

LCB File No. R072-09

**PROPOSED REGULATION OF THE STATE
BOARD OF VETERINARY MEDICAL EXAMINERS**

Explanation-Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted

AUTHORITY: NRS 638.070

Section 1. Chapter 638 of NAC is hereby amended as follows:

NAC 638.041 Prerequisites for renewal of license; effect of noncompliance. (NRS 638.070)

1. As a prerequisite for each renewal of his license to practice veterinary medicine or to practice veterinary medicine as a diplomate licensed pursuant to NRS 638.105, a licensee must complete, during the 12-month period immediately preceding the beginning of the new licensing year, at least ~~[15]~~ **20** hours of continuing education approved by the Board. Except for courses offered by the Veterinary Information Network, not more than 5 hours may be completed in distance learning or correspondence courses.

2. A licensed veterinary technician must annually complete at least ~~[5]~~ **10** hours of continuing education approved by the Board as a prerequisite for renewal of his license. *Except for courses offered by the Veterinary Information Network, not more than 5 hours may be completed in distance learning or correspondence courses.*

3. A licensee who does not comply with the requirements of this section may be subject to disciplinary action.

Section 2. Chapter 638 of NAC is hereby amended as follows:

NAC 638.0435 Additional requirements for licensure. (NRS 638.070, 638.100, 638.110)

1. In addition to the requirements of NRS 638.100, an applicant for a license to practice veterinary medicine must have to submit to the Executive Director of the Board proof that he has passed, within the 5 years immediately preceding the date on which he submitted his application:

(a) The North American Veterinary Licensing Examination of the National Board of Veterinary Medical Examiners; or

(b) Any other examination approved for this purpose by the Board pursuant to NRS 638.110 *if:*

(1) The applicant has not been continuously and actively engaged in the practice of veterinary medicine for at least 7000 hours during the 5 years prior to application; and

(2) The applicant has not been disciplined in another state or jurisdiction in connection with his license to practice veterinary medicine or has committed any act in another state or jurisdiction which is a violation of this chapter.

(3) The applicant has not completed 18 hours of board approved continuing education during the 24 month period prior to application.

3. *The Board may utilize their discretion in determining whether or not to grant a license under the provisions of this section and the conditions that will apply to any license granted.*

Section 3. Chapter 638 of NAC is hereby amended as follows:

NAC 638.0525 Veterinary technician in training; Supervision; requirements for registration; fee; issuance of letter of registration; duration of registration. (NRS 638.070, 638.124)

1. A person may perform the tasks of a veterinary technician under the immediate supervision of a supervising veterinarian or licensed veterinary technician while the person is receiving the training and experience required by paragraph (g) of subsection 2 if he is registered with the Board pursuant to this section.

2. To be registered as a veterinary technician in training, a person must:

(a) Submit to the Board an application on a form prescribed by the Board;

(b) Submit to the Board a letter of recommendation written by the veterinarian in charge of the facility where he is employed or will be employed;

(c) Be 18 years of age or older;

(d) Have a high school diploma or equivalent certificate;

(e) Be of good moral character;

(f) Be a citizen of the United States or is lawfully entitled to remain and work in the United States.

~~(g)~~ (g) Be:

(1) A fourth-year student enrolled in a 4-year program, a second-year student enrolled in a 2-year program or a student enrolled in an accelerated program and the program of training must be accredited by the Committee on Veterinary Technician Education and Activities of the American Veterinary Medical Association or be approved by the Board; or

(2) A person who has graduated from a program of training described in subparagraph (1) and is scheduled to take, or has taken but not yet received a score for, the Veterinary Technician National Examination;

~~(g)~~ (h) Participate in training while on the job and acquire experience that is commensurate with the duties of his employment; and

~~(h)~~ (i) Pay to the Board a fee of \$50.

