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CHAIRMAN'S INFORMATION: HB 251

1) BILL TITLE: "An act extending the termination date of the Board of Veterinary Examiners; and providing for an effective date."

a) Introduced: Senate Labor and Commerce Committee

b) Co-sponsors:

2) INTENT: This measure extends the Board of Veterinary Examiners until June 30th, 1989. A Joint House and Senate Labor and Commerce sunset hearing has been held on the Board of Veterinary Examiners.

FISCAL NOTE: 0

3) ADDITIONAL REFERRALS: Rules

4) PUBLIC HEARINGS:

a) Sponsor:

b) Public Witnesses:

5) BILL ACTION:

a) Hold in committee?

b) Assign to sub committee for further review?

c) Move from committee?

d) Close public hearings?

6) COMMITTEE ACTION?

a) amendments?

b) CS adoption?

BOARD: VETERINARY EXAMINERS, BOARD OF

TITLE: Board of Veterinary Examiners

DEPT: Department of Commerce and Economic Development

AUTHORITY: AS 08.98.010

STATUS: 85/06/30

REQUIREMENTS: LEGISLATIVE CONFIRMATION

PROHIBITIONS: Cannot serve more than two successive complete terms

TERM: 4 years - staggered

DESCRIPTION: 5 members appointed by Governor: 4 licensed veterinarians in active practice in Alaska for 5 years; plus 1 public member; no person may serve who is, or was during the two years immediately preceding appointment, a member of a faculty, board of trustees, or advisory board of a veterinary school.

SPECIAL FACTS: May be removed for cause; quorum - majority

FUNCTION: Regulates and controls applications, licenses, and permits of veterinarians

COMPENSATION: Standard travel/per diem

MEETINGS: At least 3 annually; normally 3 times per year, 3 days maximum, plus 2-4 work sessions

*FOR FURTHER INFORMATION CONTACT: Licensing Examiner, Division of Occupational Licensing, Dept. of Commerce and Economic Development, Box D, Juneau, AK 99811 - 465-2544

Veterinary Examiners

<u>MEMBER</u>	<u>APPT</u>	<u>REAPPT</u>	<u>TERM</u>
David V. George 2505 David Street #49 Juneau 99801 Public	85/06/11		88/01/31
Derrick J. Leedy, DVM P.O. Box 1164 Nome 99762 Veterinarian	85/06/28		89/01/31
Stephen A. Mersch, DVM SR2 Box 880 Soldotna 99669 Veterinarian	84/03/30		87/01/31
Val D. Stuve, DVM 1651 College Road Fairbanks 99701 Veterinarian - Chairman	82/01/75		86/01/31
Pamela A. Tuomi, DVM 2036 East Northern Lights Anchorage 99508 Veterinarian	80/04/01	84/04/09	88/01/31

THIS MEASURE EXTENDS THE TERMINATION DATE FOR THE BOARD OF VETERINARY EXAMINERS UNTIL JUNE 30, 1989. THE SENATE LABOR AND COMMERCE COMMITTEE HELD SUNSET REVIEW HEARINGS ON THIS BOARD AND THE SUNSET REPORT HAS BEEN SUBMITTED TO THE SENATE SECRETARY. I URGE FAVORABLE CONSIDERATION BY THE BODY.

A PERFORMANCE REPORT
ON THE
BOARD OF VETERINARY EXAMINERS
May 27, 1980, to June 30, 1984

Audit Control Number
08-1167-84-R

Commissioner, Department of
Commerce and Economic Development

Richard A. Lyon

Deputy Commissioners, Department of
Commerce and Economic Development

Vince O'Reilly
Terry Elder

Members of the Board of Veterinary Examiners

Chairman
Member
Member
Member
Member

D. Stuve, D.V.M.
Paula Ann Tuomi, D.V.M.
Dorothy Troehlich
Vernon Starks, D.V.M.
Stephen Mersch, D.V.M.

STATE OF ALASKA

AUDIT DIVISION
POUCH W
JUNEAU, ALASKA 99811

THE LEGISLATURE

BUDGET AND AUDIT COMMITTEE

July 24, 1984

Members of the Legislative Budget
and Audit Committee:

In accordance with the provisions of Title 24 and 44 of the
Alaska Statutes (sunset), the attached report is submitted
for your review.

