

Significant Legislative Rule Analysis
Chapter 18.92 RCW , WAC 246-933-270, 280, 290 300 and 310.
Veterinary Technician Continuing Education Rules

April 1, 2008

Briefly describe the proposed rule.

The proposed rules establish standards of continuing education for licensed veterinary technicians. The rules designate approved training methods, identify continuing education providers and set minimum continuing education credit requirements.

Is a Significant analysis required for this rule?

Yes.

Clearly state in detail the general goals and specific objectives of the statute that the rule implements.

The 2007 Legislature amended RCW 18.93.030 to provide that the Veterinary Board of Governors may adopt rules implementing continuing education requirements for renewal of the license of veterinary technicians. The purpose of continuing education requirements is to maintain and enhance the professional competence of services provided by licensed veterinary technicians. A successful continuing education program focuses on all aspects of the practice to ensure that the practitioner is competent to provide safe and quality care to patients.

Under the proposed rules, licensed veterinary technicians would be required to accumulate a minimum of thirty hours of continuing education every three years. Continuing education falls into two categories:

Category I: Structured activities such as lecture series or education courses sponsored by organizations recognized by the industry as qualified providers. Those organizations include national certifying bodies and associations and accredited schools or colleges.

Category 2: Self-study continuing veterinary technician education activities including courses offered on line, or through correspondence and credit for reading professional journals and preparing reports on the articles. A maximum of ten credit hours may be earned in this category in any three year reporting period.

Practice management relating to the business practices or the conduct of the business:

No more than ten hours can be earned in practice management courses in any three year reporting period. These ten hours of practice management may be offered by either Category 1 or Category 2 providers.

Determine that the rule is needed to achieve these goals and objectives, and analyze alternatives to rulemaking and the consequences of not adopting the rule.

These rules are proposed based on the authority of RCW 18.93.030 which allows the Veterinary Board of Governors to adopt rules implementing continuing education requirements for renewal of the license and relicensing of veterinary technicians in Washington. Chapter 18.130 RCW imposes a penalty for violation of the law or rule regulating the profession. Statute requires the board to adopt standards in rule.

Determine that the probable benefits of the rule are greater than its probable costs, taking into account both the qualitative and quantitative benefits and costs and the specific directives of the statute being implemented.

Benefits of continuing education.

Any regulatory approach to continuing education needs to address whether the public can be confident that health care practitioners who demonstrate minimum levels of competence when they earned their initial credential continue to be competent years and decades after they have been in practice. Minimum essential competence of safe practice includes elements such as critical thinking, interpersonal relations, basic health care principles, and aspects of jurisprudence and ethics.

Health care practitioners must assume the responsibility and the accountability for making decisions about their own competence and learning needs. Continuing education mechanisms need to allow the health care practitioner to choose an educational approach that meets their individual needs and improves their knowledge and skills.

The proposed rules set continuing education requirements at a level that will help to ensure that consumers of veterinary technician services receive quality care. Practitioners may complete courses offered by recognized providers either in-person at organized events or through self directed activities on line or through other electronic means. Selected journal reading/report writing also may be completed.

A successful continuing education program provides the following benefits:

- Improved quality of care and consumer safety. A decrease in the magnitude of risk to which consumers are subjected to by inadequately trained licensed veterinary technicians. It is vitally important that practitioners remain abreast with advancements in new technologies and therapies.
- Public sense of well being. Confidence that the practitioner has met standards for re-certification and is competent to practice.
- Self-directed education: Practitioners can develop valid continuing education activities that meet their individual practice needs.

- No frivolous training: Rather than take a course just to get required hours, a practitioner can accumulate hours by completing certain activities that relate specifically to their ongoing practice development or enhancement.

Costs Associated with Mandatory Continuing education:

Any approach to a continuing education program must include a process for implementation, day to day operation, maintenance and enforcement. Costs passed on to the health care practitioner through their licensing fees to implement the mandatory continuing education program include:

- Processing biennial renewal notices with continuing education affidavits,
- Staff time to conduct random audits,
- Conducting investigations, and
- Taking legal actions for non-compliance of CE requirements.

Specific costs related to compliance

- Record keeping: Records which document completion of continuing competency activities must be retained by practitioners for a period of four years. The documents that demonstrate completion are included in the cost of the course. No cost is attributed to the maintaining these records and other notes since they can be placed in a single file and stored as a negligible share of the practitioner’s other records.
- Reporting: If a licensee is audited, a cost of less than \$7.00 will cover copying and mailing of the required records on file.
- Professional services: There is no evidence that professional services would be required. Employees stagger absences to avoid the need to hire additional staff.
- Equipment: Registration costs generally cover any equipment required for course attendance.
- Supplies: Registration costs generally cover the costs of any supplies required for course attendance.
- Labor: Employees stagger absences to avoid the need to hire temporary labor.
- Increased administrative costs: Administrative costs are negligible.
- Lost sales or revenue: Where there is more than one veterinary technician in a practice, the employees stagger absences to avoid lost sales or revenue due to lack of employee coverage. In smaller practices, the veterinarian and veterinary technician could coordinate continuing education activities to reduce staff shortages.

Summary of cost:

Licensed veterinary technicians must complete thirty hours of continuing education every three years. Courses may be earned in either Category One (structured activities by approved sponsors) or Category Two (self study activities including reports, video or CD Rom or courses offered electronically). Licensees may earn all 30 credits in Category One courses, or

20 credits in Category One approved courses and 10 credits in Category Two self-study courses.

Based on information provided to the Department during the stakeholder process, the minimum cost possible to a licensee is by completing twenty hours of Category One credit by attending evening courses offered quarterly through approved veterinary technician program. These courses are approximately \$8.00 per quarter for three credits, for a total of about \$54.00 for 20 credits. The remaining ten hours can be completed through free courses offered by pharmaceutical companies at the practice location, or relevant courses offered on line, or provided on CD.

There are also other more expensive options available to licensees which are not documented here..

Determine, after considering alternative versions of the rule, that the rule being adopted is the least burdensome alternative for those required to comply with it that will achieve the general goals and specific objectives stated previously.

The program has maintained open contact with stakeholders during the course of the rules development. This open contact has been with a variety of stakeholders, such as educators, various related associations, the general public, and individuals credentialed under RCW 18.93. The number of hours recommended is consistent with other states that require continuing education requirements for veterinary technicians. There was no alternative version of the rule after the initial proposal.

This collaborative effort has produced rules for continuing education that are least burdensome to the practitioners. It places guidelines on the practitioner without restricting or limiting the practitioner's ability to obtain the required continuing education.

Determine that the rule does not require those to whom it applies to take an action that violates requirements of another federal or state law.

The rule does not require those to whom it applies to take an action that violates requirements of federal or state law.

Determine that the rule does not impose more stringent performance requirements on private entities than on public entities unless required to do so by federal or state law.

Any proposed performance requirements would apply equally to individuals that are licensed under RCW 18.93 both in private or public entities.

Determine if the rule differs from any federal regulation or statute applicable to the same activity or subject matter and, if so, determine that the difference is justified by an explicit state statute or by substantial evidence that the difference is necessary.

The rule does not differ from any applicable federal regulation or statute.

Demonstrate that the rule has been coordinated, to the maximum extent practicable, with other federal, state, and local laws applicable to the same activity or subject matter.

There are no other applicable laws.