R-04899

Minnesota Board of Veterinary Medicine

STATEMENT OF NEED AND REASONABLENESS

Proposed Amendments to Rules Governing the Licensing of Professional Veterinarians and Veterinary Technicians in Minnesota: Veterinarians' Licensure and Practice, and Veterinary Technicians' Licensure and Practice; Chapters 9100 and 9101.

INTRODUCTION

The Minnesota Board of Veterinary Medicine strives to promote, preserve, and protect the health, safety, and welfare of the public and animals through the effective control and regulation of the practice of veterinary medicine. This rulemaking will modify, clarify, and update various existing Board of Veterinary Medicine rules, as well as introduce new language that will allow for a successful transition of licensing veterinary technicians in the state of Minnesota. Following is a summary of the changes.

9100.0100 Subp. 1. **Scope.** This definition is being updated to add "chapter 9101" because there will be new rules specific to veterinary technicians.

9100.0100 Subp. 1c. A. **Continuing education or approved continuing education program.**

This definition is being updated to add "veterinary technology" because continuing education will be a requirement for the professional practice and licensure of both veterinary medicine and veterinary technology.

9100.0800 Subp. 4A. **Record keeping.**

This rule is being amended to add that a licensed veterinary technician working under a veterinarian's written or oral instructions, on an animal or group of animals, whether in the veterinarian's custody at an animal treatment facility or remaining on the owner's or caretaker's premises must also prepare a written record or computer record concerning the animals. A veterinarian performing treatment or surgery must do the same.

9100.0800 Subp. 4A. 1. **Record keeping.**

"the" is being added to this item to signal to the reader which thing is being talked about.

9100.0800 Subp. 4A. 2. **Record keeping.**

"the" is being added to this item to signal to the reader which thing is being talked about. "animal" is being added to this item to include singular subject to the scope of the rule.

9100.0800 Subp. 4A. 3. **Record keeping.**

"the" is being added to this item to signal to the reader which thing is being talked about.

9100.0800 Subp. 4A. 4. **Record keeping.**

"a" is being added to this item to make the phrase general, not unique.

9100.0800 Subp. 4A. 7. **Record keeping.**

"Veterinarian's" is being added to this item for clarity between the veterinarian and the veterinary technician.

9100.0800 Subp. 4A. 8. **Record keeping.**

"Veterinarian's" is being added to this item for clarity between the veterinarian and the veterinary technician.

9100.0800 Subp. 4A. 9. **Record keeping.**

"Veterinarian's prescribed" is being added to this item for clarity between the veterinarian and the veterinary technician.

9100.0800 Subp. 7A. **Supervision.**

This rule is being amended to add that a licensed veterinarian is professionally and legally responsible for any practice of veterinary medicine by the veterinarian's licensed veterinary technicians along with the veterinarian's unlicensed employees. A veterinarian must have examined the animal patient prior to the delegation of an animal health care task to a licensed veterinary technician or unlicensed employee.

9100.0800 Subp. 7B. **Supervision.**

This proposed rule change clarifies that a veterinarian must not allow their licensed veterinary technicians or unlicensed employees to perform surgery, diagnose or prognose an animal client, or prescribe drugs, medicines, and appliances.

9100.0800 Subp. 7C. **Supervision.**

This proposed rule amendment adds that supervision by a veterinarian or licensed veterinary technician of an unlicensed employee must involve the degree of close physical proximity necessary for the supervising veterinarian or licensed veterinary technician to observe and monitor the performance of a supervised individual. The licensed veterinary technician observing the unlicensed employee must be on the client's premises or present in the veterinary facility while the supervised unlicensed individual is performing health care services, just as is required for a veterinarian supervising an unlicensed employee. These supervision requirements do not restrict a licensed veterinary technician or an unlicensed employee from rendering lifesaving aid and treatment to an animal in the absence of a veterinarian, should the animal require immediate treatment to sustain life or prevent further injury.

9100.0800 Subp. 7D. **Supervision.**

This section creates a clear exception to the usual supervision rule by allowing licensed veterinary technicians and unlicensed employees to perform routine nursing care on hospitalized animals when the veterinarian is not on the premises, and also to provide immediate lifesaving treatment in true emergencies; in short, it ensures continuous patient care and protects staff from violating supervision requirements when the veterinarian is absent.

9100.0800 Subp. 7E. **Supervision.**

This added section requires that when a licensed veterinary technician is working under a veterinarian's remote supervision, the technician must clearly tell the client—either verbally or in

writing—that they are a licensed veterinary technician acting on behalf of the supervising veterinarian, and they must also provide the name of that supervising veterinarian.

9100.0800 Subp. 9. **Informed consent.**

This rule is being amended to allow the licensed veterinary technician or the unlicensed employee to inform the client, prior to treatment, of the veterinarian's treatment choices and reasonable medical or surgical alternatives including an estimated cost of the alternatives for consideration by the client.

9101.0100 **DEFINITIONS.**

This part is being added to introduce the definitions for this chapter.

9101.0100 Subpart 1. **Scope.**

This subpart describes that the definitions included will apply to chapter 9101.

9101.0100 Subp. 2. **Supervising veterinarian.**

This definition is being added to define and differentiate direct and remote supervision performed by a veterinarian to ensure everyone has the same hierarchy in veterinary practice.

9101.0100 Subp. 3. **Supervising veterinary technician.**

This definition is being added to define and determine who is accountable for the supervision of unlicensed employees providing patient care. It ensures everyone has the same hierarchy in veterinary practice.

9101.0100 Subp. 4. **Veterinary technician.**

This definition is being added to define "veterinary technician" which is used elsewhere in the rules.

9101.0100 Subp. 5. **Veterinary Technician National Examination (VTNE).**

This definition is being added to define the "Veterinary Technician National Examination" or the "VTNE" which is referenced elsewhere in the rules.

9101.0100 Subp. 6. **Veterinary Technician Specialist (VTS^{SM}).**

This definition is being added to define a "Veterinary Technical Specialist" or a "VTS^{SM}" which is used elsewhere in the rules.

9101.0200 **APPLICATION AND EXAMINATION REQUIREMENTS FOR LICENSURE TO PRACTICE VETERINARY TECHNOLOGY.**

This part is being added to introduce rules on application and examination requirements for licensure to practice veterinary technology in the state of Minnesota.

9101.0200 Subpart 1. **Application requirements, per statute 156.077.**

This subpart is being added to describe what is required to accompany an application for licensure to practice veterinary technology.

9101.0200 Subpart 1A. **Application requirements, per statute 156.077.**

This proposed rule requires a person applying for a license to practice veterinary technology in Minnesota to pay an application fee to the Board.

9101.0200 Subpart 1B. **Application requirements, per statute 156.077.**

This proposed rule requires all applicants for veterinary technician licensure in Minnesota to pass a criminal background check. The fee associated with this must be paid to the Board.

9101.0200 Subpart 1C. **Application requirements, per statute 156.077.**

This proposed rule establishes that an application fee received supports only the application for which the fee was submitted. A person who applies more than once must submit another fee with each subsequent application.

9101.0200 Subp. 2. **Examination requirements.**

This subpart is being added to describe examination requirements for licensure to practice veterinary technology.

9101.0200 Subp. 2A. **Examination requirements.**

This proposed rule requires all applicants for veterinary technician licensure in Minnesota to pass the Minnesota veterinary technician jurisprudence examination. The fee associated with this examination must be paid to the Board.

9101.0200 Subp. 2B. **Examination requirements.**

This proposed rule requires a person to register to take the Veterinary Technician National Examination (VTNE) and pay a fee through the American Association of Veterinary State Boards (AAVSB). Applicants must select Minnesota on the AAVSB VTNE application to ensure exam results are disseminated to the Minnesota Board of Veterinary Medicine. If Minnesota is not selected as the jurisdiction, VTNE scores must be transferred through the AAVSB.

9101.0200 Subp. 2C. **Examination requirements.**

This proposed rule requires an applicant to retake the Veterinary Technician National Examination (VTNE) should they be unable to transfer their VTNE scores from a previous jurisdiction.

9101.0200 Subp. 2D. **Examination requirements.**

This proposed rule helps define the consequences of failing to provide transferable VTNE scores and it clarifies the Board's standard for what counts as acceptable proof of examination competency.

9101.0200 Subp. 2E. **Examination requirements.**

This proposed rule helps define how applicants from non-standard educational backgrounds can still qualify to take the VTNE and it sets the educational equivalence standard for those who didn't graduate from and accredited veterinary technology program.

9101.0300 **LICENSE AND LICENSE RENEWAL.**

This part is being added to introduce rules on fees and other requirements for initial and renewal veterinary technician licensure in Minnesota.

