

January 15, 2025
Training Room 1
9:00 a.m.

Agenda
Virginia Board of Veterinary Medicine
Regulatory/Legislative Committee Meeting

Call to Order – Thomas Massie, Jr., DVM, Chair

Page 1

- Welcome
- Emergency Egress Procedures
- Mission Statement

Ordering of Agenda – Dr. Massie

Public Comment – Dr. Massie

The Board will receive all public comment related to agenda items at this time. The Board will not receive comment on any regulatory process for which a public comment period has closed or any pending or closed complaint or disciplinary matter.

Discussion – Erin Barrett/Kelli Moss

Pages 2-38

- 2025 Legislative Update
- Regulatory Reduction Process
- Review of Regulations

Next Steps – Ms. Barrett/Ms. Moss

Meeting Adjournment – Dr. Massie

This information is in **DRAFT** form and is subject to change.

MISSION STATEMENT

Our mission is to ensure safe and competent patient care by licensing health professionals, enforcing standards of practice, and providing information to health care practitioners and the public.

Agenda Item: Consideration of proposed language pursuant to periodic review

Included in your agenda package:

- Proposed changes to regulatory language based on previous periodic review, Regulatory Committee review, Inspection Committee review, and staff review.

Staff note: Due to the amount of time between submission of and approval of the NOIRA stage for this action, this language should be reviewed again by the Regulatory Committee.

Note that this action cannot go beyond the stated notice in the NOIRA documents, which was the following:

- Deletion of unused definitions and revision of needed definitions;
- Revision of license posting requirements to be more permissive;
- Revision of continuing education requirements to remove outdated provisions, edit language for clarity, and remove provisions redundant to the Code;
- Reorganization of inactive license requirements and reactivation requirements;
- Simplification of requirements for faculty licensure and intern/resident licensure;
- Removal or revision of unprofessional conduct provisions which conflict with other law;
- Coordination of requirements for veterinary establishment registration, including combination of provisions previously in other portions of the Chapter;
- Revision and clarification of requirements for prescribing opioids;
- Revision of veterinary establishment provisions to clarify establishment requirements, clarify defined terms, and improve drug safety and security of establishments;
- Removal of information redundant to statute regarding sale or closure of veterinary practice; and
- Revision and simplification of requirements regarding equine dental technicians.

Licensure by endorsement changes which were originally included in this action have been removed and voted on as a separate regulatory action. That action is currently undergoing executive branch review.

Action needed:

- Review and discuss changes. Motion to recommend proposed regulatory language to full Board for adoption.

Project 7113 - Proposed

Board of Veterinary Medicine

Implementation of 2022 Periodic Review Changes

18VAC150-20-10. Definitions.

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

"AAVSB" means the American Association of Veterinary State Boards.

"Administer" has the meaning ascribed to it in § 54.1-3401 of the Code of Virginia.

"Automatic emergency lighting" is lighting that is powered by battery, generator, or alternate power source other than electrical power, is activated automatically by electrical power failure, and provides sufficient light to complete surgery or to stabilize the animal until surgery can be continued or the animal moved to another establishment.

"AVMA" means the American Veterinary Medical Association.

"Board" means the Virginia Board of Veterinary Medicine.

"Companion animal" means ~~any dog, cat, horse, nonhuman primate, guinea pig, hamster, rabbit not raised for human food or fiber, exotic or native animal, reptile, exotic or native bird, or any feral animal or animal under the care, custody or ownership of a person or any animal that is bought, sold, traded, or bartered by any person. Agricultural animals, game species, or any animals regulated under federal law as research animals shall not be considered companion animals for the purposes of this chapter~~ any animal not defined as agricultural or equine.

"Controlled substance" means a drug, substance, or immediate precursor in Schedules I - VI as defined in § 54.1-3401 of the Code of Virginia.

"CVMA" means the Canadian Veterinary Medical Association.

"DEA" means the U.S. Drug Enforcement Administration.

"Dispense" has the meaning ascribed to in § 54.1-3401 of the Code of Virginia.

~~"ICVA" means the International Council for Veterinary Assessment.~~

"Immediate supervision" means that the licensed veterinarian is immediately available to the licensed veterinary technician or assistant, either electronically or in person, and provides a specific order based on observation and diagnosis of the patient within the last 36 hours.

"Owner" means any person who (i) has a right of property in an animal; (ii) keeps or harbors an animal; (iii) has an animal in his care; or (iv) acts as a custodian of an animal.

"PAVE" means the Program for the Assessment of Veterinary Education Equivalence for veterinary technicians of the American Association of Veterinary State Boards.

"Preceptee" or "extern" means a student who is enrolled and in good standing in an AVMA accredited college of veterinary medicine or AVMA accredited veterinary technology program and who is receiving practical experience under the supervision of a licensed veterinarian or licensed veterinary technician.

"Preceptorship" or "externship" means a formal arrangement between an AVMA accredited college of veterinary medicine or an AVMA accredited veterinary technology program and a veterinarian who is licensed by the board and responsible for the practice of the preceptee. A preceptorship or externship shall be overseen by faculty of the college or program.

~~"Private animal shelter" means a facility that is used to house or contain animals and that is owned or operated by an incorporated, nonprofit, and nongovernmental entity, including a humane society, animal welfare organization, society for the prevention of cruelty to animals, or any other organization operating for the purpose of finding permanent adoptive homes for animals.~~

"Professional judgment" includes any decision or conduct in the practice of veterinary medicine, as defined by § 54.1-3800 of the Code of Virginia.

~~"Public animal shelter" means a facility operated by the Commonwealth, or any locality, for the purpose of impounding or sheltering seized, stray, homeless, abandoned, unwanted, or surrendered animals, or a facility operated for the same purpose under a contract with any locality.~~

"Specialist" means a veterinarian who has been awarded and has maintained the status of diplomate of a specialty organization recognized by the American Board of Veterinary Specialties of the American Veterinary Medical Association, or any other organization approved by the board.

"Surgery" means treatment through revision, destruction, incision or other structural alteration of animal tissue. Surgery does not include dental extractions of single-rooted teeth or skin closures performed by a licensed veterinary technician upon a diagnosis and pursuant to direct orders from a veterinarian.

"Veterinarian-in-charge" means a veterinarian who holds an active license in Virginia and who is responsible for maintaining a veterinary establishment within the standards set by this chapter, for complying with federal and state laws and regulations, and for notifying the board of the establishment's closure.

"Veterinary establishment" or "establishment" means any stationary or ambulatory practice, veterinary hospital, animal hospital, or premises wherein or out of which veterinary medicine is being conducted.

"Veterinary technician" means a person licensed by the board as required by § 54.1-3805 of the Code of Virginia.

