

**ADOPTED REGULATION OF THE NEVADA STATE BOARD OF
VETERINARY MEDICAL EXAMINERS**

LCB File No. R074-06

Effective June 28, 2006

EXPLANATION – Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY: §§1-12 and 16-19, NRS 638.070; §13, NRS 638.070 and 638.1408; §§14 and 15, NRS 638.070 and 638.124.

A REGULATION relating to veterinary medicine; revising certain definitions; requiring a licensee to display his license; revising the licensing requirements for veterinarians; revising the professional and ethical standards of veterinarians; revising the provisions governing veterinary technicians, veterinary interns and unlicensed veterinary assistants; and providing other matters properly relating thereto.

Section 1. Chapter 638 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this regulation.

Sec. 2. *“Licensed veterinarian” has the meaning ascribed to it in NRS 638.007.*

Sec. 3. *A licensee shall display his license in a conspicuous manner within his place of employment.*

Sec. 4. NAC 638.001 is hereby amended to read as follows:

638.001 As used in this chapter, unless the context otherwise requires, the words and terms defined in NAC ~~[638.003]~~ *638.005* to 638.0185, inclusive, *and section 2 of this regulation* have the meanings ascribed to them in those sections.

Sec. 5. NAC 638.006 is hereby amended to read as follows:

638.006 “Direct supervision” means that ~~[a]~~ *the supervising* veterinarian *or licensed veterinary technician* is on the premises ~~[of an animal hospital]~~ *with* or in the same area ~~[on a range]~~ *as the animal and the person treating the animal* and is quickly and easily available. ~~[.]~~

~~and the animal has been examined by the veterinarian within the previous 12 hours or at such time as good veterinary medical practice requires consistent with the particular delegated task of animal health care.]~~

Sec. 6. NAC 638.009 is hereby amended to read as follows:

638.009 “Immediate supervision” means the supervising veterinarian *or licensed veterinary technician* is in *the immediate area and within* visual and audible range of the animal and the ~~[licensed veterinary technician or veterinary technician in training]~~ *person* treating the animal . ~~[, and the animal has been examined by the veterinarian before treatment by the licensed veterinary technician or veterinary technician in training.]~~

Sec. 7. NAC 638.011 is hereby amended to read as follows:

638.011 “Indirect supervision” means the ~~[supervisor]~~ *supervising veterinarian* is not on the premises ~~[,]~~ *with the animal and the person treating the animal*, but has given written or oral instructions for treatment of the animal . ~~[, the animal has been examined by a veterinarian within the previous 12 hours or at such time as good veterinary medical practice requires, consistent with the particular delegated task of animal health care, and the animal is not anesthetized.]~~

Sec. 8. NAC 638.013 is hereby amended to read as follows:

638.013 “Mobile clinic” means a vehicle , *including, without limitation, a trailer or motor home*, used as a veterinary facility . ~~[and includes a trailer or mobile home set up to function as a hospital.]~~

Sec. 9 NAC 638.0165 is hereby amended to read as follows:

638.0165 “Unlicensed veterinary assistant” means a person who has less training, knowledge and skills than a licensed veterinary technician and whose basic tasks ~~[include, without limitation, feeding, watering, bathing, restraining, transporting and exercising animals.]~~ *are set forth in NAC 638.06025.*

Sec. 10. NAC 638.0185 is hereby amended to read as follows:

638.0185 “Veterinary intern” means:

1. A third-year or fourth-year veterinary student who is enrolled in an internship program that is administered by a school of veterinary medicine; ~~[or]~~
2. A person who has graduated from a school of veterinary medicine and has taken the North American Veterinary Licensing Examination of the National Board of Veterinary Medical Examiners but has not received the scores for that examination ~~[;]~~;
3. *A person who has graduated from a school of veterinary medicine that is not accredited by the Council on Education of the American Veterinary Medical Association and who is presently completing a postgraduate, evaluated clinical year at a school of veterinary medicine that is accredited by the Council on Education of the American Veterinary Medical Association; or*
4. *A person who is scheduled to take, or has taken but not yet received a score for, the clinical proficiency examination administered by the American Veterinary Medical Association for the purpose of acquiring an educational certificate issued by the Educational Commission for Foreign Veterinary Graduates of the American Veterinary Medical Association or its successor organization as described in paragraph (b) of subsection 2 of NRS 638.100.*

Sec. 11. NAC 638.041 is hereby amended to read as follows:

638.041 1. As a prerequisite for each renewal of his license to practice veterinary medicine or to practice veterinary medicine as a diplomate licensed pursuant to NRS 638.105, a licensee must complete, during the 12-month period immediately preceding the beginning of the new licensing year, at least 15 hours of continuing education approved by the Board. Except for courses offered by the Veterinary Information Network, not more than 5 hours may be completed in distance learning or correspondence courses.

