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# Board of Veterinary Medical Examiners Law

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#### **45:16-1. Board of Veterinary Medical Examiners**

The State Board of Veterinary Medical Examiners, hereinafter in this chapter designated as the "board," created and established by an act entitled "An act to regulate the practice of veterinary medicine, surgery and dentistry in the State of New Jersey, to license veterinarians and to punish persons violating the provisions thereof," approved March 17, 1902 (L. 1902, c. 18, p. 36), as amended and supplemented, is continued. The board shall consist of five members, each of whom shall be a person of recognized professional ability and honor in the veterinary profession in this State and shall have practiced veterinary medicine and surgery in the State for at least five years immediately preceding appointment to the board.

Upon the expiration of the term of office or resignation of a member, a successor shall be appointed by the Governor for a term of three years from the first Monday of May of the year of appointment. The board shall additionally consist of any members who may be required by section 2 of P.L. 1971, c. 60 (C. 45:1-2.2). No member shall be appointed to more than three successive full terms. Each member shall hold office until a successor has qualified.

Amended by L. 1938, c. 277, p. 604, s. 9; L. 1965, c. 216, s. 1; L. 1983, c. 98, s. 3, eff. March 11, 1983; L. 1985, c. 495, s. 1, eff. Jan. 21, 1986.

##### **45:16-1.1. Definitions**

As used in this act:

- a. "Animal or veterinary facility" means any fixed or mobile establishment, veterinary hospital, animal hospital or premises wherein or whereon the practice of veterinary medicine or any part thereof is conducted.
- b. "Person" means any individual, firm, partnership, association, joint venture, cooperative, corporation incorporated under Title 14A of the New Jersey Statutes, or any other group or combination acting in concert; and whether or not acting as a principal, trustee, fiduciary, receiver, or as any other kind of legal or personal representative, or as the successor in interest, assignee, agent, factor, servant, employee, director, officer, or any other representative of any person.
- c. "Qualified veterinary graduate" means a graduate of a veterinary college or university approved by the board, a graduate of a veterinary college or university which is not approved by the board, but who has received a certificate from an accrediting or qualifying body recognized by the board for the purpose of licensure examination, or a veterinarian who has qualified under the provisions of the American Veterinary Medical Association's Education Commission for the Foreign Veterinary Graduate.

L.1983, c. 98, s. 1, eff. March 11, 1983.

##### **45:16-1.2. Application of act**

The provisions of this act shall apply to any person practicing veterinary medicine and any animal or veterinary facilities.

L.1983, c. 98, s. 2, eff. March 11, 1983.

#### **45:16-2. Oath of office; vacancies; removals**

Each appointee shall, before assuming the duties of office, and within thirty days after the receipt of his commission, take, subscribe and file, in the office of the secretary of state, the oath or affirmation of office. Any vacancy in the membership of the board shall be filled for the unexpired term in the manner provided for an original appointment. The governor may remove any member of the board for continued neglect of the duties required by this article, for incompetency or for unprofessional or dishonorable conduct.

#### **45:16-3. Officers; seal; subpoenas; rules and regulations**

The board shall elect from its own membership a president, a secretary and a treasurer. It shall have a common seal, and its president may issue subpoenas and administer oaths in taking testimony in any matter pertaining to the duties of the board. It shall make and adopt all necessary rules and regulations and by-laws for carrying into effect the provisions of this chapter not inconsistent with the laws of the state or of the United States.

#### **45:16-4. Meetings; examinations; quorum.**

The board shall hold two or more meetings for examinations each year at such time and place as it shall determine, due notice of which shall be made public. At all meetings a majority of the members of the board shall constitute a quorum, but the examination of applicants for a license may be conducted by a committee of one or more veterinary members duly authorized by the board. The board shall examine all diplomas and credentials as to their authenticity. Each applicant for a license shall submit to an examination, to be written, oral, or both, designed to test the examinee's knowledge of any laws, rules and regulations applicable in this State.

Amended 1965, c.216, s.2; 1983, c.98, s.4; 2003, c.227, s.1.

