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**DIVISION 1**

**PROCEDURAL RULES**

**875-001-0000**

**Notice**

Prior to the adoption, amendment, or repeal of any 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 mailing 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 mailing a copy of the notice to the following persons, organizations, or publications:

- (a) United Press International;
- (b) The Associated Press;
- (c) Oregon Veterinary Medical Association;
- (d) Oregon Humane Society;
- (e) Oregon State University Veterinary School;
- (f) Oregon State University Extension Service;
- (g) Portland Community College Veterinary Technology Program;

(h) Oregon Paraveterinary Association.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 183.310 - ORS 183.360

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

**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, bearing the effective date of November 4, 1991.

[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

**875-001-0010**

**Continuing Education Requirements**

(1) All actively practicing veterinarians licensed to practice in Oregon must comply with the educational requirements provided in this rule in order to renew their licenses.

(2) "Inactive" practitioners need not comply with the educational requirements, and may renew their licenses in an "inactive" status. An "inactive" practitioner is one who practices for less than 30 calendar days in each year.

(3) All active licensees wishing to obtain a renewal of their license must complete thirty hours of veterinary continuing education programs every two years beginning 1997 and report to the Board with license renewals for every odd-numbered year. These thirty hours may be satisfied with any combination of the following continuing education activities:

(a) Attendance at scientific workshops or seminars approved by this Board.

(b) A maximum of four hours reading approved scientific journals. One subscription to an approved journal is equal to one hour of credit.

(c) A maximum of six hours 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.

(d) A maximum of 15 hours of audio or video recordings, electronic, computer or interactive materials or programs on scientific or non-scientific subjects, as set forth in subsection (3)(c) above, and prepared or sponsored by any of the organizations defined in subsection (4) below. The sponsor must supply written certification of course completion.

(4) 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 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 States Veterinary Conference;

(d) Any State or Province Veterinary Medical Associations;

(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 state veterinary academies;

(i) Animal Medical Center, New York;

(j) Angel Memorial Medical Center;

(k) Other programs receiving prior approval by this Board;

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

(5) The following scientific journals are approved by the Board to satisfy all or a portion of the two hours of non-lecture educational activities:

(a) Journal of the American Veterinary Medical Association;

(b) Journal of the Canadian Veterinary Medical Association;

(c) The Journal of Veterinary Research;

(d) Veterinary Medicine;

(e) Small Animal Clinician;

(f) Modern Veterinary Practice;

(g) Publications of the AVMA/CVMA Approved Constituent Specialty Groups;

(h) Compendium of continuing education;

(i) Journal of American Animal Hospital Association;

(j) Other publications approved in advance by this Board.

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

(7) Reporting continuing education credits:

(a) At the time of making application for license renewal for every odd-numbered year, the veterinarian shall certify on the application form that thirty hours of continuing education as set forth in this rule have been satisfied. Proof of participation in such continuing education programs must be kept by the licensee for a period of at least two years, and the licensee must permit the Board, any of its agents or designees to inspect these records. Any such failure to keep these records or produce them to the Board, its agents or designees 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 continuing education 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.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.410 - ORS 686.420

Hist.: VME 1-1980, f. & ef. 2-6-80; VME 3-1980, f. & ef. 12-24-80; VME 1-1981, f. 8-7-81, ef. 9-13-81; VME 1-1983, f. & ef. 1-21-83; VME 1-1991, f. & cert. ef. 1-24-91; VME 1-1996, f. & cert. ef. 11-6-96

## Selection of Personal Service Contractors

### 875-001-0020

#### Introduction

The Board may contract with individuals or firms to provide required services. It is the intent of the Board to publicly announce all requirements for contract services and to select contractors on the basis of demonstrated competence and qualifications for the type of professional services required. All such contracts will be executed at a fair and reasonable price:

(1) The Board will contract for services only when the work required cannot be done in a reasonable time with the Board's own staff; when it will be less expensive to contract for the work; when the required skills are not available within the Board or its staff; or when an impartial opinion is required.

(2) The selection of the most qualified individual or firm will be based on, but not limited to, the demonstrated capabilities, experience and project approach of the individual or firm. A contract will be awarded for the professional services at a fair and reasonable cost, as approved by the Board or its Executive Officer. Throughout the selection process, every effort will be made to encourage disadvantaged and emerging small businesses to submit proposals.

(3) All contractors are to issue impartial opinions or recommendations. An impartial opinion is defined to mean an opinion or recommendation by a person who has no reasonable expectation of pecuniary or professional gain, other than performance of the contract, if the Board adopts the person's opinion or recommendation.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 279.051

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

### 875-001-0030

#### Contract Process

(1) Informal Process (\$2,500 and under). When the amount of the contract will be equal to or less than \$2,500, the Board or its designee may use an informal selection process. Under this process the Board may solicit qualifications or proposals in writing or by telephone from a minimum of three prospective contractors and immediately select the most qualified individual or firm. The Board may make immediate and direct appointments whenever conditions require prompt action to protect loss of property.