18VAC150-20-30. Posting of licenses; accuracy of address.

A. All licenses and registrations issued by the board shall be posted in a place conspicuous to the public at the establishment where veterinary services are being provided or available for

inspection at the location where an equine dental technician is working. Licensees who do relief or temporary work in an establishment shall carry a license with them or post it at the establishment. Ambulatory veterinary practices that do not have an office accessible to the public shall carry their licenses and registrations in their vehicles. A license verification printed from the Department of Health Profession's website may be posted to satisfy this requirement.

B. It shall be the duty and responsibility of each licensee, registrant, and holder of a registration to operate a veterinary establishment to keep the board apprised at all times of his current address of record and the public address, if different from the address of record. All notices required by law or by this chapter to be mailed to any veterinarian, veterinary technician, registered equine dental technician, or holder of a registration to operate a veterinary establishment shall be validly given when mailed to the address of record furnished to the board pursuant to this regulation. All address changes shall be furnished to the board within 30 days of such change.

18VAC150-20-70. Licensure renewal requirements.

A. Every person licensed by the board shall, by January 1 of every year, submit to the board a completed renewal application and pay to the board a renewal fee as prescribed in 18VAC150-20-100. Failure to renew shall cause the license to lapse and become invalid, and practice with a lapsed license may subject the licensee to disciplinary action by the board. Failure to receive a renewal notice does not relieve the licensee of his responsibility to renew and maintain a current license.

B. Veterinarians shall ~~be required to have completed~~ complete a minimum of 15 hours, and veterinary technicians shall ~~be required to have completed~~ complete a minimum of eight hours, of approved continuing education for each annual renewal of licensure. Continuing education credits or hours may not be transferred or credited to another year.

1. Approved continuing education credit shall be given for courses or programs related to the treatment and care of patients and shall be clinical courses in veterinary medicine or veterinary technology or courses that enhance patient safety, such as medical recordkeeping or compliance with requirements of the Occupational Health and Safety Administration (OSHA).

2. An approved continuing education course or program shall be sponsored by one of the following:

- a. The AVMA or its constituent and component/branch associations, specialty organizations, and board certified specialists in good standing within their specialty board;
- b. Colleges of veterinary medicine approved by the AVMA Council on Education;
- c. International, national, or regional conferences of veterinary medicine;
- d. Academies or species-specific interest groups of veterinary medicine;
- e. State associations of veterinary technicians;
- f. North American Veterinary Technicians Association;
- g. Community colleges with an approved program in veterinary technology;
- h. State or federal government agencies;
- i. American Animal Hospital Association (AAHA) or its constituent and component/branch associations;
- j. Journals or veterinary information networks recognized by the board as providing education in veterinary medicine or veterinary technology; or
- k. An organization or entity approved by the Registry of Approved Continuing Education of the AAVSB.

3. A licensee is exempt from completing continuing education requirements and considered in compliance on the first renewal date following his initial licensure by examination.

4. The board may grant an exemption for all or part of the continuing education requirements due to circumstances beyond the control of the licensee, such as temporary disability, mandatory military service, or officially declared disasters.

5. The board may grant an extension for good cause of up to one year for the completion of continuing education requirements upon written request from the licensee prior to the renewal date. Such an extension shall not relieve the licensee of the continuing education requirement.

6. Licensees ~~are required to~~ shall attest to compliance with continuing education requirements on their annual license renewal and ~~are required to~~ shall maintain original documents verifying the date and subject of the program or course, the number of continuing education hours or credits, and certification from an approved sponsor. ~~Original~~ Licensees shall maintain continuing education documents ~~must be maintained~~ for a period of two years following renewal. The board shall periodically conduct a random audit to determine compliance. Practitioners selected for the audit shall provide all supporting documentation within 14 days of receiving notification of the audit unless an extension is granted by the board.

7. ~~Continuing education hours required by disciplinary order shall not be used to satisfy renewal requirements.~~

8. Up to two hours of the 15 hours required for annual renewal of a veterinarian license and up to one hour of the eight hours required for annual renewal of a veterinary technician license may be satisfied through delivery of veterinary services, without compensation, to

low-income individuals receiving health services through a local health department or a free clinic organized in whole or primarily for the delivery of those services. One hour of continuing education may be credited for three hours of providing such volunteer services, as documented by the health department or free clinic.

~~9. Falsifying the attestation of compliance with continuing education on a renewal form or failure to comply with continuing education requirements may subject a licensee to disciplinary action by the board, consistent with § 54.1-3807 of the Code of Virginia.~~

C. A licensee who has requested that his license be placed on inactive status is not authorized to perform acts that are considered the practice of veterinary medicine or veterinary technology and, therefore, shall not be required to have continuing education for annual renewal. To reactivate a license, the licensee is required to submit evidence of completion of continuing education hours as required by § 54.1-3805.2 of the Code of Virginia and this section equal to the number of years in which the license has not been active for a maximum of two years.

18VAC150-20-110. Requirements for licensure by examination as a veterinarian.

A. The applicant, in order to be licensed by the board to practice veterinary medicine, shall:

1. Have received a degree in veterinary medicine from a college or school of veterinary medicine accredited by the AVMA, as verified by an official transcript from the applicant's college or school, indicating completion of the veterinary degree. In lieu of a degree from an accredited college or school, an applicant may submit verification that he has fulfilled the requirements of the Educational Commission of Foreign Veterinary Graduates of the AVMA or the Program for the Assessment of Veterinary Education Equivalence of the AAVSB or any other substantially equivalent credentialing body as determined by the board; and

2. Have passed the North American Veterinary License Examination (since the fall of 2000) or the National Board Examination and the Clinical Competency Test (prior to the fall of 2000) of the ~~ICVA~~ International Council for Veterinary Assessment or any other substantially equivalent national examination as approved by the board with a score acceptable to the board; and

~~B. All applicants shall also:~~

~~1. Submit the application fee specified in 18VAC150-20-100 and a complete application on a form obtained from the board;~~

~~2. 3. Provide verification that any license to practice veterinary medicine issued by a board of veterinary medicine in another state or United States jurisdiction is in good standing;~~

~~3. Sign a statement attesting that the applicant has read, understands, and will abide by the statutes and regulations governing the practice of veterinary medicine in Virginia; and~~

~~4. Have committed no acts that would constitute a violation of § 54.1-3807 of the Code of Virginia.~~

~~C. If the application for licensure has not been successfully completed within one year from the date of initial submission, a new application and fee shall be required. B. The application for licensure shall be valid for a period of one year after the date of initial submission, after which time a new application and fee shall be required. [Note issue on this]~~

18VAC150-20-115. Requirements for licensure by examination as a veterinary technician.

