If a Client Sells or Gives Away Dispensed or Prescribed Medications

A veterinarian’s privilege to prescribe and dispense medications includes a responsibility to ensure that the medication is used correctly and for the intended purpose. If a client asks for more medication than necessary, or the veterinarian dispenses or prescribes excessive amounts of a medication, the medication may not be going to just the patient. Reportedly, this behavior is occurring with a variety of drugs and a variety of major species. If the client is selling or sharing the medication, that is illegal, per two statutes in Minnesota’s Veterinary Practice Act.

1. **Statute 156.17 Possession prohibited.** A person may not possess a veterinary prescription drug unless the person is a licensed veterinarian or pharmacist, a bona fide employee of a veterinarian acting in the course of that employment, a client holding a veterinary prescription drug by or on the order of a veterinarian, a manufacturer or wholesaler of veterinary drugs, an animal health researcher, or a person performing official state or federal regulatory duties.

2. **Statute 156.18 Veterinary Prescription Drugs:**
   (a) A person may not dispense a veterinary prescription drug to a client without a prescription or other veterinary authorization. …

   The prescribing veterinarian must monitor the use of veterinary prescription drugs, human

If a veterinarian is enabling this illegal practice, the choice to do so would be considered unprofessional conduct and could engender Board action against the veterinarian’s license. In the Rules of the Board of Veterinary Medicine (9100.0700), prohibited acts include:

1. Engaging in conduct likely to deceive, defraud, or harm the public or demonstrating a willful or careless disregard for the health, welfare or safety of a patient, in which case, proof of actual injury need not be established;
2. Promoting, aiding, abetting, or permitting the practice of veterinary medicine by an unlicensed person.

The enabling veterinarian would most likely also be in violation of Rule 9100.0800. Minimum Standards of Practice:

1. No prescription drug may be prescribed, dispensed, or administered without the establishment of a veterinarian-client-patient relationship.
2. A veterinarian is responsible for assuring that a prescription drug or biologic prescribed for use is properly administered, or for providing instruction to clients on the administration of drugs when the veterinarian will not be providing direct supervision.