

Report to Licensees

of the

LOUISIANA BOARD OF VETERINARY MEDICINE

263 Third Street, Suite 104, Baton Rouge, LA 70801, (225) 342-2176, (225) 342-2142 fax, lbvm@eatel.net, www.lsbvm.org

Volume 11, No. 3

April 2002

George Gowan, DVM, President • Robert Lofton, DVM, Vice-President • J. Edwin Davis, DVM, Secretary/Treasurer
Glenn Walther, DVM, Member • Lon Randall, DVM, Member

Guide to a Trouble-free Renewal

By Kimberly Barbier, Administrative Director

Well we are rapidly approaching the next license renewal period. That sometimes dreaded ninety days between July 1 and September 30 each year when in order to continue to practice veterinary medicine in Louisiana you have to qualify for renewal of your license. You will receive the renewal packet, prepare everything, write a check, and send it back, possibly to have it returned to you - INCOMPLETE - *What's wrong with my renewal?*

A complete renewal must include the following:

1. A complete, signed renewal form;

You should review all pre-printed information on page 1 of the renewal form and clearly note any changes needed; complete all questions on page 2 of the renewal form; and sign the renewal form.

2. Copies of acceptable proof of attendance for no less than sixteen hours of approved continuing education;

CE is required to be taken the year immediately preceding the renewal period (July 1 to June 30); CE taken after June 30 is considered late CE and the late CE fee must be included with your submission for the renewal to be complete.

3. Payment of all applicable fees.

This includes the license renewal fee (active fee is \$175 and inactive fee is \$75), the \$25 late CE fee for CE taken after June 30, and the \$125 late renewal fee for renewals postmarked after September 30.

If you submit your renewal, it will be returned to you INCOMPLETE if -

1. The renewal form is not signed or the questions on the renewal form are not answered,
2. Proof of at least sixteen hours of approved CE is not submitted or acceptable proof of CE is not submitted,
3. A record of personal participation is required but is not submitted with the proof of CE attendance, or
4. Fees payment was not made which includes the appropriate renewal fee and any and all late fees (renewal and/or CE), if applicable.

If you submit your renewal and it is returned to you incomplete, *the re-submitted renewal must be received at the Board office postmarked by September 30 or the late renewal fee of \$125 must be included.* So please submit your renewal early. If the renewal is received postmarked October 1 or after and the late renewal fee was not included, the renewal will be returned to you INCOMPLETE for payment of the late renewal fee. Board office personnel cannot complete a renewal without all required forms, documentation, and fees being submitted. Requests may be made in writing to the Board office for consideration by the full Board for extenuating circumstances.

If your renewal is not received complete by September 30, your license to practice veterinary medicine in Louisiana will EXPIRE. This does include renewals that are returned to you INCOMPLETE and not received back in the Board office by September 30. It is a violation of the Louisiana Veterinary Practice Act for any person to practice veterinary medicine in Louisiana without a current, valid license. Lists of expired licenses may be provided to other governmental agencies and any interested party upon request. Upon receipt of the completed renewal by the Board office (including all required completed forms, documentation, and fees), the license will be renewed.

We at the Board's administrative office hope this will help you in submitting your annual renewal. Please remember to review the renewal form carefully and make any changes to information when needed, complete all the questions, and sign the form; make sure your name is on all CE attendance certificates and documentation and that the actual subjects/topics attended can be verified and the actual hours attended can be counted and that a record of personal participation is included for any conferences where required; and make sure your payment is made to the "Louisiana Board of Veterinary Medicine" / "LBVM" for the appropriate renewal fee and any late fees due. Mail in your renewal as early as you can in the event it may be returned to you for completion. Any special consideration request should be submitted in writing as early in the renewal period as possible for presentation and consideration by the full Board at its next meeting.

Please visit the Board's website at www.lsbvm.org. We hope it is informative and helpful and would welcome any suggestions you may have to help us keep you informed.

Approved Continuing Education - Acceptable Proof

What is approved continuing education?

