

## Proposal Summary/ Overview

To be completed by proposal sponsor. (500 Word Count Limit for this page)

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*Is this proposal regarding:*

- *New or increased regulation of an existing profession/occupation? If so, complete this form, Questionnaire A.*
- *Increased scope of practice or decreased regulation of an existing profession? If so, complete Questionnaire B.*
- *Any other change to regulation or scope of practice? If so, please contact the Committee Administrator to discuss how to proceed.*

1) State the profession/occupation that is the subject of the proposal.

*Veterinary Technician*

2) Briefly describe the proposed change.

*Change from voluntary certification to licensure for veterinary technicians*

3) If the proposal has been introduced, provide the bill number and names of House and Senate sponsors. If the proposal has not been introduced, indicate whether legislative sponsors have been identified. If the bill has been proposed in previous sessions, please list previous bill numbers and years of introduction.

*HF 1228; Author, Rep. Huot, Co-authors, Rep. Bierman, Rep. Baker and Rep. O'Neill. Previous bill numbers introduced in 2021 without hearings were: HF 2553 and SF 2935.*

4) Given the press of business in the 2023 legislative session it is unlikely that health licensing and scope of practice bills will be taken up this year. If there is an urgent need that this bill be heard this year, please explain the urgency.

*Minnesota has a shortage of veterinary technicians and continues to lose more than we gain each year. With the looming veterinarian shortage, it is critical to pass these bills now, to allow the Board of Veterinary Medicine time to implement and begin licensure in 2025.*

## Questionnaire A: New or increased regulation (adapted from Mn Stat 214.002 subd 2 and MDH Scope of Practice Tools)

This questionnaire is intended to help legislative committees decide which proposals for new or increased regulation of health professions should receive a hearing and advance through the legislative process. It is also intended to alert the public to these proposals and to narrow the issues for hearing.

This form must be completed by the sponsor of the legislative proposal. The completed form will be posted on the committee's public web page. At any time before the bill is heard in committee, opponents may respond in writing with concerns, questions, or opposition to the information stated and these documents will also be posted. The Chair may request that the sponsor respond in writing to any concerns raised before a hearing will be scheduled.

A response is not required for questions which do not pertain to the profession/occupation (indicate "not applicable"). Please be concise. Refer to supporting evidence and provide citation to the source of the information where appropriate.

New or increased regulation of health professions is governed by Mn State 214. Please read and be familiar with those provisions before submitting this form.

While it is often impossible to reach complete agreement with all interested parties, sponsors are advised to try to understand and to address the concerns of any opponents before submitting the form.

### 1) Who does the proposal impact?

- a. Define the occupations, practices, or practitioners who are the subject of this proposal.

*Primarily veterinary technicians, veterinarians, veterinary assistants and veterinary practices*

- b. List any associations or other groups representing the occupation seeking regulation and the approximate number of members of each in Minnesota

*Currently in Minnesota, there are 2,661 voluntary certified veterinary technicians and 2,636 active veterinarian licenses who have a Minnesota address on file. The membership numbers in our related associations are: MAVT #580 and MVMA #2,309.*

*The US Bureau of Labor Statistics reports the following for MN (Accessed 1.26.23), under Healthcare Practitioners and Technical Occupations:*

*29-2056 Veterinary Technicians and Technologists - #3,450*

*31-9096 Veterinary Assistants and Lab Animal Caretakers - #1,230*

- c. Describe the work settings, and conditions for practitioners of the occupation, including any special geographic areas or populations frequently served.

*Veterinary practices (small animal, large animal, mixed animal), research facilities, agriculture facilities, Colleges of Veterinary Medicine and Veterinary Technology and other veterinary related businesses throughout the state (such as MN Dept of Health; Animal Humane Society).*

- d. Describe the work duties or functions typically performed by members of this occupational group and whether they are the same or similar to those performed by any other occupational groups.

*Veterinary technicians are educated to perform all tasks related to veterinary medicine, excluding surgery, diagnosis, prognosis, and prescribing – which are all duties that only the licensed veterinarian may perform.*

**2) Specialized training, education, or experience (“preparation”) required to engage in the occupation**

- a. What preparation is required to engage in the occupation? How have current practitioners acquired that preparation?

*Since 1991, the requirement to become a certified veterinary technician in MN has included graduating from either a 2-year or 4-year nationally accredited veterinary technician program and passing the Veterinary Technician National Examination (VTNE). In addition to the 4 schools in MN (all Minnesota State public colleges), there are accredited online programs available for lectures and the practical hands-on skills are achieved while working at a veterinary practice. Nearby schools across the MN border include Fargo, ND and New Richmond, WI. Externships are often part of the curriculum. VTNE preparation courses are also available. The VTNE is offered three times yearly.*

- b. Would the proposed regulation change the way practitioners become prepared? If so, why and how? Include any change in the cost of entry to the occupation. Who would bear these costs?

