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To: Mr. Jared B. Granier
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From: Farra Mughal
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Occupational Licensing Review Program

Date: November 17, 2026

Subject: Louisiana Board of Veterinary Medicine
Proposed Amendments to LAC 46:LXXXV.309 and 807- Temporary Registration during a Declared Public Health Emergency

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I. SUMMARY

Louisiana Board of Veterinary Medicine (the "***Board***") proposes amending LAC 46:LXXXV. 309 and 807 (the "***Proposed Amendments***") relative to the rules governing temporary registration for out-of-state veterinarians and veterinary technicians to provide services within the state during a gubernational-declared public health emergency. The Proposed Amendments (i) streamline the process for out-of-state veterinarians to register with the Board to practice veterinary medicine, (ii) remove the restriction limiting temporarily registered veterinarians to only provide gratuitous services, (iii) clarify that an out-of-state veterinarian practicing veterinary medicine without a valid temporary registration issued by the Board may be subject to disciplinary action and/or prosecution, and (iv) establish procedures for temporary registration for out-of-state veterinary technicians.

The Board published a Notice of Intent to promulgate the Proposed Amendments on September 20, 2026.[1] The Board invited public comments on the Proposed Amendments through October 10, 2026, and received no written comments.[2]

Pursuant to La. R.S. 49:260, the Board submitted the Proposed Amendments to the Louisiana Department of Justice's Occupational Licensing Review Program ("***OLRP***") on October 16, 2026. The OLRP invited public comments on the Proposed Amendment October 16, 2026 through October 30, 2026, and received no comments.

[1] Louisiana Register, Vol. 52, No. 9 , at pgs. 1530-1531
[2] Id. at 1531

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The OLRP has the statutory authority to review the substance of each proposed occupational regulation submitted to ensure compliance with clearly articulated state policy and adherence to applicable state law.[3] An occupational regulation is a "rule defined in the Administrative Procedure Act that has reasonably foreseeable anticompetitive effects. Any license, permit, or regulation established by a … Commission not composed of a controlling number of active market participants is excluded."[4] Anticompetitive behavior is an act, or series of acts, that have the effect of harming the market or the process of competition among businesses, or a tendency to reduce or eliminate competition, with no legitimate business purpose.[5]

The Louisiana Administrative Procedure Act (the "***Louisiana APA***") defines a rule as any agency statement, guide, or requirement of general applicability that implements or interprets substantive law or policy, or that prescribes agency procedures or practices, excluding statements governing only internal agency management, declaratory rulings or orders, and provisions adopting, increasing, or decreasing fees.[6] The term includes provisions establishing fines, penalties, preferential status, or licensure or certification criteria, as well as the amendment of an existing rule. A rule may be generally applicable, even if it applies only to an identifiable class or a limited geographical area.

Registration requirements may function as barriers to market competition and the Proposed Amendments to §§309 and 807 are therefore properly considered occupational regulations with reasonably foreseeable anti-competitive effects.[7]

As set forth below, the OLRP has determined the Board's Proposed Amendments to LAC 46:LXXXV.309 and 807 are within the Board's statutory authority and adhere to clearly articulated state policy. Therefore, the ORLP approves the Proposed Amendments for adoption as drafted in accordance with the Louisiana APA.

II. ANALYSIS

The Board is a state regulatory body created "to promote the public health, safety, and welfare by safeguarding the people of this state against incompetent, dishonest, or unprincipled practitioners of veterinary medicine."[8] The Board has been granted the statutory authority to adopt, amend, or repeal all rules and regulations necessary to serve its purpose, including establishing standards of professional conduct for the practice of veterinary medicine, in accordance with the provisions of the APA.[9]

[3] La. R.S. 49:260(D)(2).
[4] La. R.S. 49:260(G)(4).
[5] Black's Law Dictionary, 12th Edition p. 116
[6] La. R.S. 49:951(8).
[7] La. R.S. 49:260 G(4)
[8] La. R.S. 37:1511
[9] La. R.S. 37:1518 (A)(9), La. R.S. 37:1558

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A. Proposed LAC 46: LXXXV.309- Temporary Registration during a Declared Public Health Emergency

The Board proposes amending §309 to (i) streamline the process for out-of-state veterinarians to register with the Board to practice veterinary medicine within the state during a gubernational-declared emergency, (ii) to remove the restriction limiting temporarily registered veterinarians to only provide gratuitous services, and (iii) clarify that an out-of-state veterinarian practicing veterinary medicine without a valid temporary registration issued by the Board may be to disciplinary actions and/or prosecution.

The Board is authorized to determine the qualifications and fitness of applicants for licensure. [10] The Board is further authorized to issue, renew, deny, suspend, or revoke licenses and temporary permits to practice veterinary medicine in the state.[11] Further, under La. R.S. 29:769(E), the Board is specifically authorized to expedite emergency registration for providers with current, unrestricted credentials in good standing, to require registration before providing professional services, and to limit services to gratuitous care at its discretion during a public health emergency. As such, it is within the Board's authority to establish the procedure for out-of-state veterinarians to practice in state during a gubernational-declared emergency.