(2) Formal Process (over \$2,500). The Board or its designee shall make a public announcement to obtain a list of individuals or firms interested in providing professional services to the Board. The Board will request statements of qualifications or proposals, or both, for either single projects or groups of projects. The announcement will be made in either trade periodicals and/or newspapers or general circulations and may include the following:

(a) Description of services required;

(b) Scope of services required;

(c) Anticipated project start and completion dates;

(d) Any special requirements;

(e) Closing date by which statements of interest and qualifications must be received; and

(f) Evaluation criteria and selection procedure:

(A) Initial screening. The Board or its designee shall, for each proposal, evaluate statements of qualifications and performance data, which shall include, but not be limited to, approach, capability, credentials, experience, and performance data. Based on the evaluation criteria published in the announcement, the Board or its designee shall select in order of preference, a list of at least three individuals or firms technically and financially qualified to perform the required personal services that are deemed the most highly qualified;

(B) Selection. The Board or its designee shall select the most qualified individual or firm and negotiate a contract that is fair and reasonable and within budgetary constraints of the Board's legislatively approved budget. When making the final selection, the Board shall consider the estimated value of the services to be rendered and the complexity of the services required;

(C) Should the Board or its designee be unable to negotiate a satisfactory contract with the most qualified selection, negotiations with that firm or individual will be terminated. The Board or its

designee will then undertake negotiations with the second most qualified selection. Failing accord with the second selection, the Board will terminate negotiations. The Board or its designee will then undertake negotiations with the third most qualified selection;

(D) Should the Board or its designee be unable to negotiate a satisfactory contract with any of the three selected, it shall select additional individuals or firms in order of their competence and qualifications and continue negotiations. The Board or its designee may issue another request for proposal.

(3) Sole Source Selection. When the Board or its designee determines that only one individual or firm exists within the area that is capable of performing the required services, a sole source contract may be negotiated. A sole source designation eliminates the necessity for a selection process.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 279.051

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

## 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 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 10

### GENERAL

## 875-010-0010

### Board Meetings

The Board shall hold regular meetings at least once each year, at such time and place as the Board may designate. The President of the Board shall call special meetings of the Board at any time through the year when he considers such meetings necessary.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.210

Hist.: VE 1, f. 7-29-60; VME 2-1989, f. 8-29-89, cert. ef. 10-1-89

## 875-010-0030

### Qualifications for Licenses and Permits

(1) A graduate of a veterinary college or veterinary department of a university or college of good standing and repute as used in ORS 686.045(1), 686.065, and in any other references in ORS Chapter 686 means:

(a) A person who is graduated from a veterinary college or school or department of a university accredited by the American Veterinary Medical Association; or

(b) A person who has earned a certificate issued by the Educational Commission for Foreign Veterinary Graduates (ECFVG) of the American Veterinary Medical Association.

(c) For the purposes of ORS 686.085, graduates include a person who has completed Step 3 of the ECFVG program by having presented evidence to the American Veterinary Medical Association (AVMA) of graduation from a foreign veterinary school; successfully completed the NBE, CCT and Oregon Juris Prudence exami-

nations; paid necessary fees to the ECFVG and is scheduled to sit for the Clinical Proficiency Examination (CPE) at a date not less than six months from the date of Intern Permit application.

(2) Temporary and active licenses will not be issued to applicants who do not have at least one year experience, as set out in ORS 686.045(3) and 686.065(1)(b).

(3) Applicants who have committed violations of veterinary practice laws and rules in other states, provinces or countries, or who have documented history of incompetence or engaging in acts involving dishonesty, violence against persons or animals, illegal sale or use of drugs, substance abuse, acts of unfairness, or disrespect for the rights of others or for the law may be denied licensure.

(4) Making an intentional material false statement or omission on application or otherwise to the Board may be grounds for denial of licensure.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.045 & ORS 686.065

Hist.: VE 4-1978 f. & ef. 2-21-78; VME 1-1987, f. & ef. 12-22-87; VME 2-1990, f. 1-31-90, cert. ef. 2-1-90; VME 2-1994, f. & cert. ef. 11-30-94; VMEB 1-1999, f. & cert. ef. 1-8-99; VMEB 3-1999, f. & cert. ef. 2-18-99; VMEB 1-2000, f. & cert. ef. 1-6-00

## 875-010-0045

### Preceptees and Student Interns

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

(2) Supervision. All acts which a preceptee or 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 or preceptee only after receiving specific directions from and in the presence of an Oregon licensed veterinarian.

(3) Student interns or preceptees may perform the following acts:

(a) Obtaining and Recording Information. Preceptees or 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. The preceptees and student interns may also record his or her own observations of the patient. However, the preceptees or student interns cannot state or record his or her opinion concerning diagnosis of the patient;

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

(b) Perform surgery, if determined by the supervising veterinarian to be competent and possess the necessary training and experience;

(c) Preparation of Patients, Instruments, Equipment, and Medicants for Surgery. Preceptees and 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 Proceedings. Preceptees and Student Interns may assist super-



vising 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 X-ray equipment;
- (E) Take electrocardiograms, electroencephalograms, and tracings;
- (F) Performing dental prophylaxis, including operating ultrasonic dental instruments.

(f) Preceptees and 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.

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

### 875-010-0050

#### Supervision of Interim Permittee

An Interim Permit 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 875-010-0030.

(1) "Supervision," as used in ORS 686.085, requires an Oregon licensed veterinarian to directly supervise the Interim Permittee:

(a) Direct supervision means that the Permittee shall conduct each and every procedure in the immediate presence and under the direction of the supervisor, until such time as the supervising veterinarian reasonably concludes that the licensee has sufficient training and experience to competently conduct a particular procedure, or class of procedures, independently;

(b) 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 Interim Permittee; however, the supervising veterinarian shall continue to reasonably monitor the results thereof;

(c) 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.

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

### 875-010-0055

#### Gross Ignorance, Incompetence, or Inefficiency in the Profession

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

(2) Failure to comply with current standards on isolation of patients with serious infectious, contagious diseases, and the keeping of animals with known serious infectious, contagious diseases in the same area with animals who do not have serious infectious, contagious diseases when current standard would require isolation.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.130

Hist.: VME 2-1983, f. & ef. 1-21-83

### 875-010-0060

#### Unprofessional or Dishonorable Conduct

The Board interprets "unprofessional or dishonorable conduct" to include 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 owner'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.

(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. A reasonable copying fee may be charged.

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

(15) Failure to mark or label a container of prescription drugs with the date, name of drug, dosage frequency, identification of animal (if appropriate), and withdrawal time (if appropriate).

