

**GEORGIA STATE BOARD OF VETERINARY MEDICINE**  
**Board Meeting Minutes**  
**Professional Licensing Boards**  
**237 Coliseum Drive, Macon, GA**  
**Wednesday, November 14, 2018 - 9:30 a.m.**

The Georgia State Board of Veterinary Medicine met on Wednesday, November 14, 2018. The following members were present:

**Board Members Present**

Dr. John Sundstrom, DVM, Chair  
Dr. Larry Corry, DVM, Board Member  
Dr. Henry Bohn, DVM, Board Member  
Dr. Beckey Malphus, DVM, Board Member  
Mr. Nic Haynes, Consumer Member

**Staff Present**

Adrienne Price, Executive Director  
Michelle Hornaday, Board Support Specialist  
Kathy Osier, Licensing Supervisor

**Attorney General's Office**

Betsy Cohen, Assistant Attorney General (via teleconference)

**Board Members Absent**

Dr. Edsel Davis, DVM, Vice Chair

**Visitors Present**

Dr. Jill Lancaster, DVM, Georgia Veterinary Medical Association (GVMA), President Elect  
Dr. Jerry K Williams, Jr., MD  
Dr. Keith Harris, DVM, Head, Department of Pathology, UGA College of Veterinary Medicine  
Dr. Raymond L. Fay III, DVM  
Betsy Choder, VET Counsel, LLC  
Kayla Argo, VET Counsel, LLC  
Dr. Wendy Cuevas, DVM, Director of Veterinary Services, Georgia Veterinary Medical Association (GVMA)

**Call to Order:** Dr. Sundstrom established a quorum of the Board was present and called the meeting to order at 9:37 a.m.

**OPEN SESSION**

**Agenda**           The Board accepted the agenda as presented.

**Open Session Board Minutes**

**1. August 15, 2018 Board Meeting Minutes**

Dr. Bohn motioned, Dr. Corry seconded and the Board voted unanimously in favor of the motion to accept the August 15, 2018 open session Board meeting minutes as presented.

**2. September 6, 2018 Rules Committee Meeting Minutes**

Dr. Bohn motioned, Dr. Corry seconded and the Board voted unanimously in favor of the motion to accept the September 6, 2018 open session rules committee meeting minutes as presented.

**3. October 16, 2018 Investigative Committee Meeting Minutes**

Dr. Bohn motioned, Dr. Sundstrom seconded and the Board voted unanimously in favor of the motion to accept the October 16, 2018 investigative committee meeting minutes as presented.

**Licenses to Ratify – August 8, 2018 – November 7, 2018**

Dr. Malphus motioned, Dr. Corry seconded and the Board voted unanimously in favor of the motion to ratify the licenses by application and by reinstatement that were issued in accordance with Board Rules and Policies, between board meetings.

**Correspondence – Clarification on Supervision – Direct and Indirect – Dr. Michaela Austel, DVM**

Dr. Malphus motioned, Dr. Corry seconded and the Board voted unanimously in favor of the motion to notify the writer

the administrative staff nor the Board members themselves are able to interpret Georgia law and rules for any third party and to consult legal counsel of their choosing to assist them in an interpretation of the professions practice act, O.C.G.A. § 43-33 and the Board rules on supervision.

#### **Correspondence – Teleadvice and Teletriage – Dr. Lisa Bump, DVM**

Dr. Bohn motioned, Dr. Corry seconded and the Board voted unanimously in favor of the motion to notify the writer the administrative staff nor the Board members themselves are able to interpret Georgia law and rules for any third party and to consult legal counsel of their choosing to assist them in an interpretation of the professions practice act, O.C.G.A. § 43-33 and rules regarding the VCPR.

**Nic Haynes joined the meeting at 9:45 a.m.**

#### **Correspondence – VCPR – Betsy Choder**

Dr. Corry motioned, Dr. Malphus seconded and the Board voted unanimously in favor of the motion to notify the writer the administrative staff nor the Board members themselves are able to interpret Georgia law and rules for any third party and to consult legal counsel of their choosing to assist them in an interpretation of the professions practice act, O.C.G.A. § 43-33 as it relates to the VCPR. In addition a legislative action may be required in order to make the allowances the writer suggested within the rules.

#### **Discussion – American Association of Veterinary State Boards (AAVSB)**

- 1. AAVSB Jurisdiction Webinar**
- 2. AAVSB – The Case for Licensure**
- 3. AAVSB 2018 Meeting and Conference Summary**

The Board accepted the correspondence in reference to AASVB as information.

#### **Discussion – US Department of Justice DEA Requirement to Establish Production Quotas**

The Board accepted the correspondence in reference to US Department of Justice DEA Requirement to Establish Production Quotas as information.

Mr. Haynes motioned, Dr. Corry seconded and the Board voted unanimously in favor of the motion to share this information with the Georgia Veterinary Medical Association.

#### **Discussion – Georgia Opioid Strategic Plan & Drug Overdose Surveillance**

The Board accepted the correspondence in reference to Georgia Opioid Strategic Plan & Drug Overdose Surveillance as information. Dr. Malphus motioned, Mr. Haynes seconded and the Board voted unanimously in favor of the motion to share the website information with Georgia Veterinary Medical Association.

#### **Discussion – International Council for Veterinary Assessment (ICVA) 2017-2018 Annual Report**

The Board accepted the correspondence in reference to International Council for Veterinary Assessment (ICVA) 2017-2018 Annual Report as information.

#### **Veterinary Rules Committee**

##### **1. Rules Revisions**

- a) BR 700-1-.02. Meetings
- b) BR 700-1-.03. Election of Officers
- c) BR 700-2-.02. Application for Licensure
- d) BR 700-2-.03. Examination
- e) BR 700-3-.01. Examination (REPEAL)
- f) BR 700-4-.01. Temporary License: Military Spouses and Transitioning Service Members
- g) BR 700-5-.01. Application for Faculty License
- h) BR 700-6-.01. Application for Registration of Veterinary Technicians
- i) BR 700-7-.01. Renewal of License
- j) BR 700-7-.02. Reinstatement of Expired Licenses
- k) BR 700-7-.04. Veterinary Technician Continuing Education
- l) BR 700-8-.01. Unprofessional Conduct
- m) BR 700-10-.01 Fees
- n) BR 700-11-.01. Inactive Status
- o) BR 700-12-.01. Definitions
- p) BR 700-12-.02. Facility Standards
- q) BR 700-12-.03. Housing (REPEAL)

- r) BR 700-12-.09. Examination Area
- s) BR 700-12-.12. Renewal Statement (REPEAL)

Mr. Haynes motioned, Dr. Corry seconded and the Board voted unanimously in favor of the motion to refer BR 700-1-.02. Meetings, BR 700-1-.03. Election of Officers, BR 700-2-.02. Application for Licensure, BR 700-2-.03. Examination, BR 700-3-.01. Examination (REPEAL), BR 700-4-.01. Temporary License: Military Spouses and Transitioning Service Members, BR 700-5-.01. Application for Faculty License, BR 700-6-.01. Application for Registration of Veterinary Technicians, BR 700-7-.01. Renewal of License, BR 700-7-.02. Reinstatement of Expired Licenses, BR 700-7-.04. Veterinary Technician Continuing Education, BR 700-8-.01. Unprofessional Conduct, BR 700-10-.01 Fees, BR 700-11-.01. Inactive Status, BR 700-12-.01. Definitions, BR 700-12-.01. Definitions, BR 700-12-.02. Facility Standards, BR 700-12-.03. Housing (REPEAL), BR 700-12-.09. Examination Area, BR 700-12-.12. Renewal Statement (REPEAL) to the Attorney General's Office for Memoranda of Authority and if there are no objections noted, vote to post.

The Board discussed the economic impact of the rules upon licensees. Dr. Corry motioned and Mr. Haynes seconded, and the Board voted unanimously in favor of the motion that the formulation and adoption of these rules do not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative.

