

Minnesota Board of Veterinary Medicine

BVM BITS



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[Veterinary Practice Act](#)

Veterinary Technician Licensing – Yes or No?

We should all have an informed opinion about the merits and drawbacks of requiring licensure for veterinary technicians and seek the input of our veterinary practice staff. How will a choice to license veterinary technicians benefit the public and the veterinary profession?

Benefits of Licensure:

- Sets a professional standard for training, and skills for veterinary technicians, ensuring that these standards are maintained through continuing education requirements
- Puts veterinary technicians on par nationally with a majority of their colleagues, increasing marketability in states with licensure
- Provides accountability and a mechanism for investigating and handling professional errors, misconduct and unethical behavior
- Establishes responsibility for monitoring compliance with continuing education requirements by the Board of Veterinary Medicine
- Creates a database of the veterinary technician profession that can be used for prompt communication of important professional updates and notices
- Defines clear parameters in the scope of practice for veterinary technicians through designation of permissible duties when under direct or indirect supervision
- Could create an avenue for veterinary staff with only ‘on the job’ training to become licensed as veterinary technicians and receive public recognition via a grandfather clause
- Increases a veterinarian’s time efficiency by allowing delegation of more tasks



Drawbacks of Licensure:

- Increases costs to veterinary technicians and their employers for licensing and liability insurance
- May result in little change in what staff can already do under direct supervision by a veterinarian
- Limits what non-licensed staff can do for patient care afterhours without direct supervision, and may hamper rural veterinary services where licensed technicians may be difficult to hire
- Creates legal liability for veterinary technician mistakes, which may or may not rest with the veterinarian
- Opens the Veterinary Practice Act, which may inadvertently create opportunities for other changes that might have a negative impact on the profession and the public

A task force led by Dr. John Lawrence, president of this board, was created in February to grapple with this core issue. (CONTINUED ON NEXT PAGE)

The mission of the Minnesota Board of Veterinary Medicine is to promote, preserve, and protect the health, safety and welfare of the public and animals through the effective control and regulation of the practice of veterinary medicine.



(CONTINUING FROM PAGE 1)

Members were chosen to represent the spectrum of veterinary practice in Minnesota and include 2 members of the Board of Veterinary Medicine, 3 members of the MVMA, 1 veterinary technician and 1 public member. After identifying the issues, looking at other veterinary practice acts, and much discussion, the key question remains whether we should license this important segment of our industry. The majority of those impacted needs to be supportive of this change if it is to be adopted by the legislature. We must also be prepared to persuade legislators that this choice will benefit the public as well as their animals.

How will your opinion and that of veterinary technicians be considered? First, that opinion needs to be voiced. You can write or send an e-mail to vet.med@state.mn.us right now. The task force will also solicit opinions via a very short survey in the near future, but you must participate if the resultant data is going to be representative of the wishes of the profession.

Prescriptions and Valid Veterinarian-Client-Patient Relationships

Questions are frequently raised regarding a veterinarian's responsibilities for prescriptions. The first requirement is a valid veterinarian-client-patient relationship, which exists only when a veterinarian has examined the animal. One exception is livestock, for which the veterinarian must be acquainted with the keeping and care of the animal's group by virtue of medically appropriate and timely visits to the premises where the animal is kept. By writing a prescription, the veterinarian assumes responsibility for making medical judgments for the animal, and the client must agree to follow the veterinarian's instructions. The veterinarian has to be available for consultation in case of adverse reactions or failure of the regimen of therapy. The prescription must be recorded in the medical record. This means that if an animal's owner requests prescription heartworm medication for a dog you have not examined, you should decline.

You can legally write prescriptions to be filled in another state if requested, but that pharmacy must be licensed to ship medication into Minnesota.

