



Reply To

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VIA ELECTRONIC MAIL

Keith West
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North Carolina Veterinary Medical Board
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Dear Mr. West:

Please allow this correspondence to serve as a **Public Comment** pursuant to the North Carolina Veterinary Medical Board's ("Board") periodic review of existing rules, specifically addressing 21 NCAC 66 .0304 and its connection with *inter alia* N.C. Gen. Stat. § 90-187.8.

EXECUTIVE SUMMARY

For the reasons set forth herein, this public comment encourages the Board to explicitly permit duly-licensed and properly-accredited Registered Veterinary Technicians, as defined by N.C. Gen. Stat. § 90-187.6, to use the title "Veterinary Nurse" in practice.¹ This public comment **does not** support the use of "Veterinary Nurse" by unlicensed veterinary staff and recognizes that the use of a "Veterinary Nurse" title by such unlicensed staff members may mislead the general public as to an unlicensed staff member's training, education, and experience.²

Use of the title of "Veterinary Nurse" by a Registered Veterinary Technician, however, is lawful and appropriate in North Carolina, as, with proper identification of the licensee's credentials, it would be unmistakable that "Veterinary Nurses" operating in veterinary clinics and/or emergency hospitals are licensed to treat only animals—not people—and thus are not purporting to act as registered nurses or licensed practical nurses. No member of the public would ever believe otherwise. That is particularly so where Registered Veterinary Technician bear name tags with their "RVT" credential in a veterinary medicine setting with their duly-issued credential prominently displayed.

¹ This public comment does not support, and should not be construed to support, the use of the standalone title of "Nurse" in a veterinary medical practice setting.

² See *Regulatory Bulletin, Fall 2023*, North Carolina Veterinary Medical Board, available at https://www.ncvmb.org/content/about/newsletters/Bulletin_Fall2023.pdf.

BACKGROUND

I. Limited Restriction Related to Registered Nursing

North Carolina's Veterinary Practice Act, N.C. Gen. Stat. § 90-181(11)(a) defines a "veterinary technician" as "[a] person who has successfully completed a post-high school course in the care and treatment of animals that conforms to the standards required for accreditation by the American Veterinary Medical Association and who is registered with the Board as a veterinary technician." The Practice Act further provides that "[n]o 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[.]" N.C. Gen. Stat. § 90-187.6(a1) (emphasis added). As such, there is no specific prohibition in the Practice Act on the use of a title such as "Veterinary Nurse," and the Practice Act would appear to contemplate that "other words"—such as "Veterinary Nurse"—would be a permissible title to use by a Registered Veterinary Technician.³

Use of the "Veterinary Nurse" title by Registered Veterinary Technicians is not governed by North Carolina's Nursing Practice Act, N.C. Gen. Stat. § 90-171.43(a), which states, "[n]o person shall practice or offer to practice as a registered nurse or licensed practical nurse, or use the word 'nurse' as a title for herself or himself, or use an abbreviation to indicate that the person is a registered nurse or licensed practical nurse, unless the person is currently licensed as a registered nurse or licensed practice nurse If the word 'nurse' is part of a longer title, such as 'nurse's aide', a person who is entitled to use that title shall use the entire title and may not abbreviate the title to 'nurse'." The Nursing Practice Act further defines "nursing" and the "practice of nursing by a registered nurse" to include care to human patients. See N.C. Gen. Stat. § 90-171.20(4)-(6).

Importantly, the Nursing Practice Act **does not** provide a blanket prohibition on the use of the term "nurse" in any title and in any circumstance. Rather, the Nursing Practice Act only prohibits the use of the title of "nurse", or corresponding abbreviation, where it could be construed to convey that the individual is a registered nurse or a licensed practical nurses.

It follows from the plain text of the Nursing Practice Act that no violation of the Act would occur where an individual uses a title that includes the word "nurse," but **does not** imply the individual is a "registered nurse" or "licensed practical nurse." This aligns with N.C. Gen. Stat. § 90-171.43(a)(1)'s purpose in not prohibiting or limiting "[t]he performance by any person of any act for which that person holds a license issued pursuant to North Carolina law[.]" Veterinary medicine is one such practice. See 21 NCAC 66 .030.

³ The American Association of Veterinary State Boards ("AAVSB") has recognized some jurisdictions have or are considering protecting the title of "veterinary nurse" and has further recommended that each jurisdiction consider protection of this title within its regulations. See *Veterinary Medicine and Veterinary Technology Practice Act Model (PAM) with Commentary*, p. 11, AAVSB, available at <https://www.aavsb.org/Download?url=scl/fi/9xa0adir9jkr9vv788n6t/PracticeActModel.pdf?rkey=ds15yvhl0ayxeo4w7qb6xe48u>.

