

Proposed Changes to the AAVSB Practice Act Model

As recommended by the AAVSB Regulatory Policy Committee in April 2025

The AAVSB's Regulatory Policy Committee (RPC) recommends the following changes to the Practice Act Model.

- **Section 104. Definitions:**
 - Two new definitions were created:
 - Medical Record
 - Staff
- **Section 401. Grounds, Penalties, and Reinstatements:**
 - Language was added to 401(a)(8) in response to AAVSB Member feedback.
 - An additional bullet is to be added as a new 401(a)(9).
- **Section 501 and 502:**
 - Most of both sections will be removed as it was deemed to be regulatory, not statutory, language and much of the applicable regulatory language in 501 and 502 has been moved to the Medical Recordkeeping Model Regulations.
 - Language in 501(a) and (d) was maintained in the PAM but modified.

Please note that feedback to the RPC, and the RPC's response was impossible to include in-line in the model documents due to the amount and length of comments. The Member Board feedback and the RPC's response will be included at the end of each document. Original line references in the comments have been modified to account for new line numbers in these final documents.

Respectfully submitted,

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AAVSB Chief Veterinary Officer
RPC Committee Staff

Article I. Title, Purpose, and Definitions

Section 104. New Definitions

Medical Record means any form of documentation that provides a current and accurate account of a Patient's history and medical information.

Staff means all persons working within the Veterinary Facility including, but not limited to, employees, Veterinary Students, Veterinary Technician Students, interns, preceptors, and volunteers.

Article IV. Discipline

Section 401. Grounds, Penalties, and Reinstatements

- (a) (8) Failure to provide Medical Records, relevant financial information, or other documentation in a timely fashion upon request by ~~the Client~~, law enforcement, the Board, or other regulatory agency.
- (9) Failure to provide Medical Records, Client invoices, cost estimates, and payment history information in a timely fashion upon request by a Client.

Article V. Medical Records and Confidentiality.

Section 501. Medical Records and Confidentiality.

~~Each Veterinarian and Veterinary Technician Licensees~~ who engages in the Practice of Veterinary Medicine ~~and or~~ Veterinary Technology, ~~respectively~~, shall maintain current and accurate Medical Records. ~~The Board shall promulgate regulations pertaining to the requirements for Medical Records, including but not limited to the following: standards and criteria for information which to be maintained in the Medical Records shall be established in regulations promulgated by the Board and shall include, at a minimum:~~

- (a) Identification of the Patient and Client;
- (b) Client's contact information;
- (c) Content required regarding Patient care;
- ~~(e)(d)~~ The preparation creation, content, and maintenance, and transfer release of Medical Records; and
- ~~(d)(e)~~ The transfer of Medical Records; and
- ~~(e)(f)~~ Confidentiality provisions.

Licensees must cooperate with any Board investigation or request duly issued by the Board including the disclosure of and right to inspect Medical Records subject to Article IV, Section 401(a)(8) and any other applicable provision of the law.

COMMENTARY

Section 401(a)(8) provides proper authority for the Board to request payment history, and Section 401(a)(12) provides the Board authority to discipline a Licensee for fraud, including improper or fraudulent billing practices. The authority granted in these two sections, as well as the authority granted in section 501, allow the Board to obtain medical records, payment history, prescriptions, and other documentation required during a disciplinary investigation. It also allows the Board to discipline a Licensee for failing to provide this information to a Client.

Article V Member Board Feedback and RPC Response

Line	Commenter	Feedback	RPC Response
Article V			
1	AAVSB Board of Directors (BOD)	The AAVSB Board of Directors (BOD) would like to thank the Regulatory Policy Committee for all the hard work and dedication that has gone into both the creation of the new model regulation and the suggested amendments for Article V.	Thank you. The members of the Regulatory Policy Committee (RPC) are grateful for the opportunity to provide this service to AAVSB Membership.
23	BOD	<p>The AAVSB Board of Directors (BOD): Does this cover all the proposed requirements in the model regulations, such as prescriptions and / or financial information such as estimates / payments received, etc.?</p> <p>The BOD understands that there are varying abilities of each Board to examine financial information, and whether or not it can be included in the medical record. It is noted that financial information is not included in the medical record requirements but must be supplied by the facility upon request. The BOD wonders if there should be statutory authority to do so but doesn't see it here. If the RPC agrees that it should be included, can the RPC consider adding it either here, or perhaps find another place in the PAM to insert this language? The BOD would also request commentary on the RPC's decision to exclude / include this language.</p>	<p>The RPC examined this issue closely and believes that this question will be resolved by adding language to PAM Section 401 (a)8 and the new Section 401(a)9. For example, 401(a)8 now reads "Failure to provide medical records, <i>relevant financial information, or other documentation</i> in a timely fashion upon proper request by law enforcement, the Board, or other regulatory agency." Section 401(a)9 says: <i>Failure to provide Medical Records, Client invoices, cost estimates, and payment history information in a timely fashion upon request by a Client.</i></p> <p>The RPC believes this addition provides the proper authority for the Board to request payment history, estimates, invoices, and other documentation that is not part of the medical record. Thank you for bringing this issue to light.</p>

23	Jessica Sieferman	This section does not seem to apply to written prescriptions. To support Section 3 of the written prescriptions, you may want to consider a separate model statute specific to written prescription.	The definition Medical Record is “any form of documentation that provides a current and accurate account of a Patient’s history and medical information.” The RPC considered this concern and believes that medication prescribed is included in a Patient’s medical information. Thank you for bringing this question to our attention.
35	Kentucky Board of Veterinary Examiners (KBVE)	Add to the end of the line, "...Medical Records, in accordance with regulations promulgated by the Board."	The introductory paragraph states: “The standards and criteria for information to be maintained in the Medical Records shall be established in regulations promulgated by the Board and shall include, at a minimum:...” The RPC reviewed this comment and believes that the needs are met.
37	College of Veterinarians of Ontario (CVO)	Would “release of medical record information” be better?	RPC agrees. Thank you.