

Chapter 875 Veterinary Medical Examining Board

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DIVISION 1

PROCEDURAL RULES

875-001-0000

Notice

Prior to the adoption, amendment, or repeal of any permanent rule, the Veterinary Medical Examining Board shall give notice of the proposed adoption, amendment, or repeal:

(1) In the Secretary of State's Bulletin referred to in ORS 183.360, at least 15 days prior to the effective date.

(2) By providing a copy of the notice to persons on the Veterinary Medical Examining Board's mailing list established pursuant to ORS 183.335(7).

(3) By providing a copy of the notice to the following persons, organizations, or publications:

- (a) Media services;
- (b) Oregon Veterinary Medical Association;
- (c) Oregon Humane Society;
- (d) Oregon State University Extension Service;
- (e) Animal control agencies.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 183.310 - 183.360

Hist.: VE 4, f. & ef. 5-3-76; VME 2-1989, f. 8-29-89, cert. ef. 10-1-89; VMEB 1-2006, f. & cert. ef. 2-8-06

875-001-0005

Model Rules of Procedure

The Veterinary Medical Examining Board adopts in its entirety the Attorney General's Model Rules of Procedure under the Administrative Procedures Act.

[ED. NOTE: The full text of the Attorney General's Model Rules of Procedure is available from the office of the Attorney General or Veterinary Medical Examining Board.]

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 183

Hist.: VE 1, f. 7-29-60; VE 2, f. 6-23-72, ef. 7-15-72; VE 3, f. 9-25-74, ef. 10-25-74, Renumbered from 875-010-0005; VE 2-1978, f. & ef. 2-21-78; VE 1-1979, f. & ef. 8-28-79; VME 2-1980, f. & ef. 5-20-80; VME 1-1982, f. & ef. 8-30-82; VME 1-1987, f. & ef. 12-22-87; VME 2-1989, f. 8-29-89, cert. ef. 10-1-89; VME 4-1992, f. & cert. ef. 12-10-92; VMEB 1-2006, f. & cert. ef. 2-8-06; VMEB 2-2006, f. & cert. ef. 5-11-06

875-001-0015

Hearing Requests, Answers, and Consequences of Failure to Answer

(1) A hearing request shall be made in writing to the Board by the party or his/her representative and shall include an answer, which includes the following:

(a) An admission or denial of each factual matter alleged in the notice;

(b) A short and plain statement of each relevant affirmative defense the party may have.

(2) Factual matters alleged in the notice and not denied in the answer shall be presumed admitted;

(3) Failure to raise a particular defense in the answer will be considered a waiver of such defense; and

(4) Affirmative defenses alleged in the answer shall be presumed to be denied by the Board.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.020, 686.045 & 686.065

Hist.: VMEB 1-2006, f. & cert. ef. 2-8-06

875-001-0040

Public Records and Materials

(1) All requests for copies of public records pertaining to the Veterinary Medical Examining Board available at the Board office

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shall be submitted in writing. Public records are also available for viewing in the Board office during regular office hours.

(2) Charges for copies, documents and services shall be as follows:

(a) For machine copies requested by other state agencies and the general public, the charge will be the accepted government agency rate per copy;

(b) For documents developed by the Board, the Charge will be an amount fixed by the Board or its Executive Officer not exceeding the actual preparation cost per copy;

(c) For both machine copies and documents, a charge for any additional amount set at the discretion of the Board or its Executive Officer for staff time required for search, handling, and copying.

(3) Charges for the general public shall be payable in cash. Charges to state agencies shall be payable in cash unless billing to such agencies is authorized by the Board or its Executive Officer.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 279.051

Hist.: VME 1-1994, f. & cert. ef. 4-13-94

DIVISION 5

GENERAL

875-005-0000

Board Meetings

The Board shall hold regular meetings at least once each year, at such time and place as the Board may designate. The Chair of the Board may call special meetings for the Board at any time through the year as such meetings are necessary.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.210

Hist.: VMEB 1-2006, f. & cert. ef. 2-8-06

875-005-0005

Definitions

(1) "Agency": Any animal control department, humane society, or facility which contracts with a public agency or arranges to provide animal sheltering services and is registered by the Oregon State Board of Pharmacy.

(2) "Board": The Oregon State Veterinary Medical Examining Board.

(3) "Board of Pharmacy": The Oregon State Board of Pharmacy.

(4) "Certified Euthanasia Technician or "CET". A person who is employed by or a volunteer at a humane society or animal control agency and is certified by the Board pursuant to ORS 475.190(4). Any person who was trained prior to October 15, 1983 in euthanasia methods, in the course provided by Multnomah County Animal Control and the Oregon Humane Society, and who has been subsequently certified by the Board.

(5) "Client": An entity, person, group or corporation that has entered into an agreement with a veterinarian for the purpose of obtaining veterinary medical services.

(6) "Comprehensive": Pertaining to all animal species.

(7) "Conviction of Cruelty to Animals": for purposes of ORS 686.130(11) is defined to include but not limited to animal abuse in the first or second degree, aggravated animal abuse in the first degree, and animal neglect in the first degree.

(8) "Designated Agent": A CET who is responsible for the withdrawal and return of sodium pentobarbital from the drug storage cabinet.

(9) "Good Standing and Repute": As used in ORS 686.045(1), means:

(a) A university accredited by the American Veterinary Medical Association (AVMA); or

(b) A foreign school listed by the AVMA whose graduates are eligible to apply for a certificate through the Educational Commission for Foreign Veterinary Graduates (ECFVG) committee of the AVMA, or other programs approved by the Board.

(10) "Herd or Flock Animal": Animals managed as a group only for economic gain including but not limited to breeding, sale, show, food production, or racing.

(11) "Mobile Clinic": A vehicle, including but not limited to a camper, motor home, trailer, or mobile home, used as a veterinary medical facility. A mobile clinic is not required for house calls or farm calls.

(12) Surgery Procedure:

(a) "Aseptic Surgery": Aseptic surgical technique exists when everything that comes in contact with the surgical field is sterile and precautions are taken to ensure sterility during the procedure.

(b) "Antiseptic Surgery": Antiseptic surgical technique exists when care is taken to avoid bacterial contamination.

(c) Any injection or implant of a small permanent identification device is considered surgery.

(13) "Supervision" means that each act shall be performed by any employee or volunteer in the practice only after receiving specific directions from a licensed veterinarian.

(a) "Direct" supervision under this provision means both the certified veterinary technician and the licensed veterinarian are on the premises at the same time;

(b) "Immediate" supervision under this provision means that the supervising veterinarian is in the immediate vicinity of where the work is being performed and is actively engaged in supervising this work throughout the entire period it is being performed;

(c) "Indirect" supervision under this provision means that a CVT may, after receiving specific direction from an Oregon-licensed veterinarian, perform duties permitted under OAR 875-030-0040 at a client's home or other location where the animal is kept. A valid VCPR must exist in order for a CVT to perform duties under indirect supervision.

(14) "Veterinary Client Patient Relationship (VCPR)": Except where the patient is a wild or feral animal or its owner is unknown; a VCPR shall exist when the following conditions exist: The veterinarian must have sufficient knowledge of the animal to initiate at least a general or preliminary diagnosis of the medical condition of the animal. This means that the veterinarian has seen the animal within the last year and is personally acquainted with the care of the animal by virtue of a physical examination of the animal or by medically appropriate and timely visits to the premises where the animal is kept.

(15) "Veterinary Medical Facility": Any premises, unit, structure or vehicle where any animal is received and/or confined and veterinary medicine is practiced, except when used for the practice of veterinary medicine pursuant to an exemption under ORS 686.040.

(16) "Veterinary Technician": a person licensed by the Board as a Certified Veterinary Technician.

(17) "Facility Registration": A registration issued by the Board to operate a veterinary medical facility when the premises meet minimum standards established by the Board.

(a) "Premises": Any veterinary facility where a licensed veterinarian practices or where the practice of veterinary medicine occurs. Premises include buildings, land, equipment, supplies, pharmaceuticals and the policies and practices that relate to minimum facility standards.

(b) "Facility Owner": Any person, corporation or other similar organization, private, or not-for-profit, holding title to a facility where a licensed veterinarian practices or where the practice of veterinary medicine occurs.

(c) "Managing Veterinarian": An Oregon veterinarian licensed in good standing who has been designated by the facility owner to be accountable to the Board for the facility's compliance with the laws and rules governing the practice of veterinary medicine in this state. Designation of a Managing Veterinarian shall be according to the procedures in OAR 875-010-0031(3).

