

Notice Number 2023-278

Rule Number Vet 200

<p>1. Agency Name &amp; Address:</p> <p><b>Board of Veterinary Medicine c/o Office of Professional Licensure &amp; Certification 7 Eagle Square Concord, NH 03301</b></p>	<p>2. RSA Authority: <u>RSA 541-A:16, I(b)-(d)</u></p> <p>3. Federal Authority: <u>n/a</u></p> <p>4. Type of Action:</p> <p>Adoption <u>X</u></p> <p>Repeal <u>X</u></p> <p>Readoption _____</p> <p>Readoption w/amendment _____</p>
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5. Short Title: **Procedural Rules**

6. (a) Summary of what the rule says and of any proposed amendments including whether the rule implements a state statute for the first time:

**The Board of Veterinary Medicine is proposing to:**

- **Repeal existing rules Vet 201 through Ph 207 containing the entirety of Chapter Vet 200 on practice and procedure;**
- **Adopt Vet201.01 to utilize Plc 200 as directed by RSA 310:6, II that provides for the OPLC to establish procedural rules governing the administration of complaints and investigations, hearings, and disciplinary proceedings; and**
- **Adopt Vet 201.02 describing the Board’s procedure for waiver of a substantive rule.**

**The former RSA 310 was repealed and reenacted by Chapter 235:8 of the Laws of 2023, effective 7/15/2023. RSA 310:6, II is the updated counterpart of RSA 310-A:1-d, II(h)(2).**

6. (b) Brief description of the groups affected:

**The groups affected are those licensed by the Board of Veterinary Medicine and members of the general public.**

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

<b>Rule</b>	<b>Specific State Statute Which the Rule Implements</b>
Vet 201.01 (repeal)	2023, 212:36, I; RSA 332-B:14
Vet 201.02 thru Vet 201.05 (repeal)	2023, 212:36, VI
Vet 202.05 (repeal)	2023, 212:36, VI
Vet 202.06 (repeal)	RSA 541-A:30, III
Vet 202.07 (repeal)	2023, 212:36, VI
Vet 202.08 and Vet 202.09 (repeal)	RSA 541-A:30, III
Vet 202.01 thru Vet 202.04 (repeal)	RSA 541-A:30, III
Vet 202.05 (repeal)	2023, 212:36, VI
Vet 202.06 (repeal)	RSA 541-A:30, III
Vet 202.07 (repeal)	2023, 212:36, VI
Vet 202.08 and Vet 202.09 (repeal)	RSA 541-A:30, III

<b>Rule</b>	<b>Specific State Statute Which the Rule Implements</b>
Vet 202.10 (repeal)	2023, 212:36, VI
Vet 202.11 and Vet 202.12 (repeal)	RSA 541-A:32
Vet 202.13 and Vet 202.14 (repeal)	RSA 541-A:30, III
Vet 202.15 (repeal)	2023, 212:36, I
Vet 202.16 (repeal)	RSA 91-A:2, II
Vet 203.01 and Vet 203.02 (repeal)	RSA 541-A:4
Vet 204.01 thru Vet 204.05 (repeal)	RSA 541-A:11, I-V; RSA 541-A:16, I(b) (3)
Vet 205.01 thru Vet 205.05 (repeal)	RSA 541-A:16, I(d)
Vet 206.01 and Vet 206.02 (repeal)	RSA 541-A:11, VII
Vet 201.01	RSA 332-B:7-a, IX; RSA 541-A:16, I(b)-(d)
Vet 201.02	RSA 541-A:16, I(b) intro; RSA 541-A:22, IV

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: **Tina M. Kelley** Title: **Program Specialist IV**  
Mailing Address: **Office of Professional Licensure and Certification** Phone #: **(603) 271-5247**  
**7 Eagle Square** Fax#: **None**  
**Concord, NH 03301** E-mail: **OPLC-Rules@oplcrules.nh.gov**

TTY/TDD Access: Relay NH 1-800-735-2964 or dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **Monday, February 5, 2024 at 4:00 p.m.**

Fax  E-mail  Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Wednesday, January 24, 2024 at 9:00 a.m.**  
Physical Location: **Office of Professional Licensure and Certification**  
**7 Eagle Square**  
**Concord, NH 03301**  
Electronic Access (if applicable): **N/A**

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant):

FIS # 23:168, dated 11-17-2023

**1. Comparison of the costs of the proposed rule(s) to the existing rule(s):**

Not applicable as Vet 201 through Vet 207 rules are being repealed and new Vet 201.01 and Vet 201.02 are being adopted.

**2. Cite the Federal mandate. Identify the impact on state funds:**

No federal mandate, no impact on state funds.

**3. Cost and benefits of the proposed rule(s):**

This proposal repeal Vet 201 through Vet 207 rules and adopts new Vet 201.01 to utilize the Plc 200 rules formally directed by RSA 310-A:1-d, II(h)(2) and now directed by RSA 310:6,

II which provides for OPLC to establish organization and procedural rules governing the administration of complaints and investigations, hearings, disciplinary proceedings. The proposed rules also adopt new Vet 201.02 describing the Board's procedure for waiver of a substantive rule. There is no cost or benefit attributable to the proposed rules.

**A. To State general or State special funds:**

None.

**B. To State citizens and political subdivisions:**

None.

**C. To independently owned businesses:**

None.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

**These rules do not violate Part I, Article 28-a of the New Hampshire Constitution. These rules do not mandate or assign this program to any political subdivision in any way.**