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

(19) Failure to comply with any rule of the Board.

(20) Making any false or misleading representations to the Board or any of its agents during the course of any investigation or hearing.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.130

Hist.: VME 2-1986, f. & ef. 8-6-86; VME 5-1992, f. & cert. ef. 12-10-92

### 875-010-0065

#### License Renewal Procedures

(1) The annual renewal fee for all veterinary licenses shall be \$100 effective November 1, 1992.

(2) A renewal application is timely if the completed application together with the correct renewal fee is postmarked by December 31st of the current license year. If the renewal application is not timely, the applicant must pay delinquent fees:

(a) The delinquent fee shall be \$50 for each month or part of a month after December 31st, up to a maximum of \$150.

**EXAMPLE:** A license renewal application postmarked February 1 will be assessed a \$100 delinquent fee in addition to the renewal fee for a total of \$150 and one postmarked March 15 will be assessed \$150 in delinquent fees.

(b) In the event a licensee's renewal application is not received by January 31, a certified letter, return receipt requested, will be sent,

advising the licensee of his or her delinquency and pointing out that practicing veterinary medicine in Oregon without a current license is a violation of ORS 686.020. It is the licensee's responsibility to provide the Board with a current address;

(c) 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, i.e. community service, additional continuing education, etc.;

(d) If the delinquency in license renewal exceeds two years, the Board may assess an extended delinquency renewal fee, and/or it may require requalification by examination.

(3) The Board's staff will review the renewal applications. If the application is complete with the following requirements, the staff will mail out an annual license receipt, which expires on December 31 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 requirements must have been met;

and

(e) The licensee is not in violation of the provisions of ORS 686.120 and 686.130.

(4) A veterinarian who submits a completed renewal application postmarked no later than December 31, 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 31, 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.

(5) If the veterinarian's license lapses, a 21 month grace period begins. He or she may renew the license within the two year period by paying the maximum delinquent fee and the current annual license fee, and by providing documentation of veterinary activities during the interim. After two years, the license may be revoked and the veterinarian may have to requalify for licensure by taking an examination.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.110 & ORS 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

## Veterinary License Examinations

### 875-010-0070

#### Definitions and Requirements

(1) "North American Veterinary Licensing Examination (NAVLE)": This test is created by the National Board Examination Committee (NBEC) to test a candidate's diagnostic skills and comprehensive veterinary knowledge. The NAVLE is required for licensing in Oregon, except as provided in OAR 875-010-0075 (5). Effective November 2000, the NAVLE replaces the National Board Examination (NBE) and Clinical Competency Test (CCT). The Board may choose to certify candidates' eligibility or require applicants to apply in another state. Candidates for the NAVLE must be senior students at or graduates of AVMA accredited or approved schools or colleges of veterinary medicine, or candidates enrolled in the Educational Commission for Foreign Veterinary Graduates (ECFVG) program. NAVLE will be administered in two testing windows in the fall (November–December) and spring (April). Candidates must apply to the Board 75 days prior to test dates.

(3) "Oregon Jurisprudence Exam": This examination shall test the applicant's knowledge of ORS Chapter 686, and OAR Chapter 875. This shall be an open book exam and shall be completed and submitted as part of the application for veterinary licensure.

(4) "National Board Examination Committee (NBEC)" is the sole provider of the NAVLE. The NBEC will report the scores of NAVLE to the Board.

(5) All applicants for veterinary license must pass the NAVLE and the Oregon Jurisprudence Exam:

(a) The passing score for NAVLE shall be 425. If the National Board Examination (NBE) and/or Clinical Competency Test, (CCT) was 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;

(b) The passing score on the Oregon Jurisprudence Exam shall be no less than 95 percent correct answers.

(6) Applications from individuals who have committed violations of veterinary practice laws and rules in other states, provinces or countries, or who have documented history of incompetence or engaging in acts involving dishonesty, violence against persons or animals, illegal sale or use of drugs, substance abuse, acts of unfairness, or disrespect for the rights of others or for the law may be denied.

(7) Making an intentional material false statement or omission on application or otherwise to the Board may be grounds for denial of application.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.075

Hist.: VME 1-1987, f. & ef. 12-22-87; VME 2-1989, f. 8-29-89, cert. ef. 10-1-89; VME 2-1992, f. & cert. ef. 10-9-92; VME 1-1995, f. & cert. ef. 10-27-95; VMEB 2-1999, f. & cert. ef. 1-8-99; VMEB 4-1999, f. & cert. ef. 2-18-99; VMEB 3-2000, f. & cert. ef. 6-21-00

### 875-010-0075

#### General Information

(1) To apply for a veterinary license, the applicant must complete the "Application for Licensure to Practice Veterinary Medicine and Surgery," available from the Board office. A completed application includes:

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

(b) A copy of a college diploma or a letter from the graduate's school verifying satisfactory graduation, or, if a foreign school graduate, a copy of the Equivalency Certificate for Foreign Veterinary Graduates (ECFVG) or letter of satisfactory completion of requirements from ECFVG Committee;

(c) A completed Oregon Jurisprudence Examination;

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

(e) The license application and jurisprudence exam fee of \$75.

(2) To register for the NAVLE, the candidate shall submit registration and examination fees no later than 75 days prior to the exam date. The application and NAVLE registration fee in Oregon shall be \$375.

(3) The Oregon application fee of \$50 (which is included in the application and registration fee of \$375) for the NAVLE shall not be refundable. Applicants shall contact NBEC for refund of the \$325 NAVLE registration fee.

(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, as defined in OAR 875-010-0030, 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 province(s) 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.