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 475.190, 609.405, 686.130, 686.255 & 686.510

Hist.: VMEB 1-2006, f. & cert. ef. 2-8-06; VMEB 2-2006, f. & cert. ef. 5-11-06;

VMEB 1-2008, f. & cert. ef. 2-11-08; VMEB 6-2008, f. & cert. ef. 5-21-08;

VMEB 7-2008, f. & cert. ef. 7-22-08; VMEB 5-2011(Temp), f. & cert. ef. 12-

12-11 thru 6-9-12; Administrative correction, 6-27-12; VMEB 1-2012, f. &

cert. ef. 6-25-12; VMEB 3-2012, f. & cert. ef. 8-28-12; VMEB 1-2014, f. & cert. ef. 1-17-14; VMEB 1-2015, f. & cert. ef. 11-13-15

875-005-0010

Licensee's Duty to Cooperate

Every licensee of the Board shall:

- (1) Cooperate with the Board and respond fully and truthfully to inquiries from and comply with any request from the Board, subject only to the exercise of any applicable right or privilege.
- (2) Undergo practice competency or other evaluations requested by the Board.
- (3) Provide a home address and telephone number in addition to business location and contact information.
- (4) Notify the Board within 30 days of a home or business address and telephone number change.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.020, 686.045 & 686.065

Hist.: VMEB 1-2006, f. & cert. ef. 2-8-06; VMEB 2-2006, f. & cert. ef. 5-11-06

DIVISION 10

PERMITS AND LICENSES

875-010-0000

Qualifications for Veterinary Licenses and Permits

Applicants for Oregon veterinary licenses shall meet the following requirements:

(1) Graduate from a veterinary college or veterinary department of a university or college of good standing and repute as defined in OAR 875-005-0005(9)(a)(b) or, if a graduate of an unaccredited veterinary school, completion of all requirements of the Education Commission for Foreign Veterinary Graduates (ECFVG) program or the Program for the Assessment of Veterinary Education (PAVE); and

(2)(a) Pass the North American Veterinary Licensing Exam (NAVLE) or the National Board Exam (NBE) and Clinical Competency Test (CCT), and Oregon Jurisprudence Exam/Regional Disease Test as required by OAR 875-010-0015(3).

(b) An applicant may request a waiver of the Clinical Competency Test requirement if all the following conditions are met:

(A) The applicant has graduated from an accredited veterinary school or earned the ECFVG or PAVE certificate or completed another equivalency program approved by the Board, as described in OAR 875-010-0000, prior to and including 1990;

(B) Has been engaged in active veterinary clinical practice for at least five contiguous years immediately preceding the date of application;

(C) Has held license(s) in good standing in other state(s) or U.S. territories since graduation; and

(D) Has met Continuing Education requirements at least equivalent to 10 hours per year during the five years immediately preceding the date of application.

(E) The Board may request other documentation of competent clinical practice.

(3) Temporary and active licenses may be issued to applicants who have at least one year experience, as set out in ORS 686.045(3) and 686.065(1)(b).

(4) The Board may refuse to issue a license or permit to an applicant for any of the following:

(a) Violations of veterinary practice laws and rules in other states, provinces or countries;

(b) Evidence of previous veterinary incompetence or negligence;

(c) Violations of other laws substantially related to the qualifications, functions or duties of veterinary medicine;

(d) The sale or use of illegal drugs or substance abuse; or

(e) Making a misrepresentation or omission on application or otherwise to the Board.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.045 & 686.065

Hist.: VMEB 1-2006, f. & cert. ef. 2-8-06; VMEB 2-2006, f. & cert. ef. 5-11-06; VMEB 3-2014, f. & cert. ef. 1-17-14

875-010-0006

Procedures for Obtaining License or Permit

(1) Graduate from a veterinary college or veterinary department of a university or college as defined in OAR 875-005-0000(8).

(2) To apply for a veterinary license, the applicant must complete an application form available from the Board office. A completed application includes:

(a) An application form completed and signed by the applicant and notarized;

(b) A copy of a college diploma or a letter from the graduate's school verifying satisfactory graduation, or, if a graduate of an unaccredited foreign veterinary school certification of satisfactory completion of requirements of the Educational Commission for Foreign Veterinary Graduates (ECFVG), or verification of completion of other foreign graduate equivalency programs approved by the Board;

(c) A completed Oregon Jurisprudence Exam/Regional Disease Test;

(d) Verification of veterinary experience and certification of status of license(s) in other states if applicable;

(e) The license application and Oregon Jurisprudence Exam/Regional Disease Test fee of \$75.00.

(3) To register for the NAVLE, the candidate shall apply to the National Board of Veterinary Medical Examiners (NBVME), www.nbvme.org.

(4) The applicant may take the NAVLE in another state. For licensing in Oregon, NAVLE scores must be directly transferred to the Board through the Veterinary Information Verifying Agency (VIVA).

(5) An applicant may request a waiver of the Clinical Competency Test requirement if all the following conditions are met:

(a) The applicant has graduated from an accredited veterinary school or earned the ECFVG certificate or completed another equivalency program approved by the Board, as described in OAR 875-010-0000, prior to and including 1990;

(b) Has been engaged in active veterinary clinical practice for at least five contiguous years immediately preceding the date of application;

(c) Has held license(s) in good standing in other state(s) or U.S. territories since graduation; and

(d) Has met continuing education requirements at least equivalent to 10 hours per year during the five years immediately preceding the date of application.

(e) The Board may request other documentation of competent clinical practice.

(7) Neither NAVLE nor the National Board Exam (NBE) requirement shall be waived.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.075 & 686.255

Hist.: VMEB 1-2006, f. & cert. ef. 2-8-06; VMEB 2-2006, f. & cert. ef. 5-11-06; VMEB 1-2011, f. & cert. ef. 3-2-11

875-010-0016

Veterinary License Examinations

"North American Veterinary Licensing Examination (NAVLE)": The National Board of Veterinary Medical Examiners (NBVME) provides this examination to test a candidate's qualification for entry-level clinical practice and comprehensive veterinary knowledge. Effective November 2000, the NAVLE replaces the National Board Examination (NBE) and Clinical Competency Test (CCT).

(1) NBVME is the sole provider of the NAVLE. The NBVME will report the scores of NAVLE to the Board.

(2) The passing score for NAVLE shall be 425. If the National Board Examination (NBE) and/or Clinical Competency Test (CCT) were taken December 1992, or later, the candidate must receive a passing score according to the criterion-referenced scoring method implemented by the Professional Exam Service in December 1992.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.075

Hist.: VMEB 1-2006, f. & cert. ef. 2-8-06; VMEB 1-2011, f. & cert. ef. 3-2-11; VMEB 3-2014, f. & cert. ef. 1-17-14

875-010-0021

Recalculation, Review and Appeal of Examination Results

(1) The Jurisprudence Exam/Regional Disease Test may be taken more than once, however, applicants who fail the JPE/RDT three times may be required to make further attempts to pass in the presence of a Board staff or member..

(2) An applicant may request a review of the NAVLE examination results according to the review procedures of the NBVME.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.075

Hist.: VMEB 1-2006, f. & cert. ef. 2-8-06; VMEB 1-2011, f. & cert. ef. 3-2-11;

VMVB 3-2014, f. & cert. ef. 1-17-14

875-010-0026

Intern, Active and Inactive Licenses

Upon approval of all required application materials, the applicant may then apply for an intern or active license to practice veterinary medicine in Oregon. License activation forms are available from the Board office or on its website.

(1) The intern or active license fee shall be \$150 annually.

(2) If the applicant has satisfactorily completed one year's experience in the United States or its territories or provinces, or in Canada, an active veterinary license will be issued and will expire on the next following December 31st. Licensee shall renew the license according to OAR 875-010-0065.

(3) If applicant has less than one year's experience, an Intern Permit (intern license) will be issued. The intern license will expire following the total number of days necessary to complete one year's practice experience, under supervision of an Oregon licensed veterinarian, pursuant to ORS 686.085 and OAR 875-010-0050:

(a) Upon completion of the internship, the intern may apply for an active license, pursuant to OAR 875-010-0065. Late fees up to \$150 will apply for each month the application is late if the intern has continued to practice veterinary medicine in Oregon after expiration of the intern license;

(b) The supervising veterinarian shall complete an experience verification form attesting that the intern has satisfactorily completed the internship and the intern shall submit this form with the application for an active license.

