

# Administrative Rules for Veterinarians

## Part 1: Definitions

- 1-1 “Client”** means a person seeking veterinary care on behalf of a patient.
- 1-2 “Companion animal”** means an animal for which a client has assumed responsibility and ownership as an individual companion or service animal.
- 1-3 “Direct Supervision”** means oversight by a licensed veterinarian available to physically intervene in the care of an animal.
- 1-4 “Director”** means the Director of Professional Regulation.
- 1-5 “Foreign”** means emanating from or existing within a governmental jurisdiction other than the State of Vermont.
- 1-6 “License” or “licensure”** refers to any credential issued by the Office under these rules, including a certification or registration, except where context clearly indicates reference to a foreign or other professional license.
- 1-7 “Licensee”** means a person or entity seeking or holding a license under these rules.
- 1-8 “Non-companion animal”** means an animal raised for economic or agricultural purposes.
- 1-9 “Office”** means the Office of Professional Regulation.
- 1-10 “Office website”** means [sos.vermont.gov/opr](https://sos.vermont.gov/opr).
- 1-11 “Patient”** means an animal that is the subject of veterinary care.
- 1-12 “Veterinarian-Client-Patient Relationship” or “VCPR”** is defined at 26 V.S.A. § 2433. See Rule 8-3, *infra*.

## Part 2: Administration

- 2-1 Applicable Law.** The practice of veterinary medicine is defined and regulated pursuant to 26 V.S.A. § 2401 *et seq.* Copies of these and other statutes are available online at [www.legislature.vermont.gov/statutes/](https://www.legislature.vermont.gov/statutes/). The Office administers licensure in conformity with these and other Vermont laws, to include the Administrative Procedure Act, 3 V.S.A. § 800 *et seq.*; the Public Records Act, 1 V.S.A. § 315 *et seq.*; and the Laws of Professional Regulation, 3 V.S.A. § 121 *et seq.*
- 2-2 Resources for Applicants and Licensees.** The Office maintains a website at [sos.vermont.gov/opr](https://sos.vermont.gov/opr) with information and links relevant to all licensed professionals. Information specific to veterinarians is available from [sos.vermont.gov/veterinary-medicine/statutes-rules-resources/](https://sos.vermont.gov/veterinary-medicine/statutes-rules-resources/).
- 2-3 U.S. Armed Forces.** The Director may accept toward the requirements of these rules relevant military education, training, or service completed by a member of the U.S. Armed Forces and may

# Administrative Rules for Veterinarians

expedite licensure of a person who left licensed employment in another state secondary to a spouse's military transfer to Vermont. 3 V.S.A. § 123(g). Service members and the spouses of service members should visit the Office website for details.

## Part 3: Procedures

**3-1 Applications.** Online license applications must be completed through the Office website.

(a) Incomplete applications will not be processed. Applications are complete only when all required questions have been answered fully, all attestations made, all required documentation and materials provided, and all fees paid.

(b) When the Board, or the Office on the Board's behalf, intends to deny an application, notice stating the reasons for the action shall be given to the applicant by certified mail, whereupon the applicant shall have 30 days to petition for a hearing before an administrative law officer.

(c) The Board may refuse to accept any application found to be redundant with a denied or in-process application.

(d) The Board may deem expired any application that is left pending for six months.

**3-2 Complaints.** Complaints against licensees, applicants for licensure, or persons practicing without a license may be submitted through the Office website, at [sos.vermont.gov/opr/complaints-conduct-discipline/](https://sos.vermont.gov/opr/complaints-conduct-discipline/).

**3-3 Contested Cases.** Procedures in contested cases relating to licensure or discipline are governed by the Office of Professional Regulation Administrative Rules of Practice, CVR 04-030-005, as those rules may from time to time be modified.

**3-4 Declaratory Rulings.** Petitions for declaratory rulings as to the applicability of any statutory provision or of any rule or order of the Board or Office may be made pursuant to 3 V.S.A. § 808 and Office procedure.

**3-5 Conflict of Standards.** Where a standard of unprofessional conduct set forth in statute conflicts with a standard set forth in rule, the standard that is most protective of the public shall govern. *See* 3 V.S.A. § 129a(e).