Section 4. Chapter 638 of NAC is hereby amended as follows:

NAC 638.0527 Additional requirements for licensure. (NRS 638.070, 638.122, 638.123)

1. In addition to the requirements of NRS 638.122, an applicant for a license to practice as a veterinary technician must submit to the Executive Director of the Board proof that he has passed, within the 5 years immediately preceding the date on which the applicant submitted his application:

(a) The Veterinary Technician National Examination; or

(b) Any other examination approved for this purpose by the Board pursuant to NRS 638.123

if:

(1) The applicant has not been continuously and actively practicing as a veterinary technician for at least 7000 hours during the 5 years prior to application; and

(2) The applicant has not been disciplined in another state or jurisdiction in connection with his license to practice or has committed any act in another state or jurisdiction which is a violation of this chapter; and

(3) The applicant has not completed 10 hours of board approved continuing education during the 24 month period prior to application.

2. The Board may utilize their discretion in determining whether or not to grant a license under the provisions of this section and the conditions that will apply to any license granted.

2. In addition to the requirements of subsection 1, an applicant for a license to practice as a veterinary technician, ~~[except an applicant who is licensed as a veterinary technician in another state]~~, must submit to the Board satisfactory proof that the applicant has:

(a) Received a degree as a veterinary technician from a college accredited by the American Veterinary Medical Association or the appropriate state agency in the state where the college is located;

(b) Received a bachelor of science degree in an area related to an animal science or in another area approved by the Board; or

(c) Completed an accelerated program for veterinary technicians approved by the Board.

3. Each applicant who received a bachelor of science degree in an area related to an animal science described in paragraph (b) of subsection 2 or completed an accelerated program described in paragraph (c) of subsection 2 must submit, on a form provided by the Board, proof of completion of at least 4,000 hours of supervised clinical experience in a veterinary facility that is verified by an actively practicing veterinarian. Not less than 2,001 hours of that supervised clinical experience must have been earned within the 5 years immediately preceding the date on which the applicant submitted his application.

4. Each application for a license to practice as a veterinary technician must include:

(a) ~~[Three]~~ ***One*** letter[s] of recommendation from persons associated with the practice of veterinary medicine;] and

(b) A letter of good standing from the licensing agency of each state in which the applicant is licensed or has been licensed, if any. Each such letter must, if applicable, include detailed information concerning any disciplinary action which has been taken against the applicant or which is pending in that state.

Section 5. Chapter 638 of NAC is hereby amended as follows:

NAC 638.053 (4) A licensed veterinary technician may perform the following tasks under the immediate, direct or indirect supervision of a supervising veterinarian:

- (a) Administration of enemas.
- (b) Administration of an electrocardiogram.
- (c) Application of bandages.
- (d) Catheterization of an unobstructed bladder.
- (e) Introduction of a stomach tube.
- (f) Ear flushing with pressure or suction.
- (g) Positioning of animals for X rays.
- (h) Operation of X-ray machines.
- (i) Administration of oral and rectal radio-opaque materials.
- (j) Administration of oral and topical medications, including controlled substances.
- (k) Starting and restarting of intravenous fluids.
- (l) Collection of a laboratory specimen for analysis, including, but not limited to, blood, urine, skin, parasites and microorganisms.
- (m) Collection of tissue during or after a postmortem examination by a licensed veterinarian.
- (n) Administration of intramuscular, subcutaneous or intravenous injections.
- (o) Placement of an intravenous catheter.
- (p) Implant subcutaneous identification microchips into the animal.***

Section 6. Chapter 638 of NAC is hereby amended as follows:

NAC 638.0604 ~~[Form for self inspection; inspection by Board;]~~ Failure to meet minimum standards of practice. (NRS 638.070, 638.132)

~~[1. The Board will provide a form for the self inspection of veterinary facilities. The purpose of the form is to assist the veterinarian in charge of the facility seeking a permit to operate in determining whether the facility complies with:~~

~~—(a) The minimum standards of practice of veterinary medicine established in this chapter and chapter 638 of NRS; and~~

~~—(b) The regulations adopted by the State Board of Pharmacy.~~

~~—2. The veterinarian who is in charge of a facility seeking a permit to operate shall complete the self inspection form and return the form to the Board.~~

~~—3. The Board may inspect a facility pursuant to the provisions of NAC 638.065.~~

~~—4.]~~ 1. The veterinarian who is in charge of a facility *or the facility* that does not meet the minimum standards of practice for veterinary medicine set forth in this chapter and chapter 638 of NRS may be subject to disciplinary action pursuant to the provisions of NRS 638.147.

