

**TITLE 1            GENERAL GOVERNMENT ADMINISTRATION**  
**CHAPTER 18       EXECUTIVE RECORDS RETENTION AND DISPOSITION SCHEDULES (ERRDS)**  
**PART 479          ERRDS, BOARD OF VETERINARY MEDICINE**

**1.18.479.1        ISSUING AGENCY:** State Commission of Public Records - State Records Center and Archives  
[1.18.479.1 NMAC - Rp, 1.18.479.1 NMAC, 5/2/2005]

**1.18.479.2        SCOPE:** board of veterinary medicine  
[1.18.479.2 NMAC - Rp, 1.18.479.2 NMAC, 5/2/2005]

**1.18.479.3        STATUTORY AUTHORITY:** Section 14-3-6 NMSA 1978. The administrator shall establish a records management program for the application of efficient and economical management methods for the creation, utilization, maintenance, retention, preservation and disposal of public records.  
[1.18.479.3 NMAC - Rp, 1.18.479.3 NMAC, 5/2/2005]

**1.18.479.4        DURATION:** permanent  
[1.18.479.4 NMAC - Rp, 1.18.479.4 NMAC, 5/2/2005]

**1.18.479.5        EFFECTIVE DATE:** May 2, 2005, unless a later date is cited at the end of a section.  
[1.18.479.5 NMAC - Rp, 1.18.479.5 NMAC, 5/2/2005]

**1.18.479.6        OBJECTIVE:** To establish a records retention schedule for the orderly management and retirement of records necessary for carrying out the Public Records Act per Section 14-3-6 NMSA 1978.  
[1.18.479.6 NMAC - Rp, 1.18.479.6 NMAC, 5/2/2005]

**1.18.479.7        DEFINITIONS:**

- A.        "Administrator"** means the state records administrator (Section 14-3-2 NMSA 1978).
- B.        "Agency"** means any state agency, department, bureau, board, commission, institution or other organization of the state government, the territorial government and the Spanish and Mexican governments in New Mexico (Section 14-3-2 NMSA 1978).
- C.        "Archives"** means the state archives of the commission of public records.
- D.        "Disposition"** means final action that puts into effect the results of an appraisal decision for a series of records (i.e., transfer to archives or destruction).
- E.        "Microphotography"** means the transfer of images onto film and electronic imaging or other information storage techniques that meet the performance guidelines for legal acceptance of public records produced by information system technologies pursuant to regulations adopted by the commission of public records.
- F.        "Non-record"** means extra copies of documents kept solely for convenience of reference, stocks of publications, records not usually included within the scope of the official records of an agency or government entity, and library material intended only for reference or exhibition. The following specific types of materials are non-records: materials neither made nor received in pursuance of statutory requirements nor in connection with the functional responsibility of the officer or agency; extra copies of correspondence; preliminary drafts; blank forms, transmittal letters or forms that do not add information; sample letters; and reading file or informational files.
- G.        "Public record"** means all books, papers, maps, photographs or other documentary materials, regardless of physical form or characteristics, made or received by any agency in pursuance of law or in connection with the transaction of public business and preserved, or appropriate for preservation, by the agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations or other activities of the government, or because of the informational and historical value of data contained therein (Section 14-4-2 NMSA 1978).
- H.        "Records custodian"** means the statutory head of the agency using or maintaining the records or the custodian's designee.
- I.        "Records management"** means the systematic control of all records from creation or receipt through processing, distribution, maintenance and retrieval, to their ultimate disposition.
- J.        "Records retention and disposition schedule"** means rules adopted by the commission pursuant to Section 14-3-6 NMSA 1978 describing records of an agency, establishing a timetable for their life cycle and providing authorization for their disposition.

**K.** “Retention” means the period of time during which records must be maintained by an organization because they are needed for operational, legal, fiscal, historical or other purposes.  
[1.18.479.7 NMAC - Rp, 1.18.479.7 NMAC, 5/2/2005]

**1.18.479.8 ABBREVIATIONS AND ACRONYMS:**

- A.** “NMAC” stands for New Mexico administrative code.
- B.** “NMSA” stands for New Mexico statutes annotated.
- C.** “USC” stands for United States code.

[1.18.479.8 NMAC - N, 5/2/2005]

