

9100.0800 MINIMUM STANDARDS OF PRACTICE.

Subpart 1. **General standard.** The delivery of veterinary care must be provided in a competent and humane manner consistent with prevailing standards of practice for the species of animal and the professed area of expertise of the veterinarian. For a veterinarian to exercise properly the rights granted by the veterinary license, a veterinarian-client-patient relationship must exist.

Subp. 2. **Pharmaceutical services.** The provision of pharmaceutical services is governed by items A to C.

A. No prescription drug may be prescribed, dispensed, or administered without the establishment of a veterinarian-client-patient relationship.

B. A veterinarian is responsible for assuring that a prescription drug or biologic prescribed for use is properly administered, or for providing instructions to clients on the administration of drugs when the veterinarian will not be providing direct supervision.

C. Drugs and biologics must be stored, prescribed, and dispensed in compliance with Minnesota Statutes 1990, section 151.35, and the United States Pharmacopeia & the National Formulary, which is incorporated by reference in part 9100.0200, subpart 1.

Subp. 3. **Sterile surgical services.** When sterile surgical services are being provided, or when prevailing standards dictate sterile surgery, those services are governed by items A to D.

A. The surgery room must be clean, orderly, properly maintained, capable of being adequately disinfected, well-lighted, and provided with effective emergency lighting.

B. The floors, table tops, and counter tops of the surgery room must be of a material suitable for regular disinfection and cleaning.

C. Instruments, equipment, and packs for aseptic surgery must be:

- (1) adequate for the type of surgical service provided; and
- (2) sterilized by a method sufficient to kill spores.

D. Proper illumination for viewing radiographs must be available.

Subp. 4. **Record keeping.** Record keeping is governed by items A to F.

A. A veterinarian performing treatment or surgery on an animal or group of animals, whether in the veterinarian's custody at an animal treatment facility or remaining on the owner's or caretaker's premises, shall prepare a written record or computer record concerning the animals containing, at a minimum, the following information:

- (1) name, address, and telephone number of owner;
- (2) identity of the animals, including age, sex, and breed;

- (3) dates of examination, treatment, and surgery;
- (4) brief history of the condition of each animal, herd, or flock;
- (5) examination findings;
- (6) laboratory and radiographic reports;
- (7) tentative diagnosis;
- (8) treatment plan; and
- (9) medication and treatment, including amount and frequency.

B. Individual records must be maintained on each patient, except that records on food, fiber, milk animals, birds, and horses may be maintained on a per-client basis.

C. Medical records and radiographs are the physical property of the hospital or the proprietor of the practice that prepared them. Records must be maintained for a minimum of three years after the last visit. Radiographs must be maintained for a minimum of three years.

D. Medical records, or an accurate summary of them, must be released to the animal owner or the owner's authorized agent, including the board, within two weeks of a written request. A reasonable charge for copying or preparation of a summary may be made, except in the case of a board investigation, in which case no charges are authorized.

E. A radiograph must be permanently identified. It must be released on the written request of another veterinarian who has the written authorization of the owner of the animal to whom it pertains. The radiograph must be returned within a reasonable time to the practice which originally prepared the radiograph.

F. Contents of medical records must be kept private and not released to third parties unless authorized by the client or required by law.

Subp. 5. **Emergency service.** The provision of emergency service is governed by items A to E.

A. The staffing for an emergency veterinary facility must include a licensed veterinarian on the premises at all times during the posted hours of operation.

- B. Advertisements for emergency veterinary facilities must clearly state:
- (1) the hours the facility will provide emergency service;
 - (2) a licensed veterinarian is on the premises during the posted emergency hours; and
 - (3) the address and telephone number of the facility.

C. "Veterinarian on call" means a veterinarian is not present at a veterinary facility, but is able to respond within a reasonable time to requests for emergency veterinary services. The facility's services are not to be considered or advertised as an emergency clinic or hospital.

D. If continuing care of the patient is required following emergency service, the animal owner or caretaker must be provided with a legible copy of the medical record to be transferred to the next attending veterinarian, or a copy must be transmitted directly to the attending veterinarian. The information included in the medical record must consist of at least the following:

- (1) physical examination findings;
- (2) dosages and time of administration of medications;
- (3) copies of diagnostic data or procedures;
- (4) all radiographs, for which the facility must obtain a signed release when transferred;
- (5) surgical summary;
- (6) tentative diagnosis and prognosis; and
- (7) follow-up instructions.

E. An emergency facility must have the equipment necessary to perform standard emergency medical procedures and must have the capability to render timely and adequate diagnostic radiologic services, laboratory services, and diagnostic cardiac monitoring on the premises.

