

OREGON



# VETERINARY PRACTICE ACT

Synopsis of

OREGON ADMINISTRATIVE RULES, Ch. 875

OREGON REVISED STATUTES, Ch. 686

Veterinary Medical Examining Board

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## **DIVISION 1 — PROCEDURAL RULES**

### **Notice of Proposed Rule Making 875-001-0000**

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

- (1) In the Secretary of State's Bulletin referred to in ORS 183.360, at least 15 days prior to the effective date.
- (2) By providing a copy of the notice to persons on the Veterinary Medical Examining Board's mailing list established pursuant to ORS 183.335(7).
- (3) By providing a copy of the notice to the following persons, organizations, or publications:
  - (a) Media services;
  - (b) Oregon Veterinary Medical Association;
  - (c) Oregon Humane Society;
  - (d) Oregon State University Extension Service;
  - (e) Animal control agencies.

### **Model Rules of Procedure 875-001-0005**

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

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

### **Hearing Requests, Answers, and Consequences of Failure to Answer 875-001-0015**

- (1) A hearing request shall be made in writing to the Board by the party or his/her representative and shall include an answer, which includes the following:
  - (a) An admission or denial of each factual matter alleged in the notice;
  - (b) A short and plain statement of each relevant affirmative defense the party may have.
- (2) Factual matters alleged in the notice and not denied in the answer shall be presumed admitted;
- (3) Failure to raise a particular defense in the answer will be considered a waiver of such defense; and
- (4) Affirmative defenses alleged in the answer shall be presumed to be denied by the Board.

## **Public Records and Materials**

### **875-001-0040**

(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.

## **DIVISION 5 — GENERAL**

### **Board Meetings**

#### **875-005-0000**

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

### **Definitions**

#### **875-005-0005**

(1) "Agency": Any animal control department, humane society, or facility which contracts with a public agency or arranges to provide animal sheltering services and is 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 Euthanasia Task Force.

- (5) “Comprehensive”: Pertaining to all animal species.
- (6) “Conviction of Cruelty to Animals”: for purposes of ORS 686.130(11) is defined to include but not limited to animal abuse in the first or second degree, aggravated animal abuse in the first degree, and animal neglect in the first degree.
- (7) “Client”: An entity, person, group or corporation that has entered into an agreement with a veterinarian for the purpose of obtaining veterinary medical services.
- (8) “Designated Agent”: A CET who is responsible for the withdrawal and return of sodium pentobarbital from the drug storage cabinet.
- (9) “Good Standing and Repute”: As used in ORS 686.045(1), means:
- (a) A university accredited by the American Veterinary Medical Association (AVMA); or
  - (b) A foreign school listed by the AVMA whose graduates are eligible to apply for a certificate through the Educational Commission for Foreign Veterinary Graduates (ECFVG) committee of the AVMA, or other programs approved by the Board.
- (10) “Herd or Flock Animal”: Animals managed as a group only for economic gain including but not limited to breeding, sale, show, food production, or racing.
- (11) “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.
- (12) “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.
- (13) Surgery Procedure:
- (a) “Aseptic Surgery”: Aseptic surgical technique exists when everything that comes in contact with the surgical field is sterile and precautions are taken to ensure sterility during the procedure.
  - (b) “Antiseptic Surgery”: Antiseptic surgical technique exists when care is taken to avoid bacterial contamination.
  - (c) Any injection or implant of a small permanent identification device is considered surgery.
- (14) “Supervision” means that each act shall be performed by any employee or volunteer in the practice only after receiving specific directions from a licensed veterinarian.
- (a) “Direct” supervision under this provision means both the certified veterinary technician and the licensed veterinarian are on the premises at the same time;
  - (b) “Immediate” supervision under this provision means that the supervising veterinarian is in the immediate vicinity of where the work is being performed and is actively engaged in supervising this work throughout the entire period it is being performed;
- (15) “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.

