**Section 1500.51 Impaired Veterinarian Program of Care, Counseling or Treatment**

a) Section 24.1 of the Act requires the Division to establish a program of care, counseling or treatment for impaired veterinarians.

b) Definitions

1) *"Impaired veterinarian" means a veterinarian who is unable to practice veterinary medicine with reasonable skill and safety because of a physical or mental disability as evidenced by a written determination or written consent based on clinical evidence, including deterioration through the aging process, loss of motor skills, or abuse of drugs or alcohol of sufficient degree to diminish a person's ability to deliver competent patient care.*

2) *"Program of care, counseling, or treatment" means a written schedule of organized treatment care, counseling, activities, or education satisfactory to the Board, designed for the purpose of restoring an impaired person to a condition whereby the impaired person can practice veterinary medicine with reasonable skill and safety of sufficient degree to deliver competent patient care.*  [225 ILCS 115/24.1]

c) Program of Care, Counseling or Treatment

1) A veterinarian who has been determined by a qualified health care professional to be impaired shall enter into an agreement with the Division in which the veterinarian agrees to participate in a program designed to provide care and treatment specifically for health care professionals and which has been approved by the Division. The agreement may include, but not be limited to, the length of the program, the status of the licensee while in a treatment program, and a termination clause whereby both parties may terminate the agreement at any time.

2) All progress reports of treatment and participation in a treatment program shall be sent to the Division every 60 days. A relapse or non-compliance with the treatment program shall be reported to the Division immediately. All reports shall be signed by a licensed physician, clinical psychologist, licensed clinical social worker, licensed professional counselor or clinical professional counselor or other substance abuse professional approved by the Division.

3) An impaired veterinarian shall continue in an after care program until he/she is released upon successful completion of the structured treatment program.

4) If a veterinarian is being treated for alcohol or drug abuse:

A) The person shall submit progress reports from any sponsors in Narcotics Anonymous or Alcoholics Anonymous or other after care programs to the Division on a quarterly basis.

B) The person shall submit to random drug and alcohol screenings and the results shall be submitted to the Division by the treatment program. The impaired veterinarian is responsible for the cost of the reports. The Division shall be notified immediately by the treatment program if the person fails to submit to the random drug and alcohol screenings.

d) All reports required shall be submitted to the Probation Compliance Supervisor, Illinois Department of Financial and Professional Regulation-Division of Professional Regulation, 100 West Randolph Street, Suite 9-300, Chicago, Illinois 60601.

e) The contents of any report shall be strictly confidential and shall be exempt from public disclosure. The reports shall be reviewed only by the following:

1) The Veterinary Licensing and Disciplinary Board.

2) Designated Department attorney.

3) Administrative personnel assigned to open mail containing reports and to process and distribute the reports to authorized persons, and to communicate with senders of reports.

4) The individual who is the subject of the report, his/her attorney or his/her authorized representative.

f) The reports may also be handled or processed by other designated persons in a limited manner necessary to implement reports required under the Act or this Section by computer, word processing equipment or other mechanical means. The data record shall be limited to the name and address of the originator of the report, the date the initial report was received, the date of the most recent report and the professional license number of the subject of the report.

g) The contents of the confidential reports relating to impaired persons shall not be used or made available in any other administrative proceedings before the Division or any other department; however, violations of the treatment or supervision plan will result in a review of the person's status by the Veterinary Licensing and Disciplinary Board or its designee for possible discipline or revision in the treatment program. The reports shall not be disclosed, made available or subject to subpoena or discovery proceedings in any civil or criminal court proceedings.

h) Upon determination by the Board that a report on an impaired person is no longer required for review and consideration, the Board shall notify the maker of the reports to cease sending the reports, and the Board and Division records shall be purged of information contained in the reports. Board determinations shall be based on, but not be limited to: the type of impairment and the type of rehabilitation program, length of supervision, occurrence of any relapses and present status of the license.

(Source: Amended at 31 Ill. Reg. 15772, effective November 13, 2007)