

BOARD of
VET. EXAM.

A PERFORMANCE REVIEW
OF THE
BOARD OF VETERINARY EXAMINERS

November 1, 1978

A PERFORMANCE REVIEW
OF THE
BOARD OF VETERINARY EXAMINERS

November 1, 1978

Commissioner of the Department
of Commerce and Economic
Development

H. Phillip Hubbard

Deputy Commissioner of the
Department of Commerce and
Economic Development

Bertram L. Wagon

Members of the
Board of Veterinary Examiners

Chairman
Member
Member

Berton A. Gore, DVM
David Howe, DVM
Clifford D. Lobaugh, DVM

STATE OF ALASKA

AUDIT DIVISION
POUCH W—ALASKA OFFICE BUILDING

THE LEGISLATURE

FINANCE DIVISION
POUCH WF—STATE CAPITOL

BUDGET AND AUDIT COMMITTEE

JUNEAU, ALASKA 99811

November 1, 1978

Members of the
Legislative Budget and Audit Committee:

In accordance with the intent of Title 24 and 44 of the
Alaska Statutes, the attached report is submitted for your
review:

A PERFORMANCE REVIEW
OF THE
BOARD OF VETERINARY EXAMINERS

November 1, 1978



Gerald L. Wilkerson, CPA
Legislative Auditor
Division of Legislative Audit

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PURPOSE AND SCOPE OF THE REVIEW

Purpose

In accordance with the intent of Alaska Statutes 24.20.271(1) and 44.66.050 (sunset legislation), a review of the Board of Veterinary Examiners was conducted to review board activities and accomplishments to determine if the board has been operating in an effective, efficient and economical manner.

As required by legislative intent, this report shall be considered during the legislative oversight function in determining whether the Board of Veterinary Examiners should be reestablished. The law currently specifies that this Board will terminate on June 30, 1979, but will continue until June 30, 1980 for the purpose of concluding its affairs.

Scope

The major areas reviewed were the Board's operations and its licensing, examination, administration, complaint and affirmative action functions. Our review consisted of analyzing and evaluating the following:

- (1) Applicable statutes and Board regulations;
- (2) Interviews with Board members and questionnaires sent to the Board;
- (3) Interviews with professional associations;
- (4) Tests of records and documents of the Board and the Division of Occupational Licensing (OL), Department of Commerce and Economic Development;
- (5) Interviews with OL employees;
- (6) Complaints filed with OL, the Ombudsman's Office, Consumer Affairs Agency, and the Equal Employment Opportunity Office;
- (7) Questionnaires sent to State licensed veterinarians; and
- (8) Review of other states' licensing requirements.

Scope Constraints

This review was hampered by the following constraints:

- (1) The Board has not established and reported financial and program plans as required by AS 37.07.050 nor

has it developed and reported performance information regarding its effectiveness and accomplishments as required by AS 37.07.090.

- (2) OL has not adequately collected, recorded or maintained pertinent files and statistics relating to the Board to effectively and efficiently carry out its administrative responsibilities.

ORGANIZATION AND FUNCTION

The Board of Veterinary Examiners is a regulatory board consisting of three licensed veterinarians. The authority of the Board is outlined by Alaska Statutes 08.08.010-.250.

Basically, the Board determines the minimum quality of veterinary care in the State by:

1. Examining and issuing licenses to qualified applicants;
2. Establishing or amending rules and regulations necessary or desirable to enforce State statutes; and
3. Holding hearings in order to revoke, or suspend the license of a person violating the veterinary statutes and regulations.

An applicant is statutorily qualified to take an examination if he has graduated from a Board approved school, has never had a license revoked, and is of good moral character.

Presently, the examination contains three parts: A multiple choice test provided by Professional Examinational Service, a written test and an oral examination prepared by the Board.

A candidate is statutorily qualified for licensure by endorsement if the applicant passed a veterinary examination, actively practiced veterinary medicine at least five of the last seven years, and graduated from an accredited veterinary college.

Temporary permits are allowed for applicants who are qualified to take the examination and such permits are valid only until the results of the examination have been determined.

The Board has staff support from the Division of Occupational Licensing which consists of two sections. The licensing section, which processes applications, is supposed to maintain license files, gather and collect statistics, answer inquiries and provide other administrative help to the licensing boards. The other section provides investigative services to the Board in the event of consumer or professional complaints.

REPORT CONCLUSION

Policy Issues

This review contains policy issues raised as a result of our evaluation of various Board practices. The final policy decisions affecting these practices are not within the scope of this review but require legislative consideration. In debating these decisions, the legislative oversight committees should take into consideration the findings and alternatives presented in this report, so that the potential impact of policy changes can be evaluated.

Report Conclusion

In our opinion, the Board of Veterinary Examiners should continue to regulate and license veterinarians. The regulation and licensing of these professionals is necessary to protect the public's health, safety and welfare.

However, certain changes need to be implemented in order for the Board to efficiently perform its duties. The Board needs to develop standards, regulations and formal procedures for the examination given to license applicants. (see Recommendation No. 1).

Legislation should be introduced which will require continuing education for veterinarians. Continuing education will assist in avoiding professional obsolescence and keep practitioners aware of changes taking place in their profession (see Recommendation No. 2).

Legislation should also be introduced which will require public members be appointed to the Board. Public representation on the Board will help insure that the public's interest is represented and protected (see Recommendation No. 3).

OL should provide adequate assistance and support necessary for the proper functioning of the Board. In 1975 and 1976 the Board requested, but did not receive, assistance from OL to propose legislative changes to the Veterinary Practice Act (see Recommendation No. 4).

FINDINGS AND RECOMMENDATIONS

Findings and Recommendations No. 1 and No. 2 are addressed to the Board of Veterinary Examiners. Findings and Recommendations No. 3 through No. 5 are addressed to the Division of Occupational Licensing (OL), and should be read in conjunction with "A Performance Review of the Division of Occupational Licensing, Department of Commerce and Economic Development, October 30, 1978" issued under separate cover.

Recommendation No. 1

The Board of Veterinary Examiners should develop grading standards, procedures and regulations for the examination given to license applicants.

In a Legislative Audit questionnaire sent to State licensed veterinarians, several respondents mentioned that they were asked irrelevant questions by a Board member during the veterinary oral examination. The following are problems with the examination given to applicants:

1. Lack of regulations specifying what types of tests will be required for applicants with certain qualifications;
2. lack of grading and scoring procedures for the Alaska written and oral examination; and
3. applicants are not anonymous to Board members grading the oral examination. Applicants' pictures must be submitted with applications. These are reviewed by the Board prior to the oral examination and allow the Board members to associate the applicants with their applications and pictures. This lack of anonymity would allow applicants who failed the test to charge grading discrimination.

The Board keeps completed examinations although Alaska Statutes establish that OL is responsible for maintaining past examinations. OL is better suited to keep examination papers because they can provide adequate security. Also, OL will have quicker and easier access to the examination papers if questions arise.

Standardization and consistency serves to protect the interests of the applicants, Board and public. The following is recommended:

1. Regulations should be implemented which define:
 - a. Grading procedures;

- b. types of tests required for applicants with certain qualifications; and
 - c. a Board policy of no grading discrimination.
2. A test manual should be created in which standard test answers, examination procedures and grading procedures are outlined to guide all graders.
 3. The Board should not require an applicant's picture to be on an application. The licensing examiner can require that an identification card be shown when an applicant first enters the examination rooms. The examiner should not be involved with the grading.

Recommendation No. 2

Legislation should be introduced which will require continuing education for veterinarians.

Veterinary practitioners are acutely aware of the public trust involved in maintaining their professional competency. Required continuing education is one means of fulfilling that trust.

Twenty-nine of the 42 veterinarians responding to a Legislative Audit questionnaire believe that continuing education should be required of their profession. A program of continuing education will help avoid professional obsolescence and keep practitioners aware of changes taking place in their profession.

Recommendation No. 3

Legislation should be introduced to require public members on the Board of Veterinary Examiners.

The Board regulates veterinarians for the purpose of public protection. The Board is currently composed of only three licensed veterinarians. At the last Board meeting, the Board requested the Department of Commerce to pursue the possibilities of having a public member at the Board meetings.

We agree with the Board that the public should have its views represented since the Board's purpose is for public protection. In 1977, the State of California passed the Public Members Act which requires that one-third (1/3) of all health related board members be represented by the public. California claims that the public's confidence and well being have been enhanced by this law.

Recommendation No. 4

OL should provide adequate assistance and support necessary for the proper functioning of the Board of Veterinary Examiners.

In 1975 and 1976 the Board requested assistance from the Division in order to propose legislative changes to the Veterinary Practice Act. There is no evidence showing that the Division provided help to the Board. As a result, the Board was forced to go to the Alaska State Veterinary Association for the help and aid that it needed.

OL is required by statute to provide administrative services to the Board. In order for the Board to properly discharge its responsibilities, it needs and requires the cooperation and help of the Division.