9101.0300 Subpart 1. **Required for licensure.**

This rule requires each person to pay an initial fee or a biennial license renewal fee for the coming two-year period. A licensure period begins on July 1 and expires June 30, two years later.

9101.0300 Subp. 2. **Payment of license fees and renewal fees.**

This proposed rule requires the initial licensure fee and the biennial renewal fee to be paid to the Board.

9101.0300 Subp. 2A. **Initial fee.**

This proposed rule requires and initial license fee to be paid to the board before July 1.

9101.0300 Subp. 2B. **Renewal fee.**

This proposed rule requires a renewal fee to be paid to the board before July 1.

9101.0300 Subp. 2C. **Renewal application.**

This proposed rule requires the board to send renewal applications to each licensee before May 1.

9101.0300 Subp. 2D. **Renewal application.**

This proposed rule defines the responsibility to renew stays with the licensee even if the board's renewal notice never arrives.

9101.0300 Subp. 3. **Date due.**

This rule requires a licensee to apply for a renewal license on or before July 1 of the first year of the biennial license renewal period. A renewal license is valid from July 1 through June 30 of the last year of the two-year license renewal period.

9101.0300 Subp. 4. **Late renewal penalty.**

This rule requires an applicant for renewal to pay a late renewal penalty in addition to the renewal fee, if the renewal application is received after July 1 of the licensure renewal period. A renewed license issued after July 1 of the licensure renewal period is valid only to the end of the current biennial period, regardless of when the renewal fee is received.

9101.0300 Subp. 5. **Reinstatement fee.**

This proposed rule requires an applicant for license renewal whose license has previously been suspended by official Board action for nonrenewal to pay a reinstatement fee in addition to the renewal fee and the late renewal penalty.

9101.0300 Subp. 6. **Late renewal penalty fee.**

This proposed rule specifies that the Board must notify by letter to the last known physical address on file, a licensee who has not renewed their license within 30 days after the renewal date to let them know that the renewal is overdue and that failure to pay the current fee and current late fee within 60 days after the renewal date will result in suspension of the license. The Board must send a second notice by registered or certified mail at least seven days before a

Board meeting occurring 60 days or more after the renewal date to each licensee who has not paid the renewal fee and late fee.

9101.0300 Subp. 7. **Suspension.**

This proposed rule requires the Board, by means of a roll call vote, to suspend the license of a licensee whose license renewal is at least 60 days overdue and to whom notification has been sent as required by the Board. A licensee may not challenge the suspension because they failed to receive notification from the Board. The Board must notify the former licensee by registered or certified letter within seven days of the Board action. Renewal and late penalty fees for each licensure period or part of a period that the license was not renewed must be paid before the suspended status placed on a license may be removed. This rule also requires a licensee who fails to renew a license for five years to meet the current criteria of Minnesota Statutes, section 156.071, and reapply for licensure.

9101.0300 Subp 8. **Inactive license.**

This proposed rule allows a person holding a current unrestricted license to practice veterinary technology in Minnesota, to renew the license as an inactive license for one-half the renewal fee of an unrestricted license at the time of the person's next biennial renewal date. The license may be continued in an inactive status by renewal on a biennial basis at one-half the regular license fee.

9101.0300 Subp. 8A. **Inactive license.**

This proposed rule allows a person to convert a current unrestricted license to inactive license at one-half the renewal fee upon application to and approval by the Board.

9101.0300 Subp. 8B. **Inactive license.**

This proposed rule defines the legal status and limitations of someone who holds and inactive veterinary technician license. Inactive licensee may renew the inactive license at one-half the regular license fee, must not practice veterinary technology, and must not use the protected title, and remain under the disciplinary authority of the board.

9101.0300 Subp. 8C. **Inactive license.**

This proposed rule requires a licensee applying to convert their inactive license to an unrestricted license.

9101.0300 Subp. 8C. 1. **Inactive license.**

This proposed rule requires licensee applying to convert their inactive license to unrestricted license must include documentation of licensure in good standing and of having met continuing education requirements of the current state of practice, or documentation of having met Minnesota continuing education requirements retroactive to the date of licensure inactivation in their application.

9101.0300 Subp. 8C. 2. **Inactive license.**

This proposed rule requires a licensee applying to convert their inactive license to an unrestricted license to include certification by the applicant that they are not currently under

disciplinary orders or investigation for acts that could result in disciplinary action in any other jurisdiction in their application.

9101.0300 Subp. 8C. 3. **Inactive license.**

This proposed rule requires a licensee applying to convert an inactive license to an unrestricted license to include payment equal to the full difference between an inactive and unrestricted license if converting during the first year of the biennial license cycle or payment equal to one-half the difference between an inactive and an unrestricted license if converting during the second year of the license cycle in their application.

9101.0300 Subp. 8D. **Inactive license.**

This proposed rule sets a deadline of July 1 of the first year of the biennial license renewal period for renewal of an inactive license and a late renewal penalty must be paid if received after the deadline.

9101.0300 Subp. 9. **Duplicate license.**

This proposed rule requires a person requesting a duplicate or replacement license to pay a fee to the Board.

9101.0400 **CONTINUING EDUCATION.**

This part is being added to introduce rules on continuing education requirements for veterinary technician licensure in Minnesota and discusses which continuing education programs are approved by the Board or how they can obtain Board approval.

9101.0400 Subpart 1. **Continuing education required.**

This subpart requires veterinary technicians transferring their current certification from the Minnesota Veterinary Medical Association in 2026 to attest on their initial license application that they have completed at least five continuing education credit hours for each year since their previous certification renewal. After initial licensing, a license renewal must not be issued to a veterinary technician until the veterinary technician has certified to the Board that they have completed at least 16 hours of approved continuing education during the previous two years, pursuant to Minnesota Statutes, section 156.07.

9101.0400 Subp. 2. **Purpose.**

This subpart describes the primary purpose of continuing veterinary education as being a way to assure the consumer of an optimal quality of veterinary care by requiring veterinary technicians to attend educational or training programs designed to advance their professional skills, knowledge, and obligations.

9101.0400 Subp. 3. **Approved continuing education programs.**

This subpart is being added to discuss continuing education courses that are pre-approved by the Board, as well as how courses that are not pre-approved can obtain Board approval.

9101.0400 Subp. 3A. **Approved continuing education programs.**

This rule requires the Board to automatically approve courses, seminars, wet labs, and lectures sponsored by the American Veterinary Medical Association (AVMA) and Canadian

Veterinary Medical Association (CVMA), state and regional Veterinary Medical Associations and Veterinary Technician Associations, AVMA recognized specialty Boards, National Association of Veterinary Technicians in America (NAVTA) recognized specialty academies, Board-approved international veterinary medical organizations, the U.S. Animal Health Association, training programs of the United States Department of Agriculture (USDA), the Minnesota Board of Animal Health, American Animal Hospital Association (AAHA), and the American Association of Veterinary State Boards (AAVSB) Registry of Approved Continuing Education (RACE) approved content.

9101.0400 Subp. 3B. **Approved continuing education programs.**

This rule requires sponsors of programs not automatically approved to apply to the Board for course approval at least 90 days prior to the anticipated presentation date. Applications for approval of a continuing education program are required to be submitted on a form provided by the Board.

9101.0400 Subp. 3B. 1. **Approved continuing education programs.**

This item requires an application for Board approval of a continuing education program to include the name and address of the organization sponsoring the course for which approval is requested.

9101.0400 Subp. 3B. 2. **Approved continuing education programs.**

This item requires an application for Board approval of a continuing education program to include a detailed description of the course content, including a time schedule for the course.

9101.0400 Subp. 3B. 3. **Approved continuing education programs.**

This item requires an application for Board approval of a continuing education program to include the name and credentials of each person making a presentation.

9101.0400 Subp. 3B. 4. **Approved continuing education programs.**

This item requires an application for Board approval of a continuing education program to include the mechanism they will be using to monitor and certify attendance.

9101.0400 Subp. 3B. 5. **Approved continuing education programs.**

This item requires an application for Board approval of a continuing education program to include the dates and location, including the name and address of the facility at which the course will be conducted or the date of the webinar.

9101.0400 Subp. 3C. **Approved continuing education programs.**

This rule outlines the criteria the Board of Veterinary Medicine will use to approve continuing education programs.

9101.0400 Subp. 3C. 1. **Approved continuing education programs.**

This rule defines what kind of course content is acceptable for board-approval which must have intellectual or practical content directly related to veterinary medicine or veterinary technology.

9101.0400 Subp. 3C. 2. **Approved continuing education courses.**
This rule requires the presenter to be qualified to teach the subject.

9101.0400 Subp. 3C. 3. **Approved continuing education courses.**
This rule describes the setting in which education is conducted.