**3-6 Determination of Equivalency.** Where the Board or Director is permitted by law or rule to accept certain training or experience on the basis of equivalence to a fixed standard, it is the burden of the applicant or licensee to establish equivalence to the Board or Director's satisfaction, by producing credible, clear, and convincing evidence of the same. The Board and the Office have no obligation to research the bona fides of any institution, program, course, degree, certification, practicum, fellowship, or examination.

**3-7 Waiver or Variance.** The Board will not grant routine waivers or variances from any provisions of these rules without amending the rules. *See* 3 V.S.A. § 845. Where, in extraordinary circumstances, application of a rule would result in manifest unfairness, an absurd result, unjustifiable inefficiency, or an outcome otherwise inimical to the public health, safety, and welfare, the Board may, upon written request of an interested party, so find, grant a waiver with or without particular conditions and limitations, and record the action and justification in a written memorandum. This rule shall not be construed as creating any administrative hearing right or cause of action.

# Administrative Rules for Veterinarians

**3-8 Inspection.** All veterinary hospitals and other non-residential premises used by licensees in relation to the provision of veterinary services shall be open to announced or unannounced visits by Office inspectors during regular business hours.

**3-9 Contacting the Board.** See the Office website for contact details. Send mail to: Office of Professional Regulation, ATTN: Board of Veterinary Medicine, 89 Main Street, 3rd Floor, Montpelier, VT 05620-3402.

## Part 4: Licensing Requirements

**4-1 Core requirements.** An applicant is eligible for licensure who has:

- (a) reached the age of majority;
- (b) graduated from a school of veterinary medicine accredited by the American Veterinary Medical Association or the Canadian Veterinary Medical Association; and
- (c) passed the North American Veterinary Licensing Examination (NAVLE), or any subsequent licensing examinations prepared under the authority of the National Board of Veterinary Medical Examiners (NBVME) or its successor organization, within two years preceding application.

**4-2 International Veterinary Graduates not Licensed in the United States or Canada.** In lieu of the graduation requirement of Rule 4-1(b), an applicant may present a certificate issued by the Educational Commission for Foreign Veterinary Graduates (ECFVG), its successor organization, or an organization acceptable to the board.

**4-3 Veterinary Graduates Licensed Elsewhere in the United States or Canada.** A person licensed or certified in good standing under the laws of another jurisdiction may be eligible for licensure without examination as specified by 26 V.S.A. § 2424.

**4-4 State Laws & Rules.** Examination on Vermont-specific laws and rules is not required. All veterinarians are responsible to maintain ongoing familiarity with State and Federal laws and rules governing the practice of the profession, just as all veterinarians are responsible to follow evolving practice standards. Ignorance of regulatory requirements does not excuse noncompliance. Means of ensuring orientation to regulatory obligations include participation in professional associations, consultation with qualified legal counsel, subscription to professional publications, and periodic online monitoring of legislative and regulatory developments.

**4-5 Consultation Exemption.** Board licensure is not required of a veterinarian regularly licensed in another jurisdiction consulting with a licensed veterinarian in this State. Accord 26 V.S.A. § 2403(5). Exempt consultation is limited to the provision of specialized professional advice or assessment, or the demonstration of clinical practices. A consulting veterinarian is, for purposes of professional responsibility, a delegate of the Vermont veterinarian with whom he or she consults and may provide veterinary services only to animals with which the Vermont veterinarian has a valid VCPR and as requested by the Vermont veterinarian.

**4-6 Livestock Management and Husbandry Exemption.** Board licensure is not required of persons engaged in accepted livestock management practices and animal husbandry practices. See 26 V.S.A. § 2403(2). Embryo transfer is not exempt as an accepted livestock management practice and may be performed only by or under the direct supervision of a Vermont-licensed veterinarian.

# Administrative Rules for Veterinarians

## Part 5: License Renewal

**5-1 Biennial Licensing Period.** Licenses are valid for fixed, two-year periods. Expiration dates are printed on licenses. A license expires if not renewed by midnight on the date of expiry. Practice under an expired license is prohibited. An initial license issued fewer than 90 days prior to the beginning of the fixed biennial period shall be valid through the end of full biennial licensing period following initial licensure. A lookup tool on the Office website may be considered a primary source verification as to license status and expiration.

