

CHAPTER 44

STATE BOARD OF VETERINARY
MEDICAL EXAMINERS

Authority

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

Source and Effective Date

R.1994 d.442, effective August 4, 1994.
See: 26 N.J.R. 1951(a), 26 N.J.R. 3737(a).

Executive Order No. 66(1978) Expiration Date

Chapter 44, State Board of Veterinary Medical Examiners, expires on August 4, 1999.

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 Subchapter 3, Forms, was repealed by R.1981 d.371, effective October 8, 1981.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 1, Licensure by Examination, expired on March 9, 1984, and subsequently 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, expired on September 14, 1983, and subsequently 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 Subchapter 6, Administrative Hearings, was repealed by R.1985 d.622, effective December 2, 1985.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 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 was readopted as R.1994 d.442. See: Source and Effective Date. As a part of R.1994 d.442, existing Subchapters 1 and 5 were repealed, and new Subchapters 1, 2, and 3 were adopted, effective September 6, 1994. Existing Subchapters 2 and 4 were recodified as Subchapters 4 and 5, respectively. See: 26 N.J.R. 1951(a), 26 N.J.R. 3737(a). See, also, section annotations.

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SUBCHAPTER 1. LICENSURE BY
EXAMINATION; LICENSURE BY WAIVER
OF EXAMINATION; BIENNIAL LICENSE
RENEWAL; REINSTATEMENT13:44-1.1 Eligibility for admission to New Jersey Practical
Examination

(a) As a prerequisite to taking the New Jersey Practical Examination, an applicant shall be required to submit proof of:

1. Successful completion of any of the following educational criteria:

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

ii. All but the last portion of the last semester of a veterinary college or university accredited by the American Veterinary Medical Association and is to be awarded a degree in veterinary medicine at the next graduation; or

iii. The training program administered by the Education Commission for Foreign Graduates (ECFVG) of the AVMA; and

2. A passing grade, as determined by the test sponsor, on the National Board Examination and the Clinical Competency Test within 10 years preceding application.

(b) An individual who meets the requirements of (a) above and who has made application to sit for the next scheduled practical 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 acceptable to the Board at a

practice located in the State of New Jersey, pursuant to the provisions of N.J.A.C. 13:44-2.

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

(a) The applicant shall submit or arrange to have submitted, at least two months prior to the New Jersey Practical Examination, all of the following documents:

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 passport size photographs;
4. National Board Examination and Clinical Competency Test scores through Interstate Reporting Service;
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 must contain signatures of college officials and be properly stamped.

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

6. If the applicant is a graduate of an ECFVG Program, notification that the applicant has satisfactorily completed the program, to be forwarded directly to the Board by the ECFVG office.

13:44-1.3 New Jersey Practical and Jurisprudence Examinations; passing score; examination review

(a) Applicants shall be required to obtain a grade of 70 on the New Jersey Practical Examination. Applicants applying for licensure by waiver of the Practical Examination shall be required to obtain a grade of 70 on the New Jersey 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 his or her answer sheet. The Executive Director will subsequently make the answer sheet available to the applicant at the Board office on a mutually convenient date.

(c) Within 14 days following review of the answer sheet, the applicant may file with the Executive Director a written notice of appeal of his or her examination grade. The notice must 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 shall consider the appeal within 30 days of filing and may invite the candidate to appear for a hearing on the appeal.

(e) A candidate who has failed the New Jersey Practical Examination must wait five years from the date of the examination before applying for a license by waiver of examination.

13:44-1.4 Licensure by waiver of examination

(a) The Board shall waive the New Jersey Practical Examination for 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 (b) below, has passed the National Board Examination and Clinical Competency Test; and

4. 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.

(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 individual who qualifies under this section for licensure by waiver of the New Jersey Practical Examination shall be required to successfully complete the New Jersey Jurisprudence Examination.

13:44-1.5 Required documentation; application for licensure by waiver of examination

(a) An applicant for licensure by waiver of the New Jersey Practical Examination 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, and other pertinent information the Board may require;

3. A statement of good standing from any other entity that authorizes the applicant's practice of veterinary medicine; for example, the Racing Commission. The applicant shall notify the Board in the event that his or her privilege to practice veterinary medicine was ever suspended or revoked by an authority.