Dr. Corry motioned and Mr. Haynes seconded, and the Board voted unanimously in favor of the motion that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-1-25, 43-50-21, 43-50-23, 43-50-24, 43-50-31, 43-1-25, 43-50-21, 43-50-31 and 43-50-32, 43-1-25; 43-1-34; 43-50-2, 43-50-21, 43-50-41, 43-50-42, 43-1-25, 43-50-21, 43-50-23, 43-1-25, 43-50-21, 43-50-52 and 43-50-53, 43-1-25, 43-1-31, 43-50-21, 43-50-40, 43-1-19(1), 43-1-19(2), 43-50-21, 43-50-40, 43-50-41(a)(1), 43-50-41(a)(2), 43-1-25, 43-50-2, 43-50-21, 43-50-40, 43-50-52, 43-1-25, 43-50-21, 43-50-3, 43-1-19, 43-50-41, 43-50-21, 43-1-22, 43-1-25, 43-50-21 and 43-50-40, 43-1-25, 43-50-21, 43-50-41, 43-1-25, 43-50-21, 43-50-55, 43-50-63 and 43-50-9043-1-25, 43-50-21, 43-50-41, to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3)(A), (B), (C), and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed in the field of Veterinary Medicine.

### **Rule 700-1-.02. Meetings**

(1) Board meetings shall be held on dates as scheduled by the Board at its annual meeting. The last meeting of each year shall be the annual meeting.

(2) Special meetings shall be held ~~on two weeks notice from the president to other members of the Board, except in case of emergency~~ in accordance with the Open Meetings Act.

~~(3) The Board shall schedule examination dates at its annual meeting for the following year.~~

**Cite as Ga. Comp. R. & Regs. R. 700-1-.02**

**Authority: Ga. Laws 1973, pp. 260-270.**

**History.** Original Rule entitled "Meetings" was filed and effective on June 30, 1965.

**Amended:** Rule repealed and a new Rule of the same title adopted. Filed October 8, 1974; effective October 28, 1974.

### **Rule 700-1-.03. Election of Officers**

~~At the last meeting of each year t~~ The Board shall elect a president and vice president officers and subcommittee members for the following year a minimum of once per year and as needed for replacements and Board Member appointments.

**Cite as Ga. Comp. R. & Regs. R. 700-1-.03**

**Authority: Ga. Laws 1973, pp. 260-270.**

**History.** Original rule entitled "Election of Officers" was filed and effective on June 30, 1965.

**Amended:** Rule repealed and a new Rule of the same title adopted. Filed October 8, 1974; effective October 28, 1974.

### **Rule 700-2-.02. Application for Licensure for Veterinarians**

(1) An applicant for licensure as a veterinarian shall make application on forms provided by the Board.

(2) With the completed application form(s) the applicant for licensure shall submit:

(a) The application fee in an amount established by the Board;

- (b) Proof of graduation submitted directly from an accredited college or school of veterinary medicine certifying completion of a Doctor of Veterinary Medicine program and the award of the Doctor of Veterinary Medicine degree;
- (c) ~~If an applicant has not yet graduated, a letter, from the Dean of the college or school of veterinary medicine certifying the date of the expected graduation of the applicant and agreeing to provide~~ proof of such graduation directly to the Board when available which may include a letter from the Dean of the college or school of veterinary medicine certifying the date that graduation occurred, the electronic submission of proof of graduation or an official transcript;
- ~~(d)~~ (3) All scores of the applicant from the North American Veterinary Licensure Examination (NAVLE) or the Clinical Competency Test (CCT) and the National Board Examination (NBE) or an equivalent examination acceptable to the Board.
- (4) Proof of a passing score on the Georgia Veterinary Law Exam.
- (5) In addition to meeting the requirements stated above, if an applicant is a graduates of a foreign college or school of veterinary medicine, must submit one of the following:
- (a) ~~The~~ The Education Commission for Foreign Veterinary Graduates (ECFVG) certificate from the American Veterinary Medical Association; or,
- (b) ~~Proof~~ Proof of completion of the PAVE program from the American Association of Veterinary State Boards; or,
- (c) ~~An~~ An equivalent document acceptable to the Board.;
- ~~(e) All scores of the applicant from the North American Veterinary Licensure Examination (NAVLE) or the Clinical Competency Test (CCT) and the National Board Examination (NBE).~~
- ~~(3)~~ (6) An applicant must furnish evidence satisfactory to the Board of all qualifications for licensure.
- (7) All applications for licensure expire one year from the date of receipt of the application and non-refundable fee.

**Cite as Ga. Comp. R. & Regs. R. 700-2-.02**

**Authority:** O.C.G.A. Secs. 43-1-25, 43-50-21, 43-50-23, 43-50-24, 43-50-31.

**History.** Original Rule entitled "Examinations" adopted. F. and eff. June 30, 1965.

**Repealed:** New Rule entitled "Qualifications for Admission to Examination" adopted. F. Oct. 8, 1974; eff. Oct. 28, 1974.

**Amended:** F. Apr. 16, 1976; eff. May 6, 1976.

**Amended:** F. Mar. 18, 1980; eff. Apr. 7, 1980.

**Amended:** F. Aug. 4, 1982; eff. Aug. 24, 1982.

**Amended:** F. Apr. 23, 1984; eff. May 13, 1984.

**Amended:** F. July 31, 1984; eff. Aug. 20, 1984.

**Amended:** F. Oct. 5, 1992; eff. Oct. 25, 1992.

**Repealed:** New Rule entitled "Application for Licensure" adopted. F. Dec. 9, 2002; eff. Dec. 29, 2002.

**Repealed:** New Rule of same title adopted. F. Apr. 8, 2010; eff. Apr. 28, 2010.

**Rule 700-2-.03. Examinations for Veterinarians**

(1) The Georgia State Board of Veterinary Medicine has adopted the North American Veterinary Licensure Examination (NAVLE) administered by the International Council for Veterinary Assessment National Board of Veterinary Medical Examiners (NBVME)ICVA as its examination for licensure. All applications and fees for the NAVLE must be sent directly to the NBVME)ICVA. The Board reserves the right to adopt other examination similar in nature and scope.

(2) The NAVLE candidate must abide by all rules and regulations established by the NBVME)ICVA concerning the NAVLE.

(3) A NAVLE score of 75 or greater is required for licensure consideration.

(4) An applicant for licensure who does not obtain a NAVLE score of 75 or higher may reapply to sit for the NAVLE, pay the appropriate fee and submit a new application directly to the NBVME)ICVA.

~~(5) No person shall take the required examination(s) more than three times without review and approval by the Board. Approval may be provided under such circumstances, as the board deems appropriate.~~

**Cite as Ga. Comp. R. & Regs. R. 700-2-.03**

**Authority:** O.C.G.A. §§ 43-1-25, 43-50-21, 43-50-31 and 43-50-32.

**History.** Original Rule entitled "Fees" adopted. F. and eff. June 30, 1965.

**Amended:** F. Oct. 8, 1974; eff. Oct. 28, 1974.

**Repealed:** New Rule entitled "Examination" adopted. F. Dec. 9, 2002; eff. Dec. 29, 2002.

**Repealed:** New Rule of same title adopted. F. Apr. 8, 2004; eff. Apr. 28, 2004.

**Repealed:** New Rule of same title adopted. F. Apr. 8, 2010; eff. Apr. 28, 2010.

**Repealed:** New Rule of same title adopted. F. Jun. 27, 2013; eff. Jul. 17, 2013.

**Rule 700-2-.04. Repealed**

**Cite as Ga. Comp. R. & Regs. R. 700-2-.04**  
**Authority:** **Ga. Code 84-1505.**  
**History.** Original Rule entitled "License Not Renewed" was filed and effective on June 30, 1965.  
**Amended:** Rule repealed. Filed October 8, 1974; effective October 28, 1974.

**Rule 700-3-.01. Examination**

- ~~(1) The Board adopts the NAVLE, as developed by the National Board Examination Committee of the American Veterinary Medical Association, as the required test for licensure consideration. The Board reserves the right to adopt other examination similar in nature and scope.~~
- ~~(2) To qualify for Georgia licensure the candidate must take and pass the NAVLE. The Board will adopt a passing score to be used for the NAVLE examination. Applicants who have previously taken and passed the NBE and CCT must have their scores reported to the Board by the Interstate Reporting Service (IRS). A score of 75 or greater is required on each examination.~~
- ~~(3) Passing text scores from previous National Veterinary Licensing Examination (NAVLE) and Clinical Competence Test (CCT) will be accepted for licensure consideration.~~
- ~~(4) Applicants for Georgia licensure must have applied for licensure and submitted the required documents and fees to be considered eligible to take the NAVLE.~~

**Cite as Ga. Comp. R. & Regs. R. 700-3-.01**

**Authority: O.C.G.A. Sec. 43-50-21.**

**History.** Original Rule entitled "Ethics" was filed and effective on June 30, 1985.

**Amended:** Rule repealed and a new Rule entitled "Examination" adopted. Filed October 8, 1974; effective October 28, 1974.

