

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

VETERINARY MEDICINE - GENERAL RULES

(By authority conferred on the department of licensing and regulatory affairs by sections 16145 and 18813 of 1978 PA 368, MCL 333.16145 and MCL 333.18813, and Executive Reorganization Order Nos. 1991-9, 1996-2, 2003-1, and 2011-4, MCL338.3501, MCL 445.2001, MCL 445.2011, and MCL 445.2030)

PART 1. GENERAL PROVISIONS

R 338.4901 Definitions.

Rule 1. As used in these rules:

(a) "Board" means board of veterinary medicine created in section 18821 of the code, MCL 333.18821.

(b) "Client" means an owner, as defined in section 18802(3) of the code, MCL 333.18802(3), or a responsible party.

(c) "Code" means 1978 PA 368, MCL 333.1101 to 333.25211.

(d) "Department" means the department of licensing and regulatory affairs.

(e) "Patient" means an animal, as defined in section 18802(2) of the code, MCL 333.18802(2).

History: 1979 ACS 8, Eff. Nov. 25, 1981; 2011 AACS; 2016 AACS.

R 338.4902 Licensure by examination; requirements.

Rule 2. An applicant for a Michigan veterinary license by examination shall submit a completed application on a form provided by the department, together with the required fee. In addition to meeting the requirements of the code, and the administrative rules promulgated under the code, an applicant shall satisfy both of the following requirements:

(a) Have satisfied 1 of the following educational requirements:

(i) Graduated from a veterinary college that satisfies the requirements of R 338.4908.

(ii) Obtained a certificate from the Educational Commission for Foreign Veterinary Graduates of the American Veterinary Medical Association.

(iii) Obtained a certificate from the Program for the Assessment of Veterinary Education Equivalence from the American Association of Veterinary State Boards (AAVSB).

(b) Have achieved a passing score on the examination adopted in R 338.4903.

History: 1981 AACS; 1990 AACS; 2011 AACS; 2016 AACS; 2019 MR 1, Eff. Jan. 4, 2019.

R 338.4903 Examination; approval and adoption.

Rule 3. The board approves and adopts the North American Veterinary Licensing Examination (NAVLE) developed by the International Council for Veterinary Assessment or its predecessor organization.

History: 1981 AACS; 1990 AACS; 2011 AACS; 2019 MR 1, Eff. Jan. 4, 2019.

R 338.4904 Rescinded.

History: 1981 AACS; 1990 AACS.

R 338.4905 Rescinded.

History: 1981 AACS; 1990 AACS.

R 338.4906 Licensure by endorsement; requirements.

Rule 6. (1) An applicant for a Michigan veterinary license by endorsement shall submit a completed application on a form provided by the department together with the required fee. An applicant shall meet the requirements of the code, and the administrative rules promulgated under the code, and shall satisfy the following requirements:

(a) Possess current licensure as a veterinarian in another state of the United States.

(b) Have achieved a passing score on the examination adopted under R 338.4903 if the applicant has not been licensed as a veterinarian in another state for a minimum of 5 years.

(c) Have satisfied 1 of the following requirements:

(i) Graduated from a veterinary college that satisfies R 338.4908.

(ii) Obtained a certificate from the Educational Commission for Foreign Veterinary Graduates of the American Veterinary Medical Association.

(iii) Obtained a certificate from the Program of the Assessment of Veterinary Education Equivalence from the AAVSB.

(2) The applicant's license must be verified, on a form provided by the department, by the licensing agency of any state of the United States in which the applicant holds a current license or ever held a license as a veterinarian. Verification includes, but is not limited to, showing proof of any disciplinary action taken or pending disciplinary action imposed against the applicant.

History: 1981 AACS; 1990 AACS; 2011 AACS; 2016 AACS; 2019 MR 1, Eff. Jan. 4, 2019.

R 338.4907 Rescinded.

History: 1981 AACS; 1990 AACS.

R 338.4908 Approval of veterinary colleges; adoption of standards.

Rule 8. (1) The board approves and adopts by reference the standards for Accrediting Colleges of Veterinary Medicine adopted by the American Veterinary Medical Association (AVMA) Council on Education entitled "Accreditation Policies and Procedures of the AVMA Council on Education", May 2017, revised September 2017.

