

BEFORE THE DEPARTMENT OF LIVESTOCK
OF THE STATE OF MONTANA

In the matter of the amendment of) NOTICE OF PROPOSED
ARM 32.2.403 pertaining to) AMENDMENT
diagnostic laboratory fees)
) NO PUBLIC HEARING
) CONTEMPLATED

TO: All Concerned Persons

1. The Department of Livestock proposes to amend the above-stated rule.

2. The Department of Livestock will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. If you require an accommodation, contact Department of Livestock no later than 5:00 p.m. on July 18, 2022, to advise us of the nature of the accommodation that you need. Please contact Executive Officer, Department of Livestock, 301 N Roberts St., Room 304, P.O. Box 202001, Helena, Montana, 59620-2001; telephone (406) 444-9525; fax (406) 444-4316; TDD/Montana Relay Service 1 (800) 253-4091; or e-mail MDOLcomments@mt.gov.

3. The rule proposed to be amended provides as follows, new matter underlined, deleted matter interlined:

32.2.403 DIAGNOSTIC LABORATORY FEES (1) and (2) remain the same.

(3) MVDL services and fees:	
(a) Clinical Microbiology/Bacteriology:	
Test	Fee
aerobic culture	\$20.00 <u>\$30.00</u>
aerobic culture - additional isolate	\$10.00 <u>\$15.00</u>
anaerobic culture	\$24.00 <u>\$35.00</u>
anaerobic culture - additional isolate	\$10.00 <u>\$22.00</u>
antibiotic sensitivity - per isolate	\$15.00 <u>\$15.45</u>
brucella culture	\$20.00 <u>\$20.60</u>
campylobacter culture	\$16.00 <u>\$16.50</u>
dermatophyte culture	\$30.00 <u>\$30.90</u>
direct microscopy	\$10.00 <u>\$10.30</u>
fecal occult blood	\$11.00 <u>\$11.30</u>
fungal culture	\$30.00 <u>\$30.90</u>
listeria culture	\$24.00 <u>\$24.70</u>
mycoplasma culture	\$20.00 <u>\$20.60</u>
salmonella culture	\$20.00 <u>\$20.60</u>

<u>salmonella enteritidis, salmonella pullorum, or salmonella gallinarum</u> confirmatory culture	\$28.00 <u>\$28.85</u>
<u>bovine tritrichomonas foetus</u> culture	\$7.00 <u>\$7.20</u>
<u>feline tritrichomonas foetus</u> culture	<u>\$9.00</u>
<u>giardia antigen SNAP</u> test	\$18.00 <u>\$18.55</u>
<u>feline diarrhea diagnostic panel</u>	<u>\$140.00</u>
<u>canine diarrhea diagnostic panel</u>	<u>\$110.00</u>
<u>antimicrobial susceptibility testing MIC</u>	<u>\$25.00</u>
(b) Clinical Microbiology/Parasitology	
Test	Fee
cryptosporidia exam	\$10.00 <u>\$10.30</u>
dirofilaria immitis (canine heartworm) ELISA	\$12.00 <u>\$12.35</u>
dirofilaria immitis microfilaria filtration	\$12.00 <u>\$12.35</u>
fecal flotation	\$15.00 <u>\$15.45</u>
giardia ELISA	\$34.00 <u>\$35.00</u>
parasite or arthropod identification	\$28.00 <u>\$28.85</u>
liver fluke sedimentation	\$30.00 <u>\$30.90</u>
trichinella – pepsin degradation	\$84.00 <u>\$86.50</u>
(c) Clinical Pathology	
Test	Fee
Clinical profiles:	
small animal health screen	\$58.00 <u>\$59.75</u>
large animal health screen	\$60.00 <u>\$61.80</u>
small animal clinical profile	\$43.00 <u>\$44.30</u>
large animal clinical profile	\$46.00 <u>\$47.40</u>
small animal pre-anesthetic profile	\$30.00 <u>\$30.90</u>
feline profile	\$80.00 <u>\$82.40</u>
equine fitness profile	\$40.00 <u>\$41.20</u>
Endocrinology:	
canine thyroid panel	\$35.00 <u>\$36.05</u>
thyroid panel - feline	\$30.00 <u>\$30.90</u>
canine total T4	\$12.00 <u>\$12.35</u>
total T4	\$12.00 <u>\$12.35</u>
canine TSH	\$12.00 <u>\$12.35</u>
free T4 – canine & feline	\$12.00 <u>\$12.35</u>
total T3	\$12.00 <u>\$12.35</u>
cortisol: canine, feline, equine	\$18.00 <u>\$18.55</u>
ACTH stimulation	\$35.00 <u>\$36.05</u>
cortisol: pre & post	\$35.00 <u>\$36.05</u>
dexamethasone suppression: pre & post	\$50.00 <u>\$51.50</u>