*The proposed regulation from voluntary certification to licensure will have minimal financial increases compared to the current certification requirements. The Board of Veterinary Medicine (BVM) would oversee licensure and will require an application fee, a criminal background check, and a jurisprudence exam. These fees are proposed to range from \$83.25 – 108.25 compared to current certification application of \$75.00.*

*Additionally for credential renewal every 2 years, proposed BVM fee is \$100 as compared to current MVMA recertification fee which ranges between \$75 – 115.*

*Typically, employers will pay for or reimburse the veterinary technician for these expenses.*

- c. Is there an existing model of this change being implemented in another state? Please list state, originating bill and year of passage?

*Minnesota is now only one of eight states that does not regulate veterinary technicians in some capacity. The most recent states to implement changes include: Utah (HB255 which passed in the 2020 legislative session and went into effect 5/12/2020); Montana (SB106 which passed in the 2021 legislative session and went into effect 1/1/2023); and Colorado (Bill [HB22-1235](#) which passed in the 2022 legislative session and went into effect 8/10/2022. The veterinary technician regulation portion of the bill went into effect 1/1/2023).*

*Wyoming and possibly New Hampshire are currently looking at adding licensure for veterinary technicians. South Dakota has introduced a title protection bill this year for veterinary technicians: <https://sdlegislature.gov/Session/Bill/23718>*

- d. If current practitioners in Minnesota lack any training, education, experience, or credential that would be required under the new regulation, how does the proposal address that lack?

*Those without a current voluntary credential will be able to apply for licensure (if they have met the required criteria) within the sunset window of our proposed Grandfather Clause. These individuals will not be required to have a degree or to take the Veterinary Technician National Examination (VTNE). We believe this opportunity will allow those currently working in this profession to become licensed, bringing more individuals into the field and minimizing personnel losses at veterinary clinics. Licensure will provide more career opportunities for advancement and wider employment opportunities in neighboring states.*

- e. Would new entrants into the occupation be required to provide evidence of preparation or be required to pass an examination? If not, please explain why not. Would current practitioners be required to provide such evidence? If not, why not?

*New entrants into licensure, once the sunset window closes, will have the same requirements as current certification (graduation from an accredited veterinary technician program and passing*

*the VTNE). New entrants and certified veterinary technicians in good standing seeking licensure will need to take and pass an open book jurisprudence exam, pass a criminal background check, and provide affidavit letters. All new entrants not currently certified will also need a letter of recommendation from a licensed DVM, stating these individuals are competently trained to perform the work of a veterinary technician and they support their application to become licensed.*

### 3) Supervision of practitioners

- a. How are practitioners of the occupation currently supervised, including any supervision within regulated institution or by a regulated health professional? How would the proposal change the provision of supervision?

*Legally (MN Rules Chapter 9100.0800; Subp 7.C), veterinarians are required to be in visual or audible range of an unlicensed employee performing work on a patient, during normal business hours. Our proposed legislation would allow this supervision to be delegated to a licensed veterinary technician (LVT). We believe this will increase practice efficiency by allowing a regulated veterinary technician to supervise the non-licensed employee that the veterinarian has delegated a task to, and that this individual is competent to perform. Additionally, we have proposed a definition for remote supervision, which will benefit the practices and farms in rural MN.*

- b. Does a regulatory entity currently exist or does the proposal create a regulatory entity? What is the proposed scope of authority of the entity? (For example, will it have authority to develop rules, determine standards for education and training, assess practitioners' competence levels?) Has the proposed change been discussed with the current regulatory authority? If so, please list participants and date.

*The Board of Veterinary Medicine currently exists for licensed veterinarians and would provide oversight of licensed veterinary technicians. They will have authority to develop rules for veterinary technicians. The standards for education, training and competency exams are managed by the American Veterinary Medical Association (AVMA) Committee on Veterinary Technician Education and Activities (CVTEA) and the American Association of Veterinary State Boards (AAVSB).*

*The proposed change has been discussed with the current regulatory authority and we have met regularly with the Executive Director, Dr. Julia Wilson over the last couple of years. Dr. Balay and Kim Horne have also done several presentations to the Board members and provided updates for their regularly scheduled meetings.*

- c. Do provisions exist to ensure that practitioners maintain competency? Describe any proposed change.

