

## REQUEST FOR TECHNICAL CHANGE

AGENCY: Veterinary Medical Board

RULE CITATION: 21 NCAC 66 .0309

**DEADLINE FOR RECEIPT: Friday, March 12, 2021**

***NOTE: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

*On the Submission for Permanent Rule form, please insert the name of the Rule in Box 2.*

*Also on the form, Box 11, please have one of the named rulemaking coordinators for the agency sign.*

*In the Introductory Statement to the Rule, state: 21 NCAC 66 .0309 is amended as published in 35:09 NCR 934 with changes as follows:*

*In (a), line 4, what is "good standing" here? Who determines it? Based upon what? Is this defined elsewhere?*

*On lines 5 and 11, where you refer to the Board's discretion, please either delete that phrase or put within the Rule how the Board will exercise this discretion. Will this be determined by the Board in a hearing?*

*On line 6, end the sentence after "members." Then state "A licensed veterinarian or registrant who has obtained..."*

*In G.S. 90-187.5, is this the correct citation for payment to renew? And does this apply to registrants?*

*On line 8, what is "Board Rule .0302"? If it was Rule 21 NCAC 66 .0302, that was repealed. What citation did you intend to refer to?*

*In (b), line 12, I suggest inserting a colon after "that" and then creating a numbered and indented list using the language on lines 12-15.*

*On line 13, should this read "shall pay"?*

*On line 13, I suggest replacing "in which" with "when"*

*On line 14, should this read, "shall earn"?*

Amanda J. Reeder  
Commission Counsel

Date submitted to agency: February 26, 2021

*In the History Note, as you are now referring to veterinarians or registrants, consider adding statutory authority for regulating registrants, as G.S. 90-185 only speaks to the Board's authority to license veterinarians. Consider adding G.S. 90-187.6.*

*Also, why aren't you citing to G.S. 90-186(5)?*

*In the History Note, please add a new line and insert the Amended Eff. date. The earliest this amendment can become effective will be April 1, 2021.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

1   **21 NCAC 66 .0309 PETITION FOR INACTIVE STATUS** is proposed for amendment as follows:

2  
3   **21 NCAC 66 .0309           PETITION FOR INACTIVE STATUS**

4   (a) Any licensed veterinarian or registrant who is in good standing with the Board and who has ceased ~~the practice of~~  
5 ~~veterinary medicine~~ practicing veterinary medicine may apply for inactive status. The Board, in its discretion, may  
6 place the licensed veterinarian or registrant on an inactive list of members and thereafter the licensed veterinarian or  
7 registrant who has obtained the inactive status shall not practice veterinary medicine or be required to pay the ~~annual~~  
8 license or registrant renewal as prescribed in G.S. 90-187.5 and Board Rule .0302 or required to earn continuing  
9 education credits.

10   (b) Any veterinarian or registrant who has been placed on inactive status and who desires to be reinstated or to resume  
11 ~~the practice of veterinary medicine~~ practicing veterinary medicine may be reinstated within the discretion of the Board  
12 upon the determination by the Board that the inactive veterinarian or registrant is competent to practice veterinary  
13 medicine; that the veterinarian or registrant pay the required license renewal fee for the current year in which the  
14 application is filed; and that the veterinarian or registrant earn the required continuing education credits in the year  
15 preceding reinstatement.

16  
17   *History Note:     Authority G.S. 90-185(2); 90-185(6);*

18                     *Eff. June 1, 1987;*

19                     *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9,*  
20                     *2018.*