Biochemistry panels:	
small animal panel	\$30.00 <u>\$30.90</u>
large animal panel	\$30.00 <u>\$30.90</u>
small animal hepatic panel	\$24.00 <u>\$24.70</u>
small animal renal panel	\$24.00 <u>\$24.70</u>
canine endocrine panel	\$28.00 <u>\$28.85</u>
feline geriatric panel	\$18.00 <u>\$18.55</u>
electrolyte panel	\$13.00 <u>\$13.40</u>
expanded electrolyte panel	\$18.00 <u>\$18.55</u>
Other serum chemistry	
PLI: canine, feline	\$28.00
bile acids: canine, feline, equine	\$30.00 <u>\$30.90</u>
bile acids: pre & post	\$42.00 <u>\$43.25</u>
Phenobarbital	\$28.00
Hematology:	
small animal CBC/differential	\$18.00 <u>\$22.00</u>
large animal CBC/differential	\$18.00 <u>\$22.00</u>
small animal CBC/without differential	\$10.00 <u>\$15.00</u>
large animal CBC/without differential	\$10.00 <u>\$15.00</u>
reticulocyte count	\$8.00 <u>\$10.00</u>
feline anemia panel	\$48.00 <u>\$49.45</u>
fibrinogen	\$6.00 <u>\$8.00</u>
hemotropic parasite screen	\$6.00 <u>\$6.20</u>
urinalysis	\$15.00 <u>\$18.00</u>
Miscellaneous clinical pathology tests:	
blood cross match	\$18.00 <u>\$18.55</u>
buffy coat exam	\$32.00 <u>\$32.95</u>
canine direct coombs	\$32.00 <u>\$32.95</u>
individual coagulation test – PT & APTT only	\$24.00 <u>\$24.70</u>
IgG RID – bovine & equine	\$18.00 <u>\$18.55</u>
ocular nitrate	\$16.00 <u>\$16.50</u>
PLI: canine, feline	\$28.85
phenobarbital	\$28.85
individual biochemical tests (each)	\$3.00
(d) Cytology	
Test	Fee
CSF analysis: SG, microprotein, cytopsin, cytology	\$60.00 <u>\$61.80</u>
fluid analysis: total cell count, TP, SG, cytology	\$47.00 <u>\$55.00</u>
FNA: imprint, smear, stained, or unstained	\$45.00 <u>\$50.00</u>

(e) Histopathology/Immunohistochemistry	
Test	Fee
biopsy per site (includes special stains, as needed)	\$55.00 <u>\$60.00</u>
mail-in necropsy (includes special stains, as needed)	\$55.00 <u>\$60.00</u>
decalcification/keratin	\$11.00 <u>\$11.30</u>
margin inking/evaluation	\$10.00 <u>\$10.30</u>
immunohistochemistry (IHC)	\$32.00 <u>\$35.00</u>
special stains (additional request)	\$10.00 <u>\$10.30</u>
Duplicate/research/other slide processing (H&E)	\$7.00 <u>\$8.00</u> per slide
(f) Milk Testing	
Test	Fee
added water	\$5.00 <u>\$5.15</u>
antibiotic	\$25.00 <u>\$25.75</u>
brucella ring	\$8.00 <u>\$8.25</u>
coliform count	\$10.00 <u>\$25.00</u>
component	\$5.00 <u>\$10.00</u>
gerber	\$5.00 <u>\$5.15</u>
majonnier	\$15.00 <u>\$15.45</u>
phosphatase	\$8.00 <u>\$8.25</u>
somatic cell count	<u>\$10.00</u>
—direct	<u>\$7.50</u>
—electronic	<u>\$4.00</u>
standard plate count	\$8.00 <u>\$25.00</u>
yeast & mold	\$8.00 <u>\$8.25</u>
(g) Molecular Diagnostics (PCR)	
Test	Fee
avian influenza (AI)	\$40.00 <u>\$41.20</u>
Bovine coronavirus/rotavirus multiplex	\$45.00 <u>\$46.35</u>
bovine viral diarrhea virus (BVDV):	
individual samples (ear notch samples)	\$40.00 <u>\$41.20</u>
MVDL pooled (ear notch samples)	\$65.00 <u>\$66.95</u>
E. coli - K99	\$40.00 <u>\$41.20</u>
bovine respiratory disease viral PCR panel	\$50.00 <u>\$51.50</u>
Classical Swine Fever, Foot & Mouth Disease, Vesicular Stomatitis Virus, Swine Influenza Virus, or Avian Paramyxovirus PCR	\$40.00 <u>\$41.20</u> each
mycobacterium avium paratuberculosis (Johne's):	
individual sample	\$36.00 <u>\$37.10</u>

