

State of Utah  
Administrative Rule Analysis  
Revised November 2021

OUR FILE NO. 54219

DATE FILED 12-14-2021

NOTICE OF PROPOSED RULE

TYPE OF RULE: New ; Amendment ; Repeal ; Repeal and Reenact

Title No. - Rule No. - Section No.

Utah Admin. Code Ref (R no.):

R156-28

Filing ID (Office Use Only)

Changed to Admin. Code Ref. (R no.):

R

Agency Information

1. Department: Department of Commerce  
Agency: Division of Occupational and Professional Licensing  
Room no.:  
Building: Heber M. Wells Building  
Street address: 160 East 300 South  
City, state and zip: Salt Lake City UT 84111-2316  
Mailing address: PO Box 146741  
City, state and zip: Salt Lake City UT 84114-6741  
Contact person(s):  
Name: Phone: Email:  
Jana Johansen 801-530-6621 janajohansen@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule or section catchline:

Veterinary Practice Act Rule

3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):

Formatting and other changes are made throughout the rule in accordance with Executive Order 2021-12 to clarify and update the rule to facilitate compliance and enforcement, and additional amendments are made in accordance with Executive Order 2021-1 to eliminate unnecessary regulation and reduce barriers to working, including updating the rule to accord with industry practices and making changes to the education requirement and continuing education requirements for certified veterinary technicians to bring them more in line with other licenses under this chapter.

4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):

Non-substantive formatting changes are made throughout the rule for clarity and to facilitate compliance and enforcement; additionally, the following substantive amendments are proposed:

Section R156-28-302a: The proposed amendments remove a reference to the Division of Occupational and Professional Licensing Act that does not add substance to this Rule. It also removes wording from this Rule that is already defined in the Veterinary Practice Act.

Section R156-28-302b: The proposed amendments remove references to the Division of Occupational and Professional Licensing Act, the Utah Controlled Substances Act, and the Utah Controlled Substances Act Rule that do not add substance to this Rule.

Section R156-28-302c: The proposed amendments remove a reference to the Division of Occupational and Professional Licensing Act that does not add substance to this Rule, and delete unnecessary provisions regarding registration and retake of the North American Veterinarian Licensing Examination (NAVLE) as this exam is not administered by the Division or the State of Utah.

Section R156-28-304a: The proposed amendments add a one hour continuing education requirement on topics that improve diversity, equity and inclusion in the veterinary workplace for clients, employees, and recruitment. Additionally, the proposed amendments reduce the time requirement for a licensee to maintain documentation sufficient to prove compliance with this section from a four-year period to a two-year period.

Section R156-28-304b: The proposed amendments bring the continuing education requirements for certified veterinary technicians in line with other licenses under this chapter.

Section R156-28-309a: The proposed amendment removes a reference to the Division of Occupational and Professional Licensing Act that does not add substance to this Rule. Additionally, it adds the category of "veterinary nurse" to the allowed training programs, and rolls the specific training topics into one general category of training to be more in line with current industry standards and improve access to licensure.

Section R156-28-309b: The proposed amendment removes this section in its entirety as the requirements are already outlined in the Veterinary Practice Act, and the Veterinary Technician Exam (VTNE) is owned by AAVSB, which oversees its administration and development and sets the passing score.

#### Fiscal Information

##### 5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:

###### A) State budget:

No state agencies will be directly or indirectly affected by this filing because the proposed amendments merely update and clarify provisions and conform the rule to statutory changes.

###### B) Local governments:

No local governments will be directly or indirectly affected by this filing because the proposed amendments merely update and clarify provisions and conform the rule to statutory changes.

###### C) Small businesses ("small business" means a business employing 1-49 persons):

There are approximately 238 small businesses in Utah performing veterinary services (NAICS 541940). No small businesses are expected to be impacted by this filing because the proposed amendments merely update and clarify provisions and conform the rule to statutory changes and current industry standards.

###### D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

There are approximately 8 non-small businesses in Utah performing veterinary services (NAICS 541940). No non-small businesses are expected to be impacted by this filing because the proposed amendments merely update and clarify provisions and conform the rule to statutory changes and current industry standards.

