

CHAPTER 44

**STATE BOARD OF VETERINARY
MEDICAL EXAMINERS**

Authority

N.J.S.A. 45:16-3 and 52:14B-5.1.

Source and Effective Date

R.2005 d.52, effective January 7, 2005.
See: 36 N.J.R. 3634(a), 37 N.J.R. 503(a).

Chapter Expiration Date

Pursuant to Executive Order No. 1(2010), the chapter expiration date is 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 is readopted pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq. See: 42 N.J.R. 1133(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Subchapter 3, Forms, was repealed by R.1981 d.371, effective October 8, 1981.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Subchapter 6, Administrative Hearings, was repealed by R.1985 d.622, effective December 2, 1985.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and Subchapter 5, Description of State Board of Veterinary Medical Examiners and Methods of Operation, were repealed, Subchapter 1, Licensure by Examination; Licensure by Waiver of Examination; Biennial License Renewal; Reinstatement, Subchapter 2, Temporary Permits, and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: 31 N.J.R. 1280(a), 31 N.J.R. 2360(b).

Chapter 44, Rules of the State Board of Veterinary Medical Examiners, was readopted as R.2005 d.52, effective January 7, 2005. See: Source and Effective Date. See, also, section annotations.

CHAPTER TABLE OF CONTENTS

**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
- 13:44-1.2 Required documentation: admission to New Jersey State Jurisprudence Examination
- 13:44-1.3 New Jersey State Jurisprudence Examination; passing score; examination review
- 13:44-1.4 Licensure by endorsement
- 13:44-1.5 Required documentation; application for licensure by endorsement
- 13:44-1.6 Renewal of license
- 13:44-1.7 through 13:44-1.8 (Reserved)
- 13:44-1.9 Proof of licensure

SUBCHAPTER 2. TEMPORARY PERMITS

- 13:44-2.1 Unlicensed qualified veterinary graduate; permit required
- 13:44-2.2 Eligibility for temporary permit

SUBCHAPTER 3. DEFINITIONS

- 13:44-3.1 Definitions

SUBCHAPTER 4. GENERAL RULES OF PRACTICE

- 13:44-4.1 Veterinary prescription items
- 13:44-4.2 Municipal rabies clinics and public service
- 13:44-4.3 Poultry husbandry; unlicensed practice
- 13:44-4.4 Licensees who service pet shops, pounds, shelters and adoption facilities
- 13:44-4.5 Referral fees
- 13:44-4.6 Temporary continuance of facility upon licensee's death
- 13:44-4.7 Emergency cases
- 13:44-4.8 Advertising
- 13:44-4.9 Patient records
- 13:44-4.10 Continuing education
- 13:44-4.11 Emergency service facilities
- 13:44-4.12 Notice of address

SUBCHAPTER 5. FEE SCHEDULE

- 13:44-5.1 Fee schedule

**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; 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 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".

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 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.

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".

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 (d) 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.

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).

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).

11. Copies of any consent forms signed by the owner or the owner's representative.

(b) A licensed veterinarian shall keep records confidential, unless:

1. The licensed veterinarian is required by law to release the records;
2. The Board requests the records;
3. The client, at the time services were rendered by the licensed veterinarian, authorizes the licensed veterinarian to release the records; or
4. It becomes necessary to release information in the records in order to protect the health of a person, the animal that is the subject of the records or another animal.

(c) A licensee may require that a record request be in writing and may charge a fee for the reproduction of records, which shall be no greater than \$1.00 per page or \$100.00 for the entire record, whichever is less. If the record requested is less than 10 pages, the licensee may charge up to \$10.00 to cover postage and the costs associated with retrieval of the record.

(d) A licensee shall only release diagnostic imaging, such as a radiograph, pursuant to (b) above. A licensee who obtains a copy of diagnostic imaging may charge a fee that covers the cost of obtaining the copy. A licensee who releases diagnostic imaging shall keep, as part of his or her records:

1. A copy or original of the diagnostic imaging;
2. A release form signed by the individual to whom an original diagnostic imaging is released, indicating that he or she has taken the diagnostic imaging and will return the diagnostic imaging to the licensee; or
3. A certified radiologist's report on the diagnostic imaging.

(e) All 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 (h) or (i) 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.

(f) 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, a designated representative or a designated veterinarian within 10 business days of a written request by the owner or duly authorized representative. A licensee may charge a fee pursuant to (c) above for providing copies of records.

(g) When a patient's life or health is in danger, a licensee shall release information pertinent to the critical care of the

patient to the patient's owner, a representative designated by the owner or a veterinarian designated by the owner, immediately upon receiving a request for the information.

(h) 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 shall release the medical records and radiographs to the owner or the regular veterinarian; provided, however, that the emergency treatment facility shall obtain a written receipt if originals are released, showing the disposition of the records and shall keep the receipt for a period of two years.

(i) 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 client 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 transfer the medical records provided that he or she shall, prior to the transfer, publish 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 will be 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).

