

BEFORE THE BOARD OF VETERINARY MEDICINE
DEPARTMENT OF LABOR AND INDUSTRY
STATE OF MONTANA

In the matter of the adoption of NEW) NOTICE OF ADOPTION
RULE I military training or experience)

TO: All Concerned Persons

1. On March 27, 2014, the Board of Veterinary Medicine (board) published MAR Notice No. 24-225-38 regarding the public hearing on the proposed adoption of the above-stated rule, at page 574 of the 2014 Montana Administrative Register, Issue No. 6.

2. On April 18, 2014, a public hearing was held on the proposed adoption of the above-stated rule in Helena. Two comments were received by the April 25, 2014, comment deadline.

3. The board has thoroughly considered the comments received. A summary of the comments and the board's responses are as follows:

COMMENT 1: One commenter questioned how the board would review military training if no board members had served in the armed forces. The commenter discussed continuing education (CE) hours that may be gained through serving in the reserves, expressed confusion and asked detailed questions about how the CE hours would be dealt with and how military training is defined. The commenter opined that small businesses would be affected because of the trouble entailed in getting CE credit through military training.

RESPONSE 1: The board appreciates all comments received during the rulemaking process. The board notes that this new rule does not address continuing education, but is intended to allow the board to consider relevant professional training obtained by an applicant while serving in the armed forces. Based on the language of the implemented statute, 37-1-145, MCA, it is clear to the board that the provisions apply to licensure applicants only, and not to CE for license renewal.

COMMENT 2: One commenter provided information that certain military personnel (reservists and national guardsmen who have never been activated) in fact do not receive a DD 214 form upon their discharge from the military. Because the rule may be interpreted to absolutely require a DD 214 from all applicants who wish to submit evidence of relevant military training, service, or education as part of the licensure process, the commenter suggested the board amend this new rule to allow consideration of other evidence of military discharge in addition to or in lieu of a DD 214 form.

RESPONSE 2: The board agrees with the suggestion and is amending the new rule accordingly.

4. The board has adopted NEW RULE I (ARM 24.225.506) with the following changes, stricken matter interlined, new matter underlined:

NEW RULE I MILITARY TRAINING OR EXPERIENCE (1) through (2) remain as proposed.

(3) An applicant must submit satisfactory evidence of receiving military training or education that is equivalent to relevant licensure requirements under this chapter. ~~At a minimum, satisfactory~~ Satisfactory evidence ~~shall include~~ includes:

(a) a copy of the applicant's military discharge document (DD 214 or other discharge documentation);

(b) through (4) remain as proposed.

BOARD OF VETERINARY MEDICINE
BRUCE SORENSEN, DVM, PRESIDENT

/s/ DARCEE L. MOE
Darcee L. Moe
Rule Reviewer

/s/ PAM BUCY
Pam Bucy, Commissioner
DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State June 2, 2014