

Indiana Board of Veterinary Medical Examiners

A Compilation of the Indiana Code and Indiana Administrative
Code

2011 Edition



Distributed by the Indiana Professional Licensing Agency
and the Indiana Board of Veterinary Medical Examiners
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INDIANA BOARD OF VETERINARY MEDICAL EXAMINERS

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INDIANA CODE § 25-38.1

ARTICLE 38.1 VETERINARIANS

INDIANA CODE § 25-38.1-1 Chapter 1. Preamble; Definitions

IC 25-38.1-1-1 Preamble

Sec. 1. This article is an exercise of the police powers of the state to promote the public health, safety, and welfare of the people of Indiana to safeguard against the incompetent, dishonest, or unprincipled practice of veterinary medicine. The practice of veterinary medicine is a privilege conferred by the general assembly to individuals qualified under this article.

As added by P.L.2-2008, SEC.12. Amended by P.L.58-2008, SEC.1.

IC 25-38.1-1-1.5 Application of article

Sec. 1.5. This article does not apply to the manufacture, distribution, storage, transportation, sale, or use of a veterinary drug, including antibiotics and immunization products, if federal or state law does not restrict the drug to:

- (1) use by; or
- (2) use on the order of;

a licensed veterinarian.

As added by P.L.58-2008, SEC.2.

IC 25-38.1-1-2 Application of definitions

Sec. 2. The definitions in this chapter apply throughout this article.

As added by P.L.2-2008, SEC.12.

IC 25-38.1-1-3 "Accredited college of veterinary medicine"

Sec. 3. "Accredited college of veterinary medicine" means a veterinary college or division of a university or college that:

- (1) offers the degree doctor of veterinary medicine or its equivalent;
- (2) conforms to the standards required for accreditation by the American Veterinary Medical Association; and
- (3) is accredited by the American Veterinary Medical Association or an accrediting agency that has been approved by the United States Department of Education or its successor.

As added by P.L.2-2008, SEC.12.

IC 25-38.1-1-3.5 "Accredited veterinary technology program"

Sec. 3.5. "Accredited veterinary technology program" means a program in veterinary technology that:

- (1) conforms to the standards required for accreditation by the American Veterinary Medical Association; and
- (2) is accredited by the American Veterinary Medical Association or an accrediting agency that has been approved by the United States Department of Education or its successor.

As added by P.L.58-2008, SEC.3.

IC 25-38.1-1-4 "Agency"

Sec. 4. "Agency" refers to the Indiana professional licensing agency established by IC 25-1-5-3.

As added by P.L.2-2008, SEC.12.

IC 25-38.1-1-5 "Animal"

Sec. 5. "Animal" means any animal other than humans. The term includes:

- (1) birds;

(2) fish;
(3) mammals; and
(4) reptiles;
wild or domestic.
As added by P.L.2-2008, SEC.12.

IC 25-38.1-1-6 Repealed
(Repealed by P.L.58-2008, SEC.51.)

IC 25-38.1-1-7 "Board"

Sec. 7. "Board" means the Indiana board of veterinary medical examiners established by IC 25-38.1-2-1.
As added by P.L.2-2008, SEC.12.

IC 25-38.1-1-7.3 "Client"

Sec. 7.3. "Client" means the owner, the owner's agent, or other person who is responsible for an animal that is examined or treated by a veterinarian.
As added by P.L.58-2008, SEC.4.

IC 25-38.1-1-7.5 "Consultation"

Sec. 7.5. "Consultation" means a licensed veterinarian receiving advice by any means from:
(1) a veterinarian licensed in Indiana or another jurisdiction; or
(2) a person whose expertise, in the opinion of the licensed veterinarian, would benefit an animal.
As added by P.L.58-2008, SEC.5.

IC 25-38.1-1-7.6 "Contract operator"

Sec. 7.6. "Contract operator" means an individual who contracts with the owner of an animal to provide complete care for the animal twenty-four (24) hours a day, seven (7) days a week.
As added by P.L.58-2008, SEC.6.

IC 25-38.1-1-7.7 "Direct supervision"

Sec. 7.7. "Direct supervision" means a supervisor is readily available on the premises where the animal is being treated.
As added by P.L.58-2008, SEC.7.

IC 25-38.1-1-8 "ECFVG certificate"

Sec. 8. "ECFVG certificate" means a certificate issued by the American Veterinary Medical Association Educational Commission for Foreign Veterinary Graduates, indicating that the holder has demonstrated knowledge and skill equivalent to that possessed by a graduate of an accredited college of veterinary medicine.
As added by P.L.2-2008, SEC.12.

IC 25-38.1-1-9 "Extern"

Sec. 9. "Extern" means a:
(1) senior veterinary student enrolled in an accredited college of veterinary medicine; or
(2) second year student enrolled in an accredited veterinary technology program;
employed by or working with a licensed veterinarian and under the licensed veterinarian's direct supervision.
As added by P.L.2-2008, SEC.12. Amended by P.L.58-2008, SEC.8.

IC 25-38.1-1-9.3 "Impaired veterinary health care provider"

Sec. 9.3. "Impaired veterinary health care provider" means a veterinarian or registered veterinary technician who has been affected by the use or abuse of alcohol or other drugs.
As added by P.L.58-2008, SEC.9.

IC 25-38.1-1-9.5 "Indirect supervision"

Sec. 9.5. "Indirect supervision" means a supervising veterinarian is not on the premises but:

- (1) is present within the veterinarian's usual practice area;
- (2) has given written protocols or oral instructions for the treatment of an animal for which a veterinarian-client-patient relationship exists; and
- (3) is readily available by telephone or other means of immediate communication.

As added by P.L.58-2008, SEC.10.

IC 25-38.1-1-10 "Licensed veterinarian"

Sec. 10. "Licensed veterinarian" means an individual who is licensed under this article to practice veterinary medicine in Indiana.

As added by P.L.2-2008, SEC.12.

IC 25-38.1-1-10.5 "Patient"

Sec. 10.5. "Patient" means an animal that is examined or treated by a veterinarian.

As added by P.L.58-2008, SEC.11.

IC 25-38.1-1-11 "Person"

Sec. 11. "Person" means an individual, an incorporated or unincorporated organization or association, or a group of persons acting in concert.

As added by P.L.2-2008, SEC.12.

IC 25-38.1-1-12 "Practice of veterinary medicine"

Sec. 12. "Practice of veterinary medicine" means:

- (1) representing oneself as engaged in the practice of veterinary medicine, veterinary surgery, or veterinary dentistry or any of their branches or specialties;
- (2) using words, letters, or titles in a connection or under circumstances that may induce another person to believe that the person using them is engaged in the practice of veterinary medicine, veterinary surgery, or veterinary dentistry;
- (3) accepting compensation for doing any of the things described in subdivisions (4) through (8);
- (4) providing the diagnosis, treatment, correction, or prevention of any disease, defect, injury, deformity, pain, or condition of animals;
- (5) prescribing, dispensing, or ordering the administration of a drug, a medicine, a biologic, a medical appliance, an application, or treatment of whatever nature for the prevention, cure, or relief of any disease, ailment, defect, injury, deformity, pain, or other condition of animals;
- (6) performing a:
 - (A) surgical or dental operation; or
 - (B) complimentary or alternative therapy;upon an animal;
- (7) certifying the health, fitness, or soundness of an animal; or
- (8) performing any procedure for the diagnosis of pregnancy, sterility, or infertility upon animals.

However, the term does not include administering a drug, medicine, appliance, application, or treatment that is administered at the direction and under the direct supervision of a veterinarian licensed under this article.

As added by P.L.2-2008, SEC.12. Amended by P.L.58-2008, SEC.12.

IC 25-38.1-1-13 "Registered veterinary technician"

Sec. 13. "Registered veterinary technician" means a veterinary technician registered under this article to work under the direct or indirect supervision of a licensed veterinarian.

As added by P.L.2-2008, SEC.12. Amended by P.L.58-2008, SEC.13.

IC 25-38.1-1-14 "Veterinarian"

Sec. 14. "Veterinarian" means an individual who was a licensed veterinarian on August 31, 1979, or who has received a professional degree from an accredited college of veterinary medicine.

As added by P.L.2-2008, SEC.12.

IC 25-38.1-1-14.5 "Veterinarian-client-patient relationship"

Sec. 14.5. "Veterinarian-client-patient relationship" means a relationship between a veterinarian and

client that meets the following conditions:

- (1) The veterinarian has assumed the responsibility for making clinical judgments regarding the health of the animal and the need for medical treatment, and the client has agreed to follow the veterinarian's instructions.
- (2) The veterinarian has sufficient knowledge of the animal to initiate a diagnosis of the medical condition of the animal. The veterinarian has recently seen and is personally acquainted with the keeping and care of the animal by either of the following:
 - (A) An examination of the animal.
 - (B) By recently seeing and being personally acquainted with the keeping and care of representative animals and associated husbandry practices by making medically appropriate and timely visits to the premises where the animal is kept.
- (3) The veterinarian is readily available or has arranged for emergency coverage for follow-up evaluation if there is an adverse reaction or failure of the treatment regimen.
- (4) When appropriate, the veterinarian has arranged for continuing care with another licensed veterinarian who has access to the animal's medical record.

As added by P.L.58-2008, SEC.14.

IC 25-38.1-1-14.7 "Veterinary assistant"

Sec. 14.7. "Veterinary assistant" means an individual who is not a licensed veterinarian or registered veterinary technician who performs tasks related to animal health care under the direct supervision of a licensed veterinarian or registered veterinary technician.

As added by P.L.58-2008, SEC.15.

IC 25-38.1-1-15 "Veterinary medicine"

Sec. 15. "Veterinary medicine" includes veterinary surgery, obstetrics, dentistry, acupuncture, and all other branches or specialties of veterinary medicine.

As added by P.L.2-2008, SEC.12.

IC 25-38.1-1-16 Repealed

(Repealed by P.L. 58-2008, SEC.51.)

IC 25-38.1-2

Chapter 2. Indiana Board of Veterinary Medical Examiners

IC 25-38.1-2-1 Board of veterinary medical examiners

Sec. 1. (a) The Indiana board of veterinary medical examiners is established.

(b) The board consists of seven (7) members appointed by the governor from the districts described in section 3 of this chapter. Not more than one (1) veterinarian member may be domiciled in the same district.

(c) One (1) of the board members must be a registered veterinary technician.

(d) One (1) of the board members must be appointed to represent the general public.

(e) Not more than four (4) board members may be affiliated with the same political party.

(f) If there is a vacancy on the board, the governor shall appoint a successor to complete the unexpired term.

As added by P.L.2-2008, SEC.12. Amended by P.L.58-2008, SEC.16.

IC 25-38.1-2-2 Terms of board members

Sec. 2. (a) The term of each member of the board is four (4) years beginning on September 1 of the appropriate year. Each member shall serve until the member's successor is appointed and qualified.

Members of the board may be appointed for more than one (1) term, but an individual may not be a member of the board for more than eight (8) years out of any twelve (12) year period.

