

CHAPTER REVIEW AND SUMMARY

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|------------------------|------------------------------|--|----------------------|
| Bureau Name | Board of Veterinary Medicine | Total Rule Count | 10 |
| Staff Member | | Number of Pages | 2 |
| Chapter or Rule | 811 IAC Chapter 3 | Code Section Authorizing Rule | sections 169.5(7)(j) |

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

The chapter provides the public with information about how to petition the Board of Veterinary Medicine for a declaratory order.

Are the intended public benefits being achieved?

Yes. It is important for the public and licensees to understand how to petition the Board for a declaratory order.

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:

No fees are imposed by this chapter.

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

The only costs to the public would be whatever time/resources are necessary to draft a petition for declaratory order. In order to promote efficiency and reduce costs, the Board adopted the uniform rules by reference for petitions for declaratory orders.

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

The costs would be limited to time spent by the Board and staff reviewing petition(s) for a declaratory order.

Do the costs justify the benefits achieved? Explain.

Yes, any costs are fairly minimal and would only be limited to the time resources necessary to draft a petition for a declaratory order, and it is important for the public and licensees to understand the process

for petitioning the Board for a declaratory order and have an opportunity to seek clarity of the Board's rules.

Are there alternatives that should be considered to achieve the benefit?

YES NO

If YES, please list alternative(s) and provide analysis of less restrictive alternatives from other states, if applicable. If NO, please explain.

N/A. See prior answer.

Does this Chapter or Rule contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language?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 several words that were unnecessary and the citation to the website for the uniform rules for petitions for rulemaking needed to be updated.

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 Iowa Admin. Code 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.8, 3.9 and 3.12

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

No.

METRICS

| | |
|---|------------|
| Total number of rules repealed | 0 |
| Proposed word count reduction after repeal and/or re-promulgation | 505-460=45 |

REGULATORY ANALYSIS

1. Persons affected by the proposed rule

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

Only citizens or groups that seek to prepare and file a petition for a declaratory order would bear any costs under this rule, and those costs would only be limited to the time/resources necessary to draft a petition.

Classes of persons that will benefit from the proposed rule:

The public and regulated community will benefit from the proposed rule as it provides a specific process by which they can seek a declaratory order from the Board.

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:

There is little, if any, quantitative or qualitative impact from the proposed rule because only citizens or groups that seek to prepare and file a petition for a declaratory order would bear any costs, and those costs would only be limited to the time/resources necessary to draft a petition.

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 would be limited to time spent by the Board and staff reviewing petition(s) for declaratory order(s).

Anticipated effect on state revenues:

See prior answer.

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

Failure to have a specific process for petitioning for declaratory orders could lead to increased costs or burdens to the Board and State as more staff time will be required to answer questions from the public and regulated community about how to petition the Board for a declaratory order, which may also increase the costs or time required by the public or licensees to properly prepare a petition for declaratory orders.

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 the process for petitioning the Board for declaratory orders needs to be included in chapter 811 to properly inform the public and regulated community about the process. In order to promote efficiency and reduce costs, the Board adopted the uniform rules by reference for petitions for declaratory orders.

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 answer.

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?

Only citizens or groups that seek to prepare and file a petition for declaratory order would bear any costs under this rule, and there does not appear to be any additional impacts on small businesses to prepare a petition for declaratory order.