9101.0400 Subp. 3C. 4. **Approved continuing education courses.**
This rule requires the course to be open to all licensed veterinary technicians barring space limitations, instructor-to-pupil ratio, and prerequisites.

9101.0400 Subp. 3D. **Approved continuing education courses.**
This rule allows a licensee to request CE credit for a course that was not preapproved by the board, as long as they apply within 30 days and the board evaluates it using the criteria set out in C.

9101.0400 Subp. 3E. **Approved continuing education courses.**
This rule limits course approval to those directly related to the practice of veterinary medicine or veterinary technology.

9101.0400 Subp. 3F. **Approved continuing education courses.**
This rule requires board approved education to be advertised as "This course has been approved by the Minnesota Board of Veterinary Medicine for [insert appropriate number] continuing education and categorized as either Medical or Non-Medical".

9101.0400 Subp. 3G. **Approved continuing education courses.**
This rule requires course sponsors to maintain records of attendance for a minimum of three years.

9101.0400 Subp. 4. **License renewal requirements**
This subpart defines the requirements for license renewal and continuing education requirements.

9101.0400 Subp. 4A. **Requirements for relicensure.**
This subpart requires each veterinary technician licensee to obtain 16 approved continuing education credits in the two years immediately preceding the biennial license renewal deadline.

9101.0400 Subp. 4B. **Requirements for relicensure.**
This item requires at least 12 of the 16 required continuing education credits to be obtained from approved lectures, seminars, wet labs, webinars, authorship, or as a presenter of a continuing education topic.

9101.0400 Subp. 4C. **Requirements for relicensure.**
This item prohibits the Board from approving more than four continuing education credits from self-study sources for each licensee in a biennial license renewal period.

9101.0400 Subp. 4D. **Requirements for relicensure.**

This item prohibits the Board from approving more than four continuing education credits focused on practice management or other non-medical or non-scientific content for each licensee in a biennial license renewal period.

9101.0400 Subp. 5. **Credit determination.**

This subpart covers how the number of credits for approved continuing education courses will be determined by the Board.

9101.0400 Subp. 5A. **Credit determination.**

This item requires one hour of continuing education credit to be given for each period of not less than 50 minutes of attendance at an approved continuing education program. Credit for attendance at combined scientific, business, and social conventions must be given only for the actual number of hours spent participating in continuing education programs.

9101.0400 Subp. 5B. **Credit determination.**

This item requires up to four hours of continuing education credit to be granted on a one-time basis for a licensee who presents on an approved topic before a professional veterinary or allied health audience. Two hours of credit must be given for each hour of presentation, with a maximum of four credit hours.

9101.0400 Subp. 5C. **Credit determination.**

This item allows the Board to approve up to 10 continuing education credits for a licensee who receives author credit for publication in a peer-reviewed journal, textbook contributions, or conference proceedings.

9101.0400 Subp. 6. **Extension of continuing education requirements.**

This rule allows a licensee to apply to the Board for a six-month extension of the deadline for obtaining the required number of continuing education credits, in the case of unforeseen hardships such as illness, family emergency, or military obligation. The Board is not allowed to grant more than two consecutive extensions to a licensee.

9101.0400 Subp. 7. **Certification procedure.**

This subpart outlines the Board's certification procedure for veterinary technician licensure.

9101.0400 Subp. 7A. **Certification procedure.**

This rule requires the Board, at the time of license renewal, to furnish each licensee a form to attest to the fulfillment of the required number of continuing education hours for the two-year period preceding the license renewal date or qualification for an extension of the requirements.

9101.0400 Subp. 7B. **Certification procedure.**

This rule requires each licensee to maintain documentation of continuing education attendance for a minimum of four years. It also allows the Board, at its discretion, to require a licensee to furnish additional evidence as is necessary to verify compliance with Board

continuing education requirements. A licensee has 30 days within a Board request to provide proof to the Board of satisfactorily meeting the required number of continuing education hours established by the Board or of qualifying for an extension, whether as part of a routine audit or as part of an individual complaint investigation. This proof must be supplied in the format approved by the Board. This item lists attendance certificates, diplomas, or class rosters accompanied with a course program, or other documentation as acceptable proof of completing continuing education credits to the Board. This item grants the Board the final determining authority as to the acceptability of specific continuing education documentation or extension.

9101.0400 Subp. 7C. **Certification procedure.**

This rule prohibits excess continuing education hours from being banked or carried forward into the next license renewal cycle.

9101.0400 Subp. 7D. **Certification procedure.**

This rule grants the Board the authority to direct a licensee to take additional continuing education credits, in specific disciplines, over and above the general education requirements for licensure, for disciplinary purposes.

9101.0400 Subp. 8. **Reinstatement of expired license.**

This subpart requires a person wishing to reinstate an expired license, to furnish proof that the person meets continuing education requirements of their current state of residency and that those requirements are equal to Minnesota requirements, or otherwise provide documentation to the Board of having met Minnesota continuing education requirements for each year the license was expired, up to five years maximum.

9101.0500 PROTECTED TITLES AND DESIGNATIONS

9101.055 Subp. A. **Protected titles.**

This rule defines which titles and terms are legally protected and may only be used by licensed veterinary technicians in Minnesota.

9101.0500 Subp. B. **Protected titles.**

This rule prohibits veterinary technicians from using the title veterinary nurse or vet nurse.

9101.0500 Subp. C. **Protected titles.**

This rule defines when an how a veterinary technician may use the VTS designation and sets boundaries around specialty-title use.

ALTERNATIVE FORMAT

Upon request, this Statement of Need and Reasonableness can be made available in an alternative format, such as large print, audio, or Braille. To make a request for large print or audio formats, contact Nicole Vink at the Board of Veterinary Medicine by email, Nicole.vink@state.mn.us or phone, 651-201-2844. To make a request for this Statement of Need and Reasonableness in Braille format, contact the Minnesota Department of Employment and

Economic Development State Services for the Blind by email, sb.braille@state.mn.us. TTY users may call the Board of Veterinary Medicine at 1-800-627-3529.

STATUTORY AUTHORITY

The Board of Veterinary Medicine's statutory authority to adopt the rules is set forth in Minnesota Statutes 156.01, 156.07, and 156.077.

Minnesota Statutes section 156.01 specifies Board of Veterinary Medicine power and duties and states it shall make, alter, or amend rules that are necessary to carry this chapter into effect.

Minnesota Statutes section 156.07 grants the Board of Veterinary Medicine authority to establish, by rule, an inactive license category, at a lower fee, for licensees not actively engaged in the practice of veterinary medicine or veterinary technology within the state of Minnesota.

Minnesota Statutes section 156.077 grants the Board of Veterinary Medicine authority to adopt, by rule, additional or temporary alternative licensure requirements or definitions for veterinary technician titles.

REGULATORY ANALYSIS

(1) A description of the classes of persons who will probably be affected by the proposed rules, including classes that will bear the costs of the proposed rules and classes that will benefit from the rules.

Minnesota Statute §14.131 (1) requires that the SONAR include a description of the classes of persons who probably will be affected by the proposed rule, including classes that will bear the costs of the proposed rule and classes that will benefit from the proposed rule. It is the Board's position that the classes of persons that will be affected by the rule(s) will be:

- Doctor of Veterinary Medicine who may wish to hire licensed veterinary technicians and be responsible for their supervision.
- Veterinary Professional Firms who may wish to hire licensed veterinary technicians and other veterinary support staff.
- Veterinary assistants, veterinary technicians, and other unlicensed veterinary care professionals who would be subject to licensing fees and regulatory oversight.
- The public and all clients of veterinary hospitals who interact with veterinary care teams.

(2) An estimate of the probable costs to the agency and other agencies of implementing and enforcing the rules and any anticipated effect of the rules on state revenues.

Minnesota Statute §14.131 (2) requires that the agency promulgating the rule include any information ascertained regarding the probable costs to the agency and to any other agency of the implementation and enforcement of the proposed rule(s) and any anticipated effects on state revenues.

- The Board has annual expenses for Attorney General's office services, utilized in its efforts at enforcement. The nature of the rule(s) proposed are such, that it is expected that the costs related to the enforcement of these requirements would be minimal for attorney fees.
- The Board anticipates an initial start-up cost of $149,560 to include:
    - ALIMS database change
    - Mailing costs
    - Paper and supplies
    - Workstation modifications
    - IT support
    - New staff while will include a criminal background check and IT equipment
    - There are no costs to other agencies nor anticipated effects on state revenues

(3) A determination and discussion of whether there are less-costly or less-intrusive methods of achieving the purpose of the rules.

Minnesota Statute §14.131(3) requires that the agency promulgating the rule include any information ascertained as to whether there are less costly or less intrusive methods for achieving the purpose of the proposed rule(s).

