

**Title 15
DEPARTMENT OF AGRICULTURE**

Subtitle 14 BOARD OF VETERINARY MEDICAL EXAMINERS

15.14.01 Standards of Practice and Code of Ethics for the Practice of Veterinary Medicine in the State

Authority: Agriculture Article, §§2-103, 2-304, and 2-310, Annotated Code of Maryland

.01 Purpose and Authority.

The purpose of this chapter is to set forth standards of professional conduct and ethics for veterinarians and prescribe standards of practice of veterinary medicine in the State. The chapter also implements the laws of Maryland governing the practice of veterinary medicine in the State as set forth in the Agriculture Article, Annotated Code of Maryland, and is issued by the Board pursuant to that authority and approved by the Secretary in accordance with his authority in Title 2 of the Agriculture Article, Annotated Code of Maryland.

.02 Application.

This chapter shall apply to all veterinarians licensed and registered in the State.

.03 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) "Board" means the State Board of Veterinary Medical Examiners.

(2) "Controlled dangerous substance" means any drug, substance, or immediate precursor as listed in Criminal Law Article, §5-101, Annotated Code of Maryland.

(3) "Department" means the Department of Agriculture of Maryland.

(4) "Dispensing" means direct distribution of products by veterinarians to their clients for use in or on their animals.

(5) "Federal legend drug" or "veterinary prescription drug" means a drug labeled with the statement "Caution: Federal law restricts this drug to use by or on the order of a licensed veterinarian".

(6) "High-volume, low-cost spay/neuter facility" means a licensed facility:

(a) Which is regularly used for the treatment of animals by a veterinary practitioner;

(b) Where the sterilization of dogs and cats is the primary function performed by a veterinarian licensed and registered by the Board; and

(c) Where the owner complies with the licensing and sanitation standards in COMAR 15.14.03 and 15.14.07.

(7) "Hospitalization" means the confinement of a patient in a veterinary hospital or mobile veterinary clinic for purposes of performing:

- (a) Diagnostics;
- (b) Therapy;
- (c) Monitoring; or
- (d) Nursing care.

(8) "Prescribing" means transmitting an order that authorizes a licensed pharmacist or the equivalent to prepare and dispense specified pharmaceuticals to be used in or on animals in the manner directed by a veterinarian.

(9) "Secretary" means the Secretary of Agriculture.

(10) "Specialist" means an individual who has obtained certification from a specialty organization recognized by the American Veterinary Medical Association.

(11) "Surgery" means that both of the following exist:

- (a) A veterinarian treats a disease, injury, or deformity by manual or operative methods; and
- (b) A veterinarian or registered veterinary technician administers an anesthetic, injectable sedative, or injectable tranquilizing agent to an animal.

(12) "Veterinarian" means an individual who is licensed and registered as a veterinarian to practice in the State.

(13) "Veterinary hospital" means a building or portion of a building which is regularly used for the treatment of animals by a veterinary practitioner .

(14) "Veterinarian-client-patient relationship" means that all of the following conditions exist:

(a) The veterinarian has assumed the responsibility for making clinical judgments regarding the health of the animal and the need for medical treatment, and the client has agreed to follow the veterinarian's instructions;

(b) The veterinarian has sufficient knowledge of the animal to initiate at least a general or preliminary diagnosis of the medical condition of the animal because the veterinarian has recently seen and is personally acquainted with the keeping and care of the animal through either:

- (i) A physical examination; or
- (ii) Medically appropriate and timely visits to the location where the animal is kept; and

(c) The veterinarian is readily available or has arranged for emergency coverage or follow-up evaluation in the event of adverse reactions or the failure of the treatment regimen.

.04 Professional Conduct.

A. The principal objectives of the veterinary profession are to render service to society, to conserve our livestock resources, and to relieve suffering of animals. 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 conduct which are prohibited by this standard include, but are not limited to, the following:

- (1) Using a college degree to which the veterinarian is not entitled or any degree or title granted by an institution declared unworthy by contemporary institutions of its class;
- (2) Accepting a fee from the seller of an animal by a veterinarian employed by a buyer to inspect an animal for soundness which is prima facie evidence of fraud;
- (3) Guaranteeing a cure;
- (4) Performing or participating in surgery if it is known the surgery was requested with intent to deceive a third party;
- (5) Promoting, selling, prescribing, or using any product, the ingredient formula of which has not been revealed to the veterinarian;
- (6) Performing a surgical procedure to conceal or to correct genetic defects in animals to be shown, bred, or sold;
- (7) Making payments to any person for referring, attempting to refer, or promising to refer animals to that veterinarian;
- (8) Accepting payments from any person for referring, attempting to refer, or promising to promote the sale of services, drugs, devices, appliances, or goods to a client so as to exploit the client for financial gain; and
- (9) Prescribing or dispensing veterinary prescription drugs outside of a veterinarian-client-patient relationship.

