

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

LCB File No. R063-13

January 9, 2014

EXPLANATION – Matter in *italics* is new; matter in brackets ~~(omitted material)~~ is material to be omitted.

AUTHORITY: §§1-10, 12-16 and 21-23, NRS 638.070; §11, NRS 638.070, 638.100, 638.116, 638.122 and 638.132; §17, NRS 638.070 and 638.124; §§18 and 19, NRS 638.070 and 638.132; §20, NRS 638.070 and 638.119.

A REGULATION relating to veterinary medicine; prescribing the duties of a supervising veterinarian in a veterinary facility where animals are boarded; setting forth the requirements pursuant to which veterinary dentistry may be performed; revising certain continuing education requirements for licensees; adopting by reference a code of ethics for veterinary technicians; defining the term “informed consent” for the purposes of a veterinarian-client-patient relationship; establishing a fee for the issuance of certain duplicate licenses, registrations and permits; revising the required contents of a medical record of an animal; revising the tasks that a licensed veterinary technician is authorized to perform; revising provisions relating to the labeling of sodium pentobarbital; and providing other matters properly relating thereto.

Section 1. Chapter 638 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 9, inclusive, of this regulation.

Sec. 2. *“General anesthesia” means a controlled state of unconsciousness caused by a drug or combination of drugs that is sufficient to produce a state of unconsciousness or disassociation and a blocked response to pain or alarming stimulus.*

Sec. 3. *Except for a person described in subsection 3 of NRS 638.015, only a person who is a diplomate from an approved specialty board of the American Veterinary Medical Association and is licensed to practice veterinary medicine pursuant to subsection 2 of NRS 638.105 may use the title “veterinary specialist.”*

Sec. 4. 1. *A licensed veterinarian may consult with another veterinarian, but the licensed veterinarian who sought the consultation shall retain responsibility for any medical decisions he or she makes regarding the animal.*

2. As used in this section, “consult” means to seek advice or assistance that is given in person, or by telephone or other electronic means, or by any other method of communication, from a veterinarian whose expertise, in the opinion of the veterinarian seeking the advice or assistance, would benefit an animal.

Sec. 5. *The supervising veterinarian in a veterinary facility where animals are boarded shall ensure that:*

1. The animals being boarded are cared for in a manner that does not violate a provision of chapter 574 of NRS;

2. The staff of the veterinary facility is trained in the care of the animals being boarded;

3. The staff of the veterinary facility reports to the supervising veterinarian if an animal being boarded is or appears to be sick or injured;

4. Veterinary services are provided to each sick or injured animal being boarded;

5. Written procedures are developed for the staff of the veterinary facility to use to assess any animal being boarded to ensure that a veterinarian is contacted concerning those animals with certain identifiable conditions and that those animals receive the appropriate treatment; and

6. An owner of an animal being boarded or the owner’s designee is notified, in writing, concerning whether the portion of the veterinary facility that provides boarding services will be staffed 24 hours each day or if there are times when the animal being boarded will be left unattended.

- Sec. 6. 1. *Except as otherwise provided in NAC 638.0525 or 638.053, veterinary dentistry may only be performed by a licensed veterinarian.***
- 2. *Veterinary dentistry must be performed under general anesthesia with the use of an endotracheal tube with an inflated cuff unless, based on the species of the animal, the Board determines otherwise.***
- 3. *Except as otherwise provided in this subsection, a licensed veterinarian may perform dental surgery, periodontal surgery, endodontics and exodontia on an animal only in a veterinary facility that has the capacity to perform intraoral radiology. In an emergency, a licensed veterinarian may perform dental surgery, periodontal surgery, endodontics and exodontia on an animal in a veterinary facility that does not have the capacity to perform intraoral radiology if the licensed veterinarian determines, based on his or her professional judgment and the species of the animal, that the radiology which the veterinary facility has the capacity to perform is adequate for the particular procedure.***
- 4. *Nothing in this section shall be construed to prohibit a person from using cotton swabs, gauze, dental floss, dentifrice, toothbrushes or similar items to clean an animal's teeth.***
- 5. *As used in this section, "veterinary dentistry" means:***
- (a) *The application or use of any instrument or device to any portion of an animal's tooth, gums or any related tissue for the prevention, cure or relief of any wound, fracture, injury or disease of the animal's tooth, gums or related tissue; and***
- (b) *Preventive dental procedures pertaining to an animal, including, without limitation, the removal of calculus, soft deposits, plaque or stains and the smoothing, filing, floating or polishing of the surfaces of the animal's tooth.***