**5-2 License Renewal.** Online license renewal applications must be completed through the Office website. The Office transmits email reminders to licensees at the end of each biennial licensing period; however, non-receipt of such reminders shall not excuse a licensee from the obligation to maintain continuous licensure or the consequences of failing to do so. Practicing while a license is lapsed is a violation of 3 V.S.A. § 127.

**5-3 Late Renewal Penalties.** Late renewal applications are subject to reinstatement fees, which may be waived in certain circumstances. *See* 3 V.S.A. § 127(d). Reinstatement waivers may be requested through the online licensing system.

**5-4 Extended License Lapse.** A license expired for five or fewer years may be reactivated as of right upon proof of continuous veterinary practice elsewhere, or if veterinary practice ceased, upon completion of the continuing education required in the preceding biennial licensing period. When a license has been expired for five or more years, a licensee's preparation to return to practice will be assessed on a case-by-case basis. After consultation with the Board, the Director may require re-training, testing, or re-application. *See* 3 V.S.A. § 135; 26 V.S.A. § 2426.

## Part 6: Continuing Veterinary Medical Education

### 6-1 Continuing Education Expectations; Attestation; Documentation.

- (a) All licensees have a duty to maintain professional competence through conscientious pursuit of professional learning opportunities, interaction with peers, and continual review of relevant scientific and professional literature. In each biennial licensing period, a licensee shall devote at least 24 hours to such pursuits and shall attest to having done so as a condition of renewal.
- (b) A licensee shall document participation in professional learning activities. For course-based activities, this requires retention of completion certificates. Non-course-based activities, such as reading, research, presentation, or curriculum development, shall be documented by maintaining contemporaneous logs, which shall include at a minimum: applicable journal citations; applicable presentation titles, locations, dates, sponsors, and host institutions; the length of time spent on the activity; and a brief, written summary of the substantive reading, research, presentation, or curriculum developed. This documentation may be required as a condition of renewal.
- (c) Express approval of continuing learning opportunities is not required.
- (d) Licensees are expected to identify and pursue appropriate learning opportunities in good faith. Activities claimed under this rule shall be reasonably calculated to improve the particular professional practice of the licensee claiming them, shall be relevant, and shall be oriented toward evidence-based practice or the improvement of technical skill.

## Part 7: Reporting Duties

# Administrative Rules for Veterinarians

**7-1 Duty to Update and Self-Report.** Applicants and licensees owe a duty of candor to the Board and shall disclose circumstances that may call for further investigation to protect the public. That a matter is reportable does not imply that the matter necessarily is a basis for discipline. A licensee, including an applicant for licensure, shall report to the Office, in writing, within 30 days:

- (a) any change of name, e-mail, or mailing address;
- (b) any material inaccuracy or change in circumstance relative to any application question, where the changed circumstance arises between submission of a license application and issuance of the license sought;
- (c) any arrest or charge for conduct occurring in the course of, or in direct relation to, the practice of veterinary medicine;
- (d) any conviction for any criminal act;
- (e) any injunction or other order of a court or regulatory authority, including an assurance of discontinuance, limiting the licensee's ability to practice;
- (f) any legal claim, settlement, or judgment arising from alleged professional negligence, misconduct, or malpractice; and
- (g) any adverse action against a foreign professional license, where the adverse action relates to an allegation of misconduct, substandard practice, or unethical conduct.

**7-2 Duty to Report Disease.**

- (a) Pursuant to 6 V.S.A. § 1162, a veterinarian shall immediately report to the State Veterinarian:
  - 1. the discovery of any domestic animal that is infected with, is suspected of being infected with, or has been exposed to a disease reportable under 6 V.S.A. ch. 102;
  - 2. any sudden unexplained morbidity or mortality in a herd or flock.
- (b) A veterinarian shall report to the Secretary of Agriculture, Food & Markets any horse that has tested positive for equine infectious anemia and shall see that the animal is quarantined if required by 6 V.S.A. § 1182(c).
- (c) A veterinarian shall report to the Commissioner of Health any animal or animals having or suspected of having any disease that can result from bioterrorism, epidemic or pandemic disease, or novel and highly fatal infectious agents or biological toxins, and those that might pose a risk of a significant number of human and animal fatalities or incidents of permanent or long-term disability. 13 V.S.A. § 3504(d).