**Amended:** Filed April 16, 1976; effective May 6, 1976.

**Amended:** Filed March 18, 1980; effective April 7, 1980.

**Amended:** Rule repealed and a new Rule of the same title adopted. Filed September 14, 1983; effective October 4, 1983.

**Amended:** Filed June 18, 1985; effective July 8, 1985.

**Amended:** Filed April 6, 1987; effective April 26, 1987.

**Amended:** Filed September 10, 1987; effective September 30, 1987.

**Amended:** Filed November 4, 1988; effective November 24, 1988.

**Amended:** F. Jun. 19, 1992; eff. Jul. 9, 1992.

**Repealed:** New Rule of same title adopted. F. June 28, 2001; eff. July 18, 2001.

**Rule 700-4-.01. Temporary License: Military Spouses and Transitioning Service Members**

- (1) An applicant is eligible for a temporary license when such applicant:
  - (a) Is identified as a military spouse or transitioning service member, as defined in O.C.G.A. § 43-1-34;
  - (b) Has submitted a complete application for temporary license, along with a fee in the amount established by the Board, and proof of lawful presence in the United States along with an approved secure and verifiable document;
  - (c) Is a holder of a valid veterinary or veterinary technician license in another state for which the training, experience, and testing substantially meet or exceed the requirements under this state to obtain a license, or has obtained a specialty, certification, training, or experience in the military while a service member which substantially meets or exceeds the requirements to obtain a license in this state.
- (2) For the purposes of this rule, an applicant's training, experience and testing is substantially equivalent if the applicant:
  - (a) Has attained the age of eighteen (18);
  - (b) Submits proof of an active license in good standing from another state, which is not currently suspended, revoked, or otherwise restricted for any reason.
- (3) Issuance of a temporary license shall authorize the holder to practice in this state for a period of up to six (6) months from the date of issuance or until the permanent license is issued, whichever occurs first.
- (4) In the discretion of the Board, a temporary license may be renewed for one six-month period only.
- (5) The holder of a temporary license may be subject to sanctions as provided in O.C.G.A. § 43-50-41.
- (6) An applicant for permanent license who holds a temporary license may be issued a permanent license if the following requirements have been met:
  - (a) The Board has received proof that the applicant has achieved a passing score on the national examinations accepted by the Board.

1. For veterinary applications, the Board accepts the North American Veterinary Licensure Examination (NAVLE) or the Clinical Competency Test (CCT) and the National Board Examination (NBE).
  2. For veterinary technician applicants, the Board accepts the Veterinary Technician National Examination (VTNE) or other examination similar in nature and scope.
- (b) The applicant has caused the submission of an official transcript(s) directly from:
1. ~~an~~ An accredited college or school of veterinary medicine certifying completion of a Doctor of Veterinary Medicine program and the award of the Doctor of Veterinary Medicine degree or possesses an ECFVG certificate or its substantial equivalent; or,
  2. ~~a~~ A veterinary technician program approved by the American Veterinary Medical Association certifying the applicant is a graduate.
- (c) If the applicant is applying for a permanent license ~~to be a veterinarian~~ in this state, the applicant must complete and pass the Georgia Veterinary Law Exam.

**Cite as Ga. Comp. R. & Regs. R. 700-4-.01**

**Authority:** O.C.G.A. §§ 43-1-25; 43-1-34; 43-50-2, 43-50-21, 43-50-41, 43-50-42.

**History.** Original Rule entitled "Temporary License" was filed on October 8, 1974; effective Oct. 28, 1974.

**Amended:** Filed April 16, 1976; effective 6, 1976.

**Amended:** Rule repealed and a new Rule of the same title adopted. Filed September 14, 1983; effective October 4, 1983.

**Amended:** F. Dec. 19, 1990; eff. Jan. 8, 1991.

**Repealed:** F. Mar. 10, 2015; eff. Mar. 30, 2015.

**Adopted:** New Rule entitled "Temporary License: Military Spouses and Transitioning Service Members." F.

**Rule 700-5-.01. Application for Faculty License**

- (1) Application for veterinary faculty license shall be made on form furnished by the Georgia State Board of Veterinary Medicine.
- (2) All applicants shall meet requirements as stated in code section 43-50-~~30~~ 43 of the Georgia Veterinary Practice Act.
- (3) Veterinary faculty license will expire on December 31 and be renewable biennially on the even numbered years.
- (4) All applications for licensure expire one year from the date of receipt of the application and non-refundable fee.

**Cite as Ga. Comp. R. & Regs. R. 700-5-.01**

**Authority:** O.C.G.A. Secs. 43-1-25, 43-50-21, 43-50-23.

**History.** Original Rule was filed on October 8, 1974; effective October 29, 1974.

**Amended:** Filed April 16, 1976; effective May 6, 1976.

**Repealed:** New Rule of same title adopted. F. June 28, 2001; eff. July 18, 2001.  
Oct. 13, 2017; eff. Nov. 2, 2017.

**Rule 700-6-.01. Application for Registration of Veterinary Technicians**

- (1) Application for registration of Veterinary Technicians shall be made on forms furnished by the Georgia State Board of Veterinary Medicine.
- (2) All applicants shall meet the following requirements as provided in Code Section 43-50-52 of the Georgia Veterinary Practice Act:
  - (a) The applicant has attained the age of 18;
  - (b) The applicant is of good moral character; and
  - (c) The applicant is a graduate of a Veterinary Technician program approved by the American Veterinary Medical Association, however, the Board will review all other programs on an individual basis. The veterinary technician program may provide the electronic submission of proof of graduation or an official transcript.
- (d) If licensed in another state(s) with registration requirements substantially the same as this state, which were in effect at the time the applicant was first admitted to practice in the other state(s), provide verification of licensure from that state(s);
- (e) The applicant has paid all applicable fees.
- (3) All applicants for registration must present proof of having obtained a passing scaled score of at least 425 where the scores range from 200-800 or a passing score of at least 75 when the range is from 0-100 on the National Veterinary Technician Examination or other examination similar in nature and scope as the Board from time to time will adopt.
  - (a) Such previous scores must be reported to the Georgia Board of Veterinary Medicine by the Interstate Reporting Service.
  - (b) Candidates desiring to transfer scores must pay all applicable fees.

(4) [Proof of a passing score on the Georgia Veterinary Technician Law Exam](#)~~No person shall take the examination more than three times without review and approval by the Board. Approval may be provided under such circumstances, as the board deems appropriate.~~

(5) [All applications for licensure expire one year from the date of receipt of the application and non-refundable fee.](#)

(~~5~~-6) Registrations shall be renewable biennially by December 31 of the year in which registration expires.

(a) Registrations must be renewed within one year after expiration date with the payment of the renewal and late fees.

(b) Failure to comply voids registration.

#### **Cite as Ga. Comp. R. & Regs. R. 700-6-.01**

**Authority:** O.C.G.A. §§ 43-1-25, 43-50-21, 43-50-52 and 43-50-53.

**History.** Original Rule entitled "Application for Registration of Animal Technician" adopted. F. Oct. 8, 1974; eff. Oct. 28, 1974.

**Amended:** F. Apr. 16, 1976; eff. May 6, 1976.

**Repealed:** New Rule entitled "Application for Registration of Veterinary Technicians" adopted. F. Aug. 31, 1984; eff. Sept. 20, 1984.

**Amended:** F. Nov. 10, 1998; eff. Nov. 30, 1998.

**Repealed:** New Rule of same title adopted. F. Apr. 8, 2002; eff. Apr. 28, 2002.

**Repealed:** New Rule of same title adopted. F. Apr. 3, 2003; eff. Apr. 23, 2003.

**Repealed:** New Rule of same title adopted. F. Apr. 8, 2004; eff. Apr. 28, 2004.

**Repealed:** New Rule of same title adopted. F. Aug. 5, 2004; eff. Aug. 25, 2004.

**Amended:** F. Feb. 4, 2010; eff. Feb. 24, 2010.

**Repealed:** New rule of same title adopted. F. Jun. 19, 2012; eff. Jul. 9, 2012.

**Amended:** Mar. 1, 2023; eff. Mar. 21, 2013.

#### **Rule 700-7-.01. Renewal of License**

(1) Every person who holds a valid license, as ~~a veterinarian~~ issued by the Board, shall immediately upon issuance thereof be deemed registered with the Board and be issued a certificate of registration. Said license shall expire on December 31 of the even numbered years and shall be renewable biennially in accordance with the Official Code of Georgia Annotated Section 43-50-40 upon payment of the biennial license fees. Any licensee whose address changes must [update their address information online via the Board website or](#) notify the Board in writing within 30 days of that change of address.