The Board has published information in the Board newsletter, held townhall meetings, attended state professional association meetings, and met with multiple stakeholders to discuss licensing of veterinary technicians. The Minnesota Veterinary Medical Association as well as the Minnesota Association of Veterinary Technicians representing the professional interests of the licensees has received the proposed rules and to date, no information has been presented which suggests less costly or intrusive methods for accomplishing the purposes of the proposed rule(s). Additionally, there will be a "Request for Comments" and a "Notice of Intent to Adopt" published in the State Register, as part of the normal process of promulgation. This will allow another opportunity for interested parties to make such comments which will become part of the record, and which will be reviewed by the full Board before final adoption. The Board will have the opportunity to submit the proposed rule(s) to additional changes if comments suggest less costly or intrusive methods to accomplish the task. Finally, the Board will consider final adoption at a public Board meeting, allowing a third opportunity for comment and modification if necessary. Nevertheless, the Board does not believe there are any less costly or intrusive methods for achieving this purpose.

(4) A description of any alternative ways to achieve the purpose of the rules that the agency seriously considered and the reasons why they were rejected in favor of the proposed rules.

Minnesota Statute §14.131 (4) requires that the agency promulgating the rule include any information ascertained regarding a description of any alternative methods for achieving the purpose of the proposed rule that were considered by the agency, and why they were rejected in favor of the proposed rule.

There were no other methods considered for achieving the purpose of the proposed rule(s). This stems from the fact that the Administrative Procedures act imposes limitations on State Agencies establishing enforceable policies by any method other than rule. While the objectives

of some of the rules may be achieved by education to the profession, experience has shown that the outcomes of these attempts to educate the profession through such vehicles as the Board newsletter, are not consistent, and cannot be relied upon. Moreover, efforts such as this are costly, and do not have the force and effect of law. Therefore, there is no motivation for unlicensed animal care professionals to comply even if they do become aware of the policy(ies). For the Board to establish standards by which the public can feel protected, and by which the licensees can measure their behavior, such policies must be the subject of rule or statute. Administrative Rules promulgation is the vehicle granted by the legislature to the agency to establish such policy(ies). The only other vehicle currently available to the Board to achieve these goals, is to increase regulation of the licensed veterinarians who supervise the unlicensed staff. However, the Board uses this authority sparingly and not, typically, for an ongoing experience. Accordingly, the Board believes rule making is the most appropriate vehicle to accomplish its goal.

(5) An estimate of the probable costs of complying with the rules, including the portion of the total costs that will be borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals.

Minnesota Statute §14.127 (Session Laws 2008) requires that an agency must determine if the cost of complying with a proposed rule in the first year after the rule takes effect will exceed $25,000 for: (1) any one business that has less than 50 full time employees; or (2) any statutory or home rule charter city that has less than ten full time employees.

The Board anticipates minimal costs will be associated in complying with this rule(s) to any affected party and certainly no costs would meet those thresholds.

The probable cost to comply with the rule(s) for employers paying licensing fees and individual licensees would be $283.25 for each initial applicant and $100 every two years for renewal. The itemized costs include:

- $75 application fee
- $75 jurisprudence examination fee
- $100 license fee
- $33.25 criminal background check fee

(6) An estimate of the probable costs or consequences of not adopting the proposed rule, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals.

Minnesota Statute §14.131 (6) requires that the agency promulgating the rule include any information describing the probable costs or consequences of not adopting the proposed rule, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals.

This is difficult to ascertain at this time. However, the Board has faced numerous complaints regarding unlicensed staff with a significant increase in such complaints in just the last two years. The Board hereby asserts that these costs could be substantial and will largely be borne by the Board.

(7) An assessment of any differences between the rules and existing federal regulations and analysis of the need and reasonableness of each difference.

Minnesota Statute §14.131 (7) requires that the agency promulgating the rule include any information ascertained regarding an assessment of any differences between the proposed rule and existing federal regulations and a specific analysis of the need for and reasonableness of each difference.

Since the federal government is not involved in the licensure of a Doctor of Veterinary Medicine, or the credentialing of a technician in veterinary technology, it is believed that the rule(s) herein proposed offer no conflict with federal regulations.

(8) An assessment of the cumulative effect of the rule with other federal and state regulations related to the specific purpose of the rule.

No federal regulations on the practice of veterinary medicine or veterinary technology conflict with these rules. The federal government does not get involved in the licensing of a Doctor of Veterinary Medicine or the credentialing of a technician of veterinary technology.

PERFORMANCE BASED RULES

These rules are proposed to support the protection of the public consistent with the Board of Veterinary Medicine's mission. As required by Minnesota Statutes, section 14.002, they were developed with every effort to emphasize superior achievement in meeting the Board's regulatory objectives and maximum flexibility for the regulated parties and the Board in meeting those goals. We consulted with staff, Board members, the Office of the Attorney General, interested industry members, and regulators from other states. We also reviewed model rules and rules in effect in other states.

ADDITIONAL NOTICE

Proposed Scope of Rulemaking:

- Establish licensure requirements for LVTs
- Define scope of practice and supervision tiers (direct, indirect, remote)
- Include grandfathering for experienced vet techs

Target Audiences:

- Practicing veterinarians in MN
- Veterinary technicians and trainees
- Accredited vet technician programs
- Veterinary clinics, shelters, and animal hospitals
- Professional associations: MVMA, MAVT

Notice Methods:

1. **Direct Email Outreach**
    - Emailed to ~5,200 licensed veterinarians and ~6,000 vet techs via Board licensee database and GovDelivery Subscribers
    - Also sent to 5 AVMA-accredited Minnesota vet tech programs
2. **Professional Association Collaboration**

- Submitted notice to MVMA and MAVT newsletters and websites
- Same information shared with regional shelter associations

3. **Veterinary Training Institutions**
   - Notices emailed to program directors at five in-state and one out-of-state accredited vet tech schools
4. **Public Website Posting**
   - Highlighted on the Board's website landing page and "Upcoming Rules" section
   - Dedicated PDF downloadable with links to Notice, SONAR, draft rules
5. **Social Media & Press Releases**
   - One-time Board Facebook and Instagram notice
   - Press release to industry outlets, e-communication reaching ~5,000 stakeholders

Rationale for Notice Plan:

- Veterinarians and vet techs are directly impacted—direct emails ensure awareness.
- Programs educate future LVTs; their engagement supports compliance and feedback.
- Associations and government websites amplify and share information with broader stakeholders.
- Social media and press coverage enhance transparency and opportunity for comment.

CONSULT WITH MMB ON LOCAL GOVERNMENT IMPACT

As required by Minnesota Statutes, section 14.131, the Board of Veterinary Medicine will consult with Minnesota Management and Budget (MMB). We will do this by sending MMB copies of the documents that we send to the Governor's Office for review and approval. We will do this before the Board of Veterinary Medicine publishes the Notice of Intent to Adopt. The documents will include: the Governor's Office Proposed Rule and SONAR Form; the proposed rules; and the SONAR. The Board of Veterinary Medicine will submit a copy of the cover correspondence, and any response received from Minnesota Management and Budget to OAH with the documents it submits for ALJ review.

DETERMINATION ABOUT RULES REQUIRING LOCAL IMPLEMENTATION

As required by Minnesota Statutes, section 14.128, subdivision 1, the Board has considered whether these proposed rules will require a local government to adopt or amend any ordinance or other regulation to comply with these rules. The Board of Veterinary Medicine has determined that there are no local government requirements for adoption of these rules.

COST OF COMPLYING FOR SMALL BUSINESS OR CITY

As required by Minnesota Statutes, section 14.127, the Board of Veterinary Medicine has considered whether the cost of complying with the proposed rules in the first year after the rules take effect will exceed $25,000 for any small business or small city. The Board of Veterinary Medicine has determined that the cost of complying with the proposed rules will be negligible and could not exceed $25,000 for a small business. The Board of Veterinary Medicine has determined that the cost of complying with the proposed rules in the first year after the rules take effect will not exceed $25,000 for any small city.

LIST OF WITNESSES

If these rules go to a public hearing, the Board of Veterinary Medicine anticipates having the following principal witnesses testify in support of the need for and reasonableness of the rules:

1. Dr. Pamela Johnson, Executive Director, Minnesota Board of Veterinary Medicine
2. Dr. Raye Taylor, Board Vice President, Minnesota Board of Veterinary Medicine
3. Ms. Kim Horne, AAS, CVT, VTS (Dermatology), MAVT Credentials Committee Chair
4. Dr. Al Balay, Chair of MVMA Veterinary Technician Committee

Additional witnesses could be called as needed. The Board of Veterinary Medicine does anticipate calling non-agency witnesses.