A. The applicant, in order to be licensed by the board as a veterinary technician, shall:

1. Have received a degree in veterinary technology or veterinary nursing from a college or school accredited by the AVMA or the CVMA or obtained a PAVE certificate.

2. ~~Have filed with the board the following documents:~~

- ~~a. A complete application on a form obtained from the board;~~
 - ~~b. An official copy, indicating a veterinary technology or veterinary nursing degree, of the applicant's college or school transcript or documentation of a PAVE certificate; and~~
 - ~~c. Verification Provide verification that the applicant is in good standing by each board any license, certification, or registration to practice as a veterinary technician or veterinary nurse issued by a board of veterinary medicine in another state or United States jurisdiction from which the applicant holds a license, certification, or registration to practice veterinary technology or veterinary nursing is in good standing.~~
3. Have passed the Veterinary Technician National Examination approved by the AAVSB or any other board-approved, national board examination for veterinary technology with a score acceptable to the board.
 4. Sign a statement attesting that the applicant has read, understands, and will abide by the statutes and regulations governing the practice of veterinary medicine in Virginia.
 5. Have submitted the application fee specified in 18VAC150-20-100.
 6. Have committed no acts that would constitute a violation of § 54.1-3807 of the Code of Virginia.

B. The application for licensure shall be valid for a period of one year after the date of initial submission, after which time a new application and fee shall be required.

18VAC150-20-121. Requirements for licensure by endorsement for veterinary technicians.

~~In its discretion, the~~ The board may grant a license by endorsement to an applicant who is licensed, certified, or registered to practice as a veterinary technician or a veterinary nurse in another jurisdiction of the United States or Canada, provided that the applicant:

1. Holds at least one current and unrestricted license, certification, or registration issued by the regulatory entity in another jurisdiction of the United States and that he is not a respondent in any ~~pending or unresolved~~ board action in any jurisdiction;
2. Provides documentation of having been regularly engaged in clinical practice as a licensed, certified, or registered veterinary technician or veterinary nurse for at least two of the past four years immediately preceding application;
3. Has received a degree in veterinary technology or veterinary nursing from a college or school accredited by the AVMA or the CVMA or has passed the Veterinary Technician National Examination approved by the AAVSB or any other board-approved national board examination for veterinary technology with a score acceptable to the board; and
4. ~~Provides documentation of completion of at least 16 hours of continuing education requirements during the preceding four years;~~
5. ~~Submits the application fee specified in 18VAC150-20-100 and a complete application on a form obtained from the board;~~
6. ~~Signs a statement attesting that the applicant has read, understands, and will abide by the statutes and regulations governing the practice of veterinary medicine in Virginia; and~~
7. ~~Has committed no acts that would constitute a violation of § 54.1-3807 of the Code of Virginia.~~

Provides verification that any license, certification, or registration to practice as a veterinary technician or veterinary nurse issued by a board of veterinary medicine in another state, United States jurisdiction, or Canada is in good standing.

18VAC150-20-122. Requirements for faculty licensure.

A. ~~Upon payment of the fee prescribed in 18VAC150-20-100 and provided that no grounds exist to deny licensure pursuant to § 54.1-3807 of the Code of Virginia, the~~ The board may grant a restricted faculty license to engage in the practice of veterinary medicine as part of a veterinary medical education program accredited by the American Veterinary Medical Association Council on Education to an applicant who: if the dean or dean's designee of the veterinary medical education program has assessed the applicant's clinical competency and clinical experience, and the dean or dean's designee verifies that the applicant meets one of the following requirements:

1. ~~Is~~ The applicant is qualified for full licensure pursuant to 18VAC150-20-110 or 18VAC150-20-120;
2. ~~Is~~ The applicant is a graduate of an accredited veterinary program and has an unrestricted current license or if lapsed, is eligible for reinstatement in another United States jurisdiction; or
3. ~~Is~~ The applicant is a graduate of a veterinary program and has advanced training recognized by the American Board of Veterinary Specialties or a specialty training program acceptable to the veterinary medical education program in which he serves on the faculty.

B. ~~The dean of a veterinary medical education program shall provide verification that the applicant is being or has been hired by the program and shall include an assessment of the applicant's clinical competency and clinical experience that qualifies the applicant for a faculty license. Prior to issuance of a faculty license, the applicant shall provide the board verification that any license, certification, or registration to practice veterinary medicine, practice as a veterinary technician, or practice as a veterinary nurse issued by a board of veterinary medicine in another state or United states jurisdiction is in good standing.~~

C. The holder of a faculty license shall be entitled to perform all functions that a ~~person~~ licensed to ~~practice veterinary medicine would be entitled~~ veterinarian is authorized to perform when practicing as part of his faculty duties; Faculty duties, including patient care functions associated with teaching, research, and the delivery of patient care ~~that takes~~ shall take place only within a veterinary establishment or provided as diagnostic and clinical services operated by or affiliated with the veterinary medical education program. A faculty license shall not authorize the holder to practice veterinary medicine in nonaffiliated veterinary establishments or in private practice settings.

D. A faculty license shall expire on ~~December 31 of the second year after its issuance and may be renewed annually without a requirement for continuing education, as specified in 18VAC150-20-70, as long as the accredited program certifies to the licensee's continued employment. When such a license holder ceases serving on the faculty, the license shall be null and void upon termination of employment. The dean of the veterinary medical education program shall notify the board within 30 days of such termination of employment.~~ the following schedule:

1. If issued prior to July 1, the license expires December 31 of the year of issuance.

2. If issued July 1 or after, the license expires on December 31 of the following year.

E. Continuing education specified in 18VAC150-20-70 is not required for annual renewal of a restricted faculty license.

18VAC150-20-123. Requirements for an intern/resident license.

A. ~~Upon payment of the fee prescribed in 18VAC150-20-100 and provided that no grounds exist to deny licensure pursuant to § 54.1-3807 of the Code of Virginia, the~~ The board may issue grant a temporary restricted license to engage in the practice of veterinary medicine as part of a veterinary medical education program accredited by the American Veterinary Medical Association Council on Education to an intern or resident. ~~Upon recommendation of the dean or director of~~

~~graduate education of the veterinary medical education program, such a license may be issued to an applicant who is a graduate of an AVMA-accredited program or who meets requirements of the Educational Commission of Foreign Veterinary Graduates or the Program for the Assessment of Veterinary Education Equivalence of the American Association of Veterinary State Boards, as verified by the veterinary medical education program. The application shall include the beginning and ending dates of the internship or residency.~~ if the following criteria are met:

1. The dean or dean's designee of the veterinary medical education program verifies that the applicant meets one of the following requirements:

a. The applicant graduated from a program accredited by AVMA; or

b. The applicant is eligible for or received a certificate of completion from the Educational Commission of Foreign Veterinary Graduates or the Program for the Assessment of Veterinary Education Equivalence of AAVSB.