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

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.075 & ORS 686.255

Hist.: 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 2-1992, f. & cert. ef. 10-14-92 (and corrected 10-9-92); VME 1-1995, f. & cert. ef. 10-27-95; VMEB 3-2000, f. & cert. ef. 6-21-00

### 875-010-0080

#### Recalculation, Review and Appeal of Examination Results

(1) The NAVLE and the Oregon Jurisprudence Exam may be taken more than once.

(2) Any applicant who does not pass the NAVLE or Oregon Jurisprudence Exam may request a review of his or her examination results. A request shall be made in writing to the Board within 30 days following the notification of exam results, and the reason(s) for the review request. The applicant may inspect his or her Oregon Jurisprudence Examination answer sheet at the Board office in the presence of the Executive Officer or Board member. The applicant may request a review of the NAVLE examination results according to the review procedures of the NBEC.

(3) Any applicant may request a formal appeal before the Board if not satisfied with the review of the exam. An appeal shall be submitted in writing to the Board office no later than 21 days following notification of the results of an exam review. The Board will consider only those appeals concerning significant errors that result in substantial disadvantage to the applicant and if the results of the appeal could result in the issuance of a license.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.075

Hist.: VME 1-1987, f. & ef. 12-22-87; VME 2-1989, f. 8-29-89, cert. ef. 10-1-89; VME 2-1992, f. & cert. ef. 10-9-92; VMEB 3-2000, f. & cert. ef. 6-21-00

### 875-010-0085

#### Initial Licenses

Upon approval of all required application materials, the applicant will be granted a license to practice veterinary medicine in Oregon. The licensee may activate the license at any time.

(1) The initial license fee shall be \$100.

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

(3) If applicant has less than one year's experience, an Interim Permit will be issued. The Interim Permit 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, Permittee shall renew for an active license, pursuant to OAR 875-010-0065. Late fees will apply for each month the renewal is late up to \$150;

(b) The supervising veterinarian shall provide a signed statement that Permittee has satisfactorily completed the internship and Permittee shall submit this statement to complete the license renewal application.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.095 & ORS 686.255

Hist.: VME 2-1994, f. & cert. ef. 11-30-94

## DIVISION 15

### MINIMUM STANDARDS FOR VETERINARY MEDICAL FACILITIES

### 875-015-0000

#### Definitions

(1) "Veterinary Medical Facility": Any premise, 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.

(2) "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.

(3) Surgery Procedures:

(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 device or microchip is considered surgery.

(4) "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.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.130

Hist.: VME 5-1992, f. & cert. ef. 12-10-92; VME 1-1997, f. & cert. ef. 7-23-97

### 875-015-0005

#### Responsibilities for Veterinary Medical Practices

(1) Each person who holds any interest in a veterinary medical practice shall hold a valid license to practice veterinary medicine issued by the Board (unless exempted pursuant to ORS 58.037 and ORS 58.108 (allows nonlicensed persons to own a minority interest in a professional corporation) or ORS 686.040).

(2) Each person who individually or collectively, directly or indirectly, operates, manages or controls a veterinary medical practice shall hold a valid license to practice veterinary medicine issued by the Board unless exempted by ORS 686.040.

(3) 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 noncomplying condition, that the condition was under the sole control of one or more other licensed partners, joint venturers 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 noncomplying activity, that the act or omission was committed by one or more other licensed employees, contractors, partners, joint venturers 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.

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

(5) Each licensee 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 any part of the licensee's practice is conducted;

(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, ORS 686.020 & ORS 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

#### 875-015-0020

##### Minimum Requirements for All Veterinary Medical Facilities

Each veterinary medical facility 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 noxious 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 which 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.

(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 good quality diagnostic radiographs.

(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.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.130

Hist.: VME 5-1992, f. & cert. ef. 12-10-92

#### 875-015-0030

##### Minimum Veterinary Practice Standards

Each veterinarian shall comply with the following:

(1) Recordkeeping: Daily written reports shall be kept for each animal treated, but 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, address and telephone number of the owner and/or client;

(b) Name, number of other identification of the animal and/or group;

(c) Species, breed, age, sex, and color or distinctive markings of the animal;

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

(e) Upon presentation, when applicable by species, the animal's condition of the following, even if such condition is normal:

(A) Temperature;

(B) Weight;

(C) Mucous membranes;

(D) Auscultated chest;

(E) Abdomen;

(F) Lymph nodes;

(G) Musculoskeletal condition.

(f) Physical examination findings and any laboratory data;

(g) Provisional and/or final diagnosis;

(h) Treatments, medications, and immunizations administered, prescribed or dispensed to include dosage and route of administration;

(i) Surgical description and types of anesthetic agents;

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

(k) Exposed radiographs with permanent identification;

(l) If a client waives or denies approval of any examinations, tests, or other recommended treatments, such waiver or denial must 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 shave 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.

(g) Appropriate anesthetic equipment for each type of patient and surgical procedure shall be available at all times;

(h) Adequate means for resuscitation shall be available;

(i) Emergency drugs shall be immediately available to the surgery area;

(j) Animals shall be monitored during recovery from anesthesia. Materials shall be provided to help prevent loss of body heat. Adequate personnel and equipment including, but not limited to, I.V. catheter, fluids and emergency drugs shall be immediately available.

(3) Library: A library of appropriate and current veterinary journals and textbooks shall be available for ready reference.

(4) Laboratory: Veterinarians shall have the capability for use of either in-house or consultant laboratory service for blood chemistry, bacterial cultures and antibiotic sensitivity determinations,

complete blood counts, histopathologic examinations, fecal evaluations, skin scrapings, cytology, urinalysis, and complete necropsies.

(5) Biologicals and Drugs: The minimum standards for drug procedures shall be:

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

(b) Legend drugs shall be dispensed as a result of a veterinarian-client-patient relationship 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 and strength of the drug;

(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.