Subp. 6. **Mobile veterinary practice.** Mobile veterinary practice is governed by items A to E.

A. Mobile veterinary practice is that form of clinical veterinary practice that may be transported or moved from one location to another for delivery of service. Mobile veterinary practice may be general service, limited service, or outcall service. For purposes of this item:

- (1) "general mobile veterinary practice" means providing a wide range of medical or surgical services in a movable trailer or mobile home type of vehicle modified to function as, and comparably equipped to, a fixed veterinary practice facility;
- (2) "limited service mobile veterinary practices" means practices restricted to the delivery of animal health protection through vaccination or minor diagnostic testing and treatment; and
- (3) "outcall service" is a mobile extension of a fixed location general service veterinary practice, located within the same practice area, but physically removed

from the practice premises. Depending on the types of animals being treated, an outcall service provides vaccinations, physical examinations, treatments, diagnostic screenings, and surgery.

B. Mobile veterinary practices that are not extensions of a fixed veterinary facility must have an affiliation with a general service veterinary facility in the same region for the provisions of long-term hospitalization, surgery, or radiology if not available in the mobile unit. Clients must be informed, in writing, of this affiliation.

C. In all types of mobile veterinary practice, patient care must be consistent with prevailing standards of practice and a veterinarian-client-patient relationship must exist.

D. Mobile units must be maintained in a clean and sanitary fashion. Vehicles must contain equipment necessary for the veterinarian to perform physical examinations, surgical procedures, and medical treatments consistent with the type of veterinary services being rendered and the standards of practice for those services.

E. Representatives of the board, upon receipt of written complaint, may inspect mobile veterinary units for sanitation and cleanliness and may direct action to ensure adequate sanitation and cleanliness.

Subp. 7. **Supervision.** Supervision is governed by items A to C.

A. A licensed veterinarian is professionally and legally responsible for any practice of veterinary medicine by the veterinarian's unlicensed employees. An employee's practice of veterinary medicine without a license constitutes grounds for the board to take action against the licensed veterinarian and the unlicensed individual. A veterinarian must have examined the animal patient prior to the delegation of an animal health care task to a nonlicensed employee. The examination must be conducted at a time consistent with prevailing standards of practice relative to the delegated animal health care task.

B. A veterinarian shall not authorize a nonlicensed employee to perform the following functions:

- (1) surgery;
- (2) diagnosis and prognosis; and
- (3) prescribing of drugs, medicines, and appliances.

C. A veterinarian shall ensure that the activities of a supervised individual are within the scope of the orders, assignment, or prescriptions of the veterinarian and within the capabilities of the individual. Supervision by a veterinarian must involve the degree of close physical proximity necessary for the supervising veterinarian to observe and monitor the performance of a supervised individual. The supervising veterinarian must be on the client's premises or present in the veterinary facility while the supervised individual is performing health care services. This does not prohibit the performance of generalized

nursing tasks, ordered by the attending veterinarian, to be performed by an unlicensed employee on inpatient animals during the hours when a veterinarian is not routinely on the premises. Nor does it prohibit, under emergency conditions, wherein an animal is placed in a life-threatening condition and requires immediate treatment to sustain life or prevent further injury, an unlicensed employee from rendering lifesaving aid and treatment to an animal in the absence of a veterinarian.

Subp. 8. **Humane care.** A licensed veterinarian shall treat animals entrusted to the veterinarian by a client consistent with prevailing professional standards of humane treatment and care.

Subp. 9. **Informed consent.** A client shall be informed by the veterinarian, prior to treatment, of the treatment choices and reasonable medical or surgical alternatives including an estimated cost of the alternatives for consideration by the client.

Subp. 10. **Advertising.** Print or electronic media advertisements offering professional veterinary services must include the corporation's, partnership's, and/or individual veterinarian's name and business address.

Subp. 11. **Specialist practitioners.**

A. A veterinarian may claim to be a specialist only if the veterinarian is certified as a specialist in a discipline for which there is a specialty board approved by the American Veterinary Medical Association (AVMA). A veterinarian may not use the term "specialist" for an area of practice for which there is no AVMA-recognized certification. A diplomate of the American Board of Veterinary Practitioners can claim only a specialty for the class of animals in which the diplomate specializes.

B. "Specialty" or "specialists" may not be used in the name of a veterinary hospital unless all veterinary staff are board-certified specialists.

Statutory Authority: *MS s 156.01; 156.081; 214.06*

History: *17 SR 2106*

Published Electronically: *October 2, 2007*