*The current requirement to maintain certification is 10 continuing education credits every 2 years. We have suggested to the Board of Veterinary Medicine to increase the number of credits to 15, which better aligns with the national average CE requirements for veterinary technicians.*

### 4) Level of regulation (See Mn Stat 214.001, subd. 2, declaring that "no regulations shall be imposed upon any occupation unless required for the safety and well-being of the citizens of the state." The harm must be "recognizable, and not remote." Ibid.)

- a. Describe the harm to the public posed by the unregulated practice of the occupation or by the continued practice at its current degree of regulation.

*Harm to the public can occur in various instances related to not only pet owners but to farmers and other individuals associated with agriculture. With many infectious agents, zoonotic diseases, and biosecurity concerns - having knowledgeable and accountable veterinary technicians who are often on the front lines as well as being responsible for educating the*

*veterinary clients is essential. Errors that result in small animal patient death not only impact pet owners, but also include assistance dogs and our canine police officers. Farm animal death impacts the economics of farmers and agriculture in MN.*

- b. Explain why existing civil or criminal laws or procedures are inadequate to prevent or remedy any harm to the public.

*With current voluntary certification, there is no authoritative body to report or investigate misconduct. Concerns heard over the years have included allegations of animal abuse, stealing client credit cards, calling in prescriptions to a human pharmacy without DVM authorization (including controlled substances), and most concerning is the unpublished data related to controlled drug diversion. Survey results show that approximately 20% of drug diversions in a veterinary practice are perpetrated by a veterinary technician. With no reporting body, these individuals are often terminated and end up going down the road and working at another veterinary practice. Law enforcement is seldom interested in pursuing this crime; therefore, these individuals will not only continue to harm patients in their care, but they are not getting the assistance they need for their substance abuse problem. Working under the influence of drugs also puts their co-workers and the general public at risk.*

- c. Explain why the proposed level of regulation has been selected and why a lower level of regulation was not selected.

*Current voluntary certification by a non-governmental entity is not sufficient to protect the public. Licensure is preferred by the veterinary community and other stakeholders. We need these individuals to have access to state programs such as the MN Health Professionals Services Program (HPSP).*

*If our veterinary technicians were licensed in MN, they would be more likely allowed to assist with disasters in other states, since they would now have oversight by a regulatory body.*

##### **5) Implications for Health Care Access, Cost, Quality, and Transformation**

- a. Describe how the proposal will affect the availability, accessibility, cost, delivery, and quality of health care, including the impact on unmet health care needs and underserved populations. How does the proposal contribute to meeting these needs?

*Data shows that credentialed veterinary technicians generate practice revenue. This increase should offset any pay increases the business owner may choose to implement. Retention of veterinary technicians in the profession will alleviate the shortage so that businesses are not only able to hire needed staff, but to utilize these individuals to the highest level of their training. This will increase business efficiency and profitability. The proposed scope of practice allowing the LVT to supervise unlicensed personnel will free up the veterinarian to provide more services to clients and their animals. The proposed remote supervision will also increase efficiency in smaller practices that are often found in less populated areas. By allowing some tasks to be performed by the LVT instead of the DVM may also lower client costs of these services.*

*This proposal should improve the availability and accessibility of veterinary healthcare. The quality of healthcare should increase by having title protection and requiring LVT's to have the minimum qualifications (graduate of veterinary technician program, passing national and jurisprudence exams) to enter into the profession as well as requiring continuing education to maintain their licensure, ensuring they are staying up to date with veterinary medicine, technology and current laws.*

*This proposal is vital to help manage the current veterinary technician shortage and to address the predicted veterinarian shortage. Retaining veterinary technicians and allowing them to be utilized (and held accountable) will benefit the veterinary profession. We also anticipate that licensure will help to bring more individuals into the profession.*

- b. Describe the expected impact of the proposal on the supply of practitioners and on the cost of services or goods provided by the occupation. If possible, include the geographic availability of proposed providers/services. Cite any sources used.

*This proposal has the potential to not only benefit the metropolitan area, but less populated areas including those veterinary businesses serving rural areas and the agriculture industry. AVMA data shows one credentialed veterinary technician can increase practice income 18%.*

<https://www.bls.gov/ooh/healthcare/veterinary-technologists-and-technicians.htm#tab-1>

Salois M, Golab G. Are we in a veterinary workforce crisis? Understanding our reality can guide us to a solution. *J Am Vet Med Assoc.* 2021;259(6):560–566.

[www.NAVTA.net](http://www.NAVTA.net) (2022 Demographics survey)

- c. Does the proposal change how and by whom the services are compensated? What costs and what savings would accrue to patients, insurers, providers, and employers?