(b) The terms of the board members expire as follows:

(1) The term of the member from the first district expires on August 31, 2008, and every four (4) years thereafter.

(2) The term of the member from the second district expires on August 31, 2009, and every four (4) years thereafter.

(3) The term of the member from the third district expires on August 31, 2010, and every four (4)

years thereafter.

(4) The term of the member from the fourth district expires on August 31, 2011, and every four (4) years thereafter.

(5) The term of the member from the fifth district expires on August 31, 2008, and every four (4) years thereafter.

(6) The term of the member appointed to represent the general public expires on August 31, 2009, and every four (4) years thereafter.

(7) The term of the registered technician member expires on August 31, 2012, and every four (4) years thereafter.

As added by P.L.2-2008, SEC.12. Amended by P.L.58-2008, SEC.17.

IC 25-38.1-2-3 Districts

Sec. 3. (a) District 1 consists of the following counties: Clay, Crawford, Daviess, Dubois, Fountain, Gibson, Greene, Knox, Lawrence, Martin, Monroe, Montgomery, Morgan, Orange, Owen, Parke, Perry, Pike, Posey, Putnam, Spencer, Sullivan, Tippecanoe, Vanderburgh, Vermillion, Vigo, Warren, and Warrick.

(b) District 2 consists of the following counties: Bartholomew, Brown, Clark, Dearborn, Decatur, Delaware, Fayette, Floyd, Franklin, Hancock, Harrison, Henry, Jackson, Jefferson, Jennings, Johnson, Madison, Ohio, Randolph, Ripley, Rush, Scott, Shelby, Switzerland, Union, Washington, and Wayne.

(c) District 3 consists of the following counties: Boone, Clinton, Hamilton, Hendricks, Howard, Marion, and Tipton.

(d) District 4 consists of the following counties: Lake, LaPorte, Marshall, Porter, St. Joseph, and Starke.

(e) District 5 consists of the following counties: Adams, Allen, Benton, Blackford, Carroll, Cass, DeKalb, Elkhart, Fulton, Grant, Huntington, Jasper, Jay, Kosciusko, LaGrange, Miami, Newton, Noble, Pulaski, Steuben, Wabash, Wells, White, and Whitley.

As added by P.L.2-2008, SEC.12.

IC 25-38.1-2-4 Eligibility of board members

Sec. 4. (a) Each member of the board must have been a resident of Indiana for at least five (5) years continuously before appointment and must have been a:

(1) licensed veterinarian in the private practice of veterinary medicine; or

(2) registered veterinary technician;

in Indiana for at least three (3) of those years.

(b) Each member of the board must be a graduate of a school or college of veterinary medicine or an accredited veterinary technology program generally recognized as approved, according to the prevailing standard for recognition as a school or college of veterinary medicine at the time of the member's graduation.

(c) Each member of the board must be a person of good reputation within the profession and within the community in which the member resides.

(d) A member of the board may not be an officer, a director, or an employee in any manufacturing, wholesaling, or retail enterprise dealing in drugs, supplies, instruments, or equipment used or useful in the practice of veterinary medicine, which might constitute or tend to create a conflict of interest between the member's business association and membership on the board.

(e) A member of the board may not be a member of the faculty, board of trustees, or advisory board of a school of veterinary medicine or school of veterinary technology.

(f) Notwithstanding the other provisions of this section, one (1) member of the board, appointed to represent the general public, must be an Indiana resident who has never been associated with veterinary medicine in any way other than as a consumer.

As added by P.L.2-2008, SEC.12. Amended by P.L.58-2008, SEC.18.

IC 25-38.1-2-5 Board meetings

Sec. 5. (a) The board shall hold an annual meeting in Indianapolis and other regular meetings during the year at places the board sets.

(b) The board may hold special meetings as necessary. The chairperson or two (2) members of the board may call a special meeting.

(c) Four (4) members of the board constitute a quorum.

- (d) All meetings must be open and public. However, the board may meet in closed session:
- (1) to prepare, approve, administer, or grade examinations;
 - (2) to deliberate the qualifications of an applicant for license or registration; or
 - (3) to deliberate the disposition of a proceeding to discipline a licensed veterinarian or registered veterinary technician.

(e) Minutes of each regular and special meeting shall be compiled and kept as a permanent record in the same office as other records of the board are kept. The agency is responsible for the care and safekeeping of the minutes.

As added by P.L.2-2008, SEC.12.

IC 25-38.1-2-6 Travel reimbursement

Sec. 6. Each member of the board is entitled to reimbursement for traveling and other expenses as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency.

As added by P.L.2-2008, SEC.12.

IC 25-38.1-2-7 Officers; duties of the Indiana professional licensing agency

Sec. 7. (a) At its annual meeting, the board shall elect a chairperson and vice chairperson and other necessary officers determined by the board. Officers shall serve for a term of one (1) year or until a successor is elected. There is no limitation on the number of terms an officer may serve.

(b) The state veterinarian shall be the technical adviser of the board.

(c) The duties of the agency include:

- (1) corresponding for the board;
- (2) keeping accounts and records of all receipts and disbursements by the board;
- (3) keeping records of all applications for license or registration;
- (4) keeping a register of all persons currently licensed or registered by the board;
- (5) keeping permanent records of all board proceedings; and
- (6) administering the veterinary investigative fund established by section 25 of this chapter.

As added by P.L.2-2008, SEC.12. Amended by P.L.58-2008, SEC.19.

IC 25-38.1-2-8 Liberal construction of supervisory powers

Sec. 8. The powers granted to the board in this chapter are to enable the board to effectively supervise the practice of veterinary medicine and are to be construed liberally to accomplish this objective.

As added by P.L.2-2008, SEC.12.

IC 25-38.1-2-9 Board powers; qualifications of applicants

Sec. 9. The board is vested with the sole authority to determine the qualifications of applicants for:

- (1) a license to practice veterinary medicine; and
- (2) registration to practice as a registered veterinary technician; in Indiana.

As added by P.L.2-2008, SEC.12. Amended by P.L.58-2008, SEC.20.

IC 25-38.1-2-10 Board powers; licenses and permits

Sec. 10. The board is vested with the sole authority to issue, renew, deny, suspend, or revoke:

- (1) licenses and special permits to practice veterinary medicine; and
- (2) registrations or special permits to practice as a registered veterinary technician; in Indiana.

As added by P.L.2-2008, SEC.12. Amended by P.L.58-2008, SEC.21.

IC 25-38.1-2-11 Board powers; authority to discipline

Sec. 11. The board is vested with sole authority to discipline licensed veterinarians and registered veterinary technicians consistent with this article and the rules adopted under this chapter.

As added by P.L.2-2008, SEC.12.

IC 25-38.1-2-12 Board powers; examinations

Sec. 12. The board is vested with the sole authority to determine the following:

- (1) The examinations applicants are required to take.
- (2) The subjects to be covered on the examinations.
- (3) The places where and the dates on which examinations will be given.
- (4) The deadlines for applying to take the examinations.

As added by P.L.2-2008, SEC.12. Amended by P.L.58-2008, SEC.22.

IC 25-38.1-2-13 Continuing education

Sec. 13. The board may establish by rule minimum standards of continuing education for the renewal of licenses to practice veterinary medicine and for the renewal of registrations as a registered veterinary technician. The rules adopted under this section must comply with IC 25-1-4-3.

As added by P.L.2-2008, SEC.12. Amended by P.L.58-2008, SEC.23.

IC 25-38.1-2-14 Standards of professional conduct

Sec. 14. The board shall adopt by rule standards of professional conduct for the competent practice of veterinary medicine and the competent practice of a registered veterinary technician.

As added by P.L.2-2008, SEC.12. Amended by P.L.58-2008, SEC.24.

IC 25-38.1-2-15 Investigations

Sec. 15. Subject to IC 25-1-7, the board may conduct investigations for the purpose of discovering violations of this article by:

- (1) licensed veterinarians or registered veterinary technicians; or
- (2) persons practicing veterinary medicine without a license or persons practicing as a registered veterinary technician without being registered.

As added by P.L.2-2008, SEC.12.

IC 25-38.1-2-16 Inspections

Sec. 16. The board may inspect, without notice and during normal working hours, veterinary hospitals, clinics, or other establishments to determine if the veterinary hospitals, clinics, or other establishments meet the board's standards of cleanliness and sanitation as defined by the board's rules.

As added by P.L.2-2008, SEC.12.

IC 25-38.1-2-17 Hearings

Sec. 17. The board may hold hearings on all matters properly brought before the board. When conducting hearings, the board may administer oaths, receive evidence, make findings, and enter orders consistent with the findings. The board may require by subpoena the attendance and testimony of witnesses and the production of papers, records, or other documentary evidence and commission depositions. The board may designate one (1) or more of its members to serve as the board's hearing officer.

As added by P.L.2-2008, SEC.12.

IC 25-38.1-2-18 Court enforcement

Sec. 18. The board may bring proceedings in the courts for the enforcement of this article or any rules adopted under this chapter.

As added by P.L.2-2008, SEC.12.

IC 25-38.1-2-19 Fees

Sec. 19. (a) The board shall establish by rule under IC 25-1-8 fees sufficient to implement this article, including fees for examining and licensing veterinarians and for examining and registering veterinary technicians.

(b) In addition to the fee to issue or renew a license, registration, or permit, the board may establish a fee of not more than ten dollars (\$10) per year for a person who holds a license or special permit as a veterinarian or a registration or special permit as a veterinary technician to provide funds for administering and enforcing the provisions of this article, including investigating and taking action against persons who violate this article. All funds collected under this subsection shall be deposited in the veterinary investigative fund established by section 25 of this chapter.

(c) The fees established under this section shall be charged and collected by the agency.

As added by P.L.2-2008, SEC.12. Amended by P.L.58-2008, SEC.25.

IC 25-38.1-2-20 Reciprocal agreements

Sec. 20. The board may enter into reciprocal agreements with its counterpart boards in other states and may effect agreements by rule.

As added by P.L.2-2008, SEC.12.

IC 25-38.1-2-21 Board representation at meetings

Sec. 21. The board may appoint one (1) or more board members to act as representatives of the board at any meeting inside or outside Indiana where representation is desirable.

As added by P.L.2-2008, SEC.12.

IC 25-38.1-2-22 Support personnel and supplies

Sec. 22. The agency shall provide the board with full or part-time professional and clerical personnel and supplies, including printed matter and equipment, necessary to implement this article.

As added by P.L.2-2008, SEC.12.

IC 25-38.1-2-23 Rules

Sec. 23. The board may adopt rules under IC 4-22-2 that the board considers necessary to carry out the board's duties.

As added by P.L.2-2008, SEC.12.

IC 25-38.1-2-24 Seal

Sec. 24. The board may adopt an appropriate seal, which may be affixed to all license and registration certificates and other official documents of the board.

As added by P.L.2-2008, SEC.12.

