

the
LOUISIANA BOARD OF VETERINARY MEDICINE
Report to Licensees

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December 1998

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IMPORTANT INFORMATION CONCERNING CONTINUING EDUCATION DOCUMENTATION

Rule 403(B) states, in reference to continuing education requirements, the following:

“Proof of attendance, which shall include the name of the course, date(s) of attendance, hours attended, and specific subjects attended, shall be attached to the annual re-registration form.”

The Board has consistently had a problem with licensees not providing documentation of specific subjects attended. This may be because some continuing education sponsors do not provide record of participation forms. Sometimes this is because a conference program is misplaced and is not available for “marking up” when license renewals are being completed. In an effort to try to insure that documentation of specific subjects is submitted to this office, a “Record of Participation for Continuing Education” form is included with this newsletter. This form can be used in lieu of any other form recording specific participation that may or may not be provided by a continuing education sponsor (the form may be duplicated as needed). A record of participation supplied by the sponsor, a log that includes the same information requested on the Board’s form, or a copy of the program schedule marked to indicate actual C.E. subjects attended **are all still acceptable proof of “specific subjects attended.”**

Please be aware that to complete license renewal next year, documentation of “specific subjects attended” for multi-subject continuing education events will be required.

A certificate of attendance supplied by the continuing education sponsor is required in addition to any record of participation. Acceptable substitutions for a certificate of attendance is a program plus proof of payment/registration, or a letter from the sponsoring organization confirming your attendance.

We look forward to your cooperation in complying with the continuing education requirements.

CE Programs Approved by the AAVSB

The American Association of Veterinary State Boards (AAVSB) has established a program to approve continuing education programs. The Louisiana Board of Veterinary Medicine accepts programs approved by the AAVSB without the need for gaining specific pre-approval from the Board office. However, any continuing education program is subject to certain limitations relating to content and instructional methods.

A maximum of four hours of credit may be obtained in approved videotape, self-test program(s) with third-party

grading, and/or self-help instruction, including on-line instruction with third-party grading. In addition, a maximum of four hours of practice management courses will be accepted by the Board each year.

Iams Telesymposia Not Approved by the Board for CE Credit

The Board of Veterinary Medicine has twice reviewed requests to approve telesymposia sponsored by the Iams Company for continuing education credit. While the Board acknowledges that the content of the telesymposia may be good and appropriate for those fully participating in the program, the Board has denied approval due to concerns about verification of actual attendance during the telesymposia. Therefore, any Iams Telesymposia Certificates of Participation submitted with license

renewal documents will not be accepted by the Board office as proof of CE credit.

You are urged to review the CE Policy Statement mailed with the license renewal packet to determine what programs are pre-approved and those which are not. Any program not clearly falling within the pre-approved category should be submitted to the Board office for review. Such a review will insure that the continuing education documents submitted at the time of license renewal will be accepted.

Keep Copies of Your C.E. Documents

The Board office retains the continuing education (CE) documents that licensees submit each renewal year for a period of two years. From time to time we receive requests from licensees for copies of the CE documents that they have submitted for many prior years. In response to such requests, we provide the information we have on file, and we can provide a letter verifying that a licensee has earned at least 16 hours during particular periods of time. We usually cannot provide copies of CE documents which were submitted more than two years prior to the request, so please retain copies of the CE documents you submit to this office.

Rules Update

[Note: Rule changes made after May 20, 1998, and prior to the mailing of license renewal documents will be included with next year's license renewal packet]

Mobile Clinic Rule

The amendments to rules 700 and 711 relating to mobile clinics (see September 1998 newsletter) have been adopted by the Board, effective November 20, 1998. We note that the publication of the Notice of Intent in the Fall 1998 LVMA newsletter seemed to suggest that the legal comments period for this rule extended to November 24, 1998. The legal comments period actually ended on August 26, 1998, although the Board accepted comments up until the rule was finally considered at its October 15, 1998, meeting.

Providing Prescriptions

Effective October 20, 1998, rule 705(G) has been amended to clarify a change to this rule made in December 1997. Rule 705(G) now reads as follows:

G. Providing Prescriptions

1. A client is not obligated to purchase a prescription medication from the prescribing veterinarian. Therefore, when a veterinary-client-patient relationship exists and a veterinarian has determined that a prescription medication will be used in a patient's treatment or preventive health plan, it shall be considered a violation of the rules of professional conduct, within the meaning of R.S. 37:1526(4), for a veterinarian to refuse to provide a written prescription to the client so long as the following conditions exist:

a. The veterinarian has determined that the patient's life is not endangered without the immediate administration of the prescription medication, and

b. In the veterinarian's medical opinion, the prescribed substance is medically safe for in-home administration by the client.

2. A veterinarian shall not be required under §705 to write a prescription for controlled substances or a prescription for any medication that, in the veterinarian's medical judgment, is not appropriate for the patient's medical care.

3. A veterinarian may refuse to write a prescription under §705 if it is not directly requested by a client with whom a veterinarian-patient-client relationship exists.

4. A written prescription can be construed to include any manner of authorization for filling a prescription, including verbal or electronic communication.

[Note: 705(G)(3) and (4) should be read together to conclude that a veterinarian is not required to provide a prescription when it is requested by a party other than the client (for example, a pharmacy), whether it is requested by phone, fax, e-mail, or any other means of communication.]

Livestock Management Practices

Amendments to rules 700 and 707 relating to livestock management practices have been amended, effective October 20, 1998. Changes to rule 700 and the full current text of rule 707 follow:

§700 (changes only)

Alternative Livestock - animals that have not been domesticated, but are bred or kept on a farm for use or commercial profit.

