

## RULEMAKING HEARINGS

### BOARD OF VETERINARY MEDICAL EXAMINERS - 1730

There will be a hearing before the Tennessee Board of Veterinary Medical Examiners to consider the promulgation of amendments to rules pursuant to T.C.A. §§ 4-5-202, 4-5-204, 63-12-105 and 63-12-106. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-204 and will take place in the Division of Health Related Board's Conference Room on the Third Floor of the Heritage Place Building located at 227 French Landing, Nashville, TN at 2:30 p.m. (CST) on the 2nd day of November, 2006.

Any individuals with disabilities who wish to participate in these proceedings (review these filings) should contact the Department of Health, Division of Health Related Boards to discuss any auxiliary aids or services needed to facilitate such participation or review. Such initial contact may be made no less than ten (10) days prior to the scheduled meeting date (the date such party intends to review such filings), to allow time for the Division to determine how it may reasonably provide such aid or service. Initial contact may be made with the ADA Coordinator at the Division of Health Related Boards, 227 French Landing, Suite 300, Heritage Place, MetroCenter, Nashville, TN 37243, (615) 532-4397.

For a copy of the entire text of this notice of rulemaking hearing contact:

Jerry Kosten, Regulations Manager, Division of Health Related Boards, 227 French Landing, Suite 300, Heritage Place, MetroCenter, Nashville, TN 37243, (615) 532-4397.

### SUBSTANCE OF PROPOSED RULES

#### AMENDMENTS

Rule 1730-1-.12, Continuing Education, is amended by inserting the following language as new subparagraph (1) (b) and renumbering the present subparagraph (1) (b) as subparagraph (1) (c), and is further amended by deleting subparagraph (3) (b) in its entirety and substituting instead the following language, so that as amended, the new subparagraph (1) (b) and the new subparagraph (3) (b) shall read:

- (1) (b) A veterinarian is exempt from continuing education requirements during the calendar year he/she graduated from an approved school or college of veterinary medicine.
- (3) (b) Timely completion of continuing education credits is solely the responsibility of the licensee. Except as provided in subpart (3) (e) 2. (ii), the licensee must be physically present at these continuing education meetings and will be required to attest, at the time of renewal, that the requirement has been met.

**Authority:** T.C.A. §§ 4-5-202, 4-5-204, 63-12-106, 63-12-120, and 63-12-121.

Rule 1730-1-.15, Disciplinary Actions, Civil Penalties, Assessment of Costs, and Screening Panels, is amended by adding the following language as new subparagraph (5) (e):

- (5) (e) The Board shall refund all monetary fines and civil penalties imposed and collected in fiscal years 2004-2005 and 2005-2006 for the artificial insemination of livestock without a veterinary medical license, upon receipt by June 30, 2008 of a written request for such refund and provided such funds are specifically appropriated by the General Appropriations Act.

**Authority:** T.C.A. §§ 4-5-202, 4-5-204, 63-12-105, 63-12-112, 63-12-124, 63-12-128, and Public Chapter 716 of the Public Acts of 2006.

## RULEMAKING HEARINGS

Rule 1730-3-.12, Continuing Education, is amended by deleting subparagraph (1) (c) in its entirety, and is further amended by inserting the following language as new subparagraph (1) (b) and renumbering the present subparagraph (1) (b) as new subparagraph (1) (c), and is further amended by deleting subparagraph (3) (a) in its entirety and substituting instead the following language, so that as amended, the new subparagraph (1) (b) and the new subparagraph (3) (a) shall read:

- (1) (b) A veterinary medical technician is exempt from continuing education requirements during the calendar year he/she graduated from a school whereby the veterinary technology curriculum was approved by the American Veterinary Medical Association.
- (3) (a) Timely completion of continuing education credits is solely the responsibility of the licensee. Except as provided in subpart (3) (d) 2. (ii), the licensee must be physically present at these continuing education meetings and will be required to attest, at the time of renewal, that the requirement has been met.

**Authority:** T.C.A. §§ 4-5-202, 4-5-204, 63-12-106, 63-12-120, 63-12-121, and 63-12-135.

The notice of rulemaking set out herein was properly filed in the Department of State on the 25th day of August, 2006. (08-37-06)