2. The applicant provides verification that any license, certification, or registration to practice as a veterinary technician or veterinary nurse issued by a board of veterinary medicine in another state or United States jurisdiction is in good standing.

B. The intern or resident shall be supervised by a fully licensed veterinarian or a veterinarian who holds a restricted faculty license issued by the board. The intern or resident duties shall ~~only practice occur~~ within a veterinary establishment or be provided as diagnostic and clinical services operated by or affiliated with the veterinary medical education program. A ~~temporary~~ restricted intern or resident license shall not authorize the holder to practice veterinary medicine in nonaffiliated veterinary establishments or in private practice settings.

C. ~~An intern or resident license shall expire on August 1 of the second year after its issuance~~
An initial intern or resident license is valid for two years with an expiration date of August 1 and

may be renewed upon recommendation by the dean or ~~director of graduate education~~ dean's designee of the veterinary medical education program.

18VAC150-20-130. Requirements for practical training in a preceptorship or externship.

A. The practical training and employment of qualified students of veterinary medicine or veterinary technology shall be governed and controlled as follows:

1. A veterinary student who is enrolled and in good standing in a veterinary college or school accredited or approved by the AVMA may be engaged in a preceptorship or externship. A veterinary preceptee or extern may perform duties that constitute the practice of veterinary medicine for which he has received adequate instruction by the college or school and only under the on-premises supervision of a licensed veterinarian.

2. A veterinary technician student who is enrolled and in good standing in a veterinary technology program accredited or approved by the AVMA may be engaged in a preceptorship or externship. A veterinary technician preceptee or extern may perform duties that constitute the practice of veterinary technology for which he has received adequate instruction by the program and only under the on-premises supervision of a licensed veterinarian or licensed veterinary technician.

3. A veterinary student or veterinary technician student shall not access or prepare controlled substances in Schedules II - V pursuant to 18VAC150-20-190(D).

B. Whenever a veterinary preceptee or extern is performing surgery on a patient, either assisted or unassisted, the supervising veterinarian shall be in the operatory during the procedure. Prior to allowing a preceptee or extern in veterinary medicine to perform surgery on a patient unassisted by a licensed veterinarian, a licensed veterinarian shall receive written informed consent from the owner.

C. When there is a veterinary or veterinary technician preceptee or extern practicing in the establishment, the supervising veterinarian shall disclose such practice to owners. The disclosure shall be by signage clearly visible to the public or by inclusion on an informed consent form.

D. A veterinarian or veterinary technician who supervises a preceptee or extern remains responsible for the care and treatment of the patient.

18VAC150-20-140. Unprofessional conduct.

Unprofessional conduct as referenced in subdivision 5 of § 54.1-3807 of the Code of Virginia shall include the following:

1. Representing conflicting interests except by express consent of all concerned given after a full disclosure of the facts. Acceptance of a fee from both the buyer and the seller is prima facie evidence of a conflict of interest.
2. Practicing veterinary medicine or equine dentistry where an unlicensed person has the authority to control the professional judgment of the licensed veterinarian or the equine dental technician.
3. Issuing a certificate of health unless he shall know of his own knowledge by actual inspection and appropriate tests of the animals that the animals meet the requirements for the issuance of such certificate on the day issued.
4. Revealing confidences gained in the course of providing veterinary services to a client, unless required by law or necessary to protect the health, safety, or welfare of other persons or animals.
5. Advertising in a manner that is false, deceptive, or misleading or that makes subjective claims of superiority.

6. Violating any state law, federal law, or board regulation pertaining to the practice of veterinary medicine, veterinary technology or equine dentistry.
7. Practicing veterinary medicine or as an equine dental technician in such a manner as to endanger the health and welfare of his patients or the public, or being unable to practice veterinary medicine or as an equine dental technician with reasonable skill and safety.
8. Performing surgery on animals in an unregistered veterinary establishment or not in accordance with the establishment registration or with accepted standards of practice.
9. Refusing the board or its agent the right to inspect an establishment at reasonable hours.
10. Allowing unlicensed persons to perform acts restricted to the practice of veterinary medicine, veterinary technology, or an equine dental technician including any invasive procedure on a patient or delegation of tasks to persons who are not properly trained or authorized to perform such tasks.
11. Failing to provide immediate supervision to a licensed veterinary technician or an assistant in his employ.
12. Refusing to release a copy of a valid prescription upon request from an owner, unless there are medical reasons documented in the patient record and the veterinarian would not dispense the medication from his own practice.
13. Misrepresenting or falsifying information on an application or renewal form.
14. Failing to report suspected animal cruelty to the appropriate authorities.
15. Failing to release a copy of patient records when requested by the owner; a law-enforcement entity; or a federal, state, or local health regulatory agency.

16. Committing an act constituting fraud, deceit, or misrepresentation in dealing with the board or in the veterinarian-owner-patient relationship, or with the public.

17. Representing oneself as a "specialist" without meeting the definition set forth in 18VAC150-20-10 or using the words "specialist" or "specialty" in the name of a veterinary establishment unless there is a veterinarian on staff who meets the definition of a "specialist."

18. Failure to submit evidence of correction resulting from a violation noted in an inspection or reported by another agency within 14 days, unless an extension is granted by the board.

19. Falsifying the attestation of compliance with continuing education requirements on a renewal form or failure to comply with continuing education requirements.

18VAC150-20-171. Specialty practice in a limited setting. (Repealed.)

~~A licensed veterinarian may conduct drug testing at animal shows and events or examine any animal and express a professional judgment as to its health at (i) genetic screening clinics where animals are examined for cardiac, ophthalmic and auditory diseases, (ii) agricultural fairs, (iii) 4-H or other youth organization competitions, (iv) livestock auctions, (v) horse races, (vi) hunt club events, (vii) pet adoption events, or (viii) animal shows including but not limited to dog, cat, and horse shows.~~

18VAC150-20-174. Prescribing of controlled substances for pain or chronic conditions.

A. Evaluation of the patient and need for prescribing a controlled substance for pain.

1. For the purposes of this section, a controlled substance shall be a drugs in Schedules II through V ~~drug~~, as set forth in the Drug Control Act (§ 54.1-3400 et seq. of the Code of Virginia), which ~~contains~~ contain an opioid, to include tramadol and buprenorphine.

