

TITLE 216 - DEPARTMENT OF HEALTH

CHAPTER 40 – PROFESSIONAL LICENSING AND FACILITY REGULATION

SUBCHAPTER 05 – PROFESSIONAL LICENSING

PART 14 – Veterinarians

14.1 Authority

These regulations are promulgated pursuant to the authority conferred under R.I. Gen. Laws § 5-25-6 and are established for the purpose of adopting prevailing standards for the licensure of veterinarians in this state.

14.2 Definitions

A. Wherever used in this Part, the terms listed below shall be construed as follows:

1. "Act" means R.I. Gen. Laws Chapter 5-25, entitled, "Veterinary Practice Act."
2. "Animal" means any animal other than man and includes, by the way of illustration, not limitation, fowl, birds, fish, livestock and reptiles, wild or domestic, living or dead.
3. "Board" means the Board of Veterinary Medicine established under the provisions of R.I. Gen. Laws § 5-25-1.
4. "Client" means the owner of the pet.
5. "Department" means the Rhode Island Department of Health.
6. "Director" means the Director, Rhode Island Department of Health.
7. "Non-contact hours" means Internet courses, correspondence courses, tapes, or other continuing education programs that do not provide for direct interaction between faculty and the participant.
8. "Practice of veterinary medicine" means any person shall be regarded as practicing veterinary medicine, surgery and dentistry within the meaning of the Act who, either directly or indirectly, conducts those activities stated in R.I. Gen. Laws § 5-25-7(a). The term "practicing veterinary medicine" does not include those exceptions stated in R.I. Gen. Laws § 5-25-7(b).

9. "Prescription" means an order from a veterinarian to a pharmacist authorizing the dispensing of a prescription veterinary drug to a client for use on or in a patient.
10. "Veterinarian" means a person who practices veterinary medicine and is licensed to practice veterinary medicine in this state pursuant to the provisions of R.I. Gen. Laws Chapter 5-25.
11. "Veterinarian/client/patient relationship" means a relationship where all of the following conditions have been met:
 - a. The veterinarian has assumed the responsibility for making medical judgments regarding the health of the animal(s) and the need for medical treatment, and the client has agreed to follow the instructions of the veterinarian.
 - b. The veterinarian has sufficient knowledge of the animal(s) to initiate at least a general or preliminary (e.g., tentative) diagnosis of the medical condition of the animal(s). This means that the veterinarian has recently seen and is personally acquainted with the keeping and care of the animal(s), and/or by medically appropriate and timely visits to the premises where the animal(s) are kept.
 - c. The veterinarian is readily available for follow-up in cases of adverse reactions or failure of the regimen of therapy.
 - d. The veterinarian maintains records which document patient visits, diagnosis, treatment, and other relevant information.
12. "Veterinary dentistry" means that part of veterinary science that deals with the prevention and treatment of diseases, developmental conditions and injuries of the teeth, gums and oral cavity in animals.

14.3 License Requirements

- A. No person unless licensed to practice veterinary medicine in this state shall practice veterinary medicine or attempt to practice veterinary medicine or hold himself or herself out to the public as a practitioner of veterinary medicine, surgery or dentistry, whether by sign, words, advertisements, listing in directories, or use of the title "doctor" or any abbreviation thereof or any title including "VS" or by the use of any other means, implying a practitioner of veterinary medicine or any of its branches, or fraudulently uses or posts any degree, diploma or certificate implying a practitioner of veterinary medicine or who opens an office or maintains an establishment or facility for the purpose of or with the intention of practicing veterinary medicine.
 1. Notwithstanding the provisions of § 14.3(A) of this Part, excluded from the application of the term "practice of veterinary medicine" are those

individuals who under given circumstances are excluded from the provisions of the Act as set forth in R.I. Gen. Laws § 5-25-7(b), and consequently excluded from the licensure requirements of this Part.

14.4 Qualifications for Licensure

14.4.1 Graduates of Schools Located in the U.S.A. and Canada

A. An applicant seeking licensure to practice veterinary medicine in this state must:

1. Be of good moral character;
2. Have graduated from a school or college of veterinary medicine accredited by the American Veterinary Medical Association; and
3. Have satisfactorily completed a national veterinary board licensing examination as approved by the Board and as follows:
 - a. Prior to May 1, 1979, an applicant shall have successfully completed the National Board Examination (NBE) for Veterinary Medicine;
 - b. Between May 1, 1979 and April 2000, an applicant shall have successfully completed the NBE and the Clinical Competency Test (CCT);
 - (1) The passing score for the National Board Examination (NBE) for Veterinary Medicine and the Clinical Competency Test (CCT) shall be minus one (-1.0) Standard Deviation of the median score as determined by the testing service for all applicants who were administered the NBE and the CCT prior to December 1, 1992. For applicants administered the NBE and the CCT after December 1, 1992, the passing score shall be the criterion referenced passing score, as recommended by the National Board Examination Committee, Standard Setting Committee.
 - c. After May 2000, an applicant shall have successfully completed the North American Veterinary Licensing Examination (NAVLE); The passing score shall be the criterion referenced passing score, as recommended by the National Board Examination Committee, Standard Setting Committee.
 - d. Applicants may complete other national veterinary board examination(s), including a clinical competency test, as may be approved by the Board. The passing score shall be the criterion referenced passing score, as determined by the national veterinary board administering the examination.

