

## CHAPTER REVIEW AND SUMMARY

<b>Bureau Name</b>	Board of Veterinary Medicine	<b>Total Rule Count</b>	5
<b>Staff Member</b>		<b>Number of Pages</b>	7
<b>Chapter or Rule</b>	811 IAC Chapter 12	<b>Code Section Authorizing Rule</b>	Section 169.5(7)(j)

**Provide a summary of what public benefits the Chapter/Rule seeks to accomplish:**

This rule establishes minimum requirements for establishing a Veterinary/Client/Patient relationship. This relationship is needed to comply with federal prescription rules for dispensing medications to animals. The public greatly benefits by ensuring that antibiotics and other prescription medications are being used in a judicious manner when treating animals. This helps to prevent antibiotic resistance in both animals and in humans. In addition, it sets record-keeping requirements and also establishes minimum standards for veterinary facilities. This is important to ensure that proper care, and continuity of care, for patients is provided.

**Are the intended public benefits being achieved?**

Yes, the Board has received approximately 29 complaints per year on average over the last five years, while licensing between 2,800-3,000 per year over the same time period, which demonstrates a high compliance rate with these standards.

**Provide a breakdown of the fees included in the Chapter as well as revenue generated over the previous 5 fiscal years; Include where the funds are deposited:**

There are no fees associated with Chapter 12

**What costs are incurred by the public to comply with the Chapter or Rule?**

There are no costs incurred by the public to comply with Chapter 12. The costs incurred by licensed veterinarians can vary depending on the type of practice, record keeping system, inventory management system and facilities that they utilize.

**What costs are incurred by the bureau or other agencies to implement/enforce the Chapter or Rule?**

Costs incurred to execute and enforce this chapter are borne by the Iowa Department of Agriculture and Land Stewardship and the Iowa Board of Veterinary Medicine. The major cost is staff time. Staff and estimated percentage of time allocated is as follows; Executive Secretary of the Iowa Board of Veterinary Medicine (State Veterinarian) 15% FTE, Program Planner 2 60% FTE, and two Compliance Investigators 40% each (one Compliance Investigator 80% FTE). Other costs associated would include, but are not limited to, hiring expert witnesses, costs associated with hearings, legal staff, and office supplies.

**Do the costs justify the benefits achieved? Explain.**

Yes, companion animals and livestock in the state deserve to have proper veterinary oversight to ensure that prescriptions are used in a correct way. There is a moral and ethical responsibility to maintain a wholesome and safe food supply and that the products used do not jeopardize this. It is critical to maintain proper records on the treatment of all animals, both companion and livestock and ensure the facilities where these treatments are done are clean and safe.

**If YES, please list alternative(s) and provide analysis of less restrictive alternatives from other states, if**

**Are there alternatives that should be considered to achieve the benefit?  YES  NO**  
**applicable. If NO, please explain.**

Maintaining accurate treatment records and minimal requirements for examination are vital to ensure the health and safety of companion animals and livestock. Furthermore, these rules are required by federal agencies such as the USDA and FDA for the protection of our national food supply.

**Does this Chapter or Rule contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language? [list chapter/rule number(s) that fall under any of the above categories]**

Yes, The Board reviewed this chapter and identified multiple words that were unnecessary or outdated.

**RULES PROPOSED FOR REPEAL – List rule number(s):**

None.

**RULES PROPOSED FOR RE-PROMULGATION – List rule number(s) and please email an attachment with suggested changes (specific changes can be worked out later):**

811 IAC 12.1-12.5

**Are there any rules that you would recommend be codified in statute?**

None.

**METRICS**

<b>Total number of rules repealed</b>	0
<b>Proposed word count reduction after repeal and/or re-promulgation</b>	3688-3641=47

## REGULATORY ANALYSIS

### 1. Persons affected by the proposed rule

Classes of persons that will bear the costs of the proposed rule:

Licensed veterinarians in the state will bear the cost of maintain accurate record keeping systems along with safe, secure and clean facilities.

Classes of persons that will benefit from the proposed rule:

All pet owners and producers of livestock within the state. Because Veterinarians are an integral part of maintaining the health and welfare of companion animals and also maintain food safety, the public can be assured that livestock are raised, treated and harvested in a safe and humane way with adequate record keeping.

### 2. Impact of the proposed rule, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred

Quantitative description of impact:

The only costs would be imposed on licensees, and those costs could vary depending upon the scope of their practices. Licensees are required to meet certain minimum standards to protect animals and the public, which can include required equipment, training, sanitation, recordkeeping, supervision of staff.

Qualitative description of impact:

See prior answer.

### 3. Costs to the state

Implementation and enforcement costs borne by the agency or any other agency:

The Costs incurred to execute and enforce this chapter are borne by the Iowa Department of Agriculture and Land Stewardship and the Iowa Board of Veterinary Medicine. The major cost is staff time. Staff and estimated percentage of time allocated is as follows; Executive Secretary of the Iowa Board of Veterinary Medicine (State Veterinarian) 15% FTE, Program Planner 2 60% FTE, and two Compliance Investigators 40% each (one Compliance Investigator 80% FTE). Other costs associated would include, but are not limited to, hiring expert witnesses, costs associated with hearings, legal staff, and office supplies.

Anticipated effect on state revenues:

There are minimal effects on state revenues as some of the costs to the State are covered by the fees assessed by the Board for contested case proceedings, and the Board is generally funded by the license fees paid by the regulated community.

**4. Comparison of the costs and benefits of the proposed rule to the costs and benefits of inaction**

Removing this rule would have a negative effect on the health and wellbeing of both companion animals and livestock within the state.

**5. Determination if less costly methods or less intrusive methods exist for achieving the purpose of the proposed rule**

There does not appear to be any less costly method because it is critical to properly identify the requirements for a valid veterinarian-client-patient-relationship, to properly authorize and provide care for companion animals and livestock. In addition, minimal standards for issuance of prescriptions, recordkeeping and facility requirements, are needed ensure proper care for animals.

**6. Alternative methods considered by the agency**

Description of any alternative methods that were seriously considered by the agency:

N/A. See prior answer.

Reasons why they were rejected in favor of the proposed rule:

N/A. See prior answers.

**Small Business Impact**

If the rule will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rule on small business:

- Establish less stringent compliance or reporting requirements in the rule for small business.
- Establish less stringent schedules or deadlines in the rule for compliance or reporting requirements for small business.
- Consolidate or simplify the rule’s compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rule for small business.
- Exempt small business from any or all requirements of the rule.

If legal and feasible, how does the rule use a method discussed above to reduce the substantial impact on small business?

Because some requirements in chapter 12 are required by federal law, some provisions of the rule cannot be altered to reduce any alleged impacts on small businesses. For other requirements, the requirements imposed on veterinarians and veterinary clinics may vary depending on the type of practice, record keeping system, inventory management system and facilities that they utilize.