

# AGENCY STRATEGIC PLAN

FOR THE FISCAL YEARS 2017 – 2021

BY

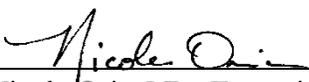
TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS



Roland Lenarduzzi, DVM, President	10-10-13 to 08-26-19	Alvin
Dan Craven, DVM, Vice-President	10-10-13 to 08-26-19	Crockett
Joe Mac King, DVM, Secretary	09-06-11 to 08-26-17	Dallas
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Sandra Lynn Criner, DVM, Member	03-04-16 to 08-26-21	Needville
James "Jim" McAdams, Member	10-10-13 to 08-26-19	Seguin
Keith Pardue, Member	09-16-14 to 08-26-21	Austin
Jessica Quillivan, DVM, Member	03-04-16 to 08-26-21	Magnolia
Chad Upham, Member	09-06-11 to 08-26-17	Boerne

June 24, 2016

Signed:

  
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Nicole Oria, J.D., Executive Director

Approved:

  
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Roland Lenarduzzi, DVM, President

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## **AGENCY MISSION**

The mission of the Texas State Board of Veterinary Medical Examiners is to establish and enforce policies to ensure the best possible quality of veterinary and equine dental provider services for the people of Texas.

### **About TBVME**

#### **A. Agency Overview:**

The Texas State Board of Veterinary Medical Examiners (TBVME) was created in 1911 by the 32<sup>nd</sup> Legislature and charged with regulating the practice of veterinary medicine, surgery and dentistry. The 82<sup>nd</sup> Legislature added the licensure and regulation of equine dental providers and the 83<sup>rd</sup> Legislature added the licensure and regulation of licensed veterinary technicians. As the years have passed, different legislative bodies have refined the Board's responsibilities and authority. The Board's current enabling statute is located in Texas Occupations Code, Chapter 801.

Since its inception in 1911, the TBVME has grown and evolved to fit the changing needs of the public as well as the veterinary community. In order to continue to meet these needs, the Board continues to seek innovative, cost effective ways to regulate the field and provide the best possible product and superior customer service to the public, veterinarians, equine dental providers and veterinary technicians. Although TBVME provides direct services to the licensees, the agency's primary responsibility is to protect the public by assuring professional standards and accountability of those who care for Texas' animals.

#### **B. Our Philosophy:**

The Board and its staff will act in accordance with the highest standards of ethics, accountability, efficiency and openness. We affirm that protection from less than quality veterinary and equine dental provider services is a public and private trust. We approach our activities with a deep sense of purpose and responsibility. The public and regulated community alike can be assured of a balanced and sensible approach to regulation.

### **C. Our Goals:**

The Board and its staff will ensure that Texans are effectively and efficiently served by quality veterinary professionals by ensuring that only qualified individuals receive a license, by setting clear standards for professional conduct, by assuring compliance with the rules of professional conduct and the community standard of care, and seeking solutions to issues that strengthen the profession and protect the public.

### **Current Year Activities**

Through the third quarter of fiscal year 2016, TBVME is operating under a balanced budget. As a result, TBVME was able to reduce fees last year by \$11 for veterinarians, \$140 for equine dental providers, and \$16 for licensed veterinary technicians, not including the elimination of the \$200 professional fee passed in the 84<sup>th</sup> Legislative Session. TBVME strives to have a high level of fiscal responsibility to the taxpayers of the State of Texas.

As for license population trends, TBVME expects to see a continued 2.6% increase for veterinarians, 2% increase for equine dental providers and 5% for licensed veterinary technicians. The agency expects to see a total increase in licensees of 311 from all professions in FY 2016. These numbers are similar to the registration trends for licensed veterinarians for the past several years. However, historical trends are limited for licensed veterinary technicians and equine dental providers, as those licenses were only recently added.

### **Contract Management Training**

We previously had two individuals, our Chief Fiscal Officer and our General Counsel, who had completed the Contract Management Training. These two individuals have since left the agency, and we are now in the process of attempting to register the individuals who filled those two positions for the training; however, the classes are all full at this time through the end of 2016. We will continue to monitor the training registration website and will register the appropriate personnel for the first available training session.

## **AGENCY OPERATIONAL GOAL AND ACTION PLAN - I**

The Texas Board of Veterinary Medical Examiners will examine and license or renew the license of veterinarians, licensed veterinary technicians and equine dental providers in an efficient and thorough manner to ensure that licensees in the state of Texas provide competent veterinary and equine dental care to the citizens of Texas.

### Specific Action Items to Achieve Your Goal

1. Administer examination to potential qualified licensees.

The goal is ongoing and cannot be achieved by a specific date. The agency has performance measures regarding the timeliness of issuing licenses and those performance measures are met.

2. License applicants for licensure that meet the required qualifications.

The goal is ongoing and cannot be achieved by a specific date. The agency has performance measures regarding the timeliness of issuing licenses and those performance measures are met.

However, for efficiency's sake, the agency would like to have all existing individual licensing files maintained in a digital format (rather than the current mix of paper and microfiche). The agency has set a goal to have the existing individual licensing files converted from paper or microfiche to digital by no later than August 31, 2021. The agency is currently researching options of contracting with an outside entity to convert the files to digital format.

In addition, there are several forms on the website that are only available to download and print in order to submit to the agency. It is planned to have these forms fillable on the website and have the form directly submitted to the Board via the website, within the next two years. These electronic submissions will save the public and licensees money by not needing to mail in the form. They will also save the Board money and man hours and will result in faster service.

Also, address changes by licensees drain the Board's resources. By moving this function to the website the data entry is diverted from the staff to the licensee, allowing the Board staff to focus more on application processing and renewals and reducing paper consumption. Allowing the licensee to make the address change ensures the accuracy of the data and makes the change effective immediately by transferring the data to the database at the time of submission. This is scheduled to be completed in the next year.

Finally, the creation of a secure portal for communication between the Board and the licensee will allow the Board to collect, maintain, and process applications efficiently and transparently. It will also allow address

changes, collection of volunteer work hours, review of what documentation is still incomplete in an application, and recording of continuing education, all of which will reduce phone calls to the Board because the licensee will have all the information they need available to them on their time schedule. The build-out of the secure portal is expected to be completed in three years.

The streamlining of the above processes will bring a great benefit to the public that the Board serves and protects and to the licensees that the Board licenses and regulates. Clear and transparent communication is the goal of the agency and with the changes that are planned, this goal will be a reality for the Board.

3. Renew the license of licensees.

The goal is ongoing and cannot be achieved by a specific date. The agency has performance measures regarding the timeliness of renewing licenses and those performance measures are met.

4. Reduce employee turnover.

The agency would improve our efficiencies and services provided to the public if the amount of employee turnover was reduced. The number one reason for employee turnover is employees leaving for higher paying jobs at other Health Professions Council agencies or much larger state agencies that pay their employees more for the same job or even fewer responsibilities.

Describe How Your Goal or Action Items Supports Each Statewide Objective

1. Accountable to tax and fee payers of Texas.

The agency acts in accordance with the highest standards of ethics, accountability, efficiency and openness. We affirm that protection from less than quality veterinary and equine dental provider services is a public and private trust. We approach our activities with a deep sense of purpose and responsibility. The agency is accountable to the tax and fee payers of Texas by setting and meeting performance measures to ensure efficient licensure of qualified applicants.

The specific action item of converting all existing individual licensing files into digital format is the most efficient and cost effective way to store information for now and future generations. In addition, it ensures all files are available and the agency may continue its operations in the case of an emergency.

The ability to submit agency forms through the agency website will allow the public of Texas to access the services of the agency in the most efficient manner possible, electronic submission.

The creation of a licensee portal that will allow address changes, collect volunteer work hours, show outstanding application documentation, record continuing education and reduce phone calls to the agency will allow the licensees and potential licensees to provide information to the agency in the most efficient way possible, electronic submission.

2. Efficient such that maximum results are produced with a minimum of taxpayer funds, including through the elimination of redundant and non-core functions.

The specific action item of converting all existing individual licensing files into digital format is the most efficient and cost effective way to store information for now and future generations.

The ability to submit agency forms through the agency website is the most efficient way to receive complaints which is a core function in serving the public of Texas.

The creation of a licensee portal that will allow address changes, collect volunteer work hours, show outstanding application documentation, record continuing education and reduce phone calls to the agency is a much more efficient way to gather information and provide information to the fee payers, allowing the licensee to have information available to them on their time schedule.

3. Effective in successfully fulfilling core functions, measuring success in achieving performance measures and implementing plans to continuously improve.

The specific action item of converting all existing individual licensing files into digital format is an effective way to ensure a more efficient workflow by converting to a more paperless environment.

The ability to submit agency forms through the agency website will also allow the agency to be more effective in receiving agency forms electronically, such as license applications or criminal history evaluations.

The creation of a licensee portal to allow address changes, collect volunteer work hours, show outstanding application documentation, record continuing education and reduce phone calls to the agency is an effective way to have up to date information on licensees provided accurately by the licensees themselves.

4. Providing excellent customer service.

The Licensing Division strives to provide the highest level of customer service of any agency in Texas. The agency consistently meets the performance measures of granting new licenses and renewal of current licenses thereby providing excellent customer service to the fee payers of the state of Texas.

5. Transparent such that agency actions can be understood by any Texan.

These goals will increase transparency by allowing licensees and applicants to control how and when data is provided to the agency and being able to see in real time what information they have on file with the agency and what information is outstanding.

## **AGENCY OPERATIONAL GOAL AND ACTION PLAN - II**

The Texas Board of Veterinary Medical Examiners will implement the standards of veterinary practice and enforce the Veterinary Licensing Act and rules of the board to ensure the provision of competent veterinary and equine dental care by licensees to the citizens of Texas.

### Specific Action Items to Achieve Your Goal

#### 1. Investigate complaints.

The goal is ongoing and cannot be achieved by a specific date. The agency has performance measures regarding the average resolution time on complaints and the agency has met those performance measures in FY 15. The agency continues to strive to meet all performance measures.

However, for efficiency's sake, the agency would like to have all existing individual enforcement files maintained in a digital format. The agency has set a goal to have the existing individual enforcement files converted from paper to digital format by no later than August 31, 2021. The agency is currently researching options of having a contract to implement a paperless digital document management system and what the cost is for this service.

In addition, there are several forms on the website that are only available to download and print in order to submit to the agency, including the complaint form. It is planned to have these forms fillable on the website and have the form directly submitted to the Board via the website, within the next two years. This will save the public and licensees money by not needing to mail in the form and save the Board money and man hours by having the information in electronic form therefore making the services of the Board quicker to render.

#### 2. Conduct inspections of licensees.

The goal is ongoing and cannot be achieved by a specific date. The agency has performance measures regarding the completion of inspections of licensees and the agency has met those performance measures.

#### 3. Ensure licensee and non-licensee compliance with board orders.

The goal is ongoing and cannot be achieved by a specific date.

### Describe How Your Goal or Action Items Supports Each Statewide Objective

#### 1. Accountable to tax and fee payers of Texas.

The public and regulated community alike can be assured of a balanced and sensible approach to regulation. The Enforcement Division is designed to protect consumers of veterinary and equine dental provider services and ensure that veterinarians, licensed veterinary technicians, and equine dental providers comply with the Veterinary Licensing Act and the Rules of Professional Conduct through the investigation of complaints and compliance inspections, as well as the investigation of the unlicensed practice of veterinary medicine.

The specific action item of converting all existing individual enforcement files into digital format is the most efficient and cost effective way to store information for now and future generations. In addition, it ensures all files are available and the agency may continue its operations in the case of an emergency.

The ability to submit agency forms through the agency website is allowing the public of Texas to access the services of the agency in the most efficient manner possible, electronic submission.

#### 2. Efficient such that maximum results are produced with a minimum of taxpayer funds, including through the elimination of redundant and non-core functions.

The goal for the average number of days to resolve complaints is 180 days. We continue to believe that this is a worthy goal to achieve. Our efforts to reach that goal directly support the statewide goal of efficiency by bringing quick resolution to a case for both the complainant and the licensee responding to the complaint.

The specific action item of converting all existing individual enforcement files into digital format is the most efficient and cost effective way to store information for now and future generations.

The ability to submit agency forms through the agency website, specifically the complaint form, is the most efficient way to receive complaints which is a core function in serving the public of Texas.

#### 3. Effective in successfully fulfilling core functions, measuring success in achieving performance measures and implementing plans to continuously improve.

Another critical dimension to the regulatory role is conducting compliance inspections. The Board's compliance inspection program is a valuable tool not only to ensure standards are met, but also to educate licensees and reduce violations and subsequent complaints.

The specific action item of converting all existing individual enforcement files into digital format will be effective in allowing the agency to have more efficient workflow by converting to a more paperless environment.

The ability to submit agency forms through the agency website will also allow the agency to be more effective in receiving agency forms electronically, such as complaint forms.

4. Providing excellent customer service.

Timely, competently performed complaint investigations are perhaps the most direct consumer services the Board staff performs. Both the complainant and the responding licensee are relieved when a complaint is resolved, often regardless of the outcome. This is particularly true if both believe that justice was served. Further, through routine inspections, agency investigators are able to educate licensees so as to prevent public complaints.

5. Transparent such that agency actions can be understood by any Texan.

These goals are increasing transparency by allowing licensees to control how and when data is provided to the agency and being able to see in real time what information they have on file with the agency and what is possibly missing.

Inspection forms used by investigators on routine inspections are available on the agency website for any member of the public or licensee to see.

## **Redundancies and Impediments**

The agency does not have any redundancies with any other state agencies in our duties and responsibilities. The agency has reviewed its core services, state statutes and rules and regulations applicable to TBVME and did not find any that resulted in inefficient or ineffective agency operations. As part of the agency's ongoing goal of self-evaluation to eliminate redundancies and impediments this fiscal year, the agency reviewed its own rules and made the following updates to improve the efficiency and effectiveness of the agency's operations.

- Implementation of birth-month license renewal.
- Revision of Rules of Professional Conduct to require veterinarian licensees to hold a Drug Enforcement Administration registration if such registration would be required by other law. This rule change was made to ensure that licensees are in compliance with recent amendments to the Texas Health and Safety Code.

The agency has also identified that the review and possible elimination of the Annual Non-Financial Report and the Annual Procurement Plan. The impediments that the Texas Board of Veterinary Medical Examiners face with the Non-Financial Annual Report and Annual Procurement Plan is a duplication of information that has been reported. For our agency, the Annual Non-Financial Report consists of information that is or could be addressed in the Annual Financial Report.

The information contained within the Annual Procurement Plan is or could be included in TBVME's Internal Purchasing Procedural Manual.

The Texas Board of Veterinary Medical Examiners is a small agency and for what little impact that these reports have on our agency, the time spent creating these reports could be used in other operational avenues as well as serve the State of Texas with better time management. The agency is less effective and efficient due to the small size of the staff needed to complete extensive reporting and being taken away from the agency's core mission.

The agency has also identified the lack of transfer authority between strategies and lack of unexpended balance carryover authority as major impediments. The Legislature has mandated that funds may not be transferred between strategies unless approved by the chief administrative officer of the agency. This discretionary transfer of funds may not exceed 20% of the appropriation item for that fiscal year. This can be an impediment to our agency in instances such as an unexpected investigation and subsequent legal case that may include extensive travel to perform the initial investigation and additional legal expenses such as costs of expert

witnesses, transcripts, etc. With the inability to potentially transfer funds from the Licensing Strategy to the Enforcement Strategy investigations and the subsequent legal cases may not be completed timely which ultimately impacts the Enforcement Division's Performance Measures.

The agency has identified the lack of authority to carryover unexpended balances from one fiscal year to the next as an impediment. In instances such as staff turnover during a fiscal year, the agency does not spend the full appropriated amount for the salary of the position that is vacant until that position is filled. This will potentially leave the agency with unexpended amounts that could be used for unexpected expenses that arise during the subsequent fiscal year.

The agency has also identified staff salaries as an impediment to the agency as it is the number one reason for staff turnover. Merit salary increases are needed to retain competent employees within the agency and be able to hire competent employees should an employee leave the agency or retire. There is a large cost associated with needing to train new employees that do not meet even the bare minimum requirements of the job. Recently, we have had positions remain open for a long time with no applicants with any state experience in job postings where such experience is critical.

The Board has a 22% staff turnover, compared to an average statewide turnover of 18%. The most recent State Auditor's (SAO) Legislative Workforce Summary shows that for fiscal year 2010, the average salary at this agency was \$6,842 (14%) below that of the average salary at other Article VIII regulatory agencies. That same report showed that the salary disparity had grown to \$9,062 (17%) for fiscal year 2014. The State Auditor's Legislative Workforce Summaries have repeatedly shown such a disparity in Board salaries since 2008.

In addition, the agency is currently going through the Sunset Commission's evaluation process. As part of that process, the agency identified the following in our Self Evaluation Report:

A. Confidentiality: The Veterinary Licensing Act has very simple language regarding confidentiality of board records that is insufficient to cover all of the intricacies of standard actions by the Board in the process of implementing the laws and rules of the Board.

Section 801.207 of the Texas Occupations Code states:

- (i) Except as provided by Subsection (b), a board record is a public record and is available for public inspection during normal business hours.

(ii) An investigation record of the board, including a record relating to a complaint that is found to be groundless, is confidential.

- This statutory language does not address many questions that have come up in the daily functions of the Board. Specifically, questions concerning when a licensee may access what information regarding cases against him/her and how information should be handled through the administrative legal process and litigation. Importantly, the Board has questions regarding when information can be shared with law enforcement and how to handle public health information.

These issues affect the public in what information they are allowed to see in an open records request, the licensees in what information they are also allowed to see in an open records request, the applicants for licensure before the board, and the Board staff who need to have a clear and definitive answer to the everyday issues they encounter.

