

CHAPTER 44**STATE BOARD OF VETERINARY
MEDICAL EXAMINERS****Authority**

N.J.S.A. 45:16-3.

Source and Effective DateR.2011 d.023, effective December 14, 2010.
See: 42 N.J.R. 1133(a), 43 N.J.R. 195(a).**Chapter Expiration Date**

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 44, State Board of Veterinary Medical Examiners, expires on December 14, 2017. See: 43 N.J.R. 1203(a).

Chapter Historical Note

Chapter 44, State Board of Veterinary Medical Examiners, was filed and became effective prior to September 1, 1969.

Subchapter 5, Description of State Board of Veterinary Medical Examiners and Methods of Operation, and Subchapter 6, Administrative Hearings, were adopted as R.1977 d.252, effective July 20, 1977. See: 8 N.J.R. 400(a), 9 N.J.R. 373(b).

Subchapter 3, Forms, was repealed by R.1981 d.371, effective October 8, 1981. See: 13 N.J.R. 371(a), 13 N.J.R. 708(b).

Pursuant to Executive Order No. 66(1978), Subchapter 2, General Rules of Practice, expired on September 14, 1983.

Pursuant to Executive Order No. 66(1978), Subchapter 1, Licensure by Examination, expired on March 9, 1984.

Subchapter 1, Licensure by Examination, was adopted as new rules by R.1984 d.309, effective July 16, 1984. See: 16 N.J.R. 1028(a), 16 N.J.R. 2004(b).

Subchapter 2, General Rules of Practice, was adopted as new rules by R.1984 d.375, effective August 20, 1984. See: 16 N.J.R. 688(a), 16 N.J.R. 2287(a).

Subchapter 6, Administrative Hearings, was repealed by R.1985 d.622, effective December 2, 1985. See: 17 N.J.R. 1739(a), 17 N.J.R. 2909(b).

Pursuant to Executive Order No. 66(1978), Chapter 44, State Board of Veterinary Medical Examiners, was readopted as R.1989 d.459, effective August 7, 1989. See: 21 N.J.R. 1501(a), 21 N.J.R. 2801(c).

Pursuant to Executive Order No. 66(1978), Chapter 44, State Board of Veterinary Medical Examiners, was readopted as R.1994 d.442, effective August 4, 1994, and Subchapter 1, Licensure by Examination, and Subchapter 5, Description of State Board of Veterinary Medical Examiners and Methods of Operation, were repealed, Subchapter 1, Licensure by Examination; Licensure by Waiver of Examination; Biennial License Renewal; Reinstatement, Subchapter 2, Temporary Permits, and Subchapter 3, Facility Registration (Reserved), were adopted as new rules, and Subchapter 2, General Rules of Practice, and Subchapter 4, Fee Schedule, were recodified as Subchapters 4 and 5 respectively by R.1994 d.442, effective September 6, 1994. See: 26 N.J.R. 1951(a), 26 N.J.R. 3737(a).

Chapter 44, State Board of Veterinary Medical Examiners, was readopted as R.2005 d.52, effective January 7, 2005. See: 36 N.J.R. 3634(a), 37 N.J.R. 503(a).

Pursuant to Executive Order No. 1(2010), the chapter expiration date was extended from January 7, 2010 until the completion of the review of administrative regulations and rules by the Red Tape Review Group, and

until such time as the extended regulation or rule was readopted pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq. See: 42 N.J.R. 1133(a).

Chapter 44, State Board of Veterinary Medical Examiners, was readopted as R.2011 d.023, effective December 14, 2010. See: Source and Effective Date. See, also, section annotations.

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**SUBCHAPTER 1. LICENSURE BY EXAMINATION;
LICENSURE BY WAIVER OF EXAMINATION;
BIENNIAL LICENSE RENEWAL;
REINSTATEMENT****13:44-1.1 Eligibility for admission to New Jersey State
Jurisprudence Examination**

(a) As a prerequisite to taking the New Jersey State Jurisprudence Examination, an applicant shall submit to the Board:

1. Evidence that the applicant:

i. Has been awarded a degree in veterinary medicine from a veterinary college or university accredited by the American Veterinary Medical Association (AVMA);

ii. Will be awarded a degree in veterinary medicine during the current academic year from a college or university accredited by the American Veterinary Medical Association which the applicant attends; or

iii. Has successfully completed the training program administered by the Education Commission for Foreign Veterinary Graduates (ECFVG) of the AVMA or the Program for the Assessment of Veterinary Education equivalence (PAVE) of the American Association of Veterinary State Boards (AAVSB); and

2. Proof that the applicant obtained a passing grade, as determined by the test sponsor, on the National Board Examination and Clinical Competency Test or the North American Veterinary Licensing Examination within 10 years preceding application.