II. Widespread Use of the Title “Veterinary Nurse”

The Veterinary Nurse title is commonly used in the industry to refer to Registered Veterinary Technicians. This public-facing title matters. The term “technician” in common parlance is understood to refer to “a person employed to look after technical equipment or do practice work in a laboratory” or a “specialist in the technical details of a subject or occupation.”⁴ Unfortunately, the word “technician” has not kept pace with the highly specialized and critical role of Registered Veterinary Technicians. These staff members provide premier critical care to pets and also support and advocate for the entire family unit.⁵ The scope of practice, as described in N.C. Gen. Stat. § 90-187.6(c), demonstrates the complex, highly educated role that Registered Veterinary Technicians play in the care and treatment of animals, as well as, their critical role in veterinary hospitals.

The North American Veterinary Community’s (“NAVCA”) survey data shows that the “[m]ajority of Americans do not know that credentialed veterinary technicians are the animal healthcare equivalent of registered nurses.”⁶ In contrast, the word “nurse” is readily understood by the public as “a person who cares for the sick or infirm,”⁷ which better captures the evolving, multi-faceted role as a Registered Veterinary Technician who provides clinical care for pets and supports their owners. The Veterinary Nurse title this **decreases** pet owner/client confusion about the role of Licensed Veterinary Technicians on the healthcare team and **improves** the public’s understanding of and respect for their extensive training and skills. This swift, intuitive understanding is particularly important in the context of emergency care for pets where clear communication is crucial.

That is why a recent survey conducted by the National Association of Veterinary Technicians in America (“NAVTA”) shows that **85%** of veterinary technicians prefer the title “veterinary nurse” over veterinary technician—a 30% increase over a similar survey in 2016.⁸

Consistent with this background:

- Numerous [organizations](#) have issued position statements or support for the Veterinary Nurse Initiative, which seeks to codify standards for the use of the term “Veterinary Nurse,” including the [American Animal Hospital Association](#) (“AAHA”).

⁴ Technician, Merriam-Webster Dictionary, available at <https://www.merriam-webster.com/dictionary/technician>; Technician, Cambridge Dictionary, available at <https://dictionary.cambridge.org/us/dictionary/english/technician>.

⁵ Notably, the term veterinary or animal “technician” likely finds its roots in the 1920s and 1950s in military training programs. See C. Murphy, BAS, CVTg, RVTg, FFCP (Elite), A Brief History Lesson in Veterinary Nursing/Technology, Today’s Veterinary Nurse, available at <https://todaysveterinarynurse.com/personal-professional-development/a-brief-history-lesson-in-veterinary-nursing-technology/>.

⁶ *Who’s Involved In The Care Of Your Pet When They Go To The Vet?*, NAVCA, available at <https://navc.com/whos-involved-in-the-care-of-your-pet>.

⁷ See Nurse, Merriam-Webster Dictionary, available at <https://www.merriam-webster.com/dictionary/nurse>.

⁸ See *2022 Demographic Survey Results*, NAVTA, available at <https://navta.net/news/navta-survey-reveals-veterinary-technician-pay-and-education-have-increased-but-burnout-debt-are-still-issues-2/> (report link).

- Many veterinary hospitals use the term “Veterinary Nurse” in job titles, including [University of Pennsylvania](#), [Michigan State University](#), [Kansas State University](#), and [Purdue University](#).
- The Canine Rehabilitation Institute offers a [“Certified Canine Rehabilitation Nurse”](#) (“CCRVN”) certification.
- Prominent industry publications use the term “Veterinary Nurse,” including [Today’s Veterinary Nurse](#), an official journal by NAVC.
- There are “Veterinary Nurse Awards,” including the [American Humane Hero Veterinary Nurse Award](#), for the “delivery of outstanding veterinary care.”
- The [American Veterinary Medical Association](#) (“AVMA”) “recognize[s] credentialed veterinary nurses as being equivalent to credentialed veterinary technicians.”
- [NAVTA](#) “recognizes that a growing number of employers are advertising positions for veterinary nurses” and “supports the use of the job title ‘Veterinary Nurse’ by credentialed Veterinary Technicians.”⁹

Use of the title Veterinary Nurse is thus commonplace and widespread in the industry, including by many of the premier academic and medical institutions in the country. Given the ubiquitous use of the term Veterinary Nurse professionally and educationally, no reasonable person could find that use of this terminology is in any way misleading or confusing. On the contrary, the industry and public generally finds this term both professional and appropriate. Indeed, even the American Nurses Association has **disclaimed** any suggestion that “any pet owner will confuse a staff member in a veterinary clinic or hospital as a human healthcare practitioner.”¹⁰

III. Veterinary Staffing Issues in North Carolina

It is important background to understand that North Carolina has been suffering from veterinary staffing issues.¹¹ Clinics and hospitals are offering reduced services or turning patients away due to the staffing shortage.¹² This staffing crisis is not isolated to North Carolina:

⁹ Likewise, more than a dozen academic institutions offer “Veterinary Nursing” degrees: [Camden County College](#), [Colby Community College](#), [College of Southern Nevada](#), [Harcum College](#), [Independence Community College](#), [Johnson College](#), [Marian University](#), [Michigan State University](#), [Murray State College](#), [Perdue University](#), [Truckee Meadows Community College](#), and [Wilson College](#).

