

Title 15
DEPARTMENT OF AGRICULTURE
Subtitle 14 BOARD OF VETERINARY MEDICAL
EXAMINERS
Chapter 03 Licensing and Minimum Sanitary Requirements for
Veterinary Facilities

Authority: Agriculture Article, §§2-304 and 2-304.1, Annotated Code of Maryland

.01 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) "Hospital license" means a license which permits a person to own and operate a veterinary hospital or mobile veterinary clinic.

(3) "Licensing year" means the yearly period running from July 1 until June 30.

(4) "Owner" means the person responsible for maintaining the hospital or mobile clinic properly. A person who leases a veterinary practice from another shall assume the responsibility of maintaining the facility properly and, thus, for the purposes of this chapter and COMAR 15.14.07, is considered the owner of the facility.

(5) "Responsible veterinarian" means a veterinarian who:

(a) Is licensed and registered by the Board;

(b) Provides direct supervision and control of a licensed veterinary facility; and

(c) Is regularly present at the facility:

(i) More than 50% of the time the facility is open for business; or

(ii) At least 20 hours per week if the facility is open for business more than 40 hours per week.

(6) "Valid hospital license" means a hospital license for the current licensing year which has neither been revoked nor, unless stayed, is under suspension.

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

.01-1 Licensing Requirement.

A. For each licensing year, an owner shall apply for a hospital license on an application furnished by the Department and pay the annual fee required under Regulation .08 of this chapter.

B. The owner of a hospital shall provide certain information on the application when either obtaining a new hospital license, or renewing a hospital

DEPARTMENT OF AGRICULTURE

license. The following information shall be provided on the application form by the owner:

- (1) Name of hospital;
- (2) Name of owner;
- (3) Street address;
- (4) Printed name and signature of veterinarian responsible for the hospital;
- (5) If more than one individual is employed by the hospital, one of the following:
 - (a) Certificate of compliance with the State Workers' Compensation Laws; or
 - (b) Workmens' compensation policy number or binder number;
- (6) Names of all veterinarians employed by the owner;
- (7) Names of all registered veterinary technicians employed by the owner;
- (8) Hospital's core hours of operation;
- (9) Hospital's telephone and facsimile numbers; and
- (10) Signature and date by the hospital owner.

C. A person, including the owner, may not operate a veterinary hospital unless it has a valid hospital license.

D. The Board shall issue the hospital license in the owner's name for the particular building or portion of it identified in the owner's application.

E. Because a hospital license is issued in the name of a particular owner for a particular building or portion of it, the owner may not transfer this license to either a new owner, including a person leasing or purchasing the owner's veterinary practice, or a different physical structure.

F. The Board may not issue a hospital license for, and the owner may not operate a veterinary hospital from, a building or portion of a building which has not previously passed board inspection until such time that the facility passes board inspection. The Board shall attempt to inspect the new facility within 2 weeks from receipt of the owner's application.

G. Change of Ownership.

(1) Upon receipt of a hospital application and the associated fee by a new owner requesting change of ownership, the Board shall review the hospital's last inspection report. The Board shall issue a hospital license in the name of the new owner if the following conditions are met:

(a) The hospital was inspected by the Board within the 12 months preceding the Board's receipt of the hospital application; and

(b) The hospital passed the inspection conducted within the 12 months preceding the Board's receipt of the hospital application.

BOARD OF VETERINARY MEDICAL EXAMINERS

(2) If the conditions set forth in §G(1)(a) and (b) of this regulation are met, the Board shall attempt to inspect the hospital under new ownership within 60 days from the Board's receipt of the application.

H. After giving an owner notice and an opportunity to be heard, the Board may reject the owner's application for a hospital license, or suspend or revoke a hospital license the Board previously issued if the:

(1) Veterinary hospital does not meet the minimum sanitary requirements for veterinary facilities as provided under this chapter; or

(2) Owner fails to either pay the annual fee required under Regulation .08 of this chapter or allow the Board to inspect the facility during normal business hours.

I. The owner shall notify the Board in writing of any change to the information set forth in §B(1)—(10) of this regulation within 30 days after the change.

.01-2 Registration and License Posting Requirements.