The Board attempted to have legislative action on this issue in the 81<sup>st</sup> Legislative session (HB1562) and in the 82<sup>nd</sup> Legislative session (HB1802/SB1032). These bills did not pass.

The Medical Board and the Nursing Board seem to have addressed these issues in their enabling statute, and these statutes provide much more clarity than the two sentences the Veterinary Licensing Act has currently. See Section 164.007 of the Texas Occupations Code and Sections 301.206, .207, .414, .417, .418, .4521, .460, and .466 of the Texas Occupations Code. Their statutory language has been thoroughly discussed and litigated and works for their professions, which are very similar to the veterinary profession. The Board seeks statutory changes that will provide clarity to licensees, complainants, members of the public requesting open records and Board staff answering open records requests as well as Board attorneys filing contested cases. These changes are in furtherance of the policy previously set out by the Legislature that complaints where no violation was found remain confidential so as not to harm the reputation of the licensee. However, this clarity would allow the Board to share investigative records with other state and federal agencies to further protect the public. These changes would also reduce litigation resources, at our Board and the Office of the Attorney General, spent in determining what records are available to the public, complainants, and licensees. The Board staff will be more efficient without ambiguity in the statutory language. There is no fiscal impact to the proposed change, except less litigation (and ensuing litigation costs).

#### B. Fitness to Practice Statutory Provisions

The Veterinary Licensing Act has very simple language regarding a licensee's mental incompetence that is insufficient to protect the public.

Currently, under the Veterinary Licensing Act, there is a conflict between Sections 801.157(b) and 801.405. Section 801.157(b) allows the Board to order a veterinary licensee, who is subject to disciplinary action under the Act based on a finding that the veterinarian is impaired by chemical dependency or mental illness, to submit to care, counseling, or treatment through the peer assistance program. Section 801.405 states that the Board may suspend or revoke a license if a court finds that the license holder is mentally incompetent. It also states that if a court determines that a person whose license is suspended or revoked under this section is mentally competent, the Board may reinstate the person's license. The Board has seen an increase in the number of licensees that have problems with dementia and are no longer fit to practice. These licensees present a risk to the public in that they are unable to practice veterinary medicine to an acceptable standard of care.

A brief description of the following four licensees (identified as A, B, C, and D) are presented as examples of the Board's serious 'fit to practice' issues and its inability to handle the situations well, due to a lack of statutory authority. A better solution is to have clear statutory authority to send licensees with potential fitness to practice problems to third-party medical reviewers to more quickly deal with these issues.

Dr. A was a diabetic stroke victim with obvious mental and physical limitations. There were numerous standard of care complaints against him. Dr. A had an office that was in his house. It was separated from his kitchen by short swinging doors. His normal routine was to sit in the kitchen/great room area and verbally communicate with his two veterinary technicians, one being his wife. Dr. A had 18 complaints with the Board and 17 of those were in the last three years of his career. Cases were also opened on the two veterinary technicians for practicing without a license. He refused to surrender his license, which was ultimately revoked. There was a significant risk to the public during the three years it took to revoke his license.

Dr. B had a continuing education violation in 2012 and a violation of board order in 2013. The Board's staff received numerous calls from Dr. B when he tried to renew his license the last two times. He was clearly confused, thinking that they were telephone operators, and was extremely forgetful. Two board investigators went to inspect him and he threatened to cut an investigator's hand. His family intervened and tried to get Dr. B to surrender his license, but he refused. The family was unwilling to have him declared mentally incompetent by a judge. Ultimately he was unable to renew his license when he was unable to provide proof of continuing education.

Dr. C had two standard of care complaints against him in 1990 and 1997. He had a complaint in 2011 about him abusing animals. He agreed to a mental health evaluation that revealed some significant problems. The

Board would not have had authority to order a mental health evaluation had Dr. C refused. This case was resolved due to the efforts of a veterinarian friend, and Dr. C became convinced that it was time for him to sell his practice, which he did. He then surrendered his license.

Dr. D was contacted during an inspection. The investigator was shocked to find a severe sanitation problem in the clinic. It was later found that Dr. D was hoarding materials and animals in her three neighboring houses. Local law enforcement had been dealing with her prior to the 2013 inspection. Ultimately, Dr. D surrendered her veterinary license. She was later arrested on animal cruelty charges.

A potential solution is to add additional statutory language that would allow the Board on probable cause, to request the affected veterinarian or applicant to submit to a mental or physical examination by physicians designated by the Board (through the peer assistance program). The Board would be required to adopt guidelines, in conjunction with persons interested in or affected by this section, to enable the Board to evaluate circumstances in which a veterinarian or applicant may be required to submit to an examination for mental or physical health conditions, alcohol and substance abuse, or professional behavior problems. If the affected veterinarian refused to submit to the examination, the Board would issue an order requiring the veterinarian to show cause why the veterinarian should not be required to submit to the examination, and schedule a show-cause hearing.

This potential solution would allow a qualified third party medical professional to evaluate licensees with potential mental health issues in a timely manner and in a non-public form (unlike a court hearing on mental competency). This will provide protection to the public with regards to licensees that are unable to practice at a minimum standard of care as determined by mental health professionals. A similar solution is set out in Chapter 167 of the Texas Occupations Code for the Medical Board and Sec. 301.452, Physical and Psychological Evaluation, of the Texas Occupations Code for the Nursing Board. There is not a fiscal impact to the state for this proposed change.

#### C. Shelter Veterinarians and Owner Exemption Language in the Veterinary Licensing Act.

Under Texas Occupations Code Section 801.004(1), the Veterinary Licensing Act does not apply to “the treatment or care of an animal in any manner by the owner of the animal, an employee of the owner, or a designated caretaker of the animal, unless the ownership, employment, or designation is established with the intent to violate this chapter...”. This exemption (“owner exemption”) affects the agency in two primary ways.

First, care and treatment provided by a veterinarian licensee who is the owner of the animal, an employee of the owner, or the designated caretaker of the animal is not required to meet the standard of care. Second, a non-licensee may engage in the practice of veterinary medicine by providing care and treatment to an animal if the non-licensee is the owner of the animal, an employee of the owner, or the designated caretaker of the animal. In a case where it appears that the owner exemption applies, the Board determines whether it has jurisdiction, and if it appears that it does not, closes the complaint.

Among licensees, the exemption applies most frequently to cases involving veterinarians who work or volunteer in shelters or rescue groups. In these instances, the animals are often owned by the shelter or rescue group, and therefore the veterinarian's care and treatment fall under the owner exemption. An administrative law judge at the State Office of Administrative Hearings has held that in such cases, the Board does not have jurisdiction to take action against a veterinarian who provides substandard care. This interpretation means that a licensee is permitted, in certain circumstances, to practice veterinary medicine without oversight by the entity that licensed him or her.

The exemption has also affected Board operations in cases where a non-licensee is practicing veterinary medicine. In the past, non-licensees have raised the designated caretaker exemption as a defense against a cease and desist order. Until this year, the Board relied on a rule that defined "designated caretaker," but this rule was challenged in litigation and the Third Court of Appeals held that the rule was invalid.

An attempt was made to resolve this issue in the last legislative session but the interest groups were unable to come to an agreement on a solution. In early 2016, Board staff held several stakeholder meetings to gather input about redefining "designated caretaker." Following the meetings, Board staff determined that a consensus among the stakeholders was not apparent. Statutory changes are necessary at this point to clarify this issue and update the Act to reflect the current state of veterinary medicine. When the owner exemption provision was enacted, it did not contemplate the no-kill shelter or rescue model, wherein an entity owns hundreds or thousands of animals and provides veterinary services with a licensee acting as the owner's employee or designated caretaker of those animals.

Without clearer guidance of the definition of "designated caretaker," there will be instances where the Board will be unable to protect the public from non-veterinarians practicing veterinary medicine. Further, under the current statutory scheme, in many instances, the Board is unable to provide regulatory oversight of licensees practicing in shelters and for rescue groups.

While some shelter and rescue veterinarians have expressed the desire to operate under the Veterinary Licensing Act, they have also expressed concern about the issue of intake vaccinations at shelters and their ability to establish a veterinarian-client-patient-relationship. The Act did not contemplate the unique situation in shelters where certain intake vaccinations (e.g., distemper, parvo, Bordetella) need to be provided to animals upon intake to minimize the spread of disease among animals in the shelter. The Act needs to be updated to allow a shelter veterinarian to develop vaccination protocols and population management strategies that could then be carried out by non-veterinarian shelter staff.

The Board has been engaged in litigation on the exemption provision, which has had a detrimental fiscal impact. The Board foresees that statutory clarification would reduce the resources spent on further litigation.

#### D. Statutory Clarifications

Additional clarification and resolution of several statutory issues would help Board staff administer the Act. We have addressed these issues with the Sunset Commission staff already.

- In a previous Sunset review, across-the-board language was added to the Veterinary Licensing Act in Section 801.153 of the Texas Occupations Code, prohibiting the Board from adopting a rule that restricts the person's advertisement under a trade name. This language has allowed, in at least one example the Board is aware of, a licensee to make their trade name a misleading name. This language allows licensees to name their businesses in a misleading manner which is not beneficial to the citizens of Texas. The Board staff has spoken with Sunset staff and have been informed this across-the-board language is no longer a recommendation.
- In Section 801.401 of the Texas Occupations Code, the statutory language sets out the disciplinary powers of the Board. In listing the powers, the powers are delimited by a comma and has "or" at the end of the list. It is clearly the intention of the Legislature to allow the Board to use more than one of these powers in disciplining licensees. The suggested change is to add "and/or" at the end of subsection (4) to clarify the intended meaning of the Legislature. The estimated cost savings would be to decrease any possible litigation on this issue.
- Also, in Section 801.401 of the Texas Occupations Code, the Board believes it would be beneficial to have the ability under the disciplinary powers of the Board to be able to order a licensee to take the jurisprudence exam. The Board's common practice is to offer this as a portion of an agreed disciplinary order. However, if the licensee does not agree to it and goes through a contested case hearing at SOAH, neither the Board nor the SOAH judge has the authority to order a

jurisprudence exam as part of a disciplinary order. It is sometimes quite apparent that the licensee was highly uninformed of the requirements in the Veterinary Licensing Act or Board rules which directly lead to the violation of the Act or rules. In those scenarios, it would be helpful to have the licensee study the Act and rules and be tested on their knowledge. This is helpful to prevent further violations of the Act and rules by the licensee. The estimated cost savings would be to further the education of licensees so as to decrease the recidivism rate among our licensees.

- In Section 801.253(b) of the Texas Occupations Code, there is an antiquated requirement that the Board publish information in newspapers or periodicals regarding licensing examinations. This requirement was set out prior to the internet and the Board's website. The Board publishes dates for licensing examinations on the Board website and in the periodical Board Notes sent out to all licensees who have provided an email address (73% of licensee population). This requirement no longer serves its intended purpose as there are other more cost-effective and useful ways to inform potential licensees of the dates for licensing examinations.
- In Section 801.004(6) of the Texas Occupations Code, there is an incorrect reference to Chapter 829 of the Health and Safety Code. The statute should reference Chapter 821 of the Health and Safety Code. This change would provide greater clarity to the public and any animal shelter employee that performs euthanasia who wishes to understand how to be exempt from the Veterinary Licensing Act.

Overall, any additional clarity to the Veterinary Licensing Act would provide an opportunity for improvement at this agency as less staff time and less litigation will be required interpreting the Act.

**SCHEDULE C**  
**TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS**  
**HISTORICALLY UNDERUTILIZED BUSINESS PLAN**

**Unaudited**

**Texas Board of Veterinary Medical Examiners (578)**

Schedule

2

**HUB STRATEGIC PLAN PROGRESS REPORT**

For the Fiscal Year Ended August 31, 2014

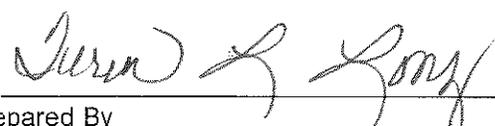
(Source: Texas Government Code, Section 2161.124)

Category	Actual for FY 14*	Actual for FY 15*	Goal for FY 16**
Heavy construction other than building contracts	N/A	N/A	N/A
Building construction, including general contractors and operative builders contracts	N/A	N/A	N/A
Special trade construction contracts	N/A	N/A	N/A
Professional services contracts	0%	0%	25.00%
Other services contracts	14.19%	6.87%	25.00%
Commodities contracts	71.64%	8.97%	21.00%

\* **Actual** = Percent spent with HUBS from HUB report.

\*\* **Goal** = Strategic Plan HUB goal.

The agency for the past two fiscal years was following the training provided for purchasing that emphasized Texas Smart Buys without realizing that there was no prioritization for HUB vendors on that website. The legal department was unaware that the HUB vendor selected for providing transcripts for administrative hearings (which is a large percentage of contracts for this agency) was subcontracting the court reporting and transcription services out to non-HUB vendors. With this newfound knowledge, the agency will be scrupulous in maintaining or exceeding the HUB goals in FY 16 and going forward.

  
 \_\_\_\_\_  
 Prepared By

Teresa Long  
 \_\_\_\_\_  
 Printed Name

512-305-7553  
 \_\_\_\_\_  
 Phone Number

  
 \_\_\_\_\_  
 APPROVED BY (Signature Required)

Nicole Oria, J.D.  
 \_\_\_\_\_  
 Printed Name

512-305-7561  
 \_\_\_\_\_  
 Phone Number

**SCHEDULE D**  
**TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS**  
**STATEWIDE CAPITAL PLAN**

This item is not applicable to the Texas Board of Veterinary Medical Examiners.

**SCHEDULE E**  
**TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS**  
**HEALTH AND HUMAN SERVICES STRATEGIC PLAN**

This item is not applicable to the Texas Board of Veterinary Medical Examiners.

# **SCHEDULE F**

## **TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS**

### **WORKFORCE PLAN**

#### **OVERVIEW OF AGENCY SCOPE AND FUNCTIONS**

The Texas State Board of Veterinary Medical Examiners was created in 1911 by the 32<sup>nd</sup> Legislature and charged with regulating the practice of veterinary medicine, surgery and dentistry. The 82<sup>nd</sup> Legislature added the licensure and regulation of equine dental providers and the 83<sup>rd</sup> Legislature added the licensure and regulation of licensed veterinary technicians. As the years have passed, different legislative bodies have refined the Board's responsibilities and authority. The Board's current enabling statute is located in Texas Occupations Code, Chapter 801.

#### **Agency Mission**

The mission of the Texas State Board of Veterinary Medical Examiners is to establish and enforce policies to ensure the best possible quality of veterinary and equine dental provider services for the people of Texas.

#### **Agency Programs**

Today, the Board's primary program responsibilities include Licensing and Examination, Legal/Enforcement, and Peer Assistance.

#### **Licensing and Examination**

The Licensing and Examination division is charged with ensuring that only those persons who have demonstrated the ability to meet or exceed the minimum qualifications required to be a licensed veterinarian in the state of Texas enter the practice and provide veterinary services to Texas citizens. The Board is also responsible for renewing the more than 10,000 licenses currently held by practitioners, and for collecting fees associated with the licensing and examination functions.

Through its licensing and examination efforts, the Board collected in excess of \$3.2 million for FY2015. This amount includes fees collected for Peer Assistance, application and exam fees, and licensing and license renewal fees. Also included in the total revenue collected is a \$200 professional fee for most licenses issued or renewed. This \$200 professional fee was abolished by the 84<sup>th</sup> Legislature and is no longer collected.

#### **Enforcement**

The enforcement program is designed to protect consumers of veterinary and equine dental provider services and ensure veterinarians, equine dental providers, and licensed veterinary technicians comply with the Veterinary Licensing Act through the investigation of complaints and compliance inspections as well as the investigation of the unlicensed practice of veterinary medicine.

The legislature has granted the Board authority to utilize many tools for the enforcement efforts. Those tools include the ability to refuse to examine an applicant; suspension, probation or revocation of a license; issue reprimands, require the make-up of missed continuing education and/or requiring additional continuing education; impose administrative penalties; and hold informal conferences concerning alleged violations of the Act.

### **Peer Assistance**

The Peer Assistance program assists veterinarians and veterinary students who are impaired by chemical dependency or mental illness.

The program, authorized by Chapter 467 of the Health and Safety Code, is administered under contract through the Professional Recovery Network and is approved by the Texas Commission on Alcohol and Drug Abuse.

### **Our Compact with Texans**

The Texas State Board of Veterinary Medical Examiners is the State's agency that regulates the practice of veterinary medicine by licensing and regulating veterinarians, equine dental providers, and licensed veterinary technicians. It also takes action against non-licensed persons who violate the Veterinary Licensing Act by practicing without a license. The Board and its staff are committed to excellence in their service to the public and the veterinary profession. The Board's first priority is to protect the public. It must maintain high standards for veterinarians who seek licensure in Texas and those who are already in practice. The Board also has a commitment to its licensees to keep them informed about the law, its rules, and related information.

All individuals who contact the Board can expect:

- Easy access to agency services;
- Consumer friendly processes;
- Agency staff that are courteous, knowledgeable, and responsive to their needs;
- Answers to questions and requests for information provided in a timely manner; and
- Services provided in an efficient manner that meets the customer's needs and yet remains fiscally responsible.

