

**NOTICE OF PROPOSED CHANGES IN THE REGULATIONS OF THE
ALASKA BOARD OF VETERINARY EXAMINERS**

The Board of Veterinary Examiners (Board) proposes to adopt regulation changes in Title 12, Chapter 68 of the Alaska Administrative Code including the following:

12 AAC 68.215. Veterinarian-client-patient relationship, is a proposed new section outlining the requirements for a veterinarian-client-patient relationship.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Alison Osborne, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806. Additionally, the Board will accept comments by facsimile at (907) 465-2974 and by electronic mail at RegulationsAndPublicComment@alaska.gov. Comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system at <http://notice.alaska.gov/209173>, and using the comment link. **The comments must be received not later than 4:30 p.m. on January 17, 2023.** Comments received after this deadline will not be considered by the Board.

Oral comments relevant to the proposed regulations, including the potential costs to private persons of complying with the proposed changes, may also be given at a hearing to be held on January 6, 2023, **via video/zoom and teleconference.** You may participate **via <https://us02web.zoom.us/j/81498965348?pwd=NU9XWnkxemZEa2hHYUx5bUMzZ0U2QT09> by entering Meeting ID 814 9896 5348 Passcode 983596,** or you may participate **via teleconference by calling 1-669-444-9171 and enter the Meeting ID and Passcode noted above.** The hearing will begin at 11:30 a.m. and will end when those who have signed up before 11:30 a.m. to give oral testimony have had the opportunity to comment. The chair of the Board may set a time limit for each participant's oral testimony, determined by the chair before the hearing begins, to allow enough time for all those present and timely registered to give testimony.

You may submit written questions relevant to the proposed action to Alison Osborne, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806 or by e-mail at RegulationsAndPublicComment@alaska.gov. **The questions must be received at least 10 days before the end of the public comment period.** The Board will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System and on the Board's website at <https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/BoardofVeterinaryExaminers.aspx>. The Board may, but is not required to, answer written questions received after the 10-day cut-off date and before the end of the comment period.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Alison Osborne at (907) 465-6826 or RegulationsAndPublicComment@alaska.gov not later than January 3, 2023, to ensure that any necessary accommodation can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting Alison Osborne at (907) 465-6826 or RegulationsAndPublicComment@alaska.gov, or go to <https://www.commerce.alaska.gov/web/portals/5/pub/VET-1022.pdf>.

After the public comment period ends, the Board will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. **You should comment during the time allowed if your interests could be affected.** Written comments and questions received are public records and are subject to public inspection.

Statutory Authority: AS 08.98.050

Statutes Being Implemented, Interpreted, or Made Specific: AS 08.98.050

Fiscal Information: The proposed regulation changes are not expected to require an increased appropriation.

DATE: 12/14/2023

/s/
Alison Osborne, Regulations Specialist
Division of Corporations, Business and
Professional Licensing

For each occupation regulated under the Division of Corporations, Business and Professional Licensing, the Division keeps a list of individuals or organizations who are interested in the regulations of that occupation. The Division automatically sends a Notice of Proposed Regulations to the parties on the appropriate list each time there is a proposed change in an occupation's regulations in Title 12 of the Alaska Administrative Code. If you would like your address added to or removed from such a list, send your request to the Division at the address above, giving your name, either your e-mail address or mailing address (as you prefer for receiving notices), and the occupational area in which you are interested.

Chapter 68. Board of Veterinary Examiners.

12 AAC 68 is amended by adding a new section to read:

12 AAC 68.215. Veterinarian-client-patient relationship. (a) A veterinarian-client-patient relationship exists, and a licensed veterinarian may engage in the practice of veterinary medicine for the patient, if the licensed veterinarian or licensed veterinarian with access to the patient's medical records

(1) conducts an initial physical meeting with the client and patient, at which the veterinarian

(A) performs a physical examination on the patient; or

(B) is personally acquainted with the keeping and care of the patient through medically appropriate visits to the premises where the patient is maintained;

(2) and therefore has sufficient knowledge of the patient to initiate at least a general or preliminary diagnosis of the patient's medical conditions;

(3) has assumed responsibility for making clinical judgements for the health of the patient and the need for medical therapy, and has instructed the client on a course of therapy appropriate to the circumstance; and

(4) maintains patient records; and

(5) provides oversight of treatment and is readily available to provide, or has provided for, follow-up medical care in the event of adverse reactions or failure of the treatment regimen.

(b) Once a veterinarian-client-patient relationship is established under (a) of this section, it may be maintained by electronic or telephonic means during the 12 months that follow the initial exam or premises visit. Not later than 12 months after the initial physical exam or

medically appropriate visit of premises, the licensed veterinarian, client, and patient must have another physical exam or premises visit. Each additional physical exam or premises visit must occur not later than 12 months after the prior physical exam or premises visit in order for the veterinarian-client-patient relationship to continue.

(c) The licensed veterinarian or the client may decline or discontinue a veterinarian-client-patient relationship.

(d) A licensed veterinarian who in good faith engages in the practice of veterinary medicine by rendering or attempting to render emergency or urgent care to a patient when a client cannot be identified, or where a veterinarian-client-patient relationship is not established, is not subject to discipline based solely on the veterinarian's inability to establish a veterinarian-client-patient relationship.

(e) Notwithstanding (a)(1) and (b) of this section, a veterinarian licensed in Alaska may conduct an initial evaluation of a patient through electronic or telephonic means only in remote regions of this state where there is no locally available veterinarian if

(1) travel for a physical exam or premises visit with the client is impossible;

(2) the veterinarian requests that, when reasonably achievable, the patient be presented for an in-person examination or that the veterinarian conduct a medically appropriate visit to the premises where the patient is kept; and

(3) the veterinarian provides the client with

(A) the veterinarian's identity, location, and licensure status; and

(B) any privacy or security issues involved in accessing veterinary services through electronic means.

(f) A veterinarian providing care for patients under (e) of this section will not have

Register _____, _____ 2023 **PROFESSIONAL REGULATIONS**

established a veterinarian-client-patient relationship without having met the requirements of (a) and (b) in this section. (Eff. ____/____/_____, Register _____)

Authority: AS 08.98.050