You can check whether a pharmacy has a MN license on the Board of Pharmacy's website: www.pharmacy.state.mn.us

If you have a regularly seen patient that requires ongoing medication, but runs out while travelling with its owner out of state, you can also write a prescription to a pharmacy in that other state. Remember, there are 9 different pieces of information that must be included on the prescription: [Minnesota Statutes 156.18](#)



Reminder: A licensed doctor of veterinary medicine, in the course of professional practice only and not for use by a human being, may personally prescribe, administer, and dispense a legend drug, and may cause the same to be administered or dispensed by an assistant under the doctor's direction and supervision. ([MS 151.37, subd. 3](#))

Tramadol Abuse Alert

Tramadol (Ultram) is a synthetic opiate-like agonist that also inhibits reuptake of serotonin and norepinephrine. Although not currently considered a controlled substance by the Drug Enforcement Agency, it can be addictive and impair a person's ability to act responsibly. The FDA-approved labeling for tramadol has this warning: "This drug may make you dizzy or drowsy. Do not drive, use machinery, or do any activity that requires alertness until you are sure you can perform such activities safely. Avoid alcoholic beverages". It is certainly possible that abuse of tramadol may cause physical and mental impairment and that, in turn, could affect the ability to practice. These negative effects are exacerbated by concurrent alcohol consumption.

The MN Board of Pharmacy is pursuing legislation to define tramadol as a controlled substance in Minnesota. Doctor shopping is happening to falsely obtain tramadol for a pet's ailment for the person's consumption. Tramadol addiction has been reported in veterinarians in MN, who have been taking tramadol from the clinic's supply as well as writing false prescriptions to obtain tramadol for their own use. Please be aware of these dangers and take the same precautions as with a controlled drug.



Unlicensed Practice of Veterinary Medicine

What should you do when you hear of a lay person providing services or advice as though he or she was a veterinarian? The first step, if there is any doubt, is to check the Veterinary Practice Act's definition of what comprises the practice of veterinary medicine. This is defined in Statutes [156.001, Subd. 11](#), and [156.12, Subd. 1](#). This review is helpful because there are a few procedures on livestock that are exempted. If the lay person's behavior fits within this definition, you should report the person to the Board of Veterinary Medicine. The more detail that can be provided, the more rapid and effective the investigation will be. Key facts, such as the name of the person, any contact information, date and place of the transgression, and client name and contact information, are very helpful. If you suspect that the person may have been reported to the Board in the past, you can check on the website, or call this office. If the lay person's actions may constitute animal cruelty, you are legally obligated to report this person to law enforcement or a humane agent.

If another veterinarian is "promoting, aiding, abetting, or permitting the practice of veterinary medicine by an unlicensed person", that veterinarian's conduct is unprofessional conduct. This may result in investigation by the Board ([Rule 9100.0700 Subp1. I](#)).



Once the complaint has been filed, you can still add additional information to the complaint if more evidence surfaces. If the facts obtained during the complaint investigation corroborate the allegation that the person is practicing veterinary medicine without a license, the person will very likely be issued a Cease and Desist Order, which states that the person may not continue this behavior and may be subject to a fine (+/- criminal penalty), particularly if the behavior continues.

If you are aware of a veterinarian that may not be licensed in Minnesota, and who is working independently without a supervising veterinarian, that veterinarian should be reported to this Board as well. You can check a veterinarian's license status on the Board's website, or call this office. A further check on their license status in their state of residence can potentially reveal prior discipline ([AAVSB Look Up A License website](#)).

How Do I File A Complaint?

[Complaint forms](#) can be found on the Board of Veterinary Medicine website along with frequently asked questions about the complaint process.



Professional Firm Initial Registration

Minnesota Statutes, Section 319B, the [Professional Firms Act](#) requires every professional veterinary firm that provides services of a licensed professional to be registered with the Secretary of State AND the Board of Veterinary Medicine. Please read the [Professional Firms page on our website](#) for registration information, forms, examples of registration filing documents, and frequently asked questions.

License Renewals

Even-numbered licenses expired on February 28, 2014. Licensees who did not choose to renew or retire their license have had their license status changed to "suspended for nonpayment" on May 14th.

If you renewed and have not received an updated hard copy license, please contact the board office.

Check the status of your license using our [website](#).

How Do I Reinstate My Expired Minnesota License?

If your license status is currently inactive, voluntarily retired, or suspended for non-payment and you would like to obtain an active Minnesota license, there are a number of steps you may take if it has been less than 5 years since your license expired.