RULE BY RULE ANALYSIS

9100.0100 DEFINITIONS.

Subp. 1c. A. **Continuing education or approved continuing education program.**

This definition is being amended because like veterinarians, licensed veterinary technicians need to stay current with the practice of veterinary medicine and this is best accomplished through continuing education. (Exhibit 1).

9100.0800 MINIMUM STANDARDS OF PRACTICE.

Subp. 4A. **Record keeping.**

This rule amendment is necessary as licensed veterinary technicians will be able to work on animals under a veterinarian's instruction. It is reasonable to require licensed veterinary technicians to keep written or computer records of the animals they are working on, just as veterinarians are already required to do.

Subp. 4A. 1. **Record keeping.**
The term "the" needs to be added to this item to so the veterinary technician knows which thing is being talked about.

Subp. 4A. 2. **Record keeping.**
The term "the" needs to be added to this item to so the veterinary technician knows which thing is being talked about.

Subp. 4A. 3. **Record keeping.**
The term "the" needs to be added to this item to so the veterinary technician knows which thing is being talked about.

Subp. 4A. 4. **Record keeping.**
The word “a” needs to be added to make the rule generalized, not unique.

Subp. 4A. 7. **Record keeping.**

The term “veterinarian’s” needs to be added to this item to align the rule with the minimum standards of practice in parts 9100.0800.

Subp. 4A. 8. **Record keeping.**
The term “veterinarian’s” needs to be added to this item to align the rule with the minimum standards of practice in parts 9100.0800.

Subp. 4A. 9. **Record keeping.**

The term “veterinarian’s” needs to be added to this item to align the rule with the minimum standards of practice in parts 9100.0800.

Subp. 7A. **Supervision.**

This rule amendment is needed to protect the safety and welfare of all animal clients receiving care at a veterinary facility. Since veterinary technicians will now be licensed by the state of Minnesota, they are no longer encompassed by the phrase “unlicensed employee.” It is reasonable for veterinarians to be professionally and legally responsible for any practice of veterinary medicine by the unlicensed employees as well as the licensed veterinary technicians under their supervision. It is also in the best interest of the animals to be examined by a veterinarian before receiving care from the veterinarian’s licensed veterinary technicians or unlicensed employees.

Subp. 7B. **Supervision.**

The original language of this rule restricts a veterinarian from authorizing unlicensed employees to perform surgery on an animal, to diagnose or prognose an animal, and from prescribing drugs, medicines, or appliances to animal clients. These are acts that must be performed by the veterinarian. Now that veterinary technicians will be licensed by the Board, it is reasonable to update the language of this rule to clarify that unlicensed employees and licensed veterinary technicians must not be authorized to perform these acts of veterinary medicine.

Subp. 7C. **Supervision.**

This rule is being amended to account for a licensed veterinary technician supervising an unlicensed employee in a veterinary care facility. The amendment clarifies that a licensed veterinary technician tasked with supervising an unlicensed employee, must be close enough to fully observe and monitor the performance of the unlicensed individual. This is a reasonable rule as it protects the safety and welfare of the animal clients.

The other amendment to the rule allows a licensed veterinary technician to render lifesaving aid and treatment to an animal in the absence of a veterinarian, should the animal require it. This is a reasonable change as it keeps the animal's safety and welfare as the top priority.

Subp. 7D. **Supervision.**

This rule is being added because its necessary to clarify the circumstances under which licensed veterinary technicians may provide routine nursing care and emergency support when a veterinarian is not physically present. Veterinary facilities routinely manage hospitalized animals and urgent situations where immediate supportive care is required, and the current rules do not explicitly address how licensed employees may act when the supervising veterinarian is temporarily off-premises or providing remote direction. This creates uncertainty for licensees and inconsistent practices across clinics.

Allowing licensed technicians to perform routine nursing care under a veterinarian's direction, including through remote supervision, reflects modern veterinary practice and ensures continuity of care for hospitalized animals. The rule also establishes clear boundaries by requiring technicians to inform clients when the veterinarian is absent, which promotes transparency and maintains client trust. Additionally, authorizing licensed technicians to provide supportive care in emergencies protects animal health and safety by ensuring that essential, time-sensitive interventions are not delayed while awaiting a veterinarian's arrival.

Subp. 7E. **Supervision.**
This rule is necessary to ensure transparency and uphold professional accountability when licensed veterinary technicians provide care under a veterinarian's remote supervision. Modern veterinary practice increasingly relies on telecommunications and flexible staffing models, allowing veterinarians to direct licensed technicians from off-site locations. While this approach improves access to care and operational efficiency, it also introduces potential confusion for clients regarding who is physically present and responsible for their animal's treatment. The rule establishes a clear chain of responsibility.

Subp. 9. **Informed consent.**

The way this rule is currently written dictates that only the veterinarian is allowed to inform a client of their treatment choices and other reasonable medical or surgical alternatives including the estimated costs to be considered by the client. It is being updated so that it does not have to be the veterinarian giving the client this information. According to the American Association of Veterinary Medical Colleges (AAVMC), there is a significant shortage of veterinarians in the United States (Exhibit 2), so allowing other employees in a veterinary care facility to inform the client of the veterinarian's treatment choices, alternatives, and estimated costs prior to treatment would take some pressures off the veterinarians who are already short staffed.

9101.0100 DEFINITIONS.

This part is being added to provide definitions to terms that are relevant to this chapter of the rules. It is needed so people clearly understand what is being referred to when these terms appear

in later parts. Most of the included definitions are mirrored from part 9100.0100 in the Veterinarians' licensure and practice chapter.

Subp. 1. **Scope.**

This subpart is needed so that readers understand that the definitions included in this part apply to this chapter of the rules.

Subp. 2. **Supervising veterinarian.**

The proposed definition of "supervising veterinarian" is necessary to establish a clear and uniform understanding of the levels of supervision – direct and remote – under which veterinary care may be delegated. Current rules reference supervision in multiple sections but do not provide a consistent definition, resulting in confusion among licensees, inconsistent clinic practices, and difficulty for the Board when evaluating complaints or enforcing standards. By defining "supervising veterinarian" and distinguishing between direct and remote supervision, the rule creates a shared hierarchy and clarifies the scope of responsibility for veterinarians overseeing licensed and unlicensed personnel. This definition supports safe delegation, improves accountability, and ensure that all parties – veterinarians, technicians, unlicensed employees, and clients – understand who is responsible for patient care decisions in any given situation. The rule is reasonable because it aligns with contemporary veterinary practices, supports public protection, and provides the clarity needed for consistent regulatory enforcement.

Subp. 3. **Supervising veterinary technician.**

The proposed definition of "supervising veterinary technician" is necessary to clearly identify who is responsible for overseeing unlicensed employees engaged in patient care within a veterinary facility. Current rules reference supervision by technicians do not define the role, leading to inconsistent delegation practices, uncertainty among licensees, and difficulty for the Board when evaluating complaints involving unlicensed personnel. Establishing a formal definition ensures that clinics understand which licensed individuals may supervise unlicensed staff, what level of accountability is expected, and how this role fits within the broader hierarchy of veterinary practice. This clarity promotes safe delegation, supports appropriate use of unlicensed employees, and reinforces that licensed veterinary techicians carry professional responsibility when directing others. The rule is reasonable because it aligns with the contemporary staffing models, enhances public protection, and provides a consistent framework for regulatory oversight.

Subp. 4. **Veterinary technician.**

Veterinary technician is a term used often throughout this chapter. It is needed so that people clearly understand what is being referred to. It is also necessary for people to differentiate between the licensed veterinarian and the licensed veterinary technician. (Exhibit 3).

Subp. 5. **Veterinary Technician National Examination (VTNE).**

The Veterinary Technician National Examination, or VTNE, is an examination related to veterinary technician licensing that is referred to often throughout this chapter. It is needed so that people clearly understand what is being referred to. (Exhibit 4).

Subp. 6. **Veterinary Technician Specialist (VTS^{SM}).**

Veterinary Technician Specialist, or VTS^{SM}, is a term used in another part of this chapter (9150.0800, subpart 10). It is needed so that people clearly understand what is being referred to. (Exhibit 5).

9101.0200 APPLICATION AND EXAMINATION REQUIREMENTS FOR LICENSURE TO PRACTICE VETERINARY TECHNOLOGY.

This part is needed to outline the application and examination requirements specific for licensure to practice veterinary technology in Minnesota. Some of these rules are modeled after rules in part 9100.0400 in the Veterinarians' licensure and practice chapter. Many of the requirements in this part come from Minnesota Statutes section 156.077. (Exhibit 6).

Subpart 1. **Application requirements, per statute 156.077.**

This is a housekeeping addition needed as a header for this subpart on application requirements.

Subpart 1A. **Application requirements, per statute 156.077.**

Due to the time and technology required to process applications to practice veterinary technology, it is necessary that applications include a fee to recuperate administrative processing and database costs.