While registration requirements may function as barriers to market entry, the Proposed Amendment does not expand or impose additional requirements. Rather, it removes an existing restriction on temporarily registered out-of-state veterinarians by allowing them to receive compensation for their services during emergencies and clarifies the potential legal consequences of practicing without valid registration.

By removing the restriction that out-of-state veterinarians may only provide gratuitous services during a state declared public health emergency, the Proposed Amendment may encourage out-of-state veterinarians to respond during emergencies, thereby improving the public's access to essential veterinary care. Out of state veterinarians seeking temporary registration shall complete and submit an application, which includes the disclosure of all licenses currently held in a state, territory, or district of the United States and provide licensure verification from all United States jurisdictions in which licenses are currently held. A temporary registration must be issued by the Board prior to an out-of-state veterinarian rendering any veterinary services in Louisiana. Further, a veterinarian holding a temporary registration issued by the Board must comply with the Louisiana Veterinary Practice Act, Board rules, and other applicable laws or face disciplinary action, termination of the registration, and/or prosecution.

Requiring verification of every current license before issuance of a temporary registration may delay or prevent a veterinarian from taking a short assignment during a public health emergency. However, credential verification ensures that emergency providers meet statutory eligibility standards and protects the public by ensuring only qualified veterinarians practice during a public health emergency. Disciplinary action may remove a temporary permit from the market but is

[10] La. R.S. 37:1518(A)(1)
[11] La. R.S. 37:1511

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reasonably necessary to protect the public from unlawful, unsafe, or unqualified practice of veterinary medicine.

Accordingly, the Proposed Amendment is within the Board's statutory authority and adheres to clearly articulated state policy. The Board may proceed with promulgation of this amendment in accordance with the APA.

B. Proposed LAC 46: LXXXV.807- Temporary Registration during a Declared Public Health Emergency

The Board proposes amending §807 to require out-of-state veterinary technicians to (i) register with the Board prior to providing services within the state during declared public health emergencies, (ii) limit duration of the temporary registrations, (iii) clarify that failure to register with the Board or failure to comply with all applicable rules and laws would subject the veterinary technician to disciplinary actions and/or prosecution.

Currently §807, prohibits the issuance of temporary permits for certification of approval for veterinary technicians under any circumstances.

The Louisiana Legislature enacted Chapter 18-a of the Louisiana Veterinary Practice Law regarding Veterinarian Technicians to encourage the more effective utilization of the skills of licensed veterinarians by enabling them to delegate certain veterinary health care tasks to registered veterinary technicians where such delegation is consistent with the animal patient's health and welfare.[12] The Board is authorized to adopt, amend, repeal, and establish all rules necessary for its government and all regulations necessary to carry into effect the provisions of Chapter 18-a.[13] Further, the Board is authorized to issue emergency temporary registrations, set the eligibility, prior registration, and duration requirements of such during declared public health emergencies.[14] As such, it is within the Board's authority to eliminate the prohibition of out-of-state veterinary technicians to provide services within the state and to establish the procedures for temporary registration to practice in state during a gubernational-declared emergency.

While registration requirements may function as barriers to market entry, the Proposed Amendment reduces those barriers by eliminating the prohibition of qualified out-of-state veterinary technicians to provide temporary services within the state during declared public health emergencies.

By permitting the registration of qualified out-of-state veterinary technicians to provide services during declared emergencies, the Proposed Amendment is likely to serve the Board's public protection purpose by increasing the public's access to qualified veterinary care. Requiring disclosure and verification of all licenses, certificates, or registrations currently held ensures the Board can confirm eligibility to perform veterinary services under supervision and protect the public from incompetent, dishonest, or unprincipled practice of veterinary medicine.

[12] La. R.S. 37:1541
[13] La. R.S. 37:1549(A)(1)
[14] La. R.S. 29:769(E)

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The OLRP finds the Proposed Amendment is an occupational regulation with reasonably foreseeable anticompetitive effects within the Board's statutory authority and adheres to clearly articulated state policy. The Board may proceed with promulgation of this amendment in accordance with the APA.

III. DETERMINATION

The Board is a state regulatory body created to govern the professional conduct of the members of the veterinary profession in the state of Louisiana.[15] The Board holds the statutory authority to adopt, amend, or repeal all rules necessary to ensure the standards of professional conduct for the practice of veterinary medicine are met and upheld.[16]

The OLRP finds that the Proposed Amendments are occupational regulations with reasonably foreseeable anticompetitive effects under La. R.S. 49:260, are within the Board's statutory authority, and adhere to clearly articulated state policy. As such, the Proposed Amendments are approved as submitted to the Attorney General and may be adopted by the Board in accordance with the Louisiana APA.

OFFICE OF THE ATTORNEY GENERAL
OCCUPATIONAL LICENSING REVIEW PROGRAM



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[15] LAC 46: LXXXV.1001 (A)
[16] La. R.S. 37:1518(A)(9)