

**PROPOSED REGULATION OF THE NEVADA STATE BOARD
OF VETERINARY MEDICAL EXAMINERS**

LCB File No. R092-20

September 8, 2020

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§1-6, 8-10 and 13, NRS 638.070; §§7 and 12, NRS 638.070 and 638.110; §11, NRS 638.070 and 638.100.

A REGULATION relating to veterinary medicine; setting forth the requirements for registration as a veterinary graduate awaiting licensure; revising provisions relating to veterinary externs and interns; setting forth the requirements for obtaining a temporary license to practice veterinary medicine; revising the requirement that certain applicants for a license to practice veterinary medicine submit proof of examination; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law authorizes the Nevada State Board of Veterinary Medical Examiners to adopt regulations necessary to carry out the provisions of law relating to veterinary medicine. (NRS 638.070)

Section 3 of this regulation defines the term “veterinary graduate awaiting licensure.” **Section 5** of this regulation requires each veterinary graduate awaiting licensure to register with the Board and sets forth the procedures for registering. **Section 6** of this regulation requires a veterinary graduate awaiting licensure to be under the direct supervision of a supervising veterinarian and to identify himself or herself as a veterinary graduate awaiting licensure before performing any service regarding an animal.

Section 7 of this regulation sets forth the requirements for obtaining a temporary license to practice veterinary medicine in this State. **Section 11** of this regulation sets forth the fee for a temporary license.

Existing law generally requires each applicant for an initial license to practice veterinary medicine in this State to pass: (1) the state examination administered by the Board; and (2) any other examination approved by the Board and a national testing service for veterinary medicine that is approved by the Board. (NRS 638.110) Accordingly, existing regulations require an applicant to submit to the Executive Director of the Board proof that the applicant has passed the North American Veterinary Licensing Examination of the National Board of Veterinary Medical Examiners or another examination approved by the Board within the 5 years immediately preceding the date on which the applicant submits his or her application. (NAC 638.0435)

Section 12 of this regulation provides that an applicant is exempt from the requirement to provide such proof to the Executive Director if the veterinarian: (1) has continuously been licensed and practiced veterinary medicine in another state for at least 5 years immediately preceding the date on which the applicant submits his or her application; and (2) has not been disciplined in any other state.

Existing law authorizes the Board to adopt regulations concerning the rights and responsibilities of veterinary interns and externs. (NRS 638.070) Existing regulations require a veterinary intern to: (1) identify himself or herself as such; and (2) when performing any service regarding an animal to be under the direct supervision of a licensed veterinarian. (NAC 638.0601) **Section 10** of this regulation revises the definition of “veterinary intern” to specify that an intern is a licensed veterinarian in this State who is: (1) actively enrolled in certain special programs; or (2) receiving training in a branch or specialty of veterinary medicine at a veterinary facility. **Section 13** of this regulation: (1) requires a veterinary intern to identify himself or herself as such before performing any service regarding an animal for which he or she is studying or receiving training; and (2) eliminates the requirement that a veterinary intern perform any service regarding an animal under the direct supervision of a licensed veterinarian.

Section 2 of this regulation defines the term “veterinary extern.” **Section 4** of this regulation requires a veterinary extern: (1) to identify himself or herself as such before performing any service regarding an animal; and (2) be under the direct supervision of a veterinarian while performing any service regarding an animal.

Section 1. Chapter 638 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 7, inclusive, of this regulation.

Sec. 2. *“Veterinary extern” means a third-year or fourth-year veterinary student enrolled in a school of veterinary medicine accredited by the Council on Education of the American Veterinary Medical Association that is participating in an externship program administered by the school.*

Sec. 3. *“Veterinary graduate awaiting licensure” means a person who is registered as a veterinary graduate awaiting licensure pursuant to section 5 of this regulation.*

Sec. 4. 1. *Before performing any service regarding an animal, a veterinary extern shall identify himself or herself as a veterinary extern.*

2. While performing any service regarding an animal, a veterinary extern shall be under the direct supervision of a supervising veterinarian who:

(a) Is in good standing with the Board;

(b) Is responsible for all actions taken by the veterinary extern regarding the animal; and

(c) Is subject to disciplinary action for any violation of this chapter or chapter 638 of NRS by the veterinary extern.

Sec. 5. 1. A veterinary graduate awaiting licensure must be registered with the Board as evidenced by a certificate of registration issued by the Board.