#### **45:16-5. Issuance and recording of licenses**

The board shall issue forthwith to each applicant who has passed the examination, and who shall have been adjudged duly qualified for the practice of veterinary medicine, surgery and dentistry, a license to practice the same. The license shall be subscribed by the president and secretary of the board and shall have affixed to it, its corporate seal. Before the license is issued it shall be recorded in a book kept in the office which the board shall establish for the purpose of carrying out the provisions of this chapter, and the number of the book and the page therein containing the recorded copy shall be noted on the face of the license. Such records shall be open to public inspection with proper restrictions as to their preservation.

#### **45:16-6.1. Pharmacists informed of veterinarian's license and medical status**

The State Board of Veterinary Medical Examiners shall notify each pharmacy owner in the State in writing of any veterinarian permitted to prescribe or administer a controlled dangerous substance in the

course of professional practice whose license to practice has been suspended, revoked, or voluntarily surrendered, or who has been ordered to cease and desist from prescribing or administering certain substances. The board shall also notify the pharmacy owners when the veterinarian's license to practice or authority to prescribe or administer certain substances has been reinstated.

Pursuant to section 4 of P.L.1991, c.304 (C.45:14-3.2), the board shall request the Board of Pharmacy of the State of New Jersey to provide the board with a list of names and addresses of the pharmacy owners in the State.

L.1991,c.304,s.3.

#### **45:16-7. Application for examination; fee; qualifications of applicants.**

A person desiring to commence the practice of veterinary medicine, surgery and dentistry in this State shall deliver to the secretary of the board a fee to be determined by the board for filing the application for examination and a fee to be determined by the board for the examination, together with satisfactory proof that the applicant is a qualified veterinary graduate as defined in this act or who shall provide a certification acceptable to the board that the applicant will be awarded a degree in veterinary medicine at graduation during the academic year from the college or university the applicant attends and has passed a national licensing examination as required by the board. No applicant, however, shall be licensed prior to graduation from a veterinary college or university.

Amended 1942, c.236, s.2; 1952, c.198, s.7; 1965, c.216, s.4; 1983, c.98, s.5; 2002, c.20; 2003, c.227, s.2.

#### **45:16-7.2. Conditions for waiver of portions of examination.**

a. The board may waive all but the law portion of the examination of, and issue a license to practice veterinary medicine and surgery to, any person who at the time of the application:

(1) Holds a current license in good standing to practice veterinary medicine, surgery and dentistry in another state, U.S. territory, or the District of Columbia, which has education and examination requirements which are substantially equivalent to the requirements of R.S.45:16-1 et seq. for the issuance of a license, or is a board certified specialist in a clinical specialty approved by the board through rules and regulations and recognized by the American Veterinary Medical Association (AVMA); and

(2) Has passed the National Board Examination (NBE) and the Clinical Competency Test (CCT) as prepared under the authority of the National Board of Veterinary Medical Examiners (NBVME), or its predecessor organization, the National Board Examination Committee for Veterinary Medicine (NBEC), or the North American Veterinary Licensing Examination (NAVLE) or any subsequent national licensing examination prepared under the authority of the NBVME or the American Association of Veterinary State Boards (AAVSB), or a substantially equivalent examination, as approved or established by the board, unless at the time the applicant became licensed in another state, U.S. territory, or the District of Columbia, the NBE or CCT, or subsequent examinations prepared under the authority of the NBVME, were not required by this State, in which case the applicant need only have passed whatever national licensing examinations were required of entry level licensed veterinarians in this State at that time; and

(3) Has actively practiced clinical veterinary medicine, surgery and dentistry at least three years of the five years preceding application.

b. Applicants who are not graduates of schools of veterinary medicine, surgery and dentistry accredited by the American Veterinary Medical Association (AVMA) shall possess a certificate issued by the Education Commission for Foreign Veterinary Graduates (ECFVG), or who are qualified under any other training program approved by the board unless at the time these applicants became licensed in another state, U.S. territory or the District of Columbia, the ECFVG certificate was not required by this State.

c. Applicants who are not in good standing, as determined by the board, may apply for licensure as provided in this section, but in order to be so licensed shall provide to the satisfaction of the board that they are qualified for licensure in New Jersey. In approving licensure applications submitted in accordance with the provisions of this subsection, the board may either place limits on an applicant's license or establish conditions of probation prior to the issuance of a license, or both.