## Part 8: Practice Rules & Standards

**8-1 Ethical Conduct.** The Board may consider the *Principles of Veterinary Medical Ethics of the AVMA* a recognized source of professional standards when determining “the essential standards of acceptable and prevailing practice” for purposes of 26 V.S.A. § 129a(b). This section shall not be construed as imposing any mandatory-reporting obligation not otherwise present under Vermont law.

**8-2 Compliance with Other Law.** Licensees must comply with all federal, state and local laws, governing the practice of the profession. 3 V.S.A. 129a(a)(3).

**8-3 The Veterinarian-Client-Patient Relationship.** The three elements of a VCPR—responsibility, familiarity, and availability—are defined more particularly at 26 V.S.A. § 2433, together with important related principles not restated in these Rules. A valid VCPR:

# Administrative Rules for Veterinarians

- (a) should exist prior to the provision of any veterinary care, other than in a rabies clinic or an emergency; and
- (b) must exist prior to issuance of a veterinary feed directive or any activity relative to the provision, administration, authorization, or prescribing of veterinary prescription drugs.

**8-4 Veterinary Records: Companion Animals.** For each companion animal with which a veterinarian has a VCPR, the veterinarian shall retain a distinct file including:

- (a) client and patient information;
- (b) a competent history;
- (c) individualized entries recording each assessment, treatment, consultation, procedure, intervention, diagnosis, and plan; and
- (d) the identity of each person providing such service.

**8-5 Veterinary Records: Non-companion animals.** Group records are acceptable for non-companion animals; provided, however, that an individual record shall be initiated when indicated by the health status of the animal.

**8-6 Records Retention and Production.** A veterinarian shall retain patient records for not fewer than seven years from last contact with an animal, or in contexts where other law requires longer retention, for the longer period. Failure to keep appropriate records may constitute unprofessional conduct. 3 V.S.A. § 129a(a)(3). Records shall be typed when practicable under the circumstances, legible, reasonably protected from inadvertent destruction, and fit to transmit relevant content to a subsequent provider of care. Records shall be made available promptly upon written request of a client and may not be withheld for non-payment; provided, however, that a veterinarian may require that a client pay actual costs of production of transmission, such as copying and postage. *Accord*, 3 V.S.A. § 129a(a)(8).

**8-7 Records Disposition.** A veterinarian shall have in place a plan for responsible disposition of patient veterinary records in the event the veterinarian should become incapacitated or unexpectedly discontinue practice. 3 V.S.A. § 129a(a)(25). Group practices may satisfy this requirement through a written agreement among partners that contemplates dissolution of the partnership or separation of a partner. Any veterinarian may satisfy this requirement through written agreement with a professional peer, attorney, or other person or organization credibly capable of seeing to appropriate disposition of records. A veterinarian's records-disposition plan shall be available upon request of a client or the Board, but need not be filed with the Board unless requested.

**8-8 Delegation.** A licensee shall delegate professional responsibilities only to those whom the licensed professional knows, or has reason to know, is qualified by training, experience, education, or licensing credentials to perform them. Diagnosis, prescription, and surgery are not delegable by a veterinarian to a non-veterinarian.

**8-9 Alternative Therapies.** Alternative therapies may be provided in conformity with accepted principles of veterinary ethics; provided, however, that a veterinarian shall not advertise, promote, or recommend a therapy or treatment in a manner tending to deceive the public or to suggest a degree of reliability or efficacy unsupported by competent evidence and professional judgment. *See* 26 V.S.A. § 129a(a)(17).

# Administrative Rules for Veterinarians

**8-10 Integration of Complementary Care Providers.** Vermont law does not authorize any non-veterinarian licensed under Title 26 to undertake any act within the scope of veterinary medical practice. Chiropractors, acupuncturists, dentists, physical therapists, and other care providers nonetheless may be skilled in certain modalities that may be safely applied for therapeutic benefit to animals under the supervision of a veterinarian. A veterinarian may delegate veterinary acts to such providers if:

- (a) the veterinarian has a valid VCPR;
- (b) the requirements of Rule 8-8 are satisfied;
- (c) the veterinarian has verified that the provider is oriented to the unique anatomy, physiology, and behavior of the animal to be treated by documented training additional to that required for the provider to practice his or her care modality on humans;
- (d) the veterinarian has a competent clinical and evidential basis to believe the service will be of therapeutic benefit;
- (e) the veterinarian has prescribed in writing the treatment or act to be performed;
- (f) the veterinarian and delegate provider have established a written plan of care recorded in the veterinary record; and
- (g) the veterinarian is available at all times to provide direct supervision; and
- (h) the informed consent of the client is obtained and recorded in the veterinary record, including as to any compensation exchanged between veterinarian and delegate provider.