(4) An inactive license may be issued to any applicant who does not meet Continuing Education requirements. Inactive licensees shall not practice veterinary medicine in Oregon. The inactive license fee shall be \$100 annually.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.095 & 686.255

Hist.: VMEB 1-2006, f. & cert. ef. 2-8-06; VMEB 1-2008, f. & cert. ef. 2-11-08;

VMVB 1-2013, f. & cert. ef. 10-4-13; VMEB 2-2013, f. & cert. ef. 10-29-13

875-010-0031

Registration of Veterinary Facilities; Managing Veterinarian; Registration Denial, Suspension, Revocation; Inspection

(1) Each veterinary medical facility in Oregon as defined in 875-005-0005 must register with the Board and designate a Managing Veterinarian with the following exceptions:

(a) Any facilities owned and operated by a local, regional, state or federal government agency

(b) Facilities where privately owned animals are housed and where mobile veterinarians or mobile veterinary clinics may routinely come to provide veterinary services, e.g., private barn, home, boarding stable or animal event location

(c) Locations where animals are undergoing a medical crisis and conditions preclude transport to a veterinary facility (accident site)

(d) Temporary facilities established under a declared emergency

(e) Teaching facilities as established by AVMA-accredited schools of veterinary science or veterinary technology.

(2) Requirements for registered Veterinary Facilities

(a) Each facility registration expires on December 31st or upon a change in facility ownership.

(b) Each facility identified by a separate physical address will be considered a separate facility requiring registration.

(c) Mobile facilities, unless operated as a satellite of a registered fixed facility, will require individual registration.

(d) Temporary facilities, providing only spay/neuter, vaccinations, micro-chipping and examinations may operate up to 15 days per year at any one location under the registration of an Oregon fixed-location facility and under the oversight of the fixed-location's Managing Veterinarian, unless otherwise approved by the Board.

(3) Requirements for the Managing Veterinarian.

(a) Provide the Board with documented authority from the facility owner to maintain the facility within the standards set forth by this chapter.

(b) Ensure facilities maintain and post a valid facility registration issued by the Board.

(c) Ensure timely provision of medical record copies from the facility when requested.

(d) A veterinary intern (OAR 875-010-0026) may not be designated as Managing Veterinarian.

(e) A licensee with a relevant disciplinary history or who has been or currently is under a disciplinary order of the Board may be denied designation as Managing Veterinarian.

(f) No one veterinarian may act as the Managing Veterinarian for more than four separate facilities at any one time. If designated as Managing Veterinarian for more than two separate facilities, none of the facilities may be more than 100 miles apart.

(g) The Managing Veterinarian must be physically present at each of their facilities at least five days out of any thirty-day period and be available to provide continuous oversight to all facilities.

(4) Procedures for any change in the Managing Veterinarian. The Managing Veterinarian on record with the Board as responsible for a facility remains responsible for that facility until one of the following occurs:

(a) The Board is notified in writing of a new Managing Veterinarian that has accepted responsibility.

(b) The Board is notified in writing that the Managing Veterinarian wishes to be relieved of the position and associated responsibilities.

(c) The Managing Veterinarian is incapacitated to the extent that they cannot provide oversight of any facility.

(5) Applicants for facility registration must complete an application form available from the Board.

(6) A completed application will include payment of \$150 registration fee, inspector's or self-certification of compliance with minimum standards of OAR 875-015-0020 and 875-015-0030, and designation of a Managing Veterinarian as defined in 875-015-0065.

(7) Denial of Facility Registration Application. The Board may deny an application for facility registration or renewal if:

(a) The application is incomplete or the registration fee is not submitted.

(b) The facility fails to meet minimum standards or fails to correct deficiencies within an appropriate time frame following inspection.

(c) The designated Managing Veterinarian fails meet the minimum facility standards listed in OAR 875-015-0020 and OAR 875-015-0030.

(d) No Managing Veterinarian, meeting all requirements of this chapter, has been designated.

(8) Suspension or Revocation of a Facility Registration. The Board may withhold, suspend or revoke a facility registration if:

(a) No Managing Veterinarian is designated for the facility for more than 15 consecutive days. An interim Managing Veterinarian may be designated for a period not to exceed 30 days total.

(b) When it has been determined by the Board that the managing Veterinarian has failed to meet all the minimum facility standards as provided for in the rules of this act.

(c) Investigation or inspection has revealed unresolved public health and safety risks or other conditions noncompliant with OAR 875-015-0020 and OAR 875-015-0030.

(9) All Facility Registrations terminate upon a change in the facility owner.

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(10) Inspection of Facilities: The purpose of inspection is to ensure that public health and safety is maintained by meeting the minimum facility standards listed in OAR 875-015-0020 and 875-015-0030. The Board may designate or employ qualified persons to do the inspections and may delegate inspections to other state or federal agency regulators. Prior to January 2017 the Board may accept self-certification of compliance by the Managing Veterinarian in-lieu-of inspection. This self-certification shall be submitted using a form provided by the Board.

(a) The Board may inspect each veterinary facility:

(A) Before a new facility receives an initial facility registration

(B) Periodically, at least once every three years

(b) The board may inspect any veterinary facility:

(A) At any time upon receipt of a complaint or if it has cause to believe the facility is noncompliant with OAR 875-015-0020 or 875-015-0030.

(B) Upon a change in ownership or a change in the Managing Veterinarian

(C) As follow-up at any time after an inspection has found non-compliant conditions.

(c) Initial and periodic facility inspections may be waived for facilities holding a current American Animal Hospital Association (AAHA) certification.

(d) Inspections may be documented in writing and by audio, video and still picture recording.

(e) Upon an inspection finding of non-compliance with OAR 875-015-0020 or 875-015-0030, the Board or its representative may do any or all of the following:

(A) Establish a reasonable time line for bringing the facility into compliance

(B) Issue a civil penalty or citation

(C) Restrict facility operations when the failure to meet minimum facility standards poses an unresolved risk to public health and safety or other conditions noncompliant with OAR 875-015-0020 or 875-015-0030.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.130

Hist.: VMEB 1-2015, f. & cert. ef. 11-13-15

875-010-0045

Student Interns

(1) Any person wishing to work in Oregon as a student intern may do so if he or she is engaged in a student intern program administered by a veterinary college or university, or a veterinary technology program, approved by the Board or the American Veterinary Medical Association.

(2) Supervision of student interns. All acts which a student intern may perform must be under the direct supervision of a licensed veterinarian. "Direct supervision" means that each act shall be performed by the student intern only after receiving specific directions from and in the presence of an Oregon licensed veterinarian. Certified Veterinary Technician student interns may work under direct supervision of a licensed veterinarian or Certified Veterinary Technician.

(3) Veterinary student interns may perform the following acts:

(a) Obtaining and Recording Information. Student interns may obtain and record the following information:

(A) Complete admission records, including recording the statements made by the client concerning the patient's problems and history. Student interns may also record their own observations of the patient. However, student interns cannot state or record their opinion concerning diagnosis of the patient;

(B) Maintain daily progress records, surgery logs, X-ray logs, Drug Enforcement Agency logs, and all other routine records as directed by the supervising veterinarian.

(b) Perform surgery, if relevant coursework has been successfully completed, and if determined by the supervising veterinarian to be competent in basic surgical techniques;

(c) Preparation of patients, instruments, equipment, and medications for surgery. Student interns may:

(A) Prepare and sterilize surgical packs;

(B) Clip, surgically scrub, and disinfect the surgical site in preparation for surgery;

(C) Administer preanesthetic drugs as prescribed by the supervising veterinarian;

(D) Position the patient for anesthesia;

(E) Administer anesthesia as prescribed by the supervising veterinarian;

(F) Operate anesthetic machines, oxygen equipment, and monitoring equipment.

(d) Collection of specimens and performance of laboratory procedures. Preceptees and Student Interns may:

(A) Collect urine, feces, sputum, and all other excretions for laboratory analysis;

(B) Collect blood samples for laboratory;

(C) Collect skin scrapings;

(D) Perform routine laboratory procedures including urinalysis, fecal analyses, hematological, and serological examinations.

(e) Assisting the veterinarian in diagnostic medical and surgical procedures. Student interns may assist supervising veterinarians in the following diagnostic, medical, and surgical proceedings:

(A) Take the patient's temperature, pulse and respiration;

(B) Medically bathe the patient;

(C) Administer topical, oral, hypodermic, and intravenous medication as directed by the supervising veterinarian;

(D) Operate diagnostic imaging equipment;

(E) Perform dental prophylaxis, including operating ultrasonic dental instruments.

(f) Student interns may perform other acts not specifically enumerated herein under the supervision of a veterinarian licensed to practice veterinary medicine in the State of Oregon.

(4) Certified Veterinary Technician student interns may perform all the acts enumerated in OAR 875-030-0040(2) and may not perform the acts prohibited in 875-030-0040(3).

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.040(13)

Hist.: VE 7-1978, f. & ef. 7-10-78; VME 2-1994, f. & cert. ef. 11-30-94; VMEB 1-2006, f. & cert. ef. 2-8-06; VMEB 1-2010, f. & cert. ef. 5-6-10; VMEB 3-2014, f. & cert. ef. 1-17-14; VMEB 1-2016(Temp), f. & cert. ef. 8-4-16 thru 1-4-17

875-010-0050

Supervision of Interns

An intern license is issued for the purpose of providing a supervised internship to veterinarians who have less than one (1) year experience following graduation from a veterinary school or college as defined in OAR 875-005-0005(8).