Recommendation No. 5

The Board of Veterinary Examiners should establish formal goals, objectives and quantifiable measures which should be included in the OL's budget document.

Objectives describe what an agency or Board is seeking to accomplish during a specific year. Well formulated objectives are capable of measurement and should include numerical targets so that actual accomplishments can be compared with stated targets. Without goals and objectives, the Board's performance cannot be adequately evaluated and analyzed.

OL establishes its own budget goals and objectives. The budget documents do not include any goals or measures for individual boards. Without the Board's goals and measures being identified or measured, neither the Governor's Office nor the Legislature can evaluate the Board's performance (see the OL Performance Audit Report).

ANALYSIS OF PUBLIC NEED

Limited Analysis

The following analyses indicate both positive and negative attainments as Board activities relate to the public need factors defined by "Sunset" law. These analyses are not intended to be comprehensive in nature but address those areas covered in the scope of our review

- I. The extent to which the board, commission or program has operated in the public interest.
 1. The Board of Veterinary Examiners has composed regulations concerning application procedures, definitions of licensing violations and clarifications of acceptable veterinary practice.
 2. The Board has held an average of one meeting per year and one examination per year (see Schedule B).
 3. The Board has promptly processed and evaluated applications. They have averaged seven weeks per application.

- II. The extent to which the operation of the board, commission, or agency program has been impeded or enhanced by existing statutes, procedures, and any other matter, including budgetary, resource, and personnel matters.
 1. OL has not provided adequate assistance and support necessary for the proper functioning of the Board (see Recommendation No. 4).
 2. OL has not maintained updated records, files and statistics for Board use (see the OL Performance Audit Report).
 3. Investigations have not been processed by the investigation section of OL in a timely manner. It has been noted that a complaint against veterinarians averages about a year to be processed.

- III. The extent to which the board, commission or agency has recommended statutory changes which are generally of benefit to the public interest.
 1. The Board has made five requests for statutory changes, according to Board meeting minutes. Two requests were to implement a new Veterinary Practice Act. There is little evidence which

demonstrates a need for this revision. However, some of the recommended changes are in the public's best interest, including a continuing education requirement (see Recommendation No. 2) and the placement of public members on the Board (see Recommendation No. 3).

Another recommendation was to amend the temporary license permit requirements to require that all veterinarians granted a temporary permit work under the supervision of a State licensed veterinarian. We have seen no evidence or complaints against veterinarians with temporary licenses which demonstrate that this change is needed.

In addition, the Board has proposed a regulation that all applicants must take the State Veterinary Examination. Again, we have seen no evidence which demonstrates that this change is needed.

IV. The extent to which the board, commission or agency has encouraged interested persons to report to it concerning the effect of its regulations and decisions on the effectiveness of service, economy of service, and availability of service which it has provided.

1. There is no documentation in the Board minutes which identifies that the Board has encouraged feedback.

V. The extent to which the board, commission or agency has encouraged public participation in the making of its regulations and decisions.

1. The Board advertises in newspapers to encourage public participation and also sends notices to interested associations. During the last three years, the Board has averaged slightly more than one advertisement per newspaper for each meeting and examination. One advertisement was published per paper for a regulations change.

2. During the past four years, no one other than Board members and support staff participated in Board meetings, as recorded by Board minutes.

VI. The efficiency with which public inquiries or complaints regarding the activities of the board, commission or agency filed with it, with the department to which a board or commission is administratively assigned, or with the office of the ombudsman have been processed and resolved.

1. We found no filed complaints against the Board.

VII. The extent to which a board or commission which regulates entry into an occupation or profession has presented qualified applicants to serve the public.

1. Complaints against veterinarians are indicators of the quality of veterinary practice in the State. We found only two complaints against veterinarians on file with OL (see Appendix B).

VIII. The extent to which state personnel practices, including affirmative action requirements, have been complied with by the board, commission or agency to its own activities and the a of activity or interest.

1. Veterinary applications require unnecessary information such as an applicant's age and picture. This is a violation of Equal Employment Opportunity requirements (see the OL Performance Audit Report).

IX. The extent to which statutory, regulatory, budgeting or other changes are necessary to enable the agency, board or commission to better serve the interests of the public and to comply with the factors enumerated in this subsection.

Please refer to the previous section, Findings and Recommendations.

APPENDIXES

APPENDIX A

VETERINARY LICENSE REVENUES
COMPARED WITH EXPENDITURES
 (UNAUDITED)

Average Revenue (see Schedule 1 and Note 1)	\$ 2,700
Expenditures (see Note 2)	<u>10,000</u>
Excess of Expenditures Over Revenues	<u>\$(7,300)</u>

Schedule 1
 Types of Revenues

<u>Revenues</u>	<u>Amount</u>	<u>Collection Time</u>
Initial License Fee	\$25	With issuance of license
Biennial Renewal	50	Biennially
Temporary License	10	With issuance of license
Reciprocity Fee	25	With issuance of license
Examination Fee	25	With taking of examination

Note 1

Most of the veterinary revenues are composed of renewal registration fees. These fees are collected once every two years and cause revenues in one year to be much greater than the revenues collected in the next year. Therefore, we calculated and reported an average of the revenues collected in fiscal years 1977 and 1978 in order to obtain an accurate representation of collected revenues.

Note 2

Expenditures include those made by Board members, such as travel and per diem and an allocated percentage (estimated) of total administrative expenses of OL. They do not include expenditures for efforts of other departments, such as the Department of Law, that may be assisting the Board and OL.

APPENDIX B

BOARD STATISTICS

Schedule 1
Veterinary Examination

	<u>1978</u>	<u>1977</u>	<u>1976</u>	<u>1975</u>	<u>Pass Rate Four-Year Average</u>
Veterinary Applicants	8	8	11	12	
Number of Fails	<u>3</u>	<u>0</u>	<u>2</u>	<u>1</u>	
Number of Passes	<u>5</u>	<u>8</u>	<u>9</u>	<u>11</u>	
Percent Pass	<u>62%</u>	<u>100%</u>	<u>82%</u>	<u>92%</u>	<u>84%</u>

Schedule 2
Veterinary Complaints

Malpractice Complaints	1
Overpricing Complaints	<u>1</u>
<u>Total</u>	<u>2</u>

Schedule 3
Administrative Statistics

As of October 31, 1978

Licensed Veterinarians	100
Board Meetings:	
Average number of meetings per year	7 meetings
Average time length per meeting	4 hours

APPENDIX C

QUESTIONNAIRE SENT TO BOARD MEMBERS

1. What do you believe to be the goals and objectives of the Board of Veterinary Examiners?

<u>Description</u>	<u>Number of Board Members' Responses</u> (See Note 1 & 2)
To keep incompetent veterinarians from practicing within the State.	<u>2</u>
To examine and license qualified applicants.	<u>1</u>
To help maintain good health of Alaskans.	<u>1</u>
To investigate and, if necessary, punish veterinarians who illegally practice veterinary medicine.	<u>1</u>

2. How does the Board measure its progress in meeting its goals and objectives?

<u>Description</u>	<u>Number of Board Members' Responses</u>
No progress under old regulations.	<u>1</u>
By examining applicants, Board can evaluate quality of new licenses.	<u>1</u>
Number of complaints and seriousness of the complaints will be a good indicator.	<u>1</u>

3. Is the staff from the Department of Commerce and/or other departments adequate to perform and enforce all laws and regulations relating to the Board of Veterinary Examiners? What staff support services are provided adequately? Inadequately?

<u>Description</u>	<u>Number of Board Members' Responses</u>
Staff support is currently good and has improved.	<u>2</u>

3. (cont'd.)

<u>Description</u>	<u>Number of Board Members' Responses</u>
<i>Problems have arisen concerning:</i>	
a. <i>Failure to follow through on requested services;</i>	<u>1</u>
b. <i>slow to complete task;</i>	<u>1</u>
c. <i>inadequate knowledge of Board's activities;</i>	<u>1</u>
d. <i>failure to assist Board on problems;</i>	<u>1</u>
e. <i>slow and reluctant assistance from Attorney General's Office;</i>	<u>2</u>
f. <i>lack of interest or initiative in regards to Board activities; and</i>	<u>1</u>
g. <i>high turnover in staff.</i>	<u>1</u>

4. What evidence exists demonstrating that the Board has operated in the public's best interest?

<u>Description</u>	<u>Number of Board Members' Responses</u>
<i>There are few complaints regarding licensed veterinarians. Without regulation, more serious complaints will occur.</i>	<u>1</u>

5. What evidence exists demonstrating that the absence of veterinary regulations and/or the Board would be detrimental to the public's best interest?