**8-11 Rabies Vaccination; VCPR Not Required.** It is in the interest of the public health, safety, and welfare that veterinarians participate in rabies vaccination clinics and offer office-based rabies vaccination. A VCPR is not required. A veterinarian participating in a vaccination clinic may do so in conformity with CVR 20-022-018 or successor rules of the Agency of Agriculture, Food & Markets. For purposes of those Rules, “examination” means such assessment as may be necessary to determine whether the animal is fit for vaccination and does not mean a comprehensive evaluation of health. In lieu of the recordkeeping requirements of these Rules, a veterinarian may, with respect to an animal with which the veterinarian does not have a VCPR, see that:

- (a) a rabies vaccination certificate and rabies tags are provided to each domestic pet and wolf-hybrid vaccinated; and
- (b) copies of the rabies vaccination certificates issued are provided to the clerk of the relevant municipality, who shall maintain them for three years unless entrusting them to the veterinarian under the clerk’s supervision.

## Part 9: Discipline

**9-1 Unprofessional Conduct.** Unprofessional conduct includes those acts set out at 3 V.S.A. § 129a (applicable to all professional licensees). Violation of these rules is cognizable as unprofessional conduct pursuant to 3 V.S.A. § 129a(a)(3).

**9-2 Remedies.** Upon a finding by the Board that a licensee, applicant, or person who later becomes an applicant has committed unprofessional conduct, within or without this State, or has had a license application denied or a license revoked, suspended, limited, conditioned, or otherwise disciplined by a licensing agency in another jurisdiction for conduct which would constitute unprofessional conduct in this State, or has surrendered a license while under investigation for unprofessional conduct, the Board may warn, reprimand, suspend, revoke, limit, condition, deny, or prevent the renewal of a license. See 3 V.S.A. § 129(a). A license may be summarily suspended pending further proceedings, consistent with 3 V.S.A. § 814(c), upon a finding that public health, safety, or welfare imperatively requires emergency action.

# **Vermont Board of Veterinary Medicine Administrative Rules**

**Cite as BVM Rule #**

**Effective date: July 1, 2012**

## **Part 1 — General Information**

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

**1.2 — Laws Governing Regulation of Veterinarians** — The Veterinary Medicine Act, 26 V.S.A. §§ 2401-2432 creates the Board of Veterinary Medicine and gives it regulatory authority over the veterinary profession. The Board is obligated to comply with several other state laws such as the Administrative Procedure Act, 3 V.S.A. §§ 801-849, the Open Meeting Law, 1 V.S.A. §§ 310-314, the Access to Public Records Law, 1 V.S.A. §§ 315-320, and the Law of Professional Regulation, 3 V.S.A. §§ 121-131. These laws set forth the rights of an applicant, licensed veterinarian, or member of the public. The statutes creating the Office of Professional Regulation supplement the statutes specifically covering the profession of veterinary medicine. See, <http://www.leg.state.vt.us/statutes/fullchapter.cfm?Title=03&Chapter=005>. These statutes also define unprofessional conduct and outline the authority of OPR and licensing boards in general. This section of the statutes should be read for a full understanding of how the Board operates. The complete text of these laws is available at most libraries and town clerks' offices. "Vermont Statutes Online" are also available on the Internet at <http://www.leg.state.vt.us>. Copies of the laws and rules governing the Board may also be found at the Board's Web site: <http://www.vtprofessionals.org/veterinarians/>.

**1.3 — Board Rules** — The Board's rules have the effect of law and govern its proceedings. In making rules, the Board must follow the Administrative Procedure Act, Chapter 25 of Title 3 of the Vermont Statutes Annotated. These rules were approved by the Vermont Legislative Committee on Administrative Rules before adoption and are presumed valid. These rules have the force of law. 3 V.S.A. § 845(a).