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

☛ *If examining the patient presents a safety risk, the exam may be waived. Note in the record the patient’s temperament and the client’s waiver of examination.*

☛ *A veterinarian providing consultation to another veterinarian on the latter’s patient need not establish a VCPR, as long as the consultant veterinarian is not seeing the patient.*

(17) “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.

(18) “Veterinary Technician’: A person licensed by the Board as a Certified Veterinary Technician.

### **Licensees’ Duty to Cooperate 875-005-0010**

Every licensee of the Board shall:

(1) Cooperate with the Board and respond fully and truthfully to inquiries from and comply with any request from the Board, subject only to the exercise of any applicable right or privilege.

(2) Undergo practice competency or other evaluations requested by the Board.

(3) Provide a home address and telephone number in addition to business location and contact information.

(4) Notify the Board within 30 days of a home or business address and telephone number change.

## **DIVISION 10 — PERMITS & LICENSES**

### **Qualifications for Licenses and Permits 875-010-0000**

(1) Graduate from a veterinary college or veterinary department of a university or college of good standing and repute as defined in OAR 875-005-0005(8).

(2) Pass the NAVLE and Oregon Jurisprudence Exam/Regional Disease Test as required by OAR 875-010-0015(3).

- (3) 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).
- (4) The Board may refuse to issue a license or permit to an applicant for any of the following:
  - (a) Violations of veterinary practice laws and rules in other states, provinces or countries;
  - (b) Evidence of previous veterinary incompetence or negligence;
  - (c) Violations of other laws substantially related to the qualifications, functions or duties of veterinary medicine;
  - (d) The sale or use of illegal drugs or substance abuse; or
  - (e) Making a misrepresentation or omission on application or otherwise to the Board.

### **Procedures for Obtaining License or Permit 875-010-0006**

- (1) Graduate from a veterinary college or veterinary department of a university or college as defined in OAR 875-005-0000(8).
- (2) To apply for a veterinary license, the applicant must complete an application form available from the Board office. A completed application includes:
  - (a) An application form completed and signed by the applicant and notarized;
  - (b) A copy of a college diploma or a letter from the graduate's school verifying satisfactory graduation, or, if a graduate of an unaccredited foreign veterinary school certification of satisfactory completion of requirements of the Educational Commission for Foreign Veterinary Graduates (ECFVG), or verification of completion of other foreign graduate equivalency programs approved by the Board;
  - (c) A completed Oregon Jurisprudence Exam/Regional Disease Test;
  - (d) Verification of veterinary experience and certification of status of license(s) in other states if applicable;
  - (e) The license application and Oregon Jurisprudence Exam/Regional Disease Test fee of \$75.00.
- (3) To register for the NAVLE, the candidate shall submit registration and examination fees no later than the deadline established by the Board or its Executive Officer.
- (4) The Oregon application fee of \$50 for the NAVLE shall not be refundable. Applicants shall contact NBVME for refund of the NAVLE registration fee.
- (5) 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).
- (6) An applicant may request a waiver of the Clinical Competency Test requirement if all the following conditions are met:
  - a) The applicant has graduated from an accredited veterinary school or earned the ECFVG certificate or completed another equivalency program approved by the Board, as described in OAR 875-010-0000, prior to and including 1990;
  - (b) Has been engaged in active veterinary clinical practice for at least five contiguous years immediately preceding the date of application;

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

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

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

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

## **Veterinary License Examinations**

### **875-010-0016**

(1) “North American Veterinary Licensing Examination (NAVLE)”: The National Board of Veterinary Medical Examiners (NBVME) provides this examination to test a candidate’s qualification for entry-level clinical practice and comprehensive veterinary knowledge. Effective November 2000, the NAVLE replaces the National Board Examination (NBE) and Clinical Competency Test (CCT). The NAVLE is required for licensing in Oregon, except as provided in OAR 875-010-0075(5). 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 other programs approved by the Board, 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 shall apply to the Board prior to test dates by a deadline determined by the Board or its Executive Officer.