(b) An applicant who meets the requirements of (a) above, who has either received a doctoral degree in veterinary medicine from a veterinary college or university accredited by the American Veterinary Medical Association (AVMA) or has completed either an ECFVG or PAVE program, and has completed an application to sit for the next scheduled licensing examination shall be eligible for a temporary permit to be employed as an assistant veterinarian in New Jersey under the responsible supervision of a New Jersey licensed veterinarian at a practice located in the State of New Jersey, pursuant to the provisions of N.J.A.C. 13:44-2.1 and 2.2.

(c) The Board may refuse licensure to any applicant who has violated any provision of N.J.S.A. 45:1-21.

Amended by R.1999 d.268, effective August 16, 1999.
See: 31 N.J.R. 1280(a), 31 N.J.R. 2360(b).

In (a), substituted a reference to the New Jersey Licensing Examination for a reference to the New Jersey Practical Examination in the introductory paragraph; rewrote (b); and added (c).

Amended by R.2001 d.379, effective October 15, 2001.
See: 33 N.J.R. 1862(a), 33 N.J.R. 3649(c).

In (a), deleted "be required to" preceding "submit proof" in the introductory paragraph, inserted "Veterinary" preceding "Graduates" in Iiii, and inserted "or the North American Veterinary Licensing Examination" in 2.

Amended by R.2004 d.78, effective February 17, 2004.
See: 35 N.J.R. 3272(a), 36 N.J.R. 961(a).

Rewrote (a).
Amended by R.2007 d.139, effective May 7, 2007.
See: 38 N.J.R. 3742 (a), 39 N.J.R. 1760(a).

Section was "Eligibility for admission to New Jersey Licensing Examination". In the introductory paragraph of (a), substituted "State Jurisprudence" for "Licensing".

Amended by R.2010 d.164, effective August 2, 2010.
See: 42 N.J.R. 154(a), 42 N.J.R. 1738(b).

In (a)Iiii, inserted "or the Program for the Assessment of Veterinary Education equivalence (PAVE) of the American Association of Veterinary State Boards (AAVSB)"; and in (b), inserted the second occurrence of "either" and inserted "or PAVE".

13:44-1.2 Required documentation; admission to New Jersey State Jurisprudence Examination

(a) An applicant for licensure shall submit or arrange to have submitted to the Board, at least two months prior to the New Jersey State Jurisprudence Examination the following:

1. A completed application form which requests brief educational and experiential background;

2. The application fee set forth in N.J.A.C. 13:44-5.1;

3. Two photographs of passport size and style;

4. National Board Examination and Clinical Competency Test, or the North American Veterinary Licensing Examination, scores through the Veterinary Information Verification Agency;

5. If the applicant is a graduate of an AVMA accredited program, an official transcript of veterinary school credits, to be forwarded directly to the Board by the college or university attended.

i. The transcript shall contain the signatures of college officials and shall be properly stamped;

ii. If the transcript is in a language other than English, the applicant shall submit a verified English translation; and

6. If the applicant has completed a training program administered by the Education Commission for Foreign Veterinary Graduates (ECFVG) of the American Veterinary Medical Association (AVMA) or the Program for the Assessment of Veterinary Education equivalence (PAVE) of the American Association of Veterinary State Boards (AAVSB), notification that the applicant has satisfactorily completed the program, to be forwarded directly to the Board by the ECFVG or PAVE office.

Amended by R.1999 d.268, effective August 16, 1999.
See: 31 N.J.R. 1280(a), 31 N.J.R. 2360(b).