2. Nonpharmacologic and non-opioid treatment for pain shall be given consideration prior to treatment with opioids. ~~Prior to initiating treatment with a controlled substance, as defined, the~~ The prescriber shall perform a history and physical examination appropriate to the complaint and ~~conduct an assessment of~~ assess the patient's history as part of the initial evaluation prior to initiating treatment with a controlled substance.

3. If a controlled substance is necessary for treatment of pain, the veterinarian shall prescribe it in the lowest effective dose appropriate to the size and species of the animal for the least amount of time. The initial dose shall not exceed a 14-day supply.

B. ~~If the prescribing is within the accepted standard of care, a~~ A veterinarian may prescribe a controlled substance containing an opioid for management of pain, terminal illnesses, or certain chronic conditions, such as chronic heart failure, chronic bronchitis, osteoarthritis, collapsing trachea, or related conditions if such prescribing is within the accepted standard of care.

1. ~~For prescribing a controlled substance for management of pain after the initial 14-day prescription, the~~ The patient shall be seen and evaluated for the continued need for an opioid if a prescription of a controlled substance for the management of pain will be provided beyond the initial 14-day prescription. ~~For the prescribing of a controlled substance for terminal illnesses or certain chronic conditions, it~~ The prescriber is not required to see and reevaluate the patient for prescribing beyond 14 days if the prescription of a controlled substance is for terminal illness or certain chronic conditions.

2. ~~For any prescribing of a controlled substance beyond 14 days, the~~ The veterinarian shall develop a treatment plan for the patient for any prescribing of a controlled substance beyond 14 days, which shall include measures to be used to determine progress in treatment, further diagnostic evaluations or modalities that might be necessary, and the extent to which the pain or condition is associated with impairment.

3. ~~For continued prescribing of a controlled substance, the~~ The patient shall be seen and reevaluated at least every six months, for continued prescribing of a controlled substance and the justification for such prescribing documented in the patient record.

C. Prior to prescribing or dispensing a controlled substance, the veterinarian shall document a discussion with the owner about the responsibility for the security of the drug and proper disposal of any unused drug.

D. Continuation of treatment with controlled substances shall be supported by documentation of continued benefit from the prescribing. If the patient's progress is unsatisfactory, the veterinarian shall assess the appropriateness of continued use of the current treatment plan and consider the use of other therapeutic modalities.

E. The medical record for prescribing controlled substances shall include signs or presentation of the pain or condition, a presumptive diagnosis for the origin of the pain or condition, an examination appropriate to the complaint, a treatment plan, and the medication prescribed to include the date, type, dosage, and quantity prescribed.

18VAC150-20-180. Requirements ~~to be~~ for a registered ~~as a~~ veterinary establishment.

A. Every veterinary establishment shall apply for registration on a form provided by the board and submit the application fee specified in 18VAC150-20-100. The board may issue a registration as a stationary or ambulatory establishment. Every veterinary establishment shall have a veterinarian-in-charge registered with the board in order to operate.

1. Veterinary medicine may only be practiced out of a registered establishment except in emergency situations or ~~in limited specialized practices~~ as provided in ~~18VAC150-20-171~~ subsection A 4. ~~The injection of a microchip for identification purposes shall only be performed in a veterinary establishment, except personnel of public or private animal~~

~~shelters may inject animals while in their possession.~~ [NOTE: this is a separate fast-track action]

2. An application for registration must be made to the board 45 days in advance of opening or changing the location of the establishment or requesting a change in the establishment category listed on the registration.

3. Any addition or renovation of involving changes to the structure or composition of a surgical room within a stationary establishment or an ambulatory establishment that involves changes to the structure or composition of a surgery room shall require, prior to its use, submission of an application and reinspection fee and reinspection by the board and payment of the required fee prior to use.

4. A veterinary establishment registration is not required for a licensed veterinarian to conduct drug testing at animal shows and events or to examine any animal and express a professional judgement as to its health at any of the following:

a. Genetic screening clinics where animals are examined for cardiac, ophthalmic, and auditory diseases;

b. Agricultural fairs;

c. 4-H or other youth organization competitions;

d. Livestock auctions;

e. Horse races;

f. Hunt club events;

g. Pet adoption events;

h. Animal shows, including, but not limited to, dog, cat, and horse shows; or

i. Rabies clinics pursuant to § 3.2-6521 of the Code of Virginia.

B. A veterinary establishment will be registered by the board when:

1. It is inspected by the board and is found to meet the standards set forth by 18VAC150-20-190 and 18VAC150-20-200 or 18VAC150-20-201 where applicable. ~~If, during a new or routine inspection, violations or deficiencies are found necessitating a reinspection, the prescribed reinspection fee will be levied. Failure to pay the fee shall be deemed unprofessional conduct and, until paid, the establishment shall be deemed to be unregistered.~~

2. A veterinarian currently licensed by and in good standing with the board is registered with the board in writing as veterinarian-in-charge and ensures that the establishment registration fee has been paid.

C. If, during a new or routine inspection, the board finds violations or deficiencies necessitating a reinspection, the veterinary establishment must pay the prescribed reinspection fee.

18VAC150-20-181. Requirements for veterinarian-in-charge.

A. The veterinarian-in-charge of a veterinary establishment is responsible for:

1. Regularly being on site as necessary to provide routine oversight to the veterinary establishment for patient safety and compliance with law and regulation.

2. Maintaining the facility within the standards set forth by this chapter.

3. ~~Performing the biennial controlled substance inventory and ensuring~~ Ensuring compliance at the ~~facility establishment~~ with any federal or state law relating to controlled substances as defined in § 54.1-3404 of the Code of Virginia. The performance of the biennial inventory may be delegated to another licensee, provided the veterinarian-in-charge signs the inventory and remains responsible for its content and accuracy.

~~4. Notifying the board in writing of the closure of the registered facility 10 days prior to closure.~~

~~5. Notifying the board immediately if no longer acting as the veterinarian-in-charge and ensuring the security of any Schedule II - V drugs stocked under the veterinarian-in-charge's DEA registration by properly transferring or disposing of the controlled substances in compliance with all applicable local, state, and federal laws and regulations prior to relinquishing responsibilities as the veterinarian-in-charge.~~

~~6. 5. Ensuring the establishment maintains a current and valid registration issued by the board.~~

~~6. Ensuring submission of a Notification for Closure of Veterinary Establishment form to the board prior to the closure of a veterinary establishment which provides information about the location or access to patient records and the disposition of all controlled substances.~~

B. Upon any change in veterinarian-in-charge, these procedures shall be followed:

1. The veterinarian-in-charge registered with the board remains responsible for the establishment and the stock of controlled substances until a new veterinarian-in-charge is registered or for five days, whichever occurs sooner.