4. 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.

13:44-1.6 Biennial license renewal

(a) Licensees shall renew their licenses by the date set forth on the application for biennial license renewal.

(b) The Board shall, upon notice to the licensee, suspend the license of any individual who fails to renew his or her license by the date set forth on the renewal application.

13:44-1.7 Reinstatement

(a) A licensee whose license has been suspended for failure to renew shall be reinstated at any time provided that the licensee:

- 1. Submits the following to the Board:
 - i. An application for license;
 - ii. The current and any past due biennial licensure fees; and
 - iii. The reinstatement fee as set forth in N.J.A.C. 13:44-5.1; and
- 2. 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.

SUBCHAPTER 2. TEMPORARY PERMITS

13:44-2.1 Non-licensed veterinarians; permit required

A licensee shall not engage the services of a non-licensed veterinarian for the purpose of being trained or to practice veterinary medicine, dentistry or surgery unless the licensee first obtains a temporary permit issued by the Board.

13:44-2.2 Eligibility for temporary permit

(a) The Board shall issue a temporary permit to a licensed veterinarian seeking to employ an individual who is scheduled to take the next New Jersey Practical Examination

or Veterinary Jurisprudence Examination 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;
- 2. The candidate will be employed at a practice located in New Jersey as an assistant veterinarian under the responsible supervision of a New Jersey licensed veterinarian; and
- 3. Neither the potential employer nor the potential employee 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. 45:16-6.

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

(c) An individual who fails the practical examination four times shall not continue to work under a temporary permit. Such individual may, however, continue to be reexamined until he or she successfully completes the examination.

(d) A temporary permit shall not be transferable.

**SUBCHAPTER 3. FACILITY REGISTRATION
(RESERVED)**

**SUBCHAPTER 4. GENERAL RULES OF
PRACTICE**

13:44-4.1 Prescriptions

(a) A licensee shall not prescribe, sell, dispense or distribute any prescription item, including medications and supplies in an indiscriminate manner or without good cause or where the licensee reasonably knows or should know that the item or items prescribed are to be used for unauthorized or illicit consumption or distribution. A licensee shall not issue a prescription for, or dispense an item where he 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.

(b) A licensee shall not prescribe, sell, dispense or distribute any prescription item unless a bona fide veterinarian client/patient relationship exists. For the purpose of this subsection, a bona fide veterinarian client/patient relationship shall exist when:

1. The licensee has assumed or agreed to assume the responsibility for making veterinary medical judgments regarding the client's (owner or caretaker) animal; and

2. The licensee possesses sufficient knowledge of the animal to formulate at least a general, preliminary diagnosis of its medical condition. Said knowledge shall be based upon the licensee's personal knowledge of the keeping and care of the animal, or by virtue of a recent examination, or by medically appropriate and timely visits to the premises where the animal is kept; and

3. The licensee or a covering designee is readily available for follow-up in case of adverse reactions or failure of the regimen or therapy.

(c) No licensee shall dispense any medication unless the container in which such medication is dispensed bears a label containing the following information:

1. The name of the patient or identification of the herd or flock;
2. The type of medication;
3. The strength per unit;
4. The number of units dispensed;
5. Directions for use;
6. The date dispensed;
7. The name of the licensee or hospital dispensing the medication.

(d) A poultryman who has received a prescription or recommendation for medication, preventive or therapeutic vaccination from a licensed veterinarian, or a veterinarian employed by the State or Federal government, may in his discretion administer the same by himself or by his employer. A licensed veterinarian may also engage in labor for such prescribed services on poultry.

(e) The licensee shall, upon request, provide a written prescription to an owner or caretaker who does not wish to purchase a prescription item directly from the licensee.

Amended by R.1981 d.451, effective November 16, 1981.

See: 13 N.J.R. 519(b), 13 N.J.R. 847(a).

Added new (a) and recodified prior section as (c).

Amended by R.1988 d.395, effective August 15, 1988.

See: 20 N.J.R. 1171(b), 20 N.J.R. 2069(a).