Sec. 7. 1. *The Board will grant credit for continuing education to a licensee who provides instruction or presents at a course of continuing education approved by the Board.*

2. Except as otherwise provided in this subsection and subsection 3, the credit granted by the Board pursuant to subsection 1 will include the actual time the licensee spent preparing for the instruction or presentation. The Board will grant not more than 2 hours of credit for each hour the licensee spent providing instruction or presenting.

3. Any credit granted by the Board pursuant to subsections 1 and 2 may be counted only once toward the hours of continuing education required by subsection 1 or 2 of NAC 638.041, as applicable, even if the instruction or presentation is given more than once during the applicable period of licensing set forth in subsection 1 or 2 of NAC 638.041.

Sec. 8. 1. *Except as otherwise provided in subsection 2, the Board will grant credit for continuing education, not to exceed:*

(a) Four hours during a period of licensing toward the hours of continuing education required by subsection 1 of NAC 638.041, to a licensed veterinarian for attending the portion of a meeting of the Board relating to complaints before the Board; and

(b) Two hours during a period of licensing toward the hours of continuing education required by subsection 2 of NAC 638.041, to a licensed veterinary technician for attending the portion of a meeting of the Board relating to complaints before the Board.

2. The Board will grant credit pursuant to subsection 1 if the meeting of the Board for which credit for continuing education is being sought is not a hearing in which the licensed veterinarian or licensed veterinary technician is participating as the result of a disciplinary action.

3. One hour of credit will be given for each hour spent attending the relevant portion of the meeting of the Board as described in subsection 1.

Sec. 9. 1. *The Board adopts by reference the “Veterinary Technician Code of Ethics” of the National Association of Veterinary Technicians in America as a standard for professional conduct for veterinary technicians. A violation of the provisions of the “Veterinary Technician Code of Ethics” constitutes cause for disciplinary action.*

2. The “Veterinary Technician Code of Ethics” of the National Association of Veterinary Technicians in America is available, free of charge:

(a) By mail from the National Association of Veterinary Technicians in America, P.O. Box 1227, Albert Lea, Minnesota 56007; or

(b) On the Internet at http://www.navta.net/files/navta_vt_code_of_ethics_07.pdf.

Sec. 10. NAC 638.0175 is hereby amended to read as follows:

638.0175 **1.** For the purposes of this chapter, a veterinarian shall be deemed to have a “veterinarian-client-patient relationship” concerning a nonhuman animal if the veterinarian satisfies all of the following conditions:

~~1-1~~ **(a)** The veterinarian assumes the responsibility for making medical judgments concerning the health of the animal and the need for medical treatment of the animal.

~~1-2~~ **(b)** The veterinarian has knowledge of the present care and health of the animal sufficient to provide at least a general or preliminary diagnosis of the medical condition of the animal. This knowledge must be acquired by:

~~1-a~~ **(1)** Conducting a physical examination of the animal; or

~~1-b~~ **(2)** Visiting the premises where the animal is kept in a timely manner that is appropriate to the medical condition of the animal.

~~13.1~~ (c) The veterinarian obtains the informed consent of the client for medical treatment of the animal.

~~14.1~~ (d) The veterinarian obtains the agreement of the client to follow the instructions provided by the veterinarian for the care and medical treatment of the animal.

2. As used in this section, “informed consent” means that the client, after having been informed in a manner that would be understood by a reasonable person, of the diagnostic and treatment options, risk assessment and prognosis for the animal and of an estimate of the fees expected for provision of veterinary services to be rendered to the animal, has consented to the recommended treatment.