B. A veterinarian may not act in an unprofessional or immoral manner in the practice of veterinary medicine.

.05 Choice and Selection of Patients.

A. Non-emergency Presentation. A veterinarian may choose whom he will serve. Once a veterinarian has undertaken care of a patient, and a veterinarian-client-patient relationship has been established, the veterinarian may not neglect the patient.

~~(1) **Terminating a Veterinary-Client Patient Relationship.** A veterinarian may terminate a VCPR for any reason as long as the patient is in stable and non-life-threatening condition. If a patient requires immediate or ongoing veterinary care or treatment for a known medical condition, a veterinarian must allow reasonable time, based on the condition of the animal and the availability of alternative veterinary care, before discontinuing care. A veterinarian shall provide written notice, by mail or email, to the client within 48 hours after terminating a VCPR, verifying the relationship has ended and reminding the client to find another provider.~~

B. Emergency Presentation. In an emergency, a veterinarian should render service to the best of the veterinarian's ability, but this does not require a veterinarian to accept financial responsibility for the care and treatment of any animal. The following procedures may be

performed during an emergency without such actions constituting the establishment of a veterinarian-client-patient relationship:

- (1) Initial evaluation;
- (2) Diagnostics to assist in the initial evaluation; or
- (3) Initial treatments to stabilize a patient.

.06 Advertising.

A. A veterinarian or an owner of a licensed veterinary hospital, limited use veterinary hospital, or animal control facility may not prepare, cause to be prepared, use, or participate in the use of, any advertisement or other public communication containing information about the services of particular veterinarians or veterinary hospitals which:

- (1) Contains a misstatement of fact;
- (2) Is likely to mislead or deceive because in context it makes:
 - (a) Only a partial disclosure of relevant facts, including limited hours; or
 - (b) Only a partial disclosure of charges reasonably associated with the advertised service;
- (3) Is intended or is likely to create false or unjustified expectations of favorable results, including a guarantee or warranty;
- (4) Contains any other statement that is intended or likely to cause a reasonable person to misunderstand or be deceived;
- (5) Constitutes, is part of, or is a device for carrying out, an otherwise unlawful act;
- (6) Contains subjective claims of superiority of skills, services, or products;
- (7) Offers a secret drug or treatment; or
- (8) Endorses a product or procedure, unless the veterinarian or licensee is a regular user of the product or procedure and the product or procedure is recognized as reputable by the American Veterinary Medical Association or by a respected scientific journal.

B. A veterinarian, or an owner of a licensed veterinary hospital, limited use hospital, or animal control facility may not use the word special or specialty in an advertisement unless the veterinarian performing the procedure or treatment:

- (1) Meets the definition of a specialist, as set forth in Regulation 03B(910); and
- (2) Is named in the advertisement.

C. A veterinarian, or an owner of a licensed veterinary hospital, limited use veterinary hospital, or animal control facility, who advertises the availability of a veterinarian to serve a 24-hour emergency veterinary hospital, shall state clearly in the advertisement whether a veterinarian is personally present at the hospital facility on a 24-hour basis, or is merely on call.

D. Veterinarians shall be personally responsible for compliance with the above requirements and shall be prepared to substantiate their compliance to the State Board of Veterinary Medical Examiners.

E. The name of a veterinary hospital or limited use veterinary hospital may not contain the word specialty, specialist, or a named specialist, unless:

(1) A majority of the veterinarians employed by the facility have obtained and maintained certification from a specialty organization recognized by the American Veterinary Medical Association; and

(2) The advertisement lists the names of those veterinarians by specialty and certification.

F. Before advertising as a high-volume, low-cost spay/neuter facility, a veterinarian or an owner of a licensed veterinary hospital shall provide documentation to the Board of having completed training that promotes and provides advanced spay and neuter education to veterinarians and their staff. Such training may be obtained through an organization approved by the Board, such as the Humane Alliance.

.07 Professional Judgment and Practice.

A. A veterinarian, when caring for and treating a patient, shall conform to those minimal standards of care and treatment which are customary among veterinarians in this State.