*We do not anticipate any major changes required for compensation, unless the employer chooses to increase level of pay. If businesses are able to improve their efficiency, we would hope that the individuals would be compensated by the additional revenue and cost savings allowed with the proposal. Since all employees' work is delegated to them by the licensed veterinarian, no additional individual insurance will be required.*

- d. Describe any impact of the proposal on an evolving health care delivery and payment system (e.g., collaborative practice, innovations in technology, ensuring cultural competency, value-based payments)?

*With current technology, tasks will be able to be performed with remote supervision. This has the ability to improve patient care by allowing licensed staff to accomplish delegated follow-up care for a patient of which they are competent to perform.*

- e. What is the expected regulatory cost to state government? Is there an up-to-date fiscal note for the proposal? How are the costs covered under the proposal?

*We have worked with the Board of Veterinary Medicine to develop a preliminary fiscal note. There will be minor initial costs to create the database and licensing records as well as the addition of a part-time employee to process applications. At least one additional Board member will be needed to evaluate complaints against veterinary technicians which will engender a slight increase in agency expense. Once the licensure system is established, requests for additional spending authority are not anticipated as licensure for veterinary technicians will be fiscally self-supporting.*

## 6) Evaluation/Reports

Describe any plans to evaluate and report on the impact of the proposal if it becomes law, including focus and timeline. List the evaluating agency and frequency of reviews.

*The Board of Veterinary Medicine will oversee licensing for veterinary technicians and investigate any complaints against them. The Board will need approximately two years after the bill is passed for rulemaking and infrastructure implementation. Once licensure begins, we will be able to compare data with the Minnesota Veterinary Medical Association, who has been managing the voluntary certification program. These reviews can occur on an annual basis during the grandfathering period and compare numbers of credentialed veterinary technicians in Minnesota. Retention of veterinary technicians will become measurable and create data to guide methods to strengthen this career in Minnesota. Additionally, the BVM will work with other agencies such as the American Association of Veterinary State Boards (AAVSB) and the American Veterinary Medical Association (AVMA) to assess the success of the process and to formulate recommendations for improvement.*



*Because this proposal is not mandatory, anyone choosing not to become licensed may still remain in the profession (their title would change to veterinary assistant) however, the duties they perform can remain the same.*

**7) Support for and opposition to the proposal**

- a. What organizations are sponsoring the proposal? How many members do these organizations represent in Minnesota?

*The organizations sponsoring the proposal are the Minnesota Veterinary Medical Association (MVMA) and the Minnesota Association of Veterinary Technicians (MAVT). Membership numbers in our related associations are: MVMA #2,309 and MAVT #580.*

- b. List organizations, including professional, regulatory boards, consumer advocacy groups, and others, who support the proposal.

*Supporters of our proposal include:*

*American Association of Veterinary State Boards (AAVSB) – letter dated 9/23/22 (attached)*

*American Veterinary Medical Association (AVMA) – letter dated 3/14/22 (attached)*

*National Association of Veterinary Technicians (NAVTA) – letter dated 3/23/22 (attached)*

*University of Minnesota, College of Veterinary Medicine*

*Animal Humane Society*

*Lakefield Veterinary Group*

- c. List any organizations, including professional, regulatory boards, consumer advocacy groups, and others, who have indicated concerns/opposition to the proposal or who are likely to have concerns/opposition. Explain the concerns/opposition of each, as the sponsor understands it.

*None that we are aware of. We worked with many different stakeholders when discussing this proposal and worked together to get draft language that all could support.*

- d. What actions has the sponsor taken to minimize or resolve disagreement with those opposing or likely to oppose the proposal?

*Dr. Balay and Kim have done extensive outreach to educate the veterinary profession on this proposal. This has included presentations at the annual MVMA and MAVT Veterinary Convention and Annual Meeting in 2020, 2021, 2022 and 2023 as well as other associations' meetings (Minnesota Association of Equine Practitioners). Various Town Hall in-person presentations were held throughout the state: Marshall, Rochester, Alexandria, Detroit Lakes, Duluth. Visits to veterinary technician programs and presentations were given to students. Additional Town Halls and webinars were periodically provided via Zoom. Other meetings with various stakeholders took place to inform them of our initiative, such as: MVMA Industry Partners, Animal Emergency and Referral Center of MN, Banfield Pet Hospital, BluePearl Pet Hospital, and other specialty and emergency animal hospitals.*

*Regular updates have been provided to veterinary association newsletters and information is posted on their websites. We have also worked with the Board of Veterinary Medicine to ensure our proposal was acceptable to them.*