Disciplinary Policy

Introduction

a. CACVT has been appointed by the Colorado State Board of Veterinary Medicine ("SBVM") to be a Veterinary Technician Credentialing Organization as defined in Colorado Revised Statute Section 12-315-104(25) of the Colorado Veterinary Practice Act (the "VPA"). CACVT is also a professional association for the profession of veterinary technicians in the state of Colorado.

b. CACVT's primary purpose is to establish credentialing criteria and verify credentials for veterinary technicians in the State of Colorado as set forth in the VPA and to verify that persons have met, and continue to meet on a regular basis, the established criteria necessary for persons to qualify for registration with the State of Colorado as a "*Registered Veterinary Technician*" or a "*Veterinary Technician*" under the VPA and its underlying rules and regulations. The CACVT Board of Directors (the Board) may establish appropriate credentialing fees from time to time to support this purpose.

c. Veterinary technicians are persons who have met the credentialing requirements set forth by CACVT and in the VPA. Additionally, CACVT shall permit the credentialing of provisional registrants who meet the work experience and testing requirements specified in Section 12-315-203(4)(c) of the VPA.

d. These Policies apply to all complaints or inquiries received by CACVT about a Veterinary Technician. **The purpose of the Disciplinary Policy is to outline the process for discipline that may result in revocation or suspension of a credential as a veterinary technician in the State of Colorado.**

e. Individuals or entities initially bringing complaints are not entitled to any legal relief or any damages by virtue of this process, although they will receive notice of any action taken by CACVT.

Authority To Discipline

a. Section 12-315-201(1)(b) of the VPA provides CACVT the authority to discipline veterinary technicians.

b. CACVT's bylaws also provide it with the authority to govern and discipline veterinary technicians.

Grounds For Revocation or Suspension

a. Credentialing certificates shall remain the property of CACVT and shall be repossessed, and the individual may have their ability to use the titles "Veterinary Technician," Registered Veterinary Technician," "VT," or "RVT" suspended or revoked when the credentialed individual:

   i. Violates provisions of CACVT's Bylaws or Part 2 of the VPA to obtain issuance of credentials.

   ii. Fails to abide by the Veterinary Medical Ethics and Code of Conduct promulgated by the SBVM.

iii. Loses registration as a veterinary technician with the State of Colorado as a result of disciplinary action, including the revocation or suspension of a credential in another state due to a violation.

iv. Commits fraud, misrepresentation, or deception in attempting to obtain or in obtaining a credential or renewing a credential, including reporting of continuing education.

v. Fails to comply with any conditions of probation as established by CACVT.

Complaints And Investigations

Complaints

Anyone can file a complaint against a veterinary technician online at www.cacvt.org by completing a Veterinary Technician Complaint Form. The complaint will be reviewed by CACVT's Credentialing Council to determine if there is a potential violation warranting investigation. Many complaints will need to be directed to the Colorado State Board of Veterinary Medicine. If you are unsure, please reach out to regulation@cacvt.org for further discussion. If investigation reveals evidence warranting action, the individual subject to the complaint will be notified in writing and given full opportunity to respond in writing and/or through a hearing before the Credentialing Council as outlined in this policy.

Investigative Process

a. The CACVT Executive Director shall assemble all available information and facts concerning the complaint. The Executive Director shall have the authority to:

   i. Determine the merits of the complaint

   ii. Collect facts and evidence

   iii. Dismiss the complaint or close the case, if resolved

   iv. Refer the complaint to the Credentialing Council with a recommendation

b. The Credentialing Council or a committee empowered or assigned to investigate a complaint or violation shall, in addition, have the authority to:

   i. Interview the individual and any witnesses

   ii. Issue a letter of warning or a letter of reprimand

   iii. Recommend specific disciplinary action to the full Credentialing Council

c. Following the investigation, a summary report shall be prepared outlining the substance of the complaint, the evidence reviewed and the process of investigation. The report, with copies of all evidence and other information pertinent to the complaint, shall be made confidential and forwarded to the Credentialing Council. The following recommendations, in addition to other actions, are open to the investigating committee:

   i. The facts do not support the charges or the taking of disciplinary action.

   ii. The violation is a misunderstanding of CACVT's Bylaws or the grounds for discipline by the individual and the matter has been corrected.

   iii. The violation is a serious matter, and the facts justify disciplinary action as recommended by the Executive Director or appropriate committee.

Discipline Which May Be Imposed

a. *Letter of warning or reprimand*.

   i. A letter of warning or reprimand carries with it no loss of credentials. The purpose is to place a veterinary technician on notice that a particular action is not condoned and to cease the particular conduct.

b. *Probation*.

   i. Probation may only be imposed by CACVT's Credentialing Council. Probation serves as warning to the individual that the conduct is contrary to CACVT's Bylaws, requirements of credentialing, or grounds for discipline.

   ii. Probation shall be conditioned on the individual's future good conduct. Additional reasonable conditions may be set forth in the terms of probation.

   iii. Probation shall be imposed for a specified period of not more than one year and without loss of credentials.

c. *Suspension*.

   i. Suspension means all the ability to use credentials as a veterinary technician are forfeited during the suspended period. Suspension shall be conditional for a specified period at the termination of which full credentials may be restored.

   ii. Suspension shall be imposed for a period of not more than one year.

d. *Revocation of Credentials*.

   i. Revocation means the person cannot use the title "Veterinary Technician" or "Registered Veterinary Technician" or the initials VT or RVT.

