

**West Virginia Board of Veterinary Medicine Explanation of Rule changes
Series 5 - June 12, 2017**

The purpose of the Rule change is to update the Rule and to be in compliance with W. Va. Code §30-1D-1(d) authorizing the Board to promulgate rules which set forth the requirements and procedures for applicant criminal history checks. West Virginia Code §29A-3-19(b) requires the incorporation of a sunset provision in existing rules which are modified after April 1, 2016.

§26-5-2. Application for Certified Animal Euthanasia Technicians.

- Added application requirements

§26-5-3. Certified Animal Euthanasia Technicians Program.

- Moved “§26-5-5.–Practical skills examination” language to this section.
- Moved “§26-5-6.–Testing date” language to this section.

§26-5-5. Certified Animal Euthanasia Technician Certificate Holder.

- Added duplicate certification and certificate requirements.

§26-5-6. Certified Animal Euthanasia Technician Renewal.

- Moved “§26-5-11.–Continuing education requirement” language to this section.
- Moved “§26-5-12.–Certification annual renewal” language to this section.

§26-5-7. Chemical Restraint Drugs.

- Removed the approved chemical restraint drugs since the drugs could change at any time.

§26-5-8. Requirements for animal euthanasia by carbon monoxide.

- Removed since we no longer register facilities that euthanize by carbon monoxide.

§26-5-9. Inspection requirements for animal euthanasia gas chambers.

- Removed since we no longer register facilities that euthanize by carbon monoxide.

§26-5-10. Animal Euthanasia Technician Disciplinary Action.

- Added reasons for disciplinary actions:
 - Fraudulent evidence of qualification.
 - Has engaged in dishonest, unethical, or illegal practices in or connected with the practice of animal euthanasia technology, or has been convicted of a misdemeanor related to the practice of animal euthanasia technology or animal abuse or neglect.
 - Has been convicted of a felony or any other crime involving moral turpitude.
 - Has violated the standards of professional conduct as duly established by the Board.
 - Used euthanasia drugs for any other purpose other than humane animal euthanasia.
 - Has disciplinary in another jurisdiction.
 - Mentally incompetent by a court of competent jurisdiction.
 - Conviction of a felony.
- Added the Board may assess cost for disciplinary actions.

§26-5-11. Facility Inspections and Registration.

- Added inspection requirements:
 - A facility registration application along with the non-refundable fees are required.
 - A facility shall be inspected by the Board on a rotating basis every 2 years,
 - The Board may inspect a facility at any time for just cause.
 - The Board shall not issue a renewal certificate to any animal euthanasia technician of an animal euthanasia facility that has not filed an annual facility registration.
 - The Board may revoke or suspend a facility registration for not being in compliance.
- Changed the renewal period from October – December to April – June 30 to match the veterinary facility

§26-5-13. Termination of Employment.

- The Board shall be notified of cease of employment.

§26-5-14. Criminal History Record Check

- Requiring criminal history record checks for new applicants.