Subpart 1B. **Application requirements, per statute 156.077.**

It is reasonable that applications must include a criminal background fee, which is an amount set by the agency conducting the background checks. These fees are billed directly to the Board and not to the licensee individually, which is why it is clarified that the necessary fee is paid to the Board.

Subpart 1C. **Application requirements, per statute 156.077.**

This rule is needed to ensure that there is no interpretation that a single fee can be used across multiple applications. Since there is still the same need to recuperate operational costs for each application submitted, this is declared in rule. This language is modeled after rule 9100.0400, subpart 1B for format consistency.

Subp. 2. **Examination requirements.**

This is a housekeeping addition needed as a header for this subpart on examination requirements.

Subp. 2A. **Examination requirements.**

The requirement of jurisprudence exams is necessary to ensure that licensees are familiar with the nuances of the Minnesota Statutes and rules regarding veterinary medicine and veterinary technology. These are common in most states and are important to ensure licensees from other states understand the nuances in Minnesota. This exam is administered, and the work associated with grading and managing scores, and communication are recuperated through a fee. Since the exam is administered directly by the Board, it is reasonable that the fee is due to the Board directly. This language is modeled after rule 9100.0400, subpart 3A for format consistency.

Subp. 2B. **Examination requirements.**

The Veterinary Technician National Examination or VTNE is administered by an outside agency, the American Association of Veterinary State Boards (AAVSB), and thus fees for that examination and reporting are paid directly to that agency. The applicant is directed to have scores sent via the agency to the Board during testing or by specific request. This is the responsibility of the applicant as only scores sent to the Board from the administering agency are acceptable. It is reasonable to have this in rule so that licensees are aware of what is expected of them regarding getting their VTNE scores sent to the Board.

Subp. 2C. **Examination requirements.**

This rule is necessary to advise licensees that there is no alternative scoring acceptable if for some reason the applicant cannot facilitate their exam scores from a previous jurisdiction. The stance of the Board is that this is consistent with no exam, and that the exam must be retaken. This is reasonable because every applicant is required to have a passing score for the VTNE to be considered for licensure to practice veterinary technology in Minnesota.

Subp. 2D. **Examination requirements.**

The proposed rule is necessary to clarify that applicants who cannot provide transferable VTNE scores, or who did not graduate from an accredited veterinary technology program, do not meet Minnesota's standard for demonstrating examination competency. The Board relies on official VTNE score transfers through the AAVSB to verify that an applicant has successfully completed the national examination under secure, standardized conditions. When scores cannot be transferred, the Board has no reliable method to confirm the applicant's performance, creating a risk of licensing individuals whose examination results cannot be authenticated.

Subp. 2E. **Examination requirements.**

The proposed rule is necessary to explain why applicants from non-standard or non-accredited educational backgrounds often do not meet Minnesota's established standards for examination competency. National data from the AAVSB consistently show that graduates of non-accredited programs have significantly lower VTNE pass rates compared to graduates of AVMA-accredited programs. These lower pass rates indicate gaps in curriculum rigor, clinical preparation, or assessment standards that directly affect an applicant's readiness for safe entry-level practice. By

acknowledging this disparity, the rule provides clear rationale for requiring applicants to demonstrate competency through accredited education or validation examination results.

9101.0300 LICENSE AND LICENSE RENEWAL

This part is needed to outline requirements for initial licensure, renewal licensure, and fees related to veterinary technician licensure in Minnesota. These rules are modeled after part 9100.0500 in the Veterinarians' licensure and practice chapter.

Subpart 1. **Required for licensure.**

This rule is needed to encompass that veterinary technician licensure in Minnesota includes fees and is associated with a specific time frame for structure and consistency, since no parameters for this license have previously existed. This delineates the date that applies to all veterinary technician licensure in the state. This date is needed to separate the dates associated with veterinarian licensure, administered by the same Board. This language is modeled after rule 9100.0500, subpart 1 for format consistency.

Subp. 2. **Payment of license fees and renewal fees.**

Licensure applications can be received at any time of year and the initial or normal renewal fees must be received by the specified due date for the biennium. Renewals are only accepted in a particular time frame before the biannual due date. This rule is needed to explain the structure of the timeframes covered by fees, how the fees are assessed according to those timeframes, and how deadlines for fees are communicated with the licensees. This is also needed to clearly define the burden of responsibility for licensees regarding renewals and renewal communication methods. This ensures transparency in methods used. This is needed to delineate that initial licenses issued outside of the previously defined two-year period are not prorated and have a defined end period to align with the usual cycle of license expirations. This language is modeled after portions of the rule 9100.0500, subpart 2 for format consistency.

Subp. 2A. **Initial fee.**

The rule is needed to require payment of the initial license fee before July 1, which aligns the applicant with the start of the biennial licensing cycle. This ensures that all new licensees enter the system on a consistent schedule and that the Board can accurately track and manage licensure periods.

Subp. 2B. **Renewal fee.**

This rule reinforces that both initial and renewal fees must be paid directly to the Board. This is necessary for proper fiscal management, accurate accounting, and compliance with state financial procedures. It also ensures that fees are received in a manner that supports timely processing of applications.

Subp. 2C. **Renewal applications.**

This rule is necessary to clarify that Board's obligation to send renewal applications before May 1 while also defining that the responsibility to renew remains with the licensee, even if the renewal notice is not received. This prevents lapses in licensure caused by mail delays, address changes, or other administrative issues outside the Board's control. It also aligns with long-standing Minnesota precedent that professional licensees bear the responsibility for maintaining their credentials.

Subp. 3. **Date due.**

This rule is needed to define the two-year period for renewal and the due date for that fee. This also defines how it is separate and different from the veterinarian licensure two-year time period. This language is modeled after rule 9100.0500, subpart 3 for format consistency.

Subp. 4. **Late renewal penalty.**

This rule is needed to make veterinary technician licensees aware that a renewal application can still be renewed late but requires an additional fee for processing in line with that of the late renewal penalty for veterinary licensure. This language is modeled after rule 9100.0500, subpart 4 for format consistency.

Subp. 5. **Reinstatement fee.**

Due to additional communications, postage, and employee time, an additional fee for the reinstatement process helps cover operational costs and discourages unnecessary late renewals resulting in Board action which leads to needing reinstatement. This language is modeled after rule 9100.0500.

Subp. 6. **Late renewal penalty fee.**

This rule is needed to define what constitutes a late fee from Board action. In addition, how those timelines are governed ensuring that licensees have received multiple contact points following specific intervals to facilitate correcting the late renewal before Board action is pursued, resulting in penalty. This language is modeled after rule 9100.0500, subpart 5 for format consistency.

Subp. 7. **Suspension.**

This rule is needed to supply guidelines regarding the process of suspending a license. The Board has the authority to suspend a license, but only after the specified contact points have been followed. This rule is reasonable as it protects licensees from unjust suspension and ensures they receive notification of any Board actions. Additionally, this proposed rule outlines how a formerly licensed individual can have the suspension removed and what fees need to be paid. A licensee that hasn't renewed their license in five years must further meet criteria outlined in Minnesota Statutes section 156.071. (Exhibit 7). This language is modeled after rule 9100.0500, subpart 6 for format consistency.

Subp. 8. **Inactive license.**

The rule is needed to enable licensees to self-select an inactive license at renewal for a reduced fee. Licensee's may want to carry an inactive license for many reasons. The Board supports the ability for licensees to self-select an inactive status for a variety of reasons, including but not limited to school, work, family, health, or travel. Supporting inactive licensure is reasonable because it is a practice of inclusion; keeps license databases up to date; maintains Board jurisdiction over licensee; and ensures licensees are still eligible for Heath Licensing Board (HLB) benefits. This language is modeled after rule 9100.0500, subpart 7 for format consistency.

Subp. 8A. **Inactive license.**

The most important caveat of inactive licensure is the inability to practice, and this rule is needed to define that clearly. It is reasonable that licensees who select an inactive license stay under the disciplinary authority of the Board, as they still must apply for this type of license. This language is modeled after rule 9100.0500, subpart 7A for format consistency.

Subp. 8B. **Inactive license.**

There may be reasons during or after a period of inactive licensure that a licensee may want to convert from inactive to active, including at a timepoint not coinciding with waiting for the next renewal cycle. This rule is needed to establish this process. This language is modeled after rule 9100.0500, subpart 7B for format consistency.

Subp. 8C. 1. **Inactive license.**

For successful application to the Board to transition from inactive to unrestricted licensure, proof that an inactive licensee has completed continuing education during inactivity ensures consistency of requirements amongst active licensees. This rule is needed to establish this requirement. This language is modeled after rule 9100.0500, subpart 7B, item 1, for format consistency.