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

(b) The passing score for NAVLE shall be 425. If the National Board Examination (NBE) and/or Clinical Competency (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.

(2) “Oregon Jurisprudence Exam/Regional Disease Test”: This examination shall test the applicant’s knowledge of ORS chapter 686, and OAR chapter 875, and regional diseases. This shall be an open book exam and shall be completed and submitted as part of the application for veterinary licensure. The passing score on the Oregon Jurisprudence Exam/Regional Disease Test shall be no less than 95 percent correct answers.

(3) All applicants for veterinary license must pass the NAVLE, the Oregon Jurisprudence Exam/Regional Disease Test and other tests or examinations required by the Board.

(4) 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 violations of other laws substantially related to the qualifications, functions or duties of veterinary medicine, sale or use of illegal drugs, or substance abuse may be denied.

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

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

### **875-010-0021**

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

(2) Any applicant who does not pass the NAVLE or Oregon Jurisprudence Exam/Regional Disease Test 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 Exam/regional Disease Test 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 NBVME.

(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 the Oregon Jurisprudence Exam/Regional Disease Test 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.

## **Initial Licenses**

### **875-010-0026**

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, in the United States or its territories or provinces, or in Canada, an active veterinary license will be issued and will expire on the next following December 31. Licensee shall renew the license according to OAR 875-010-0065.

(3) If applicant has less than one year's experience, an Intern Permit will be issued. The Intern 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) The Intern shall notify the Board of any change in supervision within 15 calendar days.

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

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

## **Preceptees and Student Interns**

### **875-010-0045**

(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 Board or 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 supervising veterinarians in the following diagnostic, medical, and surgical proceedings:

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

(B) Medically bathe the patient;

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

(D) Operate diagnostic imaging equipment;

(E) Take electrocardiograms, electroencephalograms, and tracings;

(F) Perform 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.

## **Supervision of Interns 875-010-0050**

An Intern 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 875-005-0005(8). Supervising veterinarians agree to the provisions of this section upon signing an Intern Supervision Agreement.

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

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

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

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

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

☛ *For example, a class of procedures might be orthopedic or soft tissue surgery, while a particular procedure might be a cat spay or a bone repair.*

(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.

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

☛ *The 21-day period of allowed supervisor's absence excludes weekends within that 21-day period. This rule does not mean that the supervisor may be absent every weekend of the intern's 12 month internship.*

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

## License Renewal Procedures 875-010-0065

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

(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. The licensee has the burden of proving that the application was mailed timely. 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 by April 1, advising the licensee of his or her delinquency and 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, e.g. community service, additional continuing education, etc.;

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

(3) Board staff will review renewal applications. If the application is complete with the following requirements, staff will 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 (CE) 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.

*☛ Veterinary licenses are valid through March 31 of each year, which is the end of the final late fee period. Unrenewed licenses become invalid on April 1.*

(5) If the veterinarian's license lapses, a 21 month grace period begins. The veterinarian may renew the license within the 21 month period by paying the maximum delinquent fee and the current annual license fee, and by providing documentation of veterinary activities, including

completed Continuing Education, during the interim. After 21 months, the license may be revoked and the veterinarian may have to requalify for licensure by taking an examination.

### **Continuing Education Requirements (CE) 875-010-0090**

(1) All active licensees, including veterinarians and certified veterinary technicians, must comply with the CE provided in this rule in order to renew their licenses. An active veterinary licensee is one who practices in Oregon for 30 calendar days or more in each year. A veterinarian or veterinary technician who has less than one year of practice experience is not required to report CE until the next reporting period following completion of one year of experience.

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

(3) Active licensees wishing to obtain a renewal of their license must complete the minimum required number of CE hours every two years. Veterinarians shall report 30 hours of CE to the Board with license renewals for every odd-numbered year. Certified veterinary technicians shall report 15 hours of CE to the Board for every even-numbered year beginning January 2008. The required hours may be satisfied with any combination of the following continuing education activities:

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

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

(c) A maximum of six hours for veterinarians or three hours for certified veterinary technicians of workshops or seminars on nonscientific 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 for veterinarians of audio or video recordings, electronic, computer or interactive materials or programs on scientific or nonscientific 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. Certified veterinary technicians may report all 15 hours of required CE under the provisions of this subsection.