1. Contact the board office to receive an [Application to Reinstate License](#).
2. Pay renewal fee for active or inactive license in effect on the last preceding regular renewal date, plus all back fees, late fees, or reinstatement fees.
3. Provide the board with evidence of meeting yearly continuing education requirements (20 hours per year) for the lapsed period of the license.
4. Certify that you are not currently under disciplinary orders or investigation in any other veterinary licensing jurisdiction (this is called a license verification or letter of good standing).

To get the reinstatement process started, simply send an email inquiry to vet.med@state.mn.us.

Continuing Education Audit

If you have an even-numbered license, you may be subject to a random audit of your continuing education credits for the period of March 1, 2012 through February 28, 2014. Licensees are responsible for maintaining documentation of continuing education attendance, which is not required to be sent to the board on a routine basis, but must be furnished to the board if requested. To prepare for an audit, you may want to have the following information prepared to submit to the board:

1. List of CE courses you have attended, including program title, sponsor, location, date(s), and number of CE hours earned. An [optional form for this purpose is on the website](#).
2. Proof in the form of attendance certificates, diplomas, canceled checks, or class rosters accompanied with a course program, or other documentation acceptable to the board.
3. Self-study information (publication name, video, or audio program)



Please keep in mind only 10 hours can be claimed for non-interactive or self-study credit. Details are in [MN Rules, Chapter 9100.1000](#).

Continuing Education Credit Extension

If you requested a 6-month extension on your renewal to obtain the required 40 hours of continuing education credits, your extension will expire on September 1, 2014. Please be sure to submit documentation of your 40 continuing education hours to the board as soon as you can.

Rabies Vaccination Documents

All Minnesota licensed veterinarians should review the [Rabies Vaccination Guidance Document](#) displayed prominently on the BVM website home page. Consistency and disclosure of rabies vaccination policies of companion animals is the responsibility of every veterinarian.



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New Board Member Appointments

Dr. Mary Olson, a 1976 graduate of the University of Minnesota, has been appointed to the Board for a four year term beginning March 2, 2014. Dr. Olson practices and is one of the owners at East Central Veterinarians in Cambridge and Mora. She is a past president of the Minnesota Veterinary Medical Association. Dr. Olson and two other veterinarians are responsible for leading the Miracle of Birth Center at the Minnesota State Fair for nine years. She brings a wealth of veterinary expertise and public service leadership in many areas to the Board.

Dr. Barb Fischley, a 1990 graduate of the University of Minnesota, finishing her first term on the Board, has been reappointed for a second term. Dr. Fischley, a small animal veterinarian, has served very effectively as a member of one of the small animal complaint review committees, the impaired veterinarian complaint review committee, and as secretary of the Board.

The Board thanks Dr. Joanne Schulman, departing Board member, for her 12 years of outstanding commitment to the public and veterinarians of the state, which included five years of leadership as the president of the Board.

Tips: Who to Call?

Board of Veterinary Medicine: license, CE, veterinary and lay person complaints, Veterinary Practice Act, professional firm

Board of Animal Health: reportable diseases, rabies certificates, MN health certificates, animal identification

Board of Pharmacy: Compounding, drug label requirements, complaints regarding a pharmacy or pharmacist, license check

DEA: Controlled substances

USDA/APHIS: accreditation, health certificate requirements by state

Board of Chiropractors: human chiropractors working on animals

Contact Information for Related Boards

Minnesota Board of Animal Health:

625 Robert Street North, St. Paul, MN 55155

<http://mn.gov/bah/>

Phone: (651) 296-2942 Fax: (651) 296-7417

Drug Enforcement Agency:

100 Washington Avenue South, Suite 800 Minneapolis, MN 55401

www.deadiversion.usdoj.gov/index.html

DEA Regional Field Office at (612) 344-4136

National office toll free 1-800-882-9539

Minnesota Board of Pharmacy:

2829 University Avenue SE, Suite 530

Minneapolis, MN 55414

<http://www.pharmacy.state.mn.us/>

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