

JUL 15 2021

APPENDIX II-K

COVER SHEET FOR EMERGENCY RULE

ADOPTED RULE
DOCUMENT # <u>13235</u>
FILED <u>7-15-21 @ 1:33 pm</u>
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EXPIRES <u>1-11-22</u>

Document Number

13235

Rule Number

Vet 403.01

1. Agency Name & Address:

Board of Veterinary Medicine
c/o The Office of Professional Licensure and Certification
7 Eagle Square
Concord New Hampshire 03301

2. RSA Authority:

RSA 332-B:7-a,V; RSA 332-B:13, III

3. Federal Authority:

4. Type of Action:

Adoption

X

Amendment

Repeal

5. Date of Filing:

July 15, 2021

6. Short Title:

Veterinary Virtual Continuing Education

7. Contact person for copies and questions:

Name: Victoria Davies

Title: Board Administrator

Address: Office of Professional Licensure and Certification

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7 Eagle Square Concord New Hampshire 03301

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Victoria.M.Davies@opic.nh.gov

****PLEASE ATTACH THE FOLLOWING**, numbered to correspond to the numbers on this sheet (a separate sheet is not required for every item):

8. An explanation of the nature of (a) the imminent peril to public health or safety, demonstrating that the emergency rule is necessary to prevent the imminent peril, or (b) the substantial fiscal harm to the state or its citizens which could otherwise occur if the rule were not adopted as an emergency rule.

9. A summary of the effect if the rule were not adopted.

10. A description of those affected.

***PLEASE SUBMIT 2 COPIES OF THIS COVER SHEET** and all attachments along with 2 copies of the emergency rule to the Office of Legislative Services, Administrative Rules.

****PLEASE SIGN THE FOLLOWING:**

I, the adopting authority,* hereby certify that the attached is an accurate statement explaining why an emergency rule is necessary.

Date:

7/16/2021

Signature:

Kirk T. Small

Name:

Kirk T. Small

Title:

Vice President - NH Board of Veterinary Medicine

*("Adopting authority" is the official empowered by statute to adopt the rule, or a member of the group of individuals empowered by statute to adopt the rule.)

by VED med.

8. An explanation of the nature of (a) the imminent peril to public health or safety, demonstrating that the emergency rule is necessary to prevent the imminent peril, or (b) the substantial fiscal harm to the state or its citizens which could otherwise occur if the rule were not adopted as an emergency rule.

Vet 403.01 establishes the continuing education requirements that must be demonstrated by veterinarians to obtain license renewal. Vet 403.01 expired on January 28, 2021 as an interim rule. This Emergency adopts the rule again but with a change from the expired rule. The approved programs do not include virtual education.

The COVID-19 pandemic necessarily caused cancellation of in-person continuing education programs. This was recognized in the Governor's Exhibit Y to Emergency Order #29 which permitted "[l]icensees of any board, council, or commission listed in RSA 310-A: 1-a... to complete continuing education requirements through remote instruction until 30 days after the end of the current State of Emergency, provided the continuing education courses otherwise satisfy the applicable criteria established in the laws and rules governing the profession."

The State of Emergency ended on June 12, 2021; however, in-person programs remain largely unavailable. As a result, veterinarians have been forced to continue to rely on virtual education courses.

Without the enactment of this emergency rule, veterinarians for whom renewal is due on December 31, 2021, will be unable to obtain sufficient in-person credit to be able to renew their licenses. This will result in approximately one-half of the veterinarians in the State of New Hampshire no longer being able to practice, and would create an immediate peril to the health and safety of animals and the public.

On June 16, 2021 the New Hampshire Board of Veterinary Medicine voted unanimously to approve an Emergency Rule to be in affect starting July 15, 2021, that would allow the Board/Office of Professional Licensure and Certification to accept virtual continuing education.

9. A summary of the effect if the rule were not adopted.

There already exists a dangerous shortage of veterinarians in the State which has resulted in delays in and/or unavailability of essential medical services. As indicated above, if this emergency rule was not adopted, approximately half of the existing New Hampshire veterinarians would also no longer be able to practice and serve the public as of January 1, 2022.

10. A description of those affected.

This rule affects veterinarians practicing in New Hampshire, as well as their staff, patients, and human owners.

Doc. # 13235 (eff. 7-15-21)
Emergency Rule Expires: 1-11-22

Emergency Rule June 16, 2021

CHAPTER Vet 400 CONTINUED STATUS

PART Vet 403 CONTINUING EDUCATION

Adopt Vet 403.01, previously effective 08/01/2019 (Document #12842), Interim and expired 01/28/2020), cited and to read as follows:

Vet 403.01 Continuing Education Requirements

The applicant shall provide the name and date of Board approved continuing education programs attended during the previous calendar year, and the number of hours of attendance at each program on the renewal application to demonstrate compliance with the 12 hour minimum continuing education requirements set forth in RSA 332-B:13, III. The Board will accept virtual continuing education programs.

APPENDIX

RULE	STATE OR FEDERAL STATUTE THE RULE IMPLEMENTS
Vet 403.01	RSA 332-B:7-a; RSA 332-B:13, III; RSA 541-A:18