(1) "Supervision," as used in ORS 686.085, requires an Oregon licensed veterinarian to provide supervision of the Intern as follows:

(a) Direct supervision of the Intern for each and every procedure until such time as the supervising veterinarian reasonably concludes that the Intern has sufficient training and experience to competently conduct a particular procedure, or class of procedures, independently;

(b) The supervising veterinarian shall document and make available to the Board, if requested, the documentation used in making the decision to allow the Intern to work independently.

(c) The supervising veterinarian need not continue to directly supervise that procedure or class of procedures, upon the supervisor's determination that competency has been achieved by the Intern; however, the supervising veterinarian shall continue to reasonably monitor the results thereof;

(d) The supervising veterinarian shall continue to directly supervise all procedures for which the supervisor has not yet made a competency determination.

(2) However, in no event may the supervising veterinarian:

(a) Be absent from the veterinary clinic for more than 14 consecutive days, or more than 21 total days, in a six month period, exclusive of weekends;

(b) Conduct the supervision from a separate clinic.

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(3) The supervising veterinarian shall notify the Board within 15 calendar days if an intern is no longer under that veterinarian's supervision.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.085

Hist.: VE 6-1978, f. & ef. 7-10-78; VME 2-1994, f. & cert. ef. 11-30-94; VMEB 1-2006, f. & cert. ef. 2-8-06; VMEB 1-2008, f. & cert. ef. 2-11-08; VMEB 3-2014, f. & cert. ef. 1-17-14

875-010-0065

License and Facility Registration Renewal Procedures

(1) The annual renewal fee for all veterinary licenses shall be \$150.

(2) A renewal application is timely if the completed application together with the correct renewal fee is postmarked or electronically filed by December 31st of the current license year. The licensee has the burden of proving that the application was mailed or filed timely. If the renewal application is not timely, the applicant must pay delinquent fees of \$50 for each month or part of a month after December 31st, up to a maximum of \$150.

(a) In the event a licensee's renewal application is not received by January 31st, notice from the Board will be sent by April 1st, advising the licensee of his or her delinquency and that practicing veterinary medicine in Oregon without a valid license is a violation of ORS 686.020. It is the licensee's responsibility to provide the Board with a current address;

(b) If the delinquency in license renewal exceeds three months, the Board may require the applicant to appear before the Board and/or may attach other conditions to the renewal, e.g. community service, additional continuing education, etc.;

(c) If the delinquency in license renewal exceeds 21 months, the Board may assess an extended delinquency renewal fee, and/or require re-qualification by examination.

(3) Board staff will review renewal applications. If the application is complete with the following requirements, staff will issue a license which expires on December 31st of the next calendar year:

(a) The renewal application is completed;

(b) The renewal fee is enclosed;

(c) Any delinquent fees are enclosed;

(d) Continuing Education (CE) requirements must have been met; and

(e) The license is not suspended, revoked or otherwise encumbered under the provisions of ORS 686.120 and 686.130.

(4) Board staff will refer for Board review any license renewal that fails to respond fully to questions in the application.

(5) A veterinarian who submits a completed renewal application postmarked or electronically filed no later than December 31st, and has complied with all requirements under section (3) of this rule, may continue to practice veterinary medicine in Oregon pending notification of renewal or notification that the application is incomplete. A veterinarian who submits a renewal application postmarked after December 31st, or who knows the application is incomplete, or has not fulfilled the continuing education requirement, will be subject to delinquent fees and may not lawfully continue to practice veterinary medicine in Oregon until notified that the license has been renewed.

(6) If the veterinarian's license lapses, a 21-month grace period begins. The veterinarian may renew the license within the 21-month period by paying the maximum delinquent fee and the current annual license fee, and by providing documentation of veterinary activities, including completed Continuing Education, during the interim. After 21 months, the license may be revoked and the veterinarian may have to re-qualify for licensure by taking an examination determined by the Board.

(7) The annual facility registration fee shall be \$150. Facility owners shall renew each facility registration by December 31st of the current license year. Failure to renew a facility registration may be grounds for the Board to suspend practice of veterinary medicine in the facility.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.110 & 686.255

Hist.: VME 3-1986(Temp), f. & ef. 10-23-86; VME 1-1987, f. & ef. 12-22-87; VME 2-1989, f. 8-29-89, cert. ef. 10-1-89; VME 3-1991, f. & cert. ef. 12-9-91; VME 1-1992, f. & cert. ef. 10-9-92; VME 2-1994, f. & cert. ef. 11-30-94; VMEB 1-2006, f. & cert. ef. 2-8-06; VMEB 2-2006, f. & cert. ef. 5-11-06; VMEB 1-2013, f. & cert. ef. 10-4-13; VMEB 1-2015, f. & cert. ef. 11-13-15

875-010-0090

Continuing Education Requirements (CE)

(1) All active licensees, including veterinarians and certified veterinary technicians, must comply with the CE provided in this rule in order to renew their licenses.

(2) Licensees wishing to renew their license must complete the minimum required number of CE hours every two years. Veterinarians shall report 30 hours of CE to the Board with license renewals for every odd-numbered year. Certified veterinary technicians shall report 15 hours of CE to the Board for every even-numbered year. The required hours may be obtained online and be satisfied with any combination of the following continuing education activities:

(a) Attendance at scientific workshops or seminars approved by the Board or by the American Association of Veterinary Boards Registry of Approved Continuing Education (RACE).

(b) A maximum of four hours for veterinarians or two hours for certified veterinary technicians reading approved scientific journals. One subscription to an approved journal is equal to one hour of credit.

(c) A maximum of six hours for veterinarians or three hours for certified veterinary technicians of workshops or seminars on non-scientific subjects relating to the practice of veterinary medicine such as communication skills, practice management, stress management, or chemical impairment.

(3) Workshops, seminars, and prepared materials on scientific and non-scientific subjects relating to veterinary medicine sponsored by the following organizations are approved:

(a) American Veterinary Medical Association (AVMA) and Canadian Veterinary Medical Association (CVMA);

(b) Specialty and allied groups of the American Veterinary Medical Association and Canadian Veterinary Medical Association;

(c) Regional meetings such as the Inter-Mountain Veterinary Medical Association, Central Veterinary Conference, and Western Veterinary Conference;

(d) Any state or province veterinary medical association;

(e) Any local or regional veterinary medical association;

(f) The American Animal Hospital Association;

(g) American and Canadian Veterinary Schools accredited by the American Veterinary Medical Association;

(h) All federal, state or regional veterinary medical academies or centers;

(i) Other programs receiving prior approval by the Board;

(j) The Board may approve other sponsors for lectures or prepared materials upon written request by the attending veterinarian or the sponsor.

(4) Scientific journals and publications relating to veterinary medicine are approved by the Board to satisfy a maximum of four hours of non-lecture CE activities.

(5) Study in a graduate resident program at an AVMA-approved veterinary school will satisfy the CE requirements for the year in which the veterinarian is enrolled in such program.

(6) Postgraduate coursework in veterinary science or veterinary public health at an AVMA- or Board-approved educational institution will satisfy CE requirements on a semester or credit hour basis for the reporting period in which the coursework occurs.

(7) Reporting CE credits.

(a) At the time of making application for license renewal in years when CE reporting is required, the veterinarian shall certify on the application form that 30 hours of CE, and the veterinary technician shall certify on the application form that 15 hours of CE, as set forth in this rule have been satisfied. Proof of participation in such CE programs must be kept by the licensee for a period of at least two years, and the licensee must permit the Board to inspect CE records. Failure to keep or provide these records to the Board

shall constitute grounds for non-renewal of the license, or, if the license has been issued for that year, for revocation of the license;

(b) Proof of compliance with the CE requirement of this rule may be supplied through registration forms at lectures, certificates issued by the sponsors of lectures, subscriptions to journals, and other documentation approved by the Board.

(8) The Board may approve CE programs presented by non-veterinarians, if program content is pertinent or complementary to veterinary medicine.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.410 - 686.420

Hist.: VMEB 1-2006, f. & cert. ef. 2-8-06; VMEB 2-2006, f. & cert. ef. 5-11-06; VMEB 1-2008, f. & cert. ef. 2-11-08; VMEB 2-2008(Temp), f. & cert. ef. 2-11-08 thru 8-9-08; Administrative correction 8-21-08; VMEB 13-2008, f. & cert. ef. 12-15-08; VMEB 1-2009, f. & cert. ef. 4-20-09; VMEB 2-2013, f. & cert. ef. 10-29-13; VMEB 3-2014, f. & cert. ef. 1-17-14

875-010-0095

Fee Waivers for Licenses or Permits

The Board may waive a category of fees if, in its judgment, such waiver is necessary to ensure that the fees charged do not exceed the cost of administering the Board's regulatory program pursuant to ORS 656.255(c).