## **Part 2 — Information for Applicants**

**2.1 — Definitions** — These words and phrases are defined as follows:

- (a) "AAVSB" means the American Association of Veterinary State Boards.
- (b) "Animal" means any animal other than humans and includes fowl, birds, fish and reptiles.
- (c) "AVMA" means the American Veterinary Medical Association.
- (d) "CVMA" means the Canadian Veterinary Medical Association.
- (e) "ECFVG certificate" means a certificate issued by the American Veterinary Medical Association Education Commission for Foreign Veterinary Graduates or its successor organization, indicating that the holder has demonstrated knowledge and skill equivalent to that possessed by a graduate of an AVMA-accredited college of veterinary medicine.



- (f) ~~“Licensed veterinarian” means a person who is validly and currently licensed to practice veterinary medicine in this state.~~
- (g) ~~“NAVLE” means North American Veterinary Licensing Examination.~~
- (h) ~~“NBVME” means National Board of Veterinary Medical Examiners. (i) “Office” means the Office of Professional Regulation.~~
- (j) ~~“SOAP” means Subjective, Objective, Assessment, and Plan. A SOAP note is written to improve communication among all those caring for the patient to display the assessment, problems and plans in an organized format.~~
- (k) ~~“V.C.P.R.” means veterinarian-client-patient relationship.~~
- (l) ~~“Veterinary medicine” includes veterinary surgery, obstetrics, dentistry and all other branches or specialties of veterinary medicine.~~
- (m) ~~“V.S.A.” means the Vermont Statutes Annotated.~~

**2.2—Need for a License**—No person is allowed to practice veterinary medicine in Vermont unless he or she has a current license issued by the Board. However, this requirement does not prohibit the individuals and activities listed in 26 V.S.A. § 2403.

### **2.3—Applications**

- (a) ~~Applications and information about licensure requirements are available from the Office of Professional Regulation (“Office”) and online at <http://vtprofessionals.org>. An applicant must submit a fully completed application form with all supporting documentation and the fee to the Office.~~
- (b) ~~The Board reviews applications only after the fully completed application and documentation are received, including evidence of any required education or training.~~

**2.4—Licensure by Examination**—Eligibility requirements for licensure by examination are set forth in 26 V.S.A. § 2421. To be eligible for licensure an applicant must:

- (a) have reached 18 years of age;
- (b) be a graduate from:
  - (1) a school of veterinary medicine accredited by the American Veterinary Medical Association, or the Canadian Veterinary Medical Association; or (2) an acceptable school of veterinary medicine as documented by a certificate issued by the Educational Commission for Foreign Veterinary Graduates (ECFVG), its successor organization, or an organization acceptable to the board;
- (c) pass the North American Veterinary Licensing Examination (NAVLE), or any successor licensing examinations prepared under the authority of the National Board of Veterinary Medical Examiners (NBVME) or its successor organization. For purposes of this section an applicant’s passing score on the examination shall be valid for two years from the date the applicant passed the examination.

**2.5—Licensure by Endorsement**—Eligibility requirements for licensure without examination are set forth in 26 V.S.A. § 2424.

- (a) An applicant who has submitted an application and payment of the required fee may be issued a license without a written national examination if the applicant:

- (1) holds a current license in good standing in another United States or Canadian jurisdiction whose licensing standards are substantially equivalent to those of Vermont;
- (2) has met continuing education requirements in subsection (b).

(b) If the applicant's current state of licensure has continuing education requirements requiring no fewer than 24 hours, and the applicant has met those continuing education requirements, the applicant may be licensed without taking additional continuing education. At the first Vermont license renewal, the applicant must meet Vermont's renewal continuing education requirements.

(c) At the first renewal, acceptable continuing education courses taken within the preceding 24 months may be applied to the renewal requirement.

## **2.6 — Right to a Written Decision**

(a) The Board will notify applicants in writing of all decisions to either grant or deny a license or license renewal. If a license or renewal is denied, the Board will give the applicant specific reasons and will also inform the applicant of the right to appeal the Board's decision. This is called a "preliminary denial."