(2) The payment of the renewal fee for a licensed veterinarian on active duty with any branch of the armed forces of the United States shall be waived for a period of time not to exceed ~~the longer of~~ three years or the duration of a national emergency.

(3) Any service member as defined in O.C.G.A. § 15-12-1 whose license to practice veterinary medicine or as a veterinary technician expired while serving on active duty outside the state shall be permitted to practice veterinary medicine or as a veterinary technician in accordance with the expired license and shall not be charged with a violation relating to such practice on an expired license for a period of six (6) months from the date of her or her discharge from active duty or reassignment to a location within the state. Any such service member shall be entitled to renew such expired license without penalty within six (6) months after the date of her or her discharge from active duty or reassignment to a location with the state. The service member must present to the board a copy of the official military orders or a written verification signed by the service members commanding officer to waive any charges.

#### **Cite as Ga. Comp. R. & Regs. R. 700-7-.01**

**Authority:** O.C.G.A. Secs. 43-1-25, 43-1-31, 43-50-21, 43-50-40.

**History.** Original Rule entitled "Renewal of License" was filed on October 5, 1974; effective October 28, 1974.

**Amended:** Filed April 16, 1976; effective May 6, 1976.

**Amended:** Rule repealed and a new Rule of the same title adopted. Filed August 31, 1984; effective September 20, 1984.

**Amended:** Rule repealed and a new Rule of the same title adopted. Filed June 18, 1985 effective July 8, 1985.

**Amended:** Filed September 10, 1987; effective September 30, 1987.

**Repealed:** New Rule of same title adopted. F. Apr. 8, 2004; eff. Apr. 28, 2004.

**Repealed:** New Rule of same title adopted. F. Oct. 6, 2005; eff. Oct. 26, 2005.

**Repealed:** New Rule of same title adopted. F. Aug. 8, 2011; eff. Aug. 28, 2011.

**Amended:** F. April 10, 2012; eff. April 30, 2012.

#### **Rule 700-7-.02. Reinstatement of Expired Licenses**

(1) ~~Any veterinary or veterinary technician~~ license [issued by the Board](#) which has not been renewed by the end of the March 31st late renewal period shall be administratively lapsed for failure to renew. Such failure to renew shall have the

same force and effect as a revocation of said license as provided in Sec. 43-1-19(1) of the Official Code of Georgia Annotated. Licenses that have been administratively lapsed for failure to renew, must be reinstated at the Board's discretion.

(2) For purposes of this regulation, the administrative lapsing of license for failure to renew shall not be treated as a disciplinary action or contested case.

(3) Any licensee ~~ed veterinarian or veterinary technician~~ who fails to renew said license for a period of three years or more shall be required, before reinstatement of said license, to submit an application for reinstatement, including a detailed resume of such licensee's work experience since the date said license was renewed and in good standing. Applicants for reinstatement must submit proof of having completed continuing education within the two years prior to seeking reinstatement as follows:

(a) Veterinarians and veterinary faculty must submit proof of having completed a minimum of thirty (30) hours of continuing education;

(b) ~~and v~~ Veterinarian technicians must submit a minimum of ten (10) hours;

(c) All applicants may be required to take the national examination at the Board's discretion.

(4) An applicant for reinstatement who has been practicing outside of the State of Georgia must furnish verification of licensure from all recognized licensing jurisdictions where the applicant is or has been licensed to practice ~~veterinary medicine or veterinary technology~~.

(4~~5~~) In the application, an applicant seeking reinstatement ~~as a veterinarian or veterinary technician~~ shall be required to answer, under oath, whether the applicant has had any license issued to the applicant revoked, suspended or otherwise sanctioned by any board or agency in Georgia or any other state; and whether the applicant was denied issuance of or, pursuant to disciplinary proceedings, refused renewal of a license by any board or agency in Georgia or any other state. The applicant shall provide the name of the board or agency which revoked suspended, denied, refused renewal of, or otherwise sanctioned the license.

(6~~5~~) An applicant seeking reinstatement of a veterinarian or veterinary license shall be required to answer, under oath, whether the applicant has been convicted of a misdemeanor or felony (other than minor traffic violations), or entered a plea of guilty, nolo contendere, or under "First Offender Act."

(7) An applicant seeking reinstatement shall be required to answer, under oath, whether the applicant has ever been dependent on alcohol or any other drug, or been treated for dependency on alcohol or any other drug.

(6~~8~~) Upon evaluation of Applicant's application and other information, the Board may reinstate said license, or at its discretion may condition reinstatement of said license ~~upon conditions acceptable to the Board~~ to include but not limited to a fine up to \$200 per year for veterinarians and \$100 per year for veterinary technicians who have engaged in unlicensed practice.

#### **Cite as Ga. Comp. R. & Regs. R. 700-7-.02**

**Authority:** O.C.G.A. §§ 43-1-19(1), 43-1-19(2), 43-50-21, 43-50-40, 43-50-41(a)(1), 43-50-41(a)(2).

**History:** Original Rule entitled "Reinstatement of Expired Licenses" adopted. F. June 18, 1985; eff. July 8, 1985.

**Repealed:** New Rule of same title adopted. F. June 15, 2009; eff. July 5, 2009.

**Amended:** F. Apr. 13, 2017; eff. May 3, 2017.

#### **Rule 700-7-.04. Veterinary Technician Continuing**

Effective January 1, 2010, the Georgia State Board of Veterinary Medicine in accordance with the provisions of State Law and for the purpose of establishing certain minimum standards for continuing education in the best interest of and for the protection of the public health, safety and welfare hereby adopts the following rule:

(a) General Requirements:

1. Each veterinary technician licensed to practice in the State of Georgia must obtain ten (10) hours of Board approved continuing education per biennium for license renewal. Of the ten (10) hours required, one (1) per renewal period must be acquired in Georgia laws, rules and professionalism. Georgia licensees who do not practice in the State of Georgia are not required to meet the one (1) hour requirement in Georgia laws, rules and professionalism.
2. At the time of license renewal, each veterinary technician shall certify to the Georgia State Board of Veterinary Medicine that he/she has completed the continuing education required for license renewal.
3. A veterinary technician licensed during the first year of a biennium must obtain five (5) hours of continuing education and is not required to meet the one (1) hour requirement in Georgia laws, rules and professionalism. A veterinary technician licensed during the second year of a biennium is exempt from obtaining continuing education for that renewal period. After this time period, the entire ten (10) hours is required for each renewal.
4. In the event that a veterinary technician fails to verify or submit documentation of continuing education credits at the same time of renewal of his/her license, the Board will not process his/her renewal until continuing education requirements have been met and proof of such has been received and approved by the Board. If documentation of

continuing education is requested and not received by the Board ~~prior to the expiration date~~, the licensee will be subject to disciplinary action~~expire~~.

5. Licensees renewing during the biennial renewal period who are selected for audit of their Continuing Education hours and who have not achieved the required hours are subject to disciplinary action to include but not limited to:

(i) Proof of completion of deficient hours during the two-years of the renewal cycle.

(ii) Pay a \$100 Continuing Education penalty fee.

(iii) Pay the Late Renewal fee of \$100.

(iv) Total renewal fee \$200.

56. A veterinary technician may not carry over continuing education credits from one biennium license renewal period to the next.

67. Each veterinary technician must maintain a record of credit hours earned and proof of attendance of such hours for a period of three years from the date of the preceding renewal period and must provide the Board with said documentation upon request.

87. Veterinary technicians who attend programs where more than one course is taught must maintain proof of the courses attended and the number of hours awarded for each course.

(b) Approved Continuing Education Programs and Hours:

1. Blanket approval is awarded to any National, State and International veterinary association meetings, United States Department of Agriculture and Georgia Department of Agriculture sponsored meeting, Board Certified Specialties programs recognized by the American Veterinary Medical Association, all AVMA accredited veterinary college or school sponsored classes and programs, all AAVSB RACE approved programs, any GVMA constituent organization programs, AAHA programs, programs sponsored by the United State or Southern Animal Health Association and any course approved by another state board. Blanket approval does not apply to any continuing education programs on Georgia laws, rules and professionalism.