(6) 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) Limited Services: The public shall be informed of any limitations of veterinary medical services provided.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.130

Hist.: VME 5-1992, f. & cert. ef. 12-10-92

#### 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 preventive veterinary dental procedures set out in section (2) of this rule.

(2) 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, or by animal health technicians and/or veterinary assistants under the direct supervision of a licensed veterinarian.

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

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.040 & ORS 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

### DIVISION 20

#### EUTHANASIA TASK FORCE

#### 875-020-0000

##### Definitions

For the purpose of OAR 875-020-0005 through 875-020-0055, the following definitions apply.

(1) "Agency": Any animal control department, humane society, or any facility which contracts with a public agency or arranges to provide animal sheltering services and is certified by the Euthanasia Task Force and registered by the 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 recognized by an agency as a paid or volunteer staff member and is instructed and certified by the Euthanasia Task Force 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 Task Force.

(5) "Lethal Drug": Sodium pentobarbital or any other drug approved by the Task Force, the Board and the Board of Pharmacy, and used for the purpose of humanely euthanizing injured, sick, homeless or unwanted domestic pets and other animals.

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

(7) "Task Force": The Euthanasia Task Force appointed by the Board pursuant to ORS 686.510 consisting of no fewer than five members, and who are either certified euthanasia technicians or licensed veterinarians.

Stat. Auth.: ORS 686.210

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

Hist.: VME 1-1986(Temp), f. & ef. 7-21-86; VME 1-1989, f. 1-12-89, cert. ef. 2-1-89

#### 875-020-0005

##### Exceptions

(1) A person who is not certified and is employed by an agency may administer a lethal drug under the direct supervision of a CET or Oregon licensed veterinarian until the next scheduled Task Force training session.

(2) Other drugs approved by the Board of Pharmacy for the purpose of euthanasia may also be submitted to the Board for approval. If approved by the Board, the drug may be used by CETs.

Stat. Auth.: ORS 686.210

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

Hist.: VME 1-1986(Temp), f. & ef. 7-21-86; VME 1-1989, f. 1-12-89, cert. ef. 2-1-89

#### 875-020-0010

##### Euthanasia Task Force

Pursuant to ORS 686.510 and 475.190(4), a Task Force is established for the purposes of training, examining, and certifying euthanasia technicians and their employers. The Task Force shall consist of no fewer than five members appointed by the Board. New members shall be nominated by either the Board or Task Force and be confirmed by the Board. Nominees must submit either a letter of recommendation outlining his or her experience and training or a resume' showing such experience, plus a letter of recommendation from a current Task Force member. Applicants for a Task Force position must be a CET, and be employed by an agency or may be a veterinarian:

(1) Each member shall serve for two years, at the pleasure of the Board. Prior to the expiration of a member's term, the Task Force or Board shall nominate a successor. A Task Force member may be eligible for reappointment. If there is a vacancy for any cause, the Task Force or Board shall nominate and the Board confirm a successor to fill the unexpired term.

(2) The duties of Task Force members may include but not be limited to:

(a) Coordinate and provide euthanasia training classes no less than once a year;

(b) Conduct written and practical examinations to applicants for certification and authorize certification through the Board office.

(c) Inspect and certify agencies serving as the site for euthanasia and/or and employing persons seeking to become certified or seeking recertification;

(d) Review the records, performance, methods and procedures used by persons seeking to be certified or seeking recertification as CETs; and

(e) Recommend suspension or revocation of certification when necessary.

Stat. Auth.: ORS 686.210

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

Hist.: VME 1-1986(Temp), f. & ef. 7-21-86; VME 1-1989, f. 1-12-89, cert. ef. 2-1-89



**875-020-0015**

**Training and Examinations**

(1) The Task Force shall develop training sessions and materials which may include, but not be limited to, the following topics:

- (a) The theory of euthanasia methods;
- (b) Proper animal handling to ease trauma and stress;
- (c) Dosages, record keeping and documentation of usage;
- (d) Proper injection techniques.

(2) Following the training, a written examination will be given. Those passing the written examination will be eligible for the practical exam for certification as provided for in OAR 875-020-0035.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 475.190 & ORS 686.510

Hist.: VME 1-1986(Temp), f. & ef. 7-21-86; VME 1-1989, f. 1-12-89, cert. ef. 2-1-89

**875-020-0020**

**Certified Euthanasia Technician**

No person shall administer sodium pentobarbital unless the person is certified by the Task Force and Veterinary Board. The duties of the CET are provided by OAR 875-020-0035.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 475.190 & ORS 686.510

Hist.: VME 1-1986(Temp), f. & ef. 7-21-86; VME 1-1989, f. 1-12-89, cert. ef. 2-1-89

**875-020-0025**

**Fees**

Certification fees for CETs and agencies are as follows:

(1) Annual agency fee is \$25, for agencies who perform animal euthanasia.

(2) Initial CET fee is \$25.

(3) Annual CET recertification is \$10.

(4) Certification fees for CET will be charged to the employer for the number of CETs employed at that agency.

(5) The agency shall notify the Board office and/or Task Force member within 30 days when a CET is terminated from employment from that agency.

(6) No refunds for CETs or agencies will be issued for the reason of a terminated employee.

(7) Certification of either agency or euthanasia technician will not be valid until fees have been received and a certification issued by the Board office.

Stat. Auth.: ORS 686.210

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

Hist.: VME 1-1986 (Temp), f. & ef. 7-21-86; VME 1-1989, f. 1-12-89, cert. ef. 2-1-89

**875-020-0030**

**Certification of Technicians**

Initial practical examinations of all applicants are conducted by a Task Force member after the satisfactory passing of the written exam following the training. Recertification practical exams are generally given at the applicants place of employment during August 1 to October 31 of each year, as provided in OAR 875-020-0035:

(1) A person who has passed the written exam may euthanize animals under the direct supervision of an Oregon licensed veterinarian or CET until such time as the practical exam and certification is conducted by a Task Force member.

