and bring the regulations into compliance with national standards.

1. If the statute under which you promulgated the submitted rules requires certain findings and determinations to be made as a condition precedent to their promulgation:

a. Give the date upon which you filed in the state register a notice of the time and place of a hearing for the taking of evidence and a general description of the issues to be decided.

n/a

b. Date of hearing: n/a

c. On what date did you file in the State Register the findings and determinations required together with the reasons therefor?

n/a

d. Attach findings and determinations and reasons:

Attached n/a

DATE: August 16, 1991

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: West Virginia Board of Veterinarian Medicine

LEGISLATIVE RULE TITLE: Limited Licensure

1. Authorizing statute(s) citation W. Va. Code 30-10-1 et seq

2. a. Date filed in State Register with Notice of Hearing:

July 15, 1991

b. What other notice, including advertising, did you give of the hearing? Written Notice and rules sent to:

Dr. Lewis Thomas W. Va. State Vet.

Dr. Mike Andrizzi Pres. W. Va. Vet. Med. Ass.

Gayle Swank Exec. Dir. W. Va. Vet Med. Asso.

c. Date of hearing(s): August 16, 1991

d. Attach list of persons who appeared at hearing, comments received, amendments, reasons for amendments.

Dr. L. Joe Starcher W. Va. Vet Med. Ass.

Attached _____ No comments received

e. Date you filed in State Register the agency approved proposed Legislative Rule following public hearing:
(be exact)

August 19, 1991

f. Name and phone number(s) of agency person(s) to contact for additional information:

Albert C. Dunn, Jr. 348-2522

3. If the statute under which you promulgated the submitted rules requires certain findings and determinations to be made as a condition precedent to their promulgation:

a. Give the date upon which you filed in the State Register a notice of the time and place of a hearing for the taking of evidence and a general description of the issues to be decided.

N/A

b. Date of hearing: N/A

c. On what date did you file in the State Register the findings and determinations required together with the reasons therefor?

N/A

d. Attach findings and determinations and reasons:

Attached N/A

TITLE 26
LEGISLATIVE RULES
WEST VIRGINIA BOARD OF
VETERINARY MEDICINE

SERIES 5
LIMITED LICENSURE

26-5-1 General

- 1.1 Scope - These rules establish the licensing of veterinarians by the West Virginia Board of Veterinary Medicine with limited licensure for the practice of specified areas of veterinary medicine.
- 1.2 Authority - West Virginia Code 30-10-1 et seq.
- 1.3 Filing Date _____.
- 1.4 Effective Date _____.

26-5-2 Limited Licensure

- 2.1 The Board shall have the authority to grant a limited license to practice veterinary medicines within, and only within, a specific professional activity in the field of veterinary medicine. The limited license may be granted for a specific professional activity in the field of veterinary medicine in which the applicant desires to be trained and/or licensed. Such veterinarian's practice shall be limited to his or her field or fields of specific professional activity, except during a dire emergency situation.
- 2.2 The fields of specific professional activity shall be limited to the following:
 1. Bovine Practice
 2. Equine Practice
 3. Porcine Practice
 4. Food Animal Practice
 5. Feline Practice
 6. Canine Practice
 7. Small Animal Practice
 8. Poultry Practice
 9. Public Health Practice
 10. Preventive Medicine Practice
 11. Teaching and Research Practice
 12. Regulatory Practice
 13. Administrative Practice
 14. Laboratory Animal Practice
 15. Wild Life, Zoo and Fur Bearing Animals Practice
 16. Industrial Veterinary Medicine Practice

- 2.3 A veterinarian may hold more than one limited license, but must pass the specific examination for each limited license that he or she desires to obtain.

26-5-3 Applications and Examination

- 3.1 Procedures for applications and examination shall be the same as those set out in Section 26-1-3 of these rules.
- 3.2 Any person applying for a limited license under the provisions of these rules shall also set forth in his or her application the area or areas in which he or she is seeking a limited license.
- 3.3 An applicant for limited license shall not be eligible for such license without a written examination in addition to whatever oral or practical examinations the Board deems necessary.
- 3.4 The application\examination fee for a limited license shall be the same as for a general license as set out in the schedule of fees, Series 6 of these rules.

26-5-4 Rules for Examination

- 4.1 Procedures for rules for examination shall be the same as those set out in Section 26-1-4 of these rules.
- 4.2 The Board shall prepare and administer an examination suited for testing an applicant's skills within the area of specific professional activity for which limited license is sought.
- 4.3 All applicants for a limited license must have received a passing score on the National Veterinary Boards. The passing score for the National Veterinary Board will be the 1.5 standard deviation for the mean of the criterion group. It shall be the responsibility of the applicant to forward his or her National Board scores to the secretary-treasurer of the Board.
- 4.4 An applicant for a limited license must have the same credentials to sit for the examination in his or her specified field of practice as does an applicant for a general license.

26-5-5 Licensure

- 5.1 Provisions regarding licensing and licensure shall be the same as those set out in Section 26-1-5 of these rules.

- 5.2 A certificate for a limited license issued by the Board shall include the licensee's name in full, the specific area of professional activity to which his or her license is limited, a certificate registration number, the Board seal, the effective date of the certificate and the signatures of the President and the secretary-treasurer of the Board.

26-5-6 Renewals

- 6.1 Procedures for the renewal of a limited license shall be the same as those set out in Section 26-1-6 of these rules.
- 6.2 A veterinarian with a limited license must complete his or her continuing education requirement in the specific area or areas of professional activity to which his or her license is limited.

26-5-7 Temporary Permits

- 7.1 Provisions regarding temporary permits shall be the same as those set out in Section 26-1-7 of these rules.

26-5-8 Reciprocity

- 8.1 Provisions regarding reciprocity shall be the same as those set out in Section 26-1-8 of these rules.
- 8.2 A limited license granted by the Board shall be given reciprocal effect, either into or out of this state, to the extent authorized by the reciprocal agreement with the reciprocating state.

26-5-9 Disciplinary Action

- 9.1 Procedures for disciplinary action shall be the same as those set out in Section 26-1-9 of these rules.