## **WORKFORCE ANALYSIS**

### **A. Current Workforce**

The Board's current workforce consists of 20 full time positions. Classifications include:

- Executive Director
- Executive Assistant II
- General Counsel III
- Manager III
- Investigator IV (3)
- Investigator III (2)
- Program Supervisor IV
- Administrative Assistant I (1)
- Administrative Assistant II (2)
- Accountant VI
- Purchaser
- Licensing and Permit Specialist I (2)
- Legal Secretary II
- Attorney II
- Systems Analyst V

### **B. Critical Workforce Skills**

There are numerous skills necessary for successful completion of the agency's core functions. These skills include:

- Executive Level Management
- Customer Service
- Investigative
- Analysis/Research
- Mediation/Arbitration
- Communication (Oral and Written)
- Legal Experience
- Problem Solving
- Critical Thinking
- State Budgeting/Governmental Fund Accounting
- Advanced Computer Skills
- Business Office Management
- Computer Skills (skill requirements range from entry-level to highly-skilled information technology specialists)

**C. Workforce Demographics**

As of the end of the 2<sup>nd</sup> Quarter of Fiscal Year 2016 (February 29, 2016), the Board was fully staffed with a total headcount of 20 employees. The following tables profile the agency's workforce.

**Gender**

	<b>Number of Employees</b>	<b>Percent of Employees</b>
Male	3	15%
Female	16	85%

**Age**

	<b>Number of Employees</b>	<b>Percent of Employees</b>
20 – 29 years	5	25%
30 – 39 years	3	15%
40 – 49 years	5	25%
50 – 59 years	6	30%
60 – 69 years	1	5%

**State Tenure**

	<b>Number of Employees</b>	<b>Percent of Employees</b>
0 – 5 years	11	55%
6 – 10 years	2	10%
11 – 15 years	3	15%
16 – 20 years	3	15%
21 – 25 years	1	5%

**Agency Tenure**

	<b>Number of Employees</b>	<b>Percent of Employees</b>
0 – 5 years	17	85%
6 – 10 years	3	15%

**D. Workforce as Compared with Statewide Civilian Workforce**

The following table compares the Board’s percentage of African American, Hispanic and Female employees to the statewide civilian workforce as reported by the Texas Workforce Commission Civil Rights Division. The State % is based on data reported from fiscal years 2013-2014.

<b>Job Category</b>	<b>African American</b>		<b>Hispanic American</b>		<b>Female</b>	
	<b>Board%</b>	<b>State %</b>	<b>Board %</b>	<b>State %</b>	<b>Board %</b>	<b>State %</b>
Officials/Administrators	0%	7.12%	0%	20.9%	100%	37.48%
Professionals	5%	10.96%	0%	18.55%	100%	54.88%
Administrative Support	10%	13.58%	15%	33.00%	25%	72.80%

The Board is under-represented in all of the African American and Hispanic categories. Because the Board has a small number of staff, only 20 FTEs, and maintains a small budget, \$1,289,810 for FY2016 and \$1,289,812 for FY2017, the Board faces many challenges in attracting a diverse group of applicants from which to choose the most qualified applicants when vacancies arise. A small staff means that promotional opportunities are very limited. A small budget limits the Board in its competitiveness with larger governmental entities and its ability to recruit experienced personnel and retain newly trained employees. In addition, funds are limited for staff development.

The Board continues to utilize as many tools as possible to seek a diverse applicant pool, including advertising with WorkIn Texas, a web based job Board with the Texas Workforce Commission, providing copies of announcements for all positions to be filled externally to minority and women’s organizations, and, when funding is available, placing advertisements in local newspapers. The Board has developed a Recruitment Plan, which is utilized and updated as necessary to address the deficiencies.

**E. Employee Turnover**

Turnover experienced by the Board can be attributed to salary dissatisfaction, increased workload as a result of legislative initiatives, an increasing licensee base, and lack of advancement opportunities. In past years, the Board has been able to utilize merit increases, one-time merits and other retention tools to encourage employees to remain with the Board. While the Legislature has provided sufficient tools for the attraction and retention of highly qualified employees, the lack of funding has not allowed the agency to utilize them.

To combat the loss of institutional knowledge and expertise as employees leave the agency, the Board continues to document job procedures and agency history. The Board will also continue to cross train its employees to allow for a smoother transition as employees leave.

Following is a chart that shows the Board’s turnover rate as compared to the overall State turnover for fiscal years 2009 – 2013.

<b>Fiscal Year</b>	<b>TBVME</b>	<b>State</b>
2015	22%	18.0%
2014	22%	17.5%
2013	11%	17.6%
2012	33%	17.3%
2011	26.7%	16.8%
2010	19.0%	14.6%
2009	16.7%	14.4%

**F. Agency Workforce Needs – Expected Workforce Changes**

- Increased need for additional staff due to changes in workload;
- Increased use of technology to revise and streamline work processes; and
- Greater demand for web-related services;

**G. Anticipated Program and Workload Changes and Shortfalls**

***Enforcement***

Veterinary medicine is an ever-changing field. With constant advances in medical technology and changes in treatment protocols, the demands placed on veterinarians are increasing dramatically. In addition, many individuals see themselves as guardians of animals instead of owners, placing more emphasis on the emotional attachment to animals. Some individuals even see their animals as companions. This opens the door to more litigation and more complaints. As a result of these changes, the number of complaints received by the Board has increased. For FY 2016, the Board anticipates receiving in excess of 600 complaints.

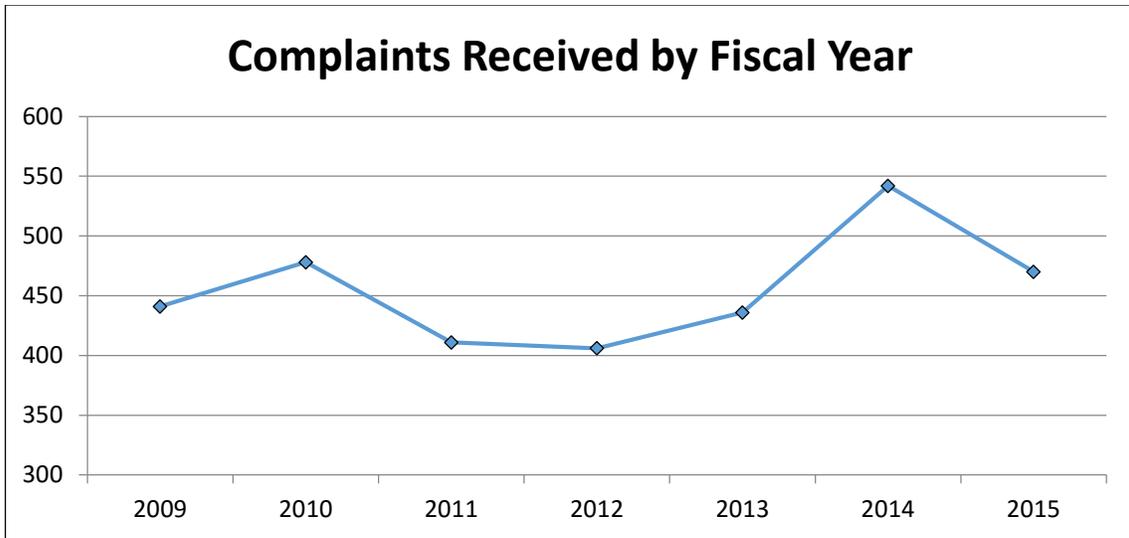
The number of licensed veterinarians has increased from 8,136 in 2013 to 8,353 in 2015. In addition, we have 56 equine dental providers and 1,455 licensed veterinary technicians. Our current funding allows for 750 on-site inspections per year. Our percentage of licensees that are inspected per year has dropped from 8.4% to 7.6% this is in part to the addition of the licensed veterinary technicians. We would prefer that this percentage increase rather than

decrease. We have seen a significant increase recently with drug diversion and serious mental health issues. Some of these problems have been discovered during on-site inspections and some have been long term problems. It certainly is better for the public and the licensee to discover drug diversion, substance abuse, and serious mental health problems as early as possible.

Each individual investigator has a responsibility to investigate a complaint by contacting both the complainant and the responding licensee, gathering information relating to the complaint including patient records and other documentation from both parties to support their argument and obtaining second opinions from veterinarians not connected to the case. In order to allow the Board to make a fair decision, investigators are required to delve into medical matters and understand medical processes and terminology to allow them to write comprehensive, informative reports of investigation that are then sent, along with supporting documentation, for medical review. They also attend informal conferences to provide information to the enforcement committee and answer questions. In addition to the investigation of complaints, Board investigators complete special investigations as needed and enforcement staff spend significant hours per day on the phone answering questions relating to the laws and rules that govern veterinary medicine.

Unlike most medical professions, veterinarians purchase and maintain dangerous drug and controlled substance inventories within their practices. On-site inspections allow investigators to ensure that these controlled substances are maintained and utilized in a manner consistent with applicable laws and rules. These on-site inspections also allow investigators to review patient and continuing education records and licensees to receive one-on-one contact with the Board. This contact gives the licensee the opportunity to ask questions. On-site inspections also allow the Board an opportunity to keep up-to-date on the workings of a veterinary practice.

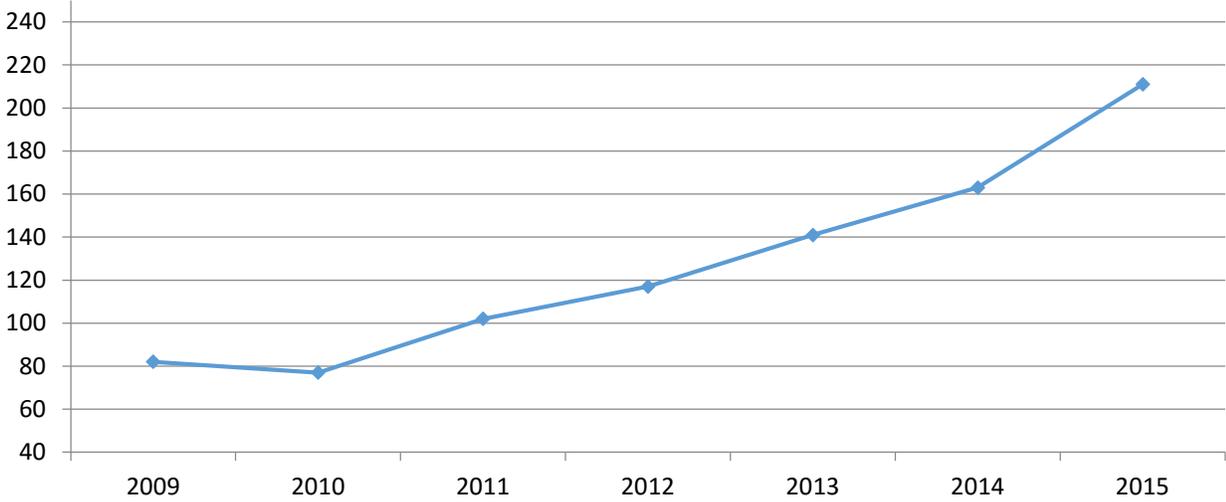
In Fiscal Year 2012 the Board received four hundred six (406) complaints and received four hundred thirty-six (436) in Fiscal Year 2013. The Board received five hundred forty-two complaints in Fiscal Year 2014, and four hundred seventy (470) in Fiscal Year 2015. The Board anticipates receiving in excess of six hundred (600) complaints in Fiscal Year 2016. In Fiscal Year 2015 the Board received in excess of 700 complaints against one licensee in a high profile case that is still ongoing. These complaints were grouped under one complaint number.



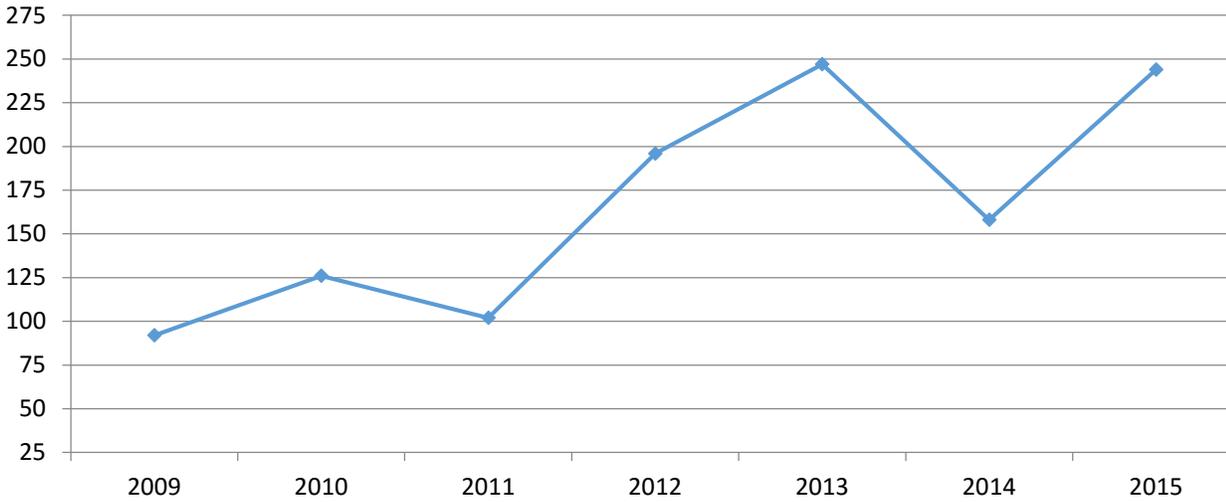
#### *Legal*

At this time there are two attorneys within the General Counsel’s office: the General Counsel and a staff attorney. While the backlog of cases has decreased, a backlog remains. Further, the General Counsel’s office has seen an increase in cases and an increase in the complex nature of those cases. The number of licensees is also on the rise which will logically lead to an increase in cases as well. This change in circumstances demands additional resources and experience. The Board’s budget only permits a lower salary for its staff attorney; therefore, it often is only able to hire an attorney with less experience. This requires time and resources for training. Once the attorney has obtained such training and institutional knowledge, they often leave employment with the Board for higher salaries in other agencies, often within the Health Professions Council. The Board then begins the process again. This is a waste of the Board’s time and resources. The amount and nature of cases the Board is currently experiencing and expects to experience in the future necessitates additional funding to obtain and maintain quality legal representation.

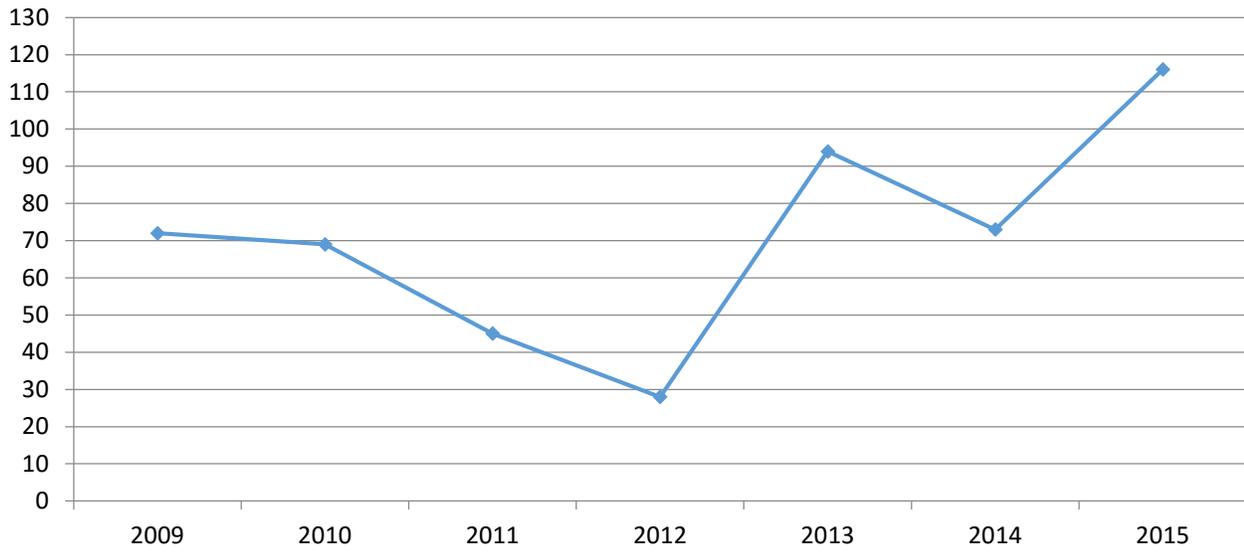
### Agreed Orders Approved by Fiscal Year