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.020, 686.045 & 686.065

Hist.: VMEB 1-2006, f. & cert. ef. 2-8-06

DIVISION 11

DISCIPLINE AND CITATIONS

875-011-0005

Gross Ignorance, Incompetence, or Inefficiency in the Profession

Under ORS 686.130(14), any veterinarian may have his or her license revoked or suspended by the Board for gross ignorance, incompetence, or inefficiency in the profession, among other causes. "Gross ignorance, incompetence, or inefficiency" in the profession within the meaning of this provision shall be defined to include:

(1) Failure to comply with current standards on isolation of patients with serious infectious, contagious diseases.

(2) Keeping animals with known serious infectious, contagious diseases in the same area with animals who do not have serious infectious, contagious diseases when current standards require isolation.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.130

Hist.: VMEB 1-2006, f. & cert. ef. 2-8-06

875-011-0010

Unprofessional or Dishonorable Conduct

The Board interprets "unprofessional or dishonorable conduct" to include, but is not limited to the following:

(1) Gross negligence in the practice of veterinary medicine.

(2) A pattern, practice or continuous course of negligence, ignorance, incompetence or inefficiency in the practice of veterinary medicine. The incidents may be dissimilar.

(3) Performing surgery, taking a radiograph or attempting a treatment without first obtaining the client's permission, except in emergency circumstances. Permission may be reasonably implied under some circumstances.

(4) Failure without good cause to perform a specific surgery or treatment in a timely manner, after agreeing to perform the surgery or treatment.

(5) Failure to properly prepare an animal for surgery or treatment.

(6) Failure to use sterile instruments and equipment when performing surgery, when the circumstances require the use of sterile instruments and equipment.

(7) Failure to use generally accepted diagnostic procedures and treatments, without good cause.

(8) Failure to obtain the client's written permission before using unorthodox or non-standard methods of diagnosis or treatment. Acupuncture, chiropractic or herbal medicine is not considered unorthodox or non-standard.

(9) Failure to advise a client of home care or follow-up treatment required after a particular diagnosis or treatment.

(10) Handling animals in an inhumane manner or, except when the veterinarian reasonably believes it to be necessary, handling animals with great force.

(11) Charging for services not rendered.

(12) Failure to maintain records which show, at a minimum, the name of the client, identification of the patient, its condition upon presentation, the tentative diagnosis, treatment performed, drug administered, amount of drug, any prescription, and the date of treatment. For companion animals, identification of the patient should include species, breed, name, age, sex, color, and distinctive markings, where practical.

(13) Failure to provide to a client in a timely manner, upon request, an accurate copy or synopsis of the patient's medical records including a copy of radiographs, if requested. A reasonable copying fee may be charged.

(14) Failure to provide records or radiographs in a timely manner to another veterinarian retained by the client, upon request of the client or client's veterinarian.

(15) Failure to mark or label a container of prescription or legend drugs with the date, name of drug, dosage frequency, identification of animal (if appropriate), and withdrawal time (if appropriate). Excludes legend drugs dispensed or ordered in original, unopened manufacturer's packaging for herd use.

(16) Failure to comply with federal law concerning packaging and labeling of prescription or legend drugs.

(17) Violation of any state or federal law relating to controlled substances, as defined in ORS 475.005(6), which the veterinarian obtained under the authority of the veterinary license.

(18) Non-veterinary prescribing, use, theft or diversion of legend or controlled drugs.

(19) Failure to respond in writing to a written request from the Board within the time indicated in the request letter, without good cause; or failure to appear in person before the Board upon written request, without good cause.

(20) Failure to comply with any rule or Order of the Board or as required by OAR 875-005-0010.

(21) Making false or misleading representations to the Board or its representative or altering or providing altered medical records.

(22) Making a misrepresentation or omission on a license renewal application.

(23) Violations of veterinary laws in other states that would constitute violations of Oregon law.

(24) Violations of other laws that relate to the practice of veterinary medicine, including violations of the Oregon Racing Commission statutes and administrative rules.

(25) Failure to meet minimum facility standards as defined in OAR 875-015-0020 or 875-015-0030 following inspection and findings of noncompliance.

(26) Failure to post valid facility registration in a place conspicuous to the public.

(27) Failure without good cause to notify the Board within 10 days of any change in facility ownership.

(28) Failure without good cause to notify the Board within 15 days of any change in Managing Veterinarian. An interim Managing Veterinarian may be designated.

(29) Practicing veterinary medicine in a facility without a valid registration.

(30) Failure to report uncorrected noncompliant facility conditions if registered as a Managing Veterinarian.

(31) Providing false, misleading or deceptive information to the Board or its designated inspector as part of a facility inspection or investigation.

(32) A Managing Veterinarian shall not be held liable for non-compliant facility conditions demonstrably beyond the control of the Managing Veterinarian.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.130

Hist.: VMEB 1-2006, f. & cert. ef. 2-8-06; VMEB 3-2008, f. & cert. ef. 3-19-08; VMEB 8-2008, f. & cert. ef. 7-22-08; VMEB 2-2009, f. & cert. ef. 10-15-09; VMEB 1-2015, f. & cert. ef. 11-13-15

875-011-0012

Citation and Fine

If an investigation or inspection reveals noncompliance with any requirements of OARs 875-005-0010, 875-010-0020, 875-010-0050, 875-015-005, 875-015-00 or 875-015-002030 that do not relate to risk of harm to animals or the public, the Board may propose a non-disciplinary citation and fine not to exceed \$100 for each noncompliant instance.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.130

Hist.: VMEB 1-2015, f. & cert. ef. 11-13-15

DIVISION 15

MINIMUM STANDARDS FOR VETERINARY MEDICAL FACILITIES AND VETERINARY PRACTICE

875-015-0005

Responsibilities for Veterinary Medical Practices

(1) Each doctor who holds any interest in a veterinary medical practice, unless exempted by ORS 686.040, shall be jointly and severally professionally responsible for all aspects of all activities conducted at and conditions of each veterinary medical facility at which the doctor's practice is conducted, including all acts and omissions of all the doctor's partners, joint venturers, fellow shareholders, employees, representatives, agents and contractors, unless the doctor can establish:

(a) In the case of a non-complying condition, that the condition was under the sole control of one or more other licensed partners, joint venturers, Managing Veterinarians or shareholders, and was not utilized by the first doctor directly, or indirectly by someone under the first doctor's supervision or direction; and

(b) In the case of a non-complying activity, that the act or omission was committed by one or more other licensed employees, contractors, partners, joint venturers, Managing Veterinarians or shareholders, and the first doctor exercised no supervision or direction over the act or omission of the other licensed employee, contractor, partner, joint venturer or shareholder, and the first doctor had no duty to supervise.

(2) A licensed doctor shall not be relieved of responsibility for his or her own acts and omissions because another person also has some responsibility.

(3) Each facility owner who has any interest in a veterinary medical practice shall provide to the Board, upon request, the following information:

(a) The name and address (or vehicle license number) of each veterinary medical facility in which they have any ownership interest or responsibility;

(b) The name and address of each person having any legal or equitable interest in each of the veterinary medical facilities, and the form and amount of each interest;

(c) The name and address of each person having any interest in the ownership, operation, management or control of the veterinary medical practice conducted in each veterinary medical facility and the form and amount of each interest;

(d) A description of the services provided at or from each veterinary medical facility;

(e) The names and titles of each licensed professional employed or retained as a contractor at each veterinary medical facility;

(f) The names of each shareholder and officer of each professional corporation having any interest in the veterinary medical practice; and

(g) Any other relevant information which the Board representative requests.

(6) The Board considers that:

(a) Any person who violates section (1) or (2) of this rule thereby violates ORS 686.020(1), unlicensed practice of veterinary medicine; and

(b) Any licensee who participates in the same veterinary medical practice thereby commits unprofessional or dishonorable conduct in violation of ORS 686.130(6), having a professional connection with an illegal practitioner.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.040, 686.020 & 686.130

Hist.: VME 5-1992, f. & cert. ef. 12-10-92; VME 2-1996, f. & cert. ef. 11-6-96; VMEB 1-1998, f. & cert. ef. 7-1-98; VMEB 1-2015, f. & cert. ef. 11-13-15

875-015-0020

Minimum Requirements for Veterinary Medical Facilities and Veterinary Licensees

Each veterinary medical facility and veterinary licensee shall comply with the following:

(1) Air Quality: Adequate heating and cooling must be provided for the comfort and well-being of the animals, and the facility must have sufficient ventilation in all areas to prevent mildew and condensation, and to exhaust toxic and/or nauseous fumes and/or odors.