<u>Description</u>	<u>Number of Board Members' Responses</u>
<i>No immediate evidence, although the American Veterinary Medical Association may have done studies.</i>	<u>1</u>

6. Has the Board recommended any statutory changes which are generally in the public's best interest?

<u>Description</u>	<u>Number of Board Members' Responses</u>
<i>The Board submitted a new practice act to the Division of Occupational Licensing and to the Legislature.</i>	<u>2</u>

7. Has the Board made any studies to determine if there is a veterinary manpower shortage in Alaska or certain areas of Alaska? What were the study's conclusions? What do you believe is the manpower situation?

<u>Description</u>	<u>Number of Board Members' Responses</u>
<i>Services in the city is adequate and rural services, through Public Health Service, are also adequate.</i>	<u>2</u>
<i>There is no emergency help in the remote areas.</i>	<u>2</u>

8. Are there any statutes or regulations that you believe to be obsolete, vague, unduly restrictive, and/or inadequate to provide the Board with the responsibility and power to properly govern the purpose and activities of the Board? Please list and explain.

<u>Description</u>	<u>Number of Board Members' Responses</u>
<i>Licensing requirements too lenient. Anyone applying for licensure should be required to take an examination.</i>	<u>1</u>
<i>No public members.</i>	<u>1</u>
<i>Licensing by reciprocity is allowed and it should be.</i>	<u>1</u>
<i>Temporary license statutes should be eliminated or changed.</i>	<u>1</u>
<i>No provision for registering animal health technicians.</i>	<u>1</u>
<i>No provision for relief veterinarian in an emergency.</i>	<u>1</u>
<i>Limited investigative force.</i>	<u>1</u>

9. What changes could be made to the Board which would improve its service to the public?

<u>Description</u>	<u>Number of Board Members' Responses</u>
<i>Add one or two non-veterinarians to the Board.</i>	<u>1</u>
<i>Need additional funds to travel to Juneau to discuss problems with Legislature.</i>	<u>1</u>

10. Do you think continuing education requirements should be enacted by the Legislature and/or the Board?

Description

Number of Board
Members' Responses

Yes, for a minimum of 10 hours.

1

State Veterinary Association requires it. However, continuing education will not assure that a veterinarian is remaining competent.

1

Note 1

At the time the questionnaires were sent out, there were only two Board members. Both members responded.

Note 2

Each Board member responded to each question with several answers. Therefore, total responses for each question may exceed the number of Board members.

APPENDIX D

QUESTIONNAIRE SENT TO VETERINARIANS

(See Note 1)
% Responses

<u>Yes</u>	<u>No</u>	<u>No Opinion</u>
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1.	Have you been able to attend any veterinarian seminars or classes within the last year?	98%	2%	-0-
2.	If so, how many hours of continuing education have you had during the last year?	Average Hours 29		
3.	Do you believe that State laws should require continuing education before veterinarian licenses are renewed?	69%	31%	-0-
4.	When you were licensed in the State, did you have to take the following examinations?			
	a. Professional Examination Service multiple choice examination.	57%	36%	7%
	b. An oral examination.	62%	33%	5%
	c. Any others?			
	1. <i>Most prevalent answer is written examination.</i>	26%	29%	45%
5.	Do you believe the examination(s) that you were required to take for Alaska's veterinarian license was relevant and useful for testing the abilities of a veterinarian applicant?	42%	29%	29%

Please identify those that you believe aren't relevant:

1. *Most criticism concerned the National Examination which is the professional examination service.*
2. *Criticisms were also directed at irrelevant questions asked by a prior Board member.*

(See Note 1)

% Responses

	<u>Yes</u>	<u>No</u>	<u>No Opinion</u>
6. Are there other procedures that you believe are more relevant and useful for testing the abilities of a veterinarian applicants?	43%	24%	33%
Please specify:			
1. <i>Most often mentioned answer was practical examinations with slides or a diagnostic case study.</i>			
7. Do you believe that the Board of Veterinary Examiners has operated in the public's best interest?	86%	7%	7%
8. Do you have any complaints concerning the service provided by the support staff of the Division of Occupational Licensing, Department of Commerce?	19%	76%	5%
9. Do you believe that all geographic areas within the State are adequately serviced by veterinarians in private practice?	55%	38%	7%
10. Do you know of any studies or statistics which support your answer in number 9?	2%	96%	2%
11. Are you aware of any discriminatory practice involving licensing of minority groups?	2%	96%	2%
12. Do you believe Alaska's licensing requirements for temporary and permanent licenses are adequate and effective in ensuring that the public is protected?	50%	48%	2%
13. Do you believe that current statutes are restricting the more effective and efficient use of veterinarian technicians and aides?	14%	76%	10%

Note 1

Number of questionnaires sent to State licensed veterinarians.	<u>100</u>
Number of questionnaires received.	<u>42</u>
Response rate.	<u>42%</u>



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

RECEIVED

JAN 11 AM.

LEGISLATIVE
AUDIT

January 9, 1979

Mr. Gerald Wilkerson
Legislative Auditor
Division of Legislative Audit
Pouch W
Juneau, Alaska 99811

Dear Mr. Wilkerson:

We have reviewed your preliminary reports as shown below:

1. Board of Examiners in Optometry
2. Board of Dispensing Opticians
3. Board of Psychologist and Psychological Associate Examiners
4. Board of Chiropractic Examiners
5. Alaska State Medical Board
6. Board of Veterinary Examiners
7. State Physical Therapy Board
8. Board of Pharmacy
9. Board of Nursing
10. Board of Nursing Home Administrators
11. Board of Dental Examiners
12. Alaska Transportation Commission

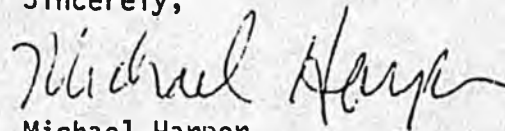
We view these reviews of agency programs and activities which are specifically subject to termination in a manner different from those made of State departments or agencies. Usually we in the Executive Branch endeavor to respond directly to each finding and recommendation. However, in regard to the Boards and Commissions, the Executive Branch agency during a public hearing shall demonstrate a public need for its continued existence or the discontinuation of the program, and the extent to which any change in the manner of exercise of its functions or activities may increase efficiency of administration or operation consistent with the public interest.

The Executive Branch of Alaska Government has made an extensive study of the above Boards and the Alaska Transportation Commission. We are continuing to study those entities, their origin, their present and future potential, and other related subjects in conjunction with Alaska statutes 24 and 44 (Sunset Legislation). As prescribed in AS 44.66.050 one or more legislative hearings are to be held to receive testimony from the public, the Commissioner of the department having administrative responsibility for each, and the members of the Boards or Commission involved. During those hearings we will present our findings and recommendations affecting each of the foregoing Boards and the Alaska Transportation Commission.

January 9, 1979

Accordingly, we are presenting this in addition to the responses from the Department of Commerce, Department of Law, and the individual Board or Commission members and others on an interim basis.

Sincerely,



Michael Harper
Administrative Assistant
to the Governor

STATE OF ALASKA

JAY S. HAMMOND, Governor

DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

DIVISION OF OCCUPATIONAL LICENSING

POUCH D

JUNEAU, ALASKA 99811

December 15, 1978

RECEIVED

JAN 17 AM.

**LEGISLATIVE
AUDIT**

Gerald L. Wilkerson, CPA
Legislative Auditor
Division of Legislative Audit
Pouch W
Juneau, Alaska 99811

Dear Mr. Wilkerson:

The following comments are in response to the Performance Review of the Board of Veterinary Examiners, as submitted by the Division of Legislative Audit.

Recommendation No. 1. Agreed. Grading standards, regulations and formal examination procedures are desirable for all licensing boards. The proposed act, requested by the board and introduced through the department, addresses these concerns.

Recommendation No. 2. Agreed. Continuing competency is generally advocated as one method of assuring that practitioners remain qualified once licensed. The proposed act, requested by the board and introduced through the department, addresses this subject.

Recommendation No. 3. Agreed. We agree that the public should be represented through membership on the board. The proposed practice act also addresses this subject.

Recommendation No. 4. Agreed. The division should, and currently is, providing administrative assistance to the board although past deficiencies are recognized.

Recommendation No. 5. Agreed. The board's goals and objectives will be incorporated within the division's budget document. Contact will be made with all boards in March or April, 1979 for input to the budget for FY 1981

The recommendations cited will be acted upon regardless of action taken on the proposed practice act.

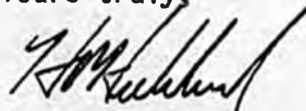
Gerald L. Wilkerson, CPA

-2-

December 15, 1978

I appreciate the time and efforts expended by your staff.

Yours truly,

A handwritten signature in dark ink, appearing to read "H. Phillip Hubbard". The signature is written in a cursive style with a large, sweeping initial "H".

H. Phillip Hubbard
Commissioner

JAN 17 A.M.

A Performance Review of the
Board of Veterinary Examiners--
Comments of Board of Veterinary Examiners.

