

Tennessee Board of Veterinary Medical Examiners



Newsletter



FALL 2014

A regulatory agency of the State of Tennessee

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Bureau of Health Licensure and Regulation - Health Related Boards - 665 Mainstream Drive, Nashville, TN 37243
Phone: (615) 532-5090 - Toll Free: (800) 778-4123 ext. 5325090 Fax: (615) 532-5164 <http://tn.gov/health>

CURRENT COMPOSITION OF THE BOARD

The Board of Veterinary Medical Examiners is composed of seven (7) members. Five (5) members are licensed veterinarians, one (1) member is a licensed veterinary medical technician, and one (1) member is a citizen member. The State Veterinarian serves as a non-voting, ex-officio member.

Current members are: Charles "Chuck" Halford, DVM, President; Forrest Reynolds, DVM, Vice-President; Stephen Galloway, DVM, Secretary; Tai Federico, DVM; Kim Johnson, DVM; Karen Walsh, LVMT; Ann Strong, Public Member; and Charles Hatcher, DVM, State Veterinarian.

RULE CHANGES EFFECTIVE AUGUST 21, 2014

Pursuant to the rulemaking hearing held on December 11, 2012, changes to existing rules were approved by the Secretary of State on April 17, 2014 with an effective date of August 21, 2014.

You may view the rules in their entirety at:

<http://www.state.tn.us/sos/rules/1730/1730.htm>

A summary of the rules changes is available on the Veterinary Board website at:

<http://health.state.tn.us/boards/Veterinary/index.htm>

OUR MOVE IS COMPLETE

The Department of Health's Division of Health Licensure and Regulation, Office of Health Related Boards, has made the transition to its new state-owned space. Please note our new address:

Division of Health Related Boards
Board of Veterinary Medical Examiners
665 Mainstream Drive
Nashville, TN 37243
(615) 532-5090
(800) 778-4123 ext. 5325090
(615) 532-5164 (Fax)

PROFESSIONAL PRIVILEGE TAX

TENN. CODE ANN. § 67-4-1701, *et seq.*, requires the payment of an annual professional privilege (occupation) tax by certain members of certain professions which is payable to the Tennessee Department of Revenue (TDR) on or before June 1 of each year. Please be advised, while the Tennessee Department of Health neither assesses nor collects the tax, the Board of Veterinary Medical Examiners may not permit the renewal of your veterinary license unless and until the privilege tax is paid. Avoid the possible suspension of your privilege to practice veterinary medicine in Tennessee by remitting your tax to the TDR in a timely fashion.

For more information please go to:

<http://www.tn.gov/revenue/tntaxes/proftax.shtml>.

CHANGES TO CONTINUING EDUCATION REQUIREMENTS FOR VETERINARIANS

In order to renew a license, veterinarians must obtain twenty (20) hours of continuing education each calendar year. Fifteen (15) hours must pertain to the medical and surgical care of animals. Five (5) hours may pertain to a special interest in veterinary medicine in fields other than the medical and surgical care of animals, including but not limited to practice management and state and federal regulatory programs. **A maximum of ten (10) hours may be obtained in a multi-media format. For every two-year period, two (2) of the required hours must pertain to regulatory issues, controlled substances, or professional ethics.** A licensee is exempt from continuing education requirements during the calendar year of the licensee's graduation from an approved school or college of veterinary medicine. The Board approves courses for only the number of hours contained in the course. A licensee will not receive credit for repeating the same course in a calendar year. The complete rule regarding **Continuing Education** is located at **Rule 1730-01-.12**.

BOARD MEETING DATES

December 09 - 10, 2014

2015

April 08 – 09, 2015

August 12 – 13, 2015

December 09 – 10, 2015

All Board meetings begin at 9:00 a.m., Central Time. Board meetings are held at the Board's administrative office and are open to the public. Dates are subject to change, but are listed on the Board's Website. In the event of an electronic meeting, a conference room is made available to the public and is the location from which the electronic meeting is conducted.

YOUR PRACTITIONER PROFILE

Pursuant to the "Health Care Consumer Right-to-Know Act", veterinarians licensed in Tennessee are obligated to make certain information available to the public. This obligation is continuing, meaning it is not discharged by the initial submission of relevant information. **Licensees must notify the Department of Health of updates to their profiles within thirty (30) days of the date on which a change occurs.**

To check the accuracy of your profile, please visit:

<http://health.state.tn.us/Licensure/Default.aspx>.

Should you find that your profile is in need of revision, please submit a practitioner profile questionnaire containing your updated information to the Board of Veterinary Medical Examiners. The practitioner profile form may be accessed electronically at:

<http://health.state.tn.us/Downloads/PH-3585.pdf>.

LEGISLATIVE UPDATE

The 2014 Legislative Session has ended, and the following is a summary of bills which may be of interest to licensees:

Public Chapter No. 949

This act allows for initial licensure applications to be accepted online. Currently, renewing licenses is already available online. This also makes available to the public annual inspections of health care facilities and pharmacies, similar to how nursing home inspections are already available.