(2) Lighting: Sufficient lighting must be provided in all areas sufficient for the safety of personnel and the intended use of this area.

(3) Water: Potable water must be provided.

(4) Waste Disposal: Waste disposal equipment shall be so operated as to minimize insect or other vermin infestation, and to prevent odor and disease hazards or other nuisance conditions. The veterinary medical facility shall have sanitary and aesthetic disposal of dead animals and other wastes which complies with all applicable federal, state, county and municipal laws, rules, ordinances and regulations.

(5) Storage: All supplies, including food and bedding, shall be stored in a manner that adequately protects such supplies against infestation, contamination or deterioration. Adequate refrigeration shall be provided for all supplies that are of a perishable nature, including foods, drugs and biologicals.

(6) Examination Area: Examination and surgery tables shall have impervious surfaces.

(7) Laboratory: May be either in the veterinary medical facility or through consultative services, adequate to render diagnostic information. An in-house laboratory shall meet the following minimum standards:

(a) The laboratory shall be clean and orderly with provision for ample storage;

(b) Adequate refrigeration shall be provided;

(c) Any tests performed shall be properly conducted by currently recognized methods to assure reasonable accuracy and reliability of results.

(d) Laboratory equipment must provide results of diagnostic quality. Protocols must be in place and followed regularly to assure the quality and reproducibility of the diagnostic information produced.

(8) Radiology: Equipment for diagnostic radiography must be available either on or off the veterinary medical facility. Such equipment must be on the premises if orthopedic or open thoracic procedures are performed. The equipment must meet federal and state protective requirements and be capable of producing, reading and labeling good quality diagnostic radiographs, including imaging diagnosis and findings. Equipment for providing diagnostic oral radiography must be available to the veterinary medical facility whenever surgical dental services are offered.

(9) Animal Housing Areas: Each veterinary medical facility confining animals must have individual cages, pens, exercise areas or stalls to confine said animals in a comfortable, sanitary and safe manner. Animals that are hospitalized for treatment of contagious diseases must be isolated physically and procedurally so as to prevent the spread of disease.

(10) Licenses: Licenses of every veterinarian or veterinary technician practicing in the veterinary medical facility shall be displayed in a place conspicuous to the public. Relief or temporary licensees may post legible photocopies of licenses. Mobile practice licensees shall have their license or a legible copy available for verification upon client request.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.130

Hist.: VME 5-1992, f. & cert. ef. 12-10-92; VMEB 1-2006, f. & cert. ef. 2-8-06; VMEB 9-2008, f. & cert. ef. 7-22-08; VMEB 2-2014, f. & cert. ef. 1-17-14

875-015-0030

Minimum Veterinary Practice Standards

Each veterinary medical facility shall comply with the following:

(1) Medical Records: A legible individual record shall be maintained for each animal. However, the medical record for a litter may be recorded either on the dam's record or on a litter record until the individual animals are permanently placed or reach the age of three months. Records for herd or flock animals may be maintained on a group or client basis. All records shall be readily retrievable and must be kept for a minimum of three (3) years following the last treatment or examination. Records shall include, but are not limited to, the following information:

(a) Name or initials of the veterinarian responsible for entries; any written entry to a medical record that is made subsequent to the date of treatment or service must include the date that the entry was added.

(b) Name, address and telephone number of the owner and/or client;

(c) Name, number or other identification of the animal and/or herd or flock;

(d) Species, breed, age, sex, and color or distinctive markings, where applicable, each individual animal;

(e) Vaccination history, if known, shall be part of the medical record;

(f) Beginning and ending dates of custody of the animal;

(g) Pertinent history and presenting complaint;

(h) A physical exam shall be performed to establish or maintain a VCPR; and then each time an animal is presented with a new health problem, unless the animal's temperament precludes examination, or physical exam is declined by the owner. For each physical exam the following conditions shall be evaluated and findings documented when applicable by species, even if such condition is normal:

(A) Temperature;

(B) Current weight or weight estimate for large animals;

(C) Body condition or score;

(D) Eyes, ears, nose and throat;

(E) Oral cavity;

(F) Cardiovascular and respiratory systems including heart rate and pulse, auscultation of the thorax, trachea, as species appropriate, and respiratory rate;

(G) Evaluation of the abdomen by palpation and/or auscultation if applicable by species;

(H) Lymph nodes;

(I) Musculoskeletal system;

(J) Neurological system;

(K) Genito/urinary system;

(L) Integumentary system

(M) All data obtained by instrumentation;

(N) Diagnostic assessment;

(O) If relevant, a prognosis of the animal's condition;

(P) Diagnosis or tentative diagnosis at the beginning of custody of animal;

(Q) Treatments and intended treatment plan, medications, immunizations administered, dosages, frequency and route of administration;

(R) All prescription or legend drugs dispensed, ordered or prescribed shall be recorded including: dosage, frequency, quantity and directions for use. Any changes made by telecommunications shall be recorded. Legend drugs in original unopened manufacturer's

packaging dispensed or ordered for herd use are exempt from this rule. Legend and prescription drugs are as defined by the U.S. Food and Drug Administration in 'FDA and the Veterinarian'.

(S) Surgical procedures shall be described including name of the surgeon, suture material used, and diagnostic findings;

(T) Progress of the case while in the veterinary medical facility;

(U) Exposed radiographs shall have permanent facility and animal identification;

(V) If a client waives or declines any examinations, tests, or other recommended treatments, such waiver or denial shall be noted in the records.

(2) Surgery: Surgery shall be performed in a manner compatible with current veterinary practice with regard to anesthesia, asepsis or antisepsis, life support and monitoring procedures, and recovery care. The minimum standards for surgery shall be:

(a) Aseptic surgery shall be performed in a room or area designated for that purpose and isolated from other activities during the procedure. A separate, designated area is not necessarily required for herd or flock animal surgery or antiseptic surgery;

(b) The surgery room or area shall be clean, orderly, well-lighted and maintained in a sanitary condition;

(c) All appropriate equipment shall be sterilized:

(A) Chemical disinfection ("cold sterilization") shall be used only for field conditions or antiseptic surgical procedures;

(B) Provisions for sterilization shall include a steam pressure sterilizer (autoclave) or gas sterilizer (e.g., ethylene oxide) or equivalent.

(d) For each aseptic surgical procedure, a separate sterile surgical pack shall be used for each animal. Surgeons and surgical assistants shall use aseptic technique throughout the entire surgical procedure;

(e) Minor surgical procedures shall be performed at least under antiseptic surgical techniques;

(f) All animals shall be prepared for surgery as follows:

(A) Clip and surgically prepare the surgical area for aseptic surgical procedures;

(B) Loose hair must be removed from the surgical area;

(C) Scrub the surgical area with appropriate surgical soap;

(D) Disinfect the surgical area;

(E) Drape the surgical area appropriately.

(3) A veterinarian shall use appropriate and humane methods of anesthesia, analgesia and sedation to minimize pain and distress during any procedures or conditions and shall comply with the following standards:

(a) Animals shall have a documented physical exam conducted within 24 hours prior to the administration of a sedative or anesthetic, which is necessary for veterinary procedures, unless the temperament of the patient precludes an exam prior to the use of chemical restraint;

(b) An animal under general anesthesia for a medical or surgical procedure shall be under direct observation throughout the anesthetic period and during recovery from anesthesia until the patient is awake and in sternal recumbency;

(c) A method of cardiac monitoring shall be employed to assess heart rate and rhythm repeatedly during anesthesia and may include a stethoscope or electronic monitor;

(d) A method of monitoring the respiratory system shall be employed to assess respiratory rate and pattern repeatedly during anesthesia and may include a stethoscope or electronic monitor.

(e) Where general anesthesia is performed in a hospital or clinic for companion animal species (excluding farm animals), anesthetic equipment available shall include an oxygen source, equipment to maintain an open airway and a stethoscope;

(f) Anesthetic and sedation procedures and anesthetic and sedative medications used shall be documented, including agent used, dosage, route of administration, and strength, if available in more than one strength;

(g) Adequate means for resuscitation including intravenous catheter and fluids shall be available;

(h) Emergency drugs shall be immediately available at all times;

(i) While under sedation or general anesthesia, materials shall be provided to help prevent loss of body heat;

(j) Analgesic medications, techniques and/or husbandry methods shall be used to prevent and minimize pain in animals experiencing or expected to experience pain, including but not limited to all surgical procedures;

(k) Chemical restraint may be used in conjunction with, but not in lieu of, analgesic therapy;

(l) Appropriate analgesic therapy shall be guided by information specific to each case, including but not limited to species, breed, patient health and behavioral characteristics, the procedure performed, and the expected degree and duration of pain;

(4) Library: A library of appropriate and current veterinary journals and textbooks or access to veterinary internet resources shall be available for ready reference.

