

Proposed

**STATE OF KANSAS
BOARD OF VETERINARY EXAMINERS
NOTICE OF HEARING ON PROPOSED ADMINISTRATIVE REGULATION**

A public hearing will be conducted at 10:00 a.m., Monday, March 16, 2020, in the meeting room, 714 Plum St., Wamego, Kansas, to consider the adoption of proposed changes in an existing rule and regulation of the Kansas Board of Veterinary Examiners.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rule and regulation. All interested parties may submit written comments prior to the hearing to Dr. Jody Johnson, the agency executive director, at P.O. Box 379, Wamego, KS 66547 or e-mail vetboard@ks.gov.

All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation to participate in the hearing should be made at least five working days in advance of the hearing by contacting Dr. Jody Johnson, the agency executive director, at (785) 456-8781.

The following regulation is proposed for adoption on a permanent basis.

K.A.R. 70-5-1 Fees

- (b) Veterinary medicine license; annual renewal \$95.00 increased to \$100.00
- (j) Veterinary technician registration; application \$20.00 increased to \$50.00
- (k) Veterinary technician registration; renewal \$10.00 increased to \$25.00
- (n) Mobile clinic; records audit New fee of \$75.00

K.A.R. 70-5-1 will have a minimal economic impact associated with increasing fees associated with the annual renewal of a veterinary medical license, application for veterinary technician registration, annual renewal of veterinary technician registration and a fee for mobile veterinary clinic records audit.

The Kansas Board of Veterinary Examiners can determine no environmental impact through the passage of this regulations.

Copies of the regulation and the economic impact statement may be obtained from the Kansas Board of Veterinary Examiners, P.O. Box 379, Wamego, Kansas 66547-0379 or call to request a copy at (785) 456-8781.

RECEIVED

JAN 10 2020

**SCOTT SCHWAB
SECRETARY OF STATE**

Proposed

K.A.R. 70-5-1. Fees. The following fees shall be charged:

(a) Veterinary medicine license; application.....	\$ 125.00	
(b) Veterinary medicine license; annual renewal.....	\$ 95.00	<u>\$ 100.00</u>
(c) Veterinary medicine license; renewal if renewal is for an initial license that was issued after April 30 of the preceding license year.....	\$ 20.00	
(d) Veterinary medicine license; late renewal penalty.....	\$ 100.00	
(e) Veterinary premises registration; application.....	\$ 75.00	
(f) Veterinary premises registration; renewal.....	\$ 50.00	
(g) Veterinary premises registration; late renewal penalty.....	\$ 50.00	
(h) Veterinary premises; inspection.....	\$ 75.00	
(i) Veterinary premises; audit and compliance inspections.....	\$ 100.00	
(j) Veterinary technician registration; application.....	\$ 20.00	<u>\$ 50.00</u>
(k) Veterinary technician registration; renewal.....	\$ 10.00	<u>\$ 25.00</u>
(l) Institutional license; application.....	\$ 50.00	
(m) Institutional license; annual renewal.....	\$ 25.00	
(n) Mobile clinic; records audit.....	<u>\$ 75.00</u>	

(Authorized by K.S.A. ~~2016~~ 2019 Supp. 47-821 and 47-822; implementing K.S.A. ~~2016~~ 2019 Supp. 47-822, 47-829, and 47-840; effective May 1, 1985; amended, T-70-6-13-88, June 13, 1988; amended July 3, 1989; amended May 23, 1994; amended Feb. 21, 1997; amended April 9, 2004; amended Dec. 21, 2007; amended May 27, 2016; amended March 10, 2017; amended P-_____.)

APPROVED

NOV 27 2019

DIVISION OF THE BUDGET

APPROVED

DEC 03 2019

DEPT. OF ADMINISTRATION

APPROVED

JAN 6 2020

ATTORNEY GENERAL

RECEIVED

JAN 10 2020

SCOTT SCHWAB
SECRETARY OF STATE

**Kansas Administrative Regulations
Economic Impact Statement
For the Kansas Division of the Budget**

Proposed

Board of Veterinary Examiners

Agency

Jody Johnson, ED

Agency Contact

785-456-8781

Contact Phone Number

70-5-1

K.A.R. Number(s)

Submit a hard copy of the proposed rule(s) and regulation(s) and any external documents that the proposed rule(s) and regulation(s) would adopt, along with the following to:

