



# Oregon

## Veterinary Medical Examining Board

Suite 407

800 NE Oregon Street

Portland, OR 97232

(971) 673-0224

FAX: (971) 673-0226

TTY: (971) 673-0372

E-Mail: ovmeb.info@state.or.us

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House Agricultural and Natural Resources Subcommittee

The Hon. Brad Witt, Chair

The Hon. Susan McLain, Vice-Chair

Dear Chair Witt, Vice-Chair McLain and Members of the Committee:

The Veterinary Board is requesting that you approve HB 2474 and HB 2475. These bills were developed by a task group comprising representatives of veterinary professional associations, humane societies, private practice and public health veterinarians. The Board believes these bills address regulatory deficiencies and improve business ownership opportunities for the benefit of the public and the profession.

### **HB 2474 - Veterinary Facility Registration**

*Problem:* Board rules establish minimum health and safety standards for veterinary facilities, but facility inspections are possible only in response to a complaint. Substandard facility conditions put the health of people and pets at risk. Clients rarely see more than the lobby or an exam room at a veterinary clinic. The Board usually learns about unsanitary or unsafe conditions from a clinic employee or ex-employee.

*Solution:* HB 2474 will allow the Board to join approximately 36 other states that register and inspect veterinary facilities. The bill will require each facility to designate an Oregon-licensed veterinarian as facility manager responsible for ensuring that minimum health and safety standards are met. The Board will be able to regularly inspect facilities, as well as continue to respond to complaints about clinic conditions.

*Problem:* Current rules allow only an Oregon-licensed veterinarian to own a veterinary practice. The rule is not enforceable against practices held by out-of-state corporations or non-profit boards. It prevents non-veterinarian associates or family members from participating in practice ownership.

*Solution:* Facility registration with an Oregon-licensed veterinarian designated as facility manager will expand veterinary business ownership options. The Board will be able to repeal an obsolete ownership rule without loss of regulatory oversight for public health and safety.

### **HB 2475 - Cite and Fine Authority**

*Problem:* Every complaint the Board resolves through settlement or hearing becomes a part of the licensee's permanent public record, including minor administrative or clerical infractions unrelated to medical conduct or patient health and safety.

*Solution:* HB 2475 will allow the Board to resolve minor, administrative infractions through a non-disciplinary citation, not to exceed \$100, and the matter will not become part of the licensee's public record. The licensee will retain the right to go through a public disciplinary process if desired, and the Board will retain the discretion to issue disciplinary notice depending on the nature of the violation and the licensee's history. (The Oregon Medical Board has non-disciplinary cite and fine authority.)

On behalf of the Board, I thank you for your consideration and request your support for HBs 2474 and 2475.

Respectfully,

Robert J. Lester, DVM

Board Chair

## **How the 2015 Veterinary Board Bills Benefit Oregonians**

### **HB 2474 - FACILITY REGISTRATION**

✓ The current rule requires the forced sale of the traditional family-owned veterinary practice if the licensed family member dies. HB 2474 will allow the family to retain the business by hiring an Oregon-licensed veterinarian as facility manager.

*With the option to register facilities the Board can repeal its outdated and unenforceable veterinary business ownership rule.*

✓ HB 2474 will increase ownership options to attract a wider range of potential purchasers and investors.

✓ Certified veterinary technicians, practice managers, and other practice staff can aspire to become owners or partners in veterinary practices. This will lead to better staff retention and engagement.

✓ Additional ownership models such as non-profits, partnerships, and cooperatives can help establish and maintain veterinary services in under-served areas and to under-served populations. Examples are low income areas and rural areas where restricted practice ownership limits the public's access to veterinary care.

✓ By requiring an Oregon- licensed veterinarian as facility manager for each practice, medical decisions and facility standards are still under the control of Oregon licensed veterinarians and subject to compliance with the Veterinary Practice Act. The public is still well protected.

✓ Periodic educational inspections of veterinary facilities will help insure minimum standards are being met. Currently, veterinary facilities are not inspected unless there is a specific complaint.

*The Board may leverage resources by contracting with other agencies and boards that perform facility inspections.*

### **HB 2475 - CITE AND FINE AUTHORITY**

✓ Minor rule infractions should not lead to permanent public discipline for licensees. In most such cases, a remedial citation and a small administrative fine will lead to future compliance.

✓ Issuing a citation and fine is simpler and less costly to all parties than investigation, board review and contested case hearing. For minor issues, there is no need to waste the state's or licensees' funds to reach the same end—compliance.

✓ If noncompliance persists, public discipline is still an option for the Board.