###### E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an *agency*):

In Utah there are 1,037 licensed veterinarians, 25 licensed veterinary interns, and 95 state certified veterinary technicians. The Division averages 120 new applications for licensure per year. The proposed amendments are expected to benefit some of these qualified applicants for licensure under this chapter by facilitating their ability to become licensed to practice in Utah. However, the full fiscal and non-fiscal impacts on such persons cannot be estimated because the data necessary to determine how many such persons will seek licensure is unavailable, and because the benefits that each new Utah licensee may experience from any resulting increased ability to become employed will vary widely depending on the individual characteristics of each individual and employer requirements. The remainder of these proposed amendments are expected to have no measurable impact on other persons as they merely streamline and update the rule in accordance with Executive Order 2021-12 and conform the rule to statutory changes.

###### F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):

The Division does not anticipate any compliance costs for affected persons from these proposed amendments because the proposed amendments will result in a benefit to affected persons and will have no measurable cost impact as they merely streamline and update the rule in accordance with Executive Order 2021-12 and conform the rule to statutory changes.

###### G) Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):

The Division of Occupational and Professional Licensing ("Division") proposes amendments to update R156-28, the Veterinary Practice Act Rule. The Division has made formatting changes throughout the rule to conform the rule to the Office of Administrative Rules' Formatting Manual in accordance with Executive Orders 2021-1 and 2021-12. The amendments are meant to eliminate unnecessary regulation and reduce barriers to working in the veterinary field, updating the rule with industry practices, and making changes to the education requirement and continuing education requirement for certified veterinary technicians.

Small Businesses (less than 50 employees): The Division does not foresee any foreseeable impact on small businesses since these amendments are made to make the rule comport to the Office of Administrative Rules Rule Writing Manual. There are approximately 238 small businesses in Utah performing veterinary services (NAICS 541940). There are no substantial changes to the rule beyond clarification to language.

Regulatory Impact to Non-small Businesses (50 or more employees): There are approximately 8 non-small businesses in Utah performing veterinary services (NAICS 541940). These amendments will have no expected fiscal impact for non-small businesses in Utah for the same rationale as described above for small businesses. These costs are either inestimable, for the reasons stated above, or there is no fiscal impact.

Margaret W. Busse, Executive Director

**6. A) Regulatory Impact Summary Table** (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

<b>Regulatory Impact Table</b>			
<b>Fiscal Cost</b>	<b>FY2022</b>	<b>FY2023</b>	<b>FY2024</b>
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**B) Department head approval of regulatory impact analysis:**

The Executive Director of the Department of Commerce, Margaret W. Busse, has reviewed and approved this fiscal analysis.

**Citation Information**

**7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:**

58-1-106(1)(a)	58-1-202(1)(a)	58-28-101
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**Incorporations by Reference Information**

(If this rule incorporates more than two items by reference, please include additional tables.)

**8. A) This rule adds, updates, or removes the following title of materials incorporated by references** (a copy of materials incorporated by reference must be submitted to the Office of Administrative Rules; *if none, leave blank*):

**First Incorporation**

Official Title of Materials Incorporated  
(from title page)  
Publisher  
Date Issued  
Issue, or version

**B) This rule adds, updates, or removes the following title of materials incorporated by references** (a copy of materials incorporated by reference must be submitted to the Office of Administrative Rules; *if none, leave blank*):

**Second Incorporation**

Official Title of Materials Incorporated

(from title page)

Publisher

Date Issued

Issue, or version

**Public Notice Information**

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until (mm/dd/yyyy): 01/31/2022

B) A public hearing (optional) will be held:

On (mm/dd/yyyy):

01/20/2022

At (hh:mm AM/PM):

9:00 AM

At (place):

Rule hearing will be held before the Division electronically. Google Meet information is below.

Join with Google Meet  
[meet.google.com/rkn-xqqr-hey](https://meet.google.com/rkn-xqqr-hey)

Join by phone  
(US) +1 929-266-1700 (PIN:  
623674136)

10. This rule change MAY become effective on (mm/dd/yyyy): 02/07/2022

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date. To make this rule effective, the agency must submit a Notice of Effective Date to the Office of Administrative Rules on or before the date designated in Box 10.

**Agency Authorization Information**

To the agency: Information requested on this form is required by Sections 63G-3-301, 302, 303, and 402. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the *Utah State Bulletin* and delaying the first possible effective date.

Agency head or designee, and title: Mark B. Steinagel, Division Director

Date (mm/dd/yyyy): 12/14/2021

R156. Commerce, Occupational and Professional Licensing.