2. A licensed veterinary technician must annually complete at least 5 hours of continuing education approved by the Board as a prerequisite for renewal of his license.

3. A licensee who does not comply with the requirements of this section may be subject to disciplinary action.

Sec. 12. NAC 638.042 is hereby amended to read as follows:

638.042 A course of continuing education shall be deemed to be approved by the Board if the course is provided or approved by:

1. The American Veterinary Medical Association;
2. A specialty group of the American Veterinary Medical Association;
3. The Western Veterinary Conference, the Wild West Veterinary Conference or any other regional veterinary conference;
4. The State Department of Agriculture;
5. The United States Department of Agriculture;
6. The American Animal Hospital Association;
7. The American Association of Veterinary State Boards;
8. The Nevada Veterinary Medical Association;
9. ~~Truckee Meadows Community College; or~~

~~10. The Community College of Southern Nevada.] An institution of the Nevada System of Higher Education;~~

10. A school of veterinary medicine that is accredited by the Council on Education of the American Veterinary Medical Association; or

11. A program for veterinary technicians that is approved by the Committee on Veterinary Technician Education and Activities of the American Veterinary Medical Association.

Sec. 13. NAC 638.0475 is hereby amended to read as follows:

638.0475 1. Each licensed veterinarian shall maintain in this State for at least 4 years a separate medical record of each animal receiving veterinary services, including, without limitation, an examination conducted pursuant to NAC 638.610, from him or under his supervision. The records must be available for inspection by the owner of the animal during normal business hours at least 5 days each week. Except as otherwise provided in this subsection, the licensed veterinarian shall provide a copy of that record to the owner of the animal receiving veterinary services not later than 48 hours after he receives a request from the owner of the animal. The licensed veterinarian is not required to provide a copy of any X rays in the medical record to the owner of the animal receiving veterinary services.

2. The medical record must contain the following information, in legible form:

- (a) The name, address and telephone number of the animal's owner;
- (b) The name or identifying number, or both, of the animal;
- (c) The age, sex, *weight* and breed of the animal;
- (d) The dates of care, custody or treatment of the animal;
- (e) A short history of the animal's condition as it pertains to the animal's medical status;

(f) The results of and notations from an examination of the animal, including, without limitation, the temperature, pulse and respiration rate of the animal and laboratory data pertaining to the animal;

(g) The diagnosis or condition at the beginning of custody of the animal, including, without limitation, results of tests;

(h) The immunization record of the animal;

(i) All clinical information pertaining to the animal, including, without limitation, sufficient information to justify the diagnosis or determination of the medical status of the animal and to warrant any treatment recommended for or administered to the animal;

(j) The surgery log, including, without limitation, anesthesia and preanesthesia, and the procedure performed;

(k) Any medication and treatment administered, including, without limitation, the amount and frequency;

(l) The progress and disposition of the case;

(m) The name of each person who is not an employee of the veterinarian who provided professional advice or performed treatments, examinations or other services pertaining to the animal; and

(n) Any X rays. Each X ray, other than an inter-oral dental X ray or digital X ray, must be labeled in the emulsion film as follows:

(1) The name of the veterinarian or facility that took the X ray;

(2) The name or identifying number, or both, of the animal;

(3) The name of the animal's owner;

(4) The date on which the X ray was taken; and

(5) The anatomical orientation depicted by the X ray.

3. Each X ray is the property of the veterinarian who caused it to be prepared. An X ray may be released to the owner of the animal. An X ray must be released within 48 hours after the request is made to another veterinarian who has the authorization of the owner of the animal to which it pertains. The X ray must be returned within a reasonable time to the veterinarian to whom it belongs.

4. The medical records required by this section must be written records or computer records. If the medical records are computer records:

- (a) The security of the computer must be maintained;
- (b) The computer records must be backed-up daily and cumulatively backed-up monthly using technology designed to store data permanently; ~~and~~
- (c) The computer records must be inalterable or clearly indicate when they have been altered and the manner in which they have been altered ~~and~~; *and*
- (d) The computer records must not contain information relating to a physical examination that is automatically generated by the computer.

5. In a practice concerned with herds of animals, records must be kept on each herd and may be kept on individual animals.

6. If a veterinarian ceases his practice without providing for the continuation of treatment of the animals under his care, the President of the Board may appoint a master to supervise his records, the treatment of those animals and the mailing of notices to the owners of the animals which had been under his care.

7. The medical record of an animal is confidential and may not be released except:

(a) As otherwise provided in subsection 1;

(b) In response to a court order; or

(c) As required to ensure compliance with any federal, state and local statutes, regulations or ordinances.