Added new (b) and recodified old (b)-(c) as (c)-(d).

Amended by R.1994 d.442, effective September 6, 1994.

See: 26 N.J.R. 1951(a), 26 N.J.R. 3737(a).

13:44-4.2 Poultry husbandry procedures

Poultry husbandry procedures such as de-beaking, toe clipping, sex determination, clipping of wings, culling and blood testing may be recommended or performed by agents of the College of Agriculture of Rutgers, The State University, and other members of the poultry industry if they not represent themselves to be veterinarians or use any title or degree pertaining to the practice of veterinary medicine and do not diagnose disease and prescribe treatment. This section shall not apply to caged or exotic birds.

13:44-4.3 Licensees who service pet shops

(a) A licensee who services pet shop(s) shall sign and print his or her name on each animal's health certificate or "Fit for Purchase" form, and on any other document which may be given to the consumer at the time of purchase that attests to findings made, care rendered or care prescribed for that animal by a licensed veterinarian.

(b) A licensee who signs an animal health certificate or "Fit for Purchase" form, or any other documents as set forth in (a) above shall:

1. Personally examine all pets before prescribing or administering medication;

2. Comply with N.J.A.C. 13:44-4.1 regarding prescriptions;

3. Not supply vaccine or other medications for which a prescription is necessary to pet shops to be administered by anyone other than the owner(s) of the pet shop or a licensee of the New Jersey Board of Veterinary Medical Examiners.

i. In the event a pet shop is owned and operated as a partnership or a corporation, the entity may designate an individual to receive and to administer the vaccine and medications; and

4. Maintain in his or her office accurate medical records listing all medications furnished to pet shops and the individual(s) to whom medications and vaccines, or prescriptions therefore, were delivered. Such records shall include, but not be limited to, the name and address of the recipient pet shop, date supplied, type of medication and strength per unit, number of units supplied, and directions given for use.

New Rule, R.1994 d.442, effective September 6, 1994.

See: 26 N.J.R. 1951(a), 26 N.J.R. 3737(a).

13:44-4.4 Referral fees

It shall be professional misconduct for a licensee to pay, offer to pay, or to receive from any person any fee or other form of compensation for the referral of a patient. The prohibition in this section shall not prohibit the division of fees among licensees engaged in bona fide employment, partnership or corporate relationship for the delivery of professional services.

Repealed by R.1979 d.98, effective March 9, 1979.

See: 10 N.J.R. 555(a), 11 N.J.R. 202(d).

Section was "Notices of Recurrent Services."

New Rule R.1986 d.414, effective October 6, 1986.

See: 18 N.J.R. 1515(b), 18 N.J.R. 2048(a).

Repeal and New Rule, R.1992 d.478, effective December 7, 1992.

See: 24 N.J.R. 3017(a), 24 N.J.R. 4409(b).

Section was "Referral fees".

13:44-4.5 Temporary continuance of facility upon licensee's death

(a) Upon the demise of the licensed proprietor of an individually owned veterinary facility, an unlicensed spouse or the executor or administrator of the licensee's estate may continue to own, maintain and operate the facility for a period of one year in order to convey or liquidate the practice, provided that the services of a New Jersey licensed veterinarian shall be engaged to conduct, manage and be responsible for the practice of veterinary medicine.

(b) The unlicensed owner shall provide the State Board of Veterinary Examiners with written notice of the substitute licensee's name within three weeks of the owner's death. This period of time may be extended upon written petition to the Board.

(c) The substitute licensee shall also write to the Board indicating his or her willingness to assume the position.

(d) If, for any reason, the substitute licensee's services are terminated, both the owner and the licensee shall immediately inform the Board in writing and a new licensee shall be immediately engaged and registered with the Board.

(e) The one-year period of conveyance or liquidation may be extended following written petition to the Board.

Repealed by R.1984 d.375, effective August 20, 1984.

See: 16 N.J.R. 688(a), 16 N.J.R. 2287(a).

Section was "Special occasion greetings."

New Rule, R.1990 d.279, effective June 4, 1990.

See: 22 N.J.R. 326(b), 22 N.J.R. 1739(a).