The owner shall post the following for the current fiscal year in a conspicuous location within the hospital that is readily visible by the public, such as at or near a receptionist's desk:

- A. Registrations for all veterinarians employed by the hospital;
- B. Registrations for all veterinary technicians employed by the hospital; and
- C. The hospital license.

.01-3 Animal Housing and Care.

For the purposes of these regulations, comfortable and satisfactory housing is defined as any system of management, care, and housing that permits animals to be maintained in good health. Some of the specific considerations that give meaning to this definition are outlined below:

A. Criteria for Evaluating a Caging or Housing System.

(1) It should be designed with the animals' physical comfort as a primary consideration. Physical comfort, as applied scientifically to the housing system, includes keeping the animal dry and clean, maintaining the animal in a state of relative thermal neutrality, providing sufficient space to assure freedom of movement, and allowing for normal postural adjustments, avoiding unnecessary physical restraint, providing convenient access to appropriate food and water, and, if animals are group housed, maintaining them in compatible groups without overcrowding.

(2) It should be compatible with the maintenance of the animals in good health as measured by such factors as the maintenance of normal body weight and the prevention of the spread of communicable diseases.

(3) It should be designed to facilitate effective sanitary maintenance and technical servicing.

DEPARTMENT OF AGRICULTURE

(4) Cages, runs, and pens should be kept in good repair to prevent injury to the animal and to promote physical comfort. Sharp corners and edges, broken wires, and any dangerous surfaces shall be immediately covered.

(5) Materials used for the caging of animals shall be impervious to water, to wear, and to corrosion. Wood is an unacceptable caging material.

B. Exercise. An area readily susceptible to proper sanitation shall be available for the sole purpose of exercising animals.

.02 Sanitation Practices.

A. The animal facility shall be kept clean. A regular schedule of sanitary maintenance is necessary, including the elimination of wastes.

B. Animal rooms, corridors, storage areas, and other parts of the animal facility shall be washed, scrubbed, vacuumed, mopped, or swept as often as necessary, using appropriate detergents and disinfectants to keep them free of dirt, debris, and harmful contamination. A continuing objective shall be to keep these areas neat and uncluttered.

C. If litter or bedding such as paper is used in animal cages or pens, it shall be changed as often as necessary to keep the animals dry and clean and to minimize offensive odors.

D. Cages or pens from which animal waste is removed by hosing or flushing shall be cleaned and suitably disinfected one or more times daily. This system requires removal of the animals from cages during servicing in order to keep them dry.

E. Animal cages, racks, and accessory equipment, such as feeders and water utensils, shall be washed and sanitized as often as necessary to keep them physically clean and free from contamination. In addition, cages should always be sanitized before new animals are placed in them. Sanitizing may be accomplished either by washing all soiled surfaces with a cleaning agent having an effective bactericidal action or with live steam or the equivalent thereof.

F. Waste containers and implements shall be maintained in sanitary condition.

G. A veterinarian shall handle, treat, and dispose of medical wastes (including, but not limited to, carcasses, anatomical body parts, excretions, blood-soiled articles, bedding, and sharps) that are generated from an animal that the veterinarian knows, or has reason to know, has a disease that is capable of being transmitted to humans, in accordance with COMAR 26.13.11 and COMAR 10.06.06.

BOARD OF VETERINARY MEDICAL EXAMINERS

H. A veterinarian shall handle waste materials that are generated from an animal that does not have a disease transmissible to humans as provided under this section:

(1) Sharps, including but not limited to syringes, needles, and surgical instruments, shall be placed in a rigid, tightly lidded container that is impervious to puncture. Before disposing of this container, it shall be placed in a leak-proof plastic sack or plastic-lined paper bag.

(2) Animal tissues, including blood if it is in liquid form, shall be disposed of as provided under §H(3) or placed in one of the following:

(a) Sanitary sewer if allowed under any local ordinance or regulation and the Environment Article, Annotated Code of Maryland.

(b) Leak-proof disposable container, such as a plastic sack or a plastic-lined paper bag. Before disposing of this container, it shall be placed in a rigid, opaque container.

(3) Animal Carcasses.