(2) The standards for Accrediting Colleges of Veterinary Medicine adopted by the American Veterinary Medical Association Council on Education may be obtained, at no cost, from the American Veterinary Medical Association, 1931 North Meacham Road, Suite 100, Schaumburg, IL 60173 or at the association's website at <http://www.avma.org>. A copy of the handbook is available for inspection and distribution at cost from the Board of Veterinary Medicine, Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

History: 1981 AACCS; 1990 AACCS; 2011 AACCS; 2016 AACCS; 2019 MR 1, Eff. Jan. 4, 2019.

R 338.4909 Rescinded.

History: 1981 AACCS; 1990 AACCS.

R 338.4910 Supervision of veterinary student by veterinarian.

Rule 10. Supervision of a veterinary student by a veterinarian as required in section 18812 of the code, MCL 333.18812, is that degree of close physical proximity necessary for the supervising veterinarian to directly observe and monitor the performance of the student and to ensure that the activities of the student are within the scope of the orders, assignments, or prescriptions of the veterinarian.

History: 1981 AACCS; 1990 AACCS; 2016 AACCS.

R 338.4911 Veterinary examination of patient when procedures are delegated; veterinarian observation of delegatee's performance.

Rule 11. A veterinarian shall not delegate the performance of acts, tasks, or functions that fall within the practice of veterinary medicine unless the veterinarian has first examined the patient on which the delegated procedures are to be performed and determined the need for such veterinary services. The delegating veterinarian shall observe and monitor the performance of the delegated procedures to the extent necessary to ensure that the activities of the delegatee are within the scope of the orders, assignments, or prescriptions of the veterinarian.

History: 1981 AACCS; 1990 AACCS; 2011 AACCS.

R 338.4912 Rescinded.

History: 1981 AACCS; 1990 AACCS.

R 338.4913 Veterinary facilities; sanitation requirements; inspection report; notice of complaint.

Rule 13. (1) A departure from the provisions of this rule is deemed to constitute a departure from, or failure to conform to, minimal standards of acceptable and prevailing veterinary medical practice.

(2) A veterinary facility shall be maintained in a sanitary manner.

(3) The determination of whether a veterinary facility is maintained in a sanitary manner shall include, without limitation, consideration of whether the following requirements have been met:

(a) The facility shall be maintained in a clean and orderly condition.

(b) Floors, walls, windows, exam tables, and all equipment and storage cabinets shall be kept clean.

(c) Some form of sterilization shall be employed on all surgical instruments that is consistent with the standards of veterinary practice.

(d) Kennels in a facility or connected with a facility shall be kept clean. Excrement shall be promptly removed and disposed of in a proper manner. Enclosed facilities shall be properly screened and ventilated.

(4) The board or its designated agent may inspect any facility during regular business hours. The inspection function may be delegated to a representative of the state department of public health, to a representative of the local department of health, or to a licensed veterinarian selected by the board.

History: 1981 AACCS.

R 338.4914 Clinical academic limited licenses.

Rule 14. (1) An applicant for a clinical academic limited license shall submit a completed application on a form provided by the department, together with the requisite fee. In addition to meeting the requirements of the code and the administrative rules promulgated pursuant thereto, the applicant shall have been appointed to the academic faculty of a board-approved Michigan college of veterinary medicine.

(2) A clinical academic limited license authorizes the holder thereof to engage in the practice of veterinary medicine only to the extent necessary to fulfill his or her employment obligations as a clinical instructor at a college of veterinary medicine approved by the board. The holder of a clinical academic limited license shall not do either of the following:

(a) Engage in the practice of veterinary medicine outside of the limitations specified by the college of veterinary medicine at the time of appointment to the academic faculty and in conjunction with the application for limited license.

(b) Hold himself or herself out to the public as being engaged in the private practice of veterinary medicine.

History: 1981 AACCS; 1990 AACCS.

R 338.4914a Educational limited licenses.

Rule 14a. (1) An applicant for an educational limited license shall submit a completed application on a form provided by the department, together with the required fee. In addition to satisfying the requirements of the code, and the administrative rules promulgated under the code, an applicant shall satisfy both of the following requirements:

(a) Have achieved a passing score on the examination adopted in R 338.4903.

(b) Be admitted as a student to a post-DVM training program at a college of veterinary medicine that satisfies R 338.4908.

(2) The holder of an educational limited license shall not do either of the following:

(a) Engage in the practice of veterinary medicine outside of his or her postgraduate training program in the college of veterinary medicine approved by the board for the training.

(b) Hold himself or herself out to the public as being engaged in the private practice of veterinary medicine.