B. If a veterinarian professes to the public or colleagues to be a specialist in a particular area of veterinary medicine, the veterinarian, when caring for and treating a patient, shall conform to the minimum standards of care and treatment which are customary among these specialists.

C. A veterinarian may shall not provide professional services while impaired, which means a practitioner's faculties are diminished to the point that he or she is unable to practice with reasonable safety and skill, regardless of the cause of the impairment. This includes but is not limited to:

(1) Using any narcotic or controlled dangerous substance, as defined in Criminal Law Article, Annotated Code of Maryland; or

(2) Under the influence of alcohol or any drug or substance that impairs that veterinarian's judgment or motor skills or behavior, whether or not the substance is legal or legally prescribed.

D. A veterinarian shall not abuse alcohol or any narcotic or controlled dangerous substance, as defined in Criminal Law Article, Annotated Code of Maryland. Any veterinarian who is found, after due process, to have an alcohol or substance abuse issue may have their license immediately suspended, pending an outside evaluation, to be paid for by the Board.

.08 Professional Knowledge and Training.

A veterinarian should strive continually to improve veterinary knowledge and skill, making available to his colleagues the benefit of his professional attainments, and seeking, through consultation, assistance of others when it appears that the quality of a veterinary service may be enhanced by consultation.

.09 Maintenance of Professional Standards and Reporting Requirements.

It shall be considered a violation of this regulation for any veterinarian to commit any of the following acts of omission or commission:

- A. To fail to report promptly when required by law or regulations, any dangerous, infectious, or contagious disease known to the veterinarian;
- B. To fail to report promptly the results of any tests when required to do so by law or regulation or to apply or report them fraudulently;
- C. To willfully make any misrepresentation in the inspection of foodstuffs;
- D. To issue or use fraudulently any health certificate, inspection certificate, vaccination certificate, test chart, or other blank form used in the practice of veterinary medicine, including signing these forms in their blank state and dispensing them as such to the client;
- E. To conduct a practice in violation of the regulations prescribed by the Board for proper sanitary and hygienic methods in the care and treatment of animals.

.10 Record Keeping.

A. For animals that a veterinarian treats, the veterinarian shall prepare a legibly written record that accurately and thoroughly reflects the treatment provided. [Veterinary records serve as the basis for planning patient care and as a means of communicating among members of the veterinary practice. The record shall be kept in a manner that allows any veterinarian, by reading the record, to proceed with the care and treatment of the patient and allows the Board or other agency to determine the advice and treatment recommended and performed.](#) At a minimum, the veterinarian's record shall include the following information, as applicable:

- (1) If available, the name, address, and phone number of the animal's owner;
- (2) If available, the name and identity of the animal;
- (3) If available, the age, sex, [\[and\] breed, weight of the animal and whether the animal is neutered, spayed or intact;](#)
- (4) The dates (beginning and ending) of custody of the animal;
- (5) A short [medical history of the animal, \['\]s\] presenting symptoms, and the client's reported concerns](#) condition as it pertains to the [animal's medical status](#)];
- (6) The animal's physical condition at the beginning of custody and the initial diagnosis, if any;
- (7) The animal's condition, as evidenced through a physical examination, not more than 12 hours before administration of one of the following:
 - (a) Anesthetic;
 - (b) Injectable sedative; or
 - (c) Injectable tranquilizing agent.

(8) The treatment provided the animal and if medication is given, the following shall be provided:

- (a) Amount in milligrams or the volume and concentration of substance used;
- (b) Frequency; and
- (c) Route of administration;

(9) All differential diagnoses, SOAP, objective findings, and rule outs for each visit.

(10) All procedures performed, treatments, given and results:

[(9)] [(11)] The progress and disposition of the case, which means that there is a clear indication of a veterinarian's thoughts, decisions and responses to any change in clinical status of hospitalized patients;

[(10)] [(12)] The surgery log and anesthetic log, if any. Surgery and anesthetic information, including but not limited to pre-anesthetic exam and vitals, medications and/or fluids used, anesthesia monitoring from the time anesthesia is administered until the animal wakes up, procedure start and end time, and anesthetic vital signs before, during and after a procedure, -and any other monitoring. Vital signs include temperature, heart rate, respiration rate, -mucus membrane color and capillary refill time. (CRT) If this information cannot be recorded because of the animal's temperament or any other reason, it must be noted in the record.