IC 25-38.1-2-25 Veterinary investigation fund

Sec. 25. (a) The veterinary investigative fund is established to provide funds for administering and enforcing the provisions of this article, including investigating and taking enforcement action against violators of this article. The fund shall be administered by the agency.

(b) The expenses of administering the fund shall be paid from the money in the fund. The fund consists of money from the fee imposed under section 19(b) of this chapter.

(c) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested.

(d) Money in the fund at the end of a state fiscal year does not revert to the state general fund. However, if the total amount in the fund exceeds seven hundred fifty thousand dollars (\$750,000) at the end of a state fiscal year after payment of all claims and expenses, the amount that exceeds seven hundred fifty thousand dollars (\$750,000) reverts to the state general fund.

(e) Money in the fund is continually appropriated to the agency for its use in administering and enforcing this article, conducting investigations, and taking enforcement action against persons violating this article.

(f) The attorney general and the agency may enter into a memorandum of understanding to provide the attorney general with funds to conduct investigations and pursue enforcement action against violators of this article.

(g) The attorney general and the agency shall present the memorandum of understanding annually to the board for review.

As added by P.L.58-2008, SEC.26.

IC 25-38.1-3

Chapter 3. Veterinarians; Veterinary Technicians; Licenses, Special Permits, and Registration

IC 25-38.1-3-1 License and permit requirements; exceptions

Sec. 1. (a) A person may not practice veterinary medicine in Indiana unless the person:

- (1) is licensed as a veterinarian in Indiana; or
- (2) holds a special permit issued by the board.

(b) The following persons are exempt from the licensing or special permit requirements of this chapter:

- (1) A veterinarian on the faculty of the School of Veterinary Medicine at Purdue University

performing regular duties, or a veterinarian employed by the animal disease diagnostic laboratory established by IC 21-46-3-1 performing regular duties.

(2) A veterinary medical officer serving in the United States armed forces or veterinarian employed by a federal, state, or local government agency performing veterinary medical services that are within the scope of official duties and are performed during the period of the person's service.

(3) An individual who is a regular student in an accredited college of veterinary medicine performing duties or actions assigned by the faculty of the School of Veterinary Medicine at Purdue University or working under the direct supervision of a licensed veterinarian.

(4) An extern.

(5) A veterinarian who is licensed and is a resident in another state or country and consults with a veterinarian licensed under this article.

(6) An owner or a contract operator of an animal or a regular employee of the owner or a contract operator caring for and treating an animal, except where the ownership of the animal was transferred for purposes of circumventing this chapter.

(7) A guest lecturing or giving instructions or demonstrations at the School of Veterinary Medicine at Purdue University, or elsewhere, in connection with a continuing education program.

(8) An individual while engaged in bona fide scientific research that:

(A) reasonably requires experimentation involving animals; and

(B) is conducted in a facility or with a company that complies with federal regulations regarding animal welfare.

(9) A graduate of a foreign college of veterinary medicine who is in the process of obtaining an ECFVG certificate and who is under the direct supervision of:

(A) the faculty of the School of Veterinary Medicine at Purdue University; or

(B) a veterinarian licensed under this article.

(10) A veterinarian who is enrolled in a postgraduate instructional program in an accredited college of veterinary medicine performing duties or actions assigned by the faculty of the School of Veterinary Medicine at Purdue University.

(11) A member in good standing of another licensed or regulated profession within Indiana who:

(A) provides assistance requested by a veterinarian licensed under this article;

(B) acts with the consent of the client;

(C) acts within a veterinarian-client-patient relationship; and

(D) acts under the direct or indirect supervision of the licensed veterinarian.

As added by P.L.2-2008, SEC.12. Amended by P.L.58-2008, SEC.27; P.L.177-2009, SEC.59.

IC 25-38.1-3-2 Veterinarian licensure requirements

Sec. 2. To become a licensed veterinarian, a person must:

(1) not have a conviction for a crime that has a direct bearing on the person's ability to practice ethically and competently;

(2) not have committed an act that would have been a violation of IC 25-1-9-4 or IC 25-1-9-6;

(3) pay the fees required under this article;

(4) have successfully completed a program in veterinary medicine from an accredited college of veterinary medicine; and

(5) have successfully completed the examinations described in section 4 of this chapter or qualify for a license without examination under section 5 of this chapter.

However, a person who was licensed as a veterinarian in Indiana on August 31, 1979, is not required to meet the requirements of subdivision (4) or (5).

As added by P.L.2-2008, SEC.12. Amended by P.L.58-2008, SEC.28.

IC 25-38.1-3-3 Application for license; requirements and qualifications

Sec. 3. (a) As used in this subsection, "term" refers to an academic semester, trimester, or quarter. A person desiring a license to practice veterinary medicine shall make written application to the board. The application must state that the applicant is:

(1) a graduate of an accredited college of veterinary medicine; or

(2) enrolled in the last term of the last year of the veterinary medical curriculum of an accredited school of veterinary medicine.

If the applicant is enrolled as a last term student as described in subdivision (2), a letter from the dean of

the student's veterinary school confirming that the applicant is a last term student, attesting to the satisfactory academic standing of the student, and stating the date on which the degree is expected to be conferred upon the student must accompany the application. A license to practice veterinary medicine in Indiana may not be issued until satisfactory proof has been furnished to the board either that the applicant has graduated from an accredited college of veterinary medicine or that the applicant is the holder of an Educational Commission for Foreign Veterinary Graduates (ECFVG) certificate. The application must show reasonable information and proof required by the board by rule. The application must be accompanied by the required fee.

(b) If the board determines that the applicant possesses the proper qualifications, the board may grant the applicant a license. If the board determines that the applicant is not qualified to take the examination or that the applicant does not qualify for a license without examination, the executive secretary of the board shall immediately notify the applicant in writing of the finding and the grounds for the finding. Applicants found unqualified may request a hearing on the question of their qualifications.

As added by P.L.2-2008, SEC.12.

IC 25-38.1-3-4 Examinations

Sec. 4. (a) The board shall hold at least one (1) examination for licensing veterinarians and one (1) examination for registering veterinary technicians each year. However, the board may hold additional examinations. The agency shall give notice of the date, time, and place for each examination at least ninety (90) days before the date set for the examination. A person desiring to take an examination must make application not later than the time the board prescribes under IC 25-38.1-2-12.

(b) The board must approve the preparation, administration, and grading of examinations that comply with the following requirements:

(1) Examinations for licensure to practice as a veterinarian must be designed to test the examinee's knowledge of and proficiency in the subjects and techniques commonly taught in veterinary schools. To pass the examination, the examinee must demonstrate scientific and practical knowledge sufficient to prove to the board that the examinee is competent to practice veterinary medicine. The board may adopt and use examinations approved by the National Board of Veterinary Medical Examiners for licensure to practice veterinary medicine.

(2) Examinations for registration as a registered veterinary technician must be designed to test the examinee's knowledge of and proficiency in the subjects and techniques commonly taught in schools for veterinary technicians. To pass the examination, the examinee must demonstrate scientific and practical knowledge sufficient to prove to the board that the examinee is competent to act as a registered veterinary technician. The board may adopt and use examinations approved by the American Association of Veterinary State Boards for registration as a veterinary technician.

(c) To qualify for a license as a veterinarian or to be registered as a veterinary technician, the applicant must attain a passing score in the examinations.

(d) After the examinations, the agency shall notify each examinee of the result of the examinee's examinations. The board shall issue a license or registration certificate, as appropriate, to each individual who successfully completes the examinations and is otherwise qualified. The agency shall keep a permanent record of the issuance of each license or registration certificate.

(e) An individual who fails to pass the required examinations may apply to take a subsequent examination. Payment of the examination fee may not be waived.

(f) If an applicant fails to pass the required examination within three (3) attempts in Indiana or any other state, the applicant may not retake the required examination. The applicant may take subsequent examinations upon approval by the board and completion of remedial education as required by the board.

As added by P.L.2-2008, SEC.12. Amended by P.L.58-2008, SEC.29.

IC 25-38.1-3-5 License without examination

Sec. 5. The board may issue a license without an examination to a qualified applicant who:

- (1) furnishes satisfactory proof that the applicant is a graduate of an accredited college of veterinary medicine or holds an Educational Commission for Foreign Veterinary Graduates (ECFVG) certificate;
- (2) for the five (5) years immediately preceding filing an application has been a practicing veterinarian licensed in a state, territory, or district of the United States that has license requirements substantially

- equivalent to the requirements of this chapter; and
(3) otherwise meets the requirements of this chapter.

As added by P.L.2-2008, SEC.12.

IC 25-38.1-3-5.5 Permit requirements; exceptions

Sec. 5.5. (a) An individual may not act as a registered veterinary technician unless the person is registered as a veterinary technician in Indiana or has been issued a special permit by the board.

(b) An individual is not required to meet the registration requirements for a registered veterinary technician under this article while the individual is:

- (1) a full-time student in an accredited veterinary technology program performing duties or actions assigned by faculty or staff of the accredited program; or
- (2) working under the direct supervision of a licensed veterinarian to perform tasks that are an educational requirement of the accredited program.

As added by P.L.58-2008, SEC.30.

IC 25-38.1-3-6 Veterinary technician permit requirements

Sec. 6. To become a registered veterinary technician, a person must:

- (1) not have a conviction for a crime that has a direct bearing on the person's ability to practice competently;
- (2) pay the required fees;
- (3) be at least eighteen (18) years of age;
- (4) have successfully completed four (4) years of high school education or an acceptable equivalent;
- (5) have either successfully completed an accredited veterinary technology program or have been a registered veterinary technician on August 31, 1981; and
- (6) show that the person has the necessary knowledge and skills to be a registered veterinary technician, demonstrated by successfully passing the required examinations.

As added by P.L.2-2008, SEC.12. Amended by P.L.58-2008, SEC.31.

IC 25-38.1-3-7 Veterinary technicians; refusal to issue permit; probationary registration; conditions

Sec. 7. (a) The board may refuse to issue a registration or may issue a probationary registration to an applicant for registration as a registered veterinary technician under this chapter if:

- (1) the applicant has been disciplined by a licensing entity of another state or jurisdiction; and
- (2) the violation for which the applicant was disciplined has a direct bearing on the applicant's ability to competently practice as a veterinary technician in Indiana.

(b) Whenever issuing a probationary registration under this section, the board may impose any or a combination of the following conditions:

- (1) Report regularly to the board upon the matters that are the basis of the discipline of the other state or jurisdiction.
- (2) Limit practice to those areas prescribed by the board.
- (3) Continue or renew professional education.
- (4) Engage in community restitution or service without compensation for a number of hours specified by the board.

(c) The board shall remove any limitations placed on a probationary registration issued under this section if the board finds after a hearing that the deficiency that required disciplinary action has been remedied.

(d) This section does not apply to an individual who currently holds a registration certificate under this chapter.

As added by P.L.2-2008, SEC.12. Amended by P.L.58-2008, SEC.32.

