

**March 19, 2026**  
**Training Room 1**  
**10:00 a.m.**

**Agenda**  
**Virginia Board of Veterinary Medicine**  
**Regulatory Advisory Panel Meeting**

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**Call to Order – Bruce Bowman, DVM, Chair**

- Welcome
- Emergency Egress Procedures

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**Ordering of Agenda – Dr. Bowman**

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**Public Comment – Dr. Bowman**

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.

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**Discussion – Matthew Novak/ Kelli Moss/Claire Foley**

**Pages 1-18**

- Discussion of draft haul-in establishment regulations (pp 1-9)
  - Review of satellite office proposed regulations & fees (pp 10-18)

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**Next Steps – Mr. Novak/Ms. Moss**

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**Meeting Adjournment – Dr. Bowman**

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

## **Agenda Item: Discussion of Haul-in Facility Regulations in Virginia**

### **Included in your Agenda Package:**

- Draft language to regulate haul-ins

**Staff Note:** This draft is the result of discussion at the last meeting of this RAP. Areas for discussion are highlighted in the document. Once this group finishes discussion and is comfortable with the language, the RAP may recommend this language to the Board for adoption as a proposed regulation.

Questions left to be discussed include the following:

- 1) Will haul-in facilities be limited to equine and agricultural animals?
- 2) Should drugs be stored on-site at the haul-in?
- 3) Must a veterinarian be associated with a stationary or ambulatory establishment to practice in a haul-in?
- 4) Should a separate registration be required when multiple practices operate within the same haul-in facility?

### **Action Needed:**

If comfortable at the end of the meeting:

- Motion to recommend to the Board the proposed language to regulate haul-in facilities.

## Part I. General Provisions.

### 18VAC150-20-10. Definitions.

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

### 18VAC150-20-100. Fees. (These have not been amended)

The following fees shall be in effect:

Initial veterinary establishment registration	\$300
Veterinary establishment renewal	\$200
Veterinary establishment late renewal	\$75
Veterinary establishment reinstatement	\$75
Veterinary establishment reinspection	\$300
Veterinary establishment – change of location	\$300
Veterinary establishment – change of veterinarian-in-charge	\$40

**Do we need to charge a fee separate from the current establishment fee to permit haul-ins?  
If so, what is an appropriate fee to cover inspections and staff workload?**

## Part V. Veterinary Establishments.

### 18VAC150-20-180. Requirements for a registered veterinary establishment (new title)

- 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, or haul-in 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 as provided in subsection A(4).
  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 involving changes to the structure or composition of a surgical room within a stationary, ~~or an~~ ambulatory, or haul-in establishment shall require, prior to its use, submission of an application and reinspection fee and reinspection by the board.
  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 dog, cat, and horse shows; and
    - 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 or (18VAC150-20-202) where applicable.
  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.

**18VAC150-20-190. 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 Act (21 USC § 301 et seq.), the Prescription Drug Marketing Act (21 USC § 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 drug records must be retained for three years.

C. 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.

D. 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.

E. All stationary and ambulatory 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 4 of this subsection. **No drugs may be stored in a haul-in facility.**

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, working stock, 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. 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.

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.

F. 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 controlled substances or (ii) rendering the drugs non-retrievable in compliance with applicable local, state, and federal laws and regulations. If Schedule II - V drugs are to be destroyed on site, 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 for three years unless otherwise required by state or federal regulations.

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

H. 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. 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.

I. A distribution record shall be maintained in addition to the patient's record, in chronological order, to account for the administration, dispensing, and wasting of all 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 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 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.

J. Legible invoices for all Schedule II through V drugs received shall be maintained in chronological order at the address of record on file with the Drug Enforcement Administration, and the actual date of receipt shall be noted.

K. A complete and accurate inventory of all Schedule II - V drugs, 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. 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, strength, and actual count of substance; and
4. Signature of the veterinarian-in-charge.

L. Inventories and records, including original invoices, of Schedule II drugs shall be maintained separately from all other records.

M. Veterinary establishments in which bulk reconstitution of injectable, bulk compounding, or the 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's 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.