2. To register as a veterinary graduate awaiting licensure, the applicant must submit to the Board:

(a) An application for registration as a veterinary graduate awaiting licensure that includes, without limitation, a list of the veterinary facilities in this State where he or she will perform services;

(b) An application for a license to practice veterinary medicine pursuant to NRS 638.100 and the information required pursuant to NRS 638.103; and

(c) Proof satisfactory to the Board that the applicant:

(1) Has graduated from a school of veterinary medicine and is scheduled to take, or has taken but not yet received a score for, the North American Veterinary Licensing Examination administered by the International Council for Veterinary Assessment;

(2) Has graduated from a school of veterinary medicine that is not accredited by the Council on Education of the American Veterinary Medical Association and who is presently completing a postgraduate, evaluated clinical year at a school of veterinary medicine that is accredited by the Council on Education of the American Veterinary Medical Association; or

(3) Is scheduled to take, or has taken but not yet received a score for, the clinical proficiency examination administered by the American Veterinary Medical Association for the purpose of acquiring an educational certificate issued by the Educational Commission for Foreign Veterinary Graduates of the American Veterinary Medical Association or its successor organization as described in paragraph (b) of subsection 2 of NRS 638.100.

3. Except as otherwise provided in this subsection, a certificate of registration issued to a veterinary graduate awaiting licensure is valid for 1 year after the date of issuance and may not be renewed. The Board may extend the registration of a veterinary graduate awaiting licensure upon written request and a showing of good cause. Any request to extend the registration of a veterinary graduate awaiting licensure must be received by the Board before the certificate of registration expires.

Sec. 6. 1. Before performing any service regarding an animal, a veterinary graduate awaiting licensure shall identify himself or herself as a veterinary graduate awaiting licensure.

2. While performing any service regarding an animal, a veterinary graduate awaiting licensure shall be under the direct supervision of a supervising veterinarian who:

(a) Is in good standing with the Board;

(b) Is responsible for all actions taken by the veterinary graduate awaiting licensure regarding the animal; and

(c) Is subject to disciplinary action for any violation of this chapter or chapter 638 of NRS by the veterinary graduate awaiting licensure.

Sec. 7. 1. A person who holds a current and active license in good standing to practice veterinary medicine issued by another state, a territory of the United States or the District of

Columbia and meets the requirements for licensure set forth in NRS 638.100 and 638.103 may apply for a temporary license to practice veterinary medicine in this State.

2. To apply for a temporary license, the applicant must submit an application to the Executive Director of the Board. An applicant must submit an application for a temporary license not later than 30 days before the applicant intends to practice veterinary medicine in this State unless the President or Vice President of the Board authorizes, upon a showing of good cause, an applicant to file an application for a temporary license less than 30 days before the applicant intends to practice veterinary medicine in this State.

3. An application for a temporary license must be on a form prescribed by the Board and include, without limitation:

(a) Proof that the applicant satisfies the requirements set forth in NRS 638.100 and 638.103;

(b) Documentation every license to practice veterinary medicine issued to the applicant by another state, territory or the District of Columbia;

(c) A current photograph of the applicant measuring 2 inches by 2 inches;

(d) The specific location at which the applicant intends to practice veterinary medicine in this State;

(e) The dates on which the applicant intends to practice veterinary medicine in this State, which must not exceed 10 consecutive calendar days; and

(f) The fee for a temporary license to practice veterinary medicine prescribed by NAC 638.035, unless the veterinary services that the applicant will provide in this State will be performed without payment or compensation, in which case the Board will waive the fee.

4. A temporary license to practice veterinary medicine in this State is valid only:

(a) For the licensee to practice veterinary medicine at a specific location designated in the temporary license; and

(b) For a period not to exceed 10 consecutive calendar days. A temporary license may not be extended or renewed.

5. The Board will not grant more than two temporary licenses to the same applicant during any calendar year.

Sec. 8. NAC 638.001 is hereby amended to read as follows:

638.001 As used in this chapter, unless the context otherwise requires, the words and terms defined in NAC 638.005 to 638.0185, inclusive, *and sections 2 and 3 of this regulation* have the meanings ascribed to them in those sections.

Sec. 9. NAC 638.016 is hereby amended to read as follows:

638.016 “Supervising veterinarian” means a veterinarian licensed to practice in this State who employs, supervises, or employs and supervises *a veterinary extern, a veterinary graduate awaiting licensure*, a licensed veterinary technician, a veterinary technician in training or a veterinary assistant.