No person shall seek licensure under this section sooner than three years after failure to be licensed under any other section of P.L.1952, c.198 (C.45:16-9.1 et al.).

L.1983,c.98,s.6; amended 1985, c.495, s.2; 2003, c.227, s.3.

#### **45:16-8. Issuance of order for examination; re-examination**

Upon making such payment and exhibiting the proof required by section 45:16-7 of this Title, the board, if satisfied with the same, shall issue to such applicant an order for examination. In case of failure at such examination, the candidate may have additional examinations by the board upon the payment of an additional application fee to be determined by the board and an additional examination fee to be determined by the board for each additional examination.

Amended by L.1942, c. 236, p. 640, s. 3; L.1952, c. 198, p. 705, s. 8; L.1965, c. 216, s. 5; L.1983, c. 98, s. 7, eff. March 11, 1983.

#### **45:16-8.1. Practice defined.**

Any person shall be regarded as practicing veterinary medicine within the meaning of this chapter, who, either directly or indirectly, diagnoses, prognoses, treats, administers, prescribes, operates on, manipulates, or applies any apparatus or appliance for any disease, pain, deformity, defect, injury, wound or physical condition of any animal, including poultry and fish, or who prevents or tests for the presence of any disease in animals, or who performs embryo transfers and related reproductive techniques, or who holds himself out as being able or legally authorized to do so.

The term "practice of veterinary medicine, surgery, and dentistry" does not include:

(1) The calling into this State for consultation of a duly licensed veterinarian of any other state with respect to any case under treatment by a veterinarian registered under the provisions of this act;

(2) The practice of veterinary medicine by any veterinarian in the performance of his official duties in the service of the State of New Jersey or the United States Government, either civil or military;

(3) The experimentation and scientific research activities of physiologists, bacteriologists, biologists, pathologists, biological chemists, chemists, or persons under the direct supervision thereof, when engaged in the study and development of methods and techniques directly or indirectly applicable to the problems of veterinary medical practice;

(4) The administration to the ills and injuries to their own animals by persons owning such animals; provided, however, that they otherwise comply with all laws, rules and regulations relative to the use of medicines and biologics used in so doing;

(5) Persons gratuitously giving aid, assistance or relief in emergency or accident cases, if they do not represent themselves to be veterinarians or use any title or degree appertaining to the practice of veterinary medicine, surgery or dentistry;

(6) Any properly trained animal health technician or other properly trained assistant, who is under the responsible supervision and direction of a licensed veterinarian in his practice of veterinary medicine, if the technician or assistant does not represent himself as a veterinarian or use any title or degree appertaining to the practice of veterinary medicine, surgery or dentistry, and does not diagnose, prescribe, or perform surgery;

(7) Emergency paramedical services rendered during the transportation of an animal to an animal or veterinary facility, when the transportation is provided by any person providing the service for hire as a business;

(8) The care, repair and rehabilitation of wildlife species by wildlife rehabilitators under the responsible supervision of a licensed veterinarian;

(9) The undertaking of duties and actions, in accordance with the provisions of subparagraph (2) of subsection a. of R.S.45:16-9, by a student at an accredited veterinary school, if the student does not represent himself as a veterinarian or use any title or degree appertaining to the practice of veterinary medicine, surgery or dentistry; and

(10) Artificial insemination.

(added) 1942, c.236, s.4; amended 1952, c.198, s.9; 1954, c.50, s.1; 1965, c.216, s.6; 1983, c.98, s.8; 1985, c.495, s.3; 2013, c.122, s.1.

#### **45:16-8.2. Facilities; clean and sanitary**

Facilities maintained and used in connection with the practice of veterinary medicine shall be clean and sanitary.