History: 1990 AACCS; 2011 AACCS; 2019 MR 1, Eff. Jan. 4, 2019.

R 338.4915 Relicensure.

Rule 15. (1) An applicant for relicensure, whose license has been lapsed for less than 3 years—preceding the date of application for relicensure, may be relicensed if the applicant satisfies all of the following requirements:

(a) Submits the required fee and a completed application on a form provided by the department.

(b) Establishes that he or she is of good moral character.

(c) Submits proof to the department of accumulating not less than 45 hours of continuing education that satisfy the requirements of R 338.4933.

(2) An applicant for relicensure whose license has been lapsed for 3 years or more preceding the date of application for relicensure may be relicensed if the applicant satisfies all of the following requirements:

(a) Submits the required fee and a completed application on a form provided by the department.

(b) Establishes that he or she is of good moral character.

(c) Submits fingerprints as set forth in section 16174(3) of the code, MCL 333.16174(3).

(d) Satisfies either of the following requirements:

(i) Achieves a passing score on the examination adopted in R 338.4903 within 3 years preceding the application for relicensure.

(ii) Satisfies both of the following requirements:

(A) Presents evidence to the department that he or she held an active veterinarian license in another state at any time during the 3-year period immediately preceding the application for relicensure.

(B) Submits proof to the department of accumulating not less than 45 hours of continuing education that satisfy the requirements of R 338.4933.

(3) An applicant shall have his or her license verified by the licensing agency of any state of the United States in which the applicant holds or has ever held a license as a veterinarian. Verification includes, but is not limited to, the record of any disciplinary action taken or pending against the applicant.

History: 1981 AACCS; 1990 AACCS; 2011 AACCS; 2016 AACCS; 2019 MR 1, Eff. Jan. 4, 2019.

R 338.4916 Rescinded.

History: 1981 AACCS; 1990 AACCS.

R 338.4917 Rescinded.

History: 1981 AACCS; 1990 AACCS.

R 338.4918 Rescinded.

History: 1990 AACCS; 2011 AACCS; 2016 AACCS.

R 338.4919 Rescission.

Rule 19. R 287.1, R 287.451 to R 287.459, and R 287.461 of the Michigan Administrative Code, appearing on pages 1380 to 1383 of the 1979 Michigan Administrative Code, are rescinded.

History: 1981 AACCS.

R 338.4920 Safeguards for drugs used in practice of veterinary medicine.

Rule 20. (1) If drugs are dispensed in the manufacturer's original container, the original instructions shall be included.

(2) If drugs are dispensed in other than the manufacturer's original container, both of the following provisions shall apply:

(a) The container shall be equipped with a child-safe lock mechanism, if appropriate.

(b) The veterinarian's own label shall be affixed to the container and shall include all of the following information:

(i) The date the drug was dispensed.

(ii) The name of the patient.

(iii) The name of the client.

(iv) Complete instructions for use of the drug.

(v) The name of the drug.

(vi) The strength for unit dose.

(vii) The quantity dispensed.

(viii) The withholding time for food-producing animals and poultry.

- (ix) The expiration date of the drug, when appropriate.
- (x) The veterinarian's name or clinic's name, telephone number, and any appropriate precautionary statements, such as "Keep out of reach of children."

History: 1990 AACCS.

R 338.4921 Medical records; requirements.

Rule 21. (1) A veterinarian who practices veterinary medicine in this state shall maintain a medical record for each patient that accurately reflects the veterinarian's evaluation and treatment of the patient. Entries in the patient record shall be made in a timely fashion.

(2) A record shall be maintained on either a herd or flock, or an individual patient. Records shall be legible and shall be retrievable. A record shall be maintained in either a written, electronic, audio, or photographic format.

(3) A record for an individual patient, group, herd, or flock shall document all of the following:

(a) Identification includes, but is not limited to, a tattoo, tag number, lot number, pen number, age, name, markings, sex, and species of the patient, as available.

(b) Date of the last veterinary service.

(c) Name, address, and telephone number of the client.

(d) Location of patients, if not at the location of the veterinary practice.

(e) Reason for the contact including, but not limited to, the case history, problem and/or signs of a problem, and whether the contact was a routine health visit or an emergency call.

(f) Vaccination history, when appropriate and if known.

(g) Results of the physical examination and a list of abnormal findings.

(h) Laboratory reports and other reports, when appropriate.

(i) Diagnostic procedures utilized and the reports that pertain to these procedures.

(j) Procedures performed including, but not limited to, surgery and rectal palpations.