In (a), inserted "to the Board" following "submitted", and substituted a reference to the New Jersey Licensing Examination for a reference to the New Jersey Practical Examination in the introductory paragraph, rewrote 3, and substituted "has completed" for "is a graduate of" following "applicant" in 6.

Amended by R.2001 d.379, effective October 15, 2001.
See: 33 N.J.R. 1862(a), 33 N.J.R. 3649(c).

In (a), substituted "the following" for "all of the following documents" in the introductory paragraph and rewrote 4.

Amended by R.2007 d.139, effective May 7, 2007.
See: 38 N.J.R. 3742 (a), 39 N.J.R. 1760(a).

Section was "Required documentation; admission to New Jersey Licensing Examination". In the introductory paragraph of (a), substituted "State Jurisprudence" for "Licensing".

Amended by R.2010 d.164, effective August 2, 2010.
See: 42 N.J.R. 154(a), 42 N.J.R. 1738(b).

Rewrote (a)6.

13:44-1.3 New Jersey State Jurisprudence Examination; passing score; examination review

(a) An applicant shall obtain a grade of 70.0 on the New Jersey State Jurisprudence Examination.

(b) Within 14 days of the date of the letter of notification of examination results, an applicant who fails the examination may apply to the Board, in writing, for review of the questions answered incorrectly. The Executive Director will subsequently provide a copy of the questions answered incorrectly, the incorrect answers of the applicant and the correct answers to the applicant at the Board office at a mutually convenient time.

(c) Within 14 days following review of the questions and answers referred to in (b) above, the applicant may file with the Executive Director a written notice of appeal of his or her examination grade. The notice shall explain the basis of the appeal and be accompanied by any documentation, including reference material, which the applicant claims supports the appeal.

(d) The Board may invite the candidate to appear before the Board regarding his or her appeal.

Amended by R.1999 d.268, effective August 16, 1999.
See: 31 N.J.R. 1280(a), 31 N.J.R. 2360(b).

Rewrote the section.

Amended by R.2007 d.139, effective May 7, 2007.
See: 38 N.J.R. 3742 (a), 39 N.J.R. 1760(a).

Section was "New Jersey Licensing Examination: passing score; examination review". In (a), substituted "State Jurisprudence" for "Licensing"; and in (d), deleted "shall consider the appeal within 30 days of filing and" preceding "may invite", and inserted "regarding his or her appeal".

13:44-1.4 Licensure by endorsement

(a) The Board shall issue a license to an applicant who:

1. Has held, for a minimum of five years immediately preceding application, a valid unsuspended and unrevoked license to practice veterinary medicine issued after examination by the District of Columbia or another state or territory which has education and examination requirements substantially equivalent to those required for licensure in New Jersey;

2. Has had active clinical experience of a type acceptable to the Board for three of the five years immediately preceding application;

3. Except as set forth in (c) below, has been awarded a degree in veterinary medicine from a veterinary college or university accredited by the American Veterinary Medical Association (AVMA);

4. Except as set forth in (b) below, has passed the National Board Examination and Clinical Competency Test, or the North American Veterinary Licensing Examination;

5. Presents no basis for concern as to competency or fitness for licensure and otherwise qualifies for licensure pursuant to N.J.S.A. 45:16-6; and

6. Has passed the New Jersey State Jurisprudence Examination.

(b) The National Board Examination requirement shall not apply to anyone who was licensed in another jurisdiction prior to June 1970 (the date the NBE first was administered). The CCT shall not apply to anyone who was licensed in another jurisdiction prior to 1982 (the date the test was first required by the Board.)

(c) An applicant who was not awarded a degree in veterinary medicine from a veterinary college or university accredited by the American Veterinary Medical Association and who was initially licensed after January 1, 1973, shall submit evidence that he or she possesses a certificate issued by the Education Commission for Foreign Veterinary Graduates (ECFVG) of the American Veterinary Medical Association (AVMA) or the Program for the Assessment of Veterinary Education equivalence (PAVE) of the American Association of Veterinary State Boards (AAVSB).

Amended by R.2001 d.379, effective October 15, 2001.
See: 33 N.J.R. 1862(a), 33 N.J.R. 3649(c).

In (a)3, inserted ", or the North American Veterinary Licensing Examination".