LEGISLATIVE
AUDIT

Page 5, Paragraph 5 concerning licensing by endorsement:

The board does not feel that a candidate is statutorily qualified for licensure by endorsement if the applicant has passed a veterinary examination, actively practiced veterinary medicine at least five of the last seven years and graduated from an accredited veterinary college.

According to Section 03.98.210, a veterinarian may be licensed without examination if he fulfills the above criteria. In this section the word "may" is very important as it gives the board the option of licensure by endorsement or by examination. The board feels this authority is very important if it is to assure to the public a "certain degree" of competence of licensed veterinarians. A July 5, 1978, interpretation of the statute by the Attorney General's office states that we do not have this authority. The board has asked the Attorney General's office for a re-interpretation of this section.

Page 7, Recommendation Number 1:

The board agrees almost completely with the recommendation.

1. Regulations should be implemented which define:
 - a. grading procedures--the board enters in the board minutes at each examination the grading procedure. We agree that this should be in the regulation but were not aware of the necessity previously.
 - b. types of tests required for applicants with certain qualifications-- the board agrees with the concern over oral examination. At the December, 1978, examination no oral examination was given nor will this type of examination be used in the future. The board feels that anonymity is important and all examinations are graded with only an identification number identifying each examination. The department alone knows which applicant has which identification number.
2. A test manual should be created--the board feels this would be a definite improvement to the administration of the board examinations. However, this would take a great amount of time as well as expertise in preparing and wording examination questions. In 1978, in California, certain questions on the veterinary board examination were successfully challenged because they were ambiguous. The California board states that "from now on, experts will be used to prepare the exam".

Continuation of:

Page 7, Recommendation Number 1:

(2.)

The board feels that monies should be appropriated to fund a group with the expertise to draft such a test manual.

3. The board agrees that pictures of applicants are not necessary on the application. At the December, 1978, board meeting, the board instructed the department to remove the requirement of a picture from the application.

Recommendation Number 2:

The board agrees that continuing education for all licensed veterinarians would be an important way of maintaining professional competency as well as assuring public trust in practicing veterinarians. We also agree that it will keep practitioners aware of changes taking place in their profession. The board wishes to note that continuing education requirements do not assure that all licensed veterinarians will maintain a high level of competence.

Recommendation Number 5:

Establish goals and objectives--the board feels this is certainly a worthwhile procedure, but was not aware of its requirement. At its December, 1978, board meeting the board asked the department to draft an outline which would help the board develop formal goals, objectives, and quantifiable measures which then could be included in the Occupational Licensing's budget document.

Page 11:

Recommendation of board to exceed the temporary license permit requirements. The present statutes allow an applicant to practice veterinary medicine without supervision, with a temporary license, until the results of the next examination are published. This time period could be six months to one year, depending on whether one examination or two are given during a particular year. The board feels that allowing an applicant to practice medicine without supervision is not in the public's best interests. (Some states no longer offer temporary permits.) The Medical Board does offer temporary permits, but the applicant must have completed an internship and taken and have passed a national examination. The Division of Audit states that because there have been no complaints, they see no reason for any change. The board does not feel that we should wait for a complaint or for a problem to exist before suggesting a change. We do not feel that requiring an applicant to work under the supervision of a licensed veterinarian is that great a hardship on the applicant. In return, we feel we better guard the public's best interest.

Page 11, Paragraph 3:

Recommendation by the board that all applicants may be required by the board to take the state portion of the veterinary examination. The Division of Audit again states that they have seen no evidence which demonstrates that this change is needed. The board does not feel that waiting until there is a problem before taking action is the best approach. The state portion of the examination is of a more practical nature as opposed to the national examination which is more detailed and technical. The board feels that if a veterinarian is keeping current with continuing education, that he or she should be able to pass the practical portion of the examination. The board also realizes that once a veterinarian is given a license, it is very difficult to prove incompetence and have his or her license revoked. More and more, Alaska is becoming a popular state for people to retire in. Of this group are veterinarians who are no longer in active practice, who may have graduated twenty to thirty years ago, but who would like to be licensed to practice veterinary medicine in Alaska. This type of applicant is very difficult for the board to evaluate for competency without giving a practical examination.

Page 12, VIII:

Application picture and applicant's age--the board has instructed the department to omit the requirement of age and a recent photo from all application forms.

Appendix A, Page 14:

Expenditures, 10,000

The board questions where the 10,000 figure comes from. Certainly, per diem and travel are a very small portion. The board was denied the request to send a member to a national board of veterinary exsinsess meeting as had been done the previous two years. The board feels this is an in extant method of keeping current in trends, problems, and improvements of examining boards.

Perhaps the 10,000 amount was arrived at by taking a per cent of department expenses and allocating them to the board of veterinary examiners. We do not feel we have received this amount of service from the department.

The board feels it is important to point out that many hours of each member's time is devoted to board activities each year without monetary compensation. Filling out questionnaires, responding to reports such as the audit reports associated with the Sunset Law are examples of additional time required of board members.

The board is concerned over the large difference between revenue and expenditures. At the December 6, 1973, board meeting the board suggested that biennial renewal of license fees be increased from 50 to \$100.

Continuation of:

Power of Investigation:

Presently the board has no power of investigation. There is a department-wide investigation division that handles all complaints. The board's position is to be an impartial board and to make a ruling on the complaint after the investigation is completed. The board has no knowledge of an investigation or the person or persons being investigated nor the party making the complaint. The rationale is to assure that the board does not become influenced during an investigation but remains an impartial board enabling it to make a fair and just ruling on the complaint after the investigation is completed. The board has no complaint with this procedure; however, this procedure does create certain problems and perhaps shortcomings.

1. Many complaints are made directly to board members. The board members are the persons the public will turn to with a problem or complaint.
2. The present investigation procedure is quite slow, owing directly to a large workload.
3. Spending time investigating a complaint that is perhaps more of a misunderstanding than a complaint.
4. Investigation being performed by persons with no expertise in the field in which they are investigating.

Perhaps communication between the investigator and the board would be advantageous in the following ways:

1. Help in deciding whether or not a complaint is a serious violation of the state statutes or a minor violation or perhaps a misunderstanding.
2. Shorten the investigation necessary if the complaint is not felt to be serious or is a misunderstanding.
3. If the complaint is a serious violation, then immediate attention is necessary to decide if the complaint is valid. If the complaint is valid, then quick action would be necessary to prevent additional violations from occurring.
4. By facilitating the investigation and possibly eliminating investigation on minor complaints, time and money could be saved by the investigation division.
5. Shorten the time it is now taking to have a complaint investigated.

Page 21, Number 6, Questionnaire sent to veterinarians:

Procedures felt more relevant and useful for testing the abilities of a veterinary applicant? Most often mentioned was a practical examination.

The state portion of the board examination is primarily practical in nature. The difficulty of a practical examination is that it is difficult to avoid ambiguity and it also requires an opinion. The Professional Examining Service has now developed a practical portion of their examination and it will be incorporated into the veterinary board examination for the year 1979.

The veterinary school at Washington State University will also be contacted to see if they have slides or transparencies for our use in the examination.

*David Howe DVM
MEMBER Bd. of Veterinary Examiners*

HB 86

THE ALASKA STATE VETERINARY MEDICAL ASSOCIATION

BOX 631

ANCHORAGE, ALASKA 99501

February 7, 1979

The Honorable W. E. (Brad) Bradley
Pouch V
Juneau, Alaska 99811

Dear Senator Bradley:

The Alaska State Veterinary Medical Association has written a new practice act, known as House Bill No. 86, that will be introduced this legislative session. The purpose of my letter is to give you an understanding of the bill.

We now have a veterinary practice act which was enacted in 1963 and has had no major revisions since then. We chose to write a new act rather than revise the old because in nearly all parts of the act changes have been proposed to clarify the intent. Writing a new act seemed the easiest way to accomplish this.

We have compared the content of the old act with the proposed act. In nearly all cases, the proposed act and the old act handle regulation and licensing of the profession in the same way. Notable exceptions are as follows:

The size of the Board of Veterinary Examiners was increased from three to five members. This was done because the present board size of three members often proved inadequate due to the absence of members for various reasons.

A public member was provided as one of the members of the Board to encourage representation of the public interest in regulation of the profession.

A section was included which defines the legal responsibilities of aides and trained technicians working under the direction of a veterinarian. The present act makes no mention of persons employed by veterinarians leaving it legally open to question as to whether or to what extent a veterinarian may use these people to aid in treatment of animals.

The new act provides for the examination and registration of Animal Health Technicians. Technicians are a relatively new profession employed by veterinarians to do a wide variety of technical tasks. Many technicians are presently employed in Alaska; however, there is no provision made for them in the present statutes.

Registration is necessary for up-to-date, immediate reference of all veterinary technicians engaged in animal care in the state with reference to qualifications, addresses, license status, etc. This provision allows the Board to adopt appropriate standards for those engaged in animal technology and the issuance of permits to such persons found competent.