Sec. 10. NAC 638.0185 is hereby amended to read as follows:

638.0185 “Veterinary intern” means ~~+~~ *a licensed veterinarian in this State who is:*

- ~~1. A third-year or fourth-year veterinary student who is~~ *Actively* enrolled in ~~{an internship}~~ *a specialty degree* program ~~{that is administered by a school of veterinary medicine;~~
- ~~2. A person who has graduated from a school of veterinary medicine and has taken the North American Veterinary Licensing Examination of the National Board of Veterinary Medical Examiners but has not received the scores for that examination;~~

~~—3.— A person who has graduated from a school of veterinary medicine that is not accredited by the Council on Education of~~ *approved by* the American Veterinary Medical Association and ~~{who} is presently {completing a postgraduate, evaluated clinical year at a school of veterinary medicine that is accredited by the Council on Education of the American Veterinary Medical Association;}~~ *engaged in activities in this State in furtherance of obtaining such specialty degree;* or

~~{4.— A person who is scheduled to take, or has taken but not yet received a score for, the clinical proficiency examination administered by the American Veterinary Medical Association for the purpose of acquiring an educational certificate issued by the Educational Commission for Foreign Veterinary Graduates of the American Veterinary Medical Association or its successor organization as described in paragraph (b) of subsection 2 of NRS 638.100.}~~

2. Receiving training in a branch or specialty of veterinary medicine at a veterinary facility.

Sec. 11. NAC 638.035 is hereby amended to read as follows:

638.035 The Board will charge and collect the following fees:

For an application and examination for a license to practice veterinary medicine or a license to practice as a diplomate	\$200
For an application for a license to practice as a veterinary technician.....	100
For an application or examination for a license to practice as a euthanasia technician.....	200
For a 2-year registration to practice as a veterinary technician in training	50
For a permit to operate a facility owned by a licensed veterinarian	50

For a permit to operate a facility owned by a nonlicensed veterinarian	300
For a permit to operate a nonprofit facility	100
For a registration to practice animal chiropractic.....	50
For a registration to practice animal physical therapy	50
<i>For a temporary license to practice veterinary medicine.....</i>	<i>100</i>
For the reinstatement of a veterinary or diplomate license	200
For the reinstatement of a veterinary technician license	100
For the annual renewal of an active license to practice veterinary medicine.....	250
For the annual renewal of an inactive license to practice veterinary medicine.....	130
For the annual renewal of a license to practice as a veterinary technician	75
For the annual renewal of a license to practice as a euthanasia technician.....	100
For the annual renewal of a registration to practice as an animal physical therapist	25
For the annual renewal of a registration to practice as an animal chiropractor.....	25
For the annual renewal of a permit for a facility owned by a licensed veterinarian	25
For the annual renewal of a permit for a facility owned by a nonlicensed veterinarian	300
For the annual renewal of a permit for a nonprofit facility.....	100
For a duplicate of a license, registration or permit described in this section	10

Sec. 12. NAC 638.0435 is hereby amended to read as follows:

638.0435 1. ~~¶~~ ***Except as otherwise provided in subsection 3, in*** addition to the requirements of NRS 638.100, an applicant for a license to practice veterinary medicine must

submit to the Executive Director of the Board proof that the applicant has passed, within the 5 years immediately preceding the date on which he or she submitted his or her application:

(a) The North American Veterinary Licensing Examination of the ~~{National Board of}~~ *International Council for* Veterinary ~~{Medical Examiners;}~~ *Assessment;* or

(b) Any other examination approved for this purpose by the Board pursuant to NRS 638.110.

2. In addition to the requirements of subsection 1, an applicant for a license to practice veterinary medicine who is a graduate of a school of veterinary medicine that is not accredited by the Council on Education of the American Veterinary Medical Association must submit to the Board a verified copy of the educational certificate required pursuant to paragraph (b) of subsection 2 of NRS 638.100.

3. An applicant is not required to provide proof to the Executive Director of the Board pursuant to subsection 1 if the applicant:

(a) Has continuously been licensed and practiced veterinary medicine in another state for at least 5 years immediately preceding the date on which he or she submitted his or her application; and

(b) Has not been disciplined in any other state.

Sec. 13. NAC 638.0601 is hereby amended to read as follows:

638.0601 ~~{1.}~~ Before ~~{performing}~~ *a veterinary intern performs* any service regarding an animal ~~{,a}~~ *for which he or she is studying or receiving training, the* veterinary intern shall identify himself or herself as a veterinary intern.

~~{2.—While performing any service regarding an animal, a veterinary intern shall be under the direct supervision of a supervising veterinarian who:~~

~~—(a) Is in good standing with the Board;~~

- ~~—(b) Is responsible for all actions taken by the veterinary intern regarding an animal; and~~
- ~~—(c) Is subject to disciplinary action for any violation of this chapter or chapter 638 of NRS by the veterinary intern.~~