2. All continuing education courses on Georgia laws, rules and professionalism (LEAP) or any continuing education course which is not offered by a blanket approved organization must be awarded Board approval. Providers may be awarded Board approval for a continuing education course by submitting the following:

(i) A continuing education application form;

(ii) A detailed course outline or syllabus;

(iii) A current curriculum must be provided for each speaker or lecturer;

(iv) The procedure to be used for recording attendance;

(v) The number of continuing education hours for which the course sponsor requests approval.

3. In addition to the LEAP hour requirement for resident veterinary technicians, the remaining credit hours may be earned as follows:

(i) One (1) hour may be given for each 50 minutes of contact time. Seminars are composed of lectures or labs; welcoming remarks, business sessions, unstructured demonstrations or degree programs are not considered seminars.

(ii) Not more than four (4) hours can be obtained from veterinary journal studies or interactive computer generated courses where follow-up testing is required.

(iii) A maximum of three (3) hours for veterinary technicians can be acquired through in house training at the licensee's place of employment.

(iv) A maximum of five (5) hours can be acquired through in house training for veterinary technicians at AVMA accredited institutions.

(c) Continuing Education Audit:

1. During the renewal period, the Board staff will randomly select up to 25% of its licensees to audit for continuing education compliance. If selected for continuing education audit, each licensee must submit continuing education records to meet the renewal requirements for that license renewal period.

(d) Provider and Sponsor Criteria: All providers and sponsors must provide the following information to the Board if they have not been awarded blanket approval:

1. Each sponsor or provider shall have an administrator whose responsibility is to maintain the criteria for quality in programming.

2. Providers shall use qualified personnel to develop and present the programs, which shall utilize appropriate instructional materials and resources.

3. Providers shall provide to the Board adequate advanced promotional information, material about target audiences, program content, faculty credentials and fees.

4. Providers shall provide a means of registration of the participants at each program and maintain a record of attendance for a period of three years from the date of the program.

5. Providers shall develop policies and procedures for the management of grievances.

6. Providers shall provide each participant with adequate documentation of his/her successful completion of the program. The documentation shall include:

(i) Name and license number of participant;

- (ii) Name of provider;
- (iii) Name and title of program;
- (iv) Hours/CEU's completed;
- (v) Date of completion; and
- (vi) Authorizing signature.

7. All continuing education providers seeking approval of the continuing education program by the Georgia State Board of Veterinary shall submit a Program Approval Form for each program presented. These forms should be submitted 60 days in advance.

**Cite as Ga. Comp. R. & Regs. R. 700-7-.04**

**Authority:** O.C.G.A. §§ 43-1-25, 43-50-2, 43-50-21, 43-50-40, 43-50-52.

**History.** Original Rule entitled "Veterinary Technician Continuing Education" adopted. F. Sept. 2, 2008; eff. Sept. 22, 2008.

**Repealed:** New Rule of the same title adopted. F. Aug. 12, 2010; eff. Sept. 1, 2010.

**Repealed:** New Rule of the same title adopted. F. Jun. 19, 2012; eff. Jul. 9, 2012.

**Amended:** F. Nov. 5, 2014; eff. Nov. 25, 2014.

**Amended:** F. Apr. 13, 2017; eff. May 3, 2017.

**Amended:** F. Mar. 16, 2018; eff. Apr. 5, 2018.

**Rule 700-8-.01. Unprofessional Conduct**

Within the meaning of Ga. Code subsection 43-50-~~21~~41(a)(~~6~~7), unprofessional conduct means:

(a) Advertising - defined: Advertising shall mean any information communicated in a manner designed to attract public attention to the practice of the licensee or registrant. Advertising shall include but not be limited to, a communication, published or displayed through the use of newspaper, internet, telephone directory, pamphlets or handouts, radio, television, signs, billboard, window display or any other means of medium.

1. A licensee or registrant shall not make any false, misleading or deceptive communication in any form of advertising.

2. Advertisement of prices must contain a complete description of veterinary services included in any advertised price and disclosure of any extra charges that may be required to serve the consumer's needs.

(b) Professional Relationships:

1. It shall be unprofessional conduct for a licensee or registrant without just cause and in bad faith or for the purpose of soliciting patronage or personal pecuniary gain to disparage the profession or professional capabilities of another licensee or registrant.

2. It shall be unprofessional conduct to aid any person, firm, or corporation to engage in the unauthorized practice of veterinary medicine.

3. It shall be unprofessional conduct for a licensee or registrant to guarantee a cure or to offer his name in a commercial setting in a testimonial as to virtues of proprietary remedies or foods.

4. Consultation by an attending veterinarian with other veterinarians expert in the particular matter on which consultation is sought is in the public interest and thus is expected of the attending veterinarian when the need arises. But such consultation is discouraged if the consulting veterinarian employs the relationship so created to disparage the attending veterinarian or to solicit business; such practices are not in the public interest.

(i) It shall therefore be unprofessional conduct for a licensee called as a consulting veterinarian to disparage in the presence of the client the competence of the attending veterinarian. The Board does, however, expect any incompetence or negligence to be reported to it and nothing in this rule prohibits such reports or the giving of testimony in public or private litigation.

(ii) It shall be unprofessional conduct for a consulting veterinarian to assume unauthorized control of the case or to utilize the consulting relationship to solicit business for himself or others.

5. It shall be unprofessional conduct for a licensee employed to render professional advice by one party in negotiations concerning the sale of an animal to accept to a fee from the other party.

(c) Failure to Maintain Patient Records:

1. A veterinarian shall prepare and maintain a record reflecting the care and treatment of animals treated or boarded.

2. These records shall contain clinical information sufficient to justify the diagnosis and warrant treatment and shall, if applicable, include but not be limited to the following information:

(i) Name, address and telephone number of the animal's owner;

(ii) Name of attending veterinarian and staff rendering care;

(iii) Patient identification, including name, ages, sex and breed;

(iv) Dates of examination, treatment and custody of the animal;

(v) Patient history;

(vi) Presenting complaint;

(vii) Vaccination history;

- (viii) Findings from physical examination, including temperature and weight for each examination;
- (ix) Clinical lab reports, if applicable;
- (x) Medication dose, strength and treatment, including frequency;
- (xi) Anesthetic, including dose, strength, type, ~~and~~ amount and monitoring of vital signs at frequent intervals, ~~if applicable~~;
- (xii) Details of surgical procedure including ~~with~~ complications and/or abnormalities noted with documentation of suture materials used, ~~if applicable~~;
- (xiii) Progress and disposition of the case to include client communications and written instructions for home care;
- (xiv) Differential diagnoses; and
- (xv) ~~X-rays if applicable~~ Radiographs to include details of radiographic technique and findings in accordance with federal and state regulations.

3. All records shall be kept in a readily retrievable form, shall be recorded contemporaneously, and shall be filed promptly following treatment.

4. Patient records shall be kept by a veterinarian for three (3) years after a patient's last visit, notwithstanding any other provisions of law.

5. Copies of patient records must be made available to the owner of the animal upon written request to the veterinarian who treated the animal or to the veterinarian facility where the treatment was provided. Such records must be made available within ten (10) business days from request. The veterinarian may charge a reasonable charge for the search, retrieval, duplication and, if applicable, mailing of the patient records.

6. If the Board has not received proof that the records or a written prescription has been released to the client, or the Board has not received a response from the veterinarian within 15 days of the date that the request was mailed from the Board office, the Board may pursue disciplinary action against the licensee to include a public reprimand, which will be a permanent part of the veterinarian's records and a fine of \$500 for failure to comply with the requirements of the rule.

(7) Failure to keep records as required by this subparagraph shall constitute a failure to conform to the minimal standards of acceptable and prevailing veterinary medical practice.

(d) Failure to have an appropriate Veterinarian/Client/Patient Relationship. An appropriate veterinarian/client/patient relationship will exist when:

1. The veterinarian has assumed the responsibility for making medical judgments regarding the health of the animal(s) and the need for medical treatment, and the client (owner or other caretaker) has agreed to follow the instructions of the veterinarian;

2. There is sufficient knowledge of the animal(s) by the veterinarian to initiate at least a general or preliminary diagnosis of the medical condition of the animal(s). This means that the veterinarian is personally acquainted with the keeping and care of the animal(s) by virtue of:

(i) ~~an~~ An examination of the animal by the veterinarian within the last twelve (12) months, or

(ii) ~~m~~ Medically appropriate and timely visits by the veterinarian to the premises where the patient is kept.;

3. A veterinarian/client/patient relationship cannot be established solely by telephone, computer or other electronic means: and

4. A licensed veterinarian is readily available for follow-up in case of adverse reactions or failure of the regimen of therapy.