### Staff Conferences Held by Fiscal Year

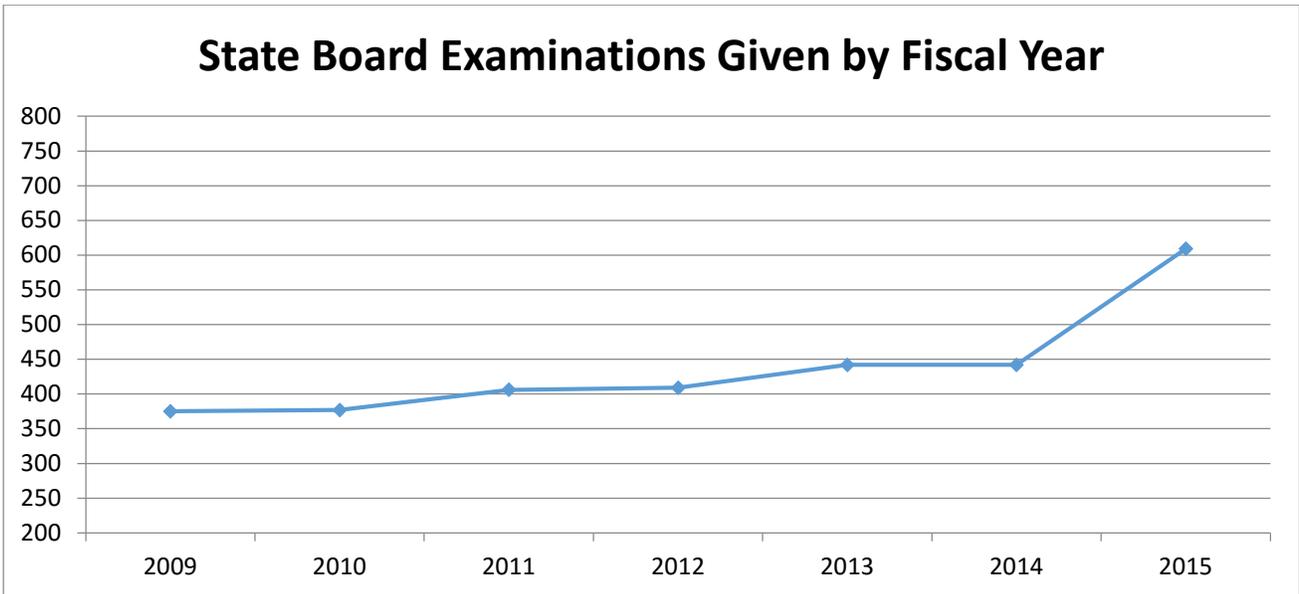
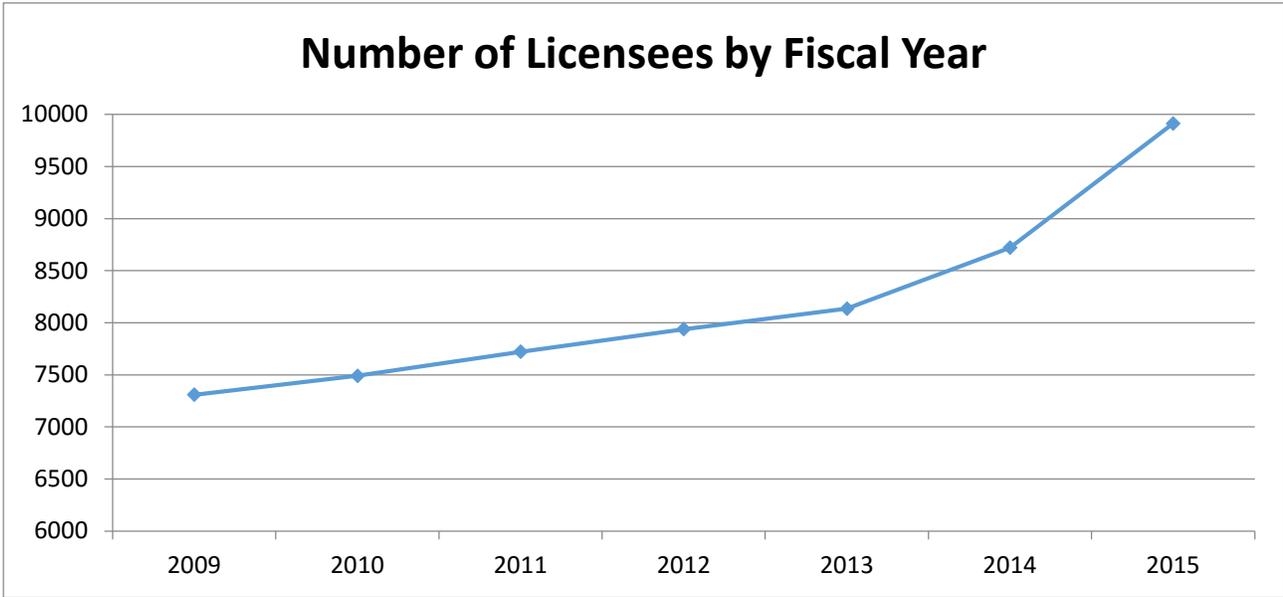


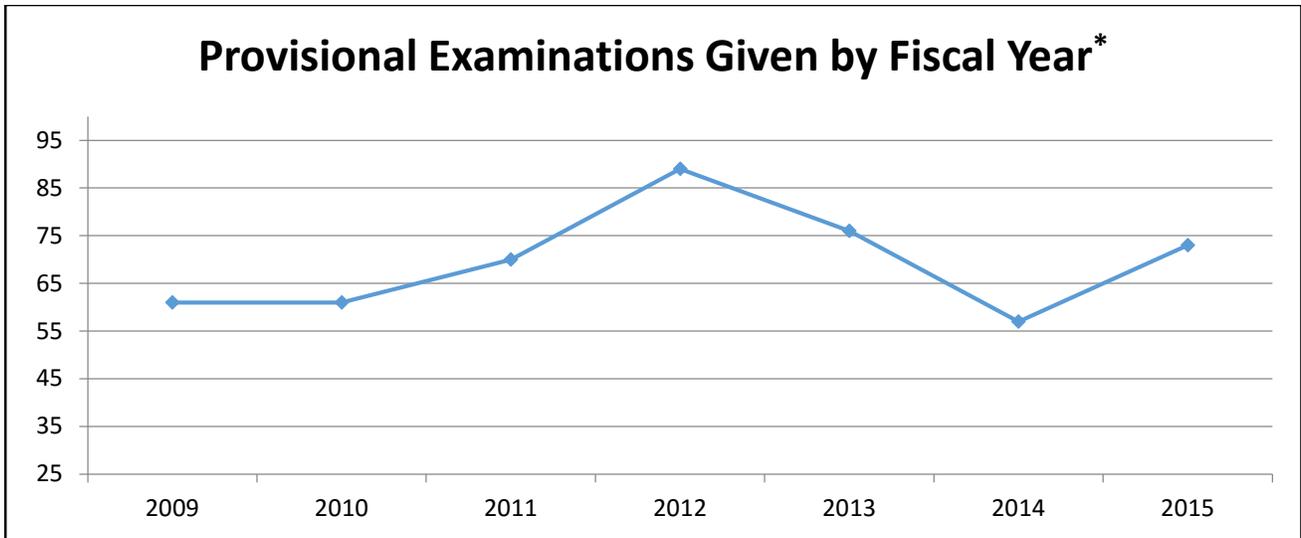
## Informal Conferences Held by Fiscal Year



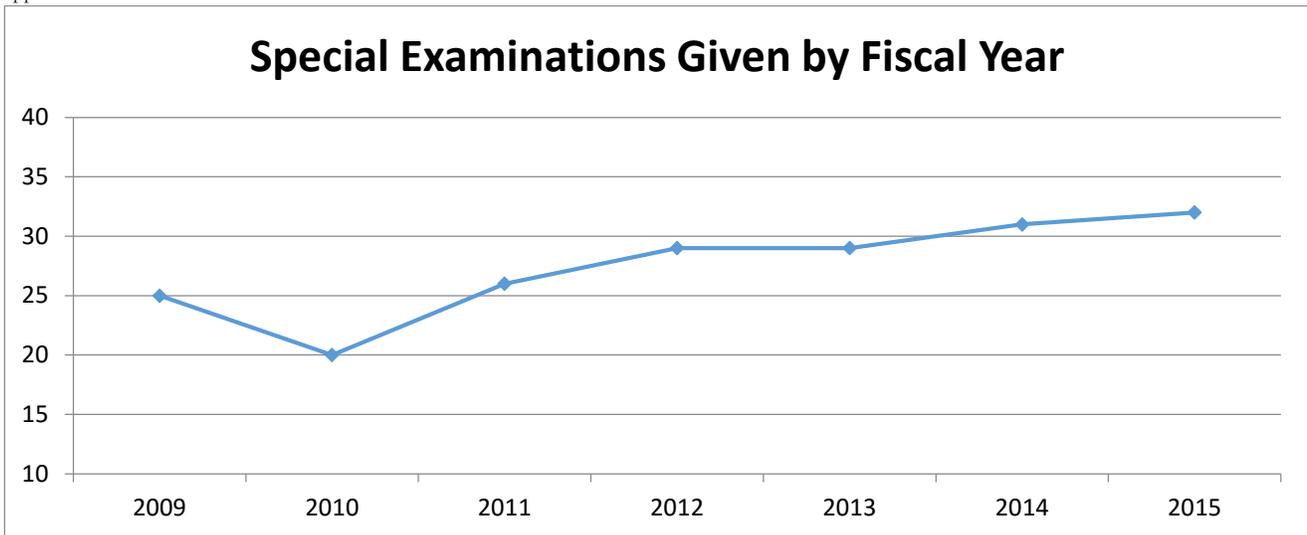
***Licensing and Examination***

The agency currently has four FTEs operating its licensing and examination program. The licensing and examination division is responsible for administering the State Board Examination, the Provisional and Special License examinations, issuing licenses to qualified individuals who apply for a State of Texas veterinary, veterinary technician or equine dental provider license, and annual renewal of each license. Fiscal Years 2014 and 2015 show a significant increase due in part to the addition of the licensed veterinary technicians.





\* As of \_\_\_\_\_ we have added the ability for on-demand testing which will significantly reduce the number of provisional exams given each year since applicants are now able to schedule and sit for the State Board Examination at a time that is more in line with their schedule.



#### I. Future Workforce Skills Needed

With the evolution of veterinary medicine, an increasingly mobile licensee base, changes in business processes, and the continued need for strong leadership, the agency anticipates a greater need in the following skills:

- Leadership;
- Critical thinking;
- Problem solving;
- Communication;
- Change management;
- Expanded technological; and
- Advanced time management.

The continued development of these skills within agency staff will enable the agency to successfully complete its mission in the coming years.

#### J. Anticipated Surplus or Shortage of Skills

Based on the agency's workforce analysis, the following issues must be addressed:

- The high number of employees with just a few years of experience in their positions requires more time and resources spent training.

### III. STRATEGY DEVELOPMENT

While the Board faces many challenges in its workforce over the next five years, most can be addressed by the following objectives:

**Objective: Obtain additional staff necessary to successfully meet agency strategic responsibilities.**

**Action Steps**

- Identify staffing deficiencies;
- Seek FTEs and funding from the Legislature; and
- Hire appropriate staff.

**Objective: Adjustments to current employment placement within the State's compensation schedule.**

**Action Steps:**

- Identify staff inappropriately placed within the State's compensation schedule; and
- Seek funding to allow for appropriate placement.

**Objective: Continue to Develop and Document Job Procedures**

By continuing to develop and document job procedures, the Board can build a library of resource material for its future workforce. This action will effectively reduce the "brain drain" that will happen as experienced workers leave the agency.

**Action Steps**

- Identify undocumented procedures;
- Provide guidance to staff on process documentation techniques;
- Ensure sufficient available time to allow staff to complete the documentation process; and
- Include the protection of completed job procedure documentation in the agency's Business Continuity Plan.

**Objective: Continue Seeking Diversity Within the Applicant Pool and the Agency's Workforce.**

By continuing to seek a diverse applicant pool that includes all qualified individuals, the agency can build a resource of individuals with a wide range of ideas and experience. These attributes can better help the agency to deal with changes in workload and challenges as responsibilities are added.

**Action Steps**

- Continue to identify and refine ways to attract a more diverse pool of applicants;
- Continue to hire the most qualified applicants; and
- Continue to identify ways to retain those qualified individuals.

**Objective:**

**Develop a competent, well-trained workforce.**

It is imperative that the agency continues to cross train all agency employees to ensure that agency processes are not disrupted as employees leave. The agency should provide training to its employees whenever possible, utilizing both free and low cost training. This measure will ensure that, where possible, current employees will have opportunities for advancement, thereby increasing the agency's retention ability and that new technologies will be added to the agency's repertoire.

**Action Steps**

- Identify agency critical skills and competencies with input from divisions;
- Assess the level of risk facing the agency regarding the potential loss of knowledge and focus
- Training efforts in those areas;
- Expand and enhance staff development to include effective leadership and mentoring; and
- Assessing and addressing division specific training needs.

**SCHEDULE G**  
**TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS**  
**REPORT ON CUSTOMER SERVICE**

**REPORT ON CUSTOMER SERVICE**  
**Texas Board of Veterinary Medical Examiners**  
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# REPORT ON CUSTOMER SERVICE

## Texas Board of Veterinary Medical Examiners

### Inventory of External Customers Served

The Texas Board of Veterinary Medical Examiners (TBVME) external customer base includes the following:

1. The Public

The mission of the Texas Board of Veterinary Medical Examiners is to establish and enforce policies to ensure the best possible quality of veterinary and equine dental provider services for the people of Texas.

2. Veterinarians, Equine Dental Providers, and Licensed Veterinary Technicians

The TBVME has a responsibility to assist licensees in practicing quality veterinary medicine and equine dentistry by keeping them informed of rules and regulations applicable to their practice through the agency website, the publication of the agency's *Board Notes*, and written, telephonic and electronic communication. In addition, the board provides a peer assistance program for veterinarians and members of their staff who need assistance due to drug and alcohol abuse.

3. The Legislature

The Legislature, in its capacity of protecting the public and acting in the interest of its constituents, must be kept informed of issues involving the quality practice of veterinary medicine and equine dentistry where legislative action may be the best course of action.

4. Complainants and Licensees

Individuals who believe they have not received quality veterinary care may file a complaint with the agency. The agency has a responsibility to both the complainant and the licensee to conduct an impartial investigation, ensuring that actions taken against licensees are just, and, where possible, increase the licensees' ability to practice quality medicine.

### Customer Service Related Strategies

TBVME's responsibilities to both members of the public and the veterinary community are reflected in strategies set out in the General Appropriations Act. For the 2016-2017 biennium, those strategies are:

A.1.1 – Operate Licensure System

A.1.2 – Texas.gov

A.2.1 – Complaints and Action

A.2.2 – Peer Assistance

B.1.1 – Licensing Indirect Administration

B.1.2 – Complaints and Action Indirect Administration

The customer service survey was based on the following strategies:

*A.1.1 – Operate Licensure System.*

TBVME's responsibilities for service to licensees includes the examination of new graduates and veterinarians, equine dental providers and licensed veterinary technicians from other states and licensure of those who meet Texas requirements. Once a license is issued, the board's responsibilities extend to license renewal, providing information about current laws and rules governing the profession, answering questions and clarifying issues. Most information is provided through the agency's newsletter *Board Notes*, email, phone calls, correspondence, and the agency's website.

*A.2.1 – Complaints and Action.*

Individuals, both members of the public and of the veterinary community, who believe that a licensee has failed in some way to meet their professional responsibility, may file a complaint with TBVME. The complainant may expect the board to review and investigate each complaint to determine if the licensee has violated board rule and/or state law. When the initial contact is made with the board, generally by phone or email, the individual will receive a complaint form and brochure which outlines the complaint process. Once the complaint has been filed, the licensee is notified and provided with a summary of the allegations. If circumstances require, additional information may be requested. Board staff also contacts the complainant to acquire further information, if needed, and to allow the individual to provide any documentation they may wish the board to consider. The complainant and licensee receive periodic updates on the status of the complaint, generally once every 45 days.

The complaint review process consists of a review and investigation of the complaint by an agency staff member. The complaint is also reviewed by the Director of Enforcement and the Executive Director. Complaints involving medical or practice issues are also reviewed by two veterinary board members. If a violation is thought to have occurred, both the complainant and the licensee are invited to attend an informal conference. Complaints involving medical issues are heard by a committee made up of the two reviewing veterinary board members and a public board member. Complaints not involving medical issues are heard by an agency staff committee. If either committee finds a violation, disciplinary action is determined and an agreed order written and presented to the licensee to settle the case. If the licensee signs the agreed order, it is referred to the full board for approval and acceptance. If no agreement can be reached, the matter may be scheduled for a hearing before the State Office of Administrative Hearings.

*A.2.2 – Peer Assistance*

The board's peer assistance program is administered under contract by the Professional Recovery Network (PRN). Most communication to and from the board office is with the Program Director.

The board encourages individuals to enter the peer assistance program voluntarily, but the board may also direct individuals to enter the program as needed. Individuals directed to participate by the board will have their status reported to the board periodically. The board does not monitor the participation of those individuals who enter the program voluntarily.

## **Information Gathering Methods**

During this biennium, the Board obtained stakeholder feedback from a stakeholder survey hosted by the SurveyMonkey website from March 11, 2016 through May 25, 2016 and was linked through the Texas Board of Veterinary Medical Examiners website. The link to the survey was also sent to licensees and complainants who the Board has an email address (approximately 85% of our licensees), and lastly the link was also provided on our agency Facebook page. The survey was taken a total of 588 times.

The survey asked the responding individual to rate the board's processes and staff interaction based on statements. Each statement could be rated as "strongly agree," "agree," "neutral," "disagree," or "strongly disagree." Individuals were also invited to share ideas for improvements. A survey line with no response was regarded as not applicable.

## **Analysis of Findings**

The survey focused on the responsiveness and ability of agency staff to assist individuals contacting the agency; the appropriateness and clarity of procedures and information provided to individuals contacting the agency; the overall impression regarding the Board's website; and the overall satisfaction the individuals felt with their experience in dealing with the Board. All percentages indicate percentage of individuals who indicated a positive experience.

### **Variances Impacting Outcome**

The Board has undergone changes in processes during the last two years due to legislative mandates and changes made during the normal course of business. These changes have had an impact on our customers' perspectives. These changes will, in time, have a positive impact on consumer perceptions. Following is an outline of those changes which have had the most impact for our customers.

- Automated license renewal process based on the birth month of the licensee
- Automated notification to the Board of Temporary Limited-Service Veterinary Services (Temporary clinics for vaccinations, animal sterilization, etc.)
- Investigation and prosecution of cases of unlicensed practice of veterinary medicine
- Investigation of criminal convictions of licensees
- Addition of the regulation of Licensed Veterinary Technicians

## Customer Related Performance Measure Results

Percentage of surveyed customer respondents expressing overall satisfaction with services:

**2012:** 68%  
**2014:** 80%  
**2016:** 68%

Percentage of surveyed customer respondents identifying ways to improve service delivery:

**2012:** 20%  
**2014:** 23%  
**2016:** 24%

Number of Customers Surveyed:

	<b><u>FY12</u></b>	<b><u>FY14</u></b> <sup>1</sup>	<b><u>FY16</u></b> <sup>1</sup>
Licensees	2,420	N/A	N/A
Complainants	<u>351</u>	<u>N/A</u>	<u>N/A</u>
Total	2,721	N/A	N/A

Number of Customers Served:

	<b><u>FY12</u></b>	<b><u>FY14</u></b>	<b><u>FY16</u></b> <sup>2</sup>
Licensees	8,136	8,720	10,105 <sup>3</sup>
Complainants	<u>436</u>	<u>542</u>	<u>301</u>
Total	8,572	9,262	10,406

Number of Customers Identified:

	<b><u>FY12</u></b>	<b><u>FY14</u></b>	<b><u>FY16</u></b>
Licensees	8,136	8,720	10,105 <sup>3</sup>
Complainants	<u>436</u>	<u>542</u>	<u>301</u>
Total	8,572	9,262	10,406

Number of Customer Groups Inventoried:

Total number of customer groups identified: 4

<sup>1</sup> This number is not available as the survey was conducted online with information about the survey provided by email to all known stakeholders and posted on the agency website and Facebook page.