[(11)] [(13)] All diagnostic testing, including radiographs and other imaging, shall be noted in the medical record along with a veterinarian's overall assessment or interpretation of all significant and clinically relevant procures.

[(12)] [(14)] Documentation of all client communications, including discharge instructions, and the client's consent to or rejection of recommended diagnostic tests, treatments, and drugs. Client communications that occur at the time of the appointment, as a phone call or email and text communications pertaining to a patient shall be noted in record.

B. The veterinarian shall record the information referenced in §A of this regulation in a timely manner, that is, as soon as practicable possible after the veterinarian has seen the animal.

C. If the veterinarian discovers that the record is incomplete or in error, the veterinarian shall amend the record, being sure to date and initial the amendment.

D. A veterinarian shall label each radiograph and any other diagnostic image or picture with the hospital, clinic, or veterinarian's name, the patient's name, the owner's name, and the date the image or picture was taken. Diagnostics include, but are not limited to, the following:

- (1) Ultrasound;
- (2) Magnetic resonance imaging (MRI);
- (3) Computed tomography (CT) scans; and
- (4) Any other device that is used to generate an image of a patient.

E. Patient records shall be kept by a veterinarian for 3 years after a patient's last visit.

1. Written discharge instructions must be provided to clients and noted in the record after every surgical procedure or hospitalization, as defined in COMAR 15.14.01.03(7)

F. Patient Records.

(1) Patients' records are the property of the veterinary practice for ~~whom~~ which the records were made.

(2) If requested by a patient's owner, the veterinarian shall release a copy of an animal's written record to the owner or a subsequent treating veterinarian. The veterinarian may require the owner to pay the reasonable cost of providing the records requested.

(3) If requested by a patient's owner, the veterinarian shall release temporarily to a subsequent treating veterinarian the original nonwritten record of the animal, such as, but not limited to, radiographs, photographs, electrocardiograms, and slides. The subsequent treating veterinarian shall return these original nonwritten records within 30 days of their receipt or such other time as agreed to by the parties.

(4) Upon request and if known, a veterinarian shall inform a grooming business or boarding facility, including a veterinary hospital offering boarding or grooming services, which is boarding or grooming a veterinarian's patient, whether the animal's vaccinations are current.

(5) A veterinarian shall not withhold the release of veterinary medical records for nonpayment of a professional fee.

(6) A veterinarian who owns medical records of an animal that has been adopted, sold or given to another person shall provide the new owner with a summary of the animal's significant medical and vaccination history upon request. A reasonable fee may be charged.

(6) A veterinarian may provide medical records or medical information to a non-owner if the client signs a written consent or the veterinarian is legally compelled to provide the records by administrative statute, subpoena, court order, or other legal process.

G. The requirements of the above regulation apply to companion pet animals only.

H. Equine Patient Records. Veterinarians must keep a written medical record for any equine that is being treated for any illness, injury or disease. The medical record must include physical exam findings and body condition score, if abnormal. Medical records must be kept for three years after the last visit.

10-1 Veterinary Records of a Veterinary Practice That is Closing.

(1) A veterinarian shall notify clients, in writing, at least 30 days before a planned retirement or closing of a veterinary practice.

(2) Written notice can be delivered to a client in person, by mail, or by electronic means if the client normally receives communications from the veterinary practice by electronic means;

(3) The written notice must include instructions on how to obtain copies of veterinary medical records from the veterinarian or other custodian of the record and the name, address, and telephone number of a person purchasing the practice, if applicable.

(4) Veterinary medical records must remain available to clients for 3 years after the date the veterinarian retires or the practice is closed.

(5) If prior notice could not be provided, such as in the case of a death of a practice owner, the successor veterinarian shall notify clients within 60 days after the successor takes over the practice.

.10-~~11~~2 Client Consent for Companion Animals and Hospitalized Animals.

A. For a non-emergency presentation, a veterinarian shall inform the client, in a manner that is understandable by a reasonable person, of the diagnostic and treatment plan. The veterinarian shall provide a written estimate of the charges for veterinary services, and obtain the client's signature indicating acknowledgement and approval, before a veterinarian performs the following for a companion animal:

(1) Surgery; or

(2) Hospitalization.

(a). When a treatment plan changes and written consent cannot be obtained, informed consent may be granted verbally if witnessed by the veterinarian and at least one other staff member and noted in the medical record.

B. For an emergency presentation, a veterinarian shall make a reasonable effort to comply with the requirements set forth in §A of this regulation.

