

APA-1
07/04

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control No. _____ Department or Agency: Alabama State Board of Veterinary Medical Examiners
Rule No. 930-X-1-.01
Rule Title: Introduction
____ New Amend _____ Repeal _____ Adopt by Reference

Would the absence of the proposed rule significantly
Harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's
Police power and the protection of the public health,
Safety, or welfare? Yes

Is there another, less restrictive method of regulation
Available that could adequately protect the public? No

Does the proposed rule have the effect of directly or
Indirectly increasing the costs of any goods or services
Involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public
Than the harm that might result from the absence of
The proposed rule? No

Are all facets of the rulemaking process designed solely
For the purpose of, and so they have, as their primary
Effect, the protection of the public? Yes

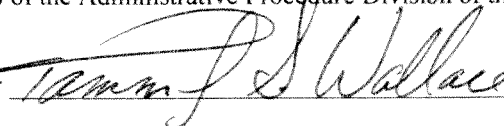
Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by
a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama,
1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the
requirements of Chapter 22, Title 41, Code of Alabama, 1975, and that it conforms to all
applicable filing requirements of the Administrative Procedure Division of the Legislative
Reference Service.

Signature of certifying officer _____



Date: August 7, 2012

(DATE FILED)
(STAMP)

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07/04

Alabama State Board of Veterinary Medical Examiners

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama State Board of Veterinary Medical Examiners

RULE NO. & TITLE: 930-X-1-.01 Introduction.

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION: The Board proposes to correctly site statutory authority and clarify language.


TIME, PLACE, MANNER OF PRESENTING VIEW: Written comments, views, or arguments will be received by the Alabama State Board of Veterinary Medical Examiners at 9:00 a.m. on October 10, 2012. Comments should be directed to Tammy Wallace, Executive Director, at 8 Commerce Street, Suite 910, Montgomery, AL 36130-5330, or via fax at 334-262-8716. A public hearing will be held at 9:00 a.m. on October 10, 2012 at 8 Commerce Street, Suite 910, Montgomery, AL 36104.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

October 10, 2012

CONTACT PERSON AT AGENCY:

Tammy Wallace, Executive Director
8 Commerce Street – Suite 910
Montgomery, AL 36130-5330
(334) 262-8068


Tammy Wallace, Executive Director
Alabama State Board of Veterinary Medical
Examiners

Alabama State Board of Veterinary Medical Examiners

NOTICE OF INTENDED ACTION

RULE NUMBER: 930-X-1-.01

TITLE OF RULE: INTRODUCTION/DEFINITIONS

(1) The Alabama Veterinary Practice Act of the general statutes of Alabama establishes and authorizes the Alabama State Board of Veterinary Medical Examiners hereafter referred to as the Board.

(2) In order to promote the public health, safety and welfare by safeguarding the people of this state against unqualified or incompetent practitioners of veterinary medicine and veterinary technology it is hereby declared that the right to practice veterinary medicine and veterinary technology a privilege conferred by legislative grant to persons having the personal and professional qualifications specified in the Alabama Practice Act and this Administrative Code.

(3) **Definitions** – for the purposes of defining and clarifying the following terms in the Administrative Code 930-X-1, the following definitions shall be ascribed by this rule.

(a) **501(c)(3) Organization.** If a 501(c)(3) status is acquired for purposes of establishing a non-profit veterinary practice all veterinary practice owners shall be licensed veterinarians.

(b) **Licensed Veterinary Technician.** Only LVT's that have been issued a certificate of qualification by the ASBVME shall be allowed to use the title of LVT.

(c) **Veterinary Practice Owner.** Any licensed veterinarian or group of licensed veterinarians who has the ability to sell the veterinary practice without approval or authority or any other non-licensed individuals shall be defined as Veterinary Practice Owner. Proof of ownership, though not limited to the following, shall consist of the following:

1. Articles of Corporation
2. Form 990
3. Personal Tax Return
4. Employee's Contract
5. AAA Financials

(d) **Veterinary Technician.** For the purpose of clarification in the Administrative Code the term "veterinary technician" shall be interpreted as "licensed veterinary technician".

Author: Alabama State Board of Veterinary Medical Examiners
Statutory Authority: Code of Alabama 1975, §§34-29-62, 34-29-63.