(2) A person who has not passed or taken the written exam or the practical exam may euthanize animals only under the direct supervision of an Oregon licensed veterinarian or CET until the next regularly scheduled training session.

(3) A person who fails the written exam may be permitted by the Task Force to euthanize animals, as provided for in section (2) of this rule, but may repeat the training and written exam for no more than one additional time.

(4) A person who fails the practical exam may euthanize animals under the supervision of a CET or an Oregon licensed veterinarian until a Task Force member can re-examine the applicant. If the person fails to pass the practical exam a second time, he or she shall not continue to euthanize animals and may not reapply for certification until completion of the training session and written exam.

(5) Applicants may appeal any decision of a Task Force member, regarding certification to the Task Force.

(6) Upon termination from an agency, a CET may not euthanize animals until recognized by an agency and reactivated his or her certification, as provided in section (7) of this rule.

(7) If a CET is employed again within the 18 months of last certification, the CET and/or employer may request reactivation of certification to the Task Force. If certification has expired past the 18 months maximum, the CET may euthanize animals under the direct supervision of an Oregon licensed veterinarian or currently certified euthanasia technician until such time as a Task Force member can administer the practical examination and authorize recertification.

(8) The practical exam shall include but not be limited to the certification standards for technicians provided for in OAR 875-020-0035.

(9) All certifications expire on October 31 of each year and are valid for no longer than 18 months from the last certification.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 475.190 & ORS 686.570

Hist.: VME 1-1986(Temp), f. & ef. 7-21-86; VME 1-1989, f. 1-12-89, cert. ef. 2-1-89

**875-020-0035**

**Certification Standards for Technicians**

(1) The CET is fully responsible for all actions that take place in the euthanasia area.

(2) Each animal shall be handled with the least amount of restraint necessary, but human safety shall always be the primary concern. The use of chemical restraint is at the option of the CET.

(3) The CET shall be able to properly perform intravenous injections on dogs and intraperitoneal injections on both dogs and cats. Intravenous injections on cats are not required, but if performed, shall meet the standards listed below. Intracardiac injections are not required and are restricted to the limitations listed below.

(4) Intravenous Injections: The CET shall be able to properly and efficiently insert the needle into an animal's vein in no more than two attempts on 90 percent of the animals injected by this method. IV injections in the cephalic vein shall be used on all dogs over the age of three months and any other large animal unless the animal's physical condition or size makes this type of injection impossible, or the animal's behavior would make this type of injection a serious danger to the CET or handler.

(5) Intraperitoneal Injections: The CET shall be able to efficiently insert the needle into the proper injection site in no more than two attempts on 95 percent of the animals injected by this method. It is recommended that animals injected by this method shall be held or otherwise restrained by the handler until they are unconscious. If an animal cannot be held, it shall be placed into a cage with no other animals. The front of the cage shall be covered with cloth or other material that can keep the cage isolated from the normal activities in the euthanasia area. The animal shall be checked every five minutes until death occurs.

(6) Intracardiac Injections: At no time shall intracardiac injections be used on conscious animals. The CET shall be able to efficiently insert the needle into the heart of the unconscious animals in no more than two attempts on 95 percent of the animals injected by this method.

(7) No other injection procedure is permitted in any type of animal:

(a) A minimum of two persons shall be required for any IV injection. One person shall be a CET and one or more persons shall be a handler. The handler(s) do not have to be CETs, but the handler(s) should be trained in human safety and animal handling techniques;

(b) Intraperitoneal and Intracardiac injections may be administered by a CET without a handler.

(8) Injections: On all injections, the CET shall aspirate the syringe to determine if the needle is in the correct site:

(a) For human safety the cap shall be kept on the needle until such time that the injection is ready to be made;

(b) The needle shall be of the size and length appropriate for the specific animal involved;

(c) The dosage of sodium pentobarbital used shall be no less than the minimum recommended by the drug's manufacturer.

(9) Oral Administration of Sodium Pentobarbital: This is permitted for any animal that cannot be captured or restrained without a serious danger to human safety. The administration should be in accordance with the drug manufacturer's instructions.

(10) Proper record keeping: A record of all sodium pentobarbital received and used by shelters shall be kept. The record shall contain the following information:

(a) A weekly verification of the drug stock on hand, signed by the designated agent;

(b) The signature of the designated agent, the date and the amount in the bottle each time that the drug is taken from secure storage;

(c) The species and weight of each animal on which the drug is used;

(d) The amount of the drug that was used;

(e) The name or initials of the person who administered the drug;

(f) A record of any wastage of the drug, signed by the person administering the drug;

(g) Any disposal of expired or unwanted sodium pentobarbital.

(11) Understanding and concern for individual animal needs:

(a) Injected animals shall be lowered to the surface on which they were being held after they have collapsed. Injected animals shall not be permitted to drop or otherwise collapse without human support;

(b) All animals shall be handled to minimize stress while maximizing personal safety. Animals that cannot be handled with a limited amount of physical restraint shall be given a chemical restraint. Handling includes all aspects of moving animal from one area to another;

(c) The use of control sticks and other similar devices shall be limited to fractious or potentially dangerous animals;

(d) Animals shall not be placed in cages or kennels with other breeds or species that are incompatible with the animal in question. Animals shall not be overcrowded in any cage or kennel.