C. Euthanasia. Consent for euthanasia shall be documented in the medical record by the veterinarian. Consent may consist of the following:

(1) A form signed and dated by the client or an individual authorized by the client; or

(2) If authorization for euthanasia is given orally, the veterinarian shall note this in the medical record, with a witness to the conversation.

D. A veterinarian shall maintain a written copy of the client consent and estimate of charges in the patient's record and shall provide a copy to the client. Changes agreed to verbally must be reflected in the medical record.

.11 Annual Registration.

A. A licensee who practices veterinary medicine in the State shall:

(1) Register annually with the Board;

(2) Pay the Board a registration fee, as provided in COMAR 15.14.12.02;

(3) State on the registration form the licensee's:

(a) Primary practice address, if any;

(b) Business telephone number, if any;

(c) Home (street) address and mailing address if the mailing address is different from the licensee's home address; and

(d) email address.

(4) Notify the Board in writing or by email of any change in the licensee's name or address (home, mailing, email and practice) within 30 days after the change.

B. A veterinarian who fails to renew a veterinary license within 12 months following its expiration date shall seek reinstatement of the license before resuming the practice of veterinary medicine in the State.

C. A veterinarian may seek reinstatement of the veterinary license if the last registration certificate expired no more than 5 years before the date application is made for reinstatement.

D. If more than 5 years have lapsed since the date of expiration of the last registration certificate, the veterinarian shall apply for a new license with the Board, as provided in COMAR 15.14.09.

E. Reinstatement with the Board requires submission of the following to the Board's office:

(1) Personal History Form;

(2) Current resume;

(3) Licensure verification from all state veterinary boards with which the veterinarian is licensed or has ever been licensed;

(4) Proof of the appropriate type and number of hours of continuing education, as provided in COMAR 15.14.10.04, for the period during which the license had lapsed;

(5) Payment of the reinstatement fee, as provided in COMAR 15.14.12.02; and

(6) Provided the veterinarian is approved for reinstatement by the Board, payment of the registration fee, as provided in COMAR 15.14.12.02.

.12 Controlled Dangerous Substances.

A. To prescribe or dispense controlled dangerous substances, a veterinarian shall have a current:

(1) Federal controlled substance registration certificate; and

(2) Maryland controlled dangerous substance registration.

B. A veterinarian shall ensure that all controlled dangerous substances are maintained, administered, prescribed, dispensed, and destroyed in compliance with all State and federal laws.

C. Schedule II drugs.

(1) Emergency Dispensing. A Schedule II drug may be dispensed upon oral prescription by a veterinarian if the following conditions are met:

(a) Immediate administration of the drug is necessary for proper treatment;

(b) Alternative treatment is not available; and

(c) It is not possible for the veterinarian to provide a written prescription for the drug at that time.

(2) If an oral prescription is issued under §C(1) of this regulation, the veterinarian shall:

(a) Specify the:

- (i) Name of the drug;
- (ii) Dose strength;
- (iii) Quantity;
- (iv) Instructions; and
- (v) Warnings; and

(b) Prescribe only enough to treat the animal during the emergency period;

(c) State on the prescription "Authorization for Emergency Dispensing";

(d) Within 72 hours, write, sign, and send the prescription to the location that dispensed the drug; and

(e) Make a note of the issuance of an oral prescription in the animal's record.

(3) Except as provided in §C(4) of this regulation, a veterinarian shall maintain all Schedule II drugs under lock at all times, with access by veterinarians only.

(4) A registered veterinary technician may have access to a working stock of Schedule II drugs kept under separate lock.

D. Schedule III—V drugs. A veterinarian shall maintain all Schedule III—V drugs under lock when not in use.

E. Records.

(1) For all controlled dangerous substances, a veterinarian shall maintain complete and accurate records on the premises indicated by name on the federal controlled substance registration certificate or Maryland controlled dangerous substance registration. A veterinarian may delegate to an authorized employee the daily task of completing these records.

(2) A veterinarian or authorized employee shall maintain a daily dispensing record of working stock and an overall inventory record that accounts for all controlled medications purchased, administered, dispensed and destroyed by all prescribers at the practice. The log may be kept in a digital veterinary software package that tracks changes to edits or in accordance to a Board-approved protocol that shall include the following information in the dispensing record:

(a) Date of dispensation;

(b) Drug name, strength, and the amount dispensed, administered, or wasted;

(c) Client and animal identification; ~~and~~

(d) Identification of the veterinarian authorizing the administration or dispensing of a drug;

(e) Date the drugs was opened;

(f) Bottle and Lot Number

(g) Expiration Date

(h) Amount of the drug in the bottle or lot when first opened;

(i) Amount dispensed and/or wasted during each administration;

(j) Balance remaining, per bottle, after dispensing;

(k) Legible initials or signature of person making the entry; and

(l) Date the drug was finished.