Sec. 11. NAC 638.035 is hereby amended to read as follows:

638.035 The Board will charge and collect the following fees:

For an application and examination for a license to practice veterinary medicine or a license to practice as a diplomate	\$200
For an application for a license to practice as a veterinary technician.....	100
For an application or examination for a license to practice as a euthanasia technician.....	200
For a 2-year registration to practice as a veterinary technician in training.....	50
For a permit to operate a facility owned by a licensed veterinarian	50
For a permit to operate a facility owned by a nonlicensed veterinarian	300
For a permit to operate a nonprofit facility	100
For a registration to practice animal chiropractic.....	50
For a registration to practice animal physical therapy	50

For the reinstatement of a veterinary or diplomate license	200
For the reinstatement of a veterinary technician license	100
For the annual renewal of an active license to practice veterinary medicine.....	250
For the annual renewal of an inactive license to practice veterinary medicine.....	130
For the annual renewal of a license to practice as a veterinary technician	75
For the annual renewal of a license to practice as a euthanasia technician.....	100
For the annual renewal of a registration to practice as an animal physical therapist	25
For the annual renewal of a registration to practice as an animal chiropractor.....	25
For the annual renewal of a permit for a facility owned by a licensed veterinarian	25
For the annual renewal of a permit for a facility owned by a nonlicensed veterinarian	300
For the annual renewal of a permit for a nonprofit facility.....	100
<i>For a duplicate of a license, registration or permit described in this section</i>	<i>10</i>

Sec. 12. NAC 638.041 is hereby amended to read as follows:

638.041 1. As a prerequisite for each renewal of his or her 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 20 hours of continuing education approved by the Board. Not more than ~~15~~ **10** hours may be completed in distance learning or correspondence courses.

2. A licensed veterinary technician must annually complete at least 10 hours of continuing education approved by the Board as a prerequisite for renewal of his or her license. 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.

Sec. 13. NAC 638.0423 is hereby amended to read as follows:

638.0423 1. A licensee must attest to his or her compliance with the requirements for continuing education set forth in NAC 638.041 at the time for the renewal of his or her license. The attestation must be made on a form provided by the Board.

2. A licensee shall maintain documentation of ~~his or her completion of a course~~ *the hours* of continuing education *he or she completed to comply with the requirements for continuing education set forth in NAC 638.041* for 4 years after the completion of ~~the course~~ *those hours*.

Sec. 14. NAC 638.0425 is hereby amended to read as follows:

638.0425 1. The Board may perform random audits of licensees to ensure compliance with the requirements for continuing education.

2. If the Board chooses to conduct an audit of a licensee, the Board will notify the licensee, in writing, of its decision to conduct an audit.

3. If audited by the Board:

(a) A licensed veterinarian or a person who is licensed by the Board as a diplomate pursuant to NRS 638.105 shall, not later than 30 days after receiving written notice, provide proof that he or she has participated in at least ~~15~~ *20* hours of continuing education during the 12 months

immediately preceding the beginning of the new licensing year by submitting to the Board copies of the documentation of completion maintained pursuant to NAC 638.0423.

(b) A veterinary technician shall, not later than 30 days after receiving written notice, provide proof that he or she has participated in at least ~~5~~ **10** hours of continuing education during the 12 months immediately preceding the beginning of the new licensing year by submitting to the Board copies of the documentation of completion maintained pursuant to NAC 638.0423.

4. Each copy of the documentation submitted to the Board pursuant to subsection 3 must include:

(a) The name *and license number* of the licensee;

(b) The number of hours of continuing education *that were* awarded ~~for the course;~~ *to the licensee;*

(c) A description of the ~~course;~~ *continuing education that was received by the licensee;* and

(d) The date *on which and place where* the course *or the meeting, as applicable,* was conducted.