2. ~~An application for a new registration~~ A completed Change of Veterinarian-in-Charge form or other form provided by the board, naming the new veterinarian-in-charge, and fee specified in 18VAC150-20-100 shall be made submitted five days prior to the change of the veterinarian-in-charge. If no prior notice was given by the previous veterinarian-in-charge, ~~an application form~~ for a new registration naming a new veterinarian-in-charge shall be filed as soon as possible, but no more than 10 days, after the change immediately.

The previous establishment registration shall be void on the effective date of the change of veterinarian-in-charge and a new registration shall be issued by the board.

~~3. The previous establishment registration is void on the date of the change of veterinarian-in-charge and shall be returned by the former veterinarian-in-charge to the board five days following the date of change.~~

4. Prior to the opening of the business, on the date of the change of veterinarian-in-charge, the new veterinarian-in-charge shall take a complete inventory of all Schedules II through V drugs on hand pursuant to 18VAC150-20-190. ~~He~~ The veterinarian-in-charge shall date and sign the inventory and maintain it on premises for three years. That inventory may be designated as the official biennial controlled substance inventory.

~~C. Prior to the sale or closure of a veterinary establishment, the veterinarian in charge shall:~~

~~1. Follow the requirements for transfer of patient records to another location in accordance with § 54.1-2405 of the Code of Virginia; and~~

~~2. If there is no transfer of records upon sale or closure of an establishment, the veterinarian in charge shall provide to the board information about the location of or access to patient records and the disposition of all scheduled drugs.~~

18VAC150-20-185. Renewal of veterinary establishment registrations.

A. Every veterinary establishment shall be required to renew the registration by January 1 of each year and pay to the board a registration fee as prescribed in 18VAC150-20-100.

B. Failure to renew the establishment registration by January 1 of each year shall cause the registration to expire and become invalid. Practicing veterinary medicine in an establishment with an expired registration may subject a licensee or registration holder to disciplinary action by the board. The registration may be renewed without reinspection within ~~30~~ 90 days of expiration,

provided the board receives a properly executed renewal application, renewal fee, and a late fee as prescribed in 18VAC150-20-100.

C. Reinstatement of an expired registration after ~~30~~ 90 days shall be at the discretion of the board and contingent upon a properly executed reinstatement application and payment of the late fee, the reinspection fee, the renewal fee and the veterinary establishment registration reinstatement fee. A reinspection is required when an establishment is reinstated.

18VAC150-20-190. Requirements for drug storage, dispensing, destruction, and records for all establishments.

A. All drugs shall be maintained, administered, dispensed, prescribed, and destroyed in compliance with state and federal laws, which include § 54.1-3303 of the Code of Virginia, the Drug Control Act (§ 54.1-3400 et seq. of the Code of Virginia), applicable parts of the federal Food, Drug, and Cosmetic Control Act (21 USC § 301 et seq.), the Prescription Drug Marketing Act (21 USC §§ ~~301 et seq.~~ 331, 353, and 381), and the Controlled Substances Act (21 USC § 801 et seq.), as well as applicable portions of Title 21 of the Code of Federal Regulations.

B. All repackaged tablets and capsules dispensed for companion animals shall be in approved safety closure containers, except safety caps shall not be required when any person who requests that the medication not have a safety cap or in such cases in which the medication is of such form or size that it cannot be reasonably dispensed in such containers (e.g., topical medications, ophthalmic, or otic). An owner request for nonsafety packaging shall be documented in the patient record.

C. All drugs dispensed for companion animals shall be labeled with the following:

1. Name and address of the facility;
2. First and last name of owner;
3. Animal identification and species;

4. Date dispensed;
5. Directions for use;
6. Name, strength (if more than one dosage form exists), and quantity of the drug; and
7. Name of the prescribing veterinarian.

D. All veterinary establishments shall maintain drugs in a secure manner with precaution taken to prevent theft or diversion. Only the veterinarian, veterinary technician, pharmacist, or pharmacy technician under the supervision of a pharmacist shall have access to or prepare Schedules II through V drugs, with the exception provided in subdivision 6 4 of this subsection.

1. In a stationary establishment, the general stock of Schedules II through V drugs shall be stored in a securely locked cabinet or safe that is not easily movable.
2. The establishment may also have a working stock of Schedules II through V drugs that shall be kept in (i) a securely locked container, cabinet, or safe when not in use or (ii) direct possession of a veterinarian or veterinary technician. A working stock shall consist of only those drugs that are necessary for use during a normal business day or 24 hours, whichever is less.
3. Whenever the establishment is closed, all general stock, and working stock, ~~of Schedules II through V drugs~~ and any dispensed prescriptions of Schedule II - V drugs that were not delivered during normal business hours shall be securely stored as required for the general stock.
4. ~~Prescriptions that have been dispensed and prepared for delivery shall be maintained under lock or in an area that is not readily accessible to the public and may be delivered to an owner by an unlicensed person, as designated by the veterinarian.~~

5. Whenever a theft or any unusual loss of Schedules II through V drugs is discovered, the veterinarian-in-charge, or in his absence, his designee, shall immediately report such theft or loss to the Board of Veterinary Medicine and the Board of Pharmacy and to the DEA. The report to the boards shall be in writing and sent electronically or by regular mail. The report to the DEA shall be in accordance with 21 CFR 1301.76(b). If the veterinarian-in-charge is unable to determine the exact kind and quantity of the drug loss, he shall immediately take a complete inventory of all Schedules II through V drugs.

6. 5. Access to drugs by unlicensed persons shall be allowed only under the following conditions:

a. An animal is being kept at the establishment outside of the normal hours of operation, and a licensed practitioner is not present in the facility;

b. The drugs are limited to those dispensed to a specific patient; and

c. The drugs are maintained separately from the establishment's general drug stock and kept in such a manner so they are not readily available to the public.

d. Prescription drugs that have been dispensed and prepared for delivery may be delivered to an owner by an unlicensed person as designated by the veterinarian. All prescriptions prepared for delivery shall be maintained under lock or in an area that is not readily accessible to the public.

E. ~~Schedules~~ Schedule II through V drugs shall be destroyed in accordance with DEA regulations. Such destruction may occur by (i) transferring the drugs to another entity authorized to possess or provide for proper disposal of ~~such drugs~~ controlled substances or (ii) ~~destroying~~ rendering the drugs non-retrievable in compliance with applicable local, state, and federal laws and regulations. If ~~Schedules II through V~~ Schedule II - V drugs are ~~to be destroyed on site~~, a the appropriate DEA drug destruction form shall be fully completed and used as the record of all drugs

to be destroyed. A copy of the destruction form shall be retained at the veterinarian practice site with other inventory records for three years unless otherwise required by state or federal regulations.

F. The drug storage area shall have appropriate provision for temperature control for all drugs and biologics. If drugs requiring refrigeration are maintained at the ~~facility~~ establishment, the drugs shall be kept in a refrigerator with the interior thermometer maintained between 36°F and 46°F. ~~If a refrigerated drug is in Schedules II through V, the drug~~ Schedule II - V refrigerated drugs shall be ~~kept~~ maintained with precaution taken to prevent theft or diversion, either in a locked container ~~secured~~ of substantial, rigid construction that is securely affixed to the refrigerator, or the refrigerator shall be locked securely. ~~Drugs stored at room temperature shall be maintained between 59°F and 86°F.~~

G. The stock of drugs shall be reviewed frequently, and expired drugs shall be clearly marked and removed from the working stock of drugs at the expiration date and. Drugs whose expiration is determined by date of initial use shall be clearly marked to show the new expiration date. Expired drugs shall not be administered or dispensed.

H. A distribution record shall be maintained in addition to the patient's record, in chronological order, to account for the administration, and dispensing, and wasting of all Schedules II through V Schedule II - V drugs. Distribution records for Schedule II drugs shall be continuous, maintained separately from all other drugs, and reconciled at least monthly. Distribution records for butorphanol to canine patients and buprenorphine to feline patients shall be maintained and reconciled monthly if dispensed for use outside of the establishment. Reconciliation requires an explanatory note on the inventory for any difference between the actual physical count and the theoretical count indicated by the distribution record. All distribution records

~~This record is to~~ shall be maintained for a period of three years from the date of transaction and made available for inspection upon request. This distribution record shall ~~include~~ clearly document the following:

1. Date of transaction;
2. Drug name, strength, and the amount dispensed, administered, and wasted;
3. Owner and animal identification; and
4. Identification of the veterinarian authorizing the administration or dispensing of the drug.

I. ~~Original~~ Legible invoices for all Schedules II through V drugs received shall be maintained in chronological order on the premises where the stock of drugs is held, and the actual date of receipt shall be noted. All drug records shall be maintained for a period of three years from the date of transaction.

J. Prior to leaving a position as the veterinarian-in-charge of an establishment, the veterinarian-in-charge shall ensure that copies of all invoices for Schedule II - V drugs received are provided to the establishment to keep on site.

K. A complete and accurate inventory of all Schedules II through V Schedule II - V drugs shall be taken, dated, and signed on any date that is within two years of the previous biennial inventory. Drug strength must be specified. This inventory shall indicate if it was made at the opening or closing of business and shall be maintained on the premises where the drugs are held for three years from the date of taking the inventory, including all expired drugs maintained on the premises, shall be taken within two years of the previous biennial inventory, when there is a change in the veterinarian-in-charge, or change of location. A record of the inventory shall be maintained on the premises where the drugs are stocked for three years from the date the inventory is taken and made available for inspection upon request. The inventory shall contain the following:

1. Date;

2. Notation of whether inventory was taken at open or close of business. 24-hour establishments with no open or closing designation shall note the time the inventory is taken;

3. Name of drug, milligram strength, and total count of substance; and

4. Signature of the veterinarian-in-charge.

~~K. Inventories and records, including original invoices, of Schedule II drugs shall be maintained separately from all other records, and the establishment shall maintain a continuous inventory of all Schedule II drugs received, administered, or dispensed, with reconciliation at least monthly. Reconciliation requires an explanation noted on the inventory for any difference between the actual physical count and the theoretical count indicated by the distribution record. A continuous inventory shall accurately indicate the physical count of each Schedule II drug in the general and working stocks at the time of performing the inventory.~~

~~L. Veterinary establishments shall (i) maintain records of the dispensing of feline buprenorphine and canine butorphanol, (ii) reconcile such records monthly, and (iii) make such records available for inspection upon request.~~

M. L. Veterinary establishments in which bulk reconstitution of injectable, bulk compounding, or the ~~prepackaging~~ repackaging of drugs is performed shall maintain adequate control records for a period of one year or until the expiration, whichever is greater. The records shall show the name of the drugs used; strength, if any; date repackaged; quantity prepared; initials of the veterinarian verifying the process; the assigned lot or control number; the manufacturer's or distributor's name and lot or control number; and an expiration date. The drug name; strength, if any; the assigned lot or control number or the manufacturer's or distributor's name and lot or

control number; and an appropriate expiration date determined by the veterinarian in accordance with USP guidelines shall appear on any subsequently repackaged or reconstituted units.

N. If a limited stationary or ambulatory practice uses the facilities of another veterinary establishment, the drug distribution log shall clearly reveal whose Schedules II through V drugs were used. If the establishment's drug stock is used, the distribution record shall show that the procedure was performed by a visiting veterinarian who has the patient record. If the visiting veterinarian uses his own stock of drugs, he shall make entries in his own distribution record and in the patient record and shall leave a copy of the patient record at the other establishment.

18VAC150-20-195. Recordkeeping.

A. ~~A An individual, legible, daily record of each patient treated shall be maintained by the veterinarian at the registered veterinary establishment and shall include at a minimum:~~

1. Name of the patient and the owner;
2. Identification of the treating veterinarian and of the person making the entry (Initials may be used if a master list that identifies the initials is maintained.);
3. Presenting complaint or reason for contact;
4. Date of contact;
5. Physical examination findings;
6. Tests and diagnostics performed and results;
7. Procedures performed, treatment given, and results;
8. Drugs administered, dispensed, or prescribed, including quantity, strength and dosage if more than one strength exists, and route of administration. For vaccines, identification of the lot and manufacturer shall be maintained;

9. Radiographs or digital images clearly labeled with identification of the establishment, the patient name, date taken, and anatomic specificity. If an original radiograph or digital image is transferred to another establishment or released to the owner, a record of this transfer or release shall be maintained on or with the patient's records; and

10. Any specific instructions for discharge or referrals to other practitioners.

~~B. An individual record shall be maintained on each patient, except that records for economic animals or litters of companion animals under the age of four months may be maintained on a per-owner basis. Patient records, including radiographs or digital images, shall be kept for a period of three years following the last office visit or discharge of such animal from a veterinary establishment.~~ A legible, daily record for multiple agricultural animals or litters of companion animals under the age of four months may be maintained on a per-owner basis for any animals receiving the same diagnostics, treatment, or both. All patient records maintained on a per-owner basis must include the information specified in A 2 through A 10 and must identify: the owner; the location contact occurred; the number of animals; the animal species; and animal breed. If any animals on the multi-patient record have a unique result or difference to the animals treated on a per-owner basis, an individual patient record shall be maintained for that animal.

