

RULE ADOPTIONS
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Law and Public Safety
Division Of Consumer Affairs
STATE BOARD OF VETERINARY MEDICAL EXAMINERS

Readoption with Amendments: N.J.A.C. 13:44

Rules of the State Board of Veterinary Medical Examiners

Proposed: June 21, 2010 at 42 N.J.R. 1133(a).

Adopted: October 13, 2010 by the State Board of Veterinary Medical Examiners, Mark Logan, VMD, President.

Filed: December 14, 2010 as R.2011 d.023, **without change**.

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

Effective Dates: December 14, 2010, Readoption;
January 18, 2011, Amendments.

Expiration Date: December 14, 2015.

Federal Standards Statement

A Federal standards analysis is not required because there are no Federal laws or standards applicable to the rules readopted with amendments.

Full text of the readopted rules can be found in the New Jersey Administrative Code at N.J.A.C. 13:44.

Full text of the adopted amendments follows:

**SUBCHAPTER 1. LICENSURE BY EXAMINATION; LICENSURE BY WAIVER OF EXAMINATION;
BIENNIAL LICENSE RENEWAL; REINSTATEMENT**

13:44-1.4 Licensure by endorsement

(a) The Board shall issue a license to an applicant who:

1.-2. (No change.)

3. Except as set forth in (c) below, has been awarded a degree in veterinary medicine from a veterinary college or university accredited by the American Veterinary Medical Association (AVMA);

4.-6. (No change.)

(b)-(c) (No change.)

SUBCHAPTER 2. TEMPORARY PERMITS

13:44-2.2 Eligibility for temporary permit

(a) (No change.)

(b) A person practicing under a temporary permit who fails the New Jersey State Jurisprudence Examination shall file

an application for a new temporary permit within two weeks of the date the examination results are issued.

(c) An individual who fails the New Jersey State Jurisprudence Examination four times shall not continue to work under a temporary permit. Such individual may, however, retake the licensing examination until he or she passes the examination.

(d) (No change.)

SUBCHAPTER 3. DEFINITIONS

13:44-3.1 Definitions

As used in this chapter, the following terms have the following meanings unless the context clearly indicates otherwise.

...

"Practice of veterinary medicine, surgery and dentistry" means to directly or indirectly diagnose, prognose, treat, correct, change, relieve or prevent animal disease, deformity, defect, injury, wound or other physical or mental condition; including the prescription or administration of any drug, medicine, biologic, apparatus, application, anesthetic or other therapeutic or diagnostic substance or technique on any animal including, but not limited to, animal acupuncture, surgical or dental operations, animal chiropractic, theriogenology, alternative or complementary veterinary medicine, surgery, including cosmetic surgery, any manual, mechanical, biological or chemical procedure for testing for the presence of any disease or pregnancy or for correcting sterility or infertility, including embryo transfer, or to render service or recommendations with regard to any of the above and all other branches of veterinary medicine, surgery and dentistry.

...

SUBCHAPTER 4. GENERAL RULES OF PRACTICE

13:44-4.1 Veterinary prescription items

(a)-(d) (No change.)

(e) A licensed veterinarian, in the course of professional practice and an existing veterinarian-client-patient relationship, shall, upon request, provide a written prescription to a client who does not wish to purchase a prescription item directly from the licensed veterinarian.

(f) (No change.)

[page=196] 13:44-4.8 Advertising

(a)-(b) (No change.)

(c) A licensee who engages in the use of advertising that contains the following, shall be deemed to be engaged in professional misconduct:

1.-2. (No change.)

3. Any statement or claim or implication arising therefrom that licensee is a specialist where national specialty board certification in the claimed area exists and the licensee does not possess such certification. Where national specialty board certification in an area of claimed expertise does not exist, the use of the term "specialist" or its substantial equivalent shall not be utilized provided, however, that nothing herein shall prohibit truthful and non-deceptive

statements concerning a licensee's experience or training in a particular area of veterinary practice.

4.-5. (No change.)

(d)-(k) (No change.)

13:44-4.9 Patient records

(a) A licensee shall maintain a separate patient record for each animal, herd or flock. All patient records shall accurately reflect the treatment or services rendered. Such records shall include at least the following information:

1. The name of the facility, which shall appear on every page of the record;
2. The name, initials or other identifying information to indicate the identity of the licensee or agent making the entry in the patient record and the date on which the entry is made;

Recodify existing 2.-8. as 3.-9. (No change in text.)

10. Such other notes or information so as to provide a clear statement of the patient's condition and the veterinary evaluation and response; and

11. (No change.)

(b)-(i) (No change.)

13:44-4.10 Continuing education

(a) Upon biennial license renewal, a licensee shall attest that he or she has completed courses of continuing education of the types and number of credits specified in (b) or (c) below. Falsification of any information submitted on the renewal application may require an appearance before the Board and may result in penalties and/or suspension or revocation of the licensee pursuant to N.J.S.A. 45:1-21 through 45:1-25.

(b)-(j) (No change.)