(b) The Board, or the Office on behalf of the Board, most often issues a preliminary denial of licensure or renewal when it appears from the application and accompanying documents that the applicant does not meet all of the requirements for licensure. When this occurs, the applicant is notified of the right to file an appeal which is heard as a formal hearing by the Board. At the hearing the burden of proof is on the applicant to show that the preliminary denial was in error. After that hearing the Board issues a final decision in writing.

**2.7 — Right to Appeal Licensing Decisions** — An applicant who is not satisfied with the Board's final decision concerning the denial of a license or renewal may appeal the decision to the Director. The appeal must be filed within 30 days of the date of the denial. An appellate officer will review the record made before the Board for legal errors. Information about the appeal process may be obtained from the Office or online at <http://vtprofessionals.org/>.

## **Part 3 — Information for Licensed Veterinarians**

**3.1 — License Renewal** — Licenses are renewed on a biennial schedule set by the Office of Professional Regulation. Initial licenses issued within 90 days of the renewal date will not be required to renew and pay the renewal fee. The license will be issued through the next full license period. Applicants issued an initial license more than 90 days prior to the renewal expiration date will be required to renew and pay the renewal fee. Before the expiration date, the Office will mail a renewal notice. A licensee is responsible for renewal whether a notice is received or not. A license is not valid after its expiration. A license expires automatically if the renewal application and fee are not returned to the Office by the expiration date.

**3.2 — One Time Exemption** — For applicants granted initial licensure by the Board on the basis of examination, the requirement to participate in continuing education shall commence on the opening date of the profession's first biennial renewal period following grant of initial licensure.

### **3.3 — Reinstatement**

- (a) ~~A lapsed license may be reinstated within five years of expiration upon payment of the renewal fee and late renewal penalty, and documentation of 24 hours of acceptable continuing education within two years of the application.~~
- (b) ~~A license which has lapsed for five years or longer may be reinstated upon:~~
  - (1) ~~successful completion of national board licensing examinations within the previous two years, or~~
  - (2) ~~proof that the licensee has actively practiced licensed clinical veterinary medicine for 3,000 hours during the preceding three years in another United States or Canadian jurisdiction. The Board will require a sworn statement from the applicant and require that the applicant provide additional documentary proof of the 3,000 practice hours.~~
- (c) ~~Applicants applying for reinstatement under this subsection (b)(2) must also meet continuing education requirements.~~
- (d) ~~Applicants whose licenses have lapsed for five years or more will be required to successfully complete the Board's jurisprudence exam when offered.~~

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

### **3.5 — Professional Standards**

- (a) ~~Licensed veterinarians and applicants are subject to discipline for unprofessional conduct as defined by 26 V.S.A. § 2431 and 3 V.S.A. § 129a. Unprofessional conduct includes failing to comply with provisions of federal or state statutes or rules governing the practice of the profession. 3 V.S.A. § 129a(a)(3).~~
- (b) ~~In determining whether an applicant or licensee has engaged in unprofessional conduct, the Board may refer for guidance to the AVMA principles of Veterinary Medical Ethics.~~

**3.6 — Complaint Procedure** — ~~The Board follows the Office procedure for processing, investigating, and prosecuting unprofessional conduct and unauthorized practice complaints. A copy of the complaint procedure may be obtained online under "Disciplinary Procedures" at <http://vtprofessionals.org/> or from the Office.~~

**3.7 — Veterinarian-Client-Patient Relationship** — ~~The Board endorses the following policy statements and guidelines of the American Veterinary Medical Association as recommended guidelines for the practice of veterinary medicine:~~