card, BAPA, or RAP	\$2.50
FP	\$3.50
rivanol, SPT, CF, STT	\$3.50
brucella ovis/canis ELISA	\$9.00 <u>\$9.25</u>
caprine arthritis encephalitis (CAE)/ovine progressive pneumonia (OPP) cELISA	\$9.00 <u>\$9.25</u>
epizootic hemorrhagic disease (EHD) – AGID	\$13.00 <u>\$13.40</u>
equine infectious anemia (EIA) AGID individual sample	\$10.00 <u>\$10.30</u>
equine infectious anemia (EIA) cELISA individual sample	\$14.00 <u>\$14.40</u>
EIA Global Vet Link surcharge (per animal)	\$2.00
infectious bovine rhinotracheitis (IBR)-SN	\$9.00 <u>\$9.25</u>
leptospirosis MAT:	
(routine) L. canicola, L. grippo, L. hardjo, L. ictero, L. pomona	\$15.00 <u>\$15.45</u>
L. autumnalis, L. bratislava	\$3.00/serovar
mycobacterium paratuberculosis (PTB) ELISA	\$9.00 <u>\$9.25</u>
ovine progressive pneumonia (OPP):	
AGID or cELISA	\$8.00
parainfluenza 3 (PI3) - HAI	\$7.00 <u>\$7.20</u>
pseudorabies - gB ELISA	\$7.50 <u>\$7.75</u>
salmonella pullorum MAT	\$6.50 <u>\$6.70</u>
vesicular stomatitis (VS):	
CF	\$55.00 <u>\$56.65</u>
NJ & Ind - SN	\$18.00 <u>\$18.50</u>
west nile virus IgM ELISA	\$26.00 <u>\$26.75</u>
epizootic hemorrhagic disease virus ELISA	\$13.00
(k) Serology - Small Animal	
Test	Fee
brucella canis - RSAT screen, 2ME-TAT confirmation	\$26.00 <u>\$26.75</u>
feline infectious peritonitis (FIP) ELISA	\$35.00 <u>\$36.00</u>
feline leukemia virus (FeLV) SNAP	\$24.00 <u>\$24.75</u>
feline leukemia/feline immunodeficiency virus/heartworm SNAP	\$32.00 <u>\$32.95</u>
(l) Virology	
Test	Fee
canine parvovirus SNAP	\$30.00 <u>\$30.90</u>
fluorescent antibody (FA) testing - per agent:	
bovine coronavirus (BCV)	\$11.00 <u>\$11.30</u>

bovine respiratory syncytial virus (BRSV) SN	\$11.00 <u>\$11.30</u>
bovine viral diarrhea virus (BVDV)	\$11.00 <u>\$11.30</u>
canine distemper (CDV)	\$11.00 <u>\$11.30</u>
canine parvovirus (CPV)	\$11.00 <u>\$11.30</u>
equine herpesvirus (EHV)	\$11.00 <u>\$11.30</u>
feline panleukopenia (FPLV)	\$11.00 <u>\$11.30</u>
feline infectious peritonitis (FIP)	\$11.00 <u>\$11.30</u>
feline herpes (FHV)	\$11.00 <u>\$11.30</u>
infectious bovine rhinotracheitis (IBR)	\$11.00 <u>\$11.30</u>
leptospira	\$11.00 <u>\$11.30</u>
parainfluenza - 3 Virus (PI-3)	\$11.00 <u>\$11.30</u>
porcine parvovirus (PPV)	\$11.00 <u>\$11.30</u>
chronic wasting disease IHC	\$34.00 <u>\$35.00</u>
chronic wasting disease ELISA	\$14.00 <u>\$15.00</u>
virus isolation (livestock only)	\$34.00 <u>\$35.00</u>
bovine viral diarrhea virus (BVDV) antigen SNAP test	\$7.00 <u>\$7.20</u>
equine virus arteritis (EVA) virus neutralization test	\$16.00 <u>\$16.50</u>
pregnancy test	\$4.50 <u>\$4.60</u>
small animal pregnancy test	\$25.00 <u>\$25.75</u>
coxiella burnetii (Q fever) ELISA	\$13.00 <u>\$13.40</u>
parainfluenza 3 serum neutralization (PI-3 SN)	\$7.00 <u>\$7.20</u>
canine distemper virus ELISA	\$12.00
toxoplasmosis IgG ELISA	\$14.50
<u>equine rhinopneumonitis (equine herpesvirus) serum neutralization test</u>	\$16.00
<u>ruminant abortion serology panel</u>	\$50.00
<u>equine abortion serology panel</u>	\$45.00
<u>ovine abortion serology panel</u>	\$50.00
<u>brucella canis IFA</u>	\$25.00
(m) Miscellaneous Tests/Fees	
Test	Fee
duplicate test result reporting (hard copy)	\$4.00
organization fee	\$75.00/hour
after hours reporting fee	\$20.00
shipping and handling (referrals)	\$20.00
incoming <u>ground</u> shipping (web submissions)	\$7.00 <u>\$8.00</u>
<u>incoming overnight shipping (web submissions)</u>	\$18.00
<u>client requested corrected report fee</u>	\$10.00
neospira ELISA	\$8.00