A PERFORMANCE REPORT
ON THE
BOARD OF VETERINARY EXAMINERS

May 27, 1980, to June 30, 1984

Audit Control Number

08-1167-84-R



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

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PURPOSE AND SCOPE OF THE REPORT

PURPOSE

In accordance with the intent of Alaska Statutes 24.20.271(1) and 44.66.050 (sunset legislation), a review of the activities and accomplishments of the Board of Veterinary Examiners was conducted to determine if the Board has been operating in an efficient, effective, 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, 1985, but will continue until June 30, 1986, for the purpose of concluding its affairs.

SCOPE

The major areas of our examination were the licensing, examination, administration, and complaint functions of the Board. We reviewed and evaluated the following:

1. Applicable statutes and regulations.
2. Interviews with the license examiner.
3. Tests of files and documents of licensees.
4. Complaints filed with the Division of Occupational Licensing, Human Rights Commission, Equal Employment Opportunity Office, Attorney General's Office, and the Ombudsman Office.
5. Discussions with Board members.
6. Minutes of Board meetings and Division correspondence files.
7. Attorney General Opinions applicable to professional boards.

ORGANIZATION AND FUNCTION

The Board of Veterinary Examiners is a regulatory board consisting of four licensed veterinarians and one public member. The authority of the Board is outlined within Alaska Statutes 08.98.010-.250.

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 to enforce State statutes; and
3. Holding hearings to revoke or suspend the license of a person violating the veterinary statutes and regulations.

The Board is organized under the Department of Commerce and Economic Development, Division of Occupational Licensing (OL). OL provides the Board with licensing and investigative support. The licensing section processes applications, maintains license files, answers inquiries, and provides other administrative help.

REPORT CONCLUSION

Policy Issues

This report 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 report but require legislative consideration. In debating these issues, the oversight committees should take into consideration the findings and recommendations presented in this report so the potential impact of policy charges can be evaluated.

Report Conclusion

In our opinion, the Board of Veterinary Examiners should be reestablished. The regulation and licensing of qualified professionals is necessary to protect the public's health, safety, and welfare. The Board provides this service by establishing minimum educational and experience requirements that provide reasonable assurance that persons licensed are qualified. Also, assurance that those licensed act in a competent manner is provided by active investigation of complaints and revocation or suspension of licenses where appropriate.

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ANALYSIS OF PUBLIC NEED

Limited Analysis

The following analyses of the Board's activities relate to the public need factors defined in the "sunset" law. These analyses are not intended to be all-inclusive, but address those areas we were able to cover within the scope of our review.

- I. The extent of which the board, commission, or program has operated in the public interest.
 - A. The Board has served the public by examining and licensing qualified applicants, and proposing changes in regulations that are necessary to enforce State statutes and improve the quality of veterinary care. To conduct these functions the Board has held an average of three board meetings and two examination sessions a year for the past two calendar years.
 - B. Specifically, the Board has enhanced the practice of veterinary care by adopting regulations concerning:
 1. the maintenance of competency of practitioners through continuing education;
 2. the establishment of standards for the practice of veterinary medicine;
 3. the disbursement of prescription drugs; and
 4. the establishment and control of activities relating to veterinary technicians.
- II. The extent to which the operation of the board, commission, or agency program has been impeded or enhanced by existing statutes, procedures, and practices which it has adopted, and any other matter, including budgetary, resource, and personnel matters.
 - A. The public's confidence and well-being has been enhanced through a statute amendment of requiring a public member on the Board. Currently, the Board membership consists of four licensed veterinarians and one public member.