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- (a) ~~Veterinary prescription drugs should be dispensed only by or on the order of a licensed veterinarian in the presence of a valid veterinarian-client-patient relationship (V.C.P.R.).~~
- (b) ~~Orders issued by licensed veterinarians authorizing drug distributors to deliver veterinary prescription drugs to a specific client should be based on a valid V.C.P.R.~~
- (c) ~~Prescriptions or orders issued by licensed veterinarians authorizing pharmacists to dispense veterinary prescription drugs to a specific client should be based on a valid V.C.P.R.~~
- (d) ~~The V.C.P.R. exists when all of the following conditions have been met:~~
  - (1) ~~The veterinarian has assumed the responsibility for making clinical judgments regarding the health of the animal(s) and the need for medical treatment, and the client has agreed to follow the veterinarian's instructions.~~
  - (2) ~~The veterinarian has sufficient knowledge of the animal(s) to initiate at least a general or preliminary diagnosis of the medical condition of the animal(s). This means that the veterinarian has recently seen and is personally acquainted with the keeping and care of the animal(s) by virtue of an examination of the animal(s) or by medically appropriate and timely visits to the premises where the animal(s) are kept.~~
  - (3) ~~The veterinarian is readily available or has arranged for emergency coverage for follow-up evaluation in the event of adverse reactions or failure of the treatment regimen. Reports of violations of these policy statements and guidelines shall be investigated by the Board and may result in disciplinary action.~~
- (e) ~~Prescriptions from veterinarians are subject to Vermont Prescription Drug Cost Containment statutes in 18 V.S.A. Chapter 91 Prescription Drug Cost Containment.~~

### **3.8 — Continuing Veterinary Medical Education Requirements**

- (a) ~~Documentation of 24 hours of continuing education from Board-approved state, regional, or national veterinary medical education programs is required for license renewal. 24 hours of approved continuing veterinary medical education within the 24 previous months are required to reinstate a license which has lapsed for less than five years.~~
- (b) ~~The Board maintains a list of continuing education providers whose programs are pre-approved by the Board. The list is available on the Board's web site or from the Office of Professional Regulation.~~

### **3.9 — Criteria and Limits for Individual Course Approval**

- (a) ~~Licenseses may receive credit for continuing education from providers who are not pre-approved, if in its sole discretion, the Board determines:~~
  - (1) ~~that the programs are relevant to the diagnosis, treatment, and prevention of animal disease; and~~

- (2) ~~the licensee has demonstrated to the Board's satisfaction, the professional level of the program through submission of program outlines, including learning objectives, names and qualifications of presenters.~~
- (b) ~~No more than four hours of practice economics or practice management will be accepted for continuing education credit per renewal period.~~
- (c) ~~Online courses must include an examination or completion requirement.~~
- (d) ~~Continuing education may not be transferred or carried over from one renewal period to another.~~
- (e) ~~Courses taken as part of a post renewal specific corrective action plan may only be applied to the licensing period for which they were required.~~

### **3.10 — Corrective Plans**

- (a) ~~Before renewing a license, or upon an audit of a license already renewed, the Board may require an applicant who has failed to complete sufficient continuing education hours for license renewal to develop and complete a specific corrective action plan within 90 days.~~
- (b) ~~An applicant who fails to complete such a corrective action plan within the 90-day grace period may be subject to disciplinary action including suspension for failure to comply with a Board Order.~~

**3.11 Audits** — ~~The Board will conduct continuing education audits of randomly selected licensees. The Board may also audit currently conditioned licensees, late renewing licensees, and licensees who in any of the preceding 2 renewal cycles were initially found to have not met continuing education renewal requirements.~~

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

### **3.13 — Veterinary Records**

- (a) ~~Where practical, the Board recommends that:~~
  - (1) ~~each animal have its own medical record including client and patient information;~~
  - (2) ~~separate entries be made for each treatment or consultation, with a thorough history;~~
  - (3) ~~each entry be identified by the person providing services.~~
- (b) ~~Records created for any animal shall be retained for no less than seven years from the date of the last contact regarding the animal. Retention of records is required so that the Board can perform its regulatory functions.~~

- (c) ~~The Board recommends that records created for animals be, at a minimum, in SOAP format. Records should include a memorandum of information and instructions given to the animal's owner or keeper. It is strongly advised that client responses be documented.~~
- (d) ~~Records shall be legible.~~
- (e) ~~Veterinarians are reminded that federal or state laws may impose certain record keeping requirements. Failure to keep those records may constitute unprofessional conduct. 3 V.S.A. § 129a(a)(3).~~

~~**3.14 Other information**—The Board's web site at <http://vtprofessionals.org> contains information including periodic newsletters from the Board, information about licensing, discipline, and other matters of interest to practicing veterinarians. Practitioners are encouraged to visit the web page regularly.~~

~~Effective date: July 1, 2012.~~