Temporary licensing has been changed from the existing uncontrolled situation giving temporary licenses to all applicants who qualify for a license. Under the present law a person who has never passed a national or state examination can obtain a temporary unrestricted license to practice.

The new act proposes that two classes of temporary licenses be issued:

One type would be issued to any technician qualified to take the examination provided he work with a practitioner licensed in the state.

A second type would be issued for a 60-day period to a veterinarian who is licensed in another state. The license would allow the licensee to take over the practice of a veterinarian who is absent.

Examination of licensees has been changed to require a state exam and a national exam for every applicant unless the applicant has either (1) passed a National Board Examination in the last three years, or, (2) has been an active practicing veterinarian in another state. Persons qualifying would be required to take only the state exam.

Presently, veterinarians who have "practiced" for five of the last seven years in another state may receive a license without exam. The problem with this is that the definition of "Veterinary Practice" is so broad that people involved with activities not commonly considered to be the active practice of veterinary medicine would qualify for license. Examples of this could include meat inspectors, animal consultants, and certain types of researchers. The new act would require all applicants to take the state exam.

The new act provides a legal means by which to cope with the problem of animals left in the care of veterinarians and later abandoned. This is a frequent problem that is not dealt with in the present act.

We would appreciate your support on this bill.

Respectfully,

Jon Thomas, DVM

Jon Thomas
President, AVMA

THE ALASKA STATE VETERINARY MEDICAL ASSOCIATION

BOX 631

• ANCHORAGE, ALASKA 99501

March 22, 1979

The Honorable W. E. "Brad" Bradley
Senate
Pouch 5
Juneau, Alaska 99801

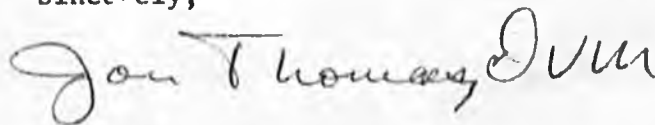
Dear Senator Bradley:

It appears that the House Budget and Audit Review (Sunset) Committee will recommend to "sunset" the veterinary board, along with many other health related boards after six months.

I feel that this action cannot be within the original concept of "Sunset Review" for the following reasons. Alternate systems to take over board functions are bound to be more costly since the boards are presently volunteer. Any new system will probably involve another level of full or parttime personnel which will add to bureaucracy and will make these positions political.

I do not think that the present veterinary board is functioning inefficiently, is "turf guarding" or is otherwise limiting competition in veterinary medicine. The minor problems that do exist could be corrected by statutory changes, policy changes in occupational licensing, improved communications with the department, and correction of funding deficiencies.

Sincerely,

A handwritten signature in cursive script that reads "Jon Thomas, DVM". The signature is written in dark ink and is positioned above the typed name and title.

Jon Thomas, DVM
President, ASVMA

S T A T E O F A L A S K A

STATUTES AND REGULATIONS
OF
LICENSED VETERINARIANS



PRINTED: JANUARY, 1971

STATE OF ALASKA

JAY S. HAMMOND
GOVERNOR

FOR INFORMATION WRITE:

Department of Commerce
Division of Occupational Licensing
Board of Chiropractic Examiners
Pouch D
Juneau, Alaska 99811

(as of 1/1/75)

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CENTRALIZED LICENSING ACT

CHAPTER 01. CENTRALIZED LICENSING

Section

- | | |
|---|---|
| 10. Applicability of chapter | 70. Administrative duties of boards |
| 20. Board organization | 80. Department regulations |
| 30. Quorum | 90. Applicability of the Administrative Procedure Act |
| 40. Transportation and per diem | 100. License renewal, lapse and re-instatement |
| 50. Administrative duties of department | 110. Definitions |
| 60. Application for license | |

Sec. 08.01.010. Applicability of chapter. This chapter applies to the

- (1) Board of Public Accountancy;
 (2) Board of Barber Examiners;
 (3) Board of Examiners in Basic Science, Repealed by Sec 6 ch 32 SLA 1971;
 (4) Board of Chiropractic Examiners;
 (5) Board of Hairdressing and Beauty Culture Examiners;
 (6) Board of Dental Examiners;
 (7) Board of Electrical Examiners;
 (8) State Board of Registration for Architects, Engineers and Land Surveyors;
 (9) State Medical Board;
 (10) Board of Nursing;
 (11) Board of Examiners in Optometry;
 (12) Board of Pharmacy;
 (13) Real Estate Commission;
 (14) Board of Veterinary Examiners;
 (15) Board of Psychologist Examiners;
 (16) Collection Agency Board;
 (17) Board of Welding Examiners;
 (18) Board of Marine Pilots. (sec 1 ch 59 SLA 1966; am sec 2 ch 136 SLA 1967; am sec 2 ch 101 SLA 1968; am sec 2 ch 143 SLA 1968; am sec 2 ch 151 SLA 1968; am sec 1 ch 106 SLA 1970; am sec 6 ch 32 SLA 1971; am sec 3 ch 179 SLA 1972)

Effect of amendments.-The 1967 amendment added paragraph (15).

The first 1968 amendment, effective May 1, 1968, added paragraph (16).

The second 1968 amendment substituted "Veterinary" for "Veterinarian" in paragraph (14).

The third 1968 amendment added paragraph (17).

The 1970 amendment added paragraph (18).

The 1971 amendment repealed paragraph (3).

Editor's note.-Section 2, ch. 59, SLA 1966, provides: "The Department of Commerce shall provide for the orderly transfer

of the service functions which are to be performed by the department under this chapter."

Section 4, ch. 59, SLA 1966, provides: "A provision in existing law which conflicts with this Act is superseded by this Act."

Legislative committee report.- For legislative committee report on ch. 143, SLA 1968 (HB 707), see House Journal (1968), p. 836.

For report on ch. 32, SLA 1971 (HB 111 am), see 1971 House Journal, p. 138.

Sec. 08.01.020. Board organization. Unless otherwise provided, all board members are appointed by the governor and serve at his pleasure. Unless otherwise provided, the governor shall designate the chairman of the board, and all other officers shall be elected by the board members. (sec 1 ch 59 SLA 1966)

Sec. 08.01.030. Quorum. A majority of the membership of a board constitutes a quorum unless otherwise provided. (sec 1 ch 59 SLA 1966)

Sec. 08.01.040. Transportation and per diem. A board member is entitled to transportation expenses and per diem as set out in AS 39.20.180. (sec 1 ch 59 SLA 1966)

Sec. 08.01.050. Administrative duties of department. The Department of Commerce shall provide the following administrative and budgetary services for the boards:

- (1) collect fees and issue receipts;
- (2) maintain records and files;
- (3) issue and receive application forms;
- (4) notify applicants of acceptance or rejection of applicants as determined by the board;
- (5) designate dates examinations are to be held and notify applicants;
- (6) publish notice of examination;
- (7) arrange space for holding examinations;
- (8) notify applicants of results of examinations;
- (9) issue licenses and certificates or temporary licenses or certificates as authorized by the board;
- (10) issue duplicate licenses or certificate upon proof of loss of the original and payment of a fee of \$2;
- (11) notify licensees of renewal dates at least 30 days before the expiration date of their licenses;
- (12) compile and maintain current a register of licenses;
- (13) answer routine inquiries;
- (14) maintain files relating to individual licensees;
- (15) arrange for printing and advertising;
- (16) purchase supplies;
- (17) employ secretarial help when needed;
- (18) perform other services which may be requested by the board. (sec 1 ch 59 SLA 1966)

Sec. 08.01.060. Application for license. All applications for examination or licensing to engage in the business or profession covered by this chapter shall be made in writing to the department. (sec 1 ch 59 SLA 1966)

Sec. 08.01.070. Administrative duties of boards. Each board shall perform the following duties in addition to those provided in its respective law:

- (1) keep minutes and records of all proceedings;
- (2) hold a minimum of one meeting each year;
- (3) hold at least one examination each year;
- (4) request, through the department, investigation of violations of its laws and regulations;
- (5) prepare and grade examinations;

(6) pass on qualifications of applicants for examination and license;

(7) forward minutes of meeting to the department within 20 days;

(8) forward results of examinations to the department;

(9) notify the department of meetings dates at least 15 days before meeting. (sec 1 ch 59 SLA 1966)

Sec. 08.01.080. Department regulations. The department shall adopt regulations to carry out the purposes of this chapter including but not limited to describing

(1) how an examination is to be conducted;

(2) what is contained in application forms;

(3) how a person applies for an examination or license. (sec 1 ch 59 SLA 1966)

Sec. 08.01.090. Applicability of the Administrative Procedure Act. The Administrative Procedure Act (AS 44.62) applies to regulations and proceedings under this chapter. (sec 1 ch 59 SLA 1966)

Sec. 08.01.100. License renewal, lapse and reinstatement.

(a) All licenses shall be renewed biennially on the dates set by the department with the approval of the respective board.