- III. The extent to which the board, commission, or agency has recommended statutory changes which are generally of benefit to the public interest.
- A. The Board has proposed statutory changes concerning qualifications for licensure, temporary licensing, temporary permits, and licensing applicants by credentials. To improve veterinary care, the Board has proposed to amend the statutes by adding a new section concerning emergency treatment for injured animals. These proposed changes are currently under review in the Department of Law and have not been submitted to the Legislature.
- 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.
- A. The Board has advertised proposed regulation changes in major newspapers in Anchorage, Fairbanks, and Juneau. The Board has not actively solicited comments on its operations and services it has provided.
- V. The extent to which the board, commission, or agency has encouraged public participation in the making of its regulations and decisions.
- A. The Board has encouraged public participation through newspaper announcements concerning proposed changes and additions to regulations.
- 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.
- A. In the last three years there has been one complaint filed against the Board with the Ombudsman Office. The complainant did not believe the Board would take action on his complaint. However, the Ombudsman Office found this to be an unsubstantiated complaint.
- B. There have been no complaints filed against the Board with the Attorney General's Office.

- 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.
- A. The Board has issued 59 licenses, temporary permits, and temporary licenses in the last three fiscal years.
 - B. The Board requires foreign medical graduates to have qualifications equivalent to other applicants. This is evidenced by the requirement of the foreign graduates to pass the examination of the American Veterinary Association's Education Commission for Foreign Veterinary Graduates.

- 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 area of activity or interest.

- A. The Human Rights Commission and the Equal Employment Opportunity Office have received no complaints related to the Board's activities.

- 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 section.

- A. Legislative Audit has no recommendations concerning the Board's compliance with the public need factors as enumerated in this section of the report.

APPENDIX A

BOARD OF VETERINARY EXAMINERS
REVENUES COMPARED WITH EXPENDITURES

For the Fiscal Year Ended June 30, 1983

(UNAUDITED)
(Note 1)

Average Revenues (Note 2)	\$ 4940.00
Less: Expenditures (Note 3)	(\$ 4198.57)
Excess of Revenues Over Expenditures	<u>\$ 741.43</u>

<u>Revenue Type</u>	<u>Amount</u>	<u>Collection Time</u>
Application fee	\$ 25	With issuance of License
Examination fee	50	With taking the Examination
Investigation of Credentials fee	50	With issuance of License
License fee	200	With issuance of License
Renewal of License fee	200	Due every four years
Temporary License fee	50	With issuance of License
Temporary Permit fee	50	With issuance of Permit

Note 1

This revenue/expenditure comparison was prepared from available records and discussions with Occupational Licensing personnel. The records were not audited by us and accordingly we do not express an opinion on the Board's Statement of Revenues Compared with Expenditures.

Note 2

The majority of revenues collected are composed of license renewal fees. These fees are collected by most boards once every two or four 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 1982 and 1983 in order to obtain a more accurate representation of revenues collected.

Note 3

Expenditures include those made by Board members, such as travel, per diem, and contractual items. They do not include expenditures for efforts of other departments assisting the Board or administrative overhead expenses incurred by the Division of Occupational Licensing.

STATE OF ALASKA

BILL SHEFFIELD, GOVERNOR

DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

POUCH D
JUNEAU, ALASKA 99811
PHONE: 465-2500

OFFICE OF THE COMMISSIONER

October 4, 1984

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

OCT 05 1984

**LEGISLATIVE
AUDIT**

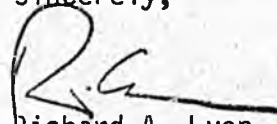
Dear Mr. Wilkerson:

We have reviewed the preliminary performance report on the Board of Veterinary Examiners, May 27, 1930 to June 30, 1984.

We concur with your findings that the board has operated in the best interests of the public. We also concur with your recommendation that the board be reestablished.

Thank you for your cooperation and the opportunity to comment on the report.

Sincerely,


Richard A. Lyon
Commissioner

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