R156-28. Veterinary Practice Act Rule.

R156-28-101. Title.

This rule is known as the "Veterinary Practice Act Rule." [-]

R156-28-102. Definitions.

~~[In addition to the definitions regarding veterinary practices in Title 58, Chapters 1 and 28, as used in Title 58, Chapters 1 and 28, the following rule definitions supplement the statutory definitions]~~ The following definitions supplement the definitions in Title 58, Chapter 1, Division of Occupational and Professional Licensing Act, and Title 58, Chapter 28, Veterinary Practice Act:

(1) "In association with licensed veterinarians," as used in Subsection 58-28-307(6), means an out of state licensed veterinarian who performs veterinarian services in this state at the request of a Utah licensed veterinarian regarding a specific client or patient, and the services provided by the out of state licensed veterinarian are limited to that specific request.

(2) "NBEC" means the National Board Examination Committee of the American Veterinary Medical Association.

(3) "Patient" means any animal receiving veterinarian services.

(4) "Practice of veterinary medicine, surgery, and dentistry" as defined in Subsection 58-28-102(11) does not include implanting an electronic device to establish and maintain positive identification of animals.

(5) "Unprofessional conduct" as defined in Title 58, ~~[Chapters 1 and 28]~~ Chapter 1, Division of Occupational and Professional Licensing Act, and Title 58, Chapter 28, Veterinary Practice Act, is further defined in accordance with Subsection 58-1-203(1)(e) in Section R156-28-502.

(6) "Working under," as used in Subsection 58-28-102(17), means:

(a) unlicensed assistive personnel perform the delegated tasks in Utah, while supervised by a veterinarian licensed under Title 58, Chapter 28, Veterinary Practice Act;

(b) the manner and means of performance of the delegated tasks are subject to the right of control of, or are controlled by, the supervising veterinarian; and

(c) the delegated tasks are recorded in the supervising veterinarian's medical records.

R156-28-103. Authority - Purpose.

This rule is adopted by the [d]Division under the authority of Subsection 58-1-106(1)(a) to enable the [d]Division to administer Title 58, Chapter 28, Veterinary Practice Act.

R156-28-302a. Qualifications for Licensure - Education Requirements.

~~[In accordance with Subsections 58-1-203(1) and 58-1-301(3), the education requirements for licensure in Subsection 58-28-302 are defined, clarified, or established as follows.~~

~~(1) Each applicant for licensure as a veterinarian shall:~~

~~(a) submit an official transcript demonstrating that the applicant graduated from a veterinary college accredited by the Council on Education~~

~~of the American Veterinary Medical Association (AVMA) at the time of the applicant's graduation; or~~

~~(b) if the received a veterinary degree in a foreign country, demonstrate that the applicant's foreign education is equivalent to the requirements of Subsection R156-28-302a(1)(a) by submitting a Certificate of Competence issued by:~~

~~(i) the AVMA Educational Commission for Foreign Veterinary Graduates (ECFVG) or~~

~~(ii) the American Association of Veterinary State Boards (AAVSB) Program for Assessment of Veterinary Education Equivalence (PAVE).~~

~~(2)(a) Each applicant for licensure as a veterinarian intern shall demonstrate that the applicant has met the education requirements described in Subsection R156-28-302a(1).~~

~~(b) If the]Under Subsection 58-28-302(2)(a), if an applicant for licensure as a veterinary intern has graduated, but the educational institution has not yet posted the degree on the official transcript, the applicant may submit the official transcript together with a [notarized ]letter from the dean or registrar of the educational institution, that certifies that the applicant has obtained the degree but it is not yet posted to the official transcript.~~

#### **R156-28-302b. Qualifications for Licensure - Experience Requirements.**

~~[In accordance with]Under Subsection[s] 58-1-203(1) [-and 58-1-301(3)], the experience requirements for licensure in Subsection 58-28-302(1) are defined, clarified, or established as follows[-]:~~

(1)(a) Each applicant for licensure as a veterinarian shall complete 1,000 hours of experience while licensed as a veterinarian intern under the supervision of a licensed veterinarian.

(b) Experience shall be earned in not less than six months and completed within two years of the date of the application.