Amended by R.2007 d.139, effective May 7, 2007.
See: 38 N.J.R. 3742 (a), 39 N.J.R. 1760(a).

Section was "Licensure by waiver of examination". In the introductory paragraph of (a), substituted "issue a license to" for "waive the new Jersey Practical Examination for"; added new (a)3; recodified former (a)3 and (a)4 as (a)4 and (a)5; in (a)4, deleted "and" from the end; in (a)5, substituted "and" for a period at the end; added (a)6; and rewrote (c).

Amended by R.2010 d.164, effective August 2, 2010.
See: 42 N.J.R. 154(a), 42 N.J.R. 1738(b).

In (c), inserted "(ECFVG) of the American Veterinary Medical Association (AVMA) or the Program for the Assessment of Veterinary Education equivalence (PAVE) of the American Association of Veterinary State Boards (AAVSB)".

Amended by R.2011 d.023, effective January 18, 2011.
See: 42 N.J.R. 1133(a), 43 N.J.R. 195(a).

In (a)3, substituted "(c)" for "(d)".

13:44-1.5 Required documentation; application for licensure by endorsement

(a) An applicant for licensure by endorsement shall submit or arrange to have submitted all of the following documents:

1. All of the documents required pursuant to N.J.A.C. 13:44-1.2;

2. A certification from every state in which the applicant is or has been licensed verifying that the applicant holds or held a valid, unsuspended and unrevoked license to practice including state licenses issued to practice in a particular setting, such as racing commissions; and

3. Three notarized certifications of experience regarding the applicant, submitted directly by veterinarians actively licensed and practicing in the same jurisdiction(s) for which the experience is being certified. Each certification shall:

- i. Be on professional letterhead stationery;
- ii. State the exact dates of the period being certified;

- iii. Indicate the type of experience acquired, for example, bovine, exotic, equine or small animal;
- iv. Certify to the applicant's moral character; and
- v. Provide a critical evaluation of the applicant's ability to practice with a professional recommendation for licensure.

Amended by R.2007 d.139, effective May 7, 2007.

See: 38 N.J.R. 3742 (a), 39 N.J.R. 1760(a).

Section was "Required documentation; application for licensure by waiver of examination". In the introductory paragraph of (a), substituted "endorsement" for "waiver of the New Jersey Practical Examination"; in (a)2, substituted "including state licenses issued to practice in a particular setting, such as racing commissions; and" for " , and other pertinent information the Board may require"; deleted (a)3; and recodified (a)4 as new (a)3.

13:44-1.6 Renewal of license

(a) Licenses shall be renewed biennially on a form provided by the Board. Each applicant for renewal shall attest that the continuing education requirements of N.J.A.C. 13:44-4.10 have been completed during the prior biennial period.

(b) The Board shall send a notice of renewal to each licensee, at least 60 days prior to the expiration of the license. If the notice to renew is not sent 60 days prior to the expiration date, no monetary penalty or fines shall apply to the holder for any unlicensed practice during the period following the licensure expiration, not to exceed the number of days short of 60 before the renewals were issued.

(c) The licensee shall, prior to the date of expiration of the license, submit to the Board:

- 1. The renewal application; and
- 2. The renewal fee pursuant to N.J.A.C. 13:44-5.1.

(d) If a licensee does not renew the license prior to its expiration date, the licensee may renew the license no later than 30 days after its expiration date by submitting a renewal application and paying a renewal fee and a late fee pursuant to N.J.A.C. 13:44-5.1. A licensee who fails to renew the license within 30 days after the expiration date of the license shall be suspended without a hearing.

(e) A person who continues to practice or hold himself or herself out as a licensed veterinarian after being suspended shall be deemed to have committed unlicensed practice pursuant to N.J.S.A. 45:16-9, even if no notice of suspension has been provided to the person.

(f) A person seeking reinstatement within five years following the suspension of a license shall submit the following to the Board:

- 1. A completed reinstatement application;
- 2. Payment of all past delinquent renewal fees as set forth in N.J.A.C. 13:44-5.1;
- 3. Payment of a reinstatement fee as set forth in N.J.A.C. 13:44-5.1;

4. A certification verifying completion of the continuing education credits required pursuant to N.J.A.C. 13:44-4.10 for each biennial period the license is suspended; and

5. An affidavit of employment listing each job held during the period of suspension which includes the names, addresses, and telephone numbers of each employer.