Notice Of Suspension or Revocation of Credentials

a. An individual who has received a notice of suspension or revocation of their credentials ("Respondent") shall be given not less than thirty days' prior written notice of probation or their credential suspension or revocation and the reasons therefore.
b. Before a disciplinary penalty involving suspension or termination of credentials becomes effective, the following procedures regarding the right to a hearing shall be followed:
   i. *Hearing*: The Respondent shall be informed that the Respondent is entitled to a hearing. During such hearings, the Respondent shall be given the opportunity to present a defense to all charges brought against the Respondent. Requests for hearings shall be in writing and directed to the Chair of the Credentialing Council and received within 30 days after the Respondent has been notified of the charges and opportunity for a hearing.
   ii. *Charges*: The written charges shall include a copy of the alleged violations and/or a copy of the law, regulations, bylaws, or policies and procedures alleged to have been violated.
c. If no request for a hearing is made or if the Respondent fails to attend the hearing within the time provided, the decision shall take effect on the date specified.
d. A Respondent desiring to appeal the Council's decision can follow the Appeals Procedures set forth in *Section VIII* below.

Hearing and Hearing Panel

a. *Hearing*. In the event a hearing is requested by the Respondent, the hearing shall be held not later than three (3) months after the response of the Respondent is filed with CACVT's Credentialing Council. The hearing panel shall consist of the Credentialing Council minus any members of the Appeals and Reinstatement Task Force. The Chair shall not vote in the outcome of the hearing.

b. *Proceedings and Decisions*. The proceedings may be recorded. A court reporter may be provided at the Respondent's expense. Formal rules of evidence shall not apply to the hearing. Either CACVT or the Respondent may, at their option, have legal counsel present to advise them. The hearing panel shall make a decision in writing within thirty (30) days of any such hearing with a copy of the decision being sent to the Respondent by certified mail, return receipt requested, which decision shall set forth findings of fact and conclusions and shall, in the event discipline is decided upon, set forth specific dates, terms and conditions of such discipline.

Appeals Policy

Purpose

The purpose of the Appeals Policy is to outline the process for appealing a credentialing decision or disciplinary decision that results in revocation or suspension of credentials.

Appeals Process

A Respondent may appeal all or a portion of the decision within the time period outlined in this section. To initiate an appeals process, the Respondent must submit a written appeal to CACVT within thirty days of the notification date of an adverse credentialing or disciplinary decision, and include the following information:

a. The credentialing or disciplinary case name and date of decision.
b. A statement based on the Grounds for Appeal and a complete explanation of the reasons the Respondent believes the decision should be overturned or modified.
c. Materials supporting the appeal.
d. The Appeals Task Force may request additional information or clarification of the information provided in the initial appeal. The Appeals Task Force may also contact the Respondent to offer an opportunity to provide oral testimony either in-person or by virtual meeting.
    i. *Appeals Task Force.* The Chair of the Credentialing Council shall establish an appellate body consisting of at least three but not more than five credentialed veterinary technicians, who are responsible for resolving all appeals concerning credentialing or disciplinary decisions. This Appeals Task Force may review one or more appeals, upon request of the Chair. No Appeals Task Force member may participate in an appeal where the member has had a business, employment, or personal relationship, or other possible conflict of interest with the individual appealing a decision.

Grounds for Appeal

a. Procedural error
b. New or previously unknown information
c. Misapplication of the Disciplinary Policy

Surrender Of Credentials

a. If a Respondent who is the subject of a complaint voluntarily surrenders their credentials any time during the pendency of a complaint under this Policy, the complaint shall be dismissed without further action by the Credentialing Council or Appeals Task Force (if so established).

b. The entire record of the individual who surrendered their credentials shall be maintained by CACVT as confidential. However, notwithstanding the foregoing, CACVT may communicate the fact and the date of the surrender of credentials, and the fact and general nature of the complaint, which was pending at the time of the resignation, at the request of a governmental entity engaged in the administration of the law, or as otherwise required by law.

c. Similarly, in the event of such surrender of credentials, the Respondent's employer and the person or entity who submitted the complaint shall be notified of the fact and date of resignation and that CACVT has dismissed such complaint.

Reinstatement Policy

a. Individuals who have had their credentials suspended or revoked may apply for reinstatement as set forth in the VPA or the regulations promulgated under the VPA and/or as determined by the Credentialing Council. The Credentialing Council has complete authority to decline a request for reinstatement.

b. The Chair of the Credentialing Council shall appoint a Reinstatement Task Force which shall review all matters concerning reinstatement. Such task force will recommend appropriate actions in all situations, for final approval of the Credentialing Council. An individual who is denied reinstatement may appeal the decision as outlined in the Appeals Policy but has no right of formal appeal under these Policies and Procedures.

This Disciplinary Policy, Appeals Policy, and Reinstatement Policy were adopted by the Board of Directors effective December 5, 2022. With the creation of the Credentialing Council in July 2023, these policies may now be changed by the Council in its sole discretion.