4. Comply with the continuing education requirements adopted by the Department.

14.4.2 Licensure by Endorsement

- A. A license to practice veterinary medicine may be issued without examination to an applicant who has been duly licensed by examination as a veterinarian under the laws of another state or territory or District of Columbia provided:
 1. The board of veterinary medicine in each state in which the applicant has held or holds licensure submits directly to the Board of this state, a statement attesting to the licensure status of the applicant during the time period the applicant held licensure in said state;
 2. The applicant meets the qualifications to practice veterinary medicine in this state in accordance with § 14.4 of this Part; and
 3. The applicant submits the licensure application form with supporting certified documentation of credentials in accordance with § 14.5 of this Part.

14.4.3 Graduates of Foreign Veterinary Medical Schools

- A. An applicant seeking licensure to practice medicine in this state and who is a graduate of a foreign veterinary medical school must:
 1. Be of good moral character;
 2. Have graduated from an "American Veterinary Medical Association-listed" or "American Veterinary Medical Association-approved" institution.
 3. Have obtained certification by the Educational Council (Commission) for Foreign Veterinary Graduates or the Program for the Assessment of Veterinary Education Equivalence (PAVE) pursuant to R.I. Gen. Laws § 5-25-10 of the Act; and
 4. Have satisfactorily passed the National Board Examination for Veterinary Medicine and the Clinical Competency Test approved by the American Veterinary Medical Association, or other Board-approved examination as indicated in § 14.4.1(A)(3) of this Part.
 5. Comply with the continuing education requirements adopted by the Department.

14.5 Application for License and Fees

- A. Application for licensure shall be made on forms provided by the Department and shall be completed and submitted to the Board sixty (60) days prior to the scheduled date of the Board meeting by applicants seeking licensure.
- B. Such application shall be accompanied by the following documents and fee (non-refundable and non-returnable);
 - 1. Photographs: a recent identification photograph of the applicant, head and shoulder front view approximately 2 x 3 inches in size;
 - 2. Verification: the Board of Veterinary Medicine in each state in which the applicant has held or holds licensure submitted directly to the Board of this state, a statement attesting to the licensure status of the applicant during the time period the applicant held licensure in said state;
 - 3. Transcripts:
 - a. For graduates of accredited schools in the U.S. and Canada: supporting certified transcript of education credentials as required in the appropriate section of § 14.4 of this Part, signed by the dean or registrar of the school of veterinary medicine, verifying the dates of attendance and completion of the veterinary program. Such documentation must consist of original statements and/or photocopies bearing the signature of the dean or registrar and the imprint of the school seal;
 - b. For graduates of foreign "listed or approved" schools: a letter from the ECFVG attesting to the satisfactory completion of evaluation of credentials and Veterinary knowledge.
 - c. The results of the national veterinary board examination as required by § 14.4.1(A)(3) of this Part must be submitted directly to the Board.
 - 4. Fees: the application fee as set forth in the Fee Structure for Licensing, Laboratory and Administrative Services Provided by the Department of Health (Part 10-05-2 of this Title) (non-returnable nor non-refundable);
 - 5. Initial Licensure Fee: the initial licensure fee as set forth in the Fee Structure for Licensing, Laboratory and Administrative Services Provided by the Department of Health (Part 10-05-2 of this Title) made payable to the General Treasurer, State of Rhode Island.
 - 6. Other: such other information as may be deemed necessary and appropriate by the Board.

14.6 Issuance and Renewal of License and Fee

- A. Upon completion of the aforementioned requirements and at the recommendation of the Board, qualified applicants which the Department may accept or reject, the Department may issue an initial license to those applicants found to have satisfactorily met all the requirements of this Part and upon submission of an initial licensure fee as set forth in the Fee Structure for Licensing, Laboratory and Administrative Services Provided by the Department of Health (Part 10-05-2 of this Title) made payable to the General Treasurer, State of Rhode Island. Said license unless sooner suspended or revoked shall expire on the first day of May of each even numbered year and may be renewed upon submission of licensure renewal fee as set forth in the Fee Structure for Licensing, Laboratory and Administrative Services Provided by the Department of Health (Part 10-05-2 of this Title) made payable to the General Treasurer, State of Rhode Island.
- B. On or before the first day of March of each two-year period, the Department shall mail an application for renewal of license to every