L.1983, c. 98, s. 9, eff. March 11, 1983.

#### **45:16-8.3. Veterinary facilities to post notice regarding supervision after normal business hours; terms defined.**

a. Every veterinary facility in the State shall post its normal business hours in a conspicuous location easily visible to the public.



b. (1) A veterinarian overseeing the care of a domestic companion animal at a veterinary facility that does not provide domestic companion animals with supervision after normal business hours by a person physically on the premises shall provide written notification to each person bringing a domestic companion animal to the veterinary facility for care or treatment. The written notification may be provided as a sign posted next to the posting required pursuant to subsection a. of this section, as part of a sign used to meet the posting requirement of that subsection, or on an intake form provided to each person bringing a domestic companion animal to the veterinary facility.

(2) The written notification provided in accordance with paragraph (1) of this subsection shall include the following specific language:

"This veterinary facility does NOT provide supervision for animals after normal business hours by a person physically on these premises."

This language shall be printed in no less than 12-point font in an intake form and no less than 24-point font on a posted sign.

c. As used in this section:

"Domestic companion animal" means any animal commonly referred to as a "pet," which has been bought, bred, raised or otherwise acquired, in accordance with local ordinances and State and federal law, for the primary purpose of providing companionship to the owner, rather than for business or agricultural purposes.

"Normal business hours" means the times posted at a veterinary facility indicating the hours that the veterinary facility is open for business with supervising staff available.

"Veterinarian" means any person engaged in the licensed practice of veterinary medicine as defined by R.S.45:16-8.1.

"Veterinary facility" means any place or establishment, operated on a for-profit basis, where a domestic companion animal, which is not owned by either the proprietor or care-giving veterinarian, is treated, temporarily sheltered, fed, and watered for veterinary care purposes. "Veterinary facility" may include an animal or veterinary facility as defined in section 1 of P.L.1983, c. 98 (C.45:16-1.1).

d. A veterinarian who fails or refuses to comply with the provisions of this section shall be subject to a public reprimand by the State Board of Veterinary Medical Examiners and any other penalties the board imposes.

L.2015, c.110, s.1.

#### **45:16-9. License required.**

a. (1) Except as otherwise provided in paragraph (2) of this subsection, no person shall enter into, or continue, the practice of veterinary medicine, surgery, or dentistry in any of their branches, unless the person has complied with the provisions of this chapter and has been licensed by the board.

(2) Any student in good standing at an accredited veterinary school may, during a school vacation, preceptorship, or intern or extern program, perform duties or actions that otherwise could be considered to constitute the practice of veterinary medicine, surgery, or dentistry, provided that those duties or actions are assigned by a qualified instructor at that accredited

veterinary school, and are undertaken by the student under the direct supervision of a licensed veterinarian. A student applicant shall be associated with a licensed veterinarian in the practice and the student applicant's labors shall be limited to the practice of that licensed veterinarian.

b. No person shall use any title or degree appertaining to the veterinary profession or the practicing of veterinary medicine, surgery, or dentistry in any of their branches without being licensed and registered in conformity with the provisions of this chapter.

amended 1942, c.236, s.5; 1953, c.43, s.82; 1965, c.216, s.7; 1983, c.98, s.11; 2013, c.122, s.2.

#### **45:16-9.1. Short title**

This act shall be known and may be cited as the "veterinary practice law."

L.1952, c. 198, p. 702, s. 1.

#### **45:16-9.2. Practice of veterinary medicine, surgery and dentistry declared a profession**

In the interest of and to better secure the public health, safety and welfare, and for the more efficient administration and supervision of sanitary conditions and health regulations, the practice of veterinary medicine, surgery and dentistry is hereby declared to be a profession.

L.1952, c. 198, p. 702, s. 2.

#### **45:16-9.3a. False or misleading advertising**

It shall be unlawful for a licensee to advertise falsely, fraudulently or in a manner likely to mislead the public or in a manner which violates the rules and regulations of the board.

L.1983, c. 98, s. 12, eff. March 11, 1983.