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

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

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

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

(d) Any state or province veterinary medical association;

(e) Any local or regional veterinary medical association;

(f) The American Animal Hospital Association;

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

(h) All state veterinary academies;

(i) Animal Medical Center, New York;

(j) Angel Memorial Medical Center;

(k) Other programs receiving prior approval by the 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 four (for veterinarians) or two (for veterinary technicians) hours of non-lecture CE 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 the Board.

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

☛ *CE listed with the Registry of Approved Continuing Education (RACE) is approved.*

(7) Reporting CE credits:

(a) At the time of making application for license renewal in years when CE reporting is required, the veterinarian shall certify on the application form that 30 hours of CE, and the veterinary technician shall certify on the application form that 15 hours of CE, as set forth in this rule have been satisfied. Proof of participation in such CE programs must be kept by the licensee for a period of at least two years, and the licensee must permit the Board or any of its agents or designees to inspect CE 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 CE requirement of this rule may be supplied through registration forms at lectures, certificates issued by the sponsors of lectures, subscriptions to journals, and other documentation approved by the Board.

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

## **Fee Waivers for Licenses or Permits**

### **875-010-0095**

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

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

### **875-011-0005**

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

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

## **Unprofessional or Dishonorable Conduct**

### **875-011-0010**

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

- (1) Gross negligence in the practice of veterinary medicine.
  - ☛ *'Gross negligence' does not include mistakes; it generally refers to intentional acts and wilful disregard for outcome.*
- (2) A pattern, practice or continuous course of negligence, ignorance, incompetence or inefficiency in the practice of veterinary medicine. The incidents may be dissimilar.
- (3) Performing surgery, taking a radiograph or attempting a treatment without first obtaining the client's permission, except in emergency circumstances. Permission may be reasonably implied under some circumstances.
  - ☛ *Written permission, e.g., a consent form, is advisable; or make a note of consent obtained in the patient record.*
- (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 nonstandard methods of diagnosis or treatment. Acupuncture, chiropractic or herbal medicine are not considered unorthodox or nonstandard.

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

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

(11) Charging for services not rendered.

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

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

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

*☛ Record copies (including radiograph copies if requested) should be provided within 72 hours, or sooner in emergencies. A digital photo of a radiograph is acceptable if it is readable. You must provide copies on request even if the client refuses to pay. You are not required to provide multiple copies of records to a client. Be sure to note in your originals when and to whom copies are provided.*

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

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

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

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

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

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

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

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

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

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

## **DIVISION 15 — MINIMUM STANDARDS FOR FACILITIES AND PRACTICE**

### **Responsibilities for Veterinary Medical Practices 875-015-0005**

(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.

(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.

*☛ For example, an uncertified person performing the duties of a certified veterinary technician constitutes a noncomplying condition, for which the practice owner or owners may be accountable.*

(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.

### **Minimum Requirements for All Veterinary Medical Facilities 875-015-0020**

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 nauseous fumes and/or odors.

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

(3) Water: Potable water must be provided.

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

(5) Storage: All supplies, including food and bedding, shall be stored in a manner that adequately protects such supplies against infestation, contamination or deterioration. Adequate refrigeration

shall be provided for all supplies that are of a perishable nature, including foods, drugs and biologicals.