Section 7. Chapter 638 of NAC is hereby amended as follows:

NAC 638.760 Requirements to practice; application for certificate of registration; fee. (NRS 638.070)

1. A person shall not practice animal physical therapy in this State unless he is:

(a) A veterinarian;

(b) A licensed veterinary technician who complies with the provisions of NAC 638.053; or

(c) A physical therapist who has obtained a certificate of registration pursuant to this section and complies with the provisions of NAC 638.780.

2. A physical therapist who desires to secure a certificate of registration to practice animal physical therapy in this State must make written application to the Board.

3. The application must be on a form provided by the Board, include any information required by the Board and be accompanied by satisfactory proof that the applicant:

(a) Is of good moral character;

(b) Has been an active licensed physical therapist in this State for at least ~~[3]~~ 1 year~~[s]~~;

(c) Is in good standing with the State Board of Physical Therapy Examiners;

(d) Has successfully completed at least 100 hours of instruction or course work, or a combination of both, in the area of animal physical therapy, which must include, without limitation, assessment and planning of treatment, behavior, biomechanics, common orthopedic and neurological conditions, comparative anatomy, neurology, and therapeutic modalities and exercises; and

(e) Has completed at least 125 hours of supervised clinical experience in animal physical therapy with a licensed veterinarian.

4. The application must be signed by the applicant, notarized and accompanied by a fee of \$50.

5. Except as otherwise provided in NAC 638.790, upon receipt of the application and information required by subsection 3 and payment of the fee, the Board will issue to the physical therapist a certificate of registration.

Section 8. Chapter 638 of NAC is hereby amended by adding thereto a new section to read as follows:

Overnight care at veterinary facilities:

(1) A person engaged in the practice of veterinary medicine who maintains a facility where veterinary medicine is practiced and animals are kept overnight shall notify in writing a form regarding the after-hours staffing policies for the facility to any person who is responsible for an animal and who is releasing that animal to the facility. The notice must include the staffing levels and approximate times that a staff member is present during the hours that the facility is not regularly open to the public. The person responsible for releasing the animal to the facility shall sign and date the notice to acknowledge receipt of the notice. A copy of the signed notice must be kept in the animal's patient file.

(2) A person engaged in the practice of veterinary medicine who fails to comply with this section is subject to discipline by the board.

Section 9. Chapter 638 of NAC is hereby amended by adding thereto a new section to read as follows:

Fees.

1. The Board will charge and collect the following fees:

<i>For an application and state jurisprudence examination for a license to practice veterinary medicine or a license to practice as a diplomate.....</i>	<i>200.00</i>
<i>For an application and state jurisprudence for a license to practice as a veterinary technician.....</i>	<i>100.00</i>
<i>For an application/class/examination for a license as a euthanasia technician.....</i>	<i>200.00</i>
<i>For an application for a 2 yr, registration to practice as a veterinary technician in training.....</i>	<i>50.00</i>
<i>For an application for a facility owned by a licensed veterinarian.....</i>	<i>50.00</i>
<i>For an application for a facility owned by a non-licensed veterinarian.....</i>	<i>300.00</i>
<i>For an application for a non-profit facility.....</i>	<i>100.00</i>
<i>For an application to practice animal chiropractic.....</i>	<i>50.00</i>
<i>For an application to practice animal physical therapy.....</i>	<i>50.00</i>
<i>For an application for reinstatement of a veterinary or diplomate license.....</i>	<i>200.00</i>
<i>For an application for reinstatement of a veterinary technician license.....</i>	<i>100.00</i>
<i>For the yearly renewal of an active license to practice veterinary medicine.....</i>	<i>250.00</i>
<i>For the yearly renewal of an inactive license to practice veterinary medicine.....</i>	<i>130.00</i>
<i>For the yearly renewal of a license to practice as a veterinary technician.....</i>	<i>75.00</i>
<i>For the yearly renewal of a license to practice as a euthanasia technician.....</i>	<i>100.00</i>
<i>For the yearly renewal of a registration to practice as an animal physical therapist.....</i>	<i>25.00</i>
<i>For the yearly renewal of a registration to practice as an animal chiropractor.....</i>	<i>25.00</i>
<i>For the yearly renewal of a facility owned by a licensed veterinarian.....</i>	<i>25.00</i>
<i>For the yearly renewal of a facility owned by a non-licensed veterinarian.....</i>	<i>300.00</i>
<i>For the yearly renewal of a non-profit facility.....</i>	<i>100.00</i>