(m) Weighing the bottle is not a permissible substitute for recording the volume of each individual dose dispensed to a patient.

F. Inventory. A veterinarian shall:

(1) Take inventory on the same date once every 2 years;

(2) Sign, date, and record the time inventory is taken;

(3) Maintain records of all Schedule II prescriptions for a period of 5 years, and maintain records of all Schedule III—V prescriptions for a period of 2 years.

G. Disposal. A veterinarian shall destroy all Schedule II—V drugs in accordance with United States Drug Enforcement Agency rules and regulations and/or the Maryland Department of Health regulations, whichever is stricter.

.12-1 Prescriptions.

A. A veterinarian may issue a prescription only under the following conditions:

(1) A veterinarian-client-patient relationship exists; and

(2) The veterinarian is willing to dispense the drug for the patient.

B. A licensed veterinarian authorizing a pharmacist to dispense a veterinary prescription drug shall include the following in the prescription:

(1) The name, address, telephone number, and license number of the veterinarian;

(2) The name and address of the client;

(3) Identification of the animal, through either name or number;

(4) The species of the animal;

(5) The name, quantity, and strength of the drug;

(6) Directions for use;

(7) Cautionary statements including, if applicable, expiration date and withdrawal time for slaughter or milk withholding, or both;

(8) Date of issue;

(9) Number of refills; and

(10) The signature of the veterinarian.

C. When issuing a prescription or dispensing a drug to a client, a veterinarian shall inform the client of the most common known side effects of the drug.

D. A veterinarian or employee approved by a veterinarian may transmit prescriptions that are not controlled dangerous substances from the prescriber to a pharmacy chosen by a client, and note such action in the record of the animal belonging to the client. Acceptable methods of transmission include but are not limited to:

(1) Facsimile;

(2) Encrypted computer transmission.

E. A veterinarian may renew a prescription issued by another veterinarian from the same hospital for a client of that hospital if the veterinarian issuing the prescription renewal is in agreement with the need to continue treatment.

F. A veterinarian may supply a veterinarian at a different veterinary hospital with a prescription drug to alleviate a shortage or supply a need, but may not fill a prescription for a client that has been written by a veterinarian who is not an employee of that hospital.

G. A veterinarian shall have examined a patient at least once during the preceding 12-month period before renewing any prescription medication for a chronic condition. If an examination has not occurred, a prescription may not be renewed.

H. A veterinarian prescribing medication under section A of COMAR 15.14.01.12-1 shall provide a written prescription to a client upon request of the client. The veterinarian may charge a reasonable fee for the service.

(1) A veterinarian shall promptly approve or verify the validity of a prescription with an online pharmacy or other provider chosen by the client. The veterinarian may require that the request for approval or verification be made in writing by the requester.

.12-2 Dispensing of Federal Legend Drugs or Veterinary Prescription Drugs.

A. A veterinarian may dispense a prescription drug only if a veterinarian-client-patient relationship exists.

B. A veterinarian shall ensure that all federal legend drugs and veterinary prescription drugs are maintained, administered, prescribed, dispensed, and destroyed in compliance with all State and federal laws.

C. A veterinarian shall dispense prescription drugs only to the clients of the veterinarian or to clients of other veterinarians at the same hospital if there is an agreement with the need to continue treatment.

D. A veterinarian or authorized employee may not dispense a quantity of drug that is greater than that needed for the treatment of an animal, herd, or flock.

E. Nonprofessional staff may dispense prescription drugs only after specific instructions have been provided by a staff veterinarian.

F. A veterinarian or authorized employee shall include the following information on the labels of dispensed drugs:

- (1) Hospital name, address, and telephone number;
- (2) Name of prescribing veterinarian;
- (3) Name of client and animal;
- (4) Name, quantity, and strength of the drug;
- (5) Directions for usage;
- (6) Route of administration;
- (7) Length of treatment;
- (8) Appropriate cautionary statements including, if applicable, slaughter withdrawal or milk withholding times, or both;
- (9) Date of dispensation; and
- (10) Expiration date.