**Staff proposal is no drug stocks maintained at the haul-in facility**

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

A. A stationary establishment shall provide surgery and encompass all aspects of health care for small or large animals, or both. All stationary establishments shall:

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

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

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 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. 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 surgery room shall have surgical and automatic emergency lighting to facilitate performance of procedures. Establishments that perform surgery on small animals shall have a door to close off the surgery room from other areas of the practice.
2. A stationary or ambulatory veterinary establishment shall have, at a minimum, proof of use of either in-house laboratory service or documentation of outside laboratory services, consistent with appropriate professional care for the species being treated.
3. A stationary or ambulatory 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; and
  - b. Maintain and utilize lead aprons and gloves and individual radiation exposure badges for each employee exposed to radiographs.
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.

**18VAC150-20-201. Standards for ambulatory veterinary establishments. (No changes here)**

A. Agricultural or equine ambulatory practice. An agricultural or equine ambulatory establishment is a mobile practice in which health care is performed at the location of the animal. Surgery on large animals may be performed as part of an agricultural or equine ambulatory practice provided the establishment has surgical supplies, instruments, and equipment commensurate with the kind of surgical procedures performed. All agricultural or equine ambulatory establishments shall meet the requirements of a stationary establishment for laboratory, radiology, and minimum equipment, with the exception of equipment for assisted ventilation.

B. House call or proceduralist establishment. A house call or proceduralist establishment is an ambulatory practice in which health care of small animals is performed at the residence of the owner of the small animal or another establishment registered by the board. A veterinarian who has established a veterinarian-owner-patient relationship with an animal at the owner's residence

or at another registered veterinary establishment may also provide care for that animal at the location of the patient.

1. Surgery may be performed only in a surgical suite at a registered establishment that has passed inspection. However, surgery requiring only local anesthetics may be performed at a location other than in a surgical suite.

2. House call or proceduralist establishments shall meet the requirements of a stationary establishment for laboratory, radiology, and minimum equipment, with the exception of equipment for assisted ventilation.

C. Mobile service establishment. A mobile service establishment is a veterinary clinic or hospital that can be moved from one location to another and from which veterinary services are provided. A mobile service establishment shall meet all the requirements of a stationary establishment appropriate for the services provided.

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

#### **18VAC150-20-202. Standards for haul-in facilities. (New section)**

A “haul-in” facility is a veterinary establishment in which health care is provided to agricultural and equine animals.

A. All haul-in facilities shall:

1. Have space appropriate to the species being treated for containment, examination, treatment, and surgery that is constructed of solid material and allows for appropriate drainage, disinfection, and sanitation;
2. Provide and maintain appropriate temperature, lighting, ventilation, water, and other essential utilities for the care and medical well-being of patients;
3. Have an appropriate method for the storage and disposal of deceased animals in accordance with any local ordinances or state and federal regulations; and
4. Allow for the effective separation of contagious patients as needed.

B. Veterinarians and licensed veterinary technicians that provide treatment at a haul-in facility must be associated with a stationary or ambulatory establishment registered in Virginia. All drugs, drug records, and patient records shall be maintained and stored by the stationary or ambulatory establishment in accordance with state and federal laws and regulations.

C. A separate establishment registration is required for separate practices that share the same location. Veterinary practices that share the same haul-in facility shall abide by 18VAC150-20-190 (N) regarding recordkeeping in a shared facility.



## Emergency Text

[highlight](#)

**Action:** Regulation of satellite offices of veterinary establishments

**Stage:** Emergency/NOIRA

6/6/24 8:53 AM [latest] ▼

### 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.

"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.

"CVMA" means the Canadian Veterinary Medical Association.

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

"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.

"Satellite office" means a registered location dependent on a registered stationary or ambulatory veterinary establishment.

"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.

#### **18VAC150-20-100 Fees**

The following fees shall be in effect:

Veterinary application for licensure	\$200
Veterinary application for faculty licensure	\$100
Veterinary license renewal (active)	\$175
Veterinary license renewal (inactive)	\$85
Veterinary faculty license renewal	\$75
Veterinary reinstatement of expired license	\$255
Veterinary license late renewal	\$60