#### **45:16-9.3b. Name or title of facility**

No veterinary facility included under section 6 of this act shall be designated by any name or title which in any way misleads or tends to deceive the public as to the nature or extent of the services rendered. If the title of a veterinary facility includes the term:

a. "Hospital" , then the facility shall be able to provide examination, diagnostic and prophylactic services and medical and surgical treatment, shall be equipped to provide housing and nursing care during illness and convalescence or major surgery, and shall be solidly constructed with adequate space and safeguards for patients, clients, and personnel;

b. "Clinic", then the facility shall be able to provide examination, diagnostic and prophylactic services and medical and surgical treatment on an out patient basis;

c. "Mobile", then the facility shall be movable, shall be directed by a veterinarian or group of veterinarians, and shall be associated with a clinic or hospital within reasonable proximity to the area served by the facility;

d. "Medical center" , then the facility shall be staffed by one or more veterinarians who perform scientific research and conduct advanced education programs and shall provide all services available in hospital or clinical facilities;

e. "Emergency", then the facility shall be open after hours, as defined by the board, weekends, and bank holidays and shall have a veterinarian on the premises and all standards applying to animal hospitals shall apply.

L.1983, c. 98, s. 10, eff. March 11, 1983.

#### **45:16-9.4. Issuance of certificate of registration; renewal; suspension.**

Every person licensed to practice veterinary medicine, surgery and dentistry shall procure a certificate of registration which shall be issued upon the payment of a fee determined by the board for a two-year period. A registrant not practicing in this State may apply for an inactive registration and shall pay a fee determined by the board. An inactive registrant shall not practice veterinary medicine, surgery or dentistry in this State. The secretary shall mail to each person licensed to practice veterinary medicine, surgery and dentistry at least 30 days prior to the deadline for registration a printed blank form to be properly filled in and returned to the secretary by such licensed person on or before the deadline for registration, together with such fee. In addition to information about the registrant, the board shall require each licensee to provide the following information on the application or renewal application form: the name, address and telephone number of each veterinary facility in which the registrant will practice 500 or more hours per year; the type of practice; the legal organization of the practice and that entity's name, address and telephone number, if different from the facility address and telephone number; and the name of the principals for that entity. Upon the receipt of the form properly filled in, and such fee, the certificate of registration shall be issued and transmitted.

Except as otherwise provided in section 3 of P.L.2010, c.89 (C.45:16-9.4a), a registrant applying for active license renewal shall complete not less than the requisite number of hours of continuing veterinary education as determined by the board, of a type approved by the board, during each two-year license renewal period to be eligible for relicensure. Prior to license renewal each licensee shall submit to the board proof of completion of the required number of hours of continuing education over the prior two-year period. The board may, in its discretion, waive requirements for continuing education for an individual for reasons of hardship, such as illness or disability, retirement of the license or other good cause.

The failure on the part of the licensee to renew his certificate as required shall not deprive such person of the right of renewal. The fee to be paid if the certificate is renewed after the expiration date shall be determined by the board. Notice to the licensee by mail on or before the deadline for registration, addressed to his last post-office address known to the board, informing him of his failure to have applied for a renewal of his license certificate, shall constitute legal notification of such delinquency by the board.

Applications for renewal of certificates shall be in writing to the board, accompanied by the required fees. The license of any person who fails to procure a renewal of certificate at the time and in the manner required by this section shall be suspended by the board upon notice. Any license so suspended shall be reinstated at any time upon the payment of all past-due registration fees and an additional reinstatement fee determined by the board. The board may require that any applicant for registration who has ceased the practice of veterinary medicine for a period in excess of three years be reexamined by the board and be required to complete additional continuing education requirements as

a prerequisite to relicensure by the board. Any person whose license shall have been suspended for such cause shall, during the period of such suspension, be regarded as an unlicensed person and, in case he shall continue or engage in the practice of veterinary medicine, surgery or dentistry during such period, shall be liable to penalties pursuant to the provisions of P.L.1978, c.73 (C.45:1-14 et seq.).

