

***Subtitle 3. State Board of Veterinary Medical Examiners.***

**Laws regarding veterinary hospital:**

**§ 2-301.**

- (a) In this subtitle the following words have the meanings indicated.
- (b) "Board" means the State Board of Veterinary Medical Examiners.
- (c) "Direct supervision" means that a veterinarian licensed and registered in the State is in the immediate vicinity where veterinary medicine is being performed and is actively engaged in the supervision of the practice of veterinary medicine.
- (d) "License" means a license to practice veterinary medicine in the State.
- (e) "Member" means a member of the State Board of Veterinary Medical Examiners.
- (f) "Practice of veterinary medicine" includes, but is not limited to, the practice by any person who:
  - (1) Diagnoses, advises, prescribes, or administers a drug, medicine, biological product, appliance, application, or treatment of any nature, for the prevention, cure, or relief of a wound, fracture, bodily injury, or disease of an animal;
  - (2) Performs a surgical operation, including cosmetic surgery, upon any animal;
  - (3) Performs dentistry on any animal;
  - (4) Performs any manual procedure upon an animal for the diagnosis or treatment of sterility or infertility of the animal;
  - (5) Represents himself as engaged in the practice of veterinary medicine;
  - (6) Offers, undertakes, or holds himself out as being able to diagnose, treat, operate, vaccinate, or prescribe for any animal disease, pain, injury, deformity, or physical condition; or
  - (7) Uses any words, letters, or titles in connection or under circumstances as to induce the belief that the person using them is engaged in the practice of veterinary medicine. This use is prima facie evidence of the intention to represent himself as engaged in the practice of veterinary medicine.
- (g) The term "practice of veterinary medicine" does not include or apply to:
  - (1) Any person practicing veterinary medicine in the performance of civil or military official duties in the service of the United States or of the State;

(2) Experimentation and scientific research of biological chemists or technicians engaged in the study and development of methods and techniques, directly or indirectly related or applicable to the problems of the practice of veterinary medicine;

(3) A person who advises with respect to or performs acts which the Board, by rule or regulation, has prescribed as accepted management practices in connection with livestock production;

(4) A physician licensed to practice medicine in the State or to his assistant while engaged in educational research;

(5) A person administering to the ills and injuries of his own animals if they otherwise comply with all laws, rules and regulations relative to the use of medicines and biologics;

(6) A farrier or a person actively engaged in the art or profession of horseshoeing as long as his actions are limited to the art of horseshoeing only;

(7) Any nurse, attendant, technician, intern, or other employee of a licensed and registered veterinarian when administering medication or rendering auxiliary or supporting assistance under the responsible direct supervision of a licensed and registered veterinarian;

(8) A person who floats (files) equine teeth or removes caps;

(9) A person who scales or cleans animal teeth;

(10) Except as otherwise provided by regulations adopted by the Board, a veterinary technician when performing the following procedures under the responsible direct supervision of a veterinary practitioner:

(i) Anesthesia induction by inhalation or intravenous injection if the veterinary practitioner is able to maintain direct visual contact of the veterinary technician's performance of the procedure;

(ii) Anesthesia induction by intramuscular injection;

(iii) Application of casts and splints;

(iv) Dental extractions; and

(v) Suturing of existing surgical skin incisions;

(11) A person practicing acupuncture in accordance with the principles of oriental medical theories if the person:

(i) Is licensed under Title 1A of the Health Occupations Article;

- (ii) Is certified as an animal acupuncturist by the Board of Acupuncture;
- (iii) Practices only acupuncture, acupressure, and moxibustion;
- (iv) Cooperates and consults with a veterinary practitioner by:
  - 1. Beginning acupuncture treatment on an animal only if the animal has been seen by a veterinary practitioner within the previous 14 days;
  - 2. Adhering to the terms and conditions of treatment decided by the veterinary practitioner, including the degree of communication and collaboration between the veterinary practitioner and the person practicing acupuncture;
  - 3. Reporting to the veterinary practitioner at the end of treatment or at monthly intervals, at the discretion of the veterinary practitioner; and
  - 4. Not working on an animal for which the person has not been appropriately trained, in accordance with regulations adopted by the Board of Acupuncture; and
- (v) Has successfully completed a specialty training program in animal acupuncture that:
  - 1. Is approved by the Board of Acupuncture;
  - 2. Is offered by a school holding nationally recognized accreditation;
  - 3. Consists of at least 135 hours; and
  - 4. Enables the person to:
    - A. Design effective treatments of animals based on traditional acupuncture theories and principles, including appropriate knowledge of functional animal anatomy and physiology;
    - B. Handle and restrain animals to the extent appropriate in the practice of acupuncture;
    - C. Demonstrate sufficient knowledge of animal diseases and zoonoses that would require the immediate attention of a veterinary practitioner; and
    - D. Communicate effectively with a veterinary practitioner; or
- (12) A veterinarian licensed in another jurisdiction while consulting with a veterinary practitioner in this State.

(h) "Veterinarian" means any person who is a graduate of a college of veterinary medicine.

(i) "Veterinary practitioner" means a licensed and registered veterinarian engaged in the practice of veterinary medicine.

(j) "Veterinary technician" means a person who is registered with the Board as a veterinary technician.

### **§ 2-304.1.**

(a) As used in this subtitle, "veterinary hospital" means any building or portion of a building which is regularly used for the treatment of animals by a veterinary practitioner.

(b) Every veterinary hospital shall be licensed by the Board. The Board shall set the annual license fee in accordance with § 2-303(b) of this subtitle. The license shall be applied for and issued to the owner of the hospital.

(c) The Board may reject an application, or suspend or revoke the license for failure to maintain the facility properly. The rejection, suspension, or revocation shall be in accordance with the procedures set out in § 2-311 of this subtitle.

### **§ 2-313.**

A person may not:

(1) Practice veterinary medicine unless he is licensed, registered, and authorized to engage in the practice under the provisions of this subtitle;

(2) Practice veterinary medicine under a name other than the one on his license and registration, or induce any person to so practice in violation of this subtitle;

(3) Practice veterinary medicine unless his license and registration are displayed in his regularly established office and place of practice;

(4) Own, maintain, conduct, operate, or manage a veterinary office, veterinary dental office, veterinary hospital, or a dog, cat, or animal hospital, unless (i) he is a licensed veterinarian, or (ii) the office or hospital is under the direct supervision and control of a licensed and registered veterinarian and a licensed or registered veterinarian is employed in the office or hospital;

(5) Advertise any veterinary office, veterinary dental office, veterinary hospital, or a dog, cat, or animal hospital except in accordance with the rules and regulations of the Board;

(6) Practice veterinary medicine and sell or dispense any medication, which is not in the original manufacturer's container labeled with the information required below, for use by a household pet unless he affixes to the container in which the medication is sold or dispensed, a label clearly showing the brand, generic or chemical name and strength, if indicated, of the medication, the type of animal for whom designated and the owner's last name. However, this provision does not apply to the dispensing of any medication of any kind for use in the treatment, care or cure of farm animals, poultry, fowl, or other animals, used in the furtherance of farming activities;

(7) Advertise as a Board registered veterinary technician unless registered with the Board as required by this subtitle; or

(8) Practice as a veterinary technician unless employed by a veterinary practitioner.

**§ 2-314.**

A person licensed by the State of Maryland to provide veterinary care who, for no fee or compensation, renders veterinary aid, care, or assistance in an emergency situation in which the owner or custodian of the animal is not available to grant permission shall have the immunity from liability described under § 5-614 of the Courts and Judicial Proceedings Article.