G. Returned Prescriptions.

(1) A veterinarian or authorized individual may not place a prescription returned by a client back into inventory unless:

- (a) The prescription container is unopened;
- (b) The prescription has not expired; and
- (c) It can be readily determined that the drug was properly stored, labeled, and sealed to preserve strength, quality, purity, and identity during the time between sale of the drug and return to the veterinarian.

(2) A client may return any non-controlled drug that does not meet the requirements of §G(1) to the veterinarian or veterinary hospital for proper disposal.

.12-3 Expired Medications and Labeling of Working Stock.

- A. A veterinarian may not administer expired medications to an animal.
- B. A veterinarian may not remove or cover expiration dates from medications.
- C. Until a veterinarian has disposed of an expired medication, the veterinarian shall package and keep it separate and apart from unexpired medications.

D. If a veterinarian or authorized employee moves medications from a primary container into a secondary container for any reason other than dispensing to patients, the secondary container shall include, at minimum, the following information on the label:

(1) Drug name (generic or chemical name) and brand, if applicable;

(2) Drugs strength

(3) Expiration date

(4) Lot Number

(5) Other information relevant to the safe use of the medication.

E. If a veterinarian prescribes and administers over-the-counter or non-prescription medications, including holistic and herbal remedies, the container must have a label showing the ingredients, directions for use, and expiration date, if such a date is available.

.13 Enforcement.

This chapter shall be enforced by the Board of Veterinary Medical Examiners. The Board may suspend or revoke the license and registration of any veterinarian or censure or place on probation any veterinarian for a violation of any provision of this chapter. Disciplinary actions instituted on the basis of this chapter shall be conducted in accordance with the hearing requirements established by the statutes relating to the practice of veterinary medicine in the State and the regulations promulgated under them. Hearings shall be conducted in accordance with procedures adopted by the Board and the Department of Agriculture and prescribed by the Administrative Procedures Act.

.14 Severability.

If any provision of this chapter or the application thereof to any person or circumstance is held invalid for any reason by a court of competent jurisdiction, the holding may not affect other provisions or applications of the regulation and, to this extent, the provisions of this regulation are severable.

.15 Complying with Certain Requests of the Board.

A veterinarian shall comply with the following requests of the Board:

A. If summoned to appear before the Board, to appear on the date and at the time indicated in the summons; and

B. Within 15 days after receiving a Request for Production of Documents from the Board, to deliver to the Board all books, papers, records, and other documentary evidence which the Board has requested; [and]

C. If the veterinarian owns a veterinary hospital, to allow the Board's inspectors to inspect the facility during normal business hours[-]; and

D. If the veterinarian is subject to an order of the Board, including a Consent Agreement and Order, a Civil Penalty Final Order, or a Cease and Desist Order, provide evidence related to compliance and satisfaction of all terms and conditions in a timely manner.

.16 Notice of Lack of 24-hour Supervision.

A veterinarian who has assumed the care and custody of an animal, but does not provide 24-hour supervision by a paid employee physically in the hospital, where the animals are kept, shall provide

the following written notification to the owner of the animal: "We Do Not Provide 24-Hour Supervision". This notice shall be provided either by:

A. Posting in a conspicuous location within the hospital that is readily visible by the public, such as at or near a receptionist's desk; or

B. Hand delivery to the owner on a piece of paper when the animal is presented for treatment or boarding.

.17 Direct Supervision Guidelines.

A. In this regulation, the following terms have the meanings indicated:

(1) "Registered veterinary technician" or "technician" means an individual currently registered with the Board as a veterinary technician;

(2) "Responsible direct supervision" means competent, immediate, and active supervision;

(3) "Veterinary Assistant" or "Assistant" ~~"Technician"~~ means a non-licensed nurse, attendant, technician, intern, or other employee of a licensed and registered veterinarian who is not a registered veterinary technician.

B. A veterinarian giving responsible direct supervision to the work of an assistant technician or registered veterinary technician shall be:

(1) In the immediate vicinity of where the work is being performed; and

(2) Actively engaged in supervising this work throughout the entire period it is being performed, including:

(a) Providing clear and specific directions on what work is to be done,

(b) Being cognizant of how the assigned work is being performed, and

(c) Being immediately available to provide advice when the assigned work is being performed.

