

**DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS**

**DIRECTOR'S OFFICE**

**VETERINARY MEDICINE - GENERAL RULES**

(By authority conferred on the department of licensing and regulatory affairs by sections 16145 of 1978 PA 368, MCL 333.16145 and Executive Reorganization Order Nos. 1996-1, 1996-2, 2003-1, and 2011-4, MCL 330.3101, 445.2001, 445.2011, and 445.2030)

**PART 1. GENERAL PROVISIONS**

**R 338.4901 Definitions.**

Rule 1. As used in these rules:

(a) "Board" means board of veterinary medicine created in section 18821 of the code, MCL 333.18821.

(b) "Client" means an owner, as defined in section 18802(3) of the code, MCL 333.18802(3), or a responsible party.

(c) "Code" means 1978 PA 368, MCL 333.1101 to 333.25211.

(d) "Department" means the department of licensing and regulatory affairs.

(e) "Patient" means an animal, as defined in section 18802(2) of the code, MCL 333.18802(2).

History: 1979 ACS 8, Eff. Nov. 25, 1981; 2011 AACS; 2016 AACS.

**R 338.4902 Licensure by examination; requirements.**

Rule 2. An applicant for a Michigan veterinary license by examination shall submit a completed application on a form provided by the department, together with the requisite fee. In addition to meeting the requirements of the code and the administrative rules promulgated pursuant to the code, an applicant shall meet both of the following requirements:

(a) Have satisfied 1 of the following educational requirements:

(i) Graduated from a board-approved veterinary college.

(ii) Obtained a certificate from the Educational Commission for Foreign Veterinary Graduates of the American Veterinary Medical Association.

(iii) Obtained a certificate from the Program for the Assessment of Veterinary Education Equivalence from the American Association of Veterinary State Boards.

(b) Achieved a score of pass on the North American Veterinary Licensing Examination developed by the National Board of Veterinary Medical Examiners.

History: 1981 AACS; 1990 AACS; 2011 AACS; 2016 AACS.

**R 338.4903 Examinations; approval and adoption.**

Rule 3. The board approves and adopts the North American veterinary licensing examination developed by the national board of veterinary medical examiners.

History: 1981 AACS; 1990 AACS; 2011 AACS.

**R 338.4904 Rescinded.**

History: 1981 AACS; 1990 AACS.

**R 338.4905 Rescinded.**

History: 1981 AACS; 1990 AACS.

**R 338.4906 Licensure by endorsement; requirements.**

Rule 6. (1) An applicant for a Michigan veterinary license by endorsement shall submit a completed application on a form provided by the department with the requisite fee. An applicant shall meet the requirements of the code and the administrative rules promulgated pursuant to the code.

(2) An applicant shall have satisfied 1 of the following requirements:

(a) Graduated from a board-approved veterinary college

(b) Obtained a certificate from the Educational Commission for Foreign Veterinary Graduates of the American Veterinary Medical Association

(c) Obtained a certificate from the Program of the Assessment of Veterinary Education Equivalence from the American Association of Veterinary State Boards.

(3) If the applicant was first licensed in another state of the United States and engaged in the practice of veterinary medicine for a minimum of 5 years immediately preceding the date of filing an application for Michigan veterinary licensure, it is presumed that the applicant meets the requirements of section 16186(1)(a) of the code, MCL 333.16186(1)(a).

(4) If an applicant does not meet the requirements of subrule (3) of this rule, the applicant shall have been first licensed in another state of the United States after he or she achieved a score of pass on the North American Veterinary Licensing Examination developed by the National Board of Veterinary Medical Examiners.

(5) In addition to meeting the requirements of either subrule (3) or (4) of this rule, the applicant's license shall be verified, on a form provided by the department, by the licensing agency of any state of the United States in which the applicant holds a current license or ever held a license as a veterinarian, which includes, but is not limited to, showing proof of any disciplinary action taken or pending disciplinary action imposed upon the applicant.

History: 1981 AACS; 1990 AACS; 2011 AACS; 2016 AACS.

**R 338.4907 Rescinded.**

History: 1981 AACCS; 1990 AACCS.

**R 338.4908 Approval of veterinary colleges; adoption of standards.**

Rule 8. (1) The board approves and adopts herein by reference the standards for Accrediting Colleges of Veterinary Medicine adopted by the American Veterinary Medical Association (AVMA) Council on Education entitled "Accreditation Policies and Procedures of the AVMA Council on Education", March 2014 (revised September 2014).

(2) The standards for Accrediting Colleges of Veterinary Medicine adopted by the American Veterinary Medical Association Council on Education may be obtained, at no cost, from the American Veterinary Medical Association, 1931 North Meacham Road, Suite 100, Schaumburg, IL 60173 or at the association's website at <http://www.avma.org>. A copy of the handbook is available for inspection and distribution at cost from the Board of Veterinary Medicine, Department of Licensing and Regulatory Affairs, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

History: 1981 AACCS; 1990 AACCS; 2011 AACCS; 2016 AACCS.