Sec. 15. NAC 638.0447 is hereby amended to read as follows:

638.0447 1. A veterinarian or veterinary technician whose license is forfeited pursuant to NRS 638.127 may apply to the Board to have the license reinstated if, in addition to complying with the provisions of NRS 638.127, he or she files with the Executive ~~Secretary~~ *Director* of the Board:

(a) An application for reinstatement of the license which is signed by the veterinarian or veterinary technician and notarized;

(b) Proof that he or she has:

(1) If he or she is a veterinarian:

(I) Completed at least ~~15~~ **20** hours of continuing education approved by the Board in the year immediately preceding the filing of the application; and

(II) Passed, within the 5 years immediately preceding the filing of the application, the North American Veterinary Licensing Examination of the National Board of Veterinary Medical Examiners for an initial license, or any other examination required by the Board; or

(2) If he or she is a veterinary technician, completed at least ~~15~~ **10** hours of continuing education in the year immediately preceding the filing of the application; and

(c) If he or she is licensed or has been licensed in any other state, a letter of good standing from the licensing agency of each state in which he or she is licensed or has been licensed. Each letter must, if applicable, include detailed information concerning any disciplinary action that has been taken against the licensed veterinarian or veterinary technician or that is pending in that state.

2. If a veterinarian or veterinary technician files an application pursuant to this section which contains any false information, the Board may immediately revoke his or her license.

Sec. 16. NAC 638.0475 is hereby amended to read as follows:

638.0475 1. Each licensed veterinarian shall maintain in this State for at least 4 years a separate medical record of each animal receiving veterinary services, including, without limitation, an examination conducted pursuant to NAC 638.610, from the licensed veterinarian or under his or her supervision. The records must be available for inspection by *the Board or its representative or* the owner of the animal during normal business hours at least 5 days each week. Except as otherwise provided in this subsection, the licensed veterinarian shall provide a copy of that record to *the Board or its representative or* the owner of the animal receiving

veterinary services not later than 48 hours after receiving a request from *the Board or its representative or* the owner of the animal. The licensed veterinarian is not required to provide a copy of any radiographs or other diagnostic images in the medical record to the owner of the animal receiving veterinary services.

2. The medical record must contain the following information, in legible form:

(a) The name, address and telephone number of the animal's owner;

(b) The name or identifying number, or both, of the animal;

(c) The age, sex, weight and breed of the animal;

(d) The dates of care, custody or treatment of the animal;

(e) *Documentation of the informed consent of the client for medical treatment of the animal;*

(f) A short history of the animal's condition as it pertains to the animal's medical status;

~~(g)~~ (g) The results of and notations from an examination of the animal, including, without limitation, the temperature, pulse and respiration rate of the animal and laboratory data pertaining to the animal;

~~(g)~~ (h) The diagnosis or condition at the beginning of custody of the animal, including, without limitation, results of tests;

~~(h)~~ (i) The immunization record of the animal;

~~(i)~~ (j) All clinical information pertaining to the animal, including, without limitation, sufficient information to justify the diagnosis or determination of the medical status of the animal and to warrant any treatment recommended for or administered to the animal;

~~(j)~~ (k) The notes taken during surgery, including, without limitation:

(1) The name and quantity of any drug administered for anesthesia and preanesthesia;

(2) The procedure performed;

(3) The times at which the surgery begins and ends;

(4) If the surgery is performed in a veterinary facility using general anesthesia:

(I) The vital signs of the animal at the beginning and end of the surgery that are appropriate to the species and condition of the animal at the time of surgery, which may include, without limitation, the temperature, pulse, heart rate, respiration, blood pressure, capillary refill time and oxygen levels of the animal; and

(II) The vital signs of the animal recorded at least every 5 minutes during the surgery, including, without limitation, the pulse, heart rate and respiration of the animal;

~~(k)~~ (l) Any medication and treatment administered, including, without limitation, the amount and frequency;

~~(h)~~ (m) The progress and disposition of the case;

~~(m)~~ (n) The name of each person who is not an employee of the veterinarian who provided professional advice or performed treatments, examinations or other services pertaining to the animal;

~~(a)~~ (o) *The signature, initials or other identifying mark of the person who made the entry in the medical record;*