(g) A person seeking reinstatement after more than five years following the suspension of a license shall successfully pass the examinations required for initial licensure as set forth in N.J.A.C. 13:44-1.1 and shall submit:

- 1. A completed reinstatement application;
- 2. Payment of all past delinquent renewal fees as set forth in N.J.A.C. 13:44-5.1;
- 3. Payment of a reinstatement fee as set forth in N.J.A.C. 13:44-5.1; and
- 4. An affidavit of employment listing each job held during the period of suspension which includes the names, addresses, and telephone numbers of each employer.

(h) Renewal applications for all licensees shall provide the applicant with the option of either active or inactive renewal. Applicants electing to renew as inactive shall not practice or hold themselves out to the public as licensed veterinarians.

(i) A licensee who has elected inactive status and has been on inactive status for five years or less may be reinstated by the Board upon completion of the following:

- 1. Payment of the reinstatement fee;
- 2. Submission of evidence of completion of the continuing education credits that are required per biennial period for each biennial period that the applicant is on inactive status; and
- 3. Submission of an affidavit of employment listing each job held during the period the licensee was on inactive status which includes the name, address, and telephone number of each employer.

(j) A licensee who has been on inactive status for more than five years who wishes to return to the practice of veterinary medicine shall meet the requirements of (g) above and successfully complete the New Jersey State Jurisprudence Examination.

Amended by R.1999 d.268, effective August 16, 1999.

See: 31 N.J.R. 1280(a), 31 N.J.R. 2360(b).

Rewrote the section.

Repeal and New Rule, R.2007 d.139, effective May 7, 2007.

See: 38 N.J.R. 3742 (a), 39 N.J.R. 1760(a).

Section was "Biennial registration renewal".

13:44-1.7 (Reserved)

Amended by R.1999 d.268, effective August 16, 1999.

See: 31 N.J.R. 1280(a), 31 N.J.R. 2360(b).

Rewrote the section.

Repealed by R.2007 d.139, effective May 7, 2007.

See: 38 N.J.R. 3742(a), 39 N.J.R. 1760(a).

Section was "Reinstatement".

13:44-1.8 (Reserved)

New Rule, R.1999 d.268, effective August 16, 1999.
 See: 31 N.J.R. 1280(a), 31 N.J.R. 2360(b).
 Repealed by R.2007 d.139, effective May 7, 2007.
 See: 38 N.J.R. 3742(a), 39 N.J.R. 1760(a).
 Section was "Non-active registration".

13:44-1.9 Proof of licensure

Wherever a licensee is engaged in the practice of veterinary medicine, surgery or dentistry, he or she shall have available for inspection proof of his or her licensure.

New Rule, R.1999 d.268, effective August 16, 1999.
 See: 31 N.J.R. 1280(a), 31 N.J.R. 2360(b).

SUBCHAPTER 2. TEMPORARY PERMITS

13:44-2.1 Unlicensed qualified veterinary graduate; permit required

A licensee shall not engage the services of an unlicensed qualified veterinary graduate for the purpose of being trained or to practice veterinary medicine, dentistry or surgery unless the unlicensed qualified veterinary graduate first obtains a temporary permit issued by the Board pursuant to N.J.A.C. 13:44-2.2.

Amended by R.1999 d.268, effective August 16, 1999.
 See: 31 N.J.R. 1280(a), 31 N.J.R. 2360(b).
 Substituted a reference to non-licensed veterinarians for a reference to licensees, and added N.J.A.C. reference at the end.
 Amended by R.2005 d.52, effective February 7, 2005.
 See: 36 N.J.R. 3634(a), 37 N.J.R. 503(a).
 Amended N.J.A.C. reference.
 Amended by R.2007 d.139, effective May 7, 2007.
 See: 38 N.J.R. 3742 (a), 39 N.J.R. 1760(a).
 Section was "Non-licensed veterinarians; permit required". Substituted "an unlicensed qualified veterinary graduate" for "a non-licensed veterinarian" and "unlicensed qualified veterinary graduate" for "non-licensed veterinarian".