(b) A registration, license, permit or certificate requiring renewal to continue effective must be renewed on or before the date set by the department or it will lapse. A penalty of \$10 shall be charged in addition to all delinquent renewal fees for reinstatement of a registration, license, permit or certificate which remains lapsed for more than 60 days. (sec 1 ch 59 SLA 1966; am sec 2 ch 94 SLA 1968)

Effect of amendment.--The and added subsection (b). 1968 amendment designed the former section as subsection (a)

Sec. 08.01.110. Definitions. In this chapter

(1) "board" includes the boards and commissions listed in sec 10 of this chapter;

(2) "department" means the Department of Commerce. (sec 1 ch 59 SLA 1966)

CHAPTER 98. VETERINARIANS

CHAPTER 90. VETERINARIANS

Article

1. Board of Veterinary Examiners (Secs 08.98.010 - 08.98.100)
2. Licensing (Secs 08.98.120 - 08.98.210)
3. Enforcement (Sec. 08.98.230)
4. General Provisions (Sec 08.98.250)

ARTICLE 1. BOARD OF VETERINARY EXAMINERS

Section	Section
10. Creation and membership of board	60. Board regulations
20. Appointment and term of office	70. Duties of the department
30. Executive secretary of board	80. Department regulations
40. Board meetings	90. Applicability of the Administrative Procedure Act
50. Duties of the board	100. Compensation

Sec. 08.98.010. CREATION AND MEMBERSHIP OF BOARD. There is a Board of Veterinary Examiners. It consists of three licensed veterinarians. (Sec 1 ch 91 SLA 1963; am sec 1 ch 94 SLA 1966)

Effect of amendment. - The 1966 amendment substituted "Veterinary" for "Veterinarian" in the first sentence.

Editor's note. - Section 2, ch 91, SLA 1963, states: "A person is entitled to a license under AS 08.98 without examination who has been graduated from an approved school of veterinary medicine, surgery, or dentistry, who applies and pays a fee of \$10, and who has continuously engaged in the prac-

tice of veterinary medicine in the state for at least 12 months immediately preceding the effective date of this Act."

Editor's note. - Section 3, ch. 91, SLA 1963, states: "The governor may appoint to board unlicensed veterinarians who have practiced veterinary medicine, surgery, or dentistry in this state for at least the two years preceding July 1, 1963, until at least three veterinarians are licensed."

Sec. 08.98.020. APPOINTMENT AND TERM OF OFFICE. The governor shall appoint the members of the board, with the confirmation of the legislature, for terms of four years, or until their successors are appointed. A member serves at the pleasure of the governor. The first members shall be initially appointed for two, three and four-year terms. (Sec 1 ch 91 SLA 1963)

Sec. 08.98.030. EXECUTIVE SECRETARY OF BOARD. The commissioner of commerce is the executive secretary of the board. (Sec 1 ch 91 SLA 1963)

Sec. 08.98.040. BOARD MEETINGS. The board shall hold a regular annual meeting. The board may hold special meetings at the call of the chairman with prior approval of the governor. (Sec 1 ch 91 SLA 1963)

Sec. 08.98.050. DUTIES OF THE BOARD. The board shall

(1) pass on qualifications of applicants for licenses and issue licenses to those who qualify;

(2) prepare and grade examinations, provided that the board may use examinations prepared by the National Board of Veterinary Examiners;

(3) after hearing, have the authority to suspend or revoke the license of a licensed veterinarian who

- (A) obtained his license by fraud, misrepresentation, or deception;
- (B) is chronically drunk or is a drug addict;
- (C) make truthful statements about his professional ability, to solicit business;
- (D) distributes alcohol or drugs except as required by the practice of veterinary medicine, surgery, or dentistry;
- (E) in his professional capacity, conducts himself in a way that indicates he is not a competent veterinarian;
- (F) is convicted of a felony or any crime involving moral turpitude;
- (G) falsifies an official state or federal certificate relating to veterinary medicine. (Sec 1 ch 91 SLA 1963; am sec 2 ch 94 SLA 1966; am sec ch 54 SLA 1967)

Effect of amendments. - The 1966 amendment added the proviso at the end of paragraph (2). The 1967 amendment added paragraph (3) (G).

Sec. 08.98.060. BOARD REGULATIONS. (a) The board shall adopt procedural regulations describing how a person applies for and take an examination under this chapter.

(b) The board shall adopt substantive regulations

- (1) defining conduct which, if engaged in by a veterinarian, is evidence of incompetence;
- (2) specifying approved schools under sec 170(1) of this chapter;
- (3) specifying the subject matter to be covered in an examination for veterinarians. (Sec 1 ch 91 SLA 1963)

Sec. 08.98.070. DUTIES OF THE DEPARTMENT. The department shall furnish the board with administrative services, including renting space for holding examinations, printing and mailing licenses, sending notices, before December 1 of each year, that licenses must be renewed, collecting fees and issuing receipts, keeping a current register of licensees, employing secretarial assistants, replying to routine requests for information, printing forms and informational bulletins, typing all matter to be reproduced, maintaining records and completed examinations, and keeping records of receipts and disbursements. (Sec 1 ch 91 SLA 1963; am sec 3 ch 94 SLA 1966)

Effect of amendment. - The 1966 amendment deleted "proctoring examinations," following "printing examinations" following "holding examinations."

Sec. 08.98.080. DEPARTMENT REGULATIONS. The department shall adopt procedural regulations necessary to carry out the duties imposed on it by sec 70 of this chapter. (Sec 1 ch 91 SLA 1963)

Sec. 08.98.090. APPLICABILITY OF THE ADMINISTRATIVE PROCEDURE ACT. The Administrative Procedure Act (AS 44.62) applies to regulations and proceedings under this chapter. (Sec 1 ch 91 SLA 1963)

Sec. 08.98.100. COMPENSATION. Members of the board are entitled to per diem allowances and transportation expenses all wed by law and paid members of other state examining boards. (Sec 1 ch 91 SLA 1963)

ARTICLE 2. LICENSING

Section	Section
120. License required	170. Qualification for examination
130. Examination	180. Temporary license
140. Content of examination	190. Fees
150. Administration of examination	200. Reinstatement of lapsed license
160. Re-examination	210. Out-of-state veterinarian

Sec. 08.98.120. LICENSE REQUIRED. No person may practice veterinary medicine, surgery, or dentistry unless he is licensed under this chapter. (Sec ch 91 SLA 1963)

Sec. 08.98.130. EXAMINATION. A person who passes the examination given by the board is entitled to be licensed as a veterinarian. (Sec 1 ch 91 SLA 1963)

Sec. 08.98.140. CONTENT OF EXAMINATION. The examination shall be in veterinary anatomy, surgery, medicine, obstetrics, pathology, chemistry, diagnosis, materia medica, therapeutics, physiology, sanitary medicine, dentistry, and other scientific subjects related to the practice of veterinary medicine, surgery, and dentistry. (Sec 1 ch 91 SLA 1963)

Sec 08.98.150. ADMINISTRATION OF EXAMINATION. The board shall offer examinations at least once a year. Examinations shall be so administered that, whenever possible, one who grades a written examination does not know whose paper he is grading. (Sec 1 ch 91 SLA 1963; am sec 4 ch 94 SLA 1966)

Effect of amendment. - The 1966 amendment inserted "whenever possible" in the second sentence and deleted the former last sentence, which pertained to the filing and inspection of examination papers.

Sec. 08.98.160. RE-EXAMINATION. A person who fails an examination may apply for a subsequent examination, but shall pay the examination fee each time he applies. (Sec 1 ch 91 SLA 1963)

Sec. 08.98.170. QUALIFICATION FOR EXAMINATION. A person is entitled to take the examination who

(1) was graduated from a school of veterinary medicine approved by the board;

(2) Repealed by sec 25 ch 245 SLA 1970.

(3) has completed application forms and returned them to the board;

(4) has paid the fee specified in sec 190 of this chapter;

(5) has not had a veterinarian license revoked for cause in another jurisdiction;

(6) is of good moral character. (Sec 1 ch 91 SLA 1963; am secs 5, 6 ch 94 SLA 1966; am sec 25 ch 245 SLA 1970)

Effect of amendment. - The 1966 amendment deleted "examination" preceding "fee" in paragraph (4) and added paragraph (6).

Legislative committee report. - Chapter 245, SLA 1970 (HCSSE 399 am H), was identical to CSHB 406 (Jud.) For report on CSHB 406 (Jud.), see 1970 House Journal Supplement No. 6.

Effect of amendment. - The 1970 amendment repealed paragraph (2).

Sec. 08.98.180. TEMPORARY LICENSE. A person who meets the requirements of sec 170 of this chapter is entitled to be licensed. A license issued under this section is valid until the results of the examination following the issuance of the license are published. No person may receive more than one license under this section. (Sec 1 ch 91 SLA 1963; am sec 7 ch 94 SLA 1966)

Effect of amendment. - The 1966 amendment substituted "sec 170" for "sec 170(1) and (2)" in the first sentence, deleted "who has completed application forms and returned them to the board, and who has paid the temporary license fee" following "chapter" in such sentence, and deleted the former second sentence, which pertained to waiver by the board of the requirements of secs 170(3) and (4) of this chapter.