(5) Laboratory: Veterinarians shall have the capability for use of either in-house or outside laboratory service for appropriate diagnostic testing of animal samples.

(6) Biologicals and drugs: The minimum standards for drug procedures shall be:

(a) All biological substances shall be stored, maintained, administered, dispensed and prescribed in compliance with federal and state laws and manufacturers' recommendations;

(b) Controlled substances and legend drugs shall be dispensed, ordered or prescribed based on a VCPR and shall be labeled with the following:

(A) Name of client and identification of animal(s);

(B) Date dispensed;

(C) Complete directions for use;

(D) Name, strength, dosage and the amount of the drug dispensed;

(E) Manufacturer's expiration date;

(F) Name of prescribing veterinarian and veterinary medical facility.

(c) No biological or drug shall be administered or dispensed after the expiration date, for a fee.

(d) If requested, a prescription shall be provided to a client for medications prescribed by the veterinarian under a valid VCPR.

(7) A veterinarian shall not use, or participate in the use of, any form of advertising or solicitation which contains a false, deceptive or misleading statement or claim:

(a) Specialty Services: Veterinarians shall not make a statement or claim as a specialist or specialty practice unless the veterinarian is a diplomate of a recognized specialty organization of the American Veterinary Medical Association;

(b) The public shall be informed if an animal will be left unattended in the veterinary facility.

(8) The veterinarian shall be readily available or has arranged for emergency coverage or follow-up evaluation in the event of adverse reaction or the failure of the treatment regimen.

(9) Euthanasia: Documented consent shall be obtained and a physical exam conducted prior to performing euthanasia. The exam may be limited to the elements necessary for the humane application of the procedure, such as a weight estimate and visual assessment if necessary due to the patient's condition or temperament. When ownership and identification of an animal cannot be reasonably established, the medical record for euthanasia shall contain a physical description of the animal.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.040 & 686.370

Hist.: VME 5-1992, f. & cert. ef. 12-10-92; VMEB 1-2006, f. & cert. ef. 2-8-06; VMEB 2-2006, f. & cert. ef. 5-11-06; VMEB 1-2008, f. & cert. ef. 2-11-08; VMEB 2-2010, f. & cert. ef. 5-6-10; VMEB 4-2011, f. & cert. ef. 8-5-11; VMEB 2-2014, f. & cert. ef. 1-17-14

875-015-0050

Veterinary Dentistry

(1) A veterinary dental operation or procedure is the application or use of any instrument or device to any portion of an animal's tooth, gum, or related tissue for the prevention, cure, or relief of

any wound, fracture, injury, disease, or other condition of an animal's tooth, gum, or related tissue. Dental operations or procedures shall be performed only by licensed veterinarians, except for those veterinary dental procedures set out in section (3) of this rule.

(2) Minimum Standards:

(a) Where preventive dental cleanings are offered, appropriate polishing equipment shall be available;

(b) Dental diagnostic radiograph capability shall be available when surgical dental services are offered;

(c) Records of dental work performed shall be kept and become part of the animal's permanent record.

(3) Preventive veterinary dental procedures including, but not limited to, the removal of calculus, soft deposits, plaque, and stains, or the smoothing, filing, or polishing of tooth surfaces shall be performed only by licensed veterinarians, certified veterinary technicians or veterinary assistants under the direct supervision of a licensed veterinarian.

(4) This rule does not prohibit any person from utilizing cotton swabs, gauze, dental floss, dentifrice, toothbrushes, or similar items to maintain an animal's oral hygiene.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.040 & 686.370

Hist.: VME 1-1990, f. & cert. ef. 1-26-90; VME 5-1992, f. & cert. ef. 12-10-92, Renumbered from 875-015-0010; VMEB 1-2006, f. & cert. ef. 2-8-06

DIVISION 30

CERTIFIED VETERINARY TECHNICIANS

875-030-0000

Introduction

Prior to the adoption of these rules, OAR 875-030-0000 through 875-030-0050, the Board referred to the license issued to animal health technicians, pursuant to ORS 686.350 through 686.370 and OAR 875-010-0025, as certificate and to the holders as certified animal health technicians. The Board shall continue to refer to such licenses as certificates, but, from not on, shall refer to the holders as certified veterinary technicians. All individuals who were certified animal health technicians immediately prior to the adoption of these rules shall be considered to be certified veterinary technicians hereafter.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.350 - 686.370

Hist.: VE 5, f. & ef. 8-3-76; VME 3-1983, f. & ef. 1-21-83; VME 2-1989, f. 8-29-89, cert. ef. 10-1-89; VME 1-1991, f. & cert. ef. 1-24-91; VME 3-1991, f. & cert. ef. 12-9-91; VME 3-1992, f. & cert. ef. 10-9-92, Renumbered from 875-010-0025

875-030-0010

Criteria for Becoming a Certified Veterinary Technician (CVT)

In order to be licensed as a CVT, an individual must:

(1) Pass the examinations referred to in OAR 875-030-0020; and

(2) Hold a certificate in veterinary technology (or a comparable certificate) from a college accredited by the American Veterinary Medical Association, or other program approved by the Board; or

(3) Have been actively licensed or registered in good standing as a veterinary technician in another state or states for a period of at least five years and:

(a) Have been employed as a licensed veterinary technician or instructor of veterinary technology for a minimum of three of the last five years; and

(b) Pass the examinations referred to in OAR 875-030-0020; and

(c) Provide notarized letters confirming clinical competency as a veterinary technician or instructor from at least a veterinarian who supervised the applicant pursuant to A of this section; and

(d) Provide W2 federal tax forms or other Board-approved proof of employment as a licensed veterinary technician or instructor; and

(e) Provide proof of CE as required in OAR 875-010-0090 that is current at the time of application.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.350 - 686.370

Hist.: VE 5, f. & ef. 8-3-76; VME 3-1983, f. & ef. 1-21-83; VME 2-1989, f. 8-29-89, cert. ef. 10-1-89; VME 1-1991, f. & cert. ef. 1-24-91; VME 3-1991, f. & cert. ef. 12-9-91; VME 3-1992, f. & cert. ef. 10-9-92, Renumbered from 875-010-0025; VMEB 2-2000, f. & cert. ef. 6-21-00; VMEB 1-2006, f. & cert. ef. 2-8-06; VMEB 2-2006, f. & cert. ef. 5-11-06; VMEB 10-2008, f. & cert. ef. 7-22-08; VMEB 15-2008, f. & cert. ef. 12-15-08; VMEB 3-2009, f. & cert. ef. 10-15-09; VMEB 3-2010, f. & cert. ef. 5-6-10; VMEB 2-2011, f. & cert. ef. 3-2-11; VMEB 4-2014, f. & cert. ef. 1-17-14; VMEB 6-2014, f. & cert. ef. 10-20-14

875-030-0020

Examinations for Certified Veterinary Technicians

(1) Applicants for licensure as CVTs shall pass the Veterinary Technician National Examination (VTNE) with a criterion score of 425 or greater. The Board will accept VTNE scores transferred to Oregon through the Veterinary Information Verifying Agency (VIVA) if the examination was taken in another state.

(2) In addition to the VTNE, applicants must successfully complete an open book examination on the Oregon Veterinary Practice Act (ORS 686) with a passing score of at least 95 percent, and the Regional Disease Test, with a passing score of 100 percent.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.350 - 686.370

Hist.: VE 5, f. & ef. 8-3-76; VME 3-1983, f. & ef. 1-21-83; VME 2-1989, f. 8-29-89, cert. ef. 10-1-89; VME 1-1991, f. & cert. ef. 1-24-91; VME 3-1991, f. & cert. ef. 12-9-91; VME 3-1992, f. & cert. ef. 10-9-92, Renumbered from 875-010-0025; VME 2-1996, f. & cert. ef. 11-6-96; VMEB 1-2006, f. & cert. ef. 2-8-06; VMEB 3-2009, f. & cert. ef. 10-15-09; VMEB 2-2011, f. & cert. ef. 3-2-11; VMEB 4-2014, f. & cert. ef. 1-17-14

875-030-0025

Application for Certified Veterinary Technicians

(1) Applications for certification shall include:

(a) An application form available from the Board office completed by the applicant;

(b) The application fee of \$35 payable to the Board;

(c) An official transcript or verification of standing and impending graduation from school.

(d) Completion of the Oregon Jurisprudence Exam and Regional Disease Test;

(e) The VTNE score report if the examination was taken in another state; and

(f) Letters of good standing from any other state the applicant is or has been licensed in as a veterinary or animal health technician.