**R 338.4909 Rescinded.**

History: 1981 AACCS; 1990 AACCS.

**R 338.4910 Supervision of veterinary student by veterinarian.**

Rule 10. Supervision of a veterinary student by a veterinarian as required in section 18812 of the code, MCL 333.18812, is that degree of close physical proximity necessary for the supervising veterinarian to directly observe and monitor the performance of the student and to ensure that the activities of the student are within the scope of the orders, assignments, or prescriptions of the veterinarian.

History: 1981 AACCS; 1990 AACCS; 2016 AACCS.

**R 338.4911 Veterinary examination of patient when procedures are delegated; veterinarian observation of delegatee's performance.**

Rule 11. A veterinarian shall not delegate the performance of acts, tasks, or functions that fall within the practice of veterinary medicine unless the veterinarian has first examined the patient on which the delegated procedures are to be performed and determined the need for such veterinary services. The delegating veterinarian shall observe and monitor the performance of the delegated procedures to the extent necessary to ensure that the activities of the delegatee are within the scope of the orders, assignments, or prescriptions of the veterinarian.

History: 1981 AACCS; 1990 AACCS; 2011 AACCS.

### **R 338.4912 Rescinded.**

History: 1981 AACCS; 1990 AACCS.

### **R 338.4913 Veterinary facilities; sanitation requirements; inspection report; notice of complaint.**

Rule 13. (1) A departure from the provisions of this rule is deemed to constitute a departure from, or failure to conform to, minimal standards of acceptable and prevailing veterinary medical practice.

(2) A veterinary facility shall be maintained in a sanitary manner.

(3) The determination of whether a veterinary facility is maintained in a sanitary manner shall include, without limitation, consideration of whether the following requirements have been met:

(a) The facility shall be maintained in a clean and orderly condition.

(b) Floors, walls, windows, exam tables, and all equipment and storage cabinets shall be kept clean.

(c) Some form of sterilization shall be employed on all surgical instruments that is consistent with the standards of veterinary practice.

(d) Kennels in a facility or connected with a facility shall be kept clean. Excrement shall be promptly removed and disposed of in a proper manner. Enclosed facilities shall be properly screened and ventilated.

(4) The board or its designated agent may inspect any facility during regular business hours. The inspection function may be delegated to a representative of the state department of public health, to a representative of the local department of health, or to a licensed veterinarian selected by the board.

History: 1981 AACCS.

### **R 338.4914 Clinical academic limited licenses.**

Rule 14. (1) An applicant for a clinical academic limited license shall submit a completed application on a form provided by the department, together with the requisite fee. In addition to meeting the requirements of the code and the administrative rules promulgated pursuant thereto, the applicant shall have been appointed to the academic faculty of a board-approved Michigan college of veterinary medicine.

(2) A clinical academic limited license authorizes the holder thereof to engage in the practice of veterinary medicine only to the extent necessary to fulfill his or her employment obligations as a clinical instructor at a college of veterinary medicine approved by the board. The holder of a clinical academic limited license shall not do either of the following:

(a) Engage in the practice of veterinary medicine outside of the limitations specified by the college of veterinary medicine at the time of appointment to the academic faculty and in conjunction with the application for limited license.

(b) Hold himself or herself out to the public as being engaged in the private practice of veterinary medicine.

History: 1981 AACCS; 1990 AACCS.

**R 338.4914a Educational limited licenses.**

Rule 14a. (1) An applicant for an educational limited license shall submit a completed application on a form provided by the department, together with the requisite fee. In addition to meeting the requirements of the code and the administrative rules promulgated pursuant to the code, an applicant shall meet both of the following requirements:

(a) Achieve a score of pass on the North American veterinary licensing examination developed by the national board of veterinary medical examiners.

(b) Admitted as a student to a postgraduate training program at a college of veterinary medicine approved by the board.

(2) The holder of an educational limited license shall not do either of the following:

(a) Engage in the practice of veterinary medicine outside of his or her postgraduate training program in the college of veterinary medicine approved by the board for the training.

(b) Hold himself or herself out to the public as being engaged in the private practice of veterinary medicine.

History: 1990 AACCS; 2011 AACCS.

**R 338.4915 Relicensure.**

Rule 15. (1) An applicant for relicensure whose license has been lapsed for less than 3 years under section 16201(3) of the code, MCL 333.16201(3), may be relicensed after submitting a completed application on a form provided by the department with the requisite fee. The applicant's license shall be verified, on a form provided by the department, by the licensing agency of any state of the United States in which the applicant holds a current license or ever held a license as a veterinarian. Verification includes, but is not limited to, showing proof of any disciplinary action taken or pending disciplinary action imposed upon the applicant.