(e) Prescription Drugs:

1. It is unlawful for a veterinarian to release, prescribe, and/or dispense any prescription drugs without having established a valid veterinary/client/patient relationship.

2. After a valid veterinary/client/patient relationship has been established, a veterinarian must make available, upon request, at a reasonable cost, a written prescription.

#### **Cite as Ga. Comp. R. & Regs. R. 700-8-.01**

**Authority:** O.C.G.A. §§ 43-1-25, 43-50-21, 43-50-3, 43-1-19, 43-50-41.

**History.** Original Rule entitled "Unprofessional Conduct" adopted. F. Oct. 8, 1974; eff. Oct. 28, 1974.

**Amended:** F. Feb. 15, 1983; eff. Mar. 7, 1983.

**Amended:** F. July 9, 1984; eff. July 29, 1984.

**Amended:** F. Aug. 31, 1984; eff. Sept. 20, 1984.

**Amended:** F. Nov. 8, 1995; eff. Nov. 28, 1995.

**Amended:** F. Sept. 11, 1998; eff. Oct. 1, 1998.

**Repealed:** New Rule of same title adopted. F. Apr. 8, 2002; eff. Apr. 28, 2002.

**Repealed:** New Rule of same title adopted. F. Jan. 29, 2003; eff. Feb. 18, 2003.

**Repealed:** New Rule of same title adopted. F. Apr. 8, 2004; eff. Apr. 28, 2004.

**Repealed:** New Rule of same title adopted. F. Aug. 24, 2007; eff. Sept. 13, 2007.

**Amended:** F. Dec. 8, 2011; eff. Dec. 28, 2011.

**Amended:** F. Mar. 1, 2013; eff. Mar. 21, 2013.

**Amended:** F. Sep. 15, 2015; eff. Oct. 7, 2015.

**Amended:** F. Mar. 11, 2016; eff. Mar. 31, 2016.

### **Rule 700-10-.01. Fees**

(1) The required fee must accompany the appropriate application as noted in the following schedule.

(a) Application fees for:

1. Veterinarian-As set forth on the fee schedule adopted by the Board.
2. Veterinarian Technician-As set forth on the fee schedule adopted by the Board.
3. Faculty Veterinarian-As set forth on the fee schedule adopted by the Board.
4. Temporary Veterinarian License-As set forth on the fee schedule adopted by the Board.

(b) Examination fees for:

1. Veterinarian-As set forth ~~on the fee schedule adopted by the Board~~ [the International Council for Veterinary Assessment \(ICVA\)](#).

~~a. State Examination-As set forth on the fee schedule adopted by the Board.~~

~~b. Clinical Competency Test-As set forth on the fee schedule adopted by the Board.~~

~~c. National Board Examination-As set forth on the fee schedule adopted by the Board.~~

2. Veterinarian Technician-As set forth ~~on the fee schedule adopted by~~ [the American Association of Veterinary State Boards \(AAVSB\)](#) ~~the Board~~.

(c) Renewal Fees for:

1. Veterinarian-As set forth on the fee schedule adopted by the Board.
2. Veterinarian Technician-As set forth on the fee schedule adopted by the Board.
3. Faculty Veterinarian-As set forth on the fee schedule adopted by the Board.
4. Temporary Veterinarian License-As set forth on the fee schedule adopted by the Board.

(d) Renewal Delinquency Fees for:

1. Veterinarian-As set forth on the fee schedule adopted by the Board.
2. Veterinarian Technician-As set forth on the fee schedule adopted by the Board.
3. Faculty Veterinarian-As set forth on the fee schedule adopted by the Board.

(e) Duplicate Licenses for:

1. Veterinarian-As set forth on the fee schedule adopted by the Board.
2. Veterinarian Technician-As set forth on the fee schedule adopted by the Board.
3. Faculty Veterinarian-As set forth on the fee schedule adopted by the board.

(2) All renewals after December 31st of the renewal year must be accompanied by the delinquent fee plus the renewal fee.

**Cite as Ga. Comp. R. & Regs. R. 700-10-.01**

**Authority: O.C.G.A. Sec. 43-50-21.**

**History.** Original Rule entitled "Fees" was filed on August 26, 1982; effective September 15, 1982.

**Amended:** Filed June 22, 1983; effective July 12, 1983.

**Amended:** Filed January 10, 1984; effective January 30, 1984.

**Amended:** Rule repealed and a new Rule of the same title adopted. Filed July 31, 1984; effective August 20, 1984.

**Amended:** Filed June 18, 1985; effective July 8, 1985.

**Amended:** Filed April 6, 1987; effective April 26, 1987.

**Amended:** F. Oct. 20, 1992; eff. Nov. 9, 1992.

**Repealed:** New Rule, same title, adopted. F. Aug. 20, 1993; eff. Sept. 9, 1993.

**Amended:** F. Nov. 10, 1998; eff. Nov. 30, 1998.

### **Rule 700-11-.01. Inactive Status**

(1) A ~~veterinarian or veterinary technician~~ [licensee](#) who wishes to discontinue the practice of veterinary medicine may apply for an "inactive license." A veterinarian or veterinary technician holding an "inactive license" may not practice.

(2) A ~~Doctor of Veterinary Medicine or a veterinary technician~~ [licensee](#) who holds a valid current active license to practice ~~Veterinary Medicine as a veterinarian or veterinary technician~~ in the State of Georgia may request the license be placed on inactive status under the following provisions:

(a) The Board receives a written request from the licensee requesting inactive status. The written request shall contain the notarized signature of the licensee and contain the following statements:

1. "I understand that with an inactive license I shall not engage in the practice of veterinary medicine as a veterinarian or veterinary technician and shall not hold myself out to the public as being available to provide veterinary services."
2. "I understand that I am not required to renew said license while on inactive status."
3. "I understand I am not required to obtain the continuing education credits while on inactive status unless I request to be placed on active status."

4. "I understand that to practice or to hold oneself out as available to practice veterinary medicine with an inactive license is unlicensed practice and I would be subject to disciplinary action."

(b) A ~~Doctor of Veterinary Medicine or veterinary technician~~ [licensee](#) holding an inactive license may seek active status.

To reinstate the license to active status the licensee must:

1. Submit a written request for reinstatement of said inactive license.
2. Submit proof of attendance at not less than 30 hours ([veterinarian](#)) or 10 hours ([veterinary technician](#)) of Board approved continuing education within two years of the date of the request to reinstate.
3. Provide evidence acceptable to the Board that the licensee has not had a license revoked, suspended, disciplined or otherwise sanctioned in any other jurisdiction that ever issued a license to practice.
4. Provide evidence acceptable to the Board that licensee has not been convicted of a felony or any crime involving moral turpitude.
5. Pay the reinstatement fee, as determined by the Board in the fee schedule.

**Cite as Ga. Comp. R. & Regs. R. 700-11-.01**

**Authority:** O.C.G.A. §§ 43-1-22, 43-1-25, 43-50-21 and 43-50-40.

**History.** Original Rule entitled "Inactive Status" adopted. F. Jan. 14, 2003; eff. Feb. 3, 2003.

**Amended:** F. Mar. 1, 2013; eff. Mar. 21, 2013.

#### **Rule 700-12-.01. Definitions**

- (1) "Appropriately" for the purposes of these rules means the expected level of care and environmental quality in accordance with the animal species and the scope of veterinary services being offered, as determined by the State Board of Veterinary Medicine.
- (2) "As appropriate" for the purposes of these rules means the expected level of care and environmental quality in accordance with the animal species and the scope of veterinary services being offered, as determined by the State Board of Veterinary Medicine.
- (3) "Clean and orderly" for the purposes of these rules means the expected level of care and environmental quality in accordance with the animal species and the scope of veterinary services being offered, as determined by the State Board of Veterinary Medicine.
- (4) "Good State" for the purposes of these rules means the expected level of care and environmental quality in accordance with the animal species and the scope of veterinary services being offered, as determined by the State Board of Veterinary Medicine.
- (5) "Proper" for the purposes of these rules means the expected level of care and environmental quality in accordance with the animal species and the scope of veterinary services being offered, as determined by the State Board of Veterinary Medicine.
- (6) "Veterinary facility" means any premises owned or operated by a veterinarian or his or her employer where the practice of veterinary medicine occurs, including but not limited to veterinary hospitals, clinics, or mobile clinics; provided, however, that such does not include a client's private property where a licensed veterinarian treats the client's animals. ~~For the purposes of these rules, veterinary facility does not include vehicles used for large animal ambulatory practice.~~