**1.18.479.9 INSTRUCTIONS:**

- A.** For records of a general administrative nature, refer to the GRRDS, General Administrative Records Retention and Disposition Schedule, 1.15.2 NMAC.
- B.** For records of a financial nature, refer to the GRRDS, General Financial Records Retention and Disposition Schedule, 1.15.4 NMAC.
- C.** For records of a personnel nature, refer to the GRRDS, General Personnel Records Retention and Disposition Schedule, 1.15.6 NMAC.
- D.** For records of a medical nature, refer to the GRRDS, General Medical Records Retention and Disposition Schedule, 1.15.8 NMAC.
- E.** Retention periods shall be extended until six months after all current or pending litigation, current claims, audit exceptions or court orders involving a record have been resolved or concluded.
- F.** Descriptions of files are intended to be evocative, not complete. For example, there will always be some documents that are filed in a file that are not listed in the description, and similarly not every file will contain an example of each document listed in the description.
- G.** Confidentiality is denoted for files likely to contain confidential materials, but files without a confidentiality note nonetheless may contain confidential or privileged materials, and failure to include an express confidentiality note in the description of a file does not waive the confidential or privileged nature of those materials. Refer questions concerning the confidentiality of a file or portions of a file to legal counsel for the agency.
- H.** Access to confidential documents and files shall be only by authorization of the records custodian, or by court order, unless otherwise provided by statute. Release of confidential documents to law enforcement and other government agencies shall only be upon specific statutory authorization or court order.
- I.** Records, papers or documents may be reformatted through microphotography. Such reformatted records shall be deemed to be an original record for all purposes, including introduction in evidence in all courts or administrative agencies (Sections 14-1-5 and 14-1-6 NMSA 1978).
- J.** Public records placed on magnetic tapes, disks or other data processing media shall be retained for the length of time specified in records retention and disposition schedules and are subject to the same confidentiality and access restrictions as paper records. See also 1.13.70 NMAC, Performance Guidelines for the Legal Acceptance of Public Records Produced by Information Technology Systems.  
[1.18.479.9 NMAC - Rp, 1.18.479.8 NMAC, 5/2/2005]

**1.18.479.10 LICENSE INFORMATION SYSTEM:**

- A. Program:** licensing
- B. Maintenance system:** numerical by primary key
- C. Description:** system maintains information concerning veterinarians, registered veterinary technicians and veterinary facilities. Data may include name of licensee, registered veterinary technician, facility, license number, permit number, date of issuance, expiration date, revocation date, renewal date, name and address of veterinarian, name and address of registered veterinary technician, name and address of veterinary facility, name of owner or manager of facility, fees paid, etc.
- D. Retention:**
  - (1) **License or permit issued:** five years after date of expiration or revocation of license or permit
  - (2) **License or permit not issued:** one year from date of last activity
- E. Input documents:** All documents used as input for the *license information system* are filed in the corresponding *license files* or *permit files*. Those documents may include the following: application for *license to practice veterinary medicine*; copy of diploma from american veterinary medical association-accredited veterinary

school; transcripts; personal recommendation form; professional recommendation form; national exam scores; New Mexico veterinary state exam score; New Mexico application for sponsorship for the north american veterinary licensing exam; letters of good standing from all states or jurisdictions in which applicant has been licensed; *certification of experience*; *60-day temporary permit application*; *veterinarian license renewal*; *application for registered veterinary technician* (license); *registered veterinary technician exam scores*; *veterinary technician's national exam scores*; *registered veterinary technician renewal*; *artificial insemination or pregnancy diagnosis permit*; *renewal of artificial insemination pregnancy diagnosis permit*; *veterinary facility license or renewal*; inspection of facility report; facility operation reports; change of address form; correspondence; memoranda; etc.

**F. Output documents:** Because the *license information system* is a data-based system, ad hoc reports may be generated on request or on demand. Reports may include: *roster of current veterinarians*, active licensee list, lapsed licensee list, expired licensees, etc.

**G. Confidentiality:** Portions of the file may be confidential pursuant to 5 USC, Section 552a (i.e., social security number)

[1.18.479.10 NMAC - Rp, 1.18.479.110 NMAC, 5/2/2005]

[Retention is on data only]

#### **1.18.479.11 APPLICANT FILES:**

**A. Program:** veterinary medicine

**B. Maintenance system:** alphabetical by surname of applicant or by facility name

**C. Description:** records concerning the applications of those applying for licenses or permits issued by the board of veterinary medicine. Files may include application, correspondence, etc.

**D. Retention:**

(1) **License or permit issued:** filed in *license files*, 1.18.479.12 NMAC, or *permit files*, 1.18.479.13 NMAC

(2) **License or permit not issued:** one year from date of last activity  
[1.18.479.11 NMAC - N, 5/2/2005]

#### **1.18.479.12 LICENSE FILES:**

**A. Program:** veterinary medicine

**B. Maintenance system:** alphabetical by surname or by facility name

**C. Description:** records concerning licenses involving the practice of veterinary medicine. Portions of the information from these files may be input into the *license information system*. The categories of licenses include: doctor of veterinary medicine licenses; registered veterinary technicians licenses and veterinary facilities licenses. Files may include photograph for identification card; veterinary board checklist of licensure requirements; license renewal form; change of address information; correspondence; memoranda; etc. The file for the doctor of veterinary medicine license may contain: application for *license to practice veterinary medicine*; copy of applicant diploma from american veterinary medical association-accredited veterinary school; transcripts; personal recommendation form; professional recommendation form; national exam scores; New Mexico veterinary state exam score; New Mexico application for sponsorship of the north american veterinary licensing exam; letters of good standing from all states or jurisdictions in which applicant has been licensed; *certification of experience*; *60-day temporary permit application*; etc. The file for the registered veterinary technician's license may contain: *application for registered veterinary technician* (license); *registered veterinary technician exam scores*; *veterinary technicians national exam scores*; etc. The file for the veterinary facilities license may contain: *facility license or renewal form*; inspection of facility report; facility operation reports; etc.