13:44-4.6 Branch offices

(a) Establishments (branch offices) other than the primary location of the licensee, if not attended by a full-time licensed registered veterinarian, shall not:

1. Accept animals whose sickness is of a routine nature for intended overnight hospitalization;
2. Accept critically ill or injured animals if it is anticipated that a veterinarian will not be in attendance within at least two hours.

13:44-4.7 Pending emergency cases

Veterinarians shall provide emergency care.

Amended by R.1977 d.252, effective July 20, 1977.

See: 8 N.J.R. 400(a), 9 N.J.R. 373(b).

Amended by R.1979 d.275, effective July 18, 1979.

See: 11 N.J.R. 20(b), 11 N.J.R. 401(c).

Case Notes

Disciplinary proceedings against veterinarian. In re Matter of Kerlin, 151 N.J. Super. 179, 376 A.2d 939 (App.Div.1977).

13:44-4.8 Advertising

(a) Definitions: The following words shall have the following meanings:

1. The term "advertisement" shall refer to the attempt directly or indirectly by publication, dissemination, endorsement or circulation or in any other way to induce directly or indirectly any person to enter into an express or implied agreement to accept veterinary services or treatments related thereto.

2. The term "routine professional service" shall refer to a service which the advertising licensee, professional association or institution providing veterinary care routinely perform.

3. The term "printed media" shall refer to newspapers, magazines, periodicals, professional journals, telephone directories, circulars, handbills, flyers and other similar documents or comparable publications, the contents of which is disseminated by means of the printed word.

4. The term "range of fees" shall refer to an expressly stated upper and lower limit on the fees charged for professional service.

5. "Licensee" for the purpose of this section means a person possessing a plenary license to practice veterinary medicine, surgery and dentistry.

(b) A licensed veterinarian who is actually engaged in the practice of veterinary medicine, dentistry or surgery in the State of New Jersey, may provide information to the public by advertising which is not false, fraudulent, misleading or deceptive through the use of the print or electronic media.

(c) A licensee who engages in the use of advertising which contains the following, shall be deemed to be engaged in professional misconduct:

1. Any claim that services performed or material used are professionally superior to those ordinarily performed or used unless the claim can be substantiated.

2. Any statement that emergency service is provided or any statement or implication that a facility is open and operating to provide emergency services during non-regular business hours unless the veterinary facility advertised meets the requirements of N.J.A.C. 13:44-2.14.

3. Any statement or claim or implication arising therefrom that licensee is a specialist where Board certification in the claimed area exists and the licensee does not possess such certification. Where Board certification in an area of claimed expertise does not exist, the use of the term "specialist" or its substantial equivalent shall not be utilized provided, however, that nothing herein shall prohibit truthful and non-deceptive statements concerning a licensee's experience or training in a particular area of veterinary practice.

4. Techniques or communications which tend to, or in fact, intimidate or exert undue pressure or influence over a prospective client.

5. An advertisement may contain either a lay or expert testimonial, provided that such testimonial is based upon personal knowledge or experience obtained from a provider relationship with the licensee or direct personal knowledge of the subject matter of the testimonial. A lay person's testimonial shall not attest to any technical matter beyond the testimonial giver's competence to comment upon. An expert testimonial shall be rendered only by an individual possessing specialized expertise sufficient to allow the rendering of a bona fide statement or opinion. An advertiser shall be able to substantiate any objective, verifiable statement of fact appearing in a testimonial, and the failure to do so, if required by the Board, may be deemed professional misconduct.

6. The use of any misrepresentation.

7. Any statement which guarantees that a veterinary cure will result from the professional service offered, provided however that nothing herein shall prohibit an offer or statement guaranteeing a return of professional fees received or a repeat treatment in the event an owner is dissatisfied with services rendered.

8. The knowing suppression, omission or concealment of any material fact or law.

(d) The board may require a licensee to substantiate the truthfulness of any objective material claim or misrepresentation set forth in an advertisement. Failure of a licensee to provide factual substantiation to support that representation or claim shall be deemed professional misconduct.