Public Chapter No. 763

This act revises delinquent privilege tax provisions that would require the Department of Revenue to notify the licensee that failure to cure the delinquency or deficiency prior to their licensure renewal date can result in renewal abeyance. For purposes of the bill, "cure" means payment in full, entering into an agreed payment plan, or abatement of tax liability. Licensing boards will be provided monthly with list of licensees who are delinquent 90 days or more and boards may not process licensure renewal.

<http://tennessee.gov/sos/acts/index.htm>

BOARD POSITION STATEMENTS

The following position statements were recently adopted by the Board:

Supervision of Veterinary Personnel Generally

Rule 1730-01-.10(2) provides that “no veterinary technician, veterinary student intern, or employee shall provide any professional services as covered by these rules without the responsible supervision of a licensed veterinarian [...]” Under T.C.A. § 63-12-103(12), “Responsible supervision’ or words of similar purport mean the control, direction and regulation by a licensed veterinarian of the duties involving veterinary services that such veterinarian delegates to such veterinarian’s personnel.”

It is the position of the Tennessee Board of Veterinary Medical Examiners (“Board”) that “Responsible supervision”—specifically the language “the control, direction and regulation by a licensed veterinarian”—requires that persons being supervised be employees of the supervising veterinarian. “Responsible supervision” does not, however, require a supervising veterinarian to physically be on the same premises as the person being supervised while veterinary services are being provided.

Supervision of Veterinary Technicians

Under Rule 1730-03-.10(1), a “Tennessee-licensed veterinarian must supervise a veterinary technician. This supervision must be in the same veterinary hospital, clinic, or outpatient office.”

It is the position of the Board that “supervision” under Rule 1730-03-.10(1) means “Responsible supervision,” and that, as such, a supervising veterinarian is not required to physically be on the same premises as the veterinary technician being supervised while veterinary services are being provided.

Adopted on July 29, 2014.

“Agricultural Animals” Exemption to the Premises Permit Requirement

Under T.C.A. § 63-12-139(g), “any practitioner who provides veterinary services solely to agricultural

animals and does not maintain a veterinary facility for the receipt of patients shall not be required to obtain a premises permit, but must provide for appropriate equipment and facilities as established by the board.”

It is the position of the Board of Veterinary Medical Examiners that this exemption only applies to on-farm calls in the context of a valid veterinarian-client-patient relationship. For purposes of this position statement, “farm” means a fixed location where the agricultural animal patient is regularly kept and maintained.

Adopted on July 29, 2014.

Premises Permit Exemption for Veterinary Facilities “Operated By An Official Agency of the Federal or State Government”

Under T.C.A. § 63-12-139(i)(2), “a veterinary facility operated by an official agency of the federal or state government” is exempt from the premises permit requirement.

It is the position of the Board of Veterinary Medical Examiners that this exemption does not apply to veterinary services provided at sale barns (e.g. Coggins tests, etc.) when such services are not preliminary to the sale, at that sale barn, of the animals for which the services are being provided.

Adopted on July 29, 2014.

All policy/position statements adopted by the Board of Veterinary Medical Examiners are available online at:

<http://health.state.tn.us/boards/Veterinary/legislative.htm>

ACTIVE LICENSEES AS OF October 31, 2014

Veterinarians:	2,196
Veterinary Medical Technicians:	573
Certified Animal Euthanasia Technicians:	283
Veterinary Facilities:	886
Certified Animal Control Agencies:	67
Certified Animal Chemical Capture Technicians:	2
Animal Chemical Capture Certification (Agency):	1

MISSION OF THE BOARD

The Board's purpose is to protect the public from being misled by incompetent, unscrupulous and unauthorized practitioners, and from unprofessional or illegal practices by persons licensed to practice veterinary medicine. The board was enacted in the interest of the health, safety and welfare of the animal population and the citizens of Tennessee. The Board adopts and interprets the laws, rules, and regulations to establish and maintain a high standard of integrity, skills and practice in the profession of veterinary medicine. The Board is responsible for the investigation of alleged violations of the Practice Act and rules and is responsible for the discipline of licensees who are found guilty of such violations.

Tennessee Board of Veterinary Medical Examiners Board Members as of October 31, 2014

Forrest W. Reynolds, D.V.M.
Vice-President
Franklin

Charles "Chuck" Halford, D.V.M.
President
Memphis

Stephen S. Galloway, D.V.M.
Secretary
Memphis

Kim D. Johnson, D.V.M.
Franklin

Karen S. Walsh, L.V.M.T.
Dunlap

R. A. Tai Federico, D.V.M.
Chattanooga

Charles Hatcher, D.V.M.
State Veterinarian
Ex-officio Member

Ann Strong, Consumer Member
Alamo

Rosemarie Otto, Director
Health Related Boards
Ex-officio Member

Board Staff

Rita Buckner-Shelton
Board Administrator

Lisa Lampley
Director

Katherine Young
Licensing Technician