Sec. 08.98.190. FEES. The following fees shall be imposed under this chapter when applicable:

- (1) examination fee \$25
 - (2) reciprocity fee 25
 - (3) initial license fee 25
 - (4) biennial renewal 50
 - (5) temporary license 10
- (Sec 1 ch 91 SLA 1963; am sec 1 ch 53 SLA 1968)

Effect of amendment. - The 1968 amendment rewrote this section.

Sec. 08.98.200. REINSTATEMENT OF LAPSED LICENSE. A person whose license has lapsed is entitled to have his license reinstated without taking an examination unless his license has remained lapsed more than five years. (Sec 1 ch 91 SLA 1963; am sec 2 ch 53 SLA 1968)

Effect of amendment. - The 1968 amendment rewrote this section.

Sec. 08.98.210. OUT-OF-STATE VETERINARIAN. A veterinarian in good standing in a veterinary association of another state or territory or the District of Columbia which licenses veterinarians to practice veterinary medicine may be licensed without examination and otherwise upon substantially the same terms and conditions as are fixed in the jurisdiction from which he has come for the licensure of a veterinarian from this state. As a prerequisite to licensure the board shall require a veterinarian to take and pass an examination, unless the applicant has

- (1) passed a state veterinarian examination;
- (2) engaged in the active practice of veterinary medicine for at least five out of the previous seven years before filing the application excluding

time spent in the military service of the United States;

(3) graduated from an accredited school of veterinary medicine;

(4) met the character requirements established by the board. (Sec 1 ch 91 SLA 1963; am sec 8 ch 94 SLA 1966; am sec 2 ch 54 SLA 1967)

Effect of amendments. - The 1966 amendment rewrote this section. The 1967 amendment also rewrote this section.

ARTICLE 3. ENFORCEMENT

Section 230. Injunction

Sec. 08.98.230. INJUNCTION. When it appears that a person has engaged in or is about to engage in an act constituting a violation of sec 120 of this chapter, the board, through its executive secretary, shall bring an action in the superior court to enjoin the act and to enforce compliance with sec 120 of this chapter. (Sec 1 ch 91 SLA 1963)

ARTICLE 4. GENERAL PROVISIONS.

Section 250. Definitions

Sec. 08.98.250. DEFINITIONS. In this chapter

(1) a person who practices veterinary medicine, surgery, or dentistry is one who does any of the following:

(A) appends to his name a title or abbreviation indicating to the public that he is a veterinarian;

(B) for compensation, diagnoses or treats diseases, injuries, or deformities of domesticated animals;

(C) holds himself out to the public as one who diagnoses or treats diseases, injuries, or deformities of domesticated animals;

(D) maintains premises for receiving, examining, and treating a domesticated animal for compensation;

(2) "board" means the Board of Veterinary Examiners;

(3) "department" means the Department of Commerce. (Sec 1 ch 91 SLA 1963)

Editor's note. - In light of the 1966 amendment of AS 08.98.010, it appears that "Board of Veterinarian Examiners" in paragraph (2) of this section should read "Board of Veterinary Examiners."

Editor's note. - "Veterinarian" has been changed to "veterinary" in paragraph (2) of this section as set out above. Editor's note in original should be disregarded.

CHAPTER 68. BOARD OF VETERINARY EXAMINERS

TITLE 12. PROFESSIONAL AND VOCATIONAL REGULATIONS

CHAPTER 68. BOARD OF VETERINARY EXAMINERS

Article

1. Examinations (12 AAC 68.010 - 12 AAC 68.040)
2. Evidence of Incompetence (12 AAC 68.050 - 12 AAC 68.120)

Section

10. Applications
20. Time and Place of Examinations
30. Notifications of Applicants
40. Applications for License

12 AAC 68.010. APPLICATIONS. (a) An application for examination to practice veterinary medicine, surgery, or dentistry shall be made in writing to the Department of Commerce on a form prescribed and furnished by the Department. The fee required by AS 08.98.190 shall accompany the application form.

(b) An applicant may be required to furnish other information to demonstrate that he meets the minimum qualifications of AS 08.98.170.

(c) An application for examination must be postmarked no later than 60 days before the examination date. (Eff. 3/27/71, Register 37)

Authority: AS 08.98.060(a)
AS 08.98.070

12 AAC 68.020. TIME AND PLACE OF EXAMINATION. (a) The time and place of the examination will be published by all major newspapers, in the State of Alaska, at least six months before the examination date.

(b) The Department of Commerce will arrange for space in which the examination is given. (Eff. 3/27/71, Register 37)

Authority: AS 08.98.060(a)
AS 08.98.070

12 AAC 68.030. NOTIFICATION OF APPLICANTS. (a) All applicants will be notified in writing of the time and place of the examination by the Department of Commerce at least 10 days before the examination.

(b) An applicant will be advised by the Department of his grade in writing no later than 60 days following the grading of the examination by the Board. (Eff. 3/27/71, Register 37)

Authority: AS 08.98.060(a)

12 AAC 68.040. APPLICATION FOR LICENSE. An application for a license is included on the same form used for the application

BOARD OF VETERINARY EXAMINERS

for examination. Space is provided on the form to indicate whether licensing will be by examination or by waiver of examination. (Eff. 3/27/71, Register 37)

Authority: AS 08.93.060
AS 08.98.210

ARTICLE 2. EVIDENCE OF INCOMPETENCE

Section

- 50. Evidence of Incompetence
- 60. Approved Schools
- 70. Conflict of Interest
- 80. Treatment of Patients
- 90. Certificate of Health
- 100. Confidential Relationship
- 110. Testimonials
- 120. Soliciting

12 AAC 68.050. EVIDENCE OF INCOMPETENCE. The following conduct is considered evidence of incompetence of an applicant:

- (1) a judgement of insanity by a competent court;
- (2) a conviction of a violation of a federal or state law relating to narcotic drugs;
- (3) A conviction of malpractice in veterinary medicine surgery or dentistry. (Eff. 3/27/71, Register 37)

Authority: AS 08.98.060

12 AAC 68.060. APPROVED SCHOOLS. A school of veterinary medicine that is recognized and approved by the American Veterinary Medical Association is approved by the Board.* (Eff. 3/27/71, Register 37)

Authority: AS 08.98.060 b) (2)

12 AAC 68.070. CONFLICT OF INTEREST. It is unprofessional to represent conflicting interest, except by express consent of all concerned, given after a full disclosure of the facts. A conflict of interest results when a veterinarian is employed by a buyer to inspect an animal for soundness or other reason, and he accepts a fee from the seller. Acceptance of a fee from both the buyer and the seller is evidence of unprofessional conduct for the purposes of AS 08.98.050. (Eff. 3/27/71, Register 37)

Authority: AS 08.98.050(3)(E)
AS 08.98.060(b)(1)

*A list of approved schools may be obtained from the American Veterinary Medical Association.

BOARD OF VETERINARY EXAMINERS

12 AAC 68.080. TREATMENT OF PATIENTS. A licensed Veterinarian shall exercise the degree of care, skill and diligence in treating patients that is ordinarily used in the same or similar circumstances by average members of the veterinary medical profession in the community in which he practices. Failure to comply with this section constitutes incompetence for the purpose of AS 08.98.050 (3) (E). (Eff. 3/27/71, Register 37)

Authority: AS 08.98.050 (3) (E)
AS 08.98.060 (b) (1)

12 AAC 68.090. CERTIFICATE OF HEALTH. No licensed veterinarian may issue a certificate of health for an animal unless he performs the inspection and the appropriate tests it required. (Eff. 3/27/71, Register 37)

Authority: AS 08.98.050 (3) (E)
AS 08.98.060 (b) (1)

12 AAC 68.100. CONFIDENTIAL RELATIONSHIP. A licensed veterinarian shall maintain a confidential personal relationship between himself and his client, or his client's authorized agent. (Eff. 3/27/71, Register 37)

Authority: AS 08.98.050 (3) (E)
AS 08.98.060 (b) (1)

12 AAC 68.110. TESTIMONIALS. No licensed veterinarian may write testimonials endorsing proprietary remedies, instruments, equipment or food except that reports of the results of properly controlled experiments or clinical studies are permitted if given publicity through scientific journals or meetings. (Eff. 3/27/71, Register 37)

Authority: AS 08.98.050 (3) (E)
AS 08.98.060 (b) (1)

12 AAC 68.120. SOLICITING. (a) No member of the veterinary profession may utilize the services of solicitors. No licensed veterinarian may participate in arrangements which share the proceeds from professional services with individuals who may have been instrumental in his having been selected to perform the particular service.