(k) Daily progress notes, if hospitalized.

(l) Documentation of informed consent, if appropriate.

(m) Documentation of diagnostic options and treatment plans.

(n) Records of any client communication deemed relevant.

(o) Documentation of prescribed medication.

(4) Records created before the effective date of this rule shall be maintained for a minimum of 3 years from the date of the last veterinary service. Records created on or after the effective date of this rule shall be maintained for a minimum of 7 years from the date of the last veterinary service.

History: 2011 AACCS; 2016 AACCS.

R 338.4922 Rescinded.

History: 2011 AACCS; 2016 AACCS.

R 338.4923 Rescinded.

History: 2011 AACCS; 2016 AACCS.

R 338.4924 Rescinded.

History: 2011 AACCS; 2016 AACCS.

R 338.4931 License renewal; continuing education.

Rule 31. (1) This rule applies to an application for renewal of a veterinarian license that is filed for the renewal cycle beginning January 1, 2020.

(2) An applicant for license renewal who has been licensed for the 3-year period immediately preceding the application for renewal shall have completed at least 45 hours of continuing education that satisfy the requirements of R 338.4933 in the 3 years preceding the application for renewal.

(3) Submission of an application for renewal constitutes the applicant’s certification of compliance with the requirements of this rule. The department may require a licensee to submit evidence to demonstrate compliance with this rule.

(4) The licensee shall retain documentation of satisfying the requirements of this rule for a period of 4 years from the date of applying for license renewal. Failure to comply with this rule is a violation of section 16221(h) of the code, MCL 333.16221(h).

History:2019 MR 1, Eff. Jan. 4, 2019.

R 338.4933 Acceptable continuing education; requirements; limitations.

Rule 33. (1) The 45 hours of continuing education required pursuant to R 338.4931(2) for the renewal of a veterinarian license must satisfy all of the following:

(a) No more than 12 hours are earned during one 24-hour period.

(b) Credit for a continuing education program or activity that is identical or substantially identical to a program or activity for which the licensee has already earned credit during the renewal period is not granted.

(c) A minimum of 30 hours of continuing education is scientific in nature. Scientific in nature includes the science of diagnosis, treatment, and prevention of disease as it relates directly to a patient or topics such as public veterinary practice, epidemiology, food safety, public health, animal welfare, or antimicrobial stewardship.

(d) A minimum of 1 hour shall relate to medical records.

(e) A minimum of 1 hour shall relate to state veterinary law and/or federal or state controlled substance laws.

(f) A minimum of 10 hours shall be completed live and in person.

(g) No more than 15 hours shall be earned collectively for activities (2)c-h.

(2) The following is acceptable continuing education:

Activity Code	Activity and Proof of Completion	Number of continuing education hours
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		granted/permitted
a	<p>Attendance at or participation in a continuing education program or activity related to the practice of veterinary medicine or any non-clinical subject relevant to the practice of veterinary medicine, education, administration, management, or science which includes, but is not limited to, live, in-person programs; interactive or monitored teleconferences; audio-conferences; web-based programs; online programs; or journal articles or other self-study programs approved or offered by any of the following:</p> <ul style="list-style-type: none"> • AAVSB Registry of Continuing Education (RACE). • American Veterinary Medical Association (AVMA). • World Veterinary Association (WVA). • Michigan Veterinary Medical Association (MVMA). • A state veterinary board of another state. • Local, state, or regional professional organization. • Member institution of the Association of the American Veterinary Medical Colleges (AAVMC). • AVMA constituent allied organizations and recognized veterinary specialty organizations. • Centers for Disease Control & Prevention (CDC). <p>If audited, the licensee shall submit a copy of a letter or certificate of completion showing the licensee's name, number of continuing education hours earned, the sponsor's name or the name organization that approved the activity, and the date on which the program was held or the activity completed.</p>	<p>The number of continuing education hours for a specific program or activity is the number of hours approved by the sponsor or approving organization for the specific program or activity.</p>
b	<p>Attendance at or participation in a continuing education program or activity related to the practice of veterinary profession which includes but is not limited to: live, in-person programs; interactive or monitored teleconferences; audio-conferences; web-based</p>	<p>The number of continuing education hours for a specific activity or program is the number of hours approved by the sponsor or approving organization for</p>