**D. Retention:** five years after date of expiration or revocation of license

**E. Confidentiality:** Portions of the file may be confidential pursuant to 5 USC, Section 552a (i.e., social security number) and Subsection A of Section 14-2-1 NMSA 1978 (i.e., letters of reference).

[1.18.479.12 NMAC - Rp, 1.18.479.101, 102, 103 & 108 NMAC, 5/2/2005]

#### **1.18.479.13 PERMIT FILES:**

**A. Program:** veterinary medicine

**B. Maintenance system:** alphabetical by surname

**C. Description:** records concerning permits involving the practice of veterinary medicine. Portions of the information from these files may be input into the *license information system*. Files may contain *artificial*

*insemination or pregnancy diagnosis permit application, photograph for identification card, veterinary board checklist, permit renewal form; change of address information, correspondence, etc.*

**D. Retention:**

- (1) **Permit issued:** five years after date of expiration or revocation of permit
- (2) **Permit not issued:** one year from date of last activity

**E. Confidentiality:** Portions of the file may be confidential pursuant to 5 USC, Section 552a (i.e., social security number).

[1.18.479.13 NMAC - Rp, 1.18.479.102 NMAC, 5/2/2005]

**1.18.479.14 [RESERVED]**

**1.18.479.15 DISCIPLINE SYSTEM:**

**A. Program:** discipline

**B. Maintenance system:** numerical by primary key

**C. Description:** system maintains information concerning alleged violations of the Veterinary Practices Act (Sections 61-14-1 through 61-14-20 NMSA 1978). Data may include complaint form number, date of complaint, complaint review date, findings, board recommendations, etc.

**D. Retention:**

- (1) **No disciplinary action taken data:** two years from date case closed
- (2) **Disciplinary action taken data:**
  - (a) **Licensed or permitted person:** 80 years from original issuance of license or permit
  - (b) **Non-licensed or permitted person:** 80 years from date case closed

**E. Input documents:** All documents used as input for the *discipline system* are filed in the corresponding *disciplinary files*. Those documents may include the following: complaint form, complaint review, investigative report, case notes, transcripts of hearings, board recommendations, etc.

**F. Output documents:** All documents generated by the *discipline system* are produced because of public request or administrative reporting responsibilities. Because the *discipline system* is a data-based system, ad hoc reports may be generated on request or on demand. Those documents may include the following: complaint status report, list of open complaints, list of closed complaints, etc.

**G. Confidentiality:** Portions of the file may be confidential pursuant to Subsection B of Section 61-14-4.1 NMSA 1978 (i.e., disciplinary action) and Subsection A of Section 14-2-1 NMSA 1978 (i.e., confidential sources, methods, information)

[1.18.479.15 NMAC - N, 5/2/2005]

[Retention is on data only]

**1.18.479.16 DISCIPLINARY FILES:**

**A. Program:** discipline

**B. Maintenance system:** numerical by case number [year and order of occurrence]

**C. Description:** records concerning alleged violations of the Veterinary Practices Act (Sections 61-14-1 through 61-14-20 NMSA 1978). Portions of the information from these files may be input into the *discipline system*. Files may include complaint form, complaint review, investigative report, case notes, transcripts of hearings, board recommendations, correspondence, memoranda, etc.

**D. Retention:**

- (1) **No disciplinary action taken:** two years from date case closed
- (2) **Disciplinary action taken:**
  - (a) **Licensed or permitted person:** 80 years from original issuance of license or permit
  - (b) **Non-licensed or permitted person:** 80 years from date case closed

**E. Confidentiality:** Portions of the file may be confidential pursuant to Subsection B of Section 61-14-4.1 NMSA 1978 (i.e., disciplinary action) and Subsection A of Section 14-2-1 NMSA 1978 (confidential sources, methods, information).

[1.18.479.16 NMAC - Rp, 1.18.479.105 NMAC, 5/2/2005]

**1.18.479.17 VETERINARIAN LICENSE LOG:**

**A. Program:** veterinary medicine

**B. Maintenance system:** numerical by veterinarian license number

**C. Description:** records a list of veterinarians licensed to practice in New Mexico. Log may show license number, name of licensee, date issued, etc.

**D. Retention:** permanent  
[1.18.479.17 NMAC - Rp, 1.18.479.113 NMAC, 5/2/2005]

**HISTORY OF 1.18.479 NMAC:**

**Pre-NMAC Filing History:**

The material in this part was derived from that previously filed with the State Records Center under: SRC Rule 75-22, Records Retention and Disposal Schedule for New Mexico Board of Veterinary Examiners, filed 9/15/75 and SRC Rule No. 89-03, Records Retention and Disposition Schedule for Board of Veterinary Examiners, filed 5/4/89.

**History of Repealed Material:**

1.18.479 NMAC, ERRDS, Board of Veterinary Examiners filed 8/29/2001 - Repealed 5/2/2005