(c) Experience in the following settings may not fulfill this experience requirement:

(i) temporary employment experiences of less than eight weeks in duration;

(ii) part-time experience of fewer than 20 hours per week; or

(iii) experience completed while employed as unlicensed assistive personnel.

([e]d) If the experience is completed in a jurisdiction outside of Utah that does not issue veterinarian, veterinarian intern, or comparable licenses, or completed in a setting that does not require licensure, the applicant shall demonstrate that the experience was:

(i) lawfully obtained;

(ii) obtained after the applicant met the education requirement [described] in [Section R156-28-302a]Subsection 58-28-302(1)(b);

(iii) supervised by a licensed veterinarian, or by a person who was exempted from licensure but possessed substantially equivalent qualifications; and

(iv) comparable to experience that would be obtained in a standard veterinarian practice setting in Utah.

([d]e) Supervision may be obtained by "indirect supervision" as defined in Section 58-28-102, if the supervisor supplements the indirect

supervision with routine face to face contact as the supervisor considers appropriate in the supervisor's professional judgment.

([e]f) Each applicant shall demonstrate completion of the experience required by submitting a verification of experience signed by the applicant and by the applicant's supervisor on forms approved by the Division.

([f]g) If a supervisor is unavailable or refuses to provide a verification of experience, the applicant shall:

(i) submit a complete explanation of why the supervisor is unavailable; and

(ii) submit verification of the experience by alternative means acceptable to the [b]Board, which shall demonstrate that the experience was:

(A) profession-related work;

(B) competently performed; and

(C) sufficient accumulated experience for the applicant to be granted a license without jeopardy to the public health, safety, or welfare.

(2) ~~[In accordance with]~~ Under Subsection[s] 58-37-6(1)(a), ~~[58-37-6(5)(b)(i) and R156-37-305(1),]~~ a veterinary intern is not eligible to obtain a controlled substance license during the internship.

#### **R156-28-302c. Qualifications for Licensure - Examination Requirements.**

~~[In accordance with]~~ Under Subsection[s] 58-1-203(1) ~~[-and 58-1-301(3)]~~, the examination requirements for licensure in Subsection 58-28-302(1)(a) are defined, clarified, or established as follows:

(1) Applicants who passed examinations ~~[prior to]~~ before May 1, 2000, shall submit documentation showing they passed:

(a) the National Board Examination (NBE) of the National Board Examination Committee (NBEC) of the American Veterinary Medical Association (AVMA), with a minimum passing score as determined by the NBEC; and

(b) the Clinical Competency Test (CCT) of the NBEC with a minimum passing score as determined by the NBEC.

(2) Applicants who passed examinations after May 1, 2000, shall submit documentation showing they passed the North American Veterinarian Licensing Examination (NAVLE) with a score as determined by the NBEC. [

~~----- (3) To be eligible to sit for the NAVLE, an applicant shall submit the following to the International Council for Veterinary Assessment (ICVA), in the manner directed by the ICVA:~~

~~----- (a) an application for approval to sit for the NAVLE;~~

~~----- (b) the application fee; and~~

~~----- (c) documentation showing the applicant:~~

~~----- (i) has graduated from, or is enrolled in, a school or college of veterinary medicine accredited by the Council on Education of the American Veterinary Medical Association (AVMA); or~~

~~----- (ii) holds a certificate issued by, or is enrolled in and has completed the Step 3 examination requirement for, one of the following programs:~~

~~----- (A) the Educational Commission for Foreign Veterinary Graduates (ECFVG); or~~

~~(B) the Program for the Assessment of Veterinary Education Equivalence (PAVE).~~

~~(4) An applicant who has not graduated from veterinary school at the time of application shall have an expected graduation date no later than ten months from the last date of the applicable testing window.~~

~~(5) The following conditions apply to retaking the NAVLE exam:~~

~~(a) an applicant may not sit for the NAVLE more than five times;~~

~~(b) an applicant may not sit for the NAVLE at a date that is later than five years after the applicant's initial attempt; and~~

~~(c) each of the applicant's final two attempts shall be at least one year from the previous attempt.]~~

#### **R156-28-303. Renewal Cycle - Procedures.**

(1) ~~[In accordance with]~~ Under Subsection 58-1-308(1) ~~[,]~~ and Sections 58-28-~~[302,]~~ 305 and 58-28-310, the renewal date for the two-year renewal cycle ~~[applicable to]~~ for licenses or state certifications under Title 58, Chapter 28, Veterinary Practice Act is established ~~[by rule]~~ in ~~[Section]~~ Subsection R156-1-308a(1).