According to the Board's adopted CE Policy Statement, pre-approved programs, which are programs that do not necessarily have to be submitted to the Board office for approval unless you would like written confirmation of its approval, are programs presented of subject matter directly related to the practice of veterinary medicine or of a scientific or medical nature related to the practice of veterinary medicine *and* that are presented by a Board-certified specialist or a member of the faculty of an AVMA accredited school of veterinary medicine or that is sponsored by a state, regional, national or international veterinary association. If the program you plan to attend does not fit under the above description, you should contact the Board office to have the program's information reviewed and pre-approved.

There has recently been a program presented in Louisiana that advertised as approved for CE hours. This program had been presented in other states and may have received approval in another state for use as CE

but that does not necessarily mean that it was approved and will be accepted in Louisiana. In this case, the program and presenter information was reviewed by the Board and was not approved as CE. Participation in this program will not be accepted for renewal CE. It is your responsibility to make sure a CE program you plan to attend is a Board-approved program.

How do you get a program approved for CE?

You or the sponsor/presenter can submit, via mail, email or fax, a copy of the program's agenda (if there are multi-speakers and sessions) or a synopsis of the program's topic along with a list of speakers and their credentials as presenters to the Board office for review.

What is acceptable proof of attendance?

Acceptable proof of attendance should be an attendance certificate distributed by the sponsor to participants at the program that clearly indicates the name of the participant (your name), the name of the sponsor (organization or individual), the actual number of hours you attended, the date of the program,

and the name of the program. The name of program should clearly reflect the actual topic discussed at the program. For conferences of multi-day duration and/or multi-sessions, along with the attendance certificate from the sponsor, a record of personal participation or log must be filled out with the actual sessions/programs and hours *you* attended.

The record of personal participation sheet that is provided by the Board with the CE Policy Statement is an example that can be used if the sponsor organization does not provide one. Only one conference should be broken down on the form. The form can be duplicated for additional conferences if needed and is available on the Board's website; OR a photocopy of the conference agenda/itinerary can be marked to indicate the actual sessions you attended; just make sure the agenda sheet has the name of the program and the dates so that it can be matched to the certificate of attendance submitted. A record of personal participation must accompany the certificate of attendance for meetings that are entitled "Annual Meeting". "Annual Meeting" does not let Board office personnel know what topic(s) were presented.

Please remember that Board office personnel must be able to identify and verify the subject matter attended as well as count all sixteen hours. Please review the CE Policy Statement and Board promulgated Rules (Chapter 4). The Board allows limited hours to be earned in certain subject areas such as practice management, career development,

regulatory issues, financial management, client relations, and alternative medicine/therapy; and certain instructional methods such as self-help (home study with third party verification), Compendium, on-line (computer study with third party verification) and satellite viewing (live presentations viewed in selected locations nationwide simultaneously).

Continuing education is required to be taken the year immediately preceding the beginning of the renewal period - July 1 to June 30. CE programs attended prior to the CE year will not be accepted. If you attend CE programs after June 30 (during or after the renewal period) that must be submitted to complete the renewal, the CE is considered late and the late CE fee of \$25 must be paid to complete the renewal.

If you submit your renewal and it is returned to you incomplete because you submitted proof for less than the required sixteen hours or acceptable proof of CE was not submitted or a record of personal participation or marked program agenda for a multi-day/multi-session program was required and not submitted, *the re-submitted renewal must be received at the Board office postmarked by September 30 or the late renewal fee of \$125 must be included with the re-submission.* Special consideration requests should be submitted in writing to the Board office as early as possible in the renewal period for presentation and consideration by the full Board at its next regularly scheduled meeting.



REMINDER

Presently held licenses to practice veterinary medicine in Louisiana will expire on September 30, 2002. The 2003-year renewal will begin on July 1, 2002 and end on the expiration date. Continuing education required for renewal of a veterinary license this year must be taken between July 1, 2001 and June 30, 2002. CE programs taken prior to July 1, 2001 are not acceptable. CE programs taken after June 30, 2002 are considered late CE and the late CE fee will be due to renew the license.

Articles by Michael Tomino, Board General Counsel

DO YOU KNOW THIS PERSON?