Every duly licensed person, before commencing the practice of veterinary medicine, surgery and dentistry in this State, shall, within 30 days of the commencement of such practice, procure the certificate of registration required in this act.

Every person practicing veterinary medicine, surgery and dentistry in this State shall conspicuously display at all times his license and registration certificate for the effective two-year period in his main office. Every person who practices veterinary medicine, surgery and dentistry without having such certificate on display, as herein required, shall be liable to a penalty pursuant to section 12 of P.L.1978, c.73 (C.45:1-25).

Every practitioner of veterinary medicine, surgery and dentistry, licensed under the provisions of R.S.45:16-1 et seq., shall report to the board in writing any change in his place of practice, whether same be his main office or branch office, within 30 days of such change.

L.1952, c.198, s.4; amended 1965, c.216, s.9; 1983, c.98, s.13; 2003, c.227, s.4; 2010, c.89, s.2.

#### **45:16-9.4a. Required courses, topics for continuing veterinary education.**

a. The State Board of Veterinary Medical Examiners shall establish, through the promulgation of regulations, any specific courses or topics which are to be required for continuing veterinary education, and designate which are the core requirements for continuing veterinary education, including the number of required hours, subject matter and content of courses of study.

For purposes of this section, "core requirements" means the continuing veterinary education determined by the board to be necessary to maintain currency in professional knowledge and skills in order to deliver competent veterinary care.

b. The board may offset up to 10 percent of the requisite number of hours of continuing veterinary education required pursuant to section 4 of P.L.1952, c.198 (C.45:16-9.4) by the number of volunteer veterinary services rendered by licensees, at a rate of one half of one hour of continuing veterinary education for each hour of volunteer veterinary services, provided that a veterinarian shall be required to complete at least the core requirements established pursuant to subsection a. of this section. In addition, the board may adopt a formula providing a minimum number of spaying or neutering procedures that shall be deemed the equivalent of one hour of continuing veterinary education.

The board may reduce, in part, an application by a licensee to offset credits of continuing veterinary education pursuant to this subsection if the board finds, in its discretion, that the applicant requires continuing veterinary education in order to maintain or restore professional competence, or may deny all applications if the board finds that continuing veterinary education above the core requirements is necessary because of developments in science or technology.

The board may also, in its discretion and for good cause, notify a veterinarian that the veterinarian is ineligible to offset credits of continuing veterinary education pursuant to this subsection for any other reason established by regulation by the board.

c. As used in this section, "volunteer veterinary services" means veterinary care provided without charge to:

(1) a person eligible for, and participating in, at least one of the programs enumerated in section 3 of P.L.1983, c.172 (C.4:19A-2); or

(2) a shelter or pound licensed by the Department of Health and Senior Services or a municipally approved managed cat colony, provided that the municipality or nonprofit group or organization managing the cat colony has attested in writing to the veterinarian that the cat to be spayed or neutered or otherwise treated by the veterinarian is feral or stray with no known owner.

L.2010, c.89, s.3.

#### **45:16-9.4b. Rules, regulations.**

The State Board of Veterinary Medical Examiners, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), may adopt rules and regulations necessary to effectuate the purposes of this act.

L.2010, c.89, s.5.

#### **45:16-9.4c. Continuing veterinary education.**

The State Board of Veterinary Medical Examiners shall require that the number of credits of continuing veterinary education required of each person licensed as a veterinarian, as a condition of biennial license renewal, include at least one credit of educational programs or topics concerning prescription opioid drugs, including the risks and signs of opioid abuse, addiction, and diversion. The continuing veterinary education requirement in this section shall be subject to the provisions of section 3 of P.L.2010, c.89 (C.45:16-9.4a), including, but not limited to, the authority of the board to waive the provisions of this section for a specific individual if the board deems it is appropriate to do so.

L.2017, c.341, s.8.

#### **45:16-9.5. Name of licensee; use after death or relinquishment of interest**

Wherever the profession of veterinary medicine, surgery, or dentistry is carried on in the name or names of a licensee or licensees said name or names may not be used for more than two years after the death or relinquishment of the interest of the licensee or licensees.