(2) An applicant for relicensure whose license has been lapsed for 3 years or more under section 16201(3) of the code, MCL 333.16201(3), may be relicensed after submitting a completed application on a form provided by the department with the requisite fee and satisfying either of the following requirements:

(a) If the applicant had been licensed in another state of the United States and had legally engaged in the practice of veterinary medicine within the 3-year period immediately preceding the date of the application for relicensure, then the applicant's license shall be verified, on a form provided by the department, by the licensing agency of any state of the United States in which the applicant holds a current license or ever held a license as a veterinarian. Verification includes, but is not limited to, showing proof of any disciplinary action taken or pending disciplinary action imposed upon the applicant.

(b) If the applicant had not engaged in the practice of veterinary medicine within the 3-year period immediately preceding the date of the application for relicensure, then the applicant shall do both of the following:

(i) Have his or her licensure verified, on a form provided by the department, by the licensing agency of any state of the United States in which the applicant holds a current license or ever held a license as veterinarian, which includes, but is not limited to, showing proof of any disciplinary action taken or pending disciplinary action imposed upon the applicant.

(ii) Take or retake the North American Veterinary License Examination developed by the National Board of Veterinary Medical Examiners (NBVME) and achieve a score of pass as recommended by the NBVME.

History: 1981 AACS; 1990 AACS; 2011 AACS; 2016 AACS.

**R 338.4916 Rescinded.**

History: 1981 AACS; 1990 AACS.

**R 338.4917 Rescinded.**

History: 1981 AACS; 1990 AACS.

**R 338.4918 Rescinded.**

History: 1990 AACS; 2011 AACS; 2016 AACS.

**R 338.4919 Rescission.**

Rule 19. R 287.1, R 287.451 to R 287.459, and R 287.461 of the Michigan Administrative Code, appearing on pages 1380 to 1383 of the 1979 Michigan Administrative Code, are rescinded.

History: 1981 AACS.

**R 338.4920 Safeguards for drugs used in practice of veterinary medicine.**

Rule 20. (1) If drugs are dispensed in the manufacturer's original container, the original instructions shall be included.

(2) If drugs are dispensed in other than the manufacturer's original container, both of the following provisions shall apply:

(a) The container shall be equipped with a child-safe lock mechanism, if appropriate.

(b) The veterinarian's own label shall be affixed to the container and shall include all of the following information:

(i) The date the drug was dispensed.

- (ii) The name of the patient.
- (iii) The name of the client.
- (iv) Complete instructions for use of the drug.
- (v) The name of the drug.
- (vi) The strength for unit dose.
- (vii) The quantity dispensed.
- (viii) The withholding time for food-producing animals and poultry.
- (ix) The expiration date of the drug, when appropriate.
- (x) The veterinarian's name or clinic's name, telephone number, and any appropriate precautionary statements, such as "Keep out of reach of children."

History: 1990 AACCS.

### **R 338.4921 Medical records; requirements.**

Rule 21. (1) A veterinarian who practices veterinary medicine in this state shall maintain a medical record for each patient that accurately reflects the veterinarian's evaluation and treatment of the patient. Entries in the patient record shall be made in a timely fashion.

(2) A record shall be maintained on either a herd or flock, or an individual patient. Records shall be legible and shall be retrievable. A record shall be maintained in either a written, electronic, audio, or photographic format.

(3) A record for an individual patient, group, herd, or flock shall document all of the following:

- (a) Identification includes, but is not limited to, a tattoo, tag number, lot number, pen number, age, name, markings, sex, and species of the patient, as available.
- (b) Date of the last veterinary service.
- (c) Name, address, and telephone number of the client.
- (d) Location of patients, if not at the location of the veterinary practice.
- (e) Reason for the contact including, but not limited to, the case history, problem and/or signs of a problem, and whether the contact was a routine health visit or an emergency call.
- (f) Vaccination history, when appropriate and if known.
- (g) Results of the physical examination and a list of abnormal findings.
- (h) Laboratory reports and other reports, when appropriate.
- (i) Diagnostic procedures utilized and the reports that pertain to these procedures.
- (j) Procedures performed including, but not limited to, surgery and rectal palpations.
- (k) Daily progress notes, if hospitalized.
- (l) Documentation of informed consent, if appropriate.
- (m) Documentation of diagnostic options and treatment plans.
- (n) Records of any client communication deemed relevant.
- (o) Documentation of prescribed medication.

(4) Records created before the effective date of this rule shall be maintained for a minimum of 3 years from the date of the last veterinary service. Records created on or after the effective date of this rule shall be maintained for a minimum of 7 years from the date of the last veterinary service.

History: 2011 AACCS; 2016 AACCS.

**R 338.4922 Rescinded.**

History: 2011 AACCS; 2016 AACCS.

**R 338.4923 Rescinded.**

History: 2011 AACCS; 2016 AACCS.

**R 338.4924 Rescinded.**

History: 2011 AACCS; 2016 AACCS.