(12) Ability to verify death: The animal should become unconscious and show terminal signs within 30 seconds after an IV injection, within 15 minutes after an IP injection or within 60 minutes after an oral administration. If any animal does not show any of these signs within the designated time periods, the CET shall readminister the drug. An animal that has received sodium pentobarbital orally may be injected with the drug after it has become unconscious. Terminal signs include no visual indications of breathing or heartbeat, lack of capillary response in the gums and/or lack of corneal or pupillary reflexes. Each animal shall be checked to verify death. Verification is the responsibility of the CET and shall be made by a physical examination of the individual animal. One of the following two standards for death shall be met:

(a) Rigor mortis;

(b) Complete lack of heartbeat (as checked with a stethoscope); and complete lack of respiration; and complete lack of corneal, palpebral, pupillary and corneal reflexes.

(13) Ability to handle difficult situations, if they arise.

(14) Ability to communicate with assistants during the process.

Stat. Auth.: ORS 686.210

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

Hist.: VME 1-1986(Temp), f. & ef. 7-21-86; VME 1-1989, f. 1-12-89, cert. ef. 2-1-89

## 875-020-0040

### Certification Standards for Agencies

Task Force members shall inspect and certify agencies that serve as a site for animal euthanasia. The inspection shall cover, but not be limited to:

(1) Proper security and storage of lethal drugs:

(a) Sodium pentobarbital shall be kept in a securely locked cabinet whenever a CET is not in the same room with the drug:

(A) Each agency shall maintain a written current list of designated agent(s). Designated agents in an agency may not exceed the minimum necessary for the function of the agency;

(B) Access to the drug storage cabinet is limited to designated agent(s).

(b) All sodium pentobarbital shall be prepared according to the manufacturer's instructions;

(c) Needles: Three different needle sizes are required: 18, 20, and 22 gauge. An agency may have other needle sizes according to its needs. Needles shall be of medical quality, and shall not be used if they are dirty, clogged, barbed, or might otherwise cause unnecessary discomfort for the animal. Needles shall not be used more than five times;

(d) Syringes: Three different syringe sizes are required: 3, 6, and 12 cc's. An agency may have other syringe sizes according to its needs. Syringes shall be of medical quality. They may be reused if they are properly cleaned;

(e) Needles and syringes shall be kept in the same secure or temporary storage as the sodium pentobarbital. The temporary storage cabinet may be used to store needles and syringes when the agency is not open;

(f) Needles and syringes shall be disposed of in a manner that makes their re-use impossible;

(g) Chemical restraints. Acepromazine, Rompun, Ketamine and other chemical restraints shall be used in accordance with their label instructions. All chemical restraints shall be stored under the same restrictions as sodium pentobarbital.

(2) Proper storage of sodium pentobarbital. When no CET is on duty, sodium pentobarbital shall be kept in a secure storage cabinet:

(a) The cabinet shall be of such material and construction that it will withstand strong attempts to break into it. A metal safe is preferred. A wooden cabinet is not permitted;

(b) The cabinet shall be securely attached to the building in which it is housed;

(c) If the drug is stored in a safe that can be opened by employees other than the key agent (such as a bookkeeper), it shall be kept in a separate, locked, metal container within the safe. Access to this container shall be available to the designated agent only;

(d) The temperature and environment in the storage cabinet shall be adequate to assure the proper keeping of the drug;

(e) Each container of the sodium pentobarbital shall be labeled with the drug name and strength (if the drug has been mixed as a liquid), the date the drug was received or prepared, a drug hazard warning label and the name and address of the agency owning the drug.

(3) When a CET is on duty and when animals are being euthanized throughout the work day, sodium pentobarbital may be kept in a temporary storage cabinet. It shall be constructed of any strong material and shall be securely locked. The key to this cabinet shall be available only to CETs.

(4) Proper record keeping:

(a) All records shall be filed in chronological order in a binder that is labeled with the name of the agency;

(b) All records shall be kept for a period of three years from the calendar date on the record.

(5) Proper sanitation: The area shall be clean and regularly disinfected.

(6) Other site conditions relevant to the proper euthanasia environment:

(a) Each shelter shall have a specific area designated for euthanasia. The area shall be:

(A) A separate room; or

(B) An area that is physically separated from the rest of the shelter by a wall, barrier or other divider; or

(C) An area that is not used for any other purpose while animals are being euthanized.

(b) The euthanasia area shall meet the following minimum standards:

(A) Lighting shall be bright and even;

(B) The air temperature shall be within a reasonable comfort range for both the personnel and the animals. A minimum 60 degrees F. and maximum 90 degrees F. is recommended;

(C) The area shall have adequate ventilation that prevents the accumulation of odors. At least one exhaust fan vented directly to the outside is recommended; and

(D) The floor of the area shall provide dry, non slip footing to prevent accidents.

(c) The euthanasia area shall have the following equipment:

(A) A table or other work area where animals can be handled while being euthanized. The surface shall have a non-slip texture that provides a comfortable footing for the animals;

(B) A cabinet, table or work bench where the drug, needle, syringes and clippers can be placed. This surface shall be separate from the area where the animals are being handled;

(C) A sink or faucet shall be available within 25 feet of the euthanasia area, for emergencies.

(d) The following materials shall be kept in the euthanasia area or shall be brought to the area each time an animal is euthanized:

(A) A first aid kit that meets minimum first aid supply standards as required under OAR 437-127-0015;

(B) One or more tourniquets;

(C) Standard electric clippers with No. 40 blade;

(D) Animal control stick for dogs and animal net for cats (if the agency handles cats);

(E) Stethoscope;

(F) Towels, sponges, disinfectant.

(e) All equipment shall be in good working order;

(f) All equipment shall be stored so that it does not create a safety hazard for the personnel;

(g) All drugs and other chemical agents used in the euthanasia area shall be clearly labeled.