(b) A licensed veterinarian shall avoid the impropriety of employing questionable methods to attract public attention or claim to possess superior knowledge or skill in the treatment or prevention of a disease. (Eff. 3/27/71, Register 37)

Authority: AS 08.98.050 (3) (E)
AS 08.98.060 (b) (1)

STATE OF ALASKA
DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT
DIVISION OF OCCUPATIONAL LICENSING
POUCH D
Juneau, Alaska 99811

PROCEDURE FOR OBTAINING A LICENSE TO PRACTICE VETERINARY MEDICINE IN ALASKA.

The Alaska Statutes state that no person may practice veterinary medicine, surgery or dentistry in the State without first obtaining an Alaska license. (Reference: Alaska Statutes 08.98.120)

EXAMINATION: The following documents must be on file before your application for examination will be considered;

1. Completed, notarized application, which must be accompanied by:
 - (a) Certified copy of veterinary college diploma, or certified letter from college attesting to successful graduation.
 - (b) The four attached reference letters must be completed and notarized by the references listed on your application and they must be submitted with your application.
 - (c) Fees:
 1. \$25.00 examination
 2. \$25.00 initial license fee, which must be submitted before your license will be issued and may be submitted with your application.
 - (d) A letter of recommendation, if applicable, from a state association, a local association and three veterinarians attesting to your skills. (New graduates are exempt)
 - (e) Resume and reason for seeking licensure in Alaska.
2. The attached "verification of license" form must be completed by each state in which you have been licensed and then forwarded directly to this office. (Two are attached)

TEMPORARY LICENSE: If you wish to practice in the State while waiting for the next examination held by the Board of Veterinary Examiners, you may apply for a temporary license by submitting ALL THE ABOVE ITEMS AND THE \$10.00 TEMPORARY LICENSE FEE.

LICENSURE BY WAIVER OF EXAMINATION. The following documents must be on file before your application for licensure by waiver of examination will be considered:

1. Completed, notarized application, which must be accompanied by:
 - (a) Certified copy of veterinary college diploma, or certified letter from the college attesting to successful graduation.

- (b) The four attached reference letters must be completed and notarized by the references listed on your application, and they must be submitted with your application.
 - (c) Certified evidence of having been engaged in the active practice of veterinary medicine for five out of the previous seven years, excluding military service, before date of application. Notarized statements may be provided by previous employers or by character reference. Evidence must be submitted with your application (Statements of licensure only for the period of time are not sufficient evidence of active practice).
 - (d) A report of the scores you obtained in the P.E.S. examination. THESE SCORES MUST BE REPORTED FROM THE INTERSTATE REPORTING SERVICE OF THE PROFESSIONAL EXAMINATION SERVICE, 475 RIVERSIDE DRIVE, NEW YORK, NEW YORK 10027.
 - (e) A letter of recommendation from three veterinarians attesting to your skills, and, if applicable, a letter from a State association and a local association.
 - (f) Fees:
 - (1) \$25.00 waiver of examination fee
 - (2) \$25.00 initial license fee, which must be submitted before your license will be issued and may be submitted with your application.
2. The attached "verification of license" forms must be completed by each state in which you have been licensed and then forwarded directly to this office (Two are attached).
3. Certified evidence of the successful completion of a State veterinary examination must be submitted directly to this office.

FOREIGN GRADUATES: A foreign graduate of veterinary medicine must have taken and passed the Education Commission for Foreign Veterinary Graduates (E.C.F.V.G.) examination. A certified copy of the E.C.F.V.G. certificate must be submitted with the application.

PLEASE NOTE: YOUR APPLICATION AND CREDENTIALS WILL BE RETURNED TO YOU IF THEY ARE INCOMPLETE.

YOUR APPLICATION AND REFERENCE LETTERS MUST BE NOTARIZED AND ALL COPIES OF DOCUMENTS MUST BE CERTIFIED TO BE TRUE COPIES OF THE ORIGINAL DOCUMENTS.

STATE OF ALASKA
DEPARTMENT OF COMMERCE
DIVISION OF OCCUPATIONAL LICENSING
POUCH "D"
JUNEAU, ALASKA 99811

APPLICATION FOR VETERINARY LICENSURE

I hereby apply for a license to practice veterinary medicine, surgery, and dentistry in the State of Alaska by EXAMINATION (), by WAIVER OF EXAMINATION (). THIS APPLICATION MUST BE COMPLETED IN FULL. If any section does not apply, the applicant will so indicate in the space provided.

Name _____
(Name in full, including middle name)

Mailing Address _____ Zip Code _____

Place and Date of Birth _____ Age _____

Educational Status:	
High School _____	_____
Name and location	date graduated
College or University _____	_____
Name and location	degree received, if any
School of Veterinary Medicine _____	_____
Name and location	dates attended
_____	_____
Diploma received	date of diploma

Professional Status: I am a member in good standing in the following Veterinary Medical Associations:

1. _____
Name Location
2. _____
Name Location
3. _____
Name Location

Occupational Status: List positions you have held for the past seven years only.

1. _____
Name of employer Address Position held

Dates of employment

2. _____
Name of employer Address Position held

Dates of employment

3. _____
Name of employer Address Position held

Dates of employment

I have been licensed to practice veterinary medicine in the following states:

1. _____
State Board Certificate number Date of issue Certificate current?

2. _____
State Board Certificate number Date of issue Certificate current?

3. _____
State Board Certificate number Date of issue Certificate current?

List four references who have knowledge of your character and professional abilities.

1. _____
Name Address Zip Code

2. _____
Name Address Zip Code

3. _____
Name Address Zip Code

4. _____
Name Address

Make any additional statement you may deem of value to the board:

If granted a license I will be governed by the rules and regulations of the Alaska State Board of Veterinary Examiners, and will at all times observe and abide by the Code of Ethics adopted by the Board.

Signature of Applicant

Date

Subscribed and sworn before me, a notary public in and for the State of _____,
this _____ day of _____, 19____.

Notary

SEAL

My commission expires

STATE OF ALASKA

JAY S. HAMMOND, Governor

DEPARTMENT OF COMMERCE
and Economic Development
DIVISION OF OCCUPATIONAL LICENSING

POUCH D — JUNEAU 99801
PHONE 465-2544

CERTIFICATE OF GOOD MORAL CHARACTER

THIS CERTIFIES THAT I HAVE BEEN PERSONALLY ACQUAINTED
WITH _____ OF _____,
FOR _____ YEARS AND THAT I KNOW HIM/HER TO BE OF GOOD MORAL
CHARACTER, NOT ADDICTED TO THE USE OF HABIT-FORMING DRUGS OR
INTEMPERANCE AND I HEREBY RECOMMEND HIM/HER TO THE BOARD OF
_____ OF ALASKA AS ENTIRELY
WORTHY TO BE LICENSED TO PRACTICE _____ IN
ALASKA PURSUANT TO LAW.

NAME: _____

ADDRESS: _____

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY
OF _____, 19 ____.

NOTARY PUBLIC

MY COMMISSION EXPIRES _____

SEAL

STATE OF ALASKA

JAY S. HAMMOND, Governor

DEPARTMENT OF COMMERCE
and Economic Development
DIVISION OF OCCUPATIONAL LICENSING

POUCH D -- JUNEAL 99801
PHONE 465-2544

CERTIFICATE OF GOOD MORAL CHARACTER

THIS CERTIFIES THAT I HAVE BEEN PERSONALLY ACQUAINTED
WITH _____ OF _____
FOR _____ YEARS AND THAT I KNOW HIM/HER TO BE OF GOOD MORAL
CHARACTER, NOT ADDICTED TO THE USE OF HABIT-FORMING DRUGS OR
INTEMPERANCE AND I HEREBY RECOMMEND HIM/HER TO THE BOARD OF
_____ OF ALASKA AS ENTIRELY
WORTHY TO BE LICENSED TO PRACTICE _____ IN
ALASKA PURSUANT TO LAW.

NAME: _____

ADDRESS: _____

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY
OF _____, 19 ____.

NOTARY PUBLIC

MY COMMISSION EXPIRES _____

SEAL

VERIFICATION OF LICENSURE

I am applying for a certificate to practice veterinary medicine in the State of Alaska. The Alaska State Board of Veterinary Examiners requires that this form be completed by each jurisdiction in which I hold or have held licenses. Please complete the form and return it to:

DEPARTMENT OF COMMERCE
Division of Occupational Licensing
Alaska State Board of Veterinary Examiners
Pouch D
Juneau, Alaska 99811

Full Name of Applicant

Mailing Address

City State Zip Code

PLEASE DO NOT DETACH

.....

I, _____ certify that _____
Secretary of Board Name of Applicant

holds license number _____ issued on _____, 19__ by (examination)
(reciprocity)(endorsement). This applicant's license has never been
revoked and is current and in good standing with this board.
In testimony whereof witness my hand and seal.

Signed

(Void without Seal)

Designate Name of Board

Address

City State Zip Code

Comments: