

Proposed Rule Changes, November 14, 2008

87-01.1-01-01. Examination - Waiver.

1. To qualify for a North Dakota license, each applicant must take and pass a North Dakota examination, the national board examination, and the clinical competency test or the North American veterinary licensing examination. The North Dakota examination is a combination written jurisprudence examination and oral interview.

2. The board adopts the passing score on the examination recommended by the national board of veterinary medical examiners. Applicants must request that their examination scores be sent to the board.

3. The national board examination and clinical competency test or the North American veterinary licensing examination is required of all applicants for licensure in North Dakota who have been in practice less than five years. For an applicant who has been in practice more than five years, the applicant may petition the board to waive this requirement if the applicant meets the requirements of North Dakota Century Code section 43-29-07.2.

4. The North Dakota examination may not be waived.

5. A senior veterinary student may take the North Dakota test if the student has taken and passed the national board examination and the clinical competency test or the North American veterinary licensing examination and submits a letter from the dean of a veterinary college indicating the student's anticipated graduation date.

6. Candidates may take the North American veterinary licensing examination for the first time during the testing window eight months prior to their expected graduation.

7. Beginning with the fall 2007 administration of the North American veterinary licensing examination, a candidate may not take the examination more than five times, and may not take the examination at a date that is later than five years after a candidate's initial attempt. Each of the final two attempts must be at least one year from the previous attempt.

History: Effective January 1, 1999; amended effective November 1, 2000; June 1, 2002; August 1, 2004.

General Authority: NDCC 43-29-03, 43-29-07.2

Law Implemented: NDCC 43-29-07.2

**Chapter 87-02-01
CONTINUING EDUCATION REQUIREMENTS**

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|-------------|---|
| Section | |
| 87-02-01-01 | License Renewal Notice |
| 87-02-01-02 | Educational Program Attendance Required |
| 87-02-01-03 | Educational Program Requirements Waiver |
| 87-02-01-04 | Educational Program Requirements |
| 87-02-01-05 | Notice of Failure to Comply |

87-02-01-01. License renewal notice. ~~Prior to June first of each year, the executive secretary shall mail to each registered veterinarian the following notice:~~

~~Annual renewal of your license to practice veterinary medicine in North Dakota becomes due July 1, _____. The fee is forty five dollars. You are reminded that if you do not~~

~~renew your license and practice veterinary medicine after the expiration of your license, you are in violation of North Dakota Century Code chapter 43-29. If your license lapses for two years, it may not be renewed but you may make application for a new license~~

1. Annual license renewal forms will be mailed to all licensed veterinarians on or before June 1, and completed license renewal forms must be received by June 30.

2. The annual license renewal fee for veterinarians is sixty dollars.

3. Renewals not received by the due date will be assessed a late fee of 50% of the license fee.

History: Amended effective January 1, 1999; December 1, 2004.

General Authority: NDCC 43-29-03

Law Implemented: NDCC 43-29-07.3

87-02-01-03. Educational program requirement waiver. The board shall have the authority to waive the continuing education requirement for an individual, for any of the following reasons:

1. Impaired health.

2. For persons who have reached the age of sixty-five and are no longer actively engaged in practice, and have so indicated on their license renewal form. The license will be placed on inactive status, and the veterinarian may not practice veterinary medicine in North Dakota until all required continuing education is obtained.

3. For other good and sufficient reasons as presented and verified to the board at one of its regular meetings.

History: Amended effective November 1, 1991; January 1, 1999.

General Authority: NDCC 43-29-03, 43-29-07.3

Law Implemented: NDCC 43-29-07.3

87-02-01-04. Educational program requirements. Veterinary continuing education may consist of the following:

1. Eight hours of in-house training including veterinary medical tapes, films, computer-based programs, and self-assessment tests relevant to the practice of veterinary medicine.

2. Programs sponsored by local, state, regional, or national veterinary associations and other continuing educational programs or training approved by the North Dakota veterinary medical examining board. The board accepts programs approved by the registry of approved continuing education of the American association of veterinary state boards.

3. Wet labs or instructions, or both, taken at a college or university, the subject material of which must pertain to veterinary medicine.

4. Up to eight hours of veterinary continuing education may relate to practice management. Programs designed to enhance the veterinarian's ability to earn money, invest money, or relating to personal financial planning are not acceptable for meeting the continuing education requirement.

5. Programs presented by pharmaceutical companies and other commercial groups may be approved, as long as they consist of objective presentations of scientific information and are not designed principally to sell products to the veterinarian or the animal owner. Proof of attendance and verification will be necessary on request. Verification may include a printed program, certificate,

brochure, handout, or syllabus that lists the topics presented, the persons doing the instruction and their qualifications, and the time for each presentation.

