

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

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

Source and Effective Date

R.1999 d.268, effective July 19, 1999.
See: 31 N.J.R. 1280(a), 31 N.J.R. 2360(b).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 44, State Board of Veterinary Medical Examiners, expires on January 15, 2005. See: 36 N.J.R. 3634(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Subchapter 3, Forms, was repealed by R.1981 d.371, effective October 8, 1981.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Subchapter 6, Administrative Hearings, was repealed by R.1985 d.622, effective December 2, 1985.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and Subchapter 5, Description of State Board of Veterinary Medical Examiners and Methods of Operation, were repealed, Subchapter 1, Licensure by Examination; Licensure by Waiver of Examination; Biennial License Renewal; Reinstatement, Subchapter 2, Temporary Permits, and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).

Pursuant to Executive Order No. 66(1978), Chapter 44, State Board of Veterinary Medical Examiners, was readopted as R.1999 d.268, effective July 19, 1999, and Subchapter 3, Facility Registration (Reserved) was repealed and Subchapter 3, Definitions, was adopted as new rules by R.1999 d.268, effective August 16, 1999. 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
Licensing Examination**

(a) As a prerequisite to taking the New Jersey Licensing 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; 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 an ECFVG 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 1iii, 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).

13:44-1.2 Required documentation; admission to New Jersey Licensing 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 Licensing 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 an ECFVG Program, notification that the applicant has satisfactorily completed the program, to be forwarded directly to the Board by the ECFVG 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.

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

(a) An applicant shall obtain a grade of 70.0 on the New Jersey Licensing 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 shall consider the appeal within 30 days of filing and may invite the candidate to appear before the Board.

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.

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, or the North American Veterinary Licensing Examination; 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.

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”.

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 ac-

tively 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 registration renewal

(a) Licensees shall procure a certificate of registration for every biennial period in which they practice. At least 30 days prior to the registration deadline, the Board shall send to each licensee a renewal application to be filled out by the licensee. Upon receipt of the completed registration application and the renewal fee, a certificate of registration for that biennial period shall be sent to the licensee.

(b) A licensee shall be assessed a late renewal fee as set forth in N.J.A.C. 13:44-5.1 if he or she fails to pay the biennial renewal fee by the registration deadline up to 60 days after the renewal is due. The late renewal fee shall be paid in addition to the biennial renewal fee.

(c) The Board shall suspend the license of any individual who has failed to pay the biennial renewal fee for more than 60 days. After the 61st day of the licensee's delinquency, the Board shall send the licensee a notice of the suspension. The suspension begins upon the licensee's receipt of the notice of suspension. A person whose license has been suspended shall be reinstated at any time upon the payment of all past-due biennial renewal fees in addition to the reinstatement fee as set forth in N.J.A.C. 13:44-5.1. Any person whose license has been suspended shall, during the period of suspension, be regarded as an unlicensed person. If such a person engages in the practice of veterinary medicine, surgery or dentistry during such period, he or she shall be liable to penalties pursuant to the provisions of N.J.S.A. 45:1-14 et seq.

(d) In addition to information about the registrant, the Board shall require each licensee to provide the following information on a separate sheet attached to the application or renewal application form:

1. The name, address and telephone number of each veterinary facility in which the registrant will practice 500 or more hours per year;

2. The type of practice;

3. The legal organization of the practice and that entity's name, address and telephone number, if different from the facility address and telephone number; and

4. The name of the principals for that entity.

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.

13:44-1.7 Reinstatement

(a) A licensee whose license has been suspended for failure to renew his or her registration shall be reinstated at any time provided that the licensee presents no basis for concern as to competency or fitness for licensure, otherwise qualifies for licensure pursuant to N.J.S.A. 45:1-14 et seq., and submits the following to the Board:

1. An application for a biennial registration certificate;
2. The current and any past due biennial registration fees; and
3. The reinstatement fee as set forth in N.J.A.C. 13:44-5.1.

(b) The Board may require that any applicant for registration who has not practiced veterinary medicine for five years be reexamined and may require the applicant to complete continuing education requirements. The Board shall determine the number of continuing education credits required based upon the length of time the applicant for registration has not practiced veterinary medicine and any deficiencies in the applicant's experience which the absence from practice has caused.

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.

13:44-1.8 Non-active registration

Licensees who do not reside or practice in the State of New Jersey may register with the Board as a non-active licensee. A licensee who wishes to register as non-active shall apply to the Board in writing and establish that he or she does not reside or practice in this State. A licensee registered as non-active shall not practice veterinary medicine in this State, and shall remain registered with the Board. A non-active licensee may commence practice upon payment of the renewal fee as set forth in N.J.A.C. 13:44-5.1 subject to the dictates of N.J.A.C. 13:44-1.7(b). A non-active license shall not be considered late or suspended for failure to pay the biennial renewal fee.

New Rule, R.1999 d.268, effective August 16, 1999.

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

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 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 non-licensed veterinarian first obtains a temporary permit issued by the Board pursuant to N.J.A.C. 13:44-1.1(c).

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.

13:44-2.2 Eligibility for temporary permit

(a) The Board shall issue a temporary permit to a non-licensed veterinarian 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 assistant veterinarian under the responsible supervision of a New Jersey licensed veterinarian; and
3. Neither the licensed veterinarian nor the candidate for licensure 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 N.J.S.A. 45:16-1.1.

(b) A person practicing under a temporary permit who fails the New Jersey Licensing 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 Licensing 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 a non-licensed veterinarian 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".