

ALC – Occupational Licensing Review Subcommittee
Occupational Entity Questionnaire

**Arkansas Department of Agriculture
Veterinary Medical Examining Board**

Responses to the following questions are due via email to Subcommittee staff no later than the 15th of the month immediately preceding the month the occupational authorization is scheduled for review by the Subcommittee.

- 1. Would consumers be at risk of substantial harm if Arkansas did not have this occupational authorization? What instances of specific and substantial harm have been documented in the past year?**

Yes, the licensing of veterinarians and certification of veterinary technicians and technologists is essential to protecting the health, safety, and welfare of consumers and their animals. The licensure and certification process for both professions ensures that the individual has met the minimum standard for educational and examination requirements. This is important because members of the veterinary profession are trained to not only provide medical care to our pets, but they are also trained to safeguard our food supply, prevent diseases that can affect public health, and defend against bioterrorism.

Specific instances of substantial harm over the last year were documented through the Board's complaint review process. Some of the Board's findings through that process included incompetence, gross negligence, or other malpractice in the practice of veterinary medicine, unprofessional conduct for failure to undertake the care of an animal and thereafter fail to render the care as generally accepted by the veterinary profession, fraud misrepresentation, or deception in obtaining a license or permit, and failure to maintain adequate medical records.

- 2. How many complaints were made to the occupational entity by consumers being harmed by unauthorized practitioners? What specific action was taken by the occupational entity?**

There were no formal complaints received during the 2021 calendar year against individuals for practicing veterinary medicine without a license, however, there was one instance of an individual pretending to be a veterinarian and applying for jobs. Once the Board office was alerted to this and it was investigated, a communication was sent out to all Arkansas-licensed veterinarians reminding them of the importance of performing background checks and verifying licensure information as part of the hiring process. The individual eventually left Arkansas, went to a neighboring state, and tried to do the same thing. We were able to alert that state's veterinary board of the information we had before the individual could take advantage of anyone there.

- 3. How many complaints were made to the occupational entity by consumers being harmed by authorized practitioners? What specific action was taken by the occupational entity?**

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There were thirteen (13) formal complaints made during the 2021 calendar year against veterinarians. Eight (8) were dismissed. Two (2) resulted in disciplinary action. Three (3) are pending review. There were also two (2) complaints carried over from the 2020 calendar year that resulted in disciplinary action.

4. Were any applicants who otherwise met authorization requirements denied an authorization in the past year? If so, why?

Yes, in one of the 2021 disciplinary actions mentioned in question 3. the Board found that the applicant misrepresented some information that was provided in their application for reciprocal licensure. A formal hearing was held, and the applicant's temporary permit was revoked. The Board did allow the applicant to reapply for licensure by examination. A license will be issued upon the applicant's passing of the State Board Examination and they will be on probation for two (2) years.

5. How much does the occupational entity collect annually in fees, and what are annual expenses? How much money does the occupational entity have in reserves?

Total revenue for FY22 was \$130,287.00 and total expenses were \$98,042. The total cash fund balance as of 6/30/22 was \$703,138.

6. If the occupational entity has a positive amount in reserves, when was the last time reserve funds were used? For what purpose?

The Board has a positive balance in its cash fund, which is used to cover all expenses.

7. Does the occupational entity have any other sources of revenue? Could occupational authorization fees be reduced without causing the occupational entity to be underfunded?

No, the Board's only revenue source is its fee income, which consists of licensing, certification, and permitting fees ranging between \$10-\$100. All the expenditures incurred by the Board are necessary and essential to its continuing operations. Any reduction in fees could affect the Board's ability to evaluate qualifications for licensure and certification, issue licenses and certificates, monitor mandatory continuing education requirements, and investigate complaints.

8. How many applicants for the occupational authorization fail each year? Does the occupational entity track how many applicants that do not progress are veterans, women, or minorities?

Veterinarians – The national exam required for this license is the North American Veterinary Licensing Examination (NAVLE), which is offered two (2) times per year. Once the applicant has received a passing score on the NAVLE, they are eligible to take the State Board Examination (SBE), which is the final step in obtaining an Arkansas

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license. During the 2021 calendar year, twenty-five (25) applicants took the SBE, and all passed. It is important to note that occasionally, an applicant will not pass the NAVLE prior to graduating from veterinary school. The Board has a mechanism in place for these applicants to obtain a restricted license to practice under the supervision of a licensed veterinarian until they pass the NAVLE and can take the SBE. The Board does not track how many applicants that failed are veterans, women, or minorities.

Veterinary Technicians/Technologists – The national exam required for this certification is the Veterinary Technician National Examination (VTNE), which is offered three (3) times per year. During the 2021 calendar year, forty-one (41) applicants took the VTNE, of which twenty-seven (27) were first time examinees, and fourteen (14) were repeat examinees. Eighteen (18) passed and twenty-three (23) failed. The Board does not track how many applicants that failed are veterans, women, or minorities.

Embryo Transfer Technician – None. There is no exam required to obtain this certification.

9. Can applicants complete the training requirements for this occupational authorization with vocational or non-traditional education (e.g., apprenticeships)? What percentage of applicants complete apprenticeships?

Veterinarians – No. Applicants for licensure as a veterinarian must have a Doctor of Veterinary Medicine Degree from a college of veterinary medicine accredited by the American Veterinary Medical Association (AVMA) or have a certificate from the AVMA's Educational Commission for Foreign Veterinary Graduates which indicates they have the knowledge and skills equal to a graduate of an AVMA-accredited college of veterinary medicine.

Veterinary Technicians/Technologists – No. Applicants for certification as a veterinary technician or technologist must have obtained either an associate degree (technician) or bachelor's degree (technologist) from a veterinary technology school accredited by the AVMA.

Embryo Transfer Technician – Yes. Although some applicants will meet part of the requirements for certification as an embryo transfer technician by having a Doctorate or Master of Science degree in animal reproductive physiology, applicants can also meet part of the requirements by completing a course approved by the Board on livestock embryo transfer or transplant and livestock pregnancy determination in lieu of a college degree. Of the two embryo transfer technicians currently certified by the Board, one has a doctorate degree, and one was trained through an approved course.

10. In what ways would removal of the occupational authorization or reduction of occupational authorization requirements be harmful to current authorization holders?

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Veterinarians regularly administer, prescribe, and dispense controlled substances to animals as part of their normal course of business, and must hold a state license in order to obtain a registration through the Drug Enforcement Administration. State licensure is also required for veterinarians to become accredited through the United States Department of Agriculture's National Veterinary Accreditation Program (NVAP). NVAP-accredited veterinarians can perform testing for government-regulated diseases like brucellosis, tuberculosis, and equine infectious anemia. NVAP-accredited veterinarians can also prepare certificates of veterinary inspection for movement of animals across state and international borders. The NVAP allows veterinarians to aid the USDA in safeguarding both public and animal health.

The General Assembly determined in Act 650 of 1993 that “there is a shortage of practitioners of veterinary medicine in the State of Arkansas and that the revision of the laws governing the practice of veterinary medicine including, but not limited to the certification of veterinary technicians will help alleviate such shortage and that the immediate passage of this act is necessary to provide a safeguard for the people of the State of Arkansas against dishonest, incompetent and unprincipled practitioners of veterinary medicine.” Failure to have a certification in place for veterinary technicians could result in them being unable to differentiate themselves from those engaged in the undesirable activities that the General Assembly sought to prevent.