Section 10 Chapter 638 of NAC is hereby amended:

NAC 638.044 Renewal of inactive license. (NRS 638.070, 638.128) A licensed veterinarian may renew his inactive license annually by submitting to the Executive Director of the Board:

1. An application for renewal of inactive status; and
~~2. A fee of \$130.~~

NAC 638.0445 Restoration of inactive license to active status; ground for revocation of license. (NRS 638.070, 638.128)

1. A licensed veterinarian whose license has been placed on inactive status may apply to the Board to have his license restored to active status by submitting to the Executive Director of the Board:

(a) An application for the restoration of his license, signed by the licensed veterinarian and notarized;

~~[(b) A fee of \$120;]~~

NAC 638.0525 Veterinary technician in training: Supervision; requirements for registration; fee; issuance of letter of registration; duration of registration. (NRS 638.070, 638.124)

~~[(h) Pay to the Board a fee of \$50.]~~

NAC 638.0603 Permit to operate: Prerequisite to operation of facility; application; fee; issuance; display; change in ownership of facility. (NRS 638.070, 638.132)

~~[(e) A fee of:~~

~~— (1) Fifty dollars for a facility in which the person with the highest percentage of ownership interest, or an interest equaling that percentage, is a licensed veterinarian.~~

~~— (2) Three hundred dollars for a facility in which the person with the highest percentage of ownership interest is not a licensed veterinarian.]~~

NAC 638.0605 Permit to operate: Expiration date; renewal; fee; effect of failure to renew. (NRS 638.070, 638.132)

~~[(d) Accompanied by a fee of:~~

~~— (1) Twenty five dollars for a facility in which the person with the highest percentage of ownership interest, or an interest equaling that percentage, is a licensed veterinarian.~~

~~— (2) Three hundred dollars for a facility in which the person with the highest percentage of ownership interest is not a licensed veterinarian.]~~

NAC 638.495 Fees of Board; issuance of license. (NRS 638.070, 638.116, 638.127)

~~[(f) The Board will charge the following fees:~~

~~— (a) For the examination of a person seeking licensure as a euthanasia technician, \$200.~~

~~— (b) For the renewal of the license of a euthanasia technician, \$100.]~~

NAC 638.760 Requirements to practice; application for certificate of registration; fee. (NRS 638.070)

4. The application must be signed by the applicant, *and* notarized. ~~[(and accompanied by a fee of \$50.)]~~

NAC 638.770 Expiration and renewal of certificate; fee. (NRS 638.070)

1. Each certificate of registration issued pursuant to NAC 638.760 or renewed pursuant to this section expires on January 1 of each year.

2. Each application for renewal of a certificate of registration must be:
 - (a) Submitted in the form established by the Board;
 - (b) Signed by the physical therapist ~~and accompanied by a renewal fee of \$25;~~

NAC 638.810 Requirements to practice; application for registration certificate; fee. (NRS 638.070)

4. The application must be signed by the applicant, *and* notarized ~~and accompanied by a fee of \$50.~~

NAC 638.820 Expiration and renewal of certificate; fee. (NRS 638.070)

- (b) Signed by the chiropractor ~~and accompanied by a fee of \$25;~~