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

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

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

(b) Adequate refrigeration shall be provided;

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

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

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

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

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

## **Minimum Veterinary Practice Standards**

**875-015-0030**

Each veterinary medical facility shall comply with the following:

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

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

- (b) Name, address and telephone number of the owner and/or client;
- (c) Name, number of other identification of the animal and/or herd or flock;
- (d) Species, breed, age, sex, and color or distinctive markings, where applicable, each individual animal;
- (e) Vaccination history, if known, shall be part of the medical record;
- (f) Beginning and ending dates of custody of the animal;
- (g) Pertinent history and presenting complaint;
- (h) A physical exam shall be performed to establish or maintain a VCPR and each time an animal is presented with a new health problem, unless the animal's temperament precludes examination, or physical exam is declined by the owner. For each physical exam the following conditions shall be evaluated and findings documented when applicable by species, even if such condition is normal:
  - (A) Temperature;
  - (B) Current weight;
  - (C) Body condition;
  - (D) Eyes, ears, nose and throat;
  - (E) Oral cavity;
  - (F) Respiratory system including auscultation of the thorax;
  - (G) Palpation of the abdomen;
  - (H) Lymph nodes;
  - (I) Musculoskeletal system;
  - (J) Neurological system;
  - (K) Genito/urinary system;
  - (L) All data obtained by instrumentation;
  - (M) Diagnostic assessment;
  - (N) If relevant, a prognosis of the animal's condition;
  - (O) Diagnosis or tentative diagnosis at the beginning of custody of animal;
  - (P) Treatments and intended treatment plan, medications, immunizations administered, dosages, frequency and route of administration;
  - (Q) All prescription or legend drugs dispensed, ordered or prescribed shall be recorded including: dosage, frequency, quantity and directions for use. Any changes made by telecommunications shall be recorded. Legend drugs in original unopened manufacturer's packaging dispensed or ordered for herd use are exempt from this rule. Legend and prescription drugs are as defined by the U.S. Food and Drug Administration in 'FDA and the Veterinarian'.
  - (R) Surgical procedures shall include a description of the procedure, name of the surgeon, type of sedative/anesthetic agent(s) used, dosage, route of administration, and strength, if available in more than one strength;
  - (S) Progress of the case while in the veterinary medical facility;
  - (T) Exposed radiographs shall have permanent facility and animal identification;
  - (U) If a client waives or declines any examinations, tests, or other recommended treatments, such waiver or denial shall be noted in the records.

☛ *Waiving exams or treatments is your call; the client cannot compel you to do this. You may not waive an initial exam to establish a VCPR, unless the patient is so fractious that an exam is impossible (in which case you may want to reconsider serving the client). You do not have to provide a prescription to a client for an internet pharmacy.*

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

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

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

(c) All appropriate equipment shall be sterilized:

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

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

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

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

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

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

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

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

(D) Disinfect the surgical area;

(E) Drape the surgical area appropriately.

☛ *If you have an established, written protocol for a particular procedure, you may write 'per protocol' in the record.*

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

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

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

(c) A method of cardiac monitoring shall be available and may include a stethoscope or electronic monitor;

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

(e) Anesthetic procedures and anesthetics used shall be documented;

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

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

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

(i) Appropriate pain management shall be made available to the animal;

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

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

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

(a) All 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, ordered or prescribed based on a VCPR and shall be labeled with the following:

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

(B) Date dispensed;

(C) Complete directions for use;

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

(E) Manufacturer's expiration date;

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

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

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

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

(b) The public shall be informed of their options when an animal will be left unattended in the hospital.

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

### **Veterinary Dentistry**

**875-015-0050**

(1) A veterinary dental operation or procedure is the application or use of any instrument or device to any portion of an animal's tooth, gum, or related tissue for the prevention, cure, or relief of any wound, fracture, injury, disease, or other condition of an animal's tooth, gum, or related tissue. Dental operations or procedures shall be performed only by licensed veterinarians, except for those veterinary dental procedures set out in section (3) of this rule.

*☛ Certified Veterinary Technicians may perform simple extractions (not periodontal elevations) under the immediate supervision of a licensed veterinarian.*

(2) Minimum Standards:

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

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

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

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

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

## **DIVISION 30 — CERTIFIED VETERINARY TECHNICIANS**

### **Introduction**

#### **875-030-0000**

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 now 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.