<sup>2</sup> FY16 reflects only the first and second quarter statistics.

<sup>3</sup> The dramatic increase in the number of licensees is due to adding the new license type of Licensed Veterinary Technicians.

## Customer Related Performance Measures

### Outcome Measures

#### 1. **Percentage of Surveyed Customer Respondents Expressing Overall Satisfaction with Services Rendered.**

*Short Definition:*

Total number of surveyed customer respondents who expressed an overall satisfaction with TBVME services, divided by the total number of surveyed customer respondents.

*Purpose/Importance:*

This measure is used as one facet in determining the percentage of TBVME customers that are satisfied with the agency's customer service.

*Source/Collection of Data:*

TBVME develops and emails a survey to agency customers as well as placing the surveys on the agency website. The results are tabulated from those surveys which are completed.

*Method of Calculation:*

Respondents were asked to rate their overall satisfaction as "Strongly Agree," "Agree," "Neutral," "Disagree," or "Strongly Disagree." To determine the overall satisfaction percentage, responses were grouped into three categories. "Strongly Agree" and "Agree" were interpreted as satisfied, "Disagree" and "Strongly Disagree" were interpreted as unsatisfied, and "Neutral" responses were interpreted as no formed opinion. To calculate percentage of "satisfied" customers, the agency divided the number of "Strongly Agree" and "Agree" responses by the number of total responses received to that question and multiplied the result by 100.

*Data Limitation:*

The agency has no control over the number of customers who complete the survey. In addition, the term "overall satisfaction" is subjective. It should be noted that, as with all regulatory agencies, many answers to survey questions are dependent upon the type of involvement with the customer. In situations involving the agency's investigation of a complaint, the outcome of the investigation will generally dictate the respondent's satisfaction. For example, if a complaint is found to be without merit, a complainant will generally rate the agency's services as unsatisfactory. The same is true for licensees where a violation is found.

*Calculation Type:*

Non-cumulative.

*New Measure:*

No

*Desired Performance*

80% satisfaction of identified customers

## 2. Percentage of Surveyed Customer Respondents Identifying Ways to Improve Service Delivery.

### *Short Definition:*

Total number of surveyed customer respondents who have identified ways to improve service delivery, divided by the total number of surveyed customer respondents.

### *Purpose/Importance:*

This measure is used as one facet in identifying possible improvements to the agency's service delivery.

### *Source/Collection of Data*

TBVME develops and emails a survey to agency customers as well as placing the surveys on the agency website. The results are tabulated from those surveys which are completed.

### *Method of Calculation:*

Numerator – Total number of TBVME customers who responded to the survey.

Denominator – Total number of TBVME customers who responded to the survey with comments.

This performance measure is calculated by dividing the numerator by the denominator and multiplying by 100 to achieve a percentage.

### *Data Limitation:*

The agency has no control over how many TBVME customers will complete the survey. Additionally, the definition of "improvement" is open to interpretation. One individual's suggestion of an "improvement" may not be perceived as an improvement by another customer. For example, one customer may prefer to receive information from the agency only in paper format, while another customer may prefer to receive the same information via email.

It is the agency's intention to conduct a survey of customer service in each even-numbered year of the biennium.

### *Calculation Type:*

Non-cumulative.

### *New Measure:*

No

### *Desired Performance*

15% of surveyed customers

## Output Measures

### 1. Number of Customers Surveyed

*Short Definition:*

Total number of TBVME customers surveyed in a reporting period.

*Purpose/Importance:*

This measure is an indication of the agency's efforts to collect information from the public and its licensees about the agency's customer service.

*Method of Calculation:*

The agency determined that utilizing the SurveyMonkey service would be the most cost efficient way to survey its stakeholders. The agency sent an e-mail informing licensees and complainants of the survey.

*Data Limitation:*

Not every TBVME customer is surveyed. Due to the costs associated with surveys (printing, mailing, etc.) the agency elected to utilize SurveyMonkey as a more cost effective means of distributing the survey. The distribution method when this service is utilized is limited to email, posting on the agency website, and posting on the agency's Facebook page. Due to not having email addresses for all TBVME customers, we were unable to distribute the survey to every TBVME customer. TBVME has no control over who will become TBVME customers.

*Calculation Type:*

Non-cumulative

*New Measure:*

No

*Desired Performance*

100% of identified surveyed population

### 2. Number of Customers Served

*Short Definition:*

Total number of TBVME customers identified in a reporting period.

*Purpose/Importance:*

This measure is an indication of the agency's workload (i.e., the greater the number of customers, the greater the agency's workload).

*Method of Calculation:*

TBVME manually calculates the approximate number of customers served during a reporting period. This information is obtained from the agency's Sugar CRM licensee database, which contains data for all licensees and complainants.

*Data Limitation:*

TBVME has no control over the number of customers who will want TBVME services. The types of groups of customers are somewhat specific as a result of the agency's enabling legislation.

*Calculation Type:*  
Non-cumulative.

*New Measure:*  
No.

*Desired Performance*  
100% of identified surveyed population

## **Efficiency Measures**

### **1. Cost Per Customer Surveyed.**

*Short Definition:*

Total funds expended (including those encumbered) for the cost to survey the agency's customers, including costs of mailing the survey and costs of personnel time to develop the TBVME Customer Service Survey and evaluate the data collected. The total cost is divided by the number of customers surveyed.

*Purpose/Importance:*

This measure reflects the cost to the agency to conduct a customer service survey.

*Source/Collection of Data:*

Funds expended would include all direct costs attributable to the survey. These direct costs are identified in the agency's operating budget and, where applicable, will include: percent of exempt and classified salaries according to estimated time spent in this function, consumable supplies, computer expenses, training and education, capitalized equipment, and other operating expenses.

*Method of Calculation:*

The amounts identified will be divided by the total number of customers surveyed to determine the cost of each individual survey mailed.

*Data Limitation:*

TBVME has no control over the number of customers who will want TBVME services. The types of groups of customers are somewhat specific as a result of the agency's enabling legislation.

*Calculation Type:*  
Non-cumulative.

*New Measure:*  
No.

*Desired Performance*  
< \$1.00 per customer surveyed.

## **Explanatory Measures**

### **1. Number of Customers Identified.**

This explanatory measure is the same as the Output entitled “Number of Customers Served.”

### **2. Number of Customer Groups Inventoried**

*Short Definition:*

Total number of customer groups identified in a reporting period.

*Purpose/Importance:*

This measure reflects the diversity of agency customers and gives an indication of the agency’s workload.

*Source/Collection of Data:*

The number of customer groups is determined by reviewing the external customer groups that might exist within each budget strategy listed in the agency Strategic Plan.

*Method of Calculation:*

TBVME keeps an electronic database of its customer groups.

*Data Limitation:*

The types and groups of customers are somewhat specific as a result of the agency’s enabling legislation.

*Calculation Type:*

Non-cumulative.

*New Measure:*

No.

*Desired Performance*

100% of identified surveyed population

## **Compact With Texans**

### **AGENCY MISSION**

The mission of the Texas State Board of Veterinary Medical Examiners is to establish and enforce policies to ensure the best possible quality of veterinary and equine dental services for the people of Texas.

### **AGENCY PHILOSOPHY**

The Board and its staff will act in accordance with the highest standards of ethics, accountability, efficiency and openness. We affirm that protection from less than quality veterinary services is a public and private trust. We approach our activities with a deep sense of purpose and responsibility. The public and regulated community alike can be assured of a balanced and sensible approach to regulation.

### **AGENCY SERVICES**

#### *Licensing and Examination*

The licensing and examination program ensures that only those persons who have demonstrated the ability to meet or exceed the minimum qualifications required to be a licensed veterinarian in the state of Texas enter the practice and provide veterinary services to Texas' citizens. Under this program, licensed individuals are required to renew their license annually and, upon request, provide proof of continuing education.

#### *Enforcement*

The enforcement program is designed to protect consumers of veterinary services and ensure veterinarians comply with the Veterinary Licensing Act through the investigation of complaints, compliance inspections as well as through investigating the unlicensed practice of veterinary medicine.

#### *Peer Assistance*

The Peer Assistance program, authorized by Chapter 467 of the Health and Safety Code, assists veterinarians and veterinary students who are impaired by chemical dependency or mental illness. Participation may be voluntary or required by board order; the program is administered under contract through the Texas Veterinary Medical Association, and is approved by the Texas Commission on Alcohol and Drug Abuse.

### **CUSTOMER SERVICE STANDARDS**

The Texas Board of Veterinary Medical Examiners is committed to providing superior services to our customers, the citizens of Texas. Each customer can expect:

- Easy access to agency services;
- Consumer friendly processes;
- Agency staff that are courteous, knowledgeable, and responsive to their needs;
- Answers to questions and requests for information provided in a timely manner; and
- Services provided in an efficient manner that meets the customer's needs and yet remains fiscally responsible.

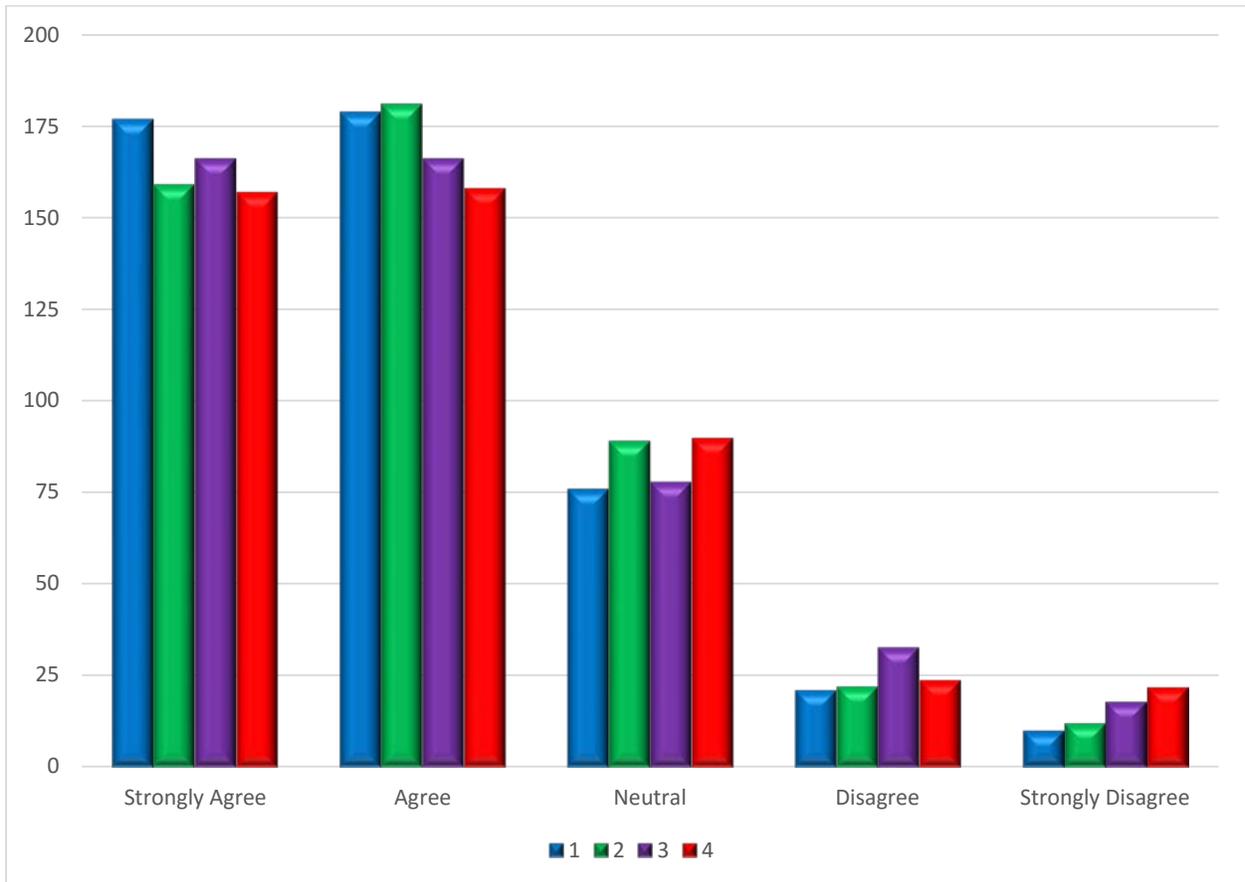
Concerns regarding agency services and customer service issues should be directed to the agency's customer service representative as follows:

Texas State Board of Veterinary Medical Examiners  
Attention: Customer Service Representative  
333 Guadalupe Street Tower III Suite 810  
Austin, Texas 78701  
Phone: 512.305.7555                      Fax: 512.305.7574  
email: [vet.board@veterinary.texas.gov](mailto:veterinary.board@veterinary.texas.gov)

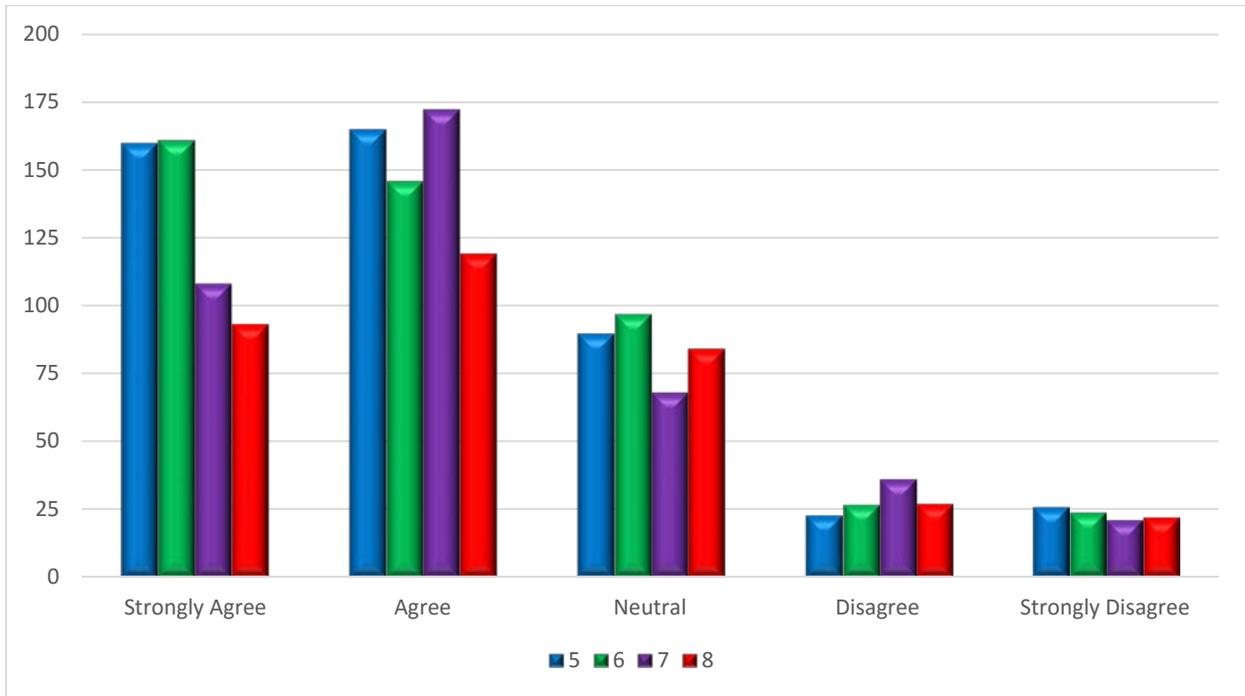
## Survey Summary

Individuals were asked to rank how strongly they agree or disagree with the following statements:

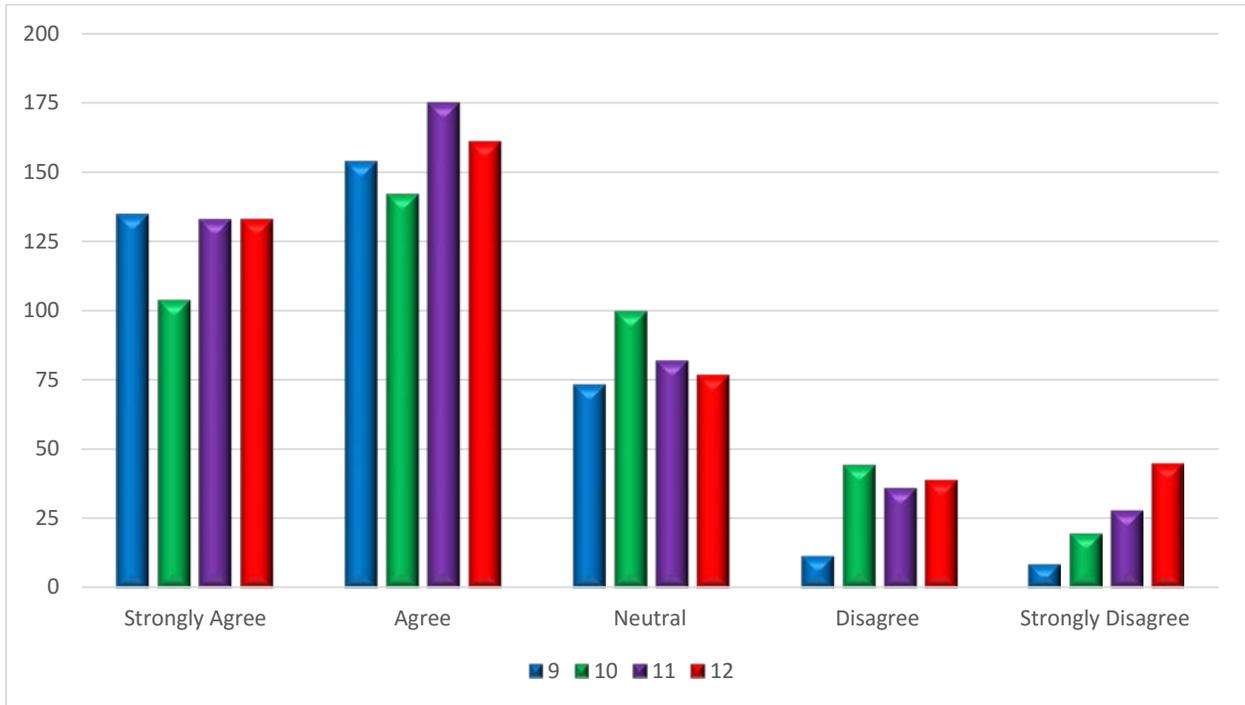
1. Staff were professional and courteous.
2. Staff were knowledgeable (able to answer my questions).
3. Staff were helpful (demonstrated a willingness to assist me).
4. Staff took the time to understand my issue and assist me.