	<p>programs; online programs; and journal articles or other self-study programs, approved or offered by any of the following:</p> <ul style="list-style-type: none"> • American Medical Association. • Michigan State Medical Society. • Accreditation Council for Continuing Medical Education. • American Osteopathic Association. • Michigan Osteopathic Association. • Michigan Pharmacy Association. • Educational courses offered by regionally accredited colleges and universities relating to the husbandry of food producing animals. • Accreditation Council for Pharmacy Education. <p>If audited, the licensee shall submit a copy of a letter or certificate of completion showing the licensee's name, number of continuing education hours earned, the sponsor's name or the name of the organization that approved the activity, and the date on which the program was held or the activity completed.</p>	<p>the specific program or activity. A maximum of 5 hours of continuing education may be earned for this activity in each renewal period.</p>
c	<p>Initial presentation of a continuing education program related to the veterinary profession.</p> <p>To receive credit, the presentation must not be part of the licensee's regular job description and must be approved or offered for continuing education by any of the following:</p> <ul style="list-style-type: none"> • AAVSB – RACE. • AVMA. • WVA. • MVMA. • A state veterinary board of another state. • American Medical Association. • Michigan State Medical Society. • Accreditation Council for Continuing Medical Education. • American Osteopathic Association. • Michigan Osteopathic Association. • Michigan Pharmacy Association. • Member institution of the AAVMC. 	<p>Two hours of continuing education is granted for each 50 to 60 minutes of presentation. No additional credit is granted for the preparation of the presentation. A maximum of 6 hours of continuing education may be earned for this activity in each renewal period.</p>

	<ul style="list-style-type: none"> • AVMA constituent allied organizations and recognized veterinary specialty organizations. • Educational courses offered by regionally accredited colleges and universities relating to the husbandry of food producing animals. • CDC. <p>Initial presentation of a scientific exhibit, poster, paper, or clinical demonstration to a veterinary medicine or veterinary technician program.</p> <p>To receive credit, the presentation must not be part of the licensee’s regular job description.</p> <p>If audited, the licensee shall submit a copy of the document presented with evidence of the presentation or a letter from the program sponsor verifying the length and date of the presentation.</p>	
d	<p>Initial publication of an article related to the practice of veterinary profession in a peer-reviewed journal.</p> <p>If audited, the licensee shall submit a copy of the publication that identifies the licensee as the author or a publication acceptance letter.</p>	<p>Five hours of continuing education is granted for serving as the primary author. Two hours of continuing education is granted for serving as the secondary author. A maximum of 5 hours of continuing education may be earned for this activity in each renewal period.</p>
e	<p>Initial publication of a chapter related to the practice of veterinary profession in a professional or peer-reviewed text book.</p> <p>If audited, the licensee shall submit a copy of the publication that identifies the licensee as the author or a publication acceptance letter.</p>	<p>Five hours of continuing education is granted for serving as the primary author. Two hours of continuing education is granted for serving as a secondary author. A maximum of 15 hours of continuing education may be earned for this activity in each renewal period.</p>
f	<p>Service as a clinical instructor for veterinary students engaged in an educational program</p>	<p>Two hours of continuing education is granted for</p>

	<p>that satisfies the requirements of R 338.4908.</p> <p>To receive credit, the clinical instructorship must not be the licensee's primary employment function.</p> <p>If audited, the licensee shall submit proof of scheduled instructional hours and a letter from the program director verifying the licensee's role.</p>	<p>each 50 to 60 minutes of scheduled instruction. Additional credit for preparation of a lecture is not to be granted. A maximum of 15 hours may be earned for this activity in each renewal period.</p>
g	<p>Participation on a state or national committee, board, council, or association related to the veterinary profession. A committee, board, council, or association is considered acceptable by the board if it enhances the participant's knowledge and understanding of the practice of veterinary medicine.</p> <p>If audited, the licensee shall submit documentation verifying the licensee's participation in at least 75% of the regularly scheduled meetings of the committee, board, council, or association.</p>	<p>Two hours of continuing education is granted for each committee, board, council, or association. A maximum of 2 hours of continuing education may be earned for this activity in each renewal period.</p>
h	<p>Provide individual supervision to a disciplinarily limited veterinarian.</p> <p>If audited, the licensee shall provide documentation from the department confirming the number of hours and the dates that the licensee spent supervising the disciplinarily limited veterinarian.</p>	<p>One hour of continuing education credit is granted for each 50 to 60 minutes of supervision provided. A maximum of 5 hours of continuing education may be earned for this activity in each renewal period.</p>

History:2019 MR 1, Eff. Jan. 4, 2019.