(2) Renewal procedures shall be in accordance with Sections R156-1-308b through R156-1-308l.

(3) Applicants for renewal shall meet the continuing education requirements ~~[specified]~~ in Section R156-28-304a or Section R156-28-304b, as applicable.

#### **R156-28-304a. Continuing Education - Veterinarian.**

~~[In accordance with]~~ Under Section 58-28-306, there is created a continuing education requirement as a condition for renewal or reinstatement of licenses issued under Title 58, Chapter 28, Veterinary Practice Act. Continuing education shall comply with the following criteria:

(1)(a) During each two-year period commencing on September 30 of each even-numbered year, a licensee shall complete at least 24 hours of qualified continuing education directly related to the licensee's professional practice.

(b) At least one hour of the 24 hours shall be specifically related to recognizing opioid use and dependency in office staff, clients, and co-workers.

(c)(i) At least one hour of the 24 hours shall be devoted to topics that improve diversity, equity, and inclusion in the veterinary workplace for clients, employees, and recruitment.

(ii) Topics may relate to race, ethnicity, religion, gender, gender identity, sexual orientation, and disability, and may include issues such as:

(A) unconscious bias;

(B) cross-cultural communication; and

(C) access and legal aspects of anti-discrimination.

(2) If a licensee is initially licensed during the two-year period, the licensee's required number of continuing education hours shall be decreased proportionately according to the date of licensure.

(3) Continuing education shall:



(a) have an identifiable clear statement of purpose and defined objective for the educational program directly related to the practice of a veterinarian;

(b) be relevant to the licensee's professional practice;

(c) be presented in a competent, well organized, and sequential manner consistent with the stated purpose and objective of the program;

(d) be prepared and presented by individuals who are qualified by education, training, and experience; and

(e) have a competent method of registration of individuals who actually completed the professional education program, with records of that registration and completion available for review.

(4) The Division shall recognize continuing education as follows:

(a) unlimited hours for continuing education as a student or presenter, completed in blocks of time of not less than one hour in formally established classroom courses, seminars, lectures, wet labs, or specific veterinary conferences approved or sponsored by one or more of the following:

(i) the American Veterinary Medical Association;

(ii) the Utah Veterinary Medical Association;

(iii) the American Animal Hospital Association;

(iv) the American Association of Equine Practitioners;

(v) the American Association of Bovine Practitioners;

(vi) certifying boards recognized by the AVMA;

(vii) other state veterinary medical associations or state licensing boards; or

(viii) the Registry of Continuing Education (RACE) of the AASVB;

(b) up to five continuing education hours for being the primary author of an article published in a peer reviewed scientific journal, and up to two continuing education hours for being a secondary author;

(c) up to six continuing education hours in practice management courses; and

(d) if the course has no instructor or the instructor is not physically present, such as for internet, audio and visual recordings, broadcast seminars, mail or other correspondence courses, the course shall assure the licensee's participation and acquisition of the knowledge and skills intended by ~~[means of]~~ an examination.

(5) A licensee shall maintain documentation sufficient to prove compliance with this section for a period of ~~[four]~~ two years after the end of the two-year renewal cycle that the continuing education is due.

(6) A licensee who ~~[is unable to]~~ cannot complete the continuing education requirement for reasons such as a medical or related condition, humanitarian or ecclesiastical services, or extended presence in a geographical area where continuing education is not available, may be excused from the requirement for a period of up to three years ~~[as provided in]~~ under Section R156-1-308d.

#### R156-28-304b. Continuing Education - State Certified Veterinary Technician.

~~[In accordance with]~~ Under Section 58-28-310, there is created a continuing education requirement as a condition for renewal or reinstatement of a state certification issued under Title 58, Chapter 28,

Veterinary Practice Act. Continuing education shall comply with the following criteria:

(1)(a) During each two-year period commencing on September 30 of each even-numbered year, a state certified veterinary technician shall complete at least 12 hours of qualified continuing education directly related to their professional practice.

(b) At least nine of the 12 continuing education hours shall be specific to medical practices.

