

Adverse impact notification sent to Joint Commission on Administrative Rules, House Committee on Appropriations, and Senate Committee on Finance (COV § 2.2-4007.04.C): Yes  Not Needed

If/when this economic impact analysis (EIA) is published in the *Virginia Register of Regulations*, notification will be sent to each member of the General Assembly (COV § 2.2-4007.04.B).



## Virginia Department of Planning and Budget Economic Impact Analysis

---

**18 VAC 150-20 Regulations Governing the Practice of Veterinary Medicine**  
**Department of Health Professions**  
**Town Hall Action/Stage: 4277/7290**  
September 18, 2015

---

### **Summary of the Proposed Amendments to Regulation**

Currently, veterinary students are not permitted to be engaged in a preceptorship or externship until their final year in veterinary college. A preceptorship is where veterinary students gain practical experience working under the direct supervision of a licensed veterinarian. The Board of Veterinary Medicine (Board) proposes to amend this regulation so that veterinary students may gain practical experience through a preceptorship or externship prior to the final year. Also, the Board proposes to require that: 1) the supervising veterinarian disclose to animal owners that there is a preceptee or extern practicing in the establishment, 2) before surgery is performed, informed consent shall be obtained from the owner and documented in the patient record, and 3) whenever a veterinary preceptee or extern is performing surgery on a patient, the supervising veterinarian must be in the operatory during the procedure.

### **Result of Analysis**

The benefits likely exceed the costs for all proposed changes.

### **Estimated Economic Impact**

The proposal to permit veterinary students to obtain practical training prior to their final year in veterinary college will enable them to learn more and be better prepared to practice independently after graduation. Since preceptees are restricted to perform only those tasks for

which they have been adequately instructed and must practice under the on-premises supervision of a licensed veterinarian, the practical experience through the course of veterinary college will be beneficial to patients and will adequately protect the health and safety of the public. The Virginia/Maryland Regional College of Veterinary Medicine strongly supports this change.<sup>1</sup>

The proposal to require disclosure to animal owners of there being a veterinary student training at the establishment will enable any owners who potentially may object to veterinarians-in-training performing services for their animal to make an informed decision as to whether to use the services of that establishment or go elsewhere. The owner could also request that only the licensed veterinarian treat their animal. Disclosure must be by signage clearly visible to the public or by inclusion on an informed consent form. Since the signage could be paper from an ordinary printer, the required cost would be minimal.

The proposed required informed consent for surgery includes informing the owner of the risks, benefits, and alternatives of the recommended surgery that a reasonably prudent practitioner in similar practice in Virginia would tell an owner, and if applicable, that a veterinary student is to perform the surgery. The language is patterned after Board of Medicine regulations. The informed consent may be written or verbal. The proposed informed consent for surgery will take a small amount of time; but the time cost is likely outweighed by the benefit received from the owner by being better-informed and more able to make well-informed care decisions.

The proposed language includes an exception whereby consent is not required prior to surgery in an emergency situation when a delay in obtaining consent would likely result in imminent harm to the patient. The proposed exception is net beneficial in that the benefit of obtaining informed consent for surgery would in most if not all cases be outweighed by the benefit of preventing imminent harm to the patient.

The proposed requirement that the supervising veterinarian be in the operatory whenever a veterinary preceptee or extern is performing surgery would likely reduce the risk of mistakes being made in surgery. Thus this proposed requirement may reduce health risk for some veterinary patients. It would reduce use of time flexibility for supervising veterinarians, but the benefit likely exceeds the cost.

---

<sup>1</sup> Source: Department of Health Professions

**Businesses and Entities Affected**

The proposed amendments affect veterinary students, the Virginia/Maryland Regional College of Veterinary Medicine, the 4214 licensed veterinarians and 1089 licensed veterinary establishments in the Commonwealth, and Virginia animal owners.<sup>2</sup> Most and perhaps all of the veterinary establishments would qualify as small businesses.

**Localities Particularly Affected**

The proposed amendments do not disproportionately affect particular localities.

**Projected Impact on Employment**

The proposed amendments do not significantly affect employment.

**Effects on the Use and Value of Private Property**

The proposed amendments will not significantly affect the use and value of private property.

**Real Estate Development Costs**

The proposed amendments do not affect real estate development costs.

**Small Businesses:****Definition**

Pursuant to § 2.2-4007.04 of the Code of Virginia, small business is defined as “a business entity, including its affiliates, that (i) is independently owned and operated and (ii) employs fewer than 500 full-time employees or has gross annual sales of less than \$6 million.”

**Costs and Other Effects**

The proposed amendments do not significantly increase costs for small businesses.

**Alternative Method that Minimizes Adverse Impact**

The proposed amendments do not significantly adversely affect small businesses.

**Adverse Impacts:****Businesses:**

The proposed amendments do not significantly adversely affect businesses.

---

<sup>2</sup> Source: Department of Health Professions’ website accessed on September 17, 2015 (<https://dhp.virginiainteractive.org/Lookup/Index>)

**Localities:**

The proposed amendments will not adversely affect localities.

**Other Entities:**

The proposed amendments will not adversely affect other entities.

**Legal Mandates**

**General:** The Department of Planning and Budget has analyzed the economic impact of this proposed regulation in accordance with § 2.2-4007.04 of the Code of Virginia (Code) and Executive Order Number 17 (2014). Code § 2.2-4007.04 requires that such economic impact analyses determine the public benefits and costs of the proposed amendments. Further the report should include but not be limited to: (1) the projected number of businesses or other entities to whom the proposed regulatory action would apply, (2) the identity of any localities and types of businesses or other entities particularly affected, (3) the projected number of persons and employment positions to be affected, (4) the projected costs to affected businesses or entities to implement or comply with the regulation, and (5) the impact on the use and value of private property.

**Adverse impacts:** Pursuant to Code § 2.2-4007.04(C): In the event this economic impact analysis reveals that the proposed regulation would have an adverse economic impact on businesses or would impose a significant adverse economic impact on a locality, business, or entity particularly affected, the Department of Planning and Budget shall advise the Joint Commission on Administrative Rules, the House Committee on Appropriations, and the Senate Committee on Finance within the 45-day period.

If the proposed regulatory action may have an adverse effect on small businesses, Code § 2.2-4007.04 requires that such economic impact analyses include: (1) an identification and estimate of the number of small businesses subject to the proposed regulation, (2) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the proposed regulation, including the type of professional skills necessary for preparing required reports and other documents, (3) a statement of the probable effect of the proposed regulation on affected small businesses, and (4) a description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation. Additionally, pursuant to Code § 2.2-4007.1, if there is a finding that a proposed regulation may have an adverse impact on small business, the Joint Commission on Administrative Rules shall be notified.

lsg