5. I received the information I needed in a timely manner.
6. Service was delivered in a reasonable amount of time.
7. The procedures/instructions were straightforward and easy to understand.
8. If I had a concern or complaint, it was addressed in a reasonable manner.



9. If I contacted the TBVME, my phone call, email, or letter was routed to the proper person.
10. If I used the website, it was easy to use and contained helpful information.
11. Overall, I am satisfied with my experience with TBVME.
12. I trust TBVME to do a good job regulating the veterinary profession.



A sampling of comments received from survey respondents.

*“The board should not be composed of all lawyers that have no background in the day to day progression.”*

*“My inspector was professional and helpful, giving me suggestions on improving my practice in relationship to board concerns.”*

*“not a fan of changing the license renewal to my birth month.”*

*“I have not had to contact frequently, but when I did call, everything was handled quickly and efficiently. No issues.”*

*“Seemed like it took a long time to resolve my case, but that may be more of a reflection of the time it takes to investigate.”*

*“I’ve interacted with many state boards regarding veterinary license (as I move around the country) and Texas has always been the easiest to reach and receive helpful information and instructions from!”*

*“You need to seriously protect the LVT title or it’s meaningless & DVM’s will continue to allow their assistants to call themselves “vet techs”. It is consumer fraud.”*

*“I’ve really had to have minimal interaction with TBVME since licensure. For the few times I have called – they’ve been great. Keep up the good work.”*

*“Good Folks!!!”*

**SCHEDULE H**  
**TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS**  
**ASSESSMENT OF ADVISORY COMMITTEES**

**ASSESSMENT OF ADVISORY COMMITTEES**  
**5/24/2016**  
**Texas Board of Veterinary Medical Examiners, Agency 578**

To assist in the process required by Chapter 2110, Texas Government Code, state agencies should submit an assessment of advisory committees using the format provided. Please submit your assessment for each advisory committee under your agency's purview. Include responses for committees created through statute, administrative code or ad-hoc by your agency. Include responses for all committees, whether ongoing or inactive and regardless of whether you receive appropriations to support the committee. Committees already scheduled for abolishment within the 2016-17 biennium are omitted from the scope of this survey. When submitting information for multiple advisory committees, right-click the sheet "Cmte1", select Move or Copy, select Create a copy and move to end.

**NOTE: Only the items in blue are required for inactive committees.**

**SECTION A: INFORMATION SUBMITTED THROUGH ADVISORY COMMITTEE SUPPORTING SCHEDULE IN LEGISLATIVE APPROPRIATIONS REQUEST**

**Committee Name:** Equine Dental Provider Advisory Committee (EDPAC)

**Number of Members:** 3

**Committee Status (Ongoing or Inactive):** Inactive Note: An Inactive committee is a committee that was created prior to the 2014-15 biennium but did not meet or supply advice to an agency during that time period.

**Date Created:** 9/1/2011 **Date to Be Abolished:** n/a

<b>Budget Strategy (Strategies) (e.g. 1-2-4)</b>	A.1.1	<b>Strategy Title (e.g. Occupational Licensing)</b>	Operate Licensure System
<b>Budget Strategy (Strategies)</b>	A.1.2	<b>Strategy Title</b>	TEXAS.GOV
<b>Budget Strategy (Strategies)</b>	A.2.1	<b>Strategy Title</b>	Complaints and Action
<b>Budget Strategy (Strategies)</b>	A.2.2	<b>Strategy Title</b>	Peer Assistance

**State / Federal Authority**  
State Authority  
State Authority  
  
State Authority  
Federal Authority  
Federal Authority

Select Type	Identify Specific Citation
Statute	Texas Occupations Code 801.551

**Advisory Committee Costs: This section includes reimbursements for committee member costs and costs attributable to agency staff support.**

Committee Members' <u>Direct</u> Expenses	Expended	Estimated	Budgeted
	Exp 2015	Est 2016	Bud 2017
Travel	\$0	\$0	\$0
Personnel	\$0	\$0	\$0
Number of FTEs	0.0	0.0	0.0
Other Operating Costs	\$0	\$0	\$0
<i>Total, Committee Expenditures</i>	\$0	\$0	\$0

Committee Members' <u>Indirect</u> Expenses	Expended	Estimated	Budgeted
	Exp 2015	Est 2016	Bud 2017
Travel	\$0	\$0	\$0
Personnel	\$0	\$0	\$0
Number of FTEs	0.0	0.0	0.0
Other Operating Costs	\$0	\$0	\$0
<i>Total, Committee Expenditures</i>	\$0	\$0	\$0

Method of Financing	Expended	Estimated	Budgeted
	Exp 2015	Est 2016	Bud 2017
Method of Finance			
1 - General Revenue Fund	\$0	\$0	\$0
	\$0	\$0	\$0
	\$0	\$0	\$0
	\$0	\$0	\$0
	\$0	\$0	\$0

Expenses / MOFs Difference: \$0 \$0 \$0

Meetings Per Fiscal Year: 0 0 0

Committee Description:

Texas Occupations Code 801.551 sets out the authority for the Equine Dental Provider Advisory Committee. This committee does not have any independent rulemaking authority but shall advise and assist the board in adopting rules relating to licensed equine dental providers(EDPs). The board shall also consult the advisory committee regarding matters relating to a disciplinary action that involves a licensed EDP. This committee was active immediately after its creation to advise on rulemaking for EDPs. Since those rules have been created there has not been as much need for this committee to meet.

SECTION B: ADDITIONAL COMMITTEE INFORMATION

Committee Bylaws: Please provide a copy of the committee's current bylaws and most recent meeting minutes as part of your submission.

1. When and where does this committee typically meet and is there any requirement as to the frequency of committee meetings? This committee has no requirement as to the frequency of committee meetings and has not met since 2011. No minutes are taken and no bylaws created.

2. What kinds of deliverables or tangible output does the committee produce? If there are documents the committee is required to produce for your agency or the general public, please supply the most recent iterations of those. recommendations for rulemaking regarding EDPs

3. What recommendations or advice has the committee most recently supplied to your agency? Of these, which were adopted by your agency and what was the rationale behind not adopting certain recommendations, if this occurred? The committee has reviewed an investigation regarding a licensed EDP, their recommendation was then forwarded to the Enforcement Committee, and the Enforcement Committee acted upon the recommendation by setting the case for an Informal Conference.

4a. Does your agency believe that the actions and scope of committee work is consistent with their authority as defined in its enabling statute and relevant to the ongoing mission of your agency ? Yes

4b. Is committee scope and work conducted redundant with other functions of other state agencies or advisory committees? No

5a. Approximately how much staff time (in hours) was used to support the committee in fiscal year 2015? 0.0

5b. Please supply a general overview of the tasks entailed in agency staff assistance provided to the committee. Staff prepared for the committee's review, draft rules related to the practice of equine dentistry and met with the committee members to provide guidance and counsel.

6. Have there been instances where the committee was unable to meet because a quorum was not present? No All members attended.

7a. What opportunities does the committee provide for public attendance, participation, and how is this information conveyed to the public (e.g. online calendar of events, notices posted in Texas Register, etc.)? If this committee was to meet, there would be a citizens comment period during the meeting

7b. Do members of the public attend at least 50 percent of all committee meetings? No 7c. Are there instances where no members of the public attended meetings? Yes

8. Please list any external stakeholders you recommend we contact regarding this committee. Josh Wallace, International Association of Equine Dentistry, PO Box 498 Whitesboro, TX 76273; Robin Mingione, Equine Dental Provider Association, 2305 S. Day Street Brenham, TX 77833

9a. In the opinion of your agency, has the committee met its mission and made substantive progress in its mission and goals? Yes

9b. Please describe the rationale for this opinion. This committee provided valuable advice regarding rules regarding EDPs.

10. Given that state agencies are allowed the ability to create advisory committees at will, either on an ad-hoc basis or through amending agency rule in Texas Administrative Code: 10a. Is there any functional benefit for having this committee codified in statute? Yes 10b. Does the scope and language found in statute for this committee prevent your agency from responding to evolving needs related to this policy area? No

10c. If "Yes" for Question 10b, please describe the rationale for this opinion.

11a. Does your agency recommend this committee be retained, abolished or consolidated with another committee elsewhere (either at your agency or another in state government)? Retain

11b. Please describe the rationale for this opinion. While this committee does not meet often, it provides a valuable resource for advice on rules regarding this licensee population, when needed. The Board also does not have a representative Board member from this license type so this advisory committee provides a way to liason with these licensees and build trust and rapport.

12a. Were this committee abolished, would this impede your agency's ability to fulfill its mission? No

12b. If "Yes" for Question 12a, please describe the rationale for this opinion.

13. Please describe any other suggested modifications to the committee that would help the committee or agency better fulfill its mission.

**ASSESSMENT OF ADVISORY COMMITTEES**  
**5/24/2016**  
**Texas Board of Veterinary Medical Examiners, Agency 578**

To assist in the process required by Chapter 2110, Texas Government Code, state agencies should submit an assessment of advisory committees using the format provided. Please submit your assessment for each advisory committee under your agency's purview. Include responses for committees created through statute, administrative code or ad-hoc by your agency. Include responses for all committees, whether ongoing or inactive and regardless of whether you receive appropriations to support the committee. Committees already scheduled for abolishment within the 2016-17 biennium are omitted from the scope of this survey. When submitting information for multiple advisory committees, right-click the sheet "Cmte1", select Move or Copy, select Create a copy and move to end.

**NOTE: Only the items in blue are required for inactive committees.**

**SECTION A: INFORMATION SUBMITTED THROUGH ADVISORY COMMITTEE SUPPORTING SCHEDULE IN LEGISLATIVE APPROPRIATIONS REQUEST**

**Committee Name:** Licensed Veterinary Technician Advisory Committee (LVTAC)

**Number of Members:** 6

**Committee Status (Ongoing or Inactive):** Ongoing  
Note: An Inactive committee is a committee that was created prior to the 2014-15 biennium but did not meet or supply advice to an agency during that time period.

**Date Created:** 9/1/2013 **Date to Be Abolished:**

**Budget Strategy (Strategies) (e.g. 1-2-4)**  
 A.1.1 **Strategy Title (e.g. Occupational Licensing)** Operate Licensure System  
 A.1.2 **Strategy Title** TEXAS.GOV

- State / Federal Authority**
- State Authority
  - State Authority
  - State Authority
  - Federal Authority
  - Federal Authority
  - Federal Authority

Select Type	Identify Specific Citation
Statute	Texas Occupations Code 801.163

**Advisory Committee Costs: This section includes reimbursements for committee member costs and costs attributable to agency staff support.**

Committee Members' <u>Direct</u> Expenses	Expended Exp 2015	Estimated Est 2016	Budgeted Bud 2017
Travel	\$0	\$0	\$0
Personnel	\$0	\$0	\$0
Number of FTEs	0.0	0.0	0.0
Other Operating Costs	\$0	\$0	\$0
<i>Total, Committee Expenditures</i>	\$0	\$0	\$0

Committee Members' <u>Indirect</u> Expenses	Expended Exp 2015	Estimated Est 2016	Budgeted Bud 2017
Travel	\$0	\$0	\$0
Personnel	\$0	\$0	\$0
Number of FTEs	0.0	0.0	0.0
Other Operating Costs	\$0	\$0	\$0
<i>Total, Committee Expenditures</i>	\$0	\$0	\$0

Method of Financing	Expended Exp 2015	Estimated Est 2016	Budgeted Bud 2017
Method of Finance			
1 - General Revenue Fund	\$0	\$0	\$0
	\$0	\$0	\$0
	\$0	\$0	\$0
	\$0	\$0	\$0
	\$0	\$0	\$0
Expenses / MOFs Difference:	\$0	\$0	\$0

Meetings Per Fiscal Year	Expended Exp 2015	Estimated Est 2016	Budgeted Bud 2017
	0	0	0

**Committee Description:** Texas Occupations Code 801.163 authorizes the board to appoint advisory committees to perform advisory functions as assigned by the board. This committee does not have any independent rulemaking authority but shall advise and assist the board in adopting rules relating to licensed veterinary technicians.

SECTION B: ADDITIONAL COMMITTEE INFORMATION

Committee Bylaws: Please provide a copy of the committee's current bylaws and most recent meeting minutes as part of your submission.

1. When and where does this committee typically meet and is there any requirement as to the frequency of committee meetings? This committee has no requirement as to the frequency of committee meetings and met once in 2013 following the legislation that created this license type. There are no bylaws and no minutes.

2. What kinds of deliverables or tangible output does the committee produce? If there are documents the committee is required to produce for your agency or the general public, please supply the most recent iterations of those.

Advise and assist the board in adopting rules relating to licensed veterinary technicians.

3. What recommendations or advice has the committee most recently supplied to your agency? Of these, which were adopted by your agency and what was the rationale behind not adopting certain recommendations, if this occurred?

N/A

4a. Does your agency believe that the actions and scope of committee work is consistent with their authority as defined in its enabling statute and relevant to the ongoing mission of your agency? Yes

4b. Is committee scope and work conducted redundant with other functions of other state agencies or advisory committees? No

5a. Approximately how much staff time (in hours) was used to support the committee in fiscal year 2015? 0.0

5b. Please supply a general overview of the tasks entailed in agency staff assistance provided to the committee.

Staff prepared for the committee's review, draft rules related to licensed veterinary technicians and met with the committee members to provide guidance and counsel.

6. Have there been instances where the committee was unable to meet because a quorum was not present? No

Please provide committee member attendance records for their last three meetings, if not already captured in meeting minutes. Cindy Dittmar; Steve Golla, DVM; Todd Henry, DVM; David Sessums; Gary Stamp, DVM; Rick Wall, DVM

7a. What opportunities does the committee provide for public attendance, participation, and how is this information conveyed to the public (e.g. online calendar of events, notices posted in Texas Register, etc.)?

If this committee was to meet, there would be a citizens comment period during the meeting.

7b. Do members of the public attend at least 50 percent of all committee meetings? No

7c. Are there instances where no members of the public attended meetings? Yes

8. Please list any external stakeholders you recommend we contact regarding this committee.

Sue Allen, LVT; Texas Association of Registered Veterinary Technicians; 2317 N. 44th St., Waco, TX 76710

9a. In the opinion of your agency, has the committee met its mission and made substantive progress in its mission and goals? Yes

9b. Please describe the rationale for this opinion.

They provided valuable information in the creation of rules regarding this new licensee population. The Board also does not have a representative Board member from this license type so this advisory committee provides a way to liason with these licensees and build trust and rapport.

10. Given that state agencies are allowed the ability to create advisory committees at will, either on an ad-hoc basis or through amending agency rule in Texas Administrative Code:

10a. Is there any functional benefit for having this committee codified in statute? Yes

10b. Does the scope and language found in statute for this committee prevent your agency from responding to evolving needs related to this policy area? No

10c. If "Yes" for Question 10b, please describe the rationale for this opinion.

11a. Does your agency recommend this committee be retained, abolished or consolidated with another committee elsewhere (either at your agency or another in state government)? Retain

11b. Please describe the rationale for this opinion.

They provided valuable information in the creation of rules regarding this new licensee population

12a. Were this committee abolished, would this impede your agency's ability to fulfill its mission? No

12b. If "Yes" for Question 12a, please describe the rationale for this opinion.

13. Please describe any other suggested modifications to the committee that would help the committee or agency better fulfill its mission.

**ASSESSMENT OF ADVISORY COMMITTEES**  
 5/24/2016  
 Texas Board of Veterinary Medical Examiners, Agency 578

To assist in the process required by Chapter 2110, Texas Government Code, state agencies should submit an assessment of advisory committees using the format provided. Please submit your assessment for each advisory committee under your agency's purview. Include responses for committees created through statute, administrative code or ad-hoc by your agency. Include responses for all committees, whether ongoing or inactive and regardless of whether you receive appropriations to support the committee. Committees already scheduled for abolishment within the 2016-17 biennium are omitted from the scope of this survey. When submitting information for multiple advisory committees, right-click the sheet "Cmte1", select Move or Copy, select Create a copy and move to end.

NOTE: Only the items in blue are required for inactive committees.