**Cite as Ga. Comp. R. & Regs. R. 700-12-.01**

**Authority:** Authority O.C.G.A. Secs. 43-1-25, 43-50-21, 43-50-41.

**History.** Original Rule entitled "Definitions" adopted. F. Apr. 8, 2004; eff. Apr. 28, 2004.

#### **Rule 700-12-.02. Facility Standards**

- (1) A licensed veterinarian employed at a veterinary facility [or mobile clinic](#) is responsible to assure that the following criteria pertaining to facilities are met:
  - (a) Facility must maintain appropriate federal, state and local permits.
  - (b) Facility must be appropriately secured.
  - (c) Facility must be sanitary.
  - (d) Facility must be well ventilated.
  - (e) Facility must be appropriately illuminated.
  - (f) Facility must be in a good state of repair.
  - (g) Facility walls and floors must be easily sanitized.
  - (h) Facility must have means for disposal of dead animals, tissue, hazardous materials, medical waste which must meet local and state requirements.
  - (i) Facility must have exterior legible sign.
  - (j) Facility must keep grounds clean and orderly, if applicable.

(k) Facility must have a restroom in working order which is maintained in a clean and orderly manner. Mobile clinics are exempt from this requirement.

(l) Facility must have clean and orderly receiving area.

(m) Facility must have a telephone answering machine or answering service available after business hours.

(n) Facility must have a holding or housing area with proper sanitation, ventilation, lighting, size, and temperature appropriate for the animal species. [Each animal must be contained in a secure manner, identified as appropriate and any contagious animals must be isolated as appropriate.](#)

(o) Facility must have appropriate waste receptacles available.

(p) Facility must have effective insect and rodent control.

(q) Facility must store pharmaceuticals, biologicals, reagents and lab samples in accordance with label directions or other instructions.

(r) Facility must have fire extinguisher with current annual inspection.

(s) Facility must post in a prominent public area a copy of the current license issued by the Georgia State Board of Veterinary Medicine or current online verification of licensure from the Board website for each veterinarian and veterinary technician working at the facility.

**Cite as Ga. Comp. R. & Regs. R. 700-12-.02**

**Authority:** O.C.G.A. §§ 43-1-25, 43-50-21, 43-50-55, 43-50-63 and 43-50-90.

**History.** Original Rule entitled "Facility Standards" adopted. F. Apr. 8, 2004; eff. Apr. 28, 2004.

**Amended:** F. Sep. 22, 2014; eff. Oct. 12, 2014.

**~~Rule 700-12-.03. Housing~~**

~~(1) A licensed veterinarian at a veterinary facility is responsible to ensure that the following criteria pertaining to housing animals are met:~~

~~(a) Each animal must be contained in a secure manner.~~

~~(b) Each animal must be identified as appropriate.~~

~~(c) Contagious animals must be isolated as appropriate.~~

**~~Cite as Ga. Comp. R. & Regs. R. 700-12-.03~~**

**~~Authority:~~** O.C.G.A. Secs. 43-1-25, 43-50-21, 43-50-41.

**~~History.~~** Original Rule entitled "Housing" adopted. F. Apr. 8, 2004; eff. Apr. 28, 2004.

**Rule 700-12-.09. Examination Area**

(1) A licensed veterinarian employed at a veterinary facility must ensure that the following criteria pertaining to the examination area are met:

(a) Area must be maintained in a clean and orderly manner.

(b) Impervious waste receptacle must be provided.

(c) Disposable towels and a sink must be readily accessible ~~as appropriate~~. A sink in a restroom is not considered acceptable.

(d) The examination table must have an impervious surface suitable for cleaning and disinfecting.

[\(e\) The examination area must provide an adequate space to ensure client safety.](#)

**Cite as Ga. Comp. R. & Regs. R. 700-12-.09**

**Authority:** Authority O.C.G.A. Secs. 43-1-25, 43-50-21, 43-50-41.

**History.** Original Rule entitled "Examination Area" adopted. F. Apr. 8, 2004; eff. Apr. 28, 2004.

Dr. Corry motioned and Mr. Haynes seconded, and the Board voted unanimously in favor of the motion to refer BR 700-2-.04 Veterinary Faculty Law Examination, 700-7-.03. Continuing Veterinary Education, BR 700-12-.08. Surgical Standards and BR 700-12-.11. Patient Care, and 700-13-.01 Veterinary Specialist to the Rules Committee for review based on Board discussion.

**2. Policy and Procedure Statement Revisions**

a) Veterinary Board Policies (Current Version – REPEAL)

b) Veterinary Board Policies & Procedures – Revised

Dr. Corry motioned, Dr. Bohn seconded and the Board voted unanimously in favor of the motion to repeal the current version of the Veterinary Board Policies (Attachment A) and refer Veterinary Board Policies & Procedures – Revised (Attachment B) to the Attorney General's Office for Memoranda of Authority and if there are no objections noted, vote to post.

The Board entered into a discussion about the current policies and indicated they were being amended to provide additional guidance to the staff, notice to the public on said guidance and to reflect the relevant statutes and rules. The Board discussed the economic impact of the rules upon licensees. Dr. Corry motioned, Dr. Bohn seconded, and the Board voted unanimously in favor of the motion that the formulation and adoption of these policies do not impose excessive regulatory cost on any licensee and any cost to comply with the proposed policies cannot be reduced by a less expensive alternative.

Dr. Corry motioned and Mr. Haynes seconded, and the Board voted unanimously in favor of the motion that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-1-25; 43-50-21; 43-50-31, 43-1-2(k); 43-1-25; 43-50-21; 43-50-31, 43-1-25, 43-50-21, 43-50-23, 43-50-24, 43-50-31, 43-50-21; 43-50-31, 43-1-25, 43-50-2, 43-50-21, 43-50-40, 43-50-52, 43-1-19; 43-1-25, 43-50-2, 43-50-21, 43-50-40, 43-50-41; 43-50-52, 43-1-25, 43-50-21, 43-50-41, 43-50-3(29), 43-50-41, 43-1-22, 43-1-25, 43-50-21; 43-50-40, 43-50-21(3), 43-1-20.1; 43-50-41; 43-50-45 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3)(A), (B), (C), and (D). The formulation and adoption of these policies will impact every licensee in the same manner and each licensee is independently licensed in the field of Veterinary Medicine.

**Petition for Rule Variance – BR 700-7-.03(a)(1) – Andrew John Duncan III**

Dr. Malphus motioned, Dr. Corry seconded and the Board voted unanimously in favor of the motion to grant the petition for variance of BR 700-7-.03(a)(1) based on sufficient evidence to substantiate a substantial hardship.

**Petition for Rule Waiver – BR 700-7-.03 – Luke Blair Lipham**

Dr. Malphus motioned, Mr. Haynes seconded and the Board voted unanimously in favor of the motion to grant the petition to waive BR 700-7-.03 if the petitioner provides evidence of stated hardship prior to December 31, 2018. The petitioner must also submit a notarized statement agreeing to complete 30 hours of continuing education that meet the requirements of the rule prior to December 31, 2019 and expressing an understanding that these hours will not be applied towards meeting the continuing education requirements for the cycle ending December 31, 2020

**Executive Director’s Report – A. Price**

Executive Director’s report presented the Board with statistical data relevant to the processing of applications, the number of licensees, and complaints/compliance matters to include the number of Continuing Education applications pending, approved and denied.

Dr. Bohn motioned, Dr. Corry seconded and the Board voted unanimously in favor of the motion to accept the Executive Director’s report as presented.

**Board Chair’s Report – J. Sundstrom, DVM**

No report presented.

**Board Member Elections**

**1. Board Chairperson**

Dr. Corry motioned, Mr. Haynes seconded and the Board voted unanimously in favor of the motion to elect Dr. Beckey Malphus as the Board’s Chair.

**2. Vice Chairperson**

Dr. Corry motioned, Mr. Haynes seconded and the Board voted unanimously in favor of the motion to re-elect Dr. Edsel Davis as the Board’s Vice Chairperson.