L.1952, c. 198, p. 704, s. 5.

#### **45:16-9.6. Partners, shareholders restricted**

Wherever the profession of veterinary medicine, surgery and dentistry is carried on by a partnership, corporation incorporated under Title 14A of the New Jersey Statutes or professional association, all partners or shareholders must be licensed veterinarians.

L. 1952, c. 198, p. 704, s. 6. Amended by L. 1983, c. 98, s. 14, eff. March 11, 1983; L. 1985, c. 495, s. 4, eff. Jan. 21, 1986.

#### **45:16-9.7. Qualified veterinary graduates; temporary permit; qualifications.**

A veterinary practice may employ for each licensed veterinarian in the practice as veterinarians not more than two qualified veterinary graduates who have obtained a temporary permit; provided that the qualified veterinary graduates have met all the requirements of the board as set forth in the practice act. An applicant for such a temporary permit shall be associated with a licensed veterinarian in the practice and his labors shall be limited to the practice of the licensed veterinarian. Each qualified veterinary graduate shall be under the responsible supervision of a licensed practicing veterinarian. Said applicant shall present himself for examination at the next scheduled examination of the board for which the applicant is eligible. There shall be a fee determined by the board for the aforementioned permit, which fee shall be applied toward the examination fee, but shall be forfeited if the applicant fails to present himself at the next scheduled examination for which the applicant is eligible. If the applicant does not pass the examination, additional permits may be issued but not to exceed three in total. Application for such permit shall be countersigned by the licensed veterinarian with whom the candidate will be associated. A candidate who has failed to appear for an examination or who has failed an examination and who has subsequent thereto failed to renew his permit is disqualified to practice the profession of veterinary medicine, surgery, and dentistry.

A lawfully qualified veterinarian of another state who meets the requirements of this State for licensure may take charge temporarily of the practice of a licensed veterinarian of this State during his absence from such practice, not to exceed 90 days, unless renewed, upon written request to the board for permission to do so and upon payment of a fee as determined by the board. The board shall have the right to suspend or revoke any temporary permit for a violation of R.S.45:16-1 et seq. by either the permittee or licensee-employer; provided that before any such permit shall be suspended or revoked, the accused person shall be afforded a hearing before the board.

A licensed practitioner may also use a veterinarian who is qualified under the provisions of the American Veterinary Medical Association's Education Commission for Foreign Veterinary Graduates or who is qualified under any other training program approved by the board, who shall have obtained a training certificate from the board for this purpose. That person shall be under the responsible supervision of the licensed practitioner.

L.1952,c.198,s.10; amended 1965, c.216, s.10; 1983, c.98, s.15; 2003, c.227, s.5.

#### **45:16-9.8. Prohibited acts, engaging in**

No person shall directly or indirectly for himself or others do or engage in any acts or practices specifically prohibited to duly licensed veterinarians by the provisions of this chapter.

L.1952, c. 198, p. 707, s. 11.

#### **45:16-9.9. Rules and regulations**

The board shall conduct an investigation and ascertain the facts relating to the practice of veterinary medicine, surgery and dentistry for the purpose of determining the need for, and the desirability of,

rules to promote the safety, protection and welfare of the public and to effectuate the purposes of this chapter and to aid the board in the performance of its powers and duties hereunder, and the board shall thereupon make and promulgate rules and regulations for the said purposes.

L.1952, c. 198, p. 707, s. 12.

#### **45:16-9.10. Short title**

This act shall be known and may be cited as the "New Jersey Veterinary Good Samaritan Law."

L.1980, c. 175, s. 1, eff. Dec. 29, 1980.

#### **45:16-9.11. Nonliability for civil damages for rendering emergency care**

Any individual licensed to practice veterinary medicine who, in good faith, renders emergency care to any animal which has, immediately prior to the rendering of such care, been brought to such individual's attention at or from the scene of an accident or emergency situation or has been discovered by such individual at the scene of an accident or emergency situation shall not be liable for any civil damages as a result of any acts or omissions by such person in rendering the emergency care.

