



# Maryland Department of Agriculture

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## **Updated Guidance for Maryland Veterinarians (April 1, 2020)**

The Maryland State Board of Veterinary Medical Examiners has been working to address the many questions and concerns surrounding veterinary practices since COVID-19 became a pandemic. We realize these are unprecedented and extraordinary times, and not every situation will have a clear course of action. On March 22, 2020, the [Board sent out recommendations](#) for practices that it continues to endorse.

On March 30, 2020, the Governor issued [Executive Order 20-03-30-01](#), which requires all persons not engaged in “essential activities” to stay home; however, veterinary services remain an “essential” business. In light of the Governor’s stay-at-home order, the Board is issuing this guidance to help veterinary practitioners determine what veterinary supplies or services are “necessary” and what activities are “essential” under the order. This guidance is intended to minimize the use of Personal Protective Equipment (PPE) in the veterinary setting, keep people at home, and in situations when leaving home is necessary, to ensure a strict adherence to all health guidelines, including those from the CDC regarding social distancing and limiting gatherings to 10 people or fewer.

### **Elective/Routine Procedures:**

**All veterinary hospitals and clinics should postpone all routine or elective surgical procedures immediately.** Routine procedures are defined as those that can be postponed for at least three months without undue risk to an animal’s current or future health. When a service or surgery is deemed to be medically necessary for an animal, each practice must strictly adhere to CDC guidelines limiting person-to-person contact with clients as well as staff to six feet or more. **Failure to recognize and institute measures for appropriate social distancing, and the preservation of PPE during this State of Emergency may constitute unprofessional conduct and be subject to disciplinary action by the Board.**

Code of Maryland Regulations [15.14.01.04 - Professional Conduct](#) forbids veterinarians from engaging in an unprofessional or immoral manner and provides that a “veterinarian shall act in relation to the public, the veterinarian’s colleagues, and their patients, and the allied professions so as to merit their full confidence and respect.”

Examples of non-essential services include: wellness exams, routine vaccines (except Rabies and Lepto), routine heartworm tests for animals with a history of prevention and testing, routine spay/neuter surgeries, routine dentals (not expecting extractions), routine senior bloodwork, reproduction cases (breeding, etc), stable, chronic cases that are due for a recheck. (For instance, rechecking an ultrasound or echo, neuro recheck exam, orthopedic exam, dermatology condition, ophthalmic recheck, etc.), most rehabilitation appointments, routine grooming procedures and nail trims.

All decisions related to a specific animal should consider the medical needs of that specific animal.

**Essential - Rabies Vaccination Guidance:** In order to prevent another public health hazard during the current pandemic, the State Board and the Maryland Department of Health consider keeping animals up to date on rabies vaccinations an essential service.

### **Professional Conduct During A State of Emergency**

Only two Code of Maryland Regulation (COMAR) are being relaxed by the Board at this time.

1. **Continuing education.** Those whose licenses expire on June 30, 2020 may complete all CEs online this year only. (Note: The Governor previously ordered all licenses that expire during the State of Emergency to be extended until 30 days after the State of Emergency is lifted; however, we intend to open license renewal on June 1. Drug companies usually will not fill orders if your license shows an expired date. Renewing before July 1 will alleviate that difficulty for you.)
2. **Prescriptions:** Current regulations prohibit a veterinarian from renewing a prescription for a pet with a chronic condition unless there has been a physical exam in the last 12 months. During the State of Emergency, a veterinarian may renew a prescription for a chronic condition even if the animal has not been seen in the last 12 months. This regulation is only being suspended during the length of the State of Emergency; however, the reasons for issuing the prescription must be fully documented in the medical record and must be based on sound medical decision-making.

No other Board regulations are being relaxed or suspended at this time; however, as is always the case when the Board considers actions, not every violation will give rise to a disciplinary action. We expect veterinarians to use their most professional judgement and to weigh carefully the potential benefit and risk of any practice or procedure that deviates from the usual standards. This is especially true during this State of Emergency. All of your medical considerations and ultimate decisions should be carefully and completely documented, but it is even more critical that you do so when you are deviating from the standard.

Complaints arise when clients do not understand diagnoses or treatment or are surprised by an unsatisfactory outcome. This is true even in the best of times. You can avoid misunderstandings and client dissatisfaction by being very clear in your communications, which means ensuring that your clients are both informed of any possible risks associated with a particular course of treatment, and understand and agree with your recommendations and treatments.

### **An Important Note about Telehealth/Telemedicine:**

The Board does not have any regulations directly related to telehealth/telemedicine, but state regulations stipulate that the establishment of a Veterinary-Client Patient Relationship (VCPR) requires a physical exam. If you already have an established VCPR, telehealth/telemedicine can be an appropriate delivery method at this time.

The Board has **not** altered its requirement that a VCPR be established through a physical exam. That is the standard of care and that requirement has not changed. If during this State of Emergency, you enter into a VCPR solely through the use of telehealth/telemedicine and without a physical exam, you will be violating the standard. Still, there may be instances during this declared State of Emergency when, based on exceptional circumstances, your best medical and professional judgment weighs in favor of establishing a VCPR without a physical exam. When deciding how to

proceed, consider all relevant facts, including: the reasons why the client is seeking care, the availability of in-person veterinary care in the client's area at the time of the request, why the client cannot bring the animal in for a physical examination, the risk to the animal if care is not provided, all risks associated with establishing the VCPR without a physical examination as well as the risks to the public in accordance to the Executive order to limit unnecessary public contact. **You should fully inform the animal's owner that treating via telehealth/telemedicine without a physical exam is not in accordance with the usual standard of care and could have adverse impacts on the animal, especially if medications are prescribed.** As you make these decisions, thoroughly and completely document your reasoning and process. Be aware, however, that **complete documentation may not relieve you of liability should your decisions lack sound medical or professional judgement and lead to bad outcomes.**

Our bottom line advice in every instance where there is no clear right or wrong is to do your very best, communicate openly and honestly with the client, and document, document, document.

We appreciate the on-going cooperation of the veterinary community and understand that this unprecedented State of Emergency requires alterations in certain standard protocols.