IC 25-38.1-3-8 Registration without examination

Sec. 8. The board may issue a registration without an examination to a qualified applicant who:

- (1) furnishes satisfactory proof that the applicant has successfully completed an accredited veterinary technology program;
- (2) for the five (5) years immediately preceding filing an application has been acting as a registered veterinary technician in a state, territory, or district of the United States that has registration

requirements substantially equivalent to the requirements of this chapter; and

(3) otherwise meets the requirements of this chapter.

As added by P.L.2-2008, SEC.12. Amended by P.L.58-2008, SEC.33.

IC 25-38.1-3-9 Application

Sec. 9. An applicant for registration as a registered veterinary technician shall complete an application form prescribed by the board. Each application shall be accompanied by the required registration fee and other material that the board may require by rule. Each applicant shall furnish proof to the board that the applicant meets the requirements of a registered veterinary technician under this chapter.

As added by P.L.2-2008, SEC.12.

IC 25-38.1-3-10 Term of license and registration certificate

Sec. 10. A license or registration certificate issued under this article is valid for the remainder of the renewal period in effect on the date of issuance.

As added by P.L.2-2008, SEC.12.

IC 25-38.1-3-11 License renewal

Sec. 11. (a) A license issued under this chapter is valid until the next renewal date described under subsection (b).

(b) All licenses expire on a date set by the agency in each odd-numbered year but may be renewed by application to the board and payment of the proper renewal fee. In accordance with IC 25-1-5-4(c), the agency shall mail a notice sixty (60) days before the expiration to each licensed veterinarian. The agency shall issue a license renewal to each individual licensed under this chapter if the proper fee has been received and all other requirements for renewal of the license have been satisfied. Failure to renew a license on or before the expiration date automatically renders the license invalid without any action by the board.

As added by P.L.2-2008, SEC.12. Amended by P.L.58-2008, SEC.34.

IC 25-38.1-3-12 Registration certificate renewal

Sec. 12. (a) A registration certificate issued under this chapter is valid until the next renewal date described under subsection (b).

(b) All registration certificates expire on a date set by the agency of each even-numbered year but may be renewed by application to the board and payment of the proper renewal fee. In accordance with IC 25-1-5-4(c), the agency shall mail a notice sixty (60) days before the expiration to each registered veterinary technician. The agency shall issue a registration certificate renewal to each individual registered under this chapter if the proper fee has been received and all other requirements for renewal of the registration certificate have been satisfied. Failure to renew a registration certificate on or before the expiration date automatically renders the license invalid without any action by the board.

As added by P.L.2-2008, SEC.12. Amended by P.L.58-2008, SEC.35.

IC 25-38.1-3-13 Practicing without a valid license or registration; violation; renewal; inactive status

Sec. 13. (a) An individual who:

(1) practices veterinary medicine after the individual's license has expired, been revoked, or been placed on inactive status; or

(2) acts as a registered veterinary technician after the individual's registration has expired, been revoked, or been placed on inactive status;

violates this article.

(b) A veterinarian may renew an expired license or a registered veterinary technician may renew an expired registration certificate not later than five (5) years after the date of expiration by making written application for renewal and paying the required fee. However, the board may require continuing education as a condition of renewal of an expired license.

(c) A veterinarian may not renew an expired license, and a registered veterinary technician may not renew an expired registration certificate, after five (5) years have elapsed after the date of the expiration of a license or a registration certificate but the person may make application for a new license or registration certificate and take the appropriate examinations.

(d) To have a license or registration placed on inactive status, a licensed veterinarian or registered veterinarian technician must notify the board in writing of the veterinarian's or technician's desire to have

the license or registration placed on inactive status. The board shall waive the continuing education requirements, if any, and payment of the renewal fee during the period the license or registration of a veterinarian or technician is on inactive status. A license or registration may be placed on inactive status during the period:

- (1) the veterinarian or technician is on active duty with any branch of the armed services of the United States;
- (2) the veterinarian or technician is in the Peace Corps;
- (3) the veterinarian or technician is in an alternative service during a time of national emergency;
- (4) the veterinarian or technician is suffering from a severe medical condition that prevents the veterinarian or technician from meeting the requirements of the board; or
- (5) after the veterinarian or technician retires.

A veterinarian or technician who is retired and on inactive status may not maintain an office or practice veterinary medicine. The board may adopt rules under IC 4-22-2 that establish prerequisites or conditions for the reactivation of an inactive license or registration.

As added by P.L.2-2008, SEC.12. Amended by P.L.58-2008, SEC.36.

IC 25-38.1-4

Chapter 4. Practice; Discipline; Prohibitions

IC 25-38.1-4-1 Veterinary technician identification; use of title or abbreviation; advertising

Sec. 1. (a) During working hours or when actively performing the registered veterinary technician's duties, a registered veterinary technician must wear a unique mark of identification on the technician's clothing that is approved by the board and that identifies the technician as a registered veterinary technician.

(b) An individual who is not a registered veterinary technician may not use the title "registered veterinary technician", "veterinary technician", or the abbreviation "R.V.T.".

(c) An individual who is not a registered veterinary technician may not advertise or offer the individual's services in a manner calculated to lead others to believe that the individual is a registered veterinary technician.

As added by P.L.2-2008, SEC.12. Amended by P.L.58-2008, SEC.37.

IC 25-38.1-4-2 Restrictions on veterinary technicians and veterinary assistants

Sec. 2. A:

- (1) registered veterinary technician; or
- (2) veterinary assistant;

may not diagnose, make a prognosis, prescribe medical or surgical treatment, or perform as a surgeon. However, the registered veterinary technician may perform routine procedures defined by board rules while under the direct or indirect supervision of a licensed veterinarian responsible for the technician's performance.

As added by P.L.2-2008, SEC.12. Amended by P.L.58-2008, SEC.38.

IC 25-38.1-4-3 Supervision of veterinary employees; compensation; duties

Sec. 3. (a) A supervising veterinarian shall determine and is responsible for determining the appropriate level of supervision, except where prohibited by law, if the tasks being delegated are commensurate with employee's training, experience, and skills.

(b) Registered veterinary technicians may, under direct or indirect supervision, perform routine food animal management practices if a valid veterinarian-client-patient relationship exists.

(c) A registered veterinary technician or veterinary assistant may not receive a fee or compensation for veterinary services other than salary or compensation paid by the establishment where the individual is employed.

(d) In the performance of delegated veterinary tasks, a registered veterinary technician and veterinary assistant shall do the following:

- (1) Accept only those delegated veterinary tasks for which there are mutually approved protocols, written standing orders, or verbal directions.
- (2) Accept only those delegated veterinary tasks that:
 - (A) the registered veterinary technician or veterinary assistant is competent to perform based on

education, training, or experience; and

(B) are not prohibited by law.

(3) Consult with the supervising veterinarian in cases where the registered veterinary technician or veterinary assistant knows or should have known that a delegated veterinary task may harm an animal.

As added by P.L.2-2008, SEC.12. Amended by P.L.58-2008, SEC.39.

IC 25-38.1-4-4 Repealed

(Repealed by P.L.58-2008, SEC.51.)

IC 25-38.1-4-5 Prescriptions

Sec. 5. (a) A licensed veterinarian may write prescriptions. Pharmacists shall give the prescriptions written by a licensed veterinarian the same recognition given the prescriptions of persons holding an unlimited license to practice medicine or osteopathic medicine.

(b) A valid veterinarian-client-patient relationship must exist before a licensed veterinarian dispenses or prescribes a prescription product.

(c) Veterinary prescription products, including drugs and immunizing products restricted by state and federal law for use by licensed veterinarians, may not be diverted or transferred to an individual for use on an animal if there is not a current veterinarian-client-patient relationship with the original prescribing veterinarian.

(d) If a veterinarian prescribes a drug for the client's animal, upon request, the veterinarian shall provide the prescription to the client, unless prohibited by state or federal law or to prevent inappropriate use.

As added by P.L.2-2008, SEC.12. Amended by P.L.58-2008, SEC.40.

IC 25-38.1-4-5.5 Maintenance of veterinary medical records; copies; confidentiality

Sec. 5.5. (a) Each person who provides veterinary medical services shall maintain medical records, as defined by rules adopted by the board.

(b) Veterinary medical records include the following:

(1) Written records and notes, radiographs, sonographic images, video recordings, photographs or other images, and laboratory reports.

(2) Other information received as the result of consultation.

(3) Identification of any designated agent of the owner for the purpose of authorizing veterinary medical or animal health care decisions.

(4) Any authorizations, releases, waivers, or other related documents.

(c) The client is entitled to a copy or summary of the veterinary medical records. A veterinarian may charge a reasonable fee for copying or summarizing the requested veterinary medical record. The veterinarian may require that the request be in writing.

(d) Except as provided in subsection (e) or upon written authorization of the client, an animal's veterinary medical record and medical condition is confidential and may not be:

(1) furnished to; or

(2) discussed with;

any person other than the client or other veterinarians involved in the care or treatment of the animal.

(e) An animal's veterinary medical records and medical condition may be furnished without written client authorization under the following circumstances:

(1) Access to the records is specifically required by a state or federal statute.

(2) An order by a court with jurisdiction in a civil or criminal action upon the court's issuance of a subpoena and notice to the client or the client's legal representative.

(3) For statistical and scientific research, if the information is abstracted in a way as to protect the identity of the animal and the client.

(4) As part of an inspection or investigation conducted by the board or an agent of the board.

(5) As part of a request from a regulatory or health authority, physician, or veterinarian:

(A) to verify a rabies vaccination of an animal; or

(B) to investigate a threat to human or animal health, or for the protection of animal or public health and welfare.

(6) As a part of an animal cruelty report and associated applicable records that are part of an abuse

investigation by law enforcement or a governmental agency.

(7) To a law enforcement agency as part of a criminal investigation.

(8) To the School of Veterinary Medicine at Purdue University, the animal disease diagnostic laboratory, or a state agency or commission. However, an animal's veterinary medical records remain confidential unless the information is disclosed in a manner allowed under this section.

(9) Veterinary medical records that are released by the board of animal health when in the judgment of the state veterinarian the disclosure is necessary or helpful in advancing animal health or protecting public health.

(f) An animal's veterinary medical records must be kept and maintained by the veterinarian for at least three (3) years after the veterinarian's last encounter with the animal.

As added by P.L.58-2008, SEC.41.

IC 25-38.1-4-6 Emergencies

Sec. 6. Notwithstanding this chapter, in an emergency, in the absence of the licensed veterinarian employer, an employee of a licensed veterinarian may perform the duties it is lawful for the employee to perform under the direct supervision of the licensed veterinarian according to the rules of the board and the written authority of the licensed veterinary employer.

As added by P.L.2-2008, SEC.12. Amended by P.L.58-2008, SEC.42.

IC 25-38.1-4-7 Immunity in emergencies; euthanasia

Sec. 7. A licensed veterinarian or a registered veterinary technician who, on the veterinarian's or technician's own initiative, gives emergency treatment to a sick or injured animal is not liable in damages to the owner of the animal in the absence of gross negligence. If a licensed veterinarian performs euthanasia on the animal, there is a presumption that performing euthanasia was a humane act, necessary to relieve the animal of pain and suffering.