Subp. 8C. 2. **Inactive license.**

For successful application to the Board to transition from inactive to unrestricted licensure, renewed certification that there are no current nor unresolved disciplinary processes ensures consistency of requirements amongst active licensees. This rule is needed to establish this requirement. This language is modeled after rule 9100.0500, subpart, 7B, item 2, for format consistency.

Subp. 8C. 3. **Inactive license.**

Considering requests may occur at timepoints other than at the biannual renewal, fees associated with the renewal of an inactive license are prorated and defined in this rule. It is reasonable charge a lower fee because the licensee already paid one-half the normal renewal fee for the

inactive license and therefore, should only have to pay the difference. This language is modeled after rule 9100.0500, subpart 7B, item 3 for format consistency.

Subp. 8D. **Inactive license.**

This rule is needed to address that inactive licenses still have biennial deadlines and are still subject to penalty fees. It is reasonable to hold all licensees accountable to the same deadlines and fees, no matter what type of license they hold, for consistency. This language is modeled after rule 9100.0500, subpart 7C for format consistency.

Subp. 9. **Duplicate license.**

Requests may be made for duplicate licenses for display at multiple locations, as well as to replace lost copies. Therefore, to accommodate time, postage, and material, as well as to discourage repetitive requests, it is necessary for a fee to be charged. This language is modeled rule 9100.0600, subpart 2 for format consistency.

9101.0400 CONTINUING EDUCATION.

This part is needed to outline requirements related to continuing education for initial and renewal veterinary technology licensure. It also discusses course approval requirements. It is modeled after part 9100.1000 in the Veterinarians' licensure and practice chapter.

Subpart 1. **Continuing education required.**

This rule is an effort to get all applicants initially licensed in a fair manner. When this licensing process starts in 2026, there will be brand new applicants who have just graduated from veterinary technology programs that will have zero hours of continuing education at the time of application for their first veterinary technologist license. There will also be applicants who currently hold a veterinary technician certification which requires five hours of continuing education per year in a two-year period, and this rule would accept the hours they have already completed when they apply for their initial license. After initial licensing, all applicants will be required to have 16 hours of continuing education for a renewal license. This is reasonable as it accommodates for the variety of applicants the Board is expecting and will get all licensees on the same schedule for renewal licenses.

Subp. 2. **Purpose.**

This rule is needed to provide reasoning behind the importance of continuing education in veterinary technology licensing. It is modeled after rule 9100.1000, subpart 2, in the veterinarians' licensure and practice chapter. It is reasonable as it gives reasoning to licensees as to why the Board requires the completion of continuing education credits.

Subp. 3. **Approved continuing education programs.**

This is a housekeeping addition to provide a header for this subpart. This subpart is modeled after part 9100.1000, subpart 3, from the veterinarians' licensure and practice chapter for consistency.

Subp. 3A. **Approved continuing education programs.**

This rule is needed so that licensees are aware that continuing education courses sponsored by certain groups or organizations will automatically be approved by the Board. Licensees can sign up for courses, seminars, wet labs, or lectures from the American Veterinary Medical Association and Canadian Veterinary Medical Association; state and regional Veterinary Medical Associations and Veterinary Technician Association; AVMA recognized specialty Boards; NAVTA recognized specialty academies; Board-approved international veterinary medical organizations; the U.S. Animal Health Association; training programs of the United States Department of Agriculture; the Minnesota Board of Animal Health; the American Animal Hospital Association; or approved content from the American Association of Veterinary State Boards' Registry of Approved Continuing Education (RACE); and know that the hours will count towards their required continuing education.

Subp. 3B. **Approved continuing education programs.**

This rule is needed so that sponsors of continuing education programs that aren't automatically approved by the Board understand the requirements of acquiring approval. A sponsor must apply to the Board for course approval at least 90 days prior to the anticipated course date. The Board will provide an application form for prospective sponsors to submit. This is a reasonable requirement as it ensures the Board will have enough time to determine if the course meets continuing education standards for licensees.

Subp. 3B. 1. **Approved continuing education programs.**

This rule is needed so that a sponsor seeking Board approval for a continuing education course is aware of what information needs to be provided on the application to the Board. This item specifically requires the name and address of the organization sponsoring the course for which approval is requested. This information is reasonable because it allows the Board to verify if the organization is in good standing with the Board.

Subp. 3B. 2. **Approved continuing education programs.**

This rule is needed so that a sponsor seeking Board approval for a continuing education course is aware of what information needs to be provided on the application to the Board. This item specifically requires a detailed description of the course content, including a time schedule for the course. This information is reasonable because it gives the Board an idea of how many credits the continuing education program will fulfill.

Subp. 3B. 3. **Approved continuing education programs.**

This rule is needed so that a sponsor seeking Board approval for a continuing education course is aware of what information needs to be provided on the application to the Board. This item specifically requires the name and credentials of each person making a presentation. This is reasonable information because the Board can verify the presenters are in good standing with the Board and have the credentials to be teaching the subject matter.

Subp. 3B. 4. **Approved continuing education programs.**

This rule is needed so that a sponsor seeking Board approval for a continuing education course is aware of what information needs to be provided on the application to the Board. This item specifically requires the mechanism the sponsor will be using to monitor and certify attendance. This information is reasonable because it is important that the right people are given credit for attending and that the attendee will be given proper documentation of their attendance to provide to the Board if necessary.

Subp. 3B. 5. **Approved continuing education programs.**

This rule is needed so that a sponsor seeking Board approval for a continuing education course is aware of what information needs to be provided on the application to the Board. This item specifically requires the dates and location, including the name and address of the facility at which the course will be conducted or the date of the Webinar. This information is reasonable because the Board needs to know where and when the course(s) will take place.

Subp. 3C. **Approved continuing education programs.**

This is a housekeeping addition to provide a header for this subpart item on continuing education program approval criteria.

Subp. 3C. 1. **Approved continuing education programs.**

This is a housekeeping addition to declare the Board will use the criteria in units (a) to (g) to determine if a continuing education program is approved for credit.

Subp. 3C. 1. **Approved continuing education programs.**

In order for the continuing education to be beneficial to licensees, it is important that the courses they're attending are directly related to the practice of veterinary medicine or technology, to the professional responsibility or ethical and legal obligations of the participants, or to practice management concepts. This rule is needed to ensure the Board is approving appropriate courses for licensees to attend.

Subp. 3C. 2. **Approved continuing education programs.**

It is important that continuing education programs are presented or instructed by individuals that are qualified to teach the given topic. This rule is needed to ensure the Board verifies that presenters have the credentials to be instructing the continuing education program before

approving it for licensees. This is reasonable as it ensures licensees who sign up for the course will be learning credible information from a credible source.

Subp. 3C. 3. **Approved continuing education programs.**

It is important that licensees attending an in-person continuing education program are learning in a safe and suitable setting. This rule is needed to ensure the Board verifies where the course will take place before approving it for credit. This is reasonable as this verification protects the safety of licensees who sign up for the course.

Subp. 3C. 4. **Approved continuing education programs.**

This rule is needed so that sponsors asking for Board approval of their continuing education course understand that the class must be open to all licensed veterinary technicians, unless there are capacity limitations in the space the program will be conducted, or the program requires certain academic or experience prerequisites. It is reasonable as it ensures all licensees have an equal opportunity to register for the course.

Subp. 3D. **Approved continuing education programs.**

This rule is needed so that a licensee who chooses to attend a continuing education course that hasn't been pre-approved by the Board can still apply for credit from the Board. The Board must supply individual continuing education course approval forms for the licensee to complete and submit within 30 days of attendance. It is reasonable to supply this option because there may be valuable courses available to licensees that haven't applied for Board approval but are still worth continuing education credits.

Subp. 3E. **Approved continuing education programs.**

This rule is needed to specify what courses the Board will not approve, which is any course not directly related to the practice of veterinary medicine or technology. This is reasonable as it aligns with the purpose of requiring continuing education as stated in rule 9101.0400, subpart 2.

Subp. 3F. **Approved continuing education programs.**

This rule is needed so that licensees can sign up for courses knowing how many credits they will obtain and whether those hours are categorized as medical or non-medical. It is reasonable to require approved courses to use the phrase "This program has been approved by the Minnesota Board of Veterinary Medicine for [insert appropriate number] continuing education credits and categorized as either Medical or Non-Medical" as it allows for licensees to plan out which courses they will attend to complete their required hours.

Subp. 3G. **Approved continuing education programs.**

It is important that the providers of continuing education programs approved by the Board have the capability to maintain attendance records for a minimum of three years and be able to verify

individual attendance to the Board upon request. This is reasonable as the Board needs to have a way to verify attendance should a licensee not have proper documentation or in the case of an investigation or audit.