(e) Advertising making reference to setting forth a fee shall be limited to that which contains a fixed or stated range of fees for a specifically described routine professional veterinary service.

1. A licensee who advertises fees shall disclose all the relevant variables and considerations which are ordinarily included in such a service so that the fee will not be misunderstood. In the absence of such a disclosure, the stated fees shall be presumed to include everything ordinarily required for such a service.

2. Offers of discounts or fee reductions shall indicate the fixed or stated range of fees against which said discount is to be made. Where an "across the board" discount is offered, such as "10% of all fees," the advertisement shall, at the least, include a list of the regular fees of common, representative services along with a statement that a complete list of veterinary services and the regular fees therefor is available for examination at the veterinarian's office.

3. The effective period during which a fee or discount shall remain in effect shall be set forth in the face of the advertisement. In the absence of such a disclosure and solely for the purpose of enforcement, the effective period shall be deemed to be 30 days.

(f) Advertising which contains the name, address or telephone number of a professional service facility shall also contain the name of at least one licensee who is responsible for the provision of the advertised services.

(g) A licensee shall be presumed to have approved and shall be personally responsible for the form and contents of an advertisement which contains the licensee's name, office address, or telephone number.

(h) A licensee who employs or allows another to employ for his benefit an intermediary source or other agent in the course of advertising shall be personally responsible for the form and contents of said advertisement.

(i) All licensees must list his or her degree after his or her name or use the word veterinarian if the title Doctor is used before his or her name.

(j) Copies of all printed advertisements and video or audio tapes of every advertisement communicated by electronics media shall be retained by the licensee and made available for review by the Board or its designee upon request for a period of three years. All advertisements in the licensee's possession shall indicate the accurate date and place of publication.

(k) Copies of all printed advertisements and video or audio tapes of every advertisement communicated by electronics media shall be retained by the licensee and made available for review by the Board or its designee upon request for a period of three years. All advertisements in the licensee's possession shall indicate the accurate date and place of publication.

Amended by R.1978 d.382, effective October 26, 1978.

See: 10 N.J.R. 204(b), 10 N.J.R. 558(a).

Amended by R.1984 d.375, effective August 20, 1984.

See: 16 N.J.R. 688(a), 16 N.J.R. 2287(a).

Section substantially amended.

Amended by R.1986 d.264, effective July 7, 1986.

See: 18 N.J.R. 399(a), 18 N.J.R. 1400(a).

Substantially amended.

Administrative Correction to (i).

See: 21 N.J.R. 3020(a).

Amended by R.1992 d.478, effective December 7, 1992.

See: 24 N.J.R. 3017(a), 24 N.J.R. 4409(b).

Revised (a)3 and 5; revised (d); added new (k).

Case Notes

Atty.Gen.F.O.1977, No. 20.

13:44-4.9 Patient records

(a) A licensee shall maintain a separate patient record for each animal, herd or flock. All patient records shall accurately reflect the treatment or services rendered. Such records shall include at least the following information:

1. The name of the facility and identification of the treating licensee. If the patient is treated by anyone other than the licensee, the licensee shall ensure that the identity of the individual providing the service is indicated in the patient record and that the provider initials and dates each entry he or she makes on the patient record;
2. The name, address and telephone number of the owner of the animal;
3. Sufficient information to clearly identify the animal, herd or flock (for example, animal name or tattoo, breed or predominant breed species);
4. A history of the presenting problem;
5. All pertinent symptoms and signs observed;
6. Tests ordered or performed and the results thereof;
7. Conclusions and/or diagnosis;
8. The treatment or treatment plan prescribed, including a specific notation of any medications or modalities prescribed;
9. Such other notes or information so as to provide a clear statement of the patient's condition and the veterinary evaluation and response;
10. The name, initials or other identifying information to indicate the identity of the licensee or agent making the entry in the patient record; and
11. Copies of any consent forms signed by the owner or the owner's representative.

(b) All written records and radiographs on patients shall be retained for a period of five years from the date of the patient's last visit except as provided in (c) below. Where the records reflect the decease of the patient, all written records and radiographs shall be retained for a period of three years from the last date of entry.