Stat. Auth.: ORS 686.210

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

Hist.: VME 1-1986(Temp), f. & ef. 7-21-86; VME 1-1989, f. 1-12-89, cert. ef. 2-1-89

#### 875-020-0045

##### Inspection Deficiencies

If there are deficiencies with either the technician or agency, the Task Force member shall document areas for correction on the inspection form. The agency and/or technician shall make corrections within 90 days and the Task Force member will re-inspect or re-examine within 90 days. If the deficiency has not been corrected, the certification may be revoked by the Board.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 475.190 & ORS 686.510

Hist.: VME 1-1989, f. 1-12-89, cert. ef. 2-1-89

#### 875-020-0050

##### Revocation of Certificates

(1) The certification of a CET may be revoked by the Board if the CET fails to carry out the duties of a CET as provided in OAR 875-020-0035.

(2) The certification of an agency may be revoked if found in violation of any of these rules or ORS 475.190 and rules thereunder governing the use of controlled substances.

Stat. Auth.: ORS 686.210

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

Hist.: VME 1-1989, f. 1-12-89, cert. ef. 2-1-89

#### 875-020-0055

##### Disciplinary Actions

(1) CETs and certified agencies may be subject to disciplinary actions if they:

(a) Euthanize animals without proper supervision while on probationary status;

(b) Euthanize animals without an active certificate; or

(c) Violate any of these rules therein, or Board of Pharmacy ORS 475.190 Controlled Substances, or OAR 855-080-0100.

(2) Such disciplinary actions shall include, but are not limited to:

(a) Letters of reprimand;

(b) Suspension;

(c) Revocation; or

(d) Any of the above in combination.

Stat. Auth.: ORS 686.210

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

Hist.: VME 1-1989, f. 1-12-89, cert. ef. 2-1-89

## 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 - ORS 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

In order to become a certified veterinary technician, an individual must:

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

(2)(a) 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

(b) Have received at least four calendar years of on-the-job training in the following technical procedures as certified by the licensed veterinarian or veterinarians who presented the instruction:

(A) Medical Terminology

(B) Basic Comparative Animal Anatomy and Physiology;

(C) Veterinary Office Procedures;

(D) Basic Pharmacology;

(E) Practical Animal Nutrition;

(F) Nursing Care and Handling of Animals;

(G) Animal Behavior;

(H) Applied Radiography;

(I) Applied Anesthesiology;

(J) Applied Clinical Laboratory Procedures;

(K) Principles and Practices of Medical and Surgical Assistance;

(L) Animal Diseases.

(3) The Board may waive the requirement of passing the VTNE (875-030-0020(1)) for applicants who:

(a) Graduated from an accredited veterinary technology college program prior to 1990;

(b) Hold an active veterinary technician license or animal health technician license in another state, province or territory of the United States; and

(c) Have a minimum of five calendar years of on-the-job training and experience as specified in subsection (b) of this section.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.350 - ORS 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

#### 875-030-0020

##### Examinations for Certified Veterinary Technicians

(1) Applicants for certification as veterinary technicians shall pass the Veterinary Technician National Examination (VTNE) with a criterion score of 425 or greater. The Board shall offer the VTNE at least once every year at a place and time designated by the Board. The Board will accept VTNE scores transferred to Oregon through the Interstate Reporting Service when 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 and Administrative Rules relating to veterinary medicine and veterinary technology, with a passing score of at least 95 percent.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.350 - ORS 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

#### 875-030-0025

##### Application for Certified Veterinary Technicians

(1) Complete applications for the VTNE and certification must be submitted no later than 60 days prior to the examination.

(2) In order to be considered complete, applications for certification shall include:

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

(b) The application fee;

(c)(A) Copy of diploma or verification of impending graduation from school; or

(B) A letter from the veterinarian or veterinarians certifying the on-the-job training required in OAR 875-030-0010(2)(b).

(d) The completed examination on Oregon veterinary medicine and technology laws; and

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

(3) The application fee for the VTNE and certification is \$85. The application fee for certification when the VTNE was taken in another state is \$25.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.225 & ORS 686.350 - ORS 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

#### 875-030-0030

##### Issuance of Certificates, 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 certificate that the person is certified a veterinary technician.

(2) Each certification 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 certified veterinary technician on file with the Board. Each certified veterinary technician shall keep the Board advised of the certified veterinary technician's address at all times. The Board shall be entitled to rely on its records, regardless whether the certified veterinary technician actually keeps the Board so advised.

(4) Veterinary technician certificates may be renewed annually without re-examination upon timely application. A renewal application accompanied by the annual fee of \$25 must be returned to the Board postmarked no later than December 31st of each year in order to be considered timely filed.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.255 & ORS 686.350 - ORS 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

#### 875-030-0040

##### Supervision of Certified Veterinary Technicians

(1) All duties of certified veterinary technicians must be performed under the supervision of a licensed veterinarian. "Supervision" means that each act shall be performed by the certified veterinary technician only after receiving specific directions from a licensed veterinarian.

(2) Certified veterinary technicians 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 veterinary technician may also record the technician's own observations of the patient. However, the veterinary technician 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.

(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 Wound Dressing. Veterinary Technicians may 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.

(3) Veterinary Technicians 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 veterinarian technician to do the following:

(a) Make any diagnosis;

(b) Prescribe any treatments;

(c) Perform surgery, except as an assistant to the veterinarian;

(d) Administer rabies vaccine.

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.350 - ORS 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

#### 875-030-0050

##### Practice Limitations for Individuals not Certified as Veterinary Technicians

Persons who are not certified by this Board as veterinary technicians may perform under the supervision of a licensed veterinarian all acts that a certified veterinary technician may perform except for OAR 875-030-0040(2)(b)(E), (include anesthesia) and (2)(e)(D) (operate X-ray equipment) unless the person has completed 20 hours training in radiograph safety as required by the Oregon State Health Division (OAR 333-106-0055).

Stat. Auth.: ORS 686.210

Stats. Implemented: ORS 686.350 - ORS 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