C. A veterinarian may not permit an assistant technician to perform the following procedures on an animal while the animal is under that veterinarian's care:

(1) Anesthesia induction by inhalation or intravenous injection;

(2) Anesthesia induction by intramuscular injection;

(3) Application of casts and splints;

(4) Non surgical ~~D~~ dental extractions; and

(5) Suturing of existing surgical skin incisions.

D. A veterinarian may permit a registered veterinary technician to perform the procedures referenced in §C of this regulation if, when these procedures are being performed:

(1) The individual is under the responsible direct supervision of the veterinarian; and

(2) For the procedure referenced in §C(1) of this regulation only, the veterinarian also is able to maintain direct visual contact of the technician's performance of this procedure.

E. A veterinarian may permit ~~a technician~~ an assistant to render auxiliary or supporting assistance or administer medication if, when rendering the assistance or administering medication, the employee is under the responsible direct supervision of the veterinarian.

F. In the case of an anesthetized animal, a veterinarian may permit ~~a technician~~ an assistant to monitor the animal's condition and provide other supporting assistance, including the animal's maintenance, once the animal is stabilized.

.18 Animal Boarding by a Veterinarian.

A veterinarian who operates an animal boarding business in connection with a veterinary hospital is responsible for:

- A. Caring for boarded animals;
- B. Training staff on the care of boarded animals;
- C. Instructing staff to report to the veterinarian on duty if a boarded animal is sick or injured; ~~and~~
- D. Arranging for the veterinary care of any sick or injured boarded animal; ~~and~~ -

E. Informing owners that pets boarded at the facility- will not receive daily examinations by a veterinarian, if applicable, by obtaining a signed form that states, "Daily veterinary examinations are not provided to boarded pets."

.19 - Delivery of Veterinary Care Via Telehealth and Telemedicine

A - Before a veterinarian may provide telemedicine services, the veterinarian must complete all of the following:

- (1) Establish a veterinary-client patient relationship, as defined in COMAR 15.14.01.03(B)(14)
 - a. A veterinarian with a formal relationship with an animal control agency is presumed to have a VCPR with agency staff, whether the relationship is paid or unpaid; however, the same standards of care apply.
- (2) Obtain informed consent from the client for each telemedicine appointment.
 - a. Evidence documenting informed consent for the use of telemedicine shall be maintained in the medical record for each telemedical appointment. If consent is given verbally, rather than in writing, it must be witnessed by the veterinarian and at least one other person and recorded in the medical record.
 - b. The client must sign or verbally agree to the following sentence: "Treating an animal via telehealth/telemedicine has limitations which may have adverse impacts on your animal. A satisfactory physical exam cannot be performed by telehealth, and conditions and ailments that may be better identified in person may be missed by telehealth. The veterinarian reserves the right to terminate the telehealth appointment and require you to bring your pet to our hospital before treatment may resume."

C. A veterinarian shall terminate a telehealth/telemedicine appointment and require the patient to be seen in person if, in the professional and/or medical opinion of the veterinarian, the standards of care may be compromised by the use of telehealth appointment.

E. A veterinarian must be licensed in Maryland to provide telemedicine services in Maryland
(1) A Maryland veterinarian may provide telehealth/telemedicine services to clients who move out of state for no more than 12 months before the VCPR is considered defunct, unless it is prohibited in the other jurisdiction.

F. Telerriage means emergency animal care for immediate, potentially life-threatening animal health situations, such as poison exposure mitigation, Animal CPR instructions, and other critical lifesaving treatment or advice. Telerriage may be performed by a veterinarian without establishing a VCPR or obtaining informed consent. Prescription medication may not be prescribed during telerriage without a valid VCPR.

C. A veterinarian or veterinary hospital is not required to offer telehealth/telemedicine services.

Title 15 Maryland Department of Agriculture
Subtitle 14 Board of Veterinary Medical Examiners
Chapter 10 - Continuing Education Requirements

.05 Accreditation

~~E. Credits obtained through on-line continuing education programs may not exceed 9 hours of the total required number of credit hours submitted in a given licensing year.~~

E. All required continuing education credits may be obtained through Board-approved on-line education programs.

Title 15 - Maryland Department of Agriculture
Subtitle 14 Board of Veterinary Medical Examiners
Chapter 16 - Continuing Education Requirements for Registered Veterinary Technicians

.04 Accreditation

B. Credit may be approved for the following:

...

~~(5) Continuing education programs available on-line, not exceeding:
(a) 8 hours in a 3-year period, or
(b) 4 hours per year.~~

(5) All continuing education requirements may be met with Board-approved online courses