(c) Copies of a licensee's record or a summary report of such record and copies of all pertinent objective data and papers pertaining to a given patient, along with a key to any codes, abbreviations and non-English words appearing on such record, data or papers, shall be furnished to the patient's owner or designated veterinarian or duly authorized representative within 30 days of a written request by the owner or duly authorized representative or within such lesser time as may be necessary for the care of the patient. A reasonable charge to cover the licensee's costs in preparing or obtaining such copies may be made.

(d) Where services are rendered on an emergency basis by a veterinary facility and the patient is referred to the

owner's regular veterinarian for continued treatment the veterinarian rendering such emergency treatment may release the original medical records and/or radiographs to the owner or the regular veterinarian; provided, however, that the emergency treatment facility shall obtain a written receipt showing the disposition of the records and shall keep the receipt for a period of two years.

(e) Whenever a veterinary practice is to be closed due to the retirement or death of the veterinarian in charge, the following shall apply:

1. The retiring licensee or the executor or administrator of the licensee's estate shall immediately notify the Board, in writing, of the impending closure.
2. If the medical records are not to be transferred to another veterinary practice, the retiring licensee or the executor or administrator of the licensee's estate shall, prior to disposing of any records and within a reasonable period of time, publicize notice of closing of the veterinary practice. The notice of closing shall be published in a daily newspaper with circulation in the county in which the veterinary practice is located, on two occasions, 15 days apart. The notice shall advise the public of the licensee's retirement or death; shall indicate that the medical records will be available to the consumer for a period of 60 days subsequent to the second publication; and shall include the name, address and telephone number of the person to contact to obtain the medical records.
3. If the medical records are to be transferred to another veterinary practice, the retiring licensee or the executor or administrator of the licensee's estate may immediately transfer the medical records provided that he or she shall, within a reasonable period of time after the transfer, publicize notice of closing of the veterinary practice. Such notice shall be published in a daily newspaper with circulation in the county in which the veterinary practice is located, on two occasions, 15 days apart. The notice shall advise the public of the licensee's retirement or death and indicate the name, address and telephone number of the veterinary practice to which the records have been transferred.

As amended, R.1978 d.435, eff. December 14, 1978.

See: 10 N.J.R. 403(a), 11 N.J.R. 77(a).

As amended, R.1981 d.450, eff. November 16, 1981.

See: 13 N.J.R. 520(a), 13 N.J.R. 847(b).

As amended, R.1984 d.375, eff. August 20, 1984.

See: 16 N.J.R. 688(a), 16 N.J.R. 2287(a).

Section substantially amended.

Amended by R.1991 d.11, effective January 7, 1991.

See: 22 N.J.R. 1868(a), 23 N.J.R. 117(b).

New (d) added; provisions for handling of patients' records in the event of retirement or death of the veterinarian in charge.

Amended by R.1994 d.442, effective September 6, 1994.

See: 26 N.J.R. 1951(a), 26 N.J.R. 3737(a).

13:44-4.10 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).

13:44-4.11 Notification of address changes

Every practitioner of veterinary medicine licensed in this State shall submit to the Board in writing notification of change in his or her residential address within 30 days of such change, or shall be responsible for keeping the Board informed of that address at which he or she may be reached. Any change in practice address shall be reported within 10 days of the change. If the licensee does not maintain a practice address in New Jersey he or she shall notify the Board of an address at which he or she can be reached, and shall notify the Board of any change in such address within 10 days.

New Rule R.1985 d.622, effective December 2, 1985.
See: 17 N.J.R. 1739(a), 17 N.J.R. 2909(b).

SUBCHAPTER 5. FEE SCHEDULE**13:44-5.1 General provisions**

(a) The following fees 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	150.00
ii. During the second year of a biennial renewal period	75.00
3. Practical examination	125.00
4. New Jersey Jurisprudence Examination	125.00
5. Temporary Permit	100.00
6. Active registration fee (biennial)	150.00
7. Non-active registration fee (biennial)	125.00
8. Late renewal fee	100.00
9. Reinstatement fee	150.00
	plus initial license fee
10. Duplicate license registration (biennial)	50.00
11. Verification of licensure	25.00

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).