13:44-2.2 Eligibility for temporary permit

(a) The Board shall issue a temporary permit to an unlicensed qualified veterinary graduate provided that:

1. The candidate for licensure has received a passing grade, as determined by the test sponsor, on the National Board Examination and the Clinical Competency Test, or the North American Veterinary Licensing Examination;
2. The candidate will be employed at a practice located in New Jersey as an unlicensed qualified veterinary graduate under the responsible supervision of a New Jersey licensed veterinarian; and
3. Neither the licensed veterinarian nor the unlicensed qualified veterinary graduate presents a basis for concern as to fitness or competency and both otherwise qualify for continuing licensure or initial licensure, respectively, pursuant to N.J.S.A. 45:1-21 and 45:16-1.1.

(b) A person practicing under a temporary permit who fails the New Jersey State Jurisprudence Examination shall file an application for a new temporary permit within two weeks of the date the examination results are issued.

(c) An individual who fails the New Jersey State Jurisprudence Examination four times shall not continue to work under a temporary permit. Such individual may, however, retake the licensing examination until he or she passes the examination.

(d) A temporary permit issued to an unlicensed qualified veterinary graduate shall not be transferable to any other person.

Amended by R.1999 d.268, effective August 16, 1999.
 See: 31 N.J.R. 1280(a), 31 N.J.R. 2360(b).

Rewrote the section.
 Amended by R.2001 d.379, effective October 15, 2001.
 See: 33 N.J.R. 1862(a), 33 N.J.R. 3649(c).

In (a)1, inserted ", or the North American Veterinary Licensing Examination".

Amended by R.2007 d.139, effective May 7, 2007.
 See: 38 N.J.R. 3742 (a), 39 N.J.R. 1760(a).

In the introductory paragraph of (a) and in (d), substituted "an unlicensed qualified veterinary graduate" for "a non-licensed veterinarian"; in (a)2, substituted "an unlicensed qualified veterinary graduate" for "an assistant veterinarian"; and in (a)3, substituted "unlicensed qualified veterinary graduate" for "candidate for licensure".

Amended by R.2011 d.023, effective January 18, 2011.
 See: 42 N.J.R. 1133(a), 43 N.J.R. 195(a).

In (b) and (c), substituted "State Jurisprudence" for "Licensing".

SUBCHAPTER 3. DEFINITIONS

13:44-3.1 Definitions

As used in this chapter, the following terms have the following meanings unless the context clearly indicates otherwise.

"Address of record" means an address designated by a licensee which is part of the public record and which may be disclosed upon request. "Address of record" may be a licensee's home, business or mailing address, but shall not be a post office box.

"Animal or veterinary facility" means any fixed or mobile establishment, veterinary hospital, animal hospital or premises wherein or whereon the practice of veterinary medicine or any part thereof is conducted.

"Person" means any individual, firm, partnership, association, joint venture, cooperative, corporation incorporated under Title 14A of the New Jersey Statutes, or any other group or combination acting in concert; and whether or not acting as a principal, trustee, fiduciary, receiver, or as any other kind of legal or personal representative, or as the successor in interest, assignee, agent, factor, servant, employee, director, officer, or any other representative of any person.

“Practice of veterinary medicine, surgery and dentistry” means to directly or indirectly diagnose, prognose, treat, correct, change, relieve or prevent animal disease, deformity, defect, injury, wound or other physical or mental condition; including the prescription or administration of any drug, medicine, biologic, apparatus, application, anesthetic or other therapeutic or diagnostic substance or technique on any animal including, but not limited to, animal acupuncture, surgical or dental operations, animal chiropractic, theriogenology, alternative or complementary veterinary medicine, surgery, including cosmetic surgery, any manual, mechanical, biological or chemical procedure for testing for the presence of any disease or pregnancy or for correcting sterility or infertility, including embryo transfer, or to render service or recommendations with regard to any of the above and all other branches of veterinary medicine, surgery and dentistry.

“Qualified veterinary graduate” means a graduate of a veterinary college or university approved by the Board, a graduate of a veterinary college or university which is not approved by the Board, but who has received a certificate from an accrediting or qualifying body recognized by the Board for the purpose of licensure examination, or a veterinarian who has qualified under the provision of the American Veterinary Medical Association’s Education Commission for the Foreign Veterinary Graduate.

