

Report to Licensees

of the

LOUISIANA BOARD OF VETERINARY MEDICINE

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Season's Greetings!



20 Credit Hours of Continuing Education Required for Next Renewal Period

Final Rule 400, 403, 405, 409, 413 – Continuing Veterinary Medicine Education – Effective April 20, 2007, Rule alters the requirements and program approval of continuing veterinary medicine education for annual renewal of veterinary medicine license, from 16 credit hours per year to 20 credit hours per year with an

expansion in the nature and substance of acceptable credit hours. Rule effective for the period of time (July 1, 2007-June 30, 2008) for the 2008-2009 annual license renewal and every annual license renewal period thereafter.



Disciplinary Cases

Case No. 07-0116V – Based on the Consent Order, the Board found that the respondent veterinarian was in violation of LSA RS 37:1526A(14) and Board rules, Title 46, Part LXXXV, Sec. 1001 et seq., Section 1023, 106, 1401, 1409C, and AVMA Principle VI.A of Principles of Veterinary Medical Ethics in that the respondent was negligent in allowing escape and/or to lose the client's animal. Respondent was fined \$250 and ordered to pay the amount of cost recovery for the proceedings.

Case No. 06-0316.1V – Based on the Consent Order, the Board found that the respondent veterinarian was in violation of LSA RS 37:1526A and Board rules, Title 46, Part LXXXV, Sec. 1001 et seq., Section 1023, 106, 1401, and 1409C, in that the respondent was negligent in failure to tack down stomach of patient to abdominal wall during gastroplexy, and failure to diagnose and provide referral to owners upon subsequent presentation under facts of case. Respondent was fined \$500, and ordered to pay the amount of cost recovery for the proceeding.

Case No. 06-0306.3V – Based on the Consent Order, the Board found that the respondent veterinarian was in violation of LSA RS 37:1526A and Board rules, Title 46, Part LXXXV, Sec. 1001 et seq., Section 1023, in that the respondent was negligent in unnecessarily vaccinating for rabies and/or improperly treating with antibiotics/medications of a cat. Respondent was fined \$250, and ordered to pay the amount of cost recovery for the proceeding.

2008 Board Meeting Dates

The Louisiana Board of Veterinary Medicine will meet at 8:30 a.m. on the following dates: Thursday, February 7, April 3, June 5, August 7, October 2, and December 4, 2008.



Rules Update – Please call or write the Board office for a copy of any Notice of Intent or Rules described below.

Final Rule 700, 701, 711 – Medical Record Keeping, Mobile Practice Vehicle – Effective November 20, 2007. Rule amended to more clearly define minimum standards for veterinary medical record keeping, and clarifies the requirements for a veterinary mobile practice vehicle.

Rabies Vaccination Time Lines

Mike Tomino, Board Legal Counsel

The Board has been asked the current state of the law regarding rabies vaccinations and the time lines. More specifically, there is a concern that the law has recently changed regarding this issue.

Pursuant to the LA Sanitary Code only a veterinarian can vaccinate an animal for rabies prevention. However, as set forth in this law, it is the obligation of the owner to have his animal timely vaccinated. It is also the obligation for the owner to have his animal timely

vaccinated is mandatory. The controlling legal authority establishes an annual vaccination, or an every three (3) year alternative requirement, if applicable. The public policy behind this obligation is to protect the public from rabies outbreaks.

It appears that the rules in the Sanitary Code have been re-numbered in 2007, and perhaps better (more clearly) worded, but the substance of the rule regarding 1 year vaccine or 3 year vaccine has not changed. Bottom line, as per the newly numbered rule, is a series of 2 initial vaccinations is required. First, at 3 months of age, and second, at the one year anniversary. However, if the animal is older than 3 months when obtained, then the first vaccination is to be given then, with the second at the one year anniversary date.

In addition, R.S. 40:1277, which deals specifically with rabies control, requires the LA Department of Health and Hospitals to enact the state sanitary code, including the authority of parishes and municipalities to enact local ordinances, regarding the control of rabies in animals. Therefore, certain legal authority is delegated to the parishes and municipalities.

Since the requirement regarding the annual vaccination, or every three (3) year alternative if applicable, is mandatory in the Sanitary Code, it is the Board's understanding that the governing authority of a municipality or parish may not adopt a local ordinance which alters this time line. In other words, the local authority (municipality or parish) cannot increase or decrease the time line beyond that set forth in the state law, for example to 6 months or 4 years. The LA Veterinary Practice Act, and the Board's Rules, do not address the question other than to require that a veterinarian must follow all federal, state, and local laws and regulations. With that said, given the public policy behind rabies control, the Board must defer to the authority delegated by law to your municipality and parish regarding the one or three year time line established in the State Sanitary Code. It is recommended that you contact the local health authority in the particular parish or municipality in question, as well as the State Veterinarian's office or the State Sanitary Board, to determine which governmental authority (state versus local) has preemptive jurisdiction if such remains an issue. It is also suggested that the answer to your question be obtained in writing so that you can document your file.

In concluding, the Board is of the opinion that it is the professional licensee's obligation to be knowledgeable of, and comply with, applicable laws regarding the practice of veterinary medicine, including local ordinance. While the Board makes every effort to educate its licensees on issues and laws of general applicability across the state, it is virtually impossible for the Board to keep abreast of every parish and municipal ordinance enacted, or amended, which may affect the practice, including local rabies control.

As always, should you have any questions or comments, please do not hesitate to contact the Board office on the protocol to submit your query. And, please do not be offended when you are requested to submit the precise question(s) in writing so that not only will you benefit from the written response, but your colleagues will as well.

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License Renewal Statistics 2007-2008

Active DVM – 1071, Inactive DVM – 219, RVT – 83, CAET – 105, RED - 5

Reminder: Maximum Hours for Preceptorship – The supervising veterinarian at the preceptorship site should review carefully the attendance sheet for the preceptee. Preceptees can only be credited for a maximum of 9 hours per day, and 40 hours per week. If the preceptee works beyond the maximum, (or under the minimum of 40/hours per week), he/she will be required to repeat the preceptorship to fulfill the requirement accordingly to Board rules.

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Louisiana Board of Veterinary Medicine

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