Subp. 4. **Requirements for relicensure.**

This rule is needed to specify how many continuing education credits a licensee must complete in the two-year period immediately preceding the license renewal deadline. Continuing education requirements for veterinary technicians vary state by state. The Board has determined that veterinary technicians in Minnesota must complete 16 credits every two years. This number is about half of the requirement for veterinarians, which is 40 credits every two years. Licensing fees for veterinary technicians will also be about half of the licensing fees for veterinarians, so this number is consistent with that logic. The Board feels this number is reasonable because the current continuing education requirements for the voluntary veterinary technician licensing program is 10 hours every two years. Licensees will have a variety of different options available to complete the 16 hours, so this number of hours will be reasonable to achieve.

Subp. 4A. **Requirements for relicensure.**

This rule is needed so that licensees are aware that at least 12 of their continuing education hours must be obtained from Board approved lectures, seminars, wet labs, webinars, authorships, or as a presenter of a continuing education topic. This gives some flexibility for licensees to complete self-study courses for the other four required continuing education credits. This is a reasonable rule because it ensures all licensees are completing a variety of continuing education courses while also providing some flexibility on what they can choose to study.

Subp. 4B. **Requirements for relicensure.**

This rule is needed so that licensees are aware they do have the option to complete self-study courses to fulfill their continuing education requirements, but the Board will only approve up to four hours of these courses in a biennial license renewal period. Some examples of self-study sources are online courses or webinars. This rule is reasonable as it allows some flexibility for licensees when choosing how they would like to complete their 16 credits of continuing education.

Subp. 4C. **Requirements for relicensure.**

This rule is needed so that licensees are aware that only four of their continuing education credits in a biennial license renewal period can come from courses focused on practice management or other non-medical or non-scientific content. This is a reasonable requirement because it ensures that licensees are completing at least 12 hours of continuing education on courses that cover medical and scientific topics, which the Board feels is most important as veterinary medicine practices are constantly evolving.

Subp. 4D. **Requirements for relicensure.**

The proposed rule is necessary to ensure that continuing education for veterinary technicians remains primarily focused on maintaining and improving clinical competency, which is essential for protecting animal health and public safety. While practice management and other non-medical topics can support professional development, they do not directly enhance the scientific or technical skills required for safe veterinary practice. Without a limit, licensees could satisfy a substantial portion of their CE requirements with non-clinical content, undermining the purpose of mandatory continuing education.

Subp. 5. **Credit determination.**

This is a housekeeping addition to provide a header for this subpart. This subpart outlines how the Board will determine credit hours for specific types and lengths of courses.

Subp. 5A. **Credit determination.**

This rule is needed to provide a guideline for how many credit hours must be given for certain types of continuing education programs so that licensees are aware and can plan ahead based on what courses they are signing up for. This item specifies the Board will grant one hour of continuing education credit for each period of not less than 50 minutes of attendance at an approved continuing education program. Attendance at combined scientific, business, and social conventions will only count for the actual number of hours spent participating in continuing education programs while in attendance. This is reasonable because a convention may include meal breaks or networking breaks that shouldn't count towards continuing education hours.

Subp. 5B. **Credit determination.**

This rule is needed to allow the Board to grant continuing education credits when a licensee presents on an approved topic before a professional veterinary or allied health audience. It specifies that two hours of continuing education credits must be given for each hour of presentation, with a maximum of four hours of credit. This is reasonable as the amount of time a licensee puts in to preparing for their presentation should also be considered when determining continuing education credits a licensee has earned.

Subp. 5C. **Credit determination.**

This rule is needed to allow the Board to approve up to 10 continuing education credits for a licensee who receives author credit in peer-reviewed journals, textbook contributions, or conference proceedings. This is reasonable as it takes a considerable amount of time to be involved in these projects and the time spent should be awarded with continuing education credits from the Board.

Subp. 6. **Extension of continuing education requirements.**

This is a housekeeping addition to provide a header for this subpart on how and when a licensee can apply for an extension of continuing education requirements. The Board understands and acknowledges that there may be extenuating circumstances where a licensee is not able to

complete the continuing education requirements in a biennial renewal period. This rule is needed to allow the Board to grant six-month extensions for a licensee to complete continuing education requirements. In order to qualify for an extension, a licensee must apply to the Board. This rule allows no more than two consecutive extensions to be granted to a licensee. It is reasonable to allow extensions for life situations that may be out of a licensee's control such as illness, family emergency, or military obligations.

Subp. 7. **Certification procedure.**

This is a housekeeping addition to provide a header for this subpart on how the Board will certify licensees have completed their continuing education requirements.

Subp. 7A. **Certification procedure.**

This rule is needed to clarify how the Board will verify a licensee has met the continuing education requirements for license renewal. For the purposes of veterinary technician license renewal, every licensee must be given a form from the Board upon which the licensee must attest to fulfillment of the required number of continuing education hours for the two-year period preceding the license renewal date. A licensee can also attest that they have been granted an extension for their continuing education requirements on this form. This is a reasonable rule because the Board can still request further proof beyond the form of continuing education attendance from licensees should they need to perform a routine audit or an investigation of an individual.

Subp. 7B. **Certification procedure.**

This rule is needed to outline Board expectations of licensees regarding documentation of continuing education attendance. It is reasonable to expect licensees to maintain their own continuing education attendance records for four years which is equivalent to two biennial renewal periods. This rule also grants the Board the discretion to require licensees to provide further proof of meeting Board continuing education requirements whether as part of a routine audit or as part of an individual complaint investigation. The licensee is given 30 days from the request to provide the Board with appropriate documents or to supply proof of qualification for extension. This rule is reasonable as it helps to ensure compliance with meeting continuing education requirements and the 30-day requirement aligns with rule 9101.0400

Subp. 7C. **Certification procedure.**

This rule is needed so that licensees are aware they cannot bank extra continuing education hours they may have completed in one license renewal cycle. They are always welcome to complete extra hours but cannot carry them over. This is reasonable because it is important every licensee is completing continuing education credits with the most current information as veterinary medicine practices are continuously evolving.

Subp. 7D. **Certification procedure.**

This rule is needed to give the Board the discretion to direct a licensee to take additional continuing education credits, in specific disciplines, over and above the general continuing education requirements for relicensure. This is a procedure that can be used for disciplinary purposes to ensure a licensee is meeting industry standards. It is reasonable to give the Board this authority.

Subp. 8. **Reinstatement of expired license.**

This rule is needed to outline the continuing education requirements a licensee must meet in order to reinstate their expired license. It is reasonable to expect a licensee applying for reinstatement to have met continuing education requirements of Minnesota, or equivalent to Minnesota, as any active licensee must do already. It is also reasonable for the Board to require documentation of completion of continuing education for each year the license was expired, up to five years, because it ensures the licensee has stayed current on veterinary medicine practice and it also ensures the safety of all animals they might practice on.

9101.0500 PROTECTED TITLES AND DESIGNATIONS

Subp. A. **Protected titles.**

This rule is needed to define the titles “veterinary technician” and related terms as protected titles that may only be used by individuals who hold a valid Minnesota veterinary technician license. This prevents unlicensed individuals from representing themselves as credentialed professionals and ensures that the public can trust that anyone using these titles has met the state’s education, examination, and ethical standards.

Subp. B. **Protected titles.**

This rule is necessary to prohibit the use of titles “veterinary nurse” or “vet nurse” by Minnesota veterinary technicians. These titles are protected under Minnesota law for a different licensed profession, and their use in veterinary settings could create confusion for clients, blur professional boundaries, and undermine the clarity of Minnesota’s licensing framework. This rule reinforces statutory requirements and ensures consistent terminology across the state.

Subp. C. **Protected titles.**

This rule is needed to establish boundaries around specialty designations, such as the Veterinary Technician Specialist (VTS) credential. By restricting the use of specialty titles to individuals who have earned certification through a recognized specialty academy, the rule prevents misrepresentation of advanced qualifications and ensures that clients and employees can rely on specialty titles as accurate indicators of additional training and expertise.

EXHIBITS

Exhibit 1 Med Dimensions; Beyond the Diploma: The Vital Role of Continuing Education in Veterinary Medicine, January 16, 2024

Exhibit 2	American Association of Veterinary Medical Colleges: AAVMC Statement on U.S. Veterinary Workforce
Exhibit 3	Minnesota Statutes section 156.077, Subdivision 1(a): Licensure; practice
Exhibit 4	Veterinary Technician National Examination explanation from the American Association of Veterinary State Boards
Exhibit 5	List of Approved Veterinary Technician Specialty Academies
Exhibit 6	Minnesota Statutes section 156.077, Subdivision 2 (2-4) and Subdivision 3 (1): Applicants; qualifications and Required with application
Exhibit 7	Minnesota Statutes section 156.071: Reinstatement of Expired License