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

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

In (b), substituted a reference to records for a reference to written records; in (c), substituted a reference to designated representatives for a reference to duly authorized representatives; in (d), substituted "shall release the" for "may release the original" following "treatment", deleted "or" following "records and", and inserted "if originals are released," following "receipt"; and in (e), substituted a reference to clients for a reference to consumers in 2, and rewrote the first sentence and substituted "will be" for "have been" following "records" in the last sentence in 3.

Amended by R.2008 d.140, effective June 2, 2008.

See: 39 N.J.R. 5054(a), 40 N.J.R. 3320(a).

In (a)10, inserted "and the date on which the entry is made"; added new (b) through (d); recodified former (b) and (c) as (e) and (f); in (e), substituted "(h) or (i)" for "(c)"; rewrote (f); added new (g); and recodified former (d) and (e) as (h) and (i).

13:44-4.10 Continuing education

(a) Beginning with the 2009 biennial license renewal, and for every biennial license renewal thereafter, a licensee shall attest that he or she has completed courses of continuing education of the types and number of credits specified in (b) or (c) below. Falsification of any information submitted on the renewal application may require an appearance before the Board and may result in penalties and/or suspension or revocation of the licensee pursuant to N.J.S.A. 45:1-21 through 45:1-25.

(b) Each applicant for biennial license renewal shall complete 20 credit hours of continuing education in the preceding biennial license period.

(c) An applicant who is licensed in the second year of a biennial renewal period shall be required to complete 10 credit hours of continuing education in the preceding biennial license period.

(d) A licensee may obtain continuing education credit from the following sources with the following credit hours:

1. Successful completion of continuing education courses or programs approved by either the New Jersey Veterinary Medical Association (NJVMA), NJVMA constituent associations or the American Association of Veterinary State Boards - Registry of Approved Continuing Education (RACE): one credit hour for each hour of attendance;
2. Attendance at a seminar sponsored by the American Veterinary Medical Association (AVMA) or by an organization recognized by the AVMA: one credit hour for each hour of the seminar;
3. Successful completion of a continuing education course sponsored by a veterinary school approved by the Council on Education of the AVMA: one credit hour for each hour of the course;
4. Successful completion of a course related to the practice of veterinary medicine given by a college or university: one credit hour for each credit;

5. Completion of a self assessment test from a peer reviewed journal issued by veterinary school approved by the Council on Education of the AVMA which distributes a certificate of completion: one credit hour for each test, up to five credit hours per biennial period;

6. Completion of a Veterinary Information Network (VIN) course: one credit hour for each course credit;

7. Writing an article in a peer reviewed professional journal: three credit hours per article, up to three credit hours per biennial period;

8. Teaching a new continuing education course or program that is approved pursuant to (d)1 above. "New" means that the licensee has never taught or developed curriculum for that course or program in any educational setting: one credit hour for each hour taught up to 10 credit hours per biennial period; and

9. Presenting a new seminar or lecture to professional peers, provided the seminar or lecture is at least one hour long. "New" means that the licensee has never presented the seminar or lecture before: one credit hour for each hour of presentation up to five credit hours per biennial period.

(e) The Board shall perform audits on randomly selected licensees to determine compliance with continuing education requirements.

(f) A licensee shall maintain the following documentation for a period of four years after completion of the credits and shall submit such documentation to the Board upon request:

1. For attendance at programs, courses or seminars: a certificate of completion from the sponsor;
2. For completion of a self assessment test: a certificate of completion from the veterinary school;
3. For completion of a Veterinary Information Network (VIN) course: a certificate issued by VIN;
4. For an article: a copy of the article;
5. For teaching a course or program: documentation, including a copy of the curriculum, location, date and time of course, duration of course by hour, and letter from the sponsor confirming that the licensee developed or taught the course or program; and
6. For presenting a seminar: documentation including the location, date and duration of the lecture or seminar.

(g) The Board may waive the continuing education requirements of this section on an individual basis for reasons of hardship, such as severe illness, disability, or military service.

1. A licensee seeking a waiver of the continuing education requirements shall apply to the Board in writing at least 90 days prior to license renewal and set forth in specific detail the reasons for requesting the waiver. The

licensee shall provide the Board with such supplemental materials as will support the request for waiver.

2. A waiver of continuing education requirements granted pursuant to this subsection shall only be effective for the biennial period in which such waiver is granted. If the condition(s) which necessitated the waiver persist(s) into the next biennial period, a licensee shall apply to the Board for approval of such waiver for the new biennial period.

(h) The Board may review a licensee's continuing education records at any time in order to confirm that the licensee is complying with the requirements of this section.

(i) The Board may direct or order a licensee to complete continuing education credit hours:

1. As part of a disciplinary or remedial measure in addition to the required 20 hours of continuing education credit; or

2. To correct a deficiency in the licensee's continuing education requirements.

(j) Any continuing education credit hours completed by the licensee in compliance with an order or directive from the

Board as set forth in (i)1 above shall not be used to satisfy the minimum continuing education requirements as set forth in this section.

Recodified to N.J.A.C. 13:44-4.11 by R.1999 d.268, effective August 16, 1999.

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

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 "Reserved".

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