

STATE VETERINARY BOARD
Rules Relating to the Profession

PART 1.
GENERAL INFORMATION

1.1 THE BOARD'S PURPOSE

The State Veterinary Board has been created and given powers by Vermont law. The Board's purpose is to protect the public health, safety and welfare. The Board does this by setting standards for issuing licenses, licensing only qualified applicants and regulating license holders and their practices.

1.2 LAWS THAT GOVERN REGULATION OF VETERINARIANS

Licensure is governed by a specific state law that establishes responsibilities for setting standards, issuing licenses, and regulating the profession. The law is the Veterinary Medicine Act, 26 V.S.A. §§ 2401-2432. In addition, the Board is obligated to comply with several other state laws such as the Administrative Procedure Act, 3 V.S.A. §§ 801-849, the Open Meeting Law, 1 V.S.A. §§ 310-314, the Law of Professional Regulation, 3 V.S.A. §§ 121-131, and the Access to Public Records Law, 1 V.S.A. §§ 315-320. These laws set forth the rights of an applicant, licensed veterinarian, or member of the public. The complete text of these laws is available at most libraries and town clerks' offices. "Vermont Statutes Online" are also available on the Internet at <http://www.leg.state.vt.us> . Copies of the laws and rules governing the Board may also be found at the Board's Web site: <http://www.vtprofessionals.org/veterinarians/>

PART 2.
INFORMATION FOR APPLICANTS

2.1 DEFINITIONS

These words and phrases are defined as follows:

- (1) "AAVSB" means the American Association of Veterinary State Boards.
- (2) "Animal" means any animal other than man and includes fowl, birds, fish and reptiles.
- (3) "AVMA" means the American Veterinary Medical Association.
- (4) "CCT" means the Clinical Competency Test prepared under the authority of the NBECVM

or its successor organization.

(5) "CQ" means a Certificate of Qualification issued by the CVMA.

(6) "CVMA" means the Canadian Veterinary Medical Association.

(7) "ECFVG certificate" means a certificate issued by the American Veterinary Medical Association Education Commission for Foreign Veterinary Graduates or its successor organization, indicating that the holder has demonstrated knowledge and skill equivalent to that possessed by a graduate of an AVMA-accredited or approved college of veterinary medicine.

(8) "Licensed veterinarian" means a person who is validly and currently licensed to practice veterinary medicine in this state.

(9) "NBE" means the National Board Examination prepared under the authority of the NBECVM or its successor organization.

(10) "NBECVM" means the National Board Examination Committee for Veterinary Medicine or its successor organization.

(11) "Veterinarian" means a person who has received a professional degree from an AVMA-accredited college of veterinary medicine.

(12) "Veterinary medicine" includes veterinary surgery, obstetrics, dentistry and all other branches or specialties of veterinary medicine.

(13) "VLRE" means the Vermont laws, rules, and ethics examination prepared by the Board or its designee.

(14) "VSA" means the Vermont Statutes Annotated.

2.2 NEED FOR A LICENSE

No person is allowed to practice veterinary medicine in Vermont unless he or she has a current license or temporary license issued by the Board. However, this requirement does not prohibit the following:

(1) An employee of the federal, state or local government performing his or her official duties.

(2) A person who is a regular student in an accredited or approved college of veterinary medicine performing duties or actions assigned by his or her instructors, or working under the

direct supervision of a licensed veterinarian during a school vacation period, or in a preceptorship program.

(3) A person advising with respect to or performing acts which the Board has prescribed as accepted livestock management practices. Accepted livestock management practices include artificial insemination, dehorning prior to age six months, clipping and shoeing animals and trimming feet, but do not include the practice of veterinary medicine by an unlicensed person in connection with advising or performing such accepted livestock management practices.

(4) A veterinarian regularly licensed in another state consulting with a licensed veterinarian in this state. See R. 3.8 (consulting).

(5) Any merchant or manufacturer selling at his regular place of business medicines, feed, appliances, or other products used in the prevention or treatment of animal diseases.

(6) The owner of an animal and the owner's full-time regular employee caring for and treating the animal belonging to the owner, except where the ownership of the animal was transferred for purposes of circumventing these rules.

(7) A member of the faculty of an accredited college of veterinary medicine performing his or her regular functions or a person lecturing or giving instructions or demonstrations or in connection with a continuing education course or seminar.

(8) Any person selling or applying any pesticide, insecticide or herbicide.

(9) Any person engaging in bona fide scientific research which reasonably requires experimentation involving animals.

(10) Any employee of a licensed veterinarian performing duties other than diagnosis, prescription or surgery under the direction and supervision of the veterinarian who is responsible for his or her performance.

(11) A graduate of a foreign college of veterinary medicine who is in the process of obtaining an ECFVG certificate performing duties or actions under the direction or supervision of a licensed veterinarian.