The primary function of the Louisiana Board of Veterinary Medicine (the “Board”) is to regulate the practice of veterinary medicine so as to protect the public, more particularly clients and their animals. To accomplish this function, the State Legislature has provided the Board with a guideline called the Louisiana Veterinary Practice Act which governs the licensure of veterinarians and issuance of certificates to veterinary technicians, animal euthanasia technicians and equine dentists. In determining the qualifications of those applicants for licensure or certification, the Board requires written application which includes letters of reference from veterinarians currently licensed by the Board regarding an applicant’s professional character/capabilities and ethical standards. The Board generally provides approved forms with the application which are required to be used by those licensed veterinarians providing such letters of reference.

Although we are in different industries, as licensed professionals we are sometimes asked for favors by friends and family, and friends of friends and family, to provide letters of reference. Of course, it is easy to provide a professional reference for an applicant when we are familiar with that person’s professional character/capabilities and ethical standards based on a previous or current professional relationship with such applicant. However, it is more difficult to refuse to provide a letter of reference to an applicant that we do not have a professional relationship with because the request is personally made by a friend or family member.

The Louisiana Veterinary Practice Act and the Board’s Rules require that letters of reference must be based on the licensed veterinarian’s professional relationship with the applicant for licensure or certification. The Board’s standard forms with regards to this issue are being reviewed and updated to more accurately reflect the legal and ethical obligation of the licensed veterinarian who is making the professional reference regarding an applicant’s professional character/capabilities and ethical standards. Therefore, please be mindful of your obligations when providing a professional reference regarding an applicant for licensure or certification. The practice of veterinary medicine is your industry and you must take the necessary steps to insure that those who comprise it are qualified to practice. Also, a professional reference for licensure or certification is a reflection of the professional character/capability and ethical standards of the licensed veterinarian providing such reference.

SPECIALTY CERTIFICATION/ADVERTISEMENT

It has come to the attention of the Board that some licensed veterinarians may be advertising special competency in a particular field of veterinary medicine in such publications as the Yellow Pages of telephone directories, etc. The purpose of this article is to provide notice and an educational advisory that Louisiana licensed veterinarians must follow the applicable rules regarding a “specialty” and the advertisement of such special competence in a particular field of veterinary medicine.

Pursuant to Rule 1063.A, the Board will acknowledge a Louisiana licensed veterinarian in a specialty recognized by the American Veterinary Medical Association upon request by the qualifying veterinarian. Such an acknowledgment of the specialty by the Board may then be advertised by a licensed veterinarian as long as such advertisements are not false, deceptive or misleading. Therefore, any Louisiana licensed veterinarian who is currently advertising a specialty in this State without being acknowledged by the Board, in an area recognized by the American Veterinary Medical Association, is in violation of the Louisiana Veterinary Practice Act and the Board’s Rules. Please also refer to Rules 1057.C(3) and 1059.A(8). Please understand that any licensed veterinarian who elects to advertise is ultimately responsible for such advertisements which are held to be in violation of the Louisiana Veterinary Practice Act and/or Board’s Rules, as well as the Code of Ethics of the American Veterinary Medical Association.

“Communication . . . an Everyday Skill”

By Michael Tomino, Board General Counsel

Previously published in the August 2000 LBVM Newsletter.

My position as General Counsel to the Board is rapidly approaching the two (2) year anniversary date. My function as General Counsel is somewhat multi-faceted in the legal services I provide. Generally speaking, my function is to provide legal services to the Board in the areas of general legal advice, recommendations to changes in the Practice Act, assisting in the rulemaking procedure, preparing Declaratory Statements, and participating in the investigation/disciplinary process of those individuals who violate the Practice Act and the Board's Rules.

It is the investigation arena which I would like to address in this article. As set forth in the Board's Rules and as required by State law, the Board is mandated to investigate complaints it receives of allegations of wrongdoing by licensees and certificate holders regulated by the Board. Upon receipt, the complaint is assigned to an investigating Board member and me to obtain information regarding the circumstance complained of. I have been involved in approximately fifty (50) complaints in my first two (2) years as General Counsel. The vast majority of complaints are against veterinarians with a smaller percentage involving certificate holders. An even smaller number of complaints involve unlicensed individuals attempting to practice veterinary medicine.