“Responsible supervision” means that the supervising licensed veterinarian has assumed full responsibility for the actions or omissions of the persons being supervised.

Petition for Rulemaking.

See: 34 N.J.R. 1557(b), 4226(b).

Amended by R.2011 d.023, effective January 18, 2011.

See: 42 N.J.R. 1133(a), 43 N.J.R. 195(a).

In definition “Practice of veterinary medicine, surgery and dentistry”, inserted “animal” preceding “acupuncture”.

SUBCHAPTER 4. GENERAL RULES OF PRACTICE

13:44-4.1 Veterinary prescription items

(a) No licensed veterinarian shall dispense any prescription item unless the container in which such medication is dispensed bears a label containing the following information:

1. The name or species of the patient or identification of the herd or flock;
2. The name of the drug or devices;
3. The strength per unit;
4. The number of units dispensed;
5. Directions for use;
6. Precautionary statements including withdrawal time, where applicable;
7. The date dispensed; and

8. The name and license number of the licensee and the name of the facility dispensing the medication.

(b) A licensed veterinarian may prescribe, sell, dispense, or distribute any prescription item, providing there is a bona fide veterinarian-client-patient relationship, and the prescription item is properly recorded in the medical record. For purposes of this section, a prescription is properly recorded when it contains the type of medication, the strength per unit, the number of units dispensed, the directions for use and the date dispensed.

1. For purposes of this section, a “veterinarian-client-patient relationship” means:

- i. The veterinarian has undertaken to make medical judgments regarding the health of an animal or animals, herd or flock being treated and the need for medical treatment;
- ii. The client has retained the services of the veterinarian;
- iii. The veterinarian has sufficient knowledge of the animal or animals, herd or flock to initiate at least a general or preliminary diagnosis of the medical condition of the animal or animals, herd or flock;
- iv. The veterinarian is available for follow-up treatment; and
- v. The veterinarian maintains records on the animal or animals, herd or flock in accordance with N.J.A.C. 13:44-4.9.

(c) A licensed veterinarian may dispense prescription items to a person without a bona fide veterinarian-client-patient relationship on the basis of a prescription issued by another licensed veterinarian subject to the provisions of (a) and (b) above and (d) below.

(d) A licensed veterinarian shall not prescribe, sell, dispense, or distribute any prescription item in an indiscriminate manner, or without good cause, or where the licensee reasonably knows or should know that the item or items prescribed, sold, dispensed or distributed are to be used for unauthorized or illicit consumption or distribution. A licensee shall not issue a prescription for, or dispense, an item where the licensee knows or has reason to know that an item or items previously prescribed or dispensed were used by the recipient for unauthorized or illicit consumption or distribution.

(e) A licensed veterinarian, in the course of professional practice and an existing veterinarian-client-patient relationship, shall, upon request, provide a written prescription to a client who does not wish to purchase a prescription item directly from the licensed veterinarian.

(f) A licensed veterinarian may issue a prescription by oral, written, or electronic communication to the dispenser. The licensed veterinarian shall properly record the prescription in the patient’s medical record.

Amended by R.2011 d.023, effective January 18, 2011.
See: 42 N.J.R. 1133(a), 43 N.J.R. 195(a).

In (a), substituted "Upon" for "Beginning with the 2009 biennial license renewal, and for every", and deleted "thereafter" following "renewal".

Amended by R.2012 d.147, effective August 20, 2012.
See: 43 N.J.R. 2150(a), 44 N.J.R. 2130(a).

In (b), inserted the last sentence; and added (k) through (n).

13:44-4.11 Emergency service facilities

(a) Any veterinary facility denominated as an emergency service facility and advertising that it provides emergency service shall have at least one licensed veterinarian and one supporting staff member on the premises during the hours the facility is open for service.

(b) Advertisements for emergency service facilities shall include a statement of the days of the week and the hours the facility is open and that a New Jersey licensed veterinarian and supporting staff member are on the premises during these times.

(c) A certificate of registration or duplicate certificate for the location must be obtained by all licensed employees of an emergency service facility, except that a veterinarian who assists at the facility on an occasional emergency relief basis shall not be required to obtain a registration.