2.3 APPLICATIONS

Applications and information about licensure requirements are available from the Office of Professional Regulation. An applicant must submit a fully completed application form with all supporting documentation and the fee to the Office. The Board reviews applications only after

the fully completed application and documentation are received, including evidence of any required education or training. Licenses are renewed on a fixed biennial schedule: May 31 of the odd-numbered years. Initial licenses issued within 90 days of the renewal date will not be required to renew and pay the renewal fee. The license will be issued through the next full license period. Applicants issued an initial license more than 90 days prior to the renewal expiration date will be required to renew and pay the renewal fee.

2.4 LICENSURE BY EXAMINATION

Eligibility requirements for licensure by examination are set forth in 26 V.S.A. § 2421.

(1) General requirements: An applicant must be at least 18 years of age and possess good moral character.

(2) Degree requirement: An applicant must have graduated from a school of veterinary medicine accredited by the American Veterinary Medical Association (AVMA) or possess a certificate issued by the Educational Commission for Foreign Veterinary Graduates (ECFVG) or a Certificate of Qualification (CQ) issued by the Canadian Veterinary Medical Association (CVMA).

(3) Examination requirement: An applicant must pass (a) the National Board Examination (NBE) or any subsequent licensing examination prepared under the authority of the National Board Examination Committee for Veterinary Medicine (NBECVM) or its successor organization, (b) the Clinical Competency Test (CCT) or any subsequent licensing examination prepared under the authority of the NBECVM or its successor organization, and (c) the Vermont laws, rules, and ethics examination (VLRE). NBE and CCT scores are valid for three years from the date the applicant passed the examination.

2.5 LICENSURE BY ENDORSEMENT

Eligibility requirements for licensure without examination are set forth in 26 V.S.A. § 2424.

(1) General requirements: An applicant must be currently licensed in good standing in another state or territory of the United States or a Canadian province. An applicant who is not in good standing must demonstrate to the Board's satisfaction that he or she is otherwise qualified for licensure without further examination. The Board may limit or condition such an applicant's license.

(2) Degree requirement: An applicant must have graduated from a school of veterinary medicine accredited by the AVMA or possess a certificate issued by the ECFVG or a CQ issued by the CVMA. However, an ECFVG or CVMA certificate is not required if Vermont did not require

an ECFVG or CVMA certificate at the time the applicant was licensed in the state, territory, or province from which he or she is applying for licensure and if the applicant was licensed on or before July 1, 1981.

(3) Examination requirement: An applicant must have passed the VLRE and (a) the NBE and CCT if Vermont required passing the NBE and CCT at the time the applicant was licensed in the state, territory, or province from which he or she is applying for licensure and if the applicant was licensed on or after February 3, 1988, or (b) an examination prepared by the American Association of Veterinary State Boards (AAVSB), or (c) an examination deemed equivalent by the Board.

(4) Active practice requirement: An applicant must have practiced clinical veterinary medicine for 3,000 hours during the three years preceding application.

(5) Change of focus of practice requirement: An applicant changing his or her focus of practice at the time of application or within two years after licensure by the Board must attend a personal interview with the Board. The Board may require the applicant or licensee to complete additional continuing veterinary medical education, training, and testing in the new field of practice.

2.6 TEMPORARY PERMITS

Applicants who have met all license eligibility requirements except passing the VLRE may apply to the Board for a temporary permit to practice in Vermont. The applicant must take the first VLRE examination offered after issuance of the temporary permit. Temporary permits are valid until the results of the VLRE examination are released, unless extended by the Board for good cause.

2.7 RIGHT TO A WRITTEN DECISION

The Board must make all decisions on whether to grant or deny a license in writing. If the Board decides to preliminarily deny a license, it must give specific reasons and inform the applicant of his or her right to a hearing. If the Board then makes a final decision to deny the license after hearing, the Board must inform the applicant of his or her right to appeal the decision.

2.8 RIGHT TO APPEAL

An Applicant not satisfied with the Board's decision may appeal within 30 days of the date of the decision to the Director of the Office of Professional Regulation, who will assign the case to an appellate officer. Information about the appeal process can be obtained from the Office of

PART 3.
INFORMATION FOR LICENSED VETERINARIANS

3.1 LICENSE RENEWAL

Licenses are renewed on a fixed biennial schedule: May 31 of the odd-numbered years. Initial licenses issued within 90 days of the renewal date will not be required to renew and pay the renewal fee. The license will be issued through the next full license period. Applicants issued an initial license more than 90 days prior to the renewal expiration date will be required to renew and pay the renewal fee. Before the expiration date, the Office will mail a renewal application and notice of the renewal fee. A license will expire automatically if the renewal application and fee are not returned to the Office by the expiration date.

3.2 LICENSE REINSTATEMENT

If a license is revoked because it was not renewed promptly, it can be reinstated only if the licensee pays the accumulated renewal fees. If a license has been revoked for four years for any reason, including not paying license fees, it may not be re-instated, except by re-examination.