6. Eight hours of participation in a clinical setting at another veterinary practice and completion of the written report required by the board's veterinary exchange program.

History: Amended effective November 1, 1991; January 1, 1999.
General Authority: NDCC 43-29-03, 43-29-07.3
Law Implemented: NDCC 43-29-07.3

ARTICLE 87-03
VETERINARY TECHNICIAN ~~CERTIFICATION~~ LICENSURE

Chapter
87-03-01 Procedures for ~~Certification~~ Licensure of Veterinary Technicians

CHAPTER 87-03-01
PROCEDURES FOR ~~CERTIFICATION~~ LICENSURE OF VETERINARY TECHNICIANS

Section
87-03-01-01 Definition of a Veterinary Technician
87-03-01-02 Requirements for ~~Certification~~ Licensure as a Veterinary Technician
87-03-01-03 Prerequisites for Taking the ~~Certification~~ National Examination
87-03-01-04 Application for ~~Certification~~ Licensure - Fees - ~~Certificate~~ License Renewal
87-03-01-05 Educational Program Attendance Required

87-03-01-01. Definition of a veterinary technician. As used in this chapter, "veterinary technician" has the same meaning as "licensed veterinary technician" as defined in North Dakota Century Code section 43-29-01.1.

History: Effective October 1, 1981; amended effective November 1, 1991; January 1, 1999.
General Authority: NDCC 43-29-09
Law Implemented: NDCC 43-29-07.1, 43-29-09

87-03-01-02. Requirements for ~~certification~~ licensure as a veterinary technician. ~~Certification~~ Licensure as a veterinary technician requires a recommendation from a licensed veterinarian and a passing score on the veterinary technician national examination.

History: Effective October 1, 1981; amended effective November 1, 1991; January 1, 1999.
General Authority: NDCC 43-29-09
Law Implemented: NDCC 43-29-07.1

87-03-01-03. Prerequisites for taking the ~~certification~~ national examination. The minimum prerequisite for taking the veterinary technician national examination ~~for certification as a veterinary technician~~ is graduation from a two-year veterinary technician training an accredited program in veterinary technology. Candidates who are students in good standing at an accredited program in veterinary technology may be approved by the board to take the national examination for the first time no earlier than six months prior to their expected graduation date.

History: Effective October 1, 1981; amended effective April 1, 1986; November 1, 1991.
General Authority: NDCC 43-29-09
Law Implemented: NDCC 43-29-07.1

87-03-01-04. Application for ~~certification licensure~~ - Fees - ~~Certificate license~~ renewal. Any person desiring ~~certification licensure~~ as a veterinary technician shall make written application for ~~certification licensure~~ to the executive secretary on forms provided for that purpose and shall pay in advance to the North Dakota board of veterinary medical examiners a fee of twenty-five dollars plus, if applicable, the cost of the veterinary technician national examination. Fees are not returned, except by action of the board. If the ~~certificate license~~ is granted, the technician shall pay a ~~ten~~ fifteen dollar annual renewal registration fee ~~before~~ by December thirty-first. The renewal registration fee shall be paid by all ~~certified licensed~~ technicians. The ~~certificate license~~ will expire if the renewal registration fee is not paid ~~before~~ by December thirty-first. Renewals not received by the due date will be assessed a late fee of 50% of the registration fee. A ~~certificate license~~ may be renewed for two years after it expires by payment of ~~the all past due renewal registration fee fees and a delinquency fee and late fees.~~ After two years after expiration, a new application for ~~certification licensure~~ must be made.

History: Effective October 1, 1981; amended effective November 1, 1991; January 1, 1999; August 1, 2004.

General Authority: NDCC 43-29-03, 43-29-09

Law Implemented: NDCC 43-29-07.1, 43-29-08.1

87-04-01-02. Prescription drugs - Records - Labeling - Dispensing.

1. Adequate treatment records must be maintained by the veterinarian for at least ~~two~~ three years, for all animals treated, to show that the drugs were supplied to clients with whom a valid veterinarian-client-patient relationship has existed. Such records must include the information set forth in section 87-04-01-03.

2. All veterinary prescription drugs must be properly labeled when dispensed. A complete label must include the information set forth in section 87-04-01-03. If that information is included in a manufacturer's drug label, it is unnecessary to repeat it in the veterinarian's label. If there is inadequate space on the label for complete instructions, the veterinarian must provide additional information to accompany the drug dispensed or prescribed. The veterinarian's additional instructions must be kept in the owner's drug storage area.

3. When veterinary prescription drugs are dispensed to companion animal owners, such drugs must be placed in child-resistant containers.

History: Effective January 1, 1999.

General Authority: NDCC 43-29-03

Law Implemented: NDCC 43-29-03