(2) All applications for the VTNE must be made directly to the American Association of Veterinary State Boards (AAVSB, www.aavsb.org). The application fee for certification if the VTNE was taken in another state is \$35 payable to the Board.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.225 & 686.350 - 686.370

Hist.: VE 5, f. & ef. 8-3-76; VME 3-1983, f. & ef. 1-21-83; VME 2-1989, f. 8-29-89, cert. ef. 10-1-89; VME 1-1991, f. & cert. ef. 1-24-91; VME 3-1991, f. & cert. ef. 12-9-91; VME 3-1992, f. & cert. ef. 10-9-92, Renumbered from 875-010-0025; VMEB 1-2006, f. & cert. ef. 2-8-06; VMEB 2-2006, f. & cert. ef. 5-11-06; VMEB 3-2009, f. & cert. ef. 10-15-09; VMEB 2-2011, f. & cert. ef. 3-2-11; VMEB 1-2013, f. & cert. ef. 10-4-13; VMEB 2-2013, f. & cert. ef. 10-29-13; VMEB 5-2014, f. & cert. ef. 4-22-14

875-030-0030

Issuance of Licenses, Fees, Renewals for Certified Veterinary Technicians

(1) Upon filing a complete application and meeting all the criteria of OAR 875-030-0010, the Board will issue the applicant a Certified a Veterinary Technician license.

(2) Each CVT license shall expire on December 31st of each year.

(3) On or about November 1 of each year, the Board will send a renewal application to the last known address of the CVT on file with the Board. CVTs shall keep the Board advised of their address at all times. The Board shall be entitled to rely on its records, regardless of whether the CVT keeps the Board so advised.

(4) CVTs may be renewed annually without re-examination upon timely application. A renewal application accompanied by

the annual fee of \$35 must be returned to the Board postmarked no later than December 31st of each year in order to be considered timely filed.

(a) Renewal forms received or postmarked between January 1st and 31st will incur a late fee of \$10.

(b) Renewal forms received or postmarked between February 1st and February 28 or 29 will incur a late fee of \$25.

(c) Renewal forms received or postmarked between March 1st and April 30 will incur a late fee of \$35.

(d) If the CVT license lapses, a 21-month grace period begins. The CVT may renew the license within the 21-month period by paying the maximum delinquent fee and the current annual renewal fee, and by providing documentation of veterinary technician activities, including having completed 15 hours of approved continuing education, during the interim. After 21 months, the license may be revoked and the CVT may have to re-qualify for licensure by taking an examination specified by the board.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.255 & 686.350 - 686.370

Hist.: VE 5, f. & ef. 8-3-76; VME 3-1983, f. & ef. 1-21-83; VME 2-1989, f. 8-29-89, cert. ef. 10-1-89; VME 1-1991, f. & cert. ef. 1-24-91; VME 3-1991, f. & cert. ef. 12-9-91; VME 3-1992, f. & cert. ef. 10-9-92, Renumbered from 875-010-0025; VMEB 1-2008, f. & cert. ef. 2-11-08; VMEB 4-2014, f. & cert. ef. 1-17-14

875-030-0040

Supervision of Certified Veterinary Technicians

(1) All duties of CVTs must be performed under the supervision of a licensed veterinarian.

(2) CVTs may perform the following acts:

(a) Obtain and record information:

(A) Complete admission records, including recording the statements made by the client concerning the patient's problems and history. The CVT may also record the technician's own observations of the patient. However, the CVT cannot state or record his or her opinion concerning diagnosis of the patient;

(B) Maintain daily progress records, surgery logs, X-ray logs, Drug Enforcement Administration (DEA) logs, and all other routine records as directed by the supervising veterinarian.

(b) Prepare patients, instruments, equipment and medicant for surgery:

(A) Prepare and sterilize surgical packs;

(B) Clip, surgically scrub, and disinfect the surgical site in preparation for surgery;

(C) Administer preanesthetic drugs as prescribed by the supervising veterinarian;

(D) Position the patient for anesthesia;

(E) Induce anesthesia as prescribed by the supervising veterinarian;

(F) Operate anesthetic machines, oxygen equipment, and monitoring equipment.

(G) Place an endotracheal tube for the purpose of delivering oxygen and anesthetic gas to the patient requiring inhalant anesthesia.

(c) Collect specimens and perform laboratory procedures:

(A) Collect urine, feces, sputum, and all other excretions and secretions for laboratory analysis;

(B) Collect blood samples for laboratory analysis;

(C) Collect skin scrapings;

(D) Perform routine laboratory procedures including urinalysis, fecal analyses, hematological and serological examinations.

(d) Apply and remove wound and surgical dressings, casts, and splints;

(e) Assist the veterinarian in diagnostic, medical, and surgical proceedings:

(A) Monitor and record the patient's vital signs;

(B) Medically bathe the patient;

(C) Administer topical, oral hypodermic, and intravenous medication as directed by the supervising veterinarian;

(D) Operate X-ray equipment and other diagnostic imaging equipment;

(E) Take electrocardiograms, electroencephalograms, and tracings;

(F) Perform dental prophylaxis, including operating ultrasonic dental instruments pursuant to OAR 875-015-0050.

(G) Perform extractions under the immediate supervision of a licensed veterinarian.

(H) Administer rabies vaccine under the direct supervision of a licensed veterinarian.

(I) Under direct supervision of a veterinarian, inject or implant a permanent identification device.

(J) Under indirect supervision, carry out an Oregon-licensed veterinarians' home care instructions for duties permitted under OAR 875-030-0040. A valid VCPR must exist in order for a CVT to perform duties under indirect supervision.

(3) CVTs may perform other acts not specifically enumerated herein under the supervision of a veterinarian licensed to practice veterinary medicine in the State of Oregon. However, nothing in this section shall be construed to permit a CVT to do the following:

- (a) Make any diagnosis;
- (b) Prescribe any treatments;
- (c) Perform surgery, except as an assistant to the veterinarian;
- (d) Sign a rabies vaccination or any other animal health certificate.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.350 - 686.370

Hist.: VE 5, f. & ef. 8-3-76; VME 3-1983, f. & ef. 1-21-83; VME 2-1989, f. 8-29-89, cert. ef. 10-1-89; VME 1-1991, f. & cert. ef. 1-24-91; VME 3-1991, f. & cert. ef. 12-9-91; VME 3-1992, f. & cert. ef. 10-9-92, Renumbered from 875-010-0025; VMEB 1-2002(Temp), f. & cert. ef. 4-23-02 thru 10-20-02; Administrative correction 12-2-02; VMEB 1-2006, f. & cert. ef. 2-8-06; VMEB 2-2006, f. & cert. ef. 5-11-06; VMEB 1-2008, f. & cert. ef. 2-11-08; VMEB 11-2008, f. & cert. ef. 7-22-08; VMEB 4-2014, f. & cert. ef. 1-17-14

875-030-0050

Practice Limitations for Individuals not Certified as Veterinary Technicians

(1) Persons who are not licensed by this Board as CVTs may, under the supervision of a licensed veterinarian, perform all acts that a CVT may perform except:

(2) Induce anesthesia, except to place an endotracheal tube to establish an airway in emergencies (OAR 875-030-0040(2)(b)(E);

(3) Operate X-ray equipment unless the person has completed 20 hours training in radiograph safety (2)(b)(G) as required by the Oregon State Health Division (OAR 333);

(4) Perform dental extractions (2)(e)(G);

(5) Administer rabies vaccine (2)(e)(H); and

(6) Inject or implant a permanent identification device (875-030-0040(1)).

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.350 - 686.370

Hist.: VE 5, f. & ef. 8-3-76; VME 3-1983, f. & ef. 1-21-83; VME 2-1989, f. 8-29-89, cert. ef. 10-1-89; VME 1-1991, f. & cert. ef. 1-24-91; VME 3-1991, f. & cert. ef. 12-9-91; VME 3-1992, f. & cert. ef. 10-9-92, Renumbered from 875-010-0025; VMEB 1-2002(Temp), f. & cert. ef. 4-23-02 thru 10-20-02; Administrative correction 12-2-02; VMEB 1-2008, f. & cert. ef. 2-11-08; VMEB 5-2008, f. & cert. ef. 5-12-08; VMEB 12-2008, f. & cert. ef. 7-22-08; VMEB 16-2008, f. & cert. ef. 12-15-08; VMEB 4-2014, f. & cert. ef. 1-17-14; VMEB 2-2016(Temp), f. & cert. ef. 8-4-16 thru 1-4-17

DIVISION 40

CERTIFIED EUTHANASIA TECHNICIANS

875-040-0000

Certified Euthanasia Technicians (CETs)

No person not licensed as a veterinarian shall perform euthanasia or administer sodium pentobarbital unless the person is certified by the Board. CETs shall administer euthanasia in conformance with the 2010 Association of Shelter Veterinarians (SVA)