**SECTION A: INFORMATION SUBMITTED THROUGH ADVISORY COMMITTEE SUPPORTING SCHEDULE IN LEGISLATIVE APPROPRIATIONS REQUEST**

**Committee Name:**

**Number of Members:**

**Committee Status (Ongoing or Inactive):**  Note: An Inactive committee is a committee that was created prior to the 2014-15 biennium but did not meet or supply advice to an agency during that time period.

**Date Created:**  **Date to Be Abolished:**

<b>Budget Strategy (Strategies) (e.g. 1-2-4)</b>	A.2.1	<b>Strategy Title (e.g. Occupational Licensing)</b>	Complaints and Action
<b>Budget Strategy (Strategies)</b>	A.2.2	<b>Strategy Title</b>	Peer Assistance

State / Federal Authority	Select Type	Identify Specific Citation
State Authority	Admin Code	575.35
State Authority	Statute	801.409
State Authority		
Federal Authority		
Federal Authority		

**Advisory Committee Costs: This section includes reimbursements for committee member costs and costs attributable to agency staff support.**

Committee Members' <u>Direct</u> Expenses	Expended Exp 2015	Estimated Est 2016	Budgeted Bud 2017
Travel	\$0	\$0	\$0
Personnel	\$0	\$0	\$0
Number of FTEs	0.0	0.0	0.0
Other Operating Costs	\$0	\$0	\$0
<i>Total, Committee Expenditures</i>	\$0	\$0	\$0

Committee Members' <u>Indirect</u> Expenses	Expended Exp 2015	Estimated Est 2016	Budgeted Bud 2017
Travel	\$0	\$0	\$0
Personnel	\$0	\$0	\$0
Number of FTEs	0.0	0.0	0.0
Other Operating Costs	\$0	\$0	\$0
<i>Total, Committee Expenditures</i>	\$0	\$0	\$0

Method of Financing	Expended Exp 2015	Estimated Est 2016	Budgeted Bud 2017
Method of Finance			
1 - General Revenue Fund	\$0	\$0	\$0
	\$0	\$0	\$0
	\$0	\$0	\$0
	\$0	\$0	\$0
	\$0	\$0	\$0
Expenses / MOFs Difference:	\$0	\$0	\$0

<b>Meetings Per Fiscal Year</b>	<input type="text" value="varies"/>	<input type="text" value="varies"/>	<input type="text" value="varies"/>
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**Committee Description:**

**SECTION B: ADDITIONAL COMMITTEE INFORMATION**

Committee Bylaws: Please provide a copy of the committee's current bylaws and most recent meeting minutes as part of your submission.

1. When and where does this committee typically meet and is there any requirement as to the frequency of committee meetings?

2. What kinds of deliverables or tangible output does the committee produce? If there are documents the committee is required to produce for your agency or the general public, please supply the most recent iterations of those.

At the conclusion of the meeting, if the EDC concludes that the licensee's continued practice would constitute a continuing or imminent threat to the public welfare, the EDC shall suspend the licensee's license for a temporary, stated period of time. A written order will be produced by a staff attorney and signed by the presiding officer.

3. What recommendations or advice has the committee most recently supplied to your agency? Of these, which were adopted by your agency and what was the rationale behind not adopting certain recommendations, if this occurred?

The committee has met 3 times in FY16. At each meeting the committee voted to temporarily suspend the respondent's license, and the reviewing committee voted to continue the suspensions in the first two instances. The reviewing committee has not yet met to review the suspension in the third case.

4a. Does your agency believe that the actions and scope of committee work is consistent with their authority as defined in its enabling statute and relevant to the ongoing mission of your agency?

4b. Is committee scope and work conducted redundant with other functions of other state agencies or advisory committees?

5a. Approximately how much staff time (in hours) was used to support the committee in fiscal year 2015?

5b. Please supply a general overview of the tasks entailed in agency staff assistance provided to the committee.

Preparing and holding temporary suspension hearings. Tasks include scheduling EDC for TS hearing, preparing TS packet, preparing for hearing, holding the actual hearing.

6. Have there been instances where the committee was unable to meet because a quorum was not present?

Please provide committee member attendance records for their last three meetings, if not already captured in meeting minutes. - SHOWN IN MEETING MINUTES

7a. What opportunities does the committee provide for public attendance, participation, and how is this information conveyed to the public (e.g. online calendar of events, notices posted in Texas Register, etc.)?

This committee meets under emergency conditions only and posts the meetings with the Texas Register.

7b. Do members of the public attend at least 50 percent of all committee meetings?

7c. Are there instances where no members of the public attended meetings?

8. Please list any external stakeholders you recommend we contact regarding this committee.

With the exception of the licensees whose licenses are temporarily suspended by the committee, there are few external stakeholders who are affected by the committee. The Professional Recovery Network (PRN - the Board's peer assistance program) is frequently the source of the information that results in a temporary suspension, but PRN staff doesn't generally have direct contact with the committee. PRN's executive director is Courtney Hulbert - 512-615-9176

9a. In the opinion of your agency, has the committee met its mission and made substantive progress in its mission and goals?

9b. Please describe the rationale for this opinion.

The purpose of the committee is to review temporary suspension cases where the respondent may be a risk to the public. The committee meets only for this purpose, and a vote on the matter is always held. The committee is also very responsive. Because of the emergency nature of the committee's work, often Board staff asks the committee to meet on short notice - frequently less than 24 hours. The committee members prepare for the meetings, even though they are asked to meet on short notice. If time permits, Board staff prepares an informational packet for the committee members, and the members review the packet before the meeting and ask questions about factual and procedural elements of the case.

10. Given that state agencies are allowed the ability to create advisory committees at will, either on an ad-hoc basis or through amending agency rule in Texas Administrative Code:

10a. Is there any functional benefit for having this committee codified in statute?

10b. Does the scope and language found in statute for this committee prevent your agency from responding to evolving needs related to this policy area?

10c. If "Yes" for Question 10b, please describe the rationale for this opinion.

To further outline in the Veterinary Licensing Act the process used for temporary suspensions for the licensees and the public.

11a. Does your agency recommend this committee be retained, abolished or consolidated with another committee elsewhere (either at your agency or another in state government)?

11b. Please describe the rationale for this opinion.

The committee serves the important purpose of ensuring that impaired veterinarians, or licensees that could otherwise pose a threat to the public, are not able to practice until the case has been fully reviewed. No other state agency currently serves this purpose, nor would it be recommended that this purpose be transferred to another state agency. It is also not recommended that this committee be consolidated with another committee in this agency. No other committee would be situated to take up these duties. Notably, the Enforcement Committee reviews the decision of the Executive Disciplinary Committee; therefore it would not be appropriate for the committees to be combined.

12a. Were this committee abolished, would this impede your agency's ability to fulfill its mission?

12b. If "Yes" for Question 12a, please describe the rationale for this opinion.

Broadly speaking, the agency's mission is public protection. Without the ability to temporarily suspend a license when the license holder poses a threat to the public, the Board cannot fulfill its mission. The committee is necessary to accomplish the temporary suspension process.

13. Please describe any other suggested modifications to the committee that would help the committee or agency better fulfill its mission.

**ASSESSMENT OF ADVISORY COMMITTEES**  
**5/24/2016**  
**Texas Board of Veterinary Medical Examiners, Agency 578**

To assist in the process required by Chapter 2110, Texas Government Code, state agencies should submit an assessment of advisory committees using the format provided. Please submit your assessment for each advisory committee under your agency's purview. Include responses for committees created through statute, administrative code or ad-hoc by your agency. Include responses for all committees, whether ongoing or inactive and regardless of whether you receive appropriations to support the committee. Committees already scheduled for abolishment within the 2016-17 biennium are omitted from the scope of this survey. When submitting information for multiple advisory committees, right-click the sheet "Cmte1", select Move or Copy, select Create a copy and move to end.

**NOTE: Only the items in blue are required for inactive committees.**

**SECTION A: INFORMATION SUBMITTED THROUGH ADVISORY COMMITTEE SUPPORTING SCHEDULE IN LEGISLATIVE APPROPRIATIONS REQUEST**

**Committee Name:** Enforcement Committee (EC)

**Number of Members:** 7

**Committee Status (Ongoing or Inactive):** Ongoing  
Note: An Inactive committee is a committee that was created prior to the 2014-15 biennium but did not meet or supply advice to an agency during that time period.

**Date Created:** unknown > 10 years      **Date to Be Abolished:** n/a

<b>Budget Strategy (Strategies) (e.g. 1-2-4)</b>	A.1.1	<b>Strategy Title (e.g. Occupational Licensing)</b>	Operate Licensure System
<b>Budget Strategy (Strategies)</b>	A.1.2	<b>Strategy Title</b>	TEXAS.GOV
<b>Budget Strategy (Strategies)</b>	A.2.1	<b>Strategy Title</b>	Complaints and Action
<b>Budget Strategy (Strategies)</b>	A.2.2	<b>Strategy Title</b>	Peer Assistance

**State / Federal Authority**  
 State Authority  
 State Authority  
 State Authority  
 Federal Authority  
 Federal Authority  
 Federal Authority

Select Type	Identify Specific Citation
Statute	Texas Occupations Code 801.163
Admin Code	575.29

**Advisory Committee Costs: This section includes reimbursements for committee member costs and costs attributable to agency staff support.**

	Expended	Estimated	Budgeted
	Exp 2015	Est 2016	Bud 2017
Travel	\$13,555	\$16,000	\$23,500
Personnel	\$0	\$0	\$0
Number of FTEs	0.0	0.0	0.0
Other Operating Costs	\$0	\$0	\$0
<i>Total, Committee Expenditures</i>	\$13,555	\$16,000	\$23,500

	Expended	Estimated	Budgeted
	Exp 2015	Est 2016	Bud 2017
Travel	\$0	\$0	\$0
Personnel	\$0	\$0	\$0
Number of FTEs	0.0	0.0	0.0
Other Operating Costs	\$0	\$0	\$0
<i>Total, Committee Expenditures</i>	\$0	\$0	\$0

	Expended	Estimated	Budgeted
	Exp 2015	Est 2016	Bud 2017
Method of Finance			
1 - General Revenue Fund	\$13,555	\$16,000	\$23,500
	\$0	\$0	\$0
	\$0	\$0	\$0
	\$0	\$0	\$0
	\$0	\$0	\$0
Expenses / MOFs Difference:	\$0	\$0	\$0

<b>Meetings Per Fiscal Year</b>	varies	varies	varies
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**Committee Description:** Texas Occupations Code 801.163 authorizes the board to appoint advisory committees to perform advisory functions as assigned by the board. Texas Administrative Code 575.29 provides that the Board may be represented at an informal conference by an enforcement committee comprised of the executive director, two veterinarian members and a public member of the Board, the director of enforcement, the board staff investigator assigned to the complaint, and the Board's general counsel. The committee reviews cases where there is an allegation of a violation of the Veterinary Licensing Act and/or rules of the Board.

**SECTION B: ADDITIONAL COMMITTEE INFORMATION**

Committee Bylaws: Please provide a copy of the committee's current bylaws and most recent meeting minutes as part of your submission.

1. When and where does this committee typically meet and is there any requirement as to the frequency of committee meetings?

2. What kinds of deliverables or tangible output does the committee produce? If there are documents the committee is required to produce for your agency or the general public, please supply the most recent iterations of those.

At the conclusion of the informal conference, the EC shall determine if a violation has occurred. If a violation is found, the licensee will be presented with an Agreed Order, if no violation is found, the EC or their designee will dismiss the complaint and advise all parties of the decision and the reasons why the complaint was dismissed.

3. What recommendations or advice has the committee most recently supplied to your agency? Of these, which were adopted by your agency and what was the rationale behind not adopting certain recommendations, if this occurred?

The EC offers Agreed Orders to the licensees (or non-licensee in the case of practicing veterinary medicine without a license) and the licensee may sign the order (with or without agreed to modifications) for the full Board to approve at the next Board meeting. The full Board will sometimes decline to approve the order based upon not agreeing a violation was found or not agreeing to the proposed enforcement action/penalty in the order.

4a. Does your agency believe that the actions and scope of committee work is consistent with their authority as defined in its enabling statute and relevant to the ongoing mission of your agency?

4b. Is committee scope and work conducted redundant with other functions of other state agencies or advisory committees?

5a. Approximately how much staff time (in hours) was used to support the committee in fiscal year 2015?

5b. Please supply a general overview of the tasks entailed in agency staff assistance provided to the committee.

drafting allegations; scheduling and planning; preparing packets; arranging Board member travel; participating in the informal conferences

6. Have there been instances where the committee was unable to meet because a quorum was not present?

All members of the committee have been present. The members include: Nicole Oria, Executive Director; Karen Phillips, Director of Enforcement; Maggie Griffith, General Counsel, Roland Lenarduzzi, DVM, Board President; Janie Carpenter, DVM, Board Member; one public member on a rotating basis (Chad Upham, Jim McAdams, and Keith Pardue) and the staff investigator assigned to the complaint.

7a. What opportunities does the committee provide for public attendance, participation, and how is this information conveyed to the public (e.g. online calendar of events, notices posted in Texas Register, etc.)?

The informal conferences are not held as public meetings. However, the complainant (often a member of the general public) is invited in writing to come.

7b. Do members of the public attend at least 50 percent of all committee meetings?

7c. Are there instances where no members of the public attended meetings?

8. Please list any external stakeholders you recommend we contact regarding this committee.

9a. In the opinion of your agency, has the committee met its mission and made substantive progress in its mission and goals?

9b. Please describe the rationale for this opinion.

The Enforcement Committee plays a critical role in the disciplinary function of the agency. All cases where a standard of care violation is alleged are reviewed by the two veterinary Board members of this committee. This function is vital because the Board does not employ a staff veterinarian who could review medical cases. In addition, all cases where a standard of care violation is found are reviewed by the committee at an informal conference, as required by Tex. Occ. 801.408. The committee generally hears 8-10 cases a month, and plays an important role in the timely resolution of enforcement cases.

10. Given that state agencies are allowed the ability to create advisory committees at will, either on an ad-hoc basis or through amending agency rule in Texas Administrative Code:

10a. Is there any functional benefit for having this committee codified in statute?

10b. Does the scope and language found in statute for this committee prevent your agency from responding to evolving needs related to this policy area?

10c. If "Yes" for Question 10b, please describe the rationale for this opinion.

11a. Does your agency recommend this committee be retained, abolished or consolidated with another committee elsewhere (either at your agency or another in state government)?

11b. Please describe the rationale for this opinion.

The Enforcement Committee plays a critical role in the disciplinary function of the agency. All cases where a standard of care violation is alleged are reviewed by the two veterinary Board members of this committee. This function is vital because the Board does not employ a staff veterinarian who could review medical cases. In addition, all cases where a standard of care violation is found are reviewed by the committee at an informal conference, as required by Tex. Occ. 801.408. The committee generally hears 8-10 cases a month, and plays an important role in the timely resolution of enforcement cases.

12a. Were this committee abolished, would this impede your agency's ability to fulfill its mission?

12b. If "Yes" for Question 12a, please describe the rationale for this opinion.

The Enforcement Committee plays a critical role in the disciplinary function of the agency. All cases where a standard of care violation is alleged are reviewed by the two veterinary Board members of this committee. This function is vital because the Board does not employ a staff veterinarian who could review medical cases. In addition, all cases where a standard of care violation is found are reviewed by the committee at an informal conference, as required by Tex. Occ. 801.408. The committee generally hears 8-10 cases a month, and plays an important role in the timely resolution of enforcement cases.

13. Please describe any other suggested modifications to the committee that would help the committee or agency better fulfill its mission.

Clarification that these meetings are not public meetings. Our agency has overturned recommendations from the EC for finding violations and/or the penalty recommended so the agency has taken the stance that the Board is not rubberstamping the actions of the EC therefore the meetings do not need to be open meetings. These meetings act as the last portion of the investigation process and as a mediation so it is not in the best interest to make these meetings open to the public as it would impede the frank discussions necessary.

**ASSESSMENT OF ADVISORY COMMITTEES**  
**5/24/2016**  
**Texas Board of Veterinary Medical Examiners, Agency 578**

To assist in the process required by Chapter 2110, Texas Government Code, state agencies should submit an assessment of advisory committees using the format provided. Please submit your assessment for each advisory committee under your agency's purview. Include responses for committees created through statute, administrative code or ad-hoc by your agency. Include responses for all committees, whether ongoing or inactive and regardless of whether you receive appropriations to support the committee. Committees already scheduled for abolishment within the 2016-17 biennium are omitted from the scope of this survey. When submitting information for multiple advisory committees, right-click the sheet "Cmte1", select Move or Copy, select Create a copy and move to end.

**NOTE: Only the items in blue are required for inactive committees.**

**SECTION A: INFORMATION SUBMITTED THROUGH ADVISORY COMMITTEE SUPPORTING SCHEDULE IN LEGISLATIVE APPROPRIATIONS REQUEST**

**Committee Name:** Rules Committee (RC)

**Number of Members:** 4

**Committee Status (Ongoing or Inactive):** Ongoing  
Note: An Inactive committee is a committee that was created prior to the 2014-15 biennium but did not meet or supply advice to an agency during that time period.