As added by P.L.2-2008, SEC.12.

IC 25-38.1-4-8 Abandoned animals

Sec. 8. (a) An animal placed in the custody of a veterinarian is considered to be abandoned five (5) days after the veterinarian has given written notice to the individual who delivered the animal to the veterinarian that the animal should be reclaimed by the individual. Written notice must be delivered by certified mail to the place given by the individual as the individual's mailing address at the time the individual delivered the animal to the veterinarian.

(b) Abandonment of an animal under this section constitutes the relinquishment of all rights and claims by the owner of the animal. An abandoned animal may be sold or otherwise disposed of as the veterinarian may see fit. The purchaser or recipient of an abandoned animal shall receive full and clear title to the animal.

(c) The giving of notice as provided in this section relieves the veterinarian and all persons who receive an abandoned animal from the veterinarian of criminal or civil liability.

(d) The individual who delivered an animal abandoned under this section is liable for all reasonable and customary expenses incurred for diagnosis, treatment, hospitalization, surgery, board, euthanasia, and disposal of the abandoned animal.

As added by P.L.2-2008, SEC.12. Amended by P.L.58-2008, SEC.43.

IC 25-38.1-4-8.5 Immunity for reporting suspected animal cruelty

Sec. 8.5. A veterinarian or registered veterinary technician who reports in good faith and in the normal course of business a suspected incident of animal cruelty under IC 35-46-3 to a law enforcement officer is immune from liability in any civil or criminal action brought for reporting the incident.

As added by P.L.58-2008, SEC.44. Amended by P.L.111-2009, SEC.5.

IC 25-38.1-4-9 Discipline of registered veterinary technicians

Sec. 9. Upon written complaint sworn to by any individual, the board may, by the concurrence of four (4) members, after a hearing and based upon findings of fact, discipline a registered veterinary technician by revoking or suspending the technician's registration for a time certain, by placing the technician on probation, or by any other appropriate means for any of the following reasons:

- (1) The use of fraud, misrepresentation, or deception in obtaining a registration.
- (2) Intoxication or the unlawful use of a controlled substance.
- (3) The use of advertising or solicitation that is false or misleading or is considered unprofessional under rules adopted by the board.
- (4) Conviction of or a plea of guilty to the charge of a felony or misdemeanor involving moral turpitude.
- (5) Incompetence, gross negligence, or malpractice in performing as a registered veterinary technician.
- (6) Cruelty to animals.
- (7) Representing the technician as a veterinarian.
- (8) Disciplinary action taken against the technician's registration by the board or by the licensing agency of any other state or jurisdiction by reason of the technician's inability to practice safely as a registered veterinary technician, if the reason is valid in the opinion of the board.

As added by P.L.2-2008, SEC.12. Amended by P.L.58-2008, SEC.45.

IC 25-38.1-4-10 Offenses; practice without a license; false information

Sec. 10. A person who knowingly:

- (1) practices veterinary medicine without a license or special permit to practice veterinary medicine issued by the board; or
- (2) supplies false information on an application for a license as a veterinarian;

commits a Class A misdemeanor.

As added by P.L.2-2008, SEC.12. Amended by P.L.58-2008, SEC.46.

IC 25-38.1-4-11 Offenses; veterinary technicians

Sec. 11. A person who knowingly:

- (1) acts as a registered veterinary technician without being registered as a veterinary technician with the board or having a special permit issued by the board; or
- (2) supplies false information on an application for registration as a veterinary technician;

commits a Class A misdemeanor.

As added by P.L.2-2008, SEC.12. Amended by P.L.58-2008, SEC.47.

IC 25-38.1-4-11.5 Offenses; general

Sec. 11.5. Except as provided in sections 10 and 11 of this chapter, a person who violates this chapter commits a Class A infraction.

As added by P.L.58-2008, SEC.48.

IC 25-38.1-4-12 Injunction for practice without a license or certificate

Sec. 12. (a) If a person engages in the practice of veterinary medicine without a license or certificate issued under this article:

- (1) the attorney general;
- (2) a prosecuting attorney;
- (3) the board; or
- (4) a citizen;

may maintain an action in the name of the state to enjoin the person from engaging in the practice of veterinary medicine.

(b) In charging a person under subsection (a) in an affidavit, information, or indictment with a violation of this article, it is sufficient to charge that the person did, on a certain date and in a certain county, engage in the practice of veterinary medicine without a license or permit issued under this article.

As added by P.L.2-2008, SEC.12.

IC 25-38.1-5

Chapter 5. Impaired Veterinary Health Care Providers

IC 25-38.1-5-1 Rehabilitation of impaired veterinary health care providers

Sec. 1. (a) The board shall assist in the rehabilitation of an impaired veterinary health care provider.

(b) The board may do the following:

- (1) Enter into agreements, provide grants, and make other arrangements with statewide nonprofit

professional associations, foundations, or other entities specifically devoted to the rehabilitation of impaired health care professionals to identify and assist impaired veterinary health care providers.
(2) Accept and designate grants and public and private financial assistance to fund programs under subdivision (1) to assist impaired veterinary health care providers.

As added by P.L.58-2008, SEC.49.

IC 25-38.1-5-2 Confidential information

Sec. 2. (a) Except as provided in section 3 of this chapter, all:

- (1) information furnished to a nonprofit professional association, foundation, or other entity specifically devoted to the rehabilitation of impaired health care professionals, including interviews, reports, statements, and memoranda; and
- (2) findings, conclusions, or recommendations that result from a proceeding of the professional association, foundation, or other entity specifically devoted to the rehabilitation of impaired health care professionals;

are privileged and confidential.

(b) The records of a proceeding under subsection (a)(2) may be used only in the exercise of proper functions of the board, and may not become public records or subject to a subpoena or discovery proceeding.

As added by P.L.58-2008, SEC.49.

IC 25-38.1-5-3 Use of noncompliance information

Sec. 3. Information received by the board from the board designated rehabilitation program for noncompliance by the impaired veterinary health care provider may be used by the board in a disciplinary or criminal proceeding instituted against the impaired veterinary health care provider.

As added by P.L.58-2008, SEC.49.

IC 25-38.1-5-4 Rehabilitation program responsibilities

Sec. 4. The board designated rehabilitation program shall:

- (1) immediately report to the board the name and results of any contact or investigation concerning an impaired veterinary health care provider whom the program believes constitutes a certain, immediate, and impending danger to either the public or the impaired veterinary health care provider; and
- (2) in a timely fashion report to the board an impaired veterinary health care provider:
 - (A) who refuses to cooperate with the program;
 - (B) who refuses to submit to treatment; or
 - (C) whose impairment is not substantially or significantly alleviated through treatment, as determined by accepted medical standards.

As added by P.L.58-2008, SEC.49.

IC 25-38.1-5-5 Impaired veterinary health care provider fund

Sec. 5. (a) The impaired veterinary health care provider fund is established to provide money for rehabilitation of impaired veterinary health care providers under this chapter. The agency shall administer the fund.

(b) Expenses of administering the fund shall be paid from money in the fund. The fund consists of any grants or public and private financial assistance designated for the fund.

(c) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested.

(d) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(e) Money in the fund is appropriated to the board for the purpose stated in subsection (a).

As added by P.L.58-2008, SEC.49.

ARTICLE 1.1. PROFESSIONAL COMPETENCE

**TITLE 888 INDIANA BOARD OF VETERINARY MEDICAL EXAMINERS
ARTICLE 1. VETERINARIANS' LICENSING; MEETING PROCEDURE (REPEALED)**
(Repealed by Indiana Board of Veterinary Medical Examiners; filed Dec 1, 1983, 3:40 pm: 7 IR 387)

Rule 1. Veterinarians

888 IAC 1.1-1-1 Professional competence

Authority: IC 25-38.1

Affected: IC 25-38.1

Sec. 1. A licensed veterinarian is professionally competent if, in the practice of veterinary medicine, he exercises the reasonable care and diligence ordinarily exercised by members of his profession in similar cases under like conditions. *(Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-1-1; filed Dec 1, 1983, 3:40 pm: 7 IR 387; readopted filed Jul 18, 2001, 10:20 a.m.: 24 IR 4238; readopted filed Jul 19, 2007, 12:53 p.m.: 20070808-IR-888070070RFA)*

Rule 2. Registered Veterinary Technicians

888 IAC 1.1-2-1 Professional competence

Authority: IC 25-38.1

Affected: IC 25-38.1

Sec. 1. A registered veterinary technician is professionally competent if, in the performance of his assigned duties, he exercises the reasonable care and diligence ordinarily exercised by members of his profession in similar cases under like conditions. *(Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-2-1; filed Dec 1, 1983, 3:40 pm: 7 IR 387; readopted filed Jul 18, 2001, 10:20 a.m.: 24 IR 4238; readopted filed Jul 19, 2007, 12:53 p.m.: 20070808-IR-888070070RFA)*

Rule 3. Fees

888 IAC 1.1-3-1 Fees (Repealed)

Sec. 1. *(Repealed by Indiana Board of Veterinary Medical Examiners; filed Nov 14, 1985, 9:38 am: 9 IR 778)*

888 IAC 1.1-3-2 Licensed veterinarians; fees

Authority: IC 25-38.1; IC 25-1-8-2

Affected: IC 25-1-8-1

Sec. 2. The following fees shall apply to licensed veterinarians:

Application for licensure/issuance	\$150
Application by examination/issuance	\$150
License renewal (October 15 of each odd-numbered year)	\$100 biennially
Endorsement-reciprocity out	\$10
Duplicate license	\$10

(Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-3-2; filed Nov 14, 1985, 9:38 a.m.: 9 IR 778; filed Feb 26, 1987, 2:45p.m.: 10 IR 1392; filed Jul 6, 1988, 2:20 p.m.: 11 IR 3919; filed Mar 15, 1989, 2:55 p.m.: 12 IR 1635; filed May 20, 1993, 5:00 p.m.: 16 IR 2424; filed May 20, 1996, 3:00 p.m.: 19 IR 2882; filed Aug 7, 2000, 2:19 p.m.: 24 IR 24; readopted filed Dec 2, 2001, 12:35 p.m.: 25 IR 1346; readopted filed Sep 26, 2008, 10:56 a.m.: 20081015-IR-888080348RFA)

888 IAC 1.1-3-3 Registered veterinary technicians; fees

Authority: IC 25-38.1; IC 25-1-8-2

Affected: IC 25-1-8-1

Sec. 3. The following fees shall apply to registered veterinary technicians:

Application for registration-issuance	\$30
Examination	
Administrative fee payable to the health professions bureau	\$15, plus cost of veterinary technology Examination payable to PES
Renewal of registration	\$15 biennially (January 1 of each even-numbered year)
Reinstatement of registration	\$10 plus current biennial renewal fee
Endorsement-reciprocity out	\$10
Duplicate registration	\$10

(Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-3-3; filed Nov 14, 1985, 9:38 a.m.: 9 IR 778; filed Feb 26, 1987, 2:45 p.m.: 10 IR 1393; filed Jul 6, 1988, 2:20 p.m.: 11 IR 3919; filed May 1, 1990, 10:45 a.m.: 13 IR 1721; filed May 20, 1993, 5:00 p.m.: 16 IR 2424; filed May 20, 1996, 3:00 p.m.: 19 IR 2882; errata filed Jul 3, 1996, 5:00 p.m.: 19 IR 3114; readopted filed Dec 4, 2001, 10:17 a.m.: 25 IR 1733; readopted filed Sep 26, 2008, 10:56 a.m.: 20081015-IR-888080348RFA)

Rule 4. Veterinary Practice Facilities

888 IAC 1.1-4-1 Fixed practice facilities; standards

Authority: IC 25-38.1-2-14; IC 25-38.1-2-23

Affected: IC 25-38.1-2

Sec. 1. For purposes of this section, "fixed practice facility" means a stationary facility established to provide examination, diagnosis, and health maintenance to animals. Practitioners maintaining a fixed veterinary practice facility shall comply with the following standards:

- (1) If medical treatment is provided to animals, appropriate areas for the treatment shall be available within the facility and housing for treatment and convalescence.
- (2) If aseptic surgery is performed within the facility, the facility shall contain and use the following:
 - (A) An area designated for surgery.
 - (B) Adequate sterilization for the following:
 - (i) Instruments.
 - (ii) Gloves.
 - (iii) Drapes.
 - (C) Sterile instruments, gloves, and drapes.
 - (D) Adequate lighting.
 - (E) Adequate drugs and equipment readily available to handle surgical emergencies, including, but not limited to, the following:
 - (i) Endotracheal catheters.
 - (ii) Oxygen or respiratory facilities.
- (3) The facility shall provide adequate heating and ventilation for the comfort of animals treated and housed within.
- (4) The facility shall be equipped with proper lighting in order that all parts thereof are clearly visible.
- (5) The facility shall comply with all applicable state and local ordinances, including, but not limited to, the following:
 - (A) Hot and cold running water from a source approved by the appropriate authorities.
 - (B) Adequate clean and orderly toilets and lavatories for personnel and clients.
 - (C) Sanitary and aesthetic disposal of dead animals.

- (6) All supplies, including food and bedding, shall be stored in facilities that adequately protect against:
 - (A) infestation;
 - (B) contamination; or
 - (C) deterioration.

Refrigeration shall be provided for all supplies that are of a perishable nature, including food, drugs, and biologicals.

- (7) Excrement shall be promptly removed and disposed of in an appropriate manner.
- (8) The:
 - (A) exterior of the facility shall be clean and in good repair; and
 - (B) surrounding grounds must be clean and well-maintained.
- (9) Appropriate exterior identification shall be posted to clearly indicate that the location is a veterinary practice facility.
- (10) All interior areas of the facility, including the:
 - (A) entrance;
 - (B) reception area;
 - (C) office;
 - (D) dispensing area; and
 - (E) examination rooms;shall be clean, orderly, and free from hazards.
- (11) If grooming services are performed within the facility, the grooming area shall be clean and orderly.
- (12) The animal housing area shall be:
 - (A) clean;
 - (B) orderly; and
 - (C) well-lighted.
- (13) Exercise runs, if provided, shall be:
 - (A) clean;
 - (B) secure; and
 - (C) free of hazards.
- (14) The following equipment shall be available within the facility:
 - (A) A lined waste receptacle.
 - (B) A sink.
 - (C) Disposable towels.
 - (D) An adequate table with an impervious surface, capable of being disinfected after each examination.
 - (E) A stethoscope.
 - (F) A thermometer.
 - (G) A refrigerator.
 - (H) Other equipment appropriate to the type of practice.
- (15) Laboratory equipment shall be:
 - (A) available within the facility; or
 - (B) readily accessible.
- (16) If radiological services are provided within a fixed practice facility, the facility must contain the following:
 - (A) An x-ray machine.
 - (B) The ability to develop radiographic images.

However, if radiological services are not provided within the facility, appropriate arrangements must be made to provide the services outside the facility.

(Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-4-1; filed Apr 26, 1988, 2:10 p.m.: 11 IR 3045; readopted filed Jul 18, 2001, 10:20 a.m.: 24 IR 4238; readopted filed Jul 19, 2007, 12:53 p.m.: 20070808-IR-888070070RFA; filed Jul 31, 2009, 8:42a.m.: 20090826-IR-888080679FRA)

888 IAC 1.1-4-2 Mobile practice facilities; standards

Authority: IC 25-38.1

Affected: IC 25-38.1

Sec. 2. For the purposes of 888 IAC 1.1-4-2, "mobile practice facility" means a practice established to provide examination, diagnosis, and health maintenance to animals conducted from a vehicle with special medical or surgical facilities or from a vehicle suitable only for making house or farm calls. Practitioners maintaining a mobile practice facility shall comply with the following standards:

- (a) Regardless of mode of transportation, the practice shall have a permanent base of operations with a published address and telephone facilities for making appointments or responding to emergency situations.
- (b) All records shall be maintained at the permanent facility and the information contained therein shall be readily accessible.
- (c) The vehicle and equipment shall be clean, neat, and in good repair.
- (d) Clean coveralls or other outer garment shall be available for each call.
- (e) Footwear capable of being disinfected shall be available on each professional call.
- (f) If surgical procedures are performed within the mobile facility, the facility shall meet requirements of 888 IAC 1.1-4-1(b).

(Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-4-2; filed Apr 26, 1988, 2:10 pm: 11 IR 3046; readopted filed Jul 18, 2001, 10:20 a.m.: 24 IR 4238; readopted filed Jul 19, 2007, 12:53 p.m.: 20070808-IR-888070070RFA)

Rule 5. Standards of Practice

888 IAC 1.1-5-1 Standards of practice

Authority: IC 25-38.1-2-14; IC 25-38.1-2-23

Affected: IC 25-1-9

Sec. 1. A veterinarian may be found guilty of the incompetent practice of veterinary medicine and may be disciplined under IC 25-1-9 if the veterinarian does any of the following:

- (1) Fails to maintain written animal health records as defined by section 2 of this rule.
- (2) Dispenses or prescribes drugs or therapy unless a veterinarian-client-patient relationship has been established.
- (3) Knowingly provides prescription drugs or access to prescription drugs for use other than in the proper course of veterinary diagnosis or treatment.
- (4) Performs a treatment or procedure that is beyond the skill or knowledge of the practitioner.
- (5) Permits, delegates, or requires an employed veterinarian to:
 - (A) improperly perform the duties of an accredited veterinarian; or
 - (B) perform services that would constitute a violation of standards provided by this section.

(Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-5-1; filed Apr 26, 1988, 2:10 p.m.: 11 IR 3046; filed Aug 11, 1989, 1:35 p.m.: 13 IR 86; filed Dec 27, 1993, 9:00 a.m.: 17 IR 1003; filed May 2, 2001, 10:05 a.m.: 24 IR 2707; readopted filed Jul 19, 2007, 12:53 p.m.: 20070808-IR-888070070RFA; filed Jul 31, 2009, 8:42 a.m.: 20090826-IR-888080679FRA)

888 IAC 1.1-5-2 Animal health records

Authority: IC 25-38.1

Affected: IC 25-1-9

Sec. 2. (a) For purposes of section 1 of this rule, written animal health records shall include, but not be limited to, the following information:

- (1) Name, address, and telephone number of the owner.
- (2) Name, number, or other identification of the animal or group.
- (3) Species, breed, age, sex, and color of the animal.
- (4) Immunization record.
- (5) Beginning and ending dates of custody of the animal.
- (6) A short history of the animal's condition as it pertains to its medical status.

- (7) Physical examination findings and laboratory data.
- (8) Provisional or final diagnosis.
- (9) Treatment and medication administered, prescribed, or dispensed.
- (10) Surgery and anesthesia.
- (11) Progress of the case.

(b) Animal health records for companion animals shall be maintained for each animal.

(c) Animal health records for economic animals may be maintained on a group or client basis.

(d) Animal health records shall be retained and shall be readily retrievable for a period of three (3) years following the last treatment or examination.

(Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-5-2; filed Dec 27, 1993, 9:00 a.m.: 17 IR 1004; readopted filed Jul 18, 2001, 10:20 a.m.: 24 IR 4238; readopted filed Jul 19, 2007, 12:53 p.m.: 20070808-IR-888070070RFA)

888 IAC 1.1-5-3 Reporting of substance abuse or psychiatric impairment

Authority: IC 25-38.1

Affected: IC 25-38.1

Sec. 3. (a) For purposes of this section, "practitioner" is *[sic.]* means a:

- (1) veterinarian who is licensed to practice veterinary medicine; or
- (2) veterinary technician who is registered to work under the direct supervision of a licensed veterinarian;

in accordance with IC 15-5-1.1 *[IC 15-5 was repealed by P.L.2-2008, SECTION 83, effective July 1, 2008.]*

(b) Any practitioner who has personal knowledge based upon a reasonable belief that another practitioner has a:

- (1) severe dependency upon alcohol or other drugs or controlled substances; or
- (2) psychiatric impairment;

shall promptly report the conduct to the board unless the practitioner with the substance abuse problem or psychiatric impairment would be exempt from reporting himself or herself under subsection (c).

(c) A practitioner who voluntarily submits himself or herself to, or is otherwise undergoing, a course of treatment for:

- (1) addiction;
- (2) severe dependency upon alcohol or other drugs or controlled substances; or
- (3) psychiatric impairment;

where the treatment is sponsored or supervised by professional healthcare or substance abuse treatment providers shall be exempt from reporting to the board for so long as the practitioner is complying with the course of recommended treatment and making satisfactory progress.

(d) This section shall not, in any manner whatsoever directly or indirectly, be deemed or construed to:

- (1) prohibit;
- (2) restrict;
- (3) limit; or
- (4) otherwise preclude;

the board from taking any action it deems appropriate or as may otherwise be provided by law.

(Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-5-3; filed Mar 10, 2006, 8:46 a.m.: 29 IR 2201; readopted filed Jul 19, 2007, 12:53 p.m.: 20070808-IR-888070070RFA)

Rule 6. Application for License as a Veterinarian

888 IAC 1.1-6-1 Application content; examination applicant; application deadline

Authority: IC 25-38.1

Affected: IC 25-38.1-3-3

Sec. 1. (a) An applicant for license by examination shall submit the following information:

- (1) Official transcripts or a letter from the dean, certified by the school or college, recording

the degree earned in a school or college of veterinary medicine accredited under IC 15-5-1.1-11(a) [IC 15-5 was repealed by P.L.2-2008, SECTION 83, effective July 1, 2008. See IC 25-38.1-3-3.] or a notarized copy of the applicant's diploma.