### **Criteria for Becoming a Certified Veterinary Technician**

#### **875-030-0010**

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 6,000 hours of on-the-job training in the following technical procedures as verified by a veterinarian or veterinarians with valid Oregon veterinary licensure:

- (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) (a) Have at a minimum a Bachelor's degree in a field approved by the Board, e.g., Veterinary Technology, Animal Technology, Animal Husbandry, Zoology, etc., and a minimum of 1,500 hours of on-the-job training that meets the requirements of (2)(b); or

(b) Have at a minimum an Associate's degree in a field approved by the Board, e.g., Veterinary Technology, Animal Husbandry, Zoology, etc., and a minimum of 3,000 hours of on-the-job training and that meets the requirements of (2)(b); or

(c) Have acquired a minimum of 30 credit hours of training from a school or program approved by the Board in a field approved by the Board, e.g., Veterinary Technology, Animal Husbandry, Zoology, etc., and a minimum of 4,500 hours of on-the-job training that meets the requirements of (2)(b);

(d) Any other combination of Board-approved education and experience. For purposes of this section, on-the-job training must have been obtained in Oregon and must be verified by a licensed Oregon veterinarian.

(e) On-the-job applicants shall provide proof of on-the-job experience, such as W-2 forms or other proof approved by the Board. A form, available from the Board, with a notarized signature of an Oregon-licensed veterinarian(s), describing period(s) of employment and total hours worked, is acceptable in-lieu-of other proof.

(4) 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 certified veterinary technician license or animal health technician license in another state, province or territory of the United States; and

(c) Have a minimum of 7,500 hours of on-the-job training and experience as specified in subsection (b) of this section.

## **Examinations for Certified Veterinary Technicians**

### **875-030-0020**

(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 if the examination was taken in another state.

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

## **Application for Certified Veterinary Technicians**

### **875-030-0025**

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

***☛ A complete application is one that has been fully filled out, signed, dated and notarized, mailed or delivered by the deadline, and which includes all required documentation.***

- (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 \$130. The application fee for certification if the VTNE was taken in another state is \$25.

### **Issuance of Certificates, Fees, Renewals for Certified Veterinary Technicians 875-030-0030**

- (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 of 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.
  - (a) Renewal forms received or postmarked between January 1<sup>st</sup> and 31<sup>st</sup> will incur a late fee of \$10.
  - (b) Renewal forms received or postmarked between February 1<sup>st</sup> and February 28 or 29 will incur a late fee of \$20.
  - (c) Renewal forms received or postmarked between March 1<sup>st</sup> and April 30 will incur a late fee of \$25.
  - (d) If the veterinary technician's certification lapses, a 21-month grace period begins. The veterinary technician may renew the certification within the 21-month period by paying the maximum delinquent fee and the current annual renewal fee, and by providing documentation of veterinary technician activities, including having completed 15 hours of approved continuing education, during the interim. After 21 months, the certification may be revoked and the veterinary technician may have to requalify for certification by taking an examination specified by the board.

### **Supervision of Certified Veterinary Technicians 875-030-0040**

- (1) All duties of certified veterinary technicians must be performed under the supervision of a licensed veterinarian. At minimum, '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 certified veterinary technician may also record the technician's own observations of the patient. However, the certified 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.

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

(c) Collect specimens and perform laboratory procedures:

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

(B) Collect blood samples for laboratory analysis;

(C) Collect skin scrapings;

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

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

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

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

(B) Medically bathe the patient;

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

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

(E) Take electrocardiograms, electroencephalograms, and tracings;

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

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

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

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

(3) Certified 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 veterinary technician to do the following:

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

**Practice Limitations for Individuals not Certified as Veterinary Technicians  
875-030-0050**

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:

- (1) Induce anesthesia or place an endotracheal tube;
- (2) Operate X-ray equipment unless the person has completed a minimum of 20 hours training in radiograph safety as required by the Oregon State Health Division (OAR 333-106-0055);
- (3) Administer rabies vaccine; and
- (4) Inject or implant a permanent identification device.