**Date Created:** unknown > 10 years      **Date to Be Abolished:** n/a

<b>Budget Strategy (Strategies) (e.g. 1-2-4)</b>	A.1.1	<b>Strategy Title (e.g. Occupational Licensing)</b>	Operate Licensure System
<b>Budget Strategy (Strategies)</b>	A.1.2	<b>Strategy Title</b>	TEXAS.GOV
<b>Budget Strategy (Strategies)</b>	A.2.1	<b>Strategy Title</b>	Complaints and Action
<b>Budget Strategy (Strategies)</b>	A.2.2	<b>Strategy Title</b>	Peer Assistance

**State / Federal Authority**  
 State Authority  
 State Authority  
 State Authority  
 Federal Authority  
 Federal Authority  
 Federal Authority

Select Type	Identify Specific Citation
Statute	Texas Occupations Code 801.163

**Advisory Committee Costs: This section includes reimbursements for committee member costs and costs attributable to agency staff support.**

Committee Members' <u>Direct</u> Expenses	Expended Exp 2015	Estimated Est 2016	Budgeted Bud 2017
Travel	\$0	\$0	\$0
Personnel	\$0	\$0	\$0
Number of FTEs	0.0	0.0	0.0
Other Operating Costs	\$0	\$0	\$0
<i>Total, Committee Expenditures</i>	\$0	\$0	\$0

Committee Members' <u>Indirect</u> Expenses	Expended Exp 2015	Estimated Est 2016	Budgeted Bud 2017
Travel	\$0	\$0	\$0
Personnel	\$0	\$0	\$0
Number of FTEs	0.0	0.0	0.0
Other Operating Costs	\$0	\$0	\$0
<i>Total, Committee Expenditures</i>	\$0	\$0	\$0

Method of Financing	Expended Exp 2015	Estimated Est 2016	Budgeted Bud 2017
Method of Finance			
1 - General Revenue Fund	\$0	\$0	\$0
	\$0	\$0	\$0
	\$0	\$0	\$0
	\$0	\$0	\$0
	\$0	\$0	\$0

Expenses / MOFs Difference: \$0      \$0      \$0

**Meetings Per Fiscal Year**      3      4      4

**Committee Description:** Texas Occupations Code 801.163 authorizes the board to appoint advisory committees to perform advisory functions as assigned by the board. This committee always meets in conjunction with the regularly scheduled full board meetings, therefore, there are no additional expenses for this committee. There is no staff time above that is required to prepare for a regular full board meeting.

**SECTION B: ADDITIONAL COMMITTEE INFORMATION**

Committee Bylaws: Please provide a copy of the committee's current bylaws and most recent meeting minutes as part of your submission.

1. When and where does this committee typically meet and is there any requirement as to the frequency of committee meetings? This committee meets in Austin in conjunction with regularly scheduled board meetings. This committee has no requirement as to the frequency of committee meetings. The minutes of the Rules Committee are incorporated as a report to the full board at the meeting held on the same date as the committee meeting.

2. What kinds of deliverables or tangible output does the committee produce? If there are documents the committee is required to produce for your agency or the general public, please supply the most recent iterations of those.

This committee reviews and recommends changes to board rules to the full board.

3. What recommendations or advice has the committee most recently supplied to your agency? Of these, which were adopted by your agency and what was the rationale behind not adopting certain recommendations, if this occurred?

Examples of recommendations are at the last two Board meetings (April 2016 and January 2016) the Rules Committee reviewed the rules that staff had prepared, heard staff's explanation of the rules, and voted to recommend the rules for proposal or adoption.

4a. Does your agency believe that the actions and scope of committee work is consistent with their authority as defined in its enabling statute and relevant to the ongoing mission of your agency ?  Yes

4b. Is committee scope and work conducted redundant with other functions of other state agencies or advisory committees?  No

5a. Approximately how much staff time (in hours) was used to support the committee in fiscal year 2015?

5b. Please supply a general overview of the tasks entailed in agency staff assistance provided to the committee.

Presenting rules to the committee at each Board meeting; discussion on draft rules prior to a board meeting with committee members and stakeholders, taking minutes of the committee meetings

6. Have there been instances where the committee was unable to meet because a quorum was not present?  No

The minutes of the Rules Committee are incorporated as a report to the full board at the meeting held on the same date as the committee meeting.

7a. What opportunities does the committee provide for public attendance, participation, and how is this information conveyed to the public (e.g. online calendar of events, notices posted in Texas Register, etc.)?

Online calendar of events on agency website and notice posted in Texas Register

7b. Do members of the public attend at least 50 percent of all committee meetings?  Yes

7c. Are there instances where no members of the public attended meetings?  No

8. Please list any external stakeholders you recommend we contact regarding this committee.

Chris Copeland, Texas Veterinary Medical Association, 8104 Exchange Dr., Austin, TX 78754

9a. In the opinion of your agency, has the committee met its mission and made substantive progress in its mission and goals?  Yes

9b. Please describe the rationale for this opinion.

The committee members serve as a resource for staff in drafting technical rules. This function is important because the Board does not have a veterinarian on staff.

10. Given that state agencies are allowed the ability to create advisory committees at will, either on an ad-hoc basis or through amending agency rule in Texas Administrative Code:

10a. Is there any functional benefit for having this committee codified in statute?  No

10b. Does the scope and language found in statute for this committee prevent your agency from responding to evolving needs related to this policy area?  No

10c. If "Yes" for Question 10b, please describe the rationale for this opinion.

11a. Does your agency recommend this committee be retained, abolished or consolidated with another committee elsewhere (either at your agency or another in state government)?  Retain

11b. Please describe the rationale for this opinion.

This committee serves to review rules before they are presented to the full Board. This process allows for a robust discussion at the committee level, which allows the Board to adopt more fully considered rules. No other committee - inside or outside the agency - could perform this function.

12a. Were this committee abolished, would this impede your agency's ability to fulfill its mission?  Yes

12b. If "Yes" for Question 12a, please describe the rationale for this opinion.

The agency's mission - both in its licensing and enforcement duties - relies on its ability to adopt well-considered rules. This committee serves to ensure that the rules adopted by the agency are fully vetted.

13. Please describe any other suggested modifications to the committee that would help the committee or agency better fulfill its mission.

Funding for the committee to meet more frequently, not just in conjunction with regularly scheduled board meetings.

**ASSESSMENT OF ADVISORY COMMITTEES**  
**5/24/2016**  
**Texas Board of Veterinary Medical Examiners, Agency 578**

To assist in the process required by Chapter 2110, Texas Government Code, state agencies should submit an assessment of advisory committees using the format provided. Please submit your assessment for each advisory committee under your agency's purview. Include responses for committees created through statute, administrative code or ad-hoc by your agency. Include responses for all committees, whether ongoing or inactive and regardless of whether you receive appropriations to support the committee. Committees already scheduled for abolishment within the 2016-17 biennium are omitted from the scope of this survey. When submitting information for multiple advisory committees, right-click the sheet "Cmte1", select Move or Copy, select Create a copy and move to end.

**NOTE: Only the items in blue are required for inactive committees.**

**SECTION A: INFORMATION SUBMITTED THROUGH ADVISORY COMMITTEE SUPPORTING SCHEDULE IN LEGISLATIVE APPROPRIATIONS REQUEST**

**Committee Name:** Equine Dental Provider Certifying Entity Committee

**Number of Members:** 3

**Committee Status (Ongoing or Inactive):** Ongoing  
Note: An Inactive committee is a committee that was created prior to the 2014-15 biennium but did not meet or supply advice to an agency during that time period.

**Date Created:** 3/28/2013 **Date to Be Abolished:** n/a

**Budget Strategy (Strategies) (e.g. 1-2-4):** A.1.1 **Strategy Title (e.g. Occupational Licensing):** Operate Licensure System

**Budget Strategy (Strategies):**   
**Strategy Title:**

**State / Federal Authority**  
 State Authority  
 State Authority  
 State Authority  
 Federal Authority  
 Federal Authority  
 Federal Authority

Select Type	Identify Specific Citation
Statute	Texas Occupations Code 801.163
Admin Code	577.5

**Advisory Committee Costs: This section includes reimbursements for committee member costs and costs attributable to agency staff support.**

**Committee Members' Direct Expenses**

	Expended Exp 2015	Estimated Est 2016	Budgeted Bud 2017
Travel	\$0	\$0	\$0
Personnel	\$0	\$0	\$0
Number of FTEs	0.0	0.0	0.0
Other Operating Costs	\$0	\$0	\$0
<i>Total, Committee Expenditures</i>	\$0	\$0	\$0

**Committee Members' Indirect Expenses**

	Expended Exp 2015	Estimated Est 2016	Budgeted Bud 2017
Travel	\$0	\$0	\$0
Personnel	\$0	\$0	\$0
Number of FTEs	0.0	0.0	0.0
Other Operating Costs	\$0	\$0	\$0
<i>Total, Committee Expenditures</i>	\$0	\$0	\$0

**Method of Financing**

	Expended Exp 2015	Estimated Est 2016	Budgeted Bud 2017
Method of Finance			
1 - General Revenue Fund	\$0	\$0	\$0
	\$0	\$0	\$0
	\$0	\$0	\$0
	\$0	\$0	\$0
	\$0	\$0	\$0
Expenses / MOFs Difference:	\$0	\$0	\$0

**Meetings Per Fiscal Year**

	0	0	0
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**Committee Description:** Texas Occupations Code 801.163 authorizes the board to appoint advisory committees to perform advisory functions as assigned by the board. This committee advises the board on the certification of Equine Dental Provider Entities.

**SECTION B: ADDITIONAL COMMITTEE INFORMATION**

Committee Bylaws: Please provide a copy of the committee's current bylaws and most recent meeting minutes as part of your submission.

1. When and where does this committee typically meet and is there any requirement as to the frequency of committee meetings?

2. What kinds of deliverables or tangible output does the committee produce? If there are documents the committee is required to produce for your agency or the general public, please supply the most recent iterations of those.

3. What recommendations or advice has the committee most recently supplied to your agency? Of these, which were adopted by your agency and what was the rationale behind not adopting certain recommendations, if this occurred?

4a. Does your agency believe that the actions and scope of committee work is consistent with their authority as defined in its enabling statute and relevant to the ongoing mission of your agency ?

4b. Is committee scope and work conducted redundant with other functions of other state agencies or advisory committees?

5a. Approximately how much staff time (in hours) was used to support the committee in fiscal year 2015?

5b. Please supply a general overview of the tasks entailed in agency staff assistance provided to the committee.

6. Have there been instances where the committee was unable to meet because a quorum was not present?

7a. What opportunities does the committee provide for public attendance, participation, and how is this information conveyed to the public (e.g. online calendar of events, notices posted in Texas Register, etc.)?

7b. Do members of the public attend at least 50 percent of all committee meetings?

7c. Are there instances where no members of the public attended meetings?

8. Please list any external stakeholders you recommend we contact regarding this committee.

9a. In the opinion of your agency, has the committee met its mission and made substantive progress in its mission and goals?

9b. Please describe the rationale for this opinion.

10. Given that state agencies are allowed the ability to create advisory committees at will, either on an ad-hoc basis or through amending agency rule in Texas Administrative Code:

10a. Is there any functional benefit for having this committee codified in statute?

10b. Does the scope and language found in statute for this committee prevent your agency from responding to evolving needs related to this policy area?

10c. If "Yes" for Question 10b, please describe the rationale for this opinion.

11a. Does your agency recommend this committee be retained, abolished or consolidated with another committee elsewhere (either at your agency or another in state government)?

11b. Please describe the rationale for this opinion.

12a. Were this committee abolished, would this impede your agency's ability to fulfill its mission?

12b. If "Yes" for Question 12a, please describe the rationale for this opinion.

13. Please describe any other suggested modifications to the committee that would help the committee or agency better fulfill its mission.

**ASSESSMENT OF ADVISORY COMMITTEES**  
**5/24/2016**  
**Texas Board of Veterinary Medical Examiners, Agency 578**

To assist in the process required by Chapter 2110, Texas Government Code, state agencies should submit an assessment of advisory committees using the format provided. Please submit your assessment for each advisory committee under your agency's purview. Include responses for committees created through statute, administrative code or ad-hoc by your agency. Include responses for all committees, whether ongoing or inactive and regardless of whether you receive appropriations to support the committee. Committees already scheduled for abolishment within the 2016-17 biennium are omitted from the scope of this survey. When submitting information for multiple advisory committees, right-click the sheet "Cmte1", select Move or Copy, select Create a copy and move to end.

**NOTE: Only the items in blue are required for inactive committees.**

**SECTION A: INFORMATION SUBMITTED THROUGH ADVISORY COMMITTEE SUPPORTING SCHEDULE IN LEGISLATIVE APPROPRIATIONS REQUEST**

**Committee Name:** Equine Dental Provider Continuing Education Advisory Committee

**Number of Members:** 3

**Committee Status (Ongoing or Inactive):** Ongoing  
Note: An Inactive committee is a committee that was created prior to the 2014-15 biennium but did not meet or supply advice to an agency during that time period.

**Date Created:** 3/28/2013 **Date to Be Abolished:** n/a

**Budget Strategy (Strategies) (e.g. 1-2-4):** A.1.1 **Strategy Title (e.g. Occupational Licensing):** Operate Licensure System

**Budget Strategy (Strategies):**   
**Strategy Title:**

**State / Federal Authority**  
 State Authority  
 State Authority  
 State Authority  
 Federal Authority  
 Federal Authority  
 Federal Authority

Select Type	Identify Specific Citation
Statute	Texas Occupations Code 801.163

**Advisory Committee Costs: This section includes reimbursements for committee member costs and costs attributable to agency staff support.**

**Committee Members' Direct Expenses**

	Expended Exp 2015	Estimated Est 2016	Budgeted Bud 2017
Travel	\$0	\$0	\$0
Personnel	\$0	\$0	\$0
Number of FTEs	0.0	0.0	0.0
Other Operating Costs	\$0	\$0	\$0
<i>Total, Committee Expenditures</i>	\$0	\$0	\$0

**Committee Members' Indirect Expenses**

	Expended Exp 2015	Estimated Est 2016	Budgeted Bud 2017
Travel	\$0	\$0	\$0
Personnel	\$0	\$0	\$0
Number of FTEs	0.0	0.0	0.0
Other Operating Costs	\$0	\$0	\$0
<i>Total, Committee Expenditures</i>	\$0	\$0	\$0

**Method of Financing**

	Expended Exp 2015	Estimated Est 2016	Budgeted Bud 2017
Method of Finance			
1 - General Revenue Fund	\$0	\$0	\$0
	\$0	\$0	\$0
	\$0	\$0	\$0
	\$0	\$0	\$0
	\$0	\$0	\$0
Expenses / MOFs Difference:	\$0	\$0	\$0

**Meetings Per Fiscal Year**

	0	0	0
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**Committee Description:** Texas Occupations Code 801.163 authorizes the board to appoint advisory committees to perform advisory functions as assigned by the board. This committee advises the board on the approval of Continuing Education opportunities for Equine Dental Providers.

SECTION B: ADDITIONAL COMMITTEE INFORMATION

Committee Bylaws: Please provide a copy of the committee's current bylaws and most recent meeting minutes as part of your submission.

1. When and where does this committee typically meet and is there any requirement as to the frequency of committee meetings? This committee has no requirement as to the frequency of committee meetings and has not met due to not having finalized appointments until 04/19/2016.. There are no bylaws. There are no minutes.

2. What kinds of deliverables or tangible output does the committee produce? If there are documents the committee is required to produce for your agency or the general public, please supply the most recent iterations of those.

This committees reviews applications from Equine Dental Provider Continuing Education providers seeking approval by the Board.

3. What recommendations or advice has the committee most recently supplied to your agency? Of these, which were adopted by your agency and what was the rationale behind not adopting certain recommendations, if this occurred?

This committee has not provided any recommendations or advice.

4a. Does your agency believe that the actions and scope of committee work is consistent with their authority as defined in its enabling statute and relevant to the ongoing mission of your agency ? Yes

4b. Is committee scope and work conducted redundant with other functions of other state agencies or advisory committees? No

5a. Approximately how much staff time (in hours) was used to support the committee in fiscal year 2015? 0.0

5b. Please supply a general overview of the tasks entailed in agency staff assistance provided to the committee.

Reviewing applications for EDP continuing education providers and providing the applications to the committee members for their input.

6. Have there been instances where the committee was unable to meet because a quorum was not present? No

Please provide committee member attendance records for their last three meetings, if not already captured in meeting minutes.

7a. What opportunities does the committee provide for public attendance, participation, and how is this information conveyed to the public (e.g. online calendar of events, notices posted in Texas Register, etc.)?

There are no opportunities for the public to participate.

7b. Do members of the public attend at least 50 percent of all committee meetings? No

7c. Are there instances where no members of the public attended meetings? Yes

8. Please list any external stakeholders you recommend we contact regarding this committee.

Josh Wallace, International Association of Equine Dentistry; PO Box 498 Whitesboro, TX 76273; Robin Mingione, Equine Dental Provider Association, 2305 S. Day Street Brenham, TX 77833

9a. In the opinion of your agency, has the committee met its mission and made substantive progress in its mission and goals? Yes

9b. Please describe the rationale for this opinion.

The matter of approving continuing education for EDPs is very narrow and requires a specific body of knowledge. It is helpful for the Board to receive advice from committee members in order to make a fully informed decision. The Board also does not have a representative Board member from this license type so this advisory committee provides a way to liason with these licensees and build trust and rapport.

10. Given that state agencies are allowed the ability to create advisory committees at will, either on an ad-hoc basis or through amending agency rule in Texas Administrative Code:

10a. Is there any functional benefit for having this committee codified in statute? No

10b. Does the scope and language found in statute for this committee prevent your agency from responding to evolving needs related to this policy area? No

10c. If "Yes" for Question 10b, please describe the rationale for this opinion.

11a. Does your agency recommend this committee be retained, abolished or consolidated with another committee elsewhere (either at your agency or another in state government)? Retain

11b. Please describe the rationale for this opinion.

While this committee doesn't meet frequently, the subject matter is narrow. The committee's advice is helpful to the Board, and no other committee - inside or outside of the agency - could perform its duties.

12a. Were this committee abolished, would this impede your agency's ability to fulfill its mission? Yes

12b. If "Yes" for Question 12a, please describe the rationale for this opinion.

There are no other entities that are certifying CE opportunities for EDPs and without this committee, there would be no oversight on the quality of the CE provided as required in the Veterinary Licensing Act for EDPs to continue to be licensed.

13. Please describe any other suggested modifications to the committee that would help the committee or agency better fulfill its mission.