(p) Any radiographs other than ~~inter-oral~~ *intraoral* dental radiographs. Each radiograph other than an ~~inter-oral~~ *intraoral* dental radiograph must be labeled ~~in the emulsion film~~ *on the image* as follows:

(1) The name of the veterinarian or facility that took the radiograph;

(2) The name or identifying number, or both, of the animal;

(3) The name of the animal's owner;

- (4) The date on which the radiograph was taken; and
- (5) The anatomical orientation depicted by the radiograph; and

~~(o)~~ (q) Any ~~inter-oral~~ *intraoral* dental radiographs or other diagnostic images. For each ~~inter-oral~~ *intraoral* dental radiograph or other diagnostic image, the medical record must include the information set forth in subparagraphs (1) to (5), inclusive, of paragraph ~~(n)~~ (p) with regard to the ~~inter-oral~~ *intraoral* dental radiograph or other diagnostic image. That information may be included:

- (1) In a hard copy of the medical record if the medical record is maintained as a written record; or
- (2) In the computer file which contains the ~~inter-oral~~ *intraoral* dental radiograph or other diagnostic image if the medical record is maintained as a computer record.

3. *The Board or its representative will evaluate each medical record inspected pursuant to subsection 1 for compliance with the provisions of this chapter and chapter 638 of NRS.*

4. Each radiograph or other diagnostic image is the property of the veterinarian who caused it to be prepared. A radiograph or other diagnostic image may be released to the owner of the animal. A radiograph or other diagnostic image must be released within 48 hours after the request is made to another veterinarian who has the authorization of the owner of the animal to which it pertains. The radiograph or other diagnostic image must be returned within a reasonable time to the veterinarian to whom it belongs.

~~4~~ 5. The medical records required by this section must be written records or computer records. If the medical records are computer records:

- (a) The security of the computer must be maintained.

(b) The computer records must be backed-up daily and cumulatively backed-up monthly using technology designed to store data permanently.

(c) The computer records must be inalterable or clearly indicate when they have been altered and the manner in which they have been altered.

(d) The computer records must not contain information relating to a physical examination that is automatically generated by the computer.

(e) Any such computer records relating to the administration, prescribing or dispensing of a prescription drug must contain the initials of the person who administered, prescribed or dispensed the prescription drug. The initials of the person who administered, prescribed or dispensed the prescription drug may be manually entered into the computer record or automatically generated by the computer.

~~5.1~~ **6. *In addition to the requirements of subsection 2, if a licensed veterinarian is not associated with a veterinary facility, and any controlled substances or prescription drugs are administered to the animal, the medical record required by this section must include the same information that a veterinary facility which:***

(a) Maintains a stock of controlled substances for administration and dispensing is required to ensure is contained in a log for the veterinary facility pursuant to paragraphs (d) and (e) of subsection 3 of NAC 638.0628; and

(b) Dispenses prescription drugs is required to ensure is contained in the medical records of the animal pursuant to paragraph (e) of subsection 1 of NAC 638.0629.

7. In a practice concerned with herds of animals, records must be kept on each herd and may be kept on individual animals.

~~6.~~ **8.** If a veterinarian ceases his or her practice without providing for the continuation of treatment of the animals under the veterinarian's care, the President of the Board may appoint a master to supervise his or her records, the treatment of those animals and the mailing of notices to the owners of the animals which had been under his or her care.

~~7.~~ **9.** The medical record of an animal is confidential and may not be released except:

- (a) As otherwise provided in subsection 1;
- (b) In response to a court order; or
- (c) As required to ensure compliance with any federal, state and local statutes, regulations or ordinances.

~~8.~~ **10.** Nothing in this section is intended to prevent the sharing of veterinary medical information among veterinarians, law enforcement officials, and members, agents or officers of a society for the prevention of cruelty to animals who are acting to protect the welfare of an animal.

~~9.~~ **11.** As used in this section, "other diagnostic image":

- (a) Includes, without limitation, an ultrasound, magnetic resonance imaging and computerized axial tomography scan; and
- (b) Does not include a radiograph.