L.1980, c. 175, s. 2, eff. Dec. 29, 1980.

#### **45:16-11. Application of chapter limited**

Nothing in this chapter shall be construed to interfere with or punish veterinarians residing in other States or countries meeting registered veterinarians of this State in consultation, or residing on the border of a neighboring State and duly authorized under the laws thereof to practice veterinary medicine or surgery therein whose practice extends into the limits of this State, but such practitioner shall not open any office or appoint a place to meet patients or receive calls within the limits of this State. Nothing in this chapter shall be construed to prohibit the practice of veterinary medicine, surgery or dentistry by any practitioner who shall have been registered in any county in this State before the first Monday in May, 1902, and one such registry shall be sufficient warrant to practice veterinary medicine, surgery or dentistry in any county in this State.

Amended by L.1942, c. 236, p. 646, s. 7; L.1965, c. 216, s. 11.

#### **45:16-12.1. Enforcement of act**

The provisions of this act and the act to which this act is amendatory and supplementary shall be enforced pursuant to P.L.1978, chapter 73 (C. 45:1-14 et seq.).

L.1983, c. 98, s. 16, eff. March 11, 1983.

#### **45:16-13. Title of act**

This act shall be known and may be cited as the "New Jersey Unretrieved Animal Act."

L.1979, c. 354, s. 1, eff. Jan. 29, 1980.

#### **45:16-14. Definitions**

As used in this act:

"Unretrieved animal" means an animal placed for confined treatment or boarding by its owner or an agent thereof in the care and custody of a veterinarian or boarding kennel, which animal is not retrieved by the owner or agent thereof from the veterinarian within 72 hours of being notified in any manner that the confined treatment is completed or from the boarding kennel within 72 hours of the last day the animal was to be boarded.

"Humane disposal" means euthanasia by or under the direct supervision of a veterinarian or placement in a suitable home or animal shelter which shall not include any home or shelter which engages in animal experimentation or, by sale or otherwise, makes animals available for the purpose of animal experimentation. Humane disposal shall not include hypoxia induced by decompression or in any other manner or the administration of a lethal gas other than an inhalant anesthetic.

L.1979, c. 354, s. 2, eff. Jan. 29, 1980. Amended by L.1982, c. 76, s. 2, eff. July 22, 1982; L.1982, c. 158, s. 1, eff. Oct. 27, 1982.

#### **45:16-15. Humane disposal of unretrieved animals; notice to owner**

A veterinarian or boarding kennel may elect the humane disposal of an unretrieved animal no sooner than 4 days after the owner or agent thereof has signed or refused to sign for the receipt of a certified letter from the veterinarian or boarding kennel owner indicating intent to humanely dispose of the animal, which letter shall be sent to the owner's or agent's last known address. In the event the owner cannot be notified by certified mail, return receipt requested, the veterinarian or boarding kennel owner may elect humane disposal any time after 4 days following return of the certified mail receipt. The veterinarian or boarding kennel manager shall keep an accurate record of the date and method of disposal and the name, address and telephone number of the person or shelter receiving the animal.

L.1979, c. 354, s. 3, eff. Jan. 29, 1980.

#### **45:16-16. Financial liability of owner for treatment of animal**

The humane disposal of an unretrieved animal shall not relieve the owner or agent thereof of any financial obligation incurred for treatment, boarding or care by the veterinarian or boarding kennel.

L.1979, c. 354, s. 4, eff. Jan. 29, 1980.

#### **45:16-17. Liability of veterinarian or boarding kennel**

Notification and humane disposal as provided in section 3 of this act shall relieve the veterinarian or boarding kennel of any further liability regarding the unretrieved animal.

L.1979, c. 354, s. 5, eff. Jan. 29, 1980.



**45:16-18. Posting of humane disposal requirements of act in hospital or kennel**

The veterinarian or boarding kennel shall post in a conspicuous location in the hospital or kennel a resume of the provisions of this act.

L.1979, c. 354, s. 6, eff. Jan. 29, 1980.