8. Nothing in this section is intended to prevent the sharing of veterinary medical information among veterinarians, law enforcement officials, and members, agents or officers of a society for the prevention of cruelty to animals who are acting to protect the welfare of an animal.

Sec. 14. NAC 638.0525 is hereby amended to read as follows:

638.0525 1. A person may perform the tasks of a veterinary technician under the immediate supervision of a ~~licensed~~ *supervising* veterinarian or licensed veterinary technician while the person is receiving the training and experience required by paragraph (g) of subsection 2 if he is registered with the Board pursuant to this section.

2. To be registered as a veterinary technician in training, a person must:

- (a) Submit to the Board an application on a form prescribed by the Board;
- (b) Submit to the Board a letter of recommendation written by the veterinarian in charge of the facility where he is employed or will be employed;
- (c) Be 18 years of age or older;
- (d) Have a high school diploma or equivalent certificate;
- (e) Be of good moral character;
- (f) Be enrolled in a school or program of training that is approved by the American Veterinary Medical Association or the Board;
- (g) Participate in training while on the job and acquire experience that is commensurate with the duties of his employment; and

(h) Pay a fee of \$50.

3. After confirming that an applicant complies with all the requirements of subsection 2, the Executive Director of the Board shall, unless he has good cause to deny the registration, issue a letter of registration for a veterinary technician in training to the veterinarian in charge of the facility where the trainee is employed or will be employed.

4. A registration issued pursuant to this section between:

(a) January 1 and August 31 of any year expires on September 1 of the next subsequent year;

and

(b) September 1 and December 31 of any year expires on September 1 of the year immediately following the next subsequent year,

↪ unless the Board grants an extension of the period of registration.

Sec. 15. NAC 638.053 is hereby amended to read as follows:

638.053 1. A licensed veterinary technician may not perform the following tasks of animal health care:

(a) Surgery.

(b) Diagnosis and prognosis of animal diseases.

(c) Except as authorized by a veterinarian, prescribe, administer or dispense drugs, medicines or appliances.

(d) Any other activity which represents the practice of veterinary medicine or which requires the knowledge, skill and training of a licensed veterinarian.

2. A licensed veterinary technician ~~[in an animal hospital]~~ may perform the following tasks under *the* immediate supervision ~~[:]~~ *of a supervising veterinarian:*

(a) Application of casts ~~[and splints.]~~ *for the immobilization of fractures.*

- (b) Dental extractions.
- (c) Induction of anesthesia.
- (d) Assisting a licensed veterinarian in surgery.
- (e) Euthanasia.
- (f) Fluid aspiration from a body cavity.

3. A licensed veterinary technician ~~[in an animal hospital]~~ may perform the following tasks under *the* immediate or direct supervision ~~[:]~~ *of a supervising veterinarian:*

- (a) Endotracheal intubation.
- (b) Blood administration.
- (c) Monitoring of vital signs.
- (d) Application of casts ~~[for the immobilization of fractures.]~~ *and splints.*
- (e) Tasks listed in subsection 4, if the animal is anesthetized.
- (f) External noninvasive ultrasonography.
- (g) Cystocentesis to obtain a urine specimen.

4. A licensed veterinary technician ~~[in an animal hospital]~~ may perform the following tasks under *the* immediate, direct or indirect supervision ~~[:]~~ *of a supervising veterinarian:*

- (a) Teeth cleaning.
- (b) Administration of enemas.
- (c) Administration of an electrocardiogram.
- (d) Application of bandages.
- (e) Catheterization of an unobstructed bladder.
- (f) Introduction of a stomach tube.
- (g) Ear flushing with pressure or suction.

- (h) Positioning of animals for X rays.
 - (i) Operation of X-ray machines.
 - (j) Administration of oral and rectal radio-opaque materials.
 - (k) Administration of oral and topical medications, including controlled substances.
 - (l) Starting and restarting of intravenous fluids.
 - (m) Collection of a laboratory specimen for analysis, including, but not limited to, blood, urine, skin, parasites and microorganisms.
 - (n) Collection of tissue during or after a postmortem examination by a licensed veterinarian.
 - (o) Administration of intramuscular, subcutaneous or intravenous injections.
 - (p) Placement of an intravenous catheter.
- ↪ No examination within the previous 12 hours is required for the collection of laboratory specimens.

Sec. 16. NAC 638.0601 is hereby amended to read as follows:

638.0601 1. Before performing any service regarding an animal, a veterinary intern shall identify himself as a veterinary intern.

2. While performing any service regarding an animal, a veterinary intern shall be under the direct supervision of a *supervising* veterinarian who:

- (a) Is ~~licensed by and~~ in good standing with the Board;
- (b) Is responsible for all actions taken by the veterinary intern regarding an animal; and
- (c) Is subject to disciplinary action for any violation of this chapter or chapter 638 of NRS by the veterinary intern.