3.3 CHANGE OF NAME OR ADDRESS

A licensee is responsible for notifying the Office promptly if he or she changes name, mailing address, or business address. Acceptable documentation of change of name includes a notarized copy of a marriage certificate, instrument of change of name from a probate court, or other court order. Acceptable documentation of change of name also includes a notarized copy of current identification, such as a driver's license or Social Security card, in both the former and present names. The Board may require additional documentation at its discretion.

3.4 PROFESSIONAL STANDARDS

Licensed veterinarians may be disciplined for unprofessional conduct under 26 V.S.A. § 2431 and 3 V.S.A. § 129a. In addition, 3 V.S.A. § 129(a)(7) provides a ground for discipline in this state if a licensee or applicant has been disciplined in another state for any offense which would constitute unprofessional conduct in Vermont.

3.5 COMPLAINT PROCEDURE

The Office has a procedure for receiving, investigating, and acting on complaints of

unprofessional conduct. Copies of the procedure are available from the Office.

3.6 VETERINARIAN-CLIENT-PATIENT RELATIONSHIP

The Board endorses the following policy statements and guidelines of the American Veterinary Medical Association as recommended guidelines for the practice of veterinary medicine: Veterinary prescription drugs should be dispensed only by or on the order of a licensed veterinarian in the presence of a valid veterinarian-client-patient relationship (V.C.P.R.) Orders issued by licensed veterinarians authorizing drug distributors to deliver veterinary prescription drugs to a specific client should be based on a valid V.C.P.R. Prescriptions or orders issued by licensed veterinarians authorizing pharmacists to dispense veterinary prescription drugs to a specific client should be based on a valid V.C.P.R. The V.C.P.R. exists when all of the following conditions have been met: The veterinarian has assumed the responsibility for making clinical judgments regarding the health of the animal(s) and the need for medical treatment, and the client has agreed to follow the veterinarian's instructions. The veterinarian has sufficient knowledge of the animal(s) to initiate at least a general or preliminary diagnosis of the medical condition of the animal(s). This means that the veterinarian has recently seen and is personally acquainted with the keeping and care of the animal(s) by virtue of an examination of the animal(s) or by medically appropriate and timely visits to the premises where the animal(s) are kept. The veterinarian is readily available for follow-up evaluation in the event of adverse reactions or failure of the treatment regimen. Reports of violations of these policy statements and guidelines shall be investigated by the Board and may result in disciplinary action.

3.7 CONTINUING EDUCATION REQUIREMENTS

Documentation of 24 continuing education units (CEU) from Board-approved state, regional, or national veterinary medical education programs is required for license renewal. Programs offered by the following organizations do not require advance approval: Vermont Veterinary Medical Association (VVMA), AVMA, AVMA-accredited veterinary colleges, or programs certified by the AAVSB through its Registry of Approved Continuing Education (RACE). Articles in Veterinary Learning Systems Compendium for continuing education may be used for up to eight credit hours if the licensee provides proof of successful passage of the corresponding examinations. Other programs may be accepted at the Board's discretion if the program outline, including learning objectives, and the names and qualifications of the presenters are submitted to the Board. CEU's may not be transferred or carried over from one renewal period to another. The Board may conduct random audits to verify completion of continuing education up to six years after a license is renewed. Upon request by the Board, the licensee shall submit certificates of completion for all programs listed in the licensee's renewal application. Before renewing a license, the Board may require an applicant who fails to complete sufficient CEU's for license renewal to develop and complete a specific corrective action plan within 90 days. The Board will not renew the license of an applicant who fails to complete such a corrective

action plan within the 90-day grace period. For applicants granted initial licensure by the Board, the requirement to accumulate CEU's shall commence on the opening date of the first biennial renewal period following grant of initial licensure. Not more than four hours of practice economics or practice management will be accepted for continuing education credit per renewal period.

3.8 CONSULTING

A veterinarian licensed in another jurisdiction consults with a licensed veterinarian in Vermont by providing information or instruction to the veterinarian licensed in this state. A veterinarian licensed in another jurisdiction who consults with a licensed veterinarian in this state is exempt from licensure in Vermont. A veterinarian, including a specialist, licensed in another jurisdiction who provides information or instruction directly to a client, or who examines or performs surgery on a patient, is practicing rather than consulting, even if summoned by a licensed Vermont veterinarian, and must be licensed by the Board.

3.9 WRITING PRESCRIPTIONS

A veterinarian licensed and practicing in Vermont is not required to write a prescription at a client's request. A veterinarian licensed and practicing in Vermont is required to provide a requesting client with copies of documents prepared for and purchased by the client in connection with veterinary services. Example: A veterinarian examines a patient, writes a prescription in connection with the examination, and then, for some reason, decides not to give the prescription to the client after the client has paid for the examination and asked for the prescription. In such a case, the veterinarian must provide the client with a copy of the prescription. Veterinary prescription drugs may be dispensed only by or on the order of a licensed veterinarian in the presence of a valid veterinarian-client-patient relationship, as provided in Rule 3.6 above.

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