

North Carolina Veterinary Medical Board

Fall 2023

*Regulatory
Bulletin*

Volume 7 Issue 3

Renewal Opens November 1st

IT'S TIME FOR LICENSE RENEWAL

VETERINARIANS

Proof of twenty (20) hours of continuing education is required each year - Ten (10) on-line hours of CE will be accepted during each renewal, however, five (5) of those hours will need to be 'interactive'. (live webinar)

2 hours of CE on the 'abuse of controlled substances' will be required per renewal cycle; these 2 hours are included in the total number of CE hours

TECHNICIANS

Proof of twelve (12) hours of continuing education is required every two (2) years - Six (6) on-line hours of training will be accepted during each renewal, however, three (3) of those hours will need to be 'interactive'. (live webinar). **Exception for RVTs:** CE obtained in 2022 may all be on-line.

2 hours of CE on the 'abuse of controlled substances' will be required per renewal cycle; these 2 hours are included in the total number of CE hours

Renewal Status

License/Registration is ACTIVE until December 31st; ACTIVE/PENDING from January 1st - January 31st; ACTIVE/LATE February 1st - February 29th; REVOKED on March 1st (Status will read 'Revoked - Failed to Renew')

CE Requirement for next year's renewal

The CE requirement for next year's renewal will be the same. The NCVMB currently has language in the legislature that would allow all CE to be obtained online, if the DVM/RVT so desires, in the future. Unfortunately, due to letters of objection from the NCVMA, any change to the NC Veterinary Practice Act (if approved by the State) will not take place until renewal in 2026.

Veterinary Practice Act and Veterinary Technician Regulation

Are you aware that by calling your assistant (albeit, a well-trained assistant) a veterinary technician you will be in direct violation of the North Carolina Practice Act? A Veterinary Assistant is an integral part of the veterinary team and in no way do we want to disparage their vital role in the veterinary practice. However, they may not be called a veterinary technician.

Section 1. G.S. 90-187.6 reads as written:

(a1) No person shall use the title “registered veterinary technician” or the title “veterinary technician”, the abbreviation “R.V.T.” or any other words, letters, or symbols, with the intent to represent that the person is authorized to act as a registered veterinary technician, unless that person is licensed by or registered with the Board as a registered veterinary technician in accordance with the Article.

This act becomes effective December 1, 2023, and applies to offenses committed on or after that date. The purpose of this correspondence is to ensure all veterinary facilities and their team members are aware of this change and to prepare and make necessary changes to team member titles.

Recognition and support of their title is very important to RVT’s. An RVT is a credentialed individual who has graduated from an American Veterinary Medical Association (AVMA) accredited program, and who has completed intensive course work and rigorous skill assessments as set out by the AVMA. After graduation, the individual must pass the Veterinary Technician National Exam (VTNE) and the state exam regarding jurisprudence of the NC Practice Act. Passing these exams confirms their competency in veterinary technology. As difficult as the NAVLE is for graduates of accredited veterinary schools, so too is the VTNE for veterinary technicians.

It is incumbent upon all veterinarians to put an end to identifying non-RVT staff members as veterinary technicians/technicians. This includes: verbally labeling in the practice (example: “My technician will be in to draw a blood sample”), documented in medical records and on websites (example: We have five technicians on staff). The term veterinary assistant has become a widely used and acceptable title for non-credentialed team members. The practice of calling all staff technicians is misrepresentation and misleading to the public and is in violation of the Practice Act.

The NCVMB also believes that the use of the term Veterinary Nurse misleads the general public in the skill set and education a person possesses and should not be used in veterinary facilities in North Carolina. The term Veterinary Nurse is used in some jurisdictions instead of the term Veterinary Technician. The use of the word Nurse in a title is not allowed in NC unless it meets the requirements set forth by the NC Board of Nursing.



NC Veterinary Practice Act: Levels of Supervision for RVTs and Assistants

The following were voted on and approved by the Board at the November 2017 meeting:

“Immediate Supervision” means that the veterinarian is in the immediate area and within audible and visual range of the patient and the individual treating the patient under the direction of the veterinarian.

“Direct Supervision” means the veterinarian is on the premises, has assumed responsibility for the care of the patient, and is readily available to assist the individual treating the patient under the direction of the veterinarian.

“Indirect Supervision” means the veterinarian need not be on the premises; has given either written or oral instructions for treatment of the patient; is readily available by telephone or other forms of immediate communication; and has assumed responsibility for the veterinary care given the patient by the individual working under the direction of the veterinarian.

Facility Inspection Update

Be aware of the following update to the NCVMB facility inspection process:

At least one week prior to conducting any inspection pursuant to G.S. 90-185(3) or G.S. 90-186(2), the Board shall provide written notice of the upcoming inspection to the veterinarian. The written notice may be provided via an electronic communication. The veterinarian may contact the Board to reschedule the inspection, but the inspection shall be rescheduled no later than one week after the originally scheduled date of the inspection. Along with the written notice of inspection, the Board shall provide the veterinarian with a checklist of all standards adopted by rule for which the inspector may issue a violation and, with as much specificity as possible, conditions that violate the standards.

Here is a link to the Facility Standards Self Evaluation Checklist as required by the above statute:

<http://www.ncvmb.org/content/professional/documents/FACILITY%20Self%20Evaluation%20Checklist.pdf>

Your inspector will contact you or a person at your facility to schedule the inspection at least one week prior to arriving.

Happy Halloween



NCVMB Legislative Update

Facility Permit

The introduction of Facility Permit rules would allow for ownership of a facility by persons other than a DVM and would require the designation of a supervising veterinarian(s) for the facility. The designated supervising veterinarian or supervising veterinarians would notify the owner of issues that do not comply with the minimum standards of the North Carolina Veterinary Practice Act. Disciplinary actions for non-compliance issues with the facility permit would fall directly with the owner of the facility permit.