Sec. 17. NAC 638.0602 is hereby amended to read as follows:

638.0602. 1. An unlicensed veterinary assistant ~~[in an animal hospital]~~ may perform the tasks described in NAC 638.06025 under ~~[the]~~ immediate, direct or indirect supervision ~~[of a veterinarian or a licensed veterinary technician]~~ as set forth in NAC 638.06025.

2. The supervising veterinarian is responsible for determining the competency of the unlicensed veterinary assistant to perform delegated tasks of animal health care.

Sec. 18. NAC 638.06025 is hereby amended to read as follows:

638.06025 1. An unlicensed veterinary assistant ~~[in an animal hospital]~~ may perform the following tasks under *the* immediate supervision ~~[:]~~ *of a supervising veterinarian or a licensed veterinary technician:*

- (a) Assisting a licensed veterinarian in surgery or in monitoring anesthesia.
- (b) Application of bandages.
- (c) Collection of a laboratory specimen for analysis of blood.
- (d) Collection of tissue during or after a postmortem examination by a licensed veterinarian.

2. An unlicensed veterinary assistant ~~[in an animal hospital]~~ may perform the following tasks under *the* immediate or direct supervision ~~[:]~~ *of a supervising veterinarian or a licensed veterinary technician:*

- (a) Blood administration with a preplaced catheter.
- (b) Monitoring of vital signs.
- (c) Administration of an electrocardiogram.
- (d) Introduction of food into the stomach through a preplaced tube.
- (e) Ear cleaning.
- (f) Positioning of animals for X rays.
- (g) Operation of X-ray machines.

(h) Starting and restarting of intravenous fluids through a preplaced intravenous catheter.

(i) Administration of intramuscular, subcutaneous or intravenous injections, except anesthetics and sedatives, with a preplaced catheter.

(j) Physical examination.

3. An unlicensed veterinary assistant ~~{in an animal hospital}~~ may perform the following tasks under *the* immediate ~~{}~~ *or* direct *supervision of a supervising veterinarian or a licensed veterinary technician* or *the* indirect supervision ~~{}~~ *of a supervising veterinarian:*

(a) Administration of oral and topical medications, except controlled substances.

(b) Collection of a laboratory specimen for analysis of free catch urine or feces, skin, parasites and microorganisms.

Sec. 19. NAC 638.003 is hereby repealed.

TEXT OF REPEALED SECTION

638.003 “Animal hospital” defined. “Animal hospital” means all veterinary facilities at which the practice of veterinary medicine occurs, including mobile clinics.

**NOTICE OF ADOPTION OF PROPOSED REGULATION
LCB File No. R074-06**

The Nevada State Board of Veterinary Medical Examiners adopted regulations assigned LCB File No. R074-06 which pertain to chapter 638 of the Nevada Administrative Code on June 1, 2006.

Notice date:5/1/2006

Date of adoption by agency: 6/1/2006

Hearing date: 6/1/2006

Filing date: 6/28/2006

INFORMATIONAL STATEMENT

1. PUBLIC OR BUSINESSES AFFECTED/ COMMENTS WERE SOLICITED BY:

As per NRS 233B.0607 a copy of the regulation and the Notice of Hearing was posted at all Nevada County Public Libraries. As indicated in the Notice of Hearing, a copy of any of these proceedings could be obtained at the State Board of Veterinary Medical Examiners office at 4600 Kietzke Lane, Bldg. O-265, Reno, Nevada 89502. Pursuant to NRS 241.020 (3) (b), all persons who requested notice were mailed a copy of the proposed regulation changes.

There was a workshop and public hearing held On June 1, 2006 in Reno and Las Vegas via video-conference.

2. ATTENDANCE:

There was one veterinarian and the Executive Director of the State Association present at the workshop and hearing.

3. REASONS FOR ADOPTING REGULATION WITHOUT CHANGE:

The permanent regulation was adopted at the State Board of Veterinary Medical Examiners meeting on June 1, 2006 with only non-substantive changes made to the proposed regulation.

4. ECONOMIC EFFECT OF THE REGULATION ON THE BUSINESS.

There would be no economic effect of these new regulations on the business of veterinary medicine.

5. ESTIMATED COST TO THE AGENCY FOR ENFORCEMENT:

There are no costs to this agency for enforcement of these regulations.

6. OVERLAP OR DUPLICATION OF PROPOSED REGULATION:

To our knowledge, there is no other state or government agency, which the proposed regulations duplicate.

7. REGULATION PROVIDES A NEW FEE OR INCREASES EXISTING FEE:

These regulations do not provide a new fee or increase existing fees.