Division of the Budget
900 SW Jackson, Room 504-N
Topeka, KS 66612

I. Brief description of the proposed rule(s) and regulation(s).

KBVE passed a motion on 08/14/19 increasing the yearly veterinary license renewal fee from \$95 to \$100; KBVE passed a motion on 04/03/2019 to increase the veterinary technician registration application fee from \$20 to \$50 and to increase the veterinary technician registration renewal fee from \$10 to \$25. These fee changes would appear on K.A.R. 70-5-1 (b), (j) and (k) respectively. Additionally KBVE asked that a Mobile Clinic Records Audit fee of \$75 would be added as K.A.R. 70-5-1 (n) per K.S.A. 47-822 (k).

II. Statement by the agency if the rule(s) and regulation(s) is mandated by the federal government and a statement if approach chosen to address the policy issue is different from that utilized by agencies of contiguous states or the federal government. (If the approach is different, then include a statement of why the Kansas rule and regulation proposed is different)

Click here to enter text.

III. Agency analysis specifically addressing following:

A. The extent to which the rule(s) and regulation(s) will enhance or restrict business activities and growth;

There is a possibility that increasing fees for the veterinarian would be passed to clients as a minor increase in fees. A \$5.00 increase for a year if spread over numerous clients would be pennies as to an increase in fees and viewed as negligible. The increase in a technician's fee could result in a request for an increase in wages. Again this would be a nominal salary increase for the technician to request to cover the fees. Mobile veterinary clinics (ambulatory veterinarians) have not been required to pay for a records audit in the past. It will require our inspector to identify the mobile clinic, its specific location on a certain day, and the veterinarian associated with the ambulatory unit would need to suspend appointments for a portion of his/her day while the inspection was completed. This would impact the veterinarian's business activities for a portion of one day.

RECEIVED

JAN 10 2020

SCOTT SCHWAB
SECRETARY OF STATE

DOB APPROVAL STAMP

APPROVED

NOV 27 2019

DIVISION OF THE BUDGET

- B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that would be affected by the proposed rule and regulation and on the state economy as a whole;**

Minor corrections in the fees for licensed veterinarians and registered technicians will have minimal impact on the veterinary profession.

- C. Businesses that would be directly affected by the proposed rule and regulation;**

Veterinary premises and ambulatory veterinarians and their staff.

- D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;**

Increase in the revenue of the KBVE will allow the Board to function at a business level and continue to protect the public's health, safety and welfare.

- E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;**

The KBVE is cognizant of the impact of required fees to the veterinary profession as the businesses affected could pass these fees on to the public they serve. Thus the minimal fee increase that is proposed.

- F. An estimate, expressed as a total dollar figure, of the total annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to business, local governments, or members of the public.**

\$37,175

Do the above total implementation and compliance costs exceed \$3.0 million over any two-year period?

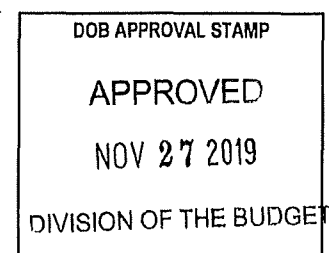
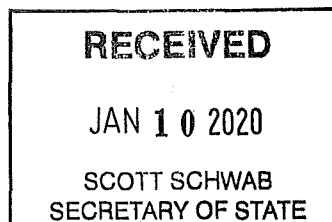
YES ☐ NO ☒

Give a detailed statement of the data and methodology used in estimating the above cost estimate.

As of November 2019, there are 2,683 licensed veterinarians (\$5.00 increase in licensing fee) and 555 Registered technicians (\$15 increase in registration fee), for a total of \$22,175 in added revenue. It is estimated that there are 200 ambulatory veterinarians that would need to comply with a records audit and inspection for an additional \$15,000 in revenue.

Prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing if the total implementation and compliance costs exceed \$3.0 million over any two-year period to find that the estimated costs have been accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.

YES ☐ NO ☒



- G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.**

Click here to enter text.

- H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).**

Meeting will be held with the Kansas Veterinary Medical Association. Meetings have been held with the planner in the Department of the Budget to address the revenue shortfall that is predicted for FY 2020, FY2021, and FY2022.

- I. For environmental rule(s) and regulation(s) describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, as well as the persons would bear the costs and would be affected by the failure to adopt the rule(s) and regulation(s).**

Click here to enter text.