Cosmetic Surgery - that branch of veterinary medicine that deals with surgical procedures designed to improve the animal's appearance.

Livestock - domestic animals to include only cattle, hogs, sheep, and goats, bred or kept on a farm for use or commercial profit.

§707. Accepted Livestock Management Practices

The following are hereby declared to be accepted livestock management practices as provided by 37:1514(3):

1. The practice of artificial insemination (A.I.) and the non-surgical impregnation (with frozen embryo) of livestock to include that performed for a customer service fee or that performed on individually-owned animals;
2. The procedure involving the collection, processing, and freezing of semen from privately owned livestock carried out by NAAB-CSS approved artificial insemination business organizations;
3. The carrying out of schools and short courses, teaching A.I. Techniques to cattlemen, prospective A.I. technicians, and university agricultural students by qualified university faculty, cooperative extension service specialists, and qualified employees of NAAB-CSS approved A.I. organizations;
4. Performing the operation of male castration, docking, or ear-marking of livestock raised for human consumption;
5. Performing the normal procedure of dehorning livestock, with the exception of surgical cosmetic dehorning, which is defined as the practice of veterinary medicine;
6. Aiding in the non-surgical birth process in livestock management;
7. Treating livestock for disease prevention with a non-prescription medicine or vaccine;
8. Branding and/or tattooing for identification of livestock;
9. Reciprocal aid of neighbors in performing accepted livestock management practices without compensation;
10. Shoeing horses.

Veterinary Dentistry

The Board published a Notice of Intent relating to veterinary dentistry that follows in the October 20, 1998, *Louisiana Register*. That notice relating to proposed changes to Rule 710 read in part:

The proposed amendments to §710 define the tasks and procedures within veterinary dentistry which may be performed by properly trained laypeople and registered veterinary technicians while under the direct supervision of a licensed veterinarian. The amendments also provide specific definitions within the practice of equine dentistry and livestock dentistry. The amendments make clear that dental operations which are not defined as permissible for performance by properly trained laypeople and registered veterinary technicians under the direct supervision of a licensed veterinarian must be performed by a licensed veterinarian.

§ 710. Dental Operations. (Specific proposed changes)

A.-B. ... (no change)

C. In branches of veterinary medicine other than equine dentistry and livestock dentistry, with proper training and under the direct supervision of a licensed veterinarian, laypeople and registered veterinary technicians employed by a licensed veterinarian may perform supragingival scaling and polishing of teeth, making and developing dental radiographs, taking impressions, production of dental models, and the charting of dental pathology. All other dental operations must be performed by a licensed veterinarian.

D. In the branch of veterinary medicine dealing with equine dentistry, with proper training and under the direct supervision of a licensed veterinarian, laypeople and registered veterinary technicians employed by a licensed veterinarian may perform the rasping (floating) of molar, premolar, and canine teeth, and the removal of deciduous incisor and premolar teeth (caps). All other dental operations, including but not limited to the extraction of teeth, amputation of large molar, incisor, or canine teeth, the extraction of first premolar teeth (wolf teeth) and repair of damaged or diseased teeth must be performed by a licensed veterinarian.

E. In the branch of veterinary medicine dealing with livestock dentistry, with proper training and under the direct supervision of a licensed veterinarian, laypeople and registered veterinary technicians employed by a licensed veterinarian may perform rasping (floating) of premolar and molar teeth, and the removal of deciduous incisor teeth (caps). All other dental operations, including but not limited to the extraction of teeth, amputation of incisors, premolars, and molar teeth, and repair of damaged or diseased teeth must be performed by a licensed veterinarian.

This notice of intent was provided to the Louisiana Veterinary Medical Association and to other interested parties. The legal comments period for this notice has ended; however, the Board will continue to accept comments for consideration through January 4, 1999.

Ketamine

The Board has enacted an emergency rule, effective October 16, 1998, and is in the process of establishing a regular rule relating to the use and storage of ketamine by animal control agencies for the purposes of animal capture and restraint. Due to space limitations we are not reproducing the full text of the rule here. However, please refer to rule 704(B). Ketamine has been added and will be under the exact same requirements governing the use and storage of Telazol. If you wish to receive a copy of the emergency rule or proposed rule, please contact the Board office.

Disciplinary Cases

98-0922N - William Schexnaider: Based on a complaint filed with the Board and a subsequent investigation indicating that William Schexnaider had

violated a Consent Judgment on Permanent Injunction in Orleans Parish which permanently prohibited, restrained and enjoined him from engaging in the practice of veterinary medicine, including equine dentistry in any manner, including by the removal and/or floating of teeth, unless he shall be acting under the direct

supervision of a veterinarian licensed in Louisiana, Mr. Schexnaider has agreed to enter into another Consent Judgment in Orleans Parish Civil District Court which found him to be in contempt of court. Penalties ordered included imprisonment of three months, but the jail term is suspended so long as Mr. Schexnaider does not violate the original Consent Judgment on Permanent Injunction

rendered on March 17, 1995, and that Mr. Schexnaider pay the costs of these proceedings in the sum of \$1,200 directly to the Board of Veterinary Medicine.

**Questions from the Real Lives of Veterinarians
and Other Interested Persons**

Under rule 701(C), must a veterinarian release radiographs upon request of the client?

Under rule 701(C), a veterinarian is required to provide a copy of the radiograph within a reasonable amount of time. A reasonable charge for copying and providing the patient record may be required by the veterinarian. Refusal to provide a copy of the radiograph upon written request by the client shall be considered a violation of the rules of professional conduct.

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Louisiana Board of Veterinary Medicine

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