(2) Official score report of the applicant's National Board Examination (NBE) and the Clinical Competency Test (CCT) or the North American Veterinary Licensing Examination (NAVLE) approved under IC 15-5-1.1-12(b) [IC 15-5 was repealed by P.L.2-2008, SECTION 83, effective July 1, 2008. See IC 25-38.1-3-4.] if the applicant is not applying to take these examinations in Indiana.

(3) Two (2) unmounted, duplicate, passport-quality photographs taken not earlier than eight (8) weeks prior to the date of application, dated and signed across the back in the applicant's handwriting, "I certify that this is a true photograph of me."

(4) A statement from the appropriate agency in each state where the applicant has been licensed, verifying the date the applicant's license was originally issued and certifying whether or not disciplinary proceedings have ever been initiated or are presently pending against the applicant.

(5) The fee required by 888 IAC 1.1-3-2.

(b) An applicant who has not graduated from an accredited school of veterinary medicine and who submits satisfactory proof that he or she is enrolled in the Educational Commission for Foreign Veterinary Graduates (ECFVG) program of the American Veterinary Medical Association and has completed ECFVG Step 2 (English proficiency) may be approved to take the NAVLE. The applicant is not eligible for licensure until he or she submits satisfactory proof that he or she holds an ECFVG certificate issued by the American Veterinary Medical Association.

(c) All applications for the NAVLE must be received by the board at least ninety-five (95) days prior to the administration of the NAVLE in which the applicant desires to participate.

(Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-6-1; filed Jan 22, 1991, 4:50 p.m.: 14 IR 1284; filed Dec 27, 1993, 9:00 a.m.: 17 IR 1004; filed Aug 7, 2000, 2:19 p.m.: 24 IR 24; readopted filed Jul 18, 2001, 10:20 a.m.: 24 IR 4238; filed Dec 20, 2002, 12:31 p.m.: 26 IR 1563; filed Sep 16, 2004, 9:20 a.m.: 28 IR 606; filed Oct 6, 2004, 5:15 p.m.: 28 IR 607; readopted filed Nov 17, 2010, 9:39 a.m.: 20101215-IR-888100412RFA)

888 IAC 1.1-6-2 Practical examination content (Repealed)

Sec. 2. (Repealed by Indiana Board of Veterinary Medical Examiners; filed Dec 27, 1993, 9:00 a.m.: 17 IR 1006)

888 IAC 1.1-6-3 Examination scores

Authority: IC 25-38.1

Affected: IC 25-38.1

Sec. 3. (a) An applicant for licensure is required to attain a passing score on the National Board Examination (NBE) and the Clinical Competency Test (CCT) or the North American Veterinary Licensing Examination (NAVLE).

(b) An applicant is required to attain a score of seventy-five (75) or above on a written examination on jurisprudence.

(c) An applicant who attains a score of seventy-five (75) or above on the written examination on jurisprudence and a passing score on the CCT and the NBE or the NAVLE shall pass the examination.

(d) An applicant who has taken the NBE and CCT or the NAVLE in another state is not required to retake those examinations, provided the applicant has attained a passing score on the examinations.

(e) An applicant who attains a score below seventy-five (75) on the written examination on jurisprudence or a score below passing on the NBE, CCT, or NAVLE shall fail the examination and must repeat the examination on which a passing score was not attained.

(f) The applicable fee shall be charged for each examination or reexamination.

(Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-6-3; filed Jan 22, 1991, 4:50 p.m.: 14 IR 1284; filed Apr 12, 1993, 11:00 a.m.: 16 IR 2188; filed Dec 27, 1993, 9:00 a.m.: 17 IR 1005; filed Aug 7,

2000, 2:19 p.m.: 24 IR 25; readopted filed Jul 18, 2001, 10:20 a.m.: 24 IR 4238; readopted filed Jul 19, 2007, 12:53 p.m.: 20070808-IR-888070070RFA; readopted filed Nov 17, 2010, 9:39 a.m.: 20101215-IR-888100412RFA)

Rule 7. Application for Veterinary License; Endorsement

888 IAC 1.1-7-1 Application for license by endorsement

Authority: IC 25-38.1

Affected: IC 25-38.1-1

Sec. 1. (a) An applicant for license by endorsement shall submit the following information:
(1) Official transcripts or a letter from the dean, certified by the school or college, recording the degree earned in a school or college of veterinary medicine accredited under IC 15-5-1.1-11(a) [IC 15-5 was repealed by P.L.2-2008, SECTION 83, effective July 1, 2008. See IC 25-38.1-3-3.], a notarized copy of diploma, or a certificate issued by the Educational Commission for Foreign Veterinary Graduates program of the American Veterinary Medical Association.

(2) One (1) passport-quality photograph taken not earlier than eight (8) weeks prior to the date of application, dated and signed across the back in the applicant's handwriting, "I certify that this is a true photograph of me."

(3) Official score report of the applicant's National Board Examination (NBE) and the Clinical Competency Test (CCT) or the North American Veterinary Licensing Examination (NAVLE) approved under IC 15-5-1.1-12(b) [IC 15-5 was repealed by P.L.2-2008, SECTION 83, effective July 1, 2008. See IC 25-38.1-3-4.]

(4) A statement from the appropriate agency in each state where the applicant is or has been licensed, verifying the date the applicant's license was originally issued and certifying whether or not disciplinary proceedings have ever been initiated or are presently pending against the applicant.

(5) The fee required by 888 IAC 1.1-3-2.

(6) Any other documentation the board may require to demonstrate compliance with IC 15-5-1.1-13 [IC 15-5 was repealed by P.L.2-2008, SECTION 83, effective July 1, 2008. See IC 25-38.1-3-5.].

(b) An applicant is required to attain a score of seventy-five (75) or above on a written jurisprudence examination.

(Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-7-1; filed May 8, 1992, 5:00 p.m.: 15 IR 1962; filed Dec 27, 1993, 9:00 a.m.: 17 IR 1005; filed Aug 7, 2000, 2:19 p.m.: 24 IR 25; readopted filed Jul 18, 2001, 10:20 a.m.: 24 IR 4238; readopted filed Jul 19, 2007, 12:53 p.m.: 20070808-IR-888070070RFA)

Rule 8. Application for Registration as a Veterinary Technician; Examination

888 IAC 1.1-8-1 Application content

Authority: IC 25-38.1

Affected: IC 25-38.1-3-6

Sec. 1. An applicant for registration as a veterinary technician shall submit the following information:

(1) Official transcripts, certified by the school or college, recording degree earned in a program of veterinary technology approved under IC 15-5-1.1-15 [IC 15-5 was repealed by P.L.2-2008, SECTION 83, effective July 1, 2008. See IC 25-38.1-3-6.].

(2) Official score reports from the Professional Examination Service showing a passing score on the examination in veterinary technology, if the applicant is not applying to take this examination in Indiana.

(3) Two (2) unmounted, duplicate, passport-quality photographs taken not earlier than one (1) year prior to the date of application, dated and signed across the back in the applicant's handwriting, "I certify that this is a true photograph of me."

(4) Statement from the appropriate agency in each state where the applicant has been registered, verifying the date the applicant's registration was originally issued and certifying whether or not disciplinary proceedings have ever been initiated or are presently pending against the applicant.

(5) Fee required under 888 IAC 1.1-3-3.

(Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-8-1; filed May 8, 1992, 5:00 p.m.: 15 IR 1962; readopted filed Jul 18, 2001, 10:20 a.m.: 24 IR 4238; readopted filed Jul 19, 2007, 12:53 p.m.: 20070808-IR-888070070RFA)

888 IAC 1.1-8-2 Practical examination content (Repealed)

Sec. 2. (Repealed by Indiana Board of Veterinary Medical Examiners; filed Dec 27, 1993, 9:00 a.m.: 17 IR 1006)

888 IAC 1.1-8-3 Examination scores

Authority: IC 25-38.1

Affected: IC 25-38.1

Sec. 3. (a) An applicant is required to attain a criterion-referenced passing point of 425 on the veterinary technology examination given by the Professional Examination Service (PES).

(b) An applicant is required to attain a minimum score of seventy-five (75) on a written jurisprudence examination.

(c) An applicant who attains a score of seventy-five (75) or above on the written jurisprudence examination and a criterion-referenced passing point of 425 or above on the PES written examination in veterinary technology shall pass the examination.

(d) An applicant who has taken the PES written examination in another state is not required to retake that examination, provided the applicant has attained a criterion-referenced passing point of 425 on the examination.

(e) An applicant who attains a score below seventy-five (75) on the written jurisprudence examination or a criterion-referenced passing point of 425 on the PES written examination shall fail the examination and must repeat the examination on which a passing score was not attained.

(f) The applicable fee shall be charged for each examination or reexamination. *(Indiana Board of Veterinary Medical*

Examiners; 888 IAC 1.1-8-3; filed May 8, 1992, 5:00 p.m.: 15 IR 1963; filed Dec 27, 1993, 9:00 a.m.: 17 IR 1005; readopted filed Jul 18, 2001, 10:20 a.m.: 24 IR 4238; filed Jun 27, 2005, 10:00 a.m.: 28 IR 3581)

Rule 9. Application for Registration as a Veterinary Technician; Endorsement

888 IAC 1.1-9-1 Application for registration by endorsement

Authority: IC 25-38.1

Affected: IC 25-38.1-3-6; IC 25-38.1-3-8

Sec. 1. (a) An applicant for registration by endorsement shall submit the following information:

(1) Official transcripts, certified by the school or college, recording the degree earned in a veterinary technology program approved under IC 15-5-1.1-15 *[IC 15-5 was repealed by P.L.2-2008, SECTION 83, effective July 1, 2008. See IC 25-38.1-3-6.]*

(2) One (1) passport-quality photograph taken not earlier than one (1) year prior to the date of application, dated and signed across the back in the applicant's handwriting, "I certify that this is a true photograph of me."

(3) A statement from the appropriate agency in each state where the applicant is or has been registered, verifying the date the applicant's registration was originally issued and certifying whether or not disciplinary proceedings have ever been initiated or are presently pending against the applicant.

(4) The fee required by 888 IAC 1.1-3-3.

(5) Any other documentation the board may require to demonstrate compliance with IC 15-5-1.1-15.4 *[IC 15-5 was repealed by P.L.2-2008, SECTION 83, effective July 1, 2008. See IC 25-38.1-3-8.]*

(b) An applicant is required to attain a minimum score of seventy-five (75) on a written jurisprudence examination.
(Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-9-1; filed May 8, 1992, 5:00 p.m.: 15 IR 1963; filed Dec 27, 1993, 9:00 a.m.: 17 IR 1006; readopted filed Jul 18, 2001, 10:20 a.m.: 24 IR 4238; readopted filed Jul 19, 2007, 12:53 p.m.: 20070808-IR-888070070RFA)

Rule 10. Continuing Education

888 IAC 1.1-10-1 Continuing education requirements for veterinarians and veterinary technicians

Authority: IC 25-38.1

Affected: IC 25-38.1

Sec. 1. (a) A veterinarian licensed in Indiana is required to complete forty (40) clock hours of continuing education in the area of veterinary medicine for biennial license renewal on October 15 of each odd-numbered year.