Based upon my observation, it is my opinion that a tremendous amount of the complaints against veterinarians can be narrowed down to one basic cause. Such cause can be identified as a “breakdown of communication” between the veterinarian and the client. Perhaps the breakdown of communication is a symptom of the current stresses and strains in the everyday practice and/or business of veterinary medicine. In some instances it could be blamed on apathy or the lack of an interest to make the effort to properly communicate.

In any event, I highly recommend, as the prosecuting attorney for your Board, that you take the necessary time to properly communicate with your clients. Such an effort on your part will not only continue to foster the high esteem held for the veterinary profession as a whole, but also narrow the chances of a complaint being filed against you as a result of the absence of proper communication. After all, from a business standpoint, as a practitioner you are a service company providing regulated services to your clients for a fee.

I feel that it is inappropriate to state that “the customer is always right,” because when dealing with the public you will not always be able to please a certain percentage of the public based upon their expectations. However, while a client may not be happy with the result of your services, it is far better from a business, as well as legal, standpoint to maintain an open line of communication with your client. You cannot guaranty a certain result, however, you can insure proper and full communication.

To assist in accomplishing the goal of proper communication, the Board will be promulgating in the very near future Rules with regard to Surgery/Anesthesia Consent Forms and Euthanasia Consent Forms. These proposed Rules will provide direction regarding proper communication between the veterinarian and client.

The Board promulgated new Rules regarding Surgery/Anesthesia Consent Forms and Euthanasia Consent Forms effective August 2001. Sample forms were distributed to licensees in the August 2001 LBVM newsletter.

Rules Update

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

Continuing Education

The Board has issued a Notice of Intent, dated February 20, 2002, regarding amendments to Chapter 4, Rule 403 relating to continuing veterinary education requirements. The proposed amendments help to clarify the requirements for continuing education regarding limited and accepted programs and alternatives for obtaining continuing education credits; the requirements for acceptable proof of attendance documents; and the timeframe for obtaining continuing education. These rule amendments are anticipated to take effect June 20, 2002 and will apply for the 2003 renewal period, the 2004 renewal year.

Preceptorship Program

The Board has issued a Notice of Intent, dated February 20, 2002, regarding amendments to Chapter 11, Rules 1103 and 1115 relating to the Board's current preceptorship program. The proposed amendments help to define the preceptorship program and preceptorship host facility requirements. These rule amendments are anticipated to take effect June 20, 2002.

Disciplinary Cases

Case No. 01-0419V – Based on the Consent Order agreed to by the Board, the Board found that the respondent veterinarian was in violation of LSA R.S. 37:1524 and Board Rules, specifically Title 46, Part LXXXV, Sections 305.A, in that the respondent failed to annually renew his Louisiana license prior to the established deadline and the respondent practiced veterinary medicine for approximately

seven months without a current veterinary license. Disciplinary action taken included the respondent's veterinary license was placed on one year probation, required to report quarterly, ordered to pay fine and administrative costs, and required to review the Louisiana Veterinary Practice Act and Board Rules.

FOR YOUR INFORMATION –

The Drug Enforcement Agency, Diversion Control – New Orleans, Louisiana, has announced that DEA is now offering registration requests interactively on the Diversion Control website at www.deadiversion.usdoj.gov for the requests listed below. There is a new button on the front page of the website that will take the user to the on-line forms page for:

- Name Change Requests
- Address Change Requests
- Schedule Change Requests
- Drug Code Change Requests
- Duplicate Certificate Requests
- Requests for Order Forms (DEA Form 222s)
- DEA Form 224 – New Registration Applications
- DEA Form 106 – Theft or Loss of Controlled Substance Reports

This document was published at a total cost of **\$1,265.78**. **1400** copies of this public document were published in this first printing at a cost of **\$1,265.78**. The total cost of all printing of this document including reprint is **\$1,265.78** This document was published for the Board of Veterinary Medicine, 263 Third Street, Suite 104, Baton Rouge, LA 70801, (225) 342-2176, by LSU Graphic Services to inform licensees and other interested parties about regulatory matters relating to the practice of veterinary medicine and other issues falling within the responsibilities of the Board under the authority of LAC 46:LXXXV.101.E. This material was printed in accordance with the standards for printing by state agencies established pursuant to R.S. 43:31.