C. An initial rabies certification for an animal receiving a primary rabies vaccination shall clearly display the following information: "An animal is not considered immunized for at least 28 days after the initial or primary vaccination is administered."

D. All patient records, including radiographs or digital images, shall be maintained at the registered veterinary establishment for a period of three years following the last date of patient contact.

18VAC150-20-200. Standards for stationary veterinary establishments.

A. ~~Stationary establishments.~~ A stationary establishment shall provide surgery and encompass all aspects of health care for small or large animals, or both. All stationary establishments shall ~~meet the requirements set forth in this subsection:~~

1. Provide sanitary facilities and maintain temperature, lighting, and ventilation for the care and medical well-being of patients, and a method for storing and disposing of deceased animals in accordance with any local ordinance or state and federal regulations.

2. A stationary establishment that is open to the public 24 hours a day shall have licensed personnel on premises at all times and shall be equipped to handle emergency critical care and hospitalization. The establishment shall have radiology/imaging and laboratory services on site.

3. A stationary establishment that is not open to the public 24 hours a day shall have licensed personnel available during its advertised hours of operation and shall disclose to the public that the establishment does not have continuous staffing in compliance with § 54.1-3806.1 of the Code of Virginia.

4. Provide for continuity of care when a patient is transferred to another establishment.

5. A limited stationary establishment shall post in a conspicuous manner the specific limitations on the scope of practice.

B. A stationary establishment may include ambulatory services.

C. A separate establishment registration is required for separate practices that share the same location.

~~Buildings and grounds must be maintained to provide sanitary facilities for the care and medical well-being of patients.~~

~~a. Temperature, ventilation, and lighting must be consistent with the medical well-being of the patients.~~

~~b. There shall be on premises:~~

~~(1) Hot and cold running water of drinking quality, as defined by the Virginia Department of Health;~~

~~(2) An acceptable method of disposal of deceased animals, in accordance with any local ordinance or state and federal regulations; and~~

~~(3) Refrigeration exclusively for carcasses of companion animals that require storage for 24 hours or more.~~

~~c. Sanitary toilet and lavatory shall be available for personnel and owners.~~

D. All stationary establishments shall meet the following equipment requirements:

~~2.~~ 1. Areas within building. The areas within the facility shall include the following:

a. A reception area separate from other designated rooms;

b. Examination room or rooms ~~containing a table or tables with nonporous surfaces~~ appropriate to the species of the patient being treated;

c. A room that is reserved only for surgery, constructed of nonporous materials, and used for no other purpose. ~~In order that surgery can be performed in a manner~~ The surgery room shall be of adequate size to accommodate patients and be equipped with surgical supplies, instruments, and equipment commensurate with the services provided, and compatible with current veterinary medical practice with regard to anesthesia, asepsis, life support, and monitoring procedures, ~~the~~ The surgery room shall:

- ~~(1) Have walls constructed of nonporous material and extending from the floor to the ceiling;~~
 - ~~(2) Be of a size adequate to accommodate a surgical table, anesthesia support equipment, surgical supplies, and all personnel necessary for safe performance of the surgery;~~
 - ~~(3) Be kept so that storage in the surgery room shall be limited to items and equipment normally related to surgery and surgical procedures;~~
 - ~~(4) Have a surgical table made of nonporous material;~~
 - ~~(5) Have surgical supplies, instruments, and equipment commensurate with the kind of services provided;~~
 - ~~(6) Have have surgical and automatic emergency lighting to facilitate performance of procedures; and~~
 - ~~(7) For establishments Establishments that perform surgery on small animals, shall have a door to close off the surgery room from other areas of the practice.~~
3. 2. The A veterinary establishment shall have, at a minimum, proof of use of either in-house laboratory service or documentation of outside laboratory services ~~for performing lab tests~~, consistent with appropriate professional care for the species being treated.
4. For housing animals, the establishment shall provide:
- ~~a. An animal identification system at all times when housing an animal;~~
 - ~~b. Accommodations of appropriate size and construction to prevent residual contamination or injury;~~
 - ~~c. Accommodations allowing for the effective separation of contagious and noncontagious patients; and~~

~~d. Exercise areas that provide and allow effective separation of animals or walking the animals at medically appropriate intervals.~~

5. 3. A veterinary establishment shall either have radiology service in-house or documentation of outside services for obtaining diagnostic-quality radiographs. If radiology is in-house, the establishment shall:

a. Document that radiographic equipment complies with Part VI (12VAC5-481-1581 et seq.), Use of Diagnostic X-Rays in the Healing Arts, of the Virginia Radiation Protection Regulations of the Virginia Department of Health, ~~which requirements are adopted by this board and incorporated herewith by reference in this chapter. ; and~~

b. Maintain and utilize lead aprons and gloves and individual radiation exposure badges for each employee exposed to radiographs.

6. ~~Minimum equipment in the establishment shall include:~~

~~a. An appropriate method of sterilizing instruments;~~

~~b. Internal and external sterilization monitors;~~

~~c. Stethoscope;~~

~~d. Equipment for delivery of assisted ventilation appropriate to the species being treated, including endotracheal tubes;~~

~~e. Adequate means of determining patient's weight; and~~

~~f. Storage for records.~~

4. A veterinary establishment shall ensure the provision of adequate accommodations and exercise areas of appropriate size and construction to prevent residual contamination or injury. Such accommodations must allow for the effective separation of contagious

patients as needed. An animal identification system shall be used at all times when housing an animal in the establishment.

5. A veterinary establishment shall include sterilized instruments, adequate sterilization monitors, equipment for the delivery of assisted ventilation appropriate to the species being treated, and adequate means of determining a patient's weight.

~~B. Additional requirements for stationary establishments.~~

~~1. A stationary establishment that is open to the public 24 hours a day shall have licensed personnel on premises at all times and shall be equipped to handle emergency critical care and hospitalization. The establishment shall have radiology/imaging and laboratory services available on site.~~

~~2. A stationary establishment that is not open to the public 24 hours a day shall have licensed personnel available during its advertised hours of operation and shall disclose to the public that the establishment does not have continuous staffing in compliance with § 54.1-3806.1 of the Code of Virginia.~~

~~3. All stationary establishments shall provide for continuity of care when a patient is transferred to another establishment.~~

~~C. Limited stationary establishments. When the scope of practice is less than full service, a specifically limited establishment registration shall be required. Upon submission of a completed application, satisfactory inspection, and payment of the veterinary establishment registration fee, a limited establishment registration may be issued. Such establishments shall have posted in a conspicuous manner the specific limitations on the scope of practice on a form provided by the board.~~

~~D. A separate establishment registration is required for separate practices that share the same location.~~