¹⁰ R. Zimlich, BSN, RN, *RNs fight veterinary technicians over the word ‘nurse’*, DVM360, available at <https://www.dvm360.com/view/rns-fight-veterinary-technicians-over-word-nurse>.

¹¹ See *NC veterinarians struggle to meet demand amid staffing shortages*, WRAL, available at <https://www.wral.com/video/nc-veterinarians-struggle-to-meet-demand-amid-staffing-shortages/21083597/>.

¹² *Id.*; see also *Regulatory Bulletin, Fall 2022*, North Carolina Veterinary Medical Board, https://www.ncvmb.org/content/about/newsletters/Bulletin_Fall2022.pdf (discussing “affirmative obligations in emergency situations when [emergency clinics are] overwhelmed with patients”).

Hospitals, clinics, and vet offices around the U.S. in the past year have been turning animals away because they are short staffed. This crisis has hit all levels of the system, from general practice to specialists, but animal emergency rooms—where the job is most stressful—have it the worst. Veterinary staff told me of emergency hospitals closing overnight, owners being referred hundreds of miles away for an elusive open spot, and dogs with broken bones, a true emergency, waiting hours and hours to be seen.¹³

Use of the Veterinary Nurse title materially increases employee morale and esteem and improves the ability of veterinary practices in the state to recruit Registered Veterinary Technicians nationwide—particularly as many academic institutions and animal hospitals use that title. *See supra*, Section II. Employees known of Veterinary Nurses have higher professional esteem, and this shows in how they hold themselves around pet owners and how these owners treat and respond to them. This practice does not adversely impact the profession; it elevates it, which is likely why 85% of veterinary technicians prefer the title “veterinary nurse.” *Id.*

Thus, it would unacceptable and inappropriate to prohibit the use of the title “Veterinary Nurse” in the midst of staffing issues.

THE BOARD SHOULD PERMIT AND SUPPORT APPROPRIATE USE OF THE “VETERINARY NURSE” TITLE IN PRACTICE

Against the foregoing backdrop, the Board should explicitly permit use of the title of “Veterinary Nurse” by duly-licensed and properly-accredited Registered Veterinary Technicians in practice in North Carolina, as the title does not mislead the public with regard to the skill set and education such individuals possess.¹⁴ As detailed above, the Nursing Practice Act only prohibits the use of the title of “nurse”, or corresponding abbreviation, where it could be construed to convey that the individual is a registered nurse or a licensed practical nurse. The title of “Veterinary Nurse” **does not** imply that the individual using the title is a registered nurse or licensed practical nurse who is licensed to provide medical care to people. A reasonable person would understand that a “Veterinary Nurse” working in an animal setting, such as an emergency hospital, is licensed to treat only animals-not people.

Moreover, the Board should permit the use of the title of “Veterinary Nurse” among those veterinary hospital staff members who are duly-licensed Registered Veterinary Technicians; who display their “RVT” qualification on identifying credentials, such as identification badges and medical records; and whose Board-issued licenses are prominently displayed in the veterinary hospital.

No reasonable person would believe a “Veterinary Nurse” (i) bearing a name tag with their “RVT” credential (ii) in a veterinary hospital setting (iii) with their duly-issued credential prominently displayed in the hospital is the equivalent to a registered nurse or licensed practical nurse or otherwise licensed to provide medical care to humans. Indeed, in

¹³ S. Zhang, *The Great Veterinary Shortage*, The Atlantic, Jul. 6, 2022, available at <https://www.theatlantic.com/health/archive/2022/07/not-enough-veterinarians-animals/661497/>.

¹⁴ See *Regulatory Bulletin, Fall 2023, supra*, fn. 2.

preparing this public comment, no evidence of any consumer being misled by any institution or facility's use of the title of "Veterinary Nurse" was identified.

For these reasons, there is no basis to prohibit the use of the title "Veterinary Nurse" among duly-licensed Registered Veterinary Technicians, as the title is preferred by 85% of veterinary technicians and prohibiting its use would be counterproductive and inappropriate.

CONCLUSION

As detailed above, the title "Veterinary Nurse" is widely used, enhances the profession, and better communicates with pet owners. The title is in national parlance and is synonymous with Registered Veterinary Technicians. The Board should explicitly permit the use of the title of "Veterinary Nurse" in practice in North Carolina among its licensed Registered Veterinary Technicians and should revise those sections of its rules that would otherwise restrict its use or subject a licensee preferring to use the title "Veterinary Nurse" to investigation and/or discipline.

Very truly yours,

A handwritten signature in black ink that reads "Stephen K. Pytlik". The signature is written in a cursive style with a large, prominent "S" at the beginning.

Stephen K. Pytlik

SKP/skp