Sec. 17. NAC 638.053 is hereby amended to read as follows:

638.053 1. A licensed veterinary technician may not perform the following tasks of animal health care:

- (a) Surgery.
- (b) Diagnosis and prognosis of animal diseases.

(c) Except as authorized by a veterinarian, administer, prepare to dispense or dispense drugs, medicines or appliances.

(d) Any other activity which represents the practice of veterinary medicine or which requires the knowledge, skill and training of a licensed veterinarian.

2. A licensed veterinary technician may perform the following tasks under the immediate supervision of a supervising veterinarian:

(a) Application of casts or splints for the immobilization of fractures.

(b) Removal of:

(1) Teeth that have extreme mobility and stage 4 periodontal disease; and

(2) Retained deciduous teeth other than retained deciduous canine teeth.

(c) Assisting a licensed veterinarian in surgery.

(d) Euthanasia.

(e) Fluid aspiration from a body cavity.

(f) Suturing an existing surgical skin incision or gingival incision.

3. A licensed veterinary technician may perform the following tasks under the immediate or direct supervision of a supervising veterinarian:

(a) Induction of anesthesia.

(b) Endotracheal intubation.

(c) Blood administration.

(d) Internal anal gland expression.

(e) Application of casts and splints.

(f) Tasks listed in subsection 4, if the animal is anesthetized.

(g) External noninvasive ultrasonography and ultrasonography for the purpose described in paragraph (h).

(h) Cystocentesis to obtain a urine specimen, performed with or without the aid of ultrasonography.

(i) Dental prophylaxis.

(j) Physical therapy.

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 radiographs or other diagnostic images.

(h) Operation of radiographic or other diagnostic imaging 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) Implantation of a subcutaneous identification microchip into the animal.
- (q) Monitoring of vital signs.
- (r) External anal gland expression.
- (s) Collection of skin scrapings.

(t) Administration of a therapeutic laser.

↪ No examination within the previous 12 hours is required for the collection of laboratory specimens.

5. As used in this section, “other diagnostic image” has the meaning ascribed to it in NAC 638.0475.

Sec. 18. NAC 638.0603 is hereby amended to read as follows:

638.0603 1. It is unlawful for a person to operate a veterinary facility unless the facility is registered with the Board and the Board has issued a permit for its operation.

2. ***The person in charge of a veterinary facility must be a licensed veterinarian who practices veterinary medicine in this State.***

3. The veterinarian who will be in charge of the veterinary facility which seeks a permit to operate must submit to the Board a notarized application for registration in the form provided by the Board.

~~3.1~~ 4. Upon receipt of a completed application for registration and the applicable fee required pursuant to NAC 638.035, the Board will issue a permit to operate the facility. The Board will act upon an application for such a permit within 90 days after receipt of the application.

~~4.~~ 5. The permit issued to a facility by the Board must be displayed in a conspicuous place within the facility.

~~5.~~ 6. If a change in the ownership of a facility is anticipated, the veterinarian in charge of the facility for which the permit was issued shall notify the Board, in writing, of the anticipated change 30 days before the date on which the change in ownership is to become effective. The new owner shall register with the Board and apply for a permit to operate the facility pursuant to this section at least 30 days before the date on which the change in ownership is to become effective. The facility shall not, under changed ownership, provide any veterinary services until its permit to operate has been approved.

Sec. 19. NAC 638.0655 is hereby amended to read as follows:

638.0655 A person who operates a veterinary facility where animals are ~~kept~~ *retained for treatment or hospitalization* during the hours that the veterinary facility is not regularly open to the public shall notify, in writing, an owner of an animal or his or her designee if the animal will be left unattended.

Sec. 20. NAC 638.530 is hereby amended to read as follows:

638.530 1. An agency shall provide for the storage and security of sodium pentobarbital, needles and syringes.

2. If a euthanasia technician is not on duty, sodium pentobarbital, needles and syringes must be kept in a metal safe which is securely attached to the building in which it is housed.