(a) Except as provided under §H(3)(b), an animal carcass shall be disposed of promptly by one of the following methods:

(i) Release to the owner;

(ii) Burial;

(iii) Cremation;

(iv) Incineration;

(v) Disposal through the rendering process; or

(vi) If permitted by local ordinance, placed in a public landfill.

(b) If prompt disposal of an animal carcass is not possible, it shall be contained in a freezer or stored in a sanitary, nonoffensive manner until such time as it can be disposed of as provided under §H(3)(a).

(4) Litter, bedding, and animal excretions from:

(a) Companion animals shall be placed either in a:

(i) Sanitary sewer if allowed under any local ordinance or regulation and the Environment Article, Annotated Code of Maryland, or

(ii) Leak-proof disposable container, such as a plastic sack or a plastic-lined bag, when disposing of them by other available means;

(b) Livestock shall be:

(i) Handled as provided under §H(4)(a), or

(ii) Disposed of by any acceptable agricultural method.

(5) Before disposing of blood-soiled articles, they shall be placed in a leak-proof disposable container such as a plastic sack or a plastic-lined bag.

DEPARTMENT OF AGRICULTURE

I. Waste materials should be removed regularly and frequently so that storage of waste does not create a nuisance.

J. The elimination or effective control of vermin shall be mandatory.

.03 Feeding and Watering of Animals.

A. Feeding.

(1) All animals shall have daily access to feed according to their particular requirements. The food should be wholesome, free of contamination, palatable, and nutritionally adequate. It shall be fed in amounts sufficient to meet the needs of the individual animals.*

* As specified in the National Research Council Series on nutrient requirements for animals.

(2) Food containers shall be accessible to animals and shall be located to minimize contamination by excreta. Feed containers shall be made of a durable material and shall be kept clean. Food containers shall be sanitized daily after usage. Disposable food containers may be used but shall be discarded after use.

B. Watering. Animals shall have access to potable water, according to their particular requirements.

.04 Facilities, Equipment, and Supplies for Animal Surgery and Post Surgical Care.

A. If surgery is performed, appropriate facilities and equipment shall be provided and the operating area shall be run in accordance with accepted surgical practice.

B. A suitably equipped area shall include the following equipment and supplies:

(1) An autoclave or other equipment for effective sterilization of instruments, linens, gloves, gowns, and similar items;

(2) A scrub sink or a suitable container for surgical preparation;

(3) An operating light or sufficient power to assure clear illumination of the operative field;

(4) Instruments and drapes appropriate for the surgical procedures used in the hospital; and

(5) A positive pressure oxygen delivery system for small animal patients where medically indicated.

.05 Construction Standards for Veterinary Facilities.

A. Floors. Floors shall be smooth, waterproof, nonabsorbent, capable of being suitably scrubbed with detergents and effective sanitizing products, and capable of normal hospital use. Floor-wall junctions in areas such as waiting areas, examination rooms, treatment rooms, surgery rooms, and kennels shall be sealed to facilitate floor cleaning.

BOARD OF VETERINARY MEDICAL EXAMINERS

B. Walls. Walls shall be waterproof and smooth and free of cracks or gaps large enough to interfere with effective cleaning.

C. Ceilings. Ceilings shall be capable of being maintained in a sanitary condition.

D. Exterior Windows. Exterior windows and skylights are not needed in the animal rooms if adequate ventilation and lights are provided. If windows are provided and are opened for ventilation purposes, effective screening is required.

E. Ventilation, Temperature, and Humidity Control.

(1) Effective ventilation shall maintain a low concentration of atmospheric contaminants, such as odors or microorganisms, shall regulate room temperature, and shall promote comfort.

(2) A ventilation system should permit individual adjustments within ± 4 degrees F for any temperature within a range of 65 degrees F. The relative humidity should be maintained year round within a range of 30 to 70 percent, according to the needs of the species being maintained.

(3) If animals (for example, dogs) are housed outdoors with no access to indoor facilities, provisions to aid their natural temperature regulations are essential. When the ambient temperature falls below 50 degrees F, some form of shelter and an acceptable clean nesting material shall be provided, except for horses, cattle, sheep, goats, and pigs. When the ambient temperature exceeds 85 degrees F, shade shall be available and animals should be able to burrow or lie on materials several degrees cooler than the surrounding air.