**5. Investigative Committee**

Mr. Haynes motioned, Dr. Corry seconded and the Board voted unanimously in favor of the motion to re-elect Dr. Larry Corry, Dr. Beckey Malphus, and Dr. Edsel Davis to the Investigative Committee with Dr. Corry as the Chair and Dr. John Sundstrom as the Alternate.

**3. CE Cognizant**

Dr. Corry motioned, Mr. Haynes seconded and the Board voted unanimously in favor of the motion to re-elect Dr. Henry Bohn as the Board’s CE Cognizant.

**4. Application Cognizant**

Mr. Haynes motioned, Dr. Sundstrom seconded and the Board voted unanimously in favor of the motion to elect Dr. Beckey Malphus as the Board's Application Cognizant.

### **Miscellaneous Discussion**

Dr. Jerry K Williams, Jr., MD addressed the Board with concerns regarding the shortage of veterinarians in certain areas of Georgia as well as the amount of time one is on hold in attempting to speak with someone at the Board offices. It was the consensus of the Board that issues surrounding any shortages were not within the jurisdiction of the Board and his concerns with regard to call wait times will be forwarded to the Division Director for consideration.

**Dr. Malphus made a motion, Mr. Haynes seconded, and the Board voted to enter into Executive Session in accordance with O.C.G.A. § 43-1-19(h)(2) and 43-1-2(k) to deliberate on enforcement matters and to receive information on investigative reports and the Assistant Attorney General's report. Voting in favor of the motion were those present who included: Dr. Malphus, Dr. Bohn, Dr. Corry, Dr. Sundstrom, and Mr. Haynes.**

**At the conclusion of Executive Session on Wednesday, November 14, 2018, Dr. Sundstrom declared the meeting to be "open" pursuant to the Open and Public Meeting Act O.C.G.A. § 50-14-1 et seq. No votes were taken during executive session.**

## **OPEN SESSION**

### **Executive Session Board Minutes**

#### **1. August 15, 2018 Executive Session Board Meeting Minutes**

Mr. Haynes motioned, Dr. Bohn seconded and the board voted unanimously in favor of the motion to approve the August 15, 2018 executive session Board meeting minutes as amended for language.

#### **2. October 16, 2018 Investigative Committee Executive Session Minutes**

Mr. Haynes motioned, Dr. Bohn seconded and the board voted unanimously in favor of the motion to approve the October 16, 2018 executive investigative committee meeting minutes as presented.

### **Attorney General's Report – B. Cohen**

Dr. Corry motioned, Dr. Malphus seconded and the Board voted unanimously in favor of the motion to accept the Attorney General's report as presented.

### **Investigative Committee Report – L. Corry**

Dr. Bohn motioned, Mr. Haynes seconded and the Board voted unanimously in favor of the motion to accept the following recommendations made in Executive Session.

VET180067	Close the case.
VET140061	Refer to Attorney General's Office for Hearing or Public Consent Order for violation of BR-700-8.01(c) - Failure to Maintain Records with a fine of \$500 to be paid within six (6) months of order docket date. Two (2) years' probation. Submission of proof of completion of seven (7) in-person hours of additional Continuing Education within six (6) months of order docket date, five (5) hours in anesthesia & surgical monitoring and two (2) hours in record keeping. CE may not be applied to current or future renewal requirements. Random inspections and accept Order upon receipt.
VET180078	Close the case. No violation found in the standard of care.
VET140065	Terminate probation. Respondent has satisfied terms and conditions of Consent Order.
VET180004	Close the case.
VET180024	Send second notice via email and certified mail. Table for compliance with Investigative Committee request.
VET180055	Refer to Attorney General's Office for an Order for Mental Physical Examination.
VET180060	Schedule an Investigative Interview.
VET180065	Table pending additional information. Upon receipt proceed as was discussed.
VET180066	Schedule an Investigative Interview.
VET180074	Close the case with a Letter of Concern regarding monitoring of boarded patients.
VET190005	Close the case.
VET190006	Refer to the Attorney General's Office for a Cease and Desist Order for unlicensed practice.
VET190007	Schedule an Investigative Interview.

<b>VET190011</b>	Table pending additional information.
<b>VET130069</b>	Close the case. If attempt made to reinstate the license, present the file to Board to review facts of case.
<b>VET160081</b>	Close the case. If attempt made to reinstate the license, present the file to Board to review facts of case.
<b>VET160084</b>	Close the case. If attempt made to reinstate the license, present the file to Board to review facts of case.
<b>VET160085</b>	Close the case. If attempt made to reinstate the license, present the file to Board to review facts of case.
<b>VET160095</b>	Close the case. If attempt made to reinstate the license, present the file to Board to review facts of case.

**Applications for Board Review**

Dr. Bohn motioned, Mr. Haynes seconded and the Board voted unanimously in favor of the motion to accept the following recommendations made in Executive Session.

<b>Application 2735097</b>	Approve diploma and notify the applicant that they must cause their employer to submit an updated Letter of Employment for Cognizant review. If, no unlicensed practice found, issue license. If unlicensed practice discovered, refer to Legal Services in accordance with the rules and policies of the Board.
<b>Application 2749982</b>	Request submission of verification of licensure from IL. If verification of license has no disciplinary actions, issue license.
<b>Application 2734197</b>	Notify the applicant that they must cause their employer to submit an updated Letter of Employment for Cognizant review. If no unlicensed practice found, issue license.

**Reinstatements**

Dr. Malphus motioned, Dr. Corry seconded and the Board voted unanimously in favor of the motion to accept the following recommendations made in Executive Session.

<b>Application 2771772</b>	Applicant must have Employer to submit a detail job description for Cognizant review. If, no unlicensed practice is found issue license. However, if unlicensed practice is found, refer to Legal Services for a Public Consent Order with a fine of \$1400.00 for unlicensed practice from January 1, 2011 – November 2, 2017. Applicant must submit proof of at least ten (10) hours of Board approved continuing education obtained within the last two years; and hours submitted for reinstatement cannot be used for the upcoming renewal period. If reinstatement is granted, the license will be required to be renewed by the last day of December in EVEN numbered years, regardless of when the license is reinstated.
<b>Application 2715886</b>	Upon submission of passing score from ICVA Species Specific Exam, refer to Attorney General's Office for a Public Consent Order with terms and conditions to include quarterly personal and employer reports, quarterly aftercare reports from treating physician, random drug screening program, and reports of any positive drug screens. Supervised practice for a minimum of twelve (12) months and three (3) years' probation. Must inform the Board of any changes in employment, may petition to terminate probation after submitting proof of completion of terms of order.
<b>Application 2751908</b>	Refer to Legal Services for a Public Consent Order for Reinstatement of Licensure with a fine of \$400.00 for unlicensed practice from January 1, 2017 – July 19, 2018. Applicant must submit proof of at least ten (10) hours of Board approved continuing education obtained within the last two (2) years; and continuing education hours submitted for reinstatement of license cannot be used for the upcoming renewal period. If reinstatement is granted, the license will be required to be renewed by the last day of December in even numbered years, regardless of when the license is reinstated.
<b>Application 2704682</b>	Issue license.
<b>Application 2740785</b>	Issue license.
<b>Application 2744260</b>	Refer to Legal Services for a Public Consent Order for Reinstatement of Licensure with a fine of \$400.00 for unlicensed practice from January 1, 2015 – June 12, 2016. Applicant must submit proof of at least 30 hours of Board approved continuing education obtained within the last two (2) years; CE submitted for reinstatement cannot be used for the upcoming renewal period. If reinstatement is granted, the license will be required to be

renewed by the last day of December in even numbered years, regardless of when the license is reinstated.

**Application 2759399**

Issue license.

**Application 2726368**

Reinstate the license.

Dr. Malphus motioned, Dr. Corry seconded and the Board voted unanimously in favor of the motion for Dr. Sundstrom to contact the Governor's Office requesting an appointment for the Veterinary Technician seat on the Board.

**Adjournment** No further business was discussed and the meeting adjourned at 2:54 p.m.

**Minutes recorded by:** Michelle Hornaday, Board Support Specialist

**Minutes reviewed and edited by:** Kathy Osier, Licensing Supervisor & Adrienne Price, Executive Director

**Minutes approved on:** December 12, 2018

BECKEY MALPHUS, DVM  
**BOARD CHAIRPERSON**

ADRIENNE PRICE  
**EXECUTIVE DIRECTOR**