3. If sodium pentobarbital, needles and syringes are stored in a safe that can be opened by an employee other than the euthanasia technician, the sodium pentobarbital must be kept in the safe in a separate locked container made of metal that is accessible only by the euthanasia technician.

4. The temperature and environment in the safe must be adequate to assure the proper storage of the sodium pentobarbital.

5. The euthanasia technician shall label each container of sodium pentobarbital with the name of the drug, the strength, the date that the sodium pentobarbital was received or prepared ~~†~~ ~~a warning of the hazards, and the name and address of the euthanasia technician.†~~ *and the expiration date of the drug.*

6. If a euthanasia technician is on duty and an animal is being euthanized, the euthanasia technician may keep sodium pentobarbital, needles and syringes in a temporary storage cabinet that is constructed of strong material and locked. Only the euthanasia technician may have the key to the cabinet.

Sec. 21. NAC 638.710 is hereby amended to read as follows:

638.710 ~~††~~ A veterinarian shall comply with the following requirements when putting an animal under general anesthesia:

~~†(a) The†~~

1. Except as otherwise provided in this subsection, the animal must be given a physical examination not more than 12 hours before the anesthetic is administered. *If the veterinarian determines that the animal is fractious, the veterinarian may conduct the physical examination of the animal after the anesthetic is administered.* The physical examination *required pursuant to this subsection* must include, without limitation, an examination and written notation of:

~~†(1)†~~ *(a)* The temperature;

~~†(2)†~~ *(b)* The pulse rate;

~~†(3)†~~ *(c)* The respiration;

~~(4)~~ (d) The color of the mucous membrane; and

~~(5)~~ (e) The thoracic auscultation,

↳ of the animal.

~~(b)~~ 2. The animal must be under continuous observation while it is under general anesthesia until the swallowing reflex of the animal has returned.

~~(e)~~ 3. The animal must not be released until it has been examined by a veterinarian and it is ambulating. This ~~paragraph~~ *subsection* must not be construed to prohibit the direct transfer of an animal under general anesthesia to an appropriate facility for observation.

~~(d)~~ 4. The following equipment must be available in the veterinary facility and must be in working order at all times:

~~(1)~~ (a) An anesthetic machine with breathing bags appropriate to the size of the animal under general anesthesia;

~~(2)~~ (b) An assortment of cuffed endotracheal tubes; and

~~(3)~~ (c) An oxygen delivery system.

~~(e)~~ 5. If it is appropriate for the species of animal when the swallowing reflex is impaired, the animal must be intubated and administered an appropriate concentration of oxygen.

~~(f)~~ 6. A method of monitoring respiration must be used, which may include, without limitation:

~~(1)~~ (a) Observing the chest movements of the animal;

~~(2)~~ (b) Watching the rebreathing bag; or

~~(3)~~ (c) Using a respirometer.

~~(g)~~ 7. A method of monitoring cardiac activity must be used, which may include, without limitation, the use of:

~~{(1)}~~ (a) A stethoscope; or

~~{(2)}~~ (b) An electrocardiographic monitor.

~~{(h)}~~ 8. Adequate surgical support, including, without limitation, an intravenous catheter, fluids and monitoring, as indicated by the status of the animal and the standard of care required of a licensed veterinarian under the circumstances, must be available.

~~{(i)}~~ 9. A written history must be maintained by the veterinarian for each animal put under general anesthesia, which must include, without limitation:

~~{(1)}~~ (a) The name or identification number of the animal.

~~{(2)}~~ (b) The medical history of the animal that is relevant to the administration of general anesthesia, which must include, without limitation, a description of any preexisting medical conditions and tests performed on the animal before surgery.

~~{(3)}~~ (c) A description of the general anesthesia used at the time of surgery.