F. Corridors. Corridors shall be wide enough to permit easy flow of personnel and equipment.

G. Power and Lighting. The electrical system should provide ample lighting, sufficient power outlets, safety provisions (such as explosion-proof outlets in rooms where volatile, explosive anesthetics may be used), and waterproof outlets where water is used in cleaning. Lighting shall be uniformly diffused throughout the area to be served. Although 10 to 15 footcandles of light are considered sufficient to maintain vital animal activity and rhythms, at least 50 footcandles are necessary for ordinary servicing of animal enclosures. For most animal housing areas, a minimum lighting intensity of 75 footcandles at the level of the cage racks is required. Animal treatment and examination areas should have a minimum of 100 footcandles at the work surface. Provision shall be made for emergency lighting in the event of a power failure.

H. Drainage. Floor drains, although not essential in animal rooms, if present, should be maintained in a sanitary and nuisance-free condition. Floors in these rooms can be maintained satisfactorily by wet vacuuming or by sweeping and mopping with appropriate disinfectants or cleaning compounds.

DEPARTMENT OF AGRICULTURE

I. Service Areas in Relation to the Total Size of the Animal Facilities.

(1) An area or areas equal in square feet to at least 25 percent of the animal housing space shall be set aside for the service functions of the animal facility. The hospital service functions include all activities except animal housing.

(2) When an animal facility is 1,000 square feet or less in size, it may be permitted to carry out the service functions in an area that serves other activities as well. However, a separate facility shall be available for storage.

J. Space Recommendations for Animals. The size of a cage, pen, or run shall be such as to allow the animal housed in it to repose and change position comfortably.

K. An automatic, electronic, centrally monitored fire alarm system shall be located in a veterinary hospital. The alarm system shall be adequate to warn if fire is in any area of the hospital where an animal may be kept or treated.

.06 Storage Areas: Food and Bedding, Refuse Equipment.

Bulk supplies of food and bedding may not be stored in animal rooms. A separate area or room shall be available in which food and bedding can be stored off the floor on pallets, racks, or carts. Food storage areas shall be physically separated from refuse areas. Temperatures in the storage rooms may be the ambient temperature. Refrigerated storage shall be available for perishable items. Separate storage for animal waste and dead animals is essential. Carcasses shall be kept below 45°F to reduce putrefaction. Obnoxious materials shall be covered or packaged.

.07 Local Building Codes; Use and Business Permits.

Notwithstanding the provisions of these regulations, the provisions of local building codes, zoning codes, and applicable use and building permits shall be complied with by the owner or director of a veterinary facility as a condition for approval of operation, provided the provisions are at least equal to these regulations.

.08 Licensing Fee.

The owner of the hospital shall pay an annual license fee, as provided in COMAR 15.14.12.02.

BOARD OF VETERINARY MEDICAL EXAMINERS

Administrative History

Effective date: January 1, 1974

Regulations .01A, .03A, .04B, and .05A amended effective June 16, 1978 (5:12 Md. R. 969)

Regulation .01B amended effective February 3, 2014 (41:2 Md. R. 92)

Regulation .01 recodified to Regulation .01-2 and new Regulations .01 and .01-1 adopted effective May 24, 1993 (20:10 Md. R. 853)

Regulation .01-1 amended effective June 19, 1995 (22:12 Md. R. 902); January 1, 2007 (33:26 Md. R. 1997)

Regulation .01-2 recodified to Regulation .01-3 and new Regulation .01-2 adopted effective September 12, 2005 (32:18 Md. R. 1521)

Regulation .01-2 amended effective June 29, 2009 (36:13 Md. R. 900)

Regulation .02 amended effective February 19, 1990 (17:3 Md. R. 301)

Regulation .04B amended effective April 4, 2011 (38:7 Md. R. 433)

Regulation .05A, F amended effective September 12, 2005 (32:18 Md. R. 1521)

Regulation .05K adopted effective December 1, 1997 (24:24 Md. R. 1671)

Regulation .08 adopted effective March 15, 1993 (20:5 Md. R. 515)

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