pregnancy ELISA	\$6.00
kits (abortion, diarrhea, necropsy, biopsy)	\$5.00
pads of forms	\$5.00
rabies shippers	\$22.00
blood tube mailers (small) (5 tubes)	\$2.50
blood tube mailers (medium) (4 tubes + slides)	\$5.00
blood tube mailers (large) (8 tubes + slides)	\$7.50
40 tube blood mailers	\$2.00
100 tube blood mailers	\$2.00
supply order handling fee	\$2.00
cleaning/decontamination	\$7.50
trich pouches	\$7.50
campylobacter tube	\$2.00
formalin jar (small)	\$2.50
formalin jar (large)	\$3.50

AUTH:81-2-102, 81-2-102, MCA
IMP:81-1-301, 81-1-302, 81-2-102, MCA

REASON: The Montana Veterinary Diagnostic Lab (MVDL) is proposing adjustments to its testing fees for the purpose of helping to cover the increased cost of testing supplies, consumables, and other services related to conducting business. The proposed changes also include the addition of testing services not previously offered by the MVDL.

The proposed test fee adjustments are anticipated to have a small economic impact on the MVDL client base and the additional test offerings proposed are expected to provide additional convenience for our clients.

There are approximately 600 veterinary submitters, at least 150 nonveterinary submitters, and 100 governmental entities only minimally affected by the proposed fee adjustments. The increase in revenue is estimated to be \$23,000 from the new test offerings.

4. Concerned persons may submit their data, views, or arguments concerning the proposed actions in writing to: Department of Livestock, P.O. Box 202001, Helena, Montana, 59620-2001; telephone (406) 444-9321; fax (406) 444-1929; or e-mail MDOLcomments@mt.gov, and must be received no later than 5:00 p.m., July 22, 2022.

5. If persons who are directly affected by the proposed action wish to express their data, views, or arguments orally or in writing at a public hearing, they must make written request for a hearing and submit this request along with any written comments to Executive Officer at the above address no later than 5:00 p.m., July 18, 2022.

6. If the agency receives requests for a public hearing on the proposed action from either 10 percent or 25, whichever is less, of the persons directly affected by the proposed action; from the appropriate administrative rule review committee of the Legislature; from a governmental subdivision or agency; or from an association having not less than 25 members who will be directly affected, a hearing will be held at a later date. Notice of the hearing will be published in the Montana Administrative Register. Ten percent of those directly affected has been determined to be 85 based upon approximately 600 veterinary submitters, at least 150 nonveterinary submitters, and 100 governmental entities affected by the proposed fee adjustments.

7. The department maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this agency. Persons who wish to have their name added to the list shall make a written request that includes the name, e-mail, and mailing address of the person to receive notices and specifies for which program the person wishes to receive notices. Notices will be sent by e-mail unless a mailing preference is noted in the request. Such written request may be mailed or delivered to the contact person in 4 above or may be made by completing a request form at any rules hearing held by the department.

8. An electronic copy of this proposal notice is available through the Secretary of State's web site at <http://sosmt.gov/ARM/Register>.

9. The bill sponsor contact requirements of 2-4-302, MCA, do not apply.

10. With regard to the requirements of 2-4-111, MCA, the department has determined that the amendment of the above-referenced rule will not significantly and directly impact small businesses.

/s/ Darcy Alm
Darcy Alm
Rule Reviewer

/s/ Michael S. Honeycutt
Michael S. Honeycutt
Executive Director
Department of Livestock

Certified to the Secretary of State June 14, 2022.