~~{(4)}~~ (d) The method of monitoring that was used to comply with ~~{paragraphs (f) and (g)}.~~
~~—2.— As used in this section, “general anesthesia” means a controlled state of unconsciousness caused by a drug or combination of drugs that is sufficient to produce a state of unconsciousness or disassociation and a blocked response to pain or alarming stimulus.} subsections 6 and 7.~~

Sec. 22. NAC 638.780 is hereby amended to read as follows:

638.780 1. A physical therapist who has been issued a certificate of registration pursuant to NAC 638.760 may practice animal physical therapy only:

(a) Under the direction of a veterinarian licensed in this State who has established a valid veterinarian-client-patient relationship concerning the animal receiving the animal physical therapy before the animal physical therapy is performed; and

(b) If the physical therapist assumes individual liability for the quality of the animal physical therapy performed.

2. The veterinarian under whose direction the physical therapist performs the animal physical therapy:

(a) Is not required to supervise the physical therapist during the animal physical therapy.

(b) Is not liable for the acts or omissions of the physical therapist who performs the animal physical therapy.

3. Each physical therapist who has been issued a certificate of registration shall:

(a) Maintain in this State for at least 4 years a separate written medical record of each animal receiving animal physical therapy from the physical therapist.

(b) Within 48 hours after the initial visit with the animal, mail or transmit ~~by facsimile machine~~ *electronically* a complete copy of the medical record to the veterinarian under whose direction the physical therapist performs the animal physical therapy.

(c) Within 48 hours after each subsequent visit with the animal, mail or transmit ~~by facsimile machine~~ *electronically* a progress report to the veterinarian under whose direction the physical therapist performs the animal physical therapy.

4. *Any medical record made pursuant to subsection 3 must be available for inspection by the Board or its representative.*

5. The veterinarian shall include the copy of the medical record received pursuant to subsection 3 in the medical record required pursuant to NAC 638.0475. The written medical record must include, without limitation:

(a) The name, address and telephone number of the owner of the animal;

(b) The name or identifying number, or both, of the animal;

- (c) The age, sex and breed of the animal;
- (d) The dates of care, custody or treatment of the animal;
- (e) The results of a basic rehabilitation examination related to physical therapy;
- (f) The diagnosis and treatment plan related to physical therapy recommended by the physical therapist for the animal; and
- (g) The progress and disposition of the case.

Sec. 23. NAC 638.830 is hereby amended to read as follows:

638.830 1. A chiropractor who has been issued a certificate of registration pursuant to NAC 638.810 may practice animal chiropractic only:

(a) Under the direction of a veterinarian licensed in this State who has established a valid veterinarian-client-patient relationship concerning the animal receiving the animal chiropractic before the animal chiropractic is performed; and

(b) If the chiropractor assumes individual liability for the quality of the animal chiropractic performed.

2. The veterinarian under whose direction the chiropractor performs the animal chiropractic:

(a) Is not required to supervise the chiropractor during the animal chiropractic.

(b) Is not liable for the acts or omissions of the chiropractor who performs animal chiropractic.

3. Each chiropractor who has been issued a certificate of registration shall:

(a) Maintain in this State for at least 4 years a separate written medical record of each animal receiving animal chiropractic.

(b) Within 48 hours after the initial visit with the animal, mail or transmit ~~by facsimile machine~~ *electronically* a complete copy of the medical record to the veterinarian under whose direction the chiropractor performs the animal chiropractic.

(c) Within 48 hours after each subsequent visit with the animal, mail or transmit ~~by facsimile machine~~ *electronically* a progress report to the veterinarian under whose direction the chiropractor performs the animal chiropractic.

4. *Any medical record made pursuant to subsection 3 must be available for inspection by the Board or its representative.*

5. The veterinarian shall include the copy of the medical record received pursuant to subsection 3 in the medical record required pursuant to NAC 638.0475. The written medical record must include, without limitation:

- (a) The name, address and telephone number of the owner of the animal;
- (b) The name or identifying number, or both, of the animal;
- (c) The age, sex and breed of the animal;
- (d) The dates of care, custody or treatment of the animal;
- (e) The results of a basic physical examination related to musculoskeletal manipulation;
- (f) The diagnosis and treatment plan related to musculoskeletal manipulation recommended by the chiropractor for the animal; and
- (g) The progress and disposition of the case.