

RULE ADOPTIONS  
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LAW AND PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF VETERINARY MEDICAL EXAMINERS

**Adopted Amendment: N.J.A.C. 13:44-4.9**

**Patient Records**

Proposed: August 17, 2009 at 41 N.J.R. 3026(a).

Adopted: November 18, 2009 by the State Board of Veterinary Medical Examiners, Mark Logan, VMD, President.

Filed: July 6, 2010 as R.2010 d.163, **without change** .

Authority: N.J.S.A. 45:16-3.

Effective Date: August 2, 2010.

Expiration Date: Pursuant to Executive Order No. 1 (2010), the chapter expiration date is extended from January 7, 2010 until the completion of the review of administrative regulations and rules by the Red Tape Review Group, and until such time as the extended regulation or rule is readopted pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq.

**Federal Standards Statement**

A Federal standards analysis is not required because there are no Federal laws or standards applicable to the adopted amendment.

**Full text** of the adoption follows:

SUBCHAPTER 4. GENERAL RULES OF PRACTICE

13:44-4.9 Patient records

(a)-(h) (No change.)

(i) Whenever a veterinary practice is to be closed due to the retirement or death of the veterinarian in charge, or the practice will be closed for more than six consecutive months, the licensee or the executor or administrator of the licensee's estate shall:

[page=1740] 1. Establish a procedure by which patients may obtain treatment records or agree to the transfer of those records to another licensee who is assuming the responsibilities of that practice;

2. If the practice will not be attended by another licensee, publish a notice of the cessation and the established procedure for the retrieval of records in a newspaper of general circulation in the geographic location of the licensee's practice, at least once each month for the first three months after the cessation;

3. Notify the Board, in writing, of the impending closure and the established procedure for the retrieval of records;

4. Make reasonable efforts to directly notify the owner of any patient treated during the six months preceding the cessation of the practice to provide information concerning the established procedure for retrieval of records;

5. Conspicuously post a notice on the premises of the procedure for the retrieval of records for at least one month prior

to the cessation of the practice; and

6. Arrange for the storage of any records that have not been retrieved by patient owners for one year from the date the practice closes.

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