(2) The Division shall ~~[only]~~ recognize continuing education ~~[approved by the American Association of Veterinary State Boards (AAVSB) Registry of Approved Continuing Education (RACE)]~~ as outlined in Subsection R156-28-304a(4).

#### **R156-28-309a. Qualifications for State Certification - Education Requirements.**

~~[In accordance with]~~ Under Subsection ~~[s]~~ 58-1-203(1) ~~[-and 58-1-301(3)]~~, the education requirements in Subsection 58-28-309(2)(b) for state certification as a state certified veterinary technician are defined, clarified, or established as follows:

(1) Each applicant shall submit an official transcript demonstrating that the applicant graduated from a veterinary technician or veterinary nurse training program that was accredited, as of the date of the applicant's graduation by:

(a) the AVMA Committee on Veterinary Technician Education and activities (AVMA-CVTEA); or

(b) the Canadian Veterinary Medical Association (CVMA); or

(2) submit evidence, on forms approved by the Division, of at least 6,000 hours of paid on-the-job training by a licensed veterinarian, that included at minimum:

~~(a) [large animal care;~~

~~(b) small animal care;~~

~~(c) exotic animal care;]~~ general veterinary care;

~~(d)~~ lab skills;

~~(e)~~ x-ray experience;

~~(f)~~ surgical experience; and

~~(g)~~ dental experience.

#### ~~[R156-28-309b. Qualifications for State Certification - Examination Requirements.~~

~~In accordance with Subsections 58-1-203(1) and 58-1-301(3), the examination requirements in Subsection 58-28-309(2)(c) for state certification as a state certified veterinary technician are defined, clarified, or established as follows:~~

~~(1) Each applicant shall submit evidence showing that the applicant passed the Veterinary Technician Exam (VTNE) of the American Association of Veterinary State Boards (AAVSB), with a minimum passing score as determined by the AAVSB.~~

~~(2) To be eligible to sit for the VTNE, an applicant shall:~~

~~(a) submit the following to the American Association of Veterinary State Boards (AAVSB), in the manner directed by the AAVSB:~~

~~(i) an application for approval to sit for the VTNE;~~

~~(ii) the application fee; and~~

~~(iii) final transcripts with graduation date and degree conferred, and~~

~~(b) if an applicant has failed the VTNE five or more times, the applicant shall also meet with the Board to request approval to sit for the VTNE.]~~

**R156-28-309[e]b. Qualifications for State Certification - Experience Requirements.**

~~[In accordance with]~~ Under Subsections 58-1-203(1) [~~58-1-301(3)~~] and 58-28-309(2)(e), the experience [~~requirement criteria~~] required for state certification as a state certified veterinary technician [~~are~~] is as follows:

(1)(a) Each applicant shall have completed at least six continuous months of full time experience working in a veterinary clinic as a veterinary technician or as unlicensed assistive personnel, under the supervision of a veterinarian that has held an active license in good standing for at least two years; or

(b) if the experience is completed in a jurisdiction outside of Utah that does not issue veterinary technician certification or comparable licenses, or completed in a setting that does not require certification or licensure, the applicant shall demonstrate that the experience was:

(i) lawfully obtained;

(ii) obtained after the applicant met the education requirement described in Section R156-28-309a;

(iii) supervised by a licensed veterinarian, or by a person who was exempted from licensure but possessed substantially equivalent qualifications; and

(iv) comparable to veterinary technician experience that would be obtained in a standard veterinary practice setting in Utah.

(2) Each applicant shall demonstrate completion of the required experience by submitting a verification of experience signed by the applicant and by the applicant's supervisor on forms approved by the Division.

(3) If a supervisor is unavailable or refuses to provide a verification of experience, the applicant shall:

(a) submit a complete explanation of why the supervisor is unavailable; and

(b) submit verification of the experience by alternative means acceptable to the Board, which shall demonstrate that the experience was:

(i) profession-related work;

(ii) competently performed; and

(iii) sufficient experience for the applicant to be granted state certification without jeopardy to the public health, safety, or welfare.

**KEY: veterinary medicine, licensing, veterinarian**

**Date of Enactment or Last Substantive Amendment: [~~October 23, 2020~~] 2022**

**Notice of Continuation: June 22, 2021**

**Authorizing, and Implemented or Interpreted Law: 58-1-106(1)(a); 58-1-202(1)(a); 58-28-101**