(d) Emergency service facilities shall keep a daily log recording the names of licensees and supporting staff regularly or occasionally employed by the facility, with the dates and the hours each has worked for the facility.

(e) This rule shall not apply to a veterinary facility not denominated as an emergency care facility which advertises an after hours telephone number to be called when the facility is closed.

New Rule R.1985 d.622, effective December 2, 1985.
See: 17 N.J.R. 1739(a), 17 N.J.R. 2909(b).
Recodified from N.J.A.C. 13:44-4.10 by R.1999 d.268, effective August 16, 1999.
See: 31 N.J.R. 1280(a), 31 N.J.R. 2360(b).
Former N.J.A.C. 13:44-4.11, Notification of address changes, recodified to N.J.A.C. 13:44-4.12.

13:44-4.12 Notice of address

Every practitioner of veterinary medicine licensed in this State shall submit to the Board in writing notice of change in his or her address of record within 30 days of such change.

New Rule R.1985 d.622, effective December 2, 1985.
See: 17 N.J.R. 1739(a), 17 N.J.R. 2909(b).
Recodified from N.J.A.C. 13:44-4.11 and amended by R.1999 d.268, effective August 16, 1999.
See: 31 N.J.R. 1280(a), 31 N.J.R. 2360(b).
Rewrote the section.

SUBCHAPTER 5. FEE SCHEDULE

13:44-5.1 Fee schedule

(a) The following fee shall be charged by the Board:

- 1. Application fee \$ 75.00
- 2. Initial license fee:
 - i. During the first year of a biennial renewal period \$250.00
 - ii. During the second year of a biennial renewal period \$125.00
- 3. Licensing examination \$250.00
- 4. Temporary permit \$100.00
- 5. Biennial renewal fee \$250.00
- 6. Non-active registration fee \$150.00
- 7. Transfer fee non-active to active:
 - i. During the first year of a biennial renewal period \$100.00
 - ii. During the second year of a biennial renewal period \$ 50.00
- 8. Late renewal fee (up to 60 days after renewal is due) \$100.00
- 9. Reinstatement fee (61 or more days after renewal is due) \$250.00
- 10. Certificate of registration duplicate \$ 80.00
- 11. Verification of licensure \$ 25.00
- 12. Duplicate wall certificate \$ 50.00

Amended by R.1982 d.502, eff. January 17, 1983.
See: 14 N.J.R. 1281(a), 15 N.J.R. 94(b).
Changed types and amounts of fees.
Amended by R.1983 d.252, effective June 20, 1983.
See: 15 N.J.R. 612(a), 15 N.J.R. 1035(d).
Active registration fee increased from \$30.00 to \$120.00. Non-active registration fee increased from \$20.00 to \$50.00
Amended by R.1985 d.364, effective July 15, 1985.
See: 17 N.J.R. 383(a), 17 N.J.R. 1773(b).
Non-active registration fee increased from \$50.00 to \$100.00.
Training certificate added.
Amended by R.1990 d.151, effective March 5, 1990.
See: 22 N.J.R. 18(b), 22 N.J.R. 831(a).
Repealed reexamination fee and late registration fee.
Amended by R.1991 d.321, effective July 1, 1991.
See: 23 N.J.R. 1066(a), 23 N.J.R. 2023(a).
Deleted (a)1; added new (a)1, 2.
Redesignated existing (a)2 through 8 as (a)3 through 9; changed fees in (a)6 through 9. Added (a)10. Redesignated (a)9 as 11 with fee change and added "plus initial license fee". Redesignated (a)10 as 12 and added "Duplicate license"; deleted "Branch office". Redesignated (a)11 as 13 and added "Verification of licensure"; deleted "Certification". Deleted (a)12.
Amended by R.1994 d.442, effective September 6, 1994.
See: 26 N.J.R. 1951(a), 26 N.J.R. 3737(a).
Amended by R.1995 d.299, effective June 5, 1995.
See: 27 N.J.R. 1137(a), 27 N.J.R. 2240(a).
Increased some of the fees charged.
Amended by R.1999 d.268, effective August 16, 1999.
See: 31 N.J.R. 1280(a), 31 N.J.R. 2360(b).
Rewrote (a).