(b) A registered veterinary technician is required to complete sixteen (16) clock hours of continuing education in the area of veterinary medicine for renewal of a registration on January 1 of each even-numbered year.

(c) A licensed veterinarian or registered veterinary technician is not required to complete continuing education requirements for the year in which the initial license or registration is issued.

(d) Continuing education clock hours must be obtained within the biennial renewal period and may not be carried over from one (1) renewal period to another.

(Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-10-1; filed Jul 25, 1997, 8:30 a.m.: 20 IR 3374; readopted filed Oct 31, 2003, 3:45 p.m.: 27 IR 946; readopted filed Dec 1, 2009, 9:15 a.m.: 20091223-IR-888090787RFA)

888 IAC 1.1-10-2 Continuing education reporting

Authority: IC 25-38.1

Affected: IC 25-38.1

Sec. 2. (a) A licensed veterinarian and a registered veterinary technician must certify completion of continuing education required by section 1 of this rule at the time of license or registration renewal on a form provided by the health professions bureau.

(b) A licensed veterinarian and a registered veterinary technician must retain a record of continuing education required by section 1 of this rule for four (4) years following the end of the biennium.

(c) It is the responsibility of the veterinarian or registered veterinary technician to verify that courses attended have been approved by the board. Without approval, as provided in section 3 of this rule, credit will not be given.

(d) The board will not renew a license of a veterinarian or a registration of a veterinary technician who fails to comply with this rule.

(e) Continuing education clock hours used to satisfy continuing education requirements of another state may be applied toward the fulfillment of the continuing education clock hours required in Indiana.

(Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-10-2; filed Jul 25, 1997, 8:30 a.m.: 20 IR 3374; readopted filed Oct 31, 2003, 3:45 p.m.: 27 IR 946; readopted filed Dec 1, 2009, 9:15 a.m.: 20091223-IR-888090787RFA)

888 IAC 1.1-10-3 Application for approval

Authority: IC 25-38.1

Affected: IC 25-38.1

Sec. 3. (a) The sponsoring organization must file an application provided by the bureau. The application must contain the following information:

- (1) Name of lecturer.
- (2) Academic and professional background of lecturer.

- (3) Brief summary of content of program.
- (4) Date and location of program.
- (5) Number of clock hours of continuing education requested.
- (6) Name of the person who will monitor attendance and the manner in which attendance will be monitored.
- (7) Any other pertinent information required by the board.

(b) As a condition to approval of programs, the sponsoring organization must agree to provide participants with a record of attendance and to retain records of attendance by participants for four (4) years from the date of the program.

(Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-10-3; filed Jul 25, 1997, 8:30 a.m.: 20 IR 3374; readopted filed Oct 31, 2003, 3:45 p.m.: 27 IR 946; readopted filed Dec 1, 2009, 9:15 a.m.: 20091223-IR-888090787RFA)

888 IAC 1.1-10-4 Standards for approval

Authority: IC 25-38.1

Affected: IC 25-38.1

Sec. 4. (a) The board will approve a course if it determines that the course will make a significant contribution to the professional competency of veterinarians and veterinary technicians who enroll. In determining if a course meets this standard, the board will consider whether the following requirements are met:

- (1) The course has substantial content.
- (2) The course content directly relates to the professional practice of veterinary medicine.
- (3) Each faculty member or lecturer who has teaching responsibility in the course is qualified by academic work or practical experience to teach the assigned subject.
- (4) High quality written materials, including notes and outlines, are available to all veterinarians and veterinary technicians who enroll at or prior to the time the course is offered.
- (5) The course is of sufficient length to provide a substantial educational experience. A course of less than one (1) hour will be carefully reviewed to determine if a substantial educational experience is provided.
- (6) Appropriate educational methodology is used, including, but not limited to, the following:
 - (A) Prepared library packages.
 - (B) Courses of programmed instruction.
 - (C) Active participation and demonstration.
 - (D) Audio-visual materials.

(7) An adequate number of instructors is provided for the course. If audio-visual tapes are used as teaching materials, live presentations or discussion leaders must accompany the replaying of the tapes.

(b) Continuing education derived from self-study will be accepted as renewal credit under the following conditions:

- (1) The content must pertain to the practice of veterinary medicine.
- (2) Credit is limited to ten (10) hours per biennial renewal period for veterinarians and four (4) hours per biennial renewal period for veterinary technicians.
- (3) Self-study methods of presentation must include a written examination or postevaluation.

(c) Notwithstanding subsection (a), continuing education programs for veterinarians and registered veterinary technicians sponsored by the following organizations shall be deemed approved and no approval by the board shall be required:

- (1) American Veterinary Medical Association or any of its constituent organizations.
- (2) Indiana Veterinary Medical Association, local veterinary associations, or any other state or provincial veterinary medical association.
- (3) American Animal Hospital Association or any other veterinary specialty organization.
- (4) Indiana Veterinary Technicians Association.
- (5) Purdue University School of Veterinary Medicine or any other accredited veterinary school in the United States.

(6) American Association of Laboratory Animal Sciences.
(Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-10-4; filed Jul 25, 1997, 8:30 a.m.: 20 IR 3374; readopted filed Oct 31, 2003, 3:45 p.m.: 27 IR 946; readopted filed Dec 1, 2009, 9:15 a.m.: 20091223-IR-888090787RFA)

Rule 11. Inactive Status of Licenses

888 IAC 1.1-11-1 Inactive status for veterinarians

Authority: IC 25-38.1

Affected: IC 25-38.1-3-12; IC 25-38.1-3-13

Sec. 1. (a) The board may place a veterinary license on inactive status if the applicant makes the request in writing under IC 15-5-1.1-19 *[IC 15-5 was repealed by P.L.2-2008, SECTION 83, effective July 1, 2008. See IC 25-38.1-3-13.]*.

(b) The fee and continuing education requirements are waived when a request for inactive status is submitted to and approved by the board.

(c) The veterinarian will no longer receive renewal notices until the time the veterinarian submits a written request to reactivate the veterinarian's license.

(Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-11-1; filed Dec 20, 2002, 12:36 p.m.: 26 IR 1563; readopted filed Dec 1, 2009, 9:15 a.m.: 20091223-IR-888090787RFA)

888 IAC 1.1-11-2 Reactivation of an inactive license to practice veterinary medicine; requirements

Authority: IC 25-38.1

Affected: IC 25-38.1-3-12; IC 25-38.1-3-13

Sec. 2. (a) The following requirements apply to requests for reactivation of an inactive license to practice veterinary medicine:

(1) The veterinarian must submit an application for reactivation in the form and manner required by the board.

(2) The veterinarian must submit the current renewal fee as required in 888 IAC 1.1-3-2 at the time of applying to reactivate the applicant's license.

(3) If the veterinarian's license has been on inactive status two (2) years or less, the veterinarian must submit proof of the completion of the continuing education hours required by 888 IAC 1.1-10-1.

(4) If the veterinarian's license has been on inactive status for more than two (2) years up to and including three (3) years, the veterinarian must submit proof of completion of sixty (60) hours of the continuing education that meets the requirements of 888 IAC 1.1-10-1.

(5) If the veterinarian's license has been on inactive status more than three (3) years up to and including four (4) years, the veterinarian must submit proof of completion of eighty (80) hours of the continuing education that meets the requirements of 888 IAC 1.1-10-1.

(6) If the veterinarian's license has been inactive more than four (4) years, the board may require the veterinarian to make a personal appearance before the board and meet any additional conditions set by the board, including, but not limited to, completion of continuing education in an amount prescribed by the board. The veterinarian may be required to take and pass an examination as approved by the board.

(b) Documentation verifying the completion of the required continuing education hours must be submitted to the board with the license reactivation application.

(Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-11-2; filed Dec 20, 2002, 12:36 p.m.: 26 IR 1563; readopted filed Dec 1, 2009, 9:15 a.m.: 20091223-IR-888090787RFA)

888 IAC 1.1-11-3 Inactive status for registered veterinary technicians

Authority: IC 25-38.1

Affected: IC 25-38.1-3-12; IC 25-38.1-3-13

Sec. 3. (a) The board may place a registered veterinary technician on inactive status if the applicant makes the request in writing under IC 15-5-1.1-19 [*IC 15-5 was repealed by P.L.2-2008, SECTION 83, effective July 1, 2008. See IC 25-38.1-3-13.*]

(b) The fee and continuing education requirements are waived when a request for inactive status is submitted to and approved by the board.

(c) The registered veterinary technician will no longer receive renewal notices until the time the registered veterinary technician submits a written request to reactivate the veterinary technician's registration.

(Indiana Board of Veterinary Medical Examiners; 888IAC 1.1-11-3; filed Dec 20, 2002, 12:36 p.m.: 26 IR 1564; readopted filed Dec 1, 2009, 9:15 a.m.: 20091223-IR-888090787RFA)

888 IAC 1.1-11-4 Reactivation of an inactive veterinary technician registration

Authority: IC 25-38.1

Affected: IC 25-38.1-3-12; IC 25-38.1-3-13

Sec. 4. (a) The following requirements apply to requests for reactivation of an inactive veterinary technician registration:

(1) The veterinary technician must submit an application for reactivation in the form and manner required by the board.

(2) The registered veterinary technician must submit the current renewal fee as required in 888 IAC 1.1-3-3 at the time of applying to reactivate the applicant's registration.

(3) If the registered veterinary technician's registration has been on inactive status two (2) years or less, the registered veterinary technician must submit proof of the completion of the continuing education hours required by 888 IAC 1.1-10-1.

(4) If the registered veterinary technician has been on inactive status more than two (2) years up to and including three (3) years, the registered veterinary technician must submit proof of completion of twenty-four (24) hours of the continuing education that meets the requirements of 888 IAC 1.1-10-1.

(5) If the registered veterinary technician has been on inactive status more than three (3) years up to and including four (4) years, the registered veterinary technician must submit proof of completion of thirty-two (32) hours of the continuing education that meets the requirements of 888 IAC 1.1-10-1.

(6) If the registered veterinary technician has been on inactive status more than four (4) years, the board may require the registered veterinary technician to make a personal appearance before the board and meet any additional conditions set by the board, including, but not limited to, the completion of continuing education in an amount prescribed by the board. The registered veterinary technician may be required to take and pass an examination as approved by the board.

(b) Documentation verifying the completion of the required continuing education hours must be submitted to the board with the registration reactivation application.

(Indiana Board of Veterinary Medical Examiners; 888 IAC 1.1-11-4; filed Dec 20, 2002, 12:36 p.m.: 26 IR 1564; readopted filed Dec 1, 2009, 9:15 a.m.: 20091223-IR-888090787RFA)

ARTICLE 2. ANIMAL TECHNICIANS' REGISTRATION (REPEALED)

(Repealed by Indiana Board of Veterinary Medical Examiners; filed Nov 14, 1985, 9:38 am: 9 IR 778)