Veterinary faculty license late renewal	\$25
Veterinarian reinstatement after disciplinary action	\$450
Veterinary intern/resident license -- initial or renewal	\$25
Veterinary technician application for licensure	\$65
Veterinary technician license renewal	\$50
Veterinary technician license renewal (inactive)	\$25
Veterinary technician license late renewal	\$20
Veterinary technician reinstatement of expired license	\$95
Veterinary technician reinstatement after disciplinary action	\$125
Equine dental technician initial registration	\$100
Equine dental technician registration renewal	\$70
Equine dental technician late renewal	\$25
Equine dental technician reinstatement	\$120
Initial veterinary establishment registration	\$300
Veterinary establishment renewal	\$200
Veterinary establishment late renewal	\$75
Veterinary establishment reinstatement	\$75
Veterinary establishment reinspection	\$300
Veterinary establishment -- change of location	\$300
Veterinary establishment -- change of veterinarian-in-charge	\$40
<u>Veterinary satellite office initial registration</u>	<u>\$50</u>
<u>Veterinary satellite office renewal</u>	<u>\$25</u>
<u>Veterinary satellite office late renewal</u>	<u>\$20</u>
<u>Veterinary satellite office reinstatement</u>	<u>\$25</u>
Duplicate license	\$15
Duplicate wall certificate	\$25

Handling fee for returned check or dishonored credit card or debit card	\$50
Licensure verification to another jurisdiction	\$25

**18VAC150-20-180 Requirements to be 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. 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.

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 a stationary establishment or an ambulatory establishment that involves changes to the structure or composition of a surgery room shall require reinspection by the board and payment of the required fee prior to use.

**4. Every veterinary establishment shall register any satellite office pursuant to 18VAC150-20-202.**

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 including~~ 18VAC150-20-201 and 18VAC150-20-202 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.

**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 and providing routine oversight of satellite offices for patient safety and compliance with law and regulation.

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

3. Performing the biennial controlled substance inventory and ensuring compliance at the facility and satellite offices 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 or any satellite office 10 days prior to closure.

5. Notifying the board immediately if no longer acting as the veterinarian-in-charge.

6. Ensuring the establishment ~~maintains a~~ and satellite offices maintain current and valid ~~registration-registrations~~ issued by the board.

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, naming the new veterinarian-in-charge, shall be made 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 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.

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. He 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 and satellite office 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 an~~ establishment registration or satellite office registration by January 1 of each year shall cause the registration to expire and become invalid. Practicing veterinary medicine in an establishment or out of a satellite office 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 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. A satellite office registration shall be renewed concurrently with the renewal of the establishment registration or after the renewal of the establishment registration.

~~C. D.~~ Reinstatement of an expired registration after 30 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 when applicable, the renewal fee and the ~~veterinary establishment registration~~ reinstatement fee. A reinspection is required when an establishment registration is reinstated.

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

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.), 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 and satellite offices shall maintain drugs in a secure manner with precaution taken to prevent theft or diversion. Only the veterinarian, veterinary technician, pharmacist, or pharmacy technician shall have access to Schedules II through V drugs, with the exception provided in subdivision 6 of this subsection.

1. In a stationary establishment or satellite office, 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 or satellite office 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 or satellite office is closed, all general and working stock of Schedules II through V drugs and any dispensed prescriptions 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. 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.

E. Schedules II through V drugs shall be destroyed by (i) transferring the drugs to another entity authorized to possess or provide for proper disposal of such drugs or (ii) destroying the drugs in compliance with applicable local, state, and federal laws and regulations. If Schedules II through V drugs are to be destroyed, a 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.

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 or satellite office, 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 shall be kept in a locked container secured to the refrigerator, or the refrigerator shall be locked. 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 removed from the working stock of drugs at the expiration date and shall not be administered or dispensed.

H. A distribution record shall be maintained in addition to the patient's record, in chronological order, for the administration and dispensing of all Schedules II through V drugs.

This record is to be maintained for a period of three years from the date of transaction. This distribution record shall include 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 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. A complete and accurate inventory of all Schedules II through 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.

K. Inventories and records, including original invoices, of Schedule II drugs shall be maintained separately from all other records, and the establishment or satellite office 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 and satellite offices 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. Veterinary establishments or satellite offices in which bulk reconstitution of injectable, bulk compounding, or the prepackaging 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.

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 legible, daily record of each patient treated shall be maintained by the veterinarian at the registered veterinary establishment or readily available for inspection upon request 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, 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.

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."

**18VAC150-20-202 Standards for satellite offices of veterinary establishments**

**A. Satellite offices of veterinary establishments shall consist of an ambulatory component of a registered veterinary establishment for which the veterinarian practicing out of the ambulatory component does not return controlled substances to the registered veterinary establishment prior to the close of business.**

**B. Satellite offices of veterinary establishments shall not exist independently of the registered veterinary establishment.**