Facility Permit Rules were approved by the Rules Review Commission (RRC) at the Office of Administrative Hearings on August 17, 2023.

The North Carolina Veterinary Medical Association filed 10 letters of objection with the RRC for the following rules:

- 21 NCAC 66 .0902 Veterinary Facility Permits
- 21 NCAC 66 .0903 Supervising Veterinarian
- 21 NCAC 66 .0904 Discipline Veterinary Facility Permits

With the filing of these objection letters, the NCVMB will have to introduce legislation during the next long session of the NC General Assembly (NCGA) to have the rules approved by the NCGA. This is anticipated to occur in February or March of 2024.

The approved rules may be viewed at the following link, pages 462-466.

https://files.nc.gov/oah/documents/2023-10/Volume-38-Issue-07-October-2-2023.pdf?VersionId=vBo8iK1kqp_NSyD.UVivWQhdnI6TrkEi

Continuing Education

The North Carolina Veterinary Medical Board introduced an amendment to the rule 21 NCAC 66 .0206 Minimum Standards for Continuing Education. The amendment would allow for all Continuing Education (CE) to be obtain on-line if the DVM or RVT chooses to obtain CE in that manner. The proposed amendment is below:

21 NCAC 66 .0206 MINIMUM STANDARDS FOR CONTINUING EDUCATION

Each person holding a veterinary license, limited license, a faculty certificate, or a zoo veterinary certificate (collectively referred to herein as "veterinarian") or a veterinary technician registration issued by the Board shall comply with the standards in this Rule. The standards shall be a condition precedent to the renewal of a license, certificate, or registration respectively. The standards are as follows:

- (1) A veterinarian shall earn 20 continuing education credit hours for the calendar year license renewal period. A maximum of five hours may be obtained pursuant to courses described in Item (3) of this Rule.
- (2) A registered veterinary technician shall earn 12 continuing education credit hours for the two-calendar year registration renewal period. A maximum of four hours may be obtained pursuant to course described in Item (3) of this Rule.
- (3) One continuing education hour may be earned for each hour of independent self-study courses, prerecorded webinars, audio conferences, and non-interactive on-line presentations by approved continuing education credit providers.
- (4) One continuing education credit hour may be earned for each hour of in-person attendance or live interactive attendance at courses presented by approved continuing education credit providers.
- (5) A live interactive presentation shall:
 - (a) include instant or synchronous two-way communication:
 - (b) provide access to both technical personnel and professional faculty, as well as interactivity among participants for the exchange of questions and answers via instant messaging or a moderated teleconference, and
 - (c) document the level of participation by keeping a record of the participant's activity in asking or answering questions during the presentation and the score of any examination administered at the end or the presentation.

- (6) A veterinarian or registered veterinary technician may request and be granted an extension of time, not to exceed six months, to satisfy the continuing education requirement if the veterinarian or registered veterinary technician provides evidence of a circumstance that prevents the veterinarian or registered veterinary technician from being able to obtain continuing education. The Board shall consider any evidence submitted of a circumstance preventing the veterinarian or registered veterinary technician from being able to obtain continuing education on a case-by-case basis.
- (7) If the Board finds that the circumstance that was the basis for non-compliance with the continuing education requirement justified the non-compliance, the Board may exempt that individual from completing the unearned portion of the continuing education for that renewal period.
- (8) Continuing education credits hours may be earned from courses, programs, or materials presented or approved by the following providers:
 - (a) the American Veterinary Medical Association (AVMA);
 - (b) the American Animal Hospital Association (AAHA);
 - (c) the North Carolina Veterinary Medical Association (NCVMA);
 - (d) the United States Department of Agriculture-Animal and Plant Health Inspection Service;
 - (e) the American Association of Veterinary State Boards' (AAVSB) Registry of Approved Continuing Education (RACE); and
 - (f) academies, schools, or colleges of veterinary medicine.These providers are designated herein as "approved continuing education credit providers." The Board shall consider additional courses, presentations, or materials eligible for approval for continuing education credit hours, provided that the individual seeking the credit furnishes the Board with information to establish that the content of the course, presentation, or material are sufficiently educational for veterinarians or registered veterinary technicians. Board approval for continuing education credits for such additional courses, presentations, or materials shall be obtained prior to attendance or participation; however, the Board shall waive the requirement of prior approval if illness, injury, or natural disaster prevented the individual from obtaining the prior approval.
- (9) Each veterinarian and registered veterinary technician shall keep a file containing the three most recent renewal periods of the content of courses submitted to the Board for continuing education credit hours.
- (10) A veterinarian licensed in the year of graduation from a veterinary medical college is not required to earn continuing education credit hours to be eligible for license renewal for the next renewal period.
- (11) A veterinary technician registered in the year of graduation from a veterinary medical technology program is not required to earn continuing education credit hours to be eligible for registration renewal for the next renewal period.
- (12) A veterinarian or veterinary technician serving in the armed forces of the United States and to whom an extension of time to file a tax return is granted pursuant to G.S. 105-249.2 is granted the same extension of time to comply with the continuing education requirement of this Rule.

The amendment to the Continuing Education rule was approved by the Rules Review Commission (RRC) at the Office of Administrative Hearings on August 17, 2023.

The North Carolina Veterinary Medical Association filed 10 letters of objection with the RRC for the rule, 21 NCAC 66 .0206 Minimum Standards for Continuing Education.

With the filing of these objection letters, the NCVMB will have to introduce legislation during the next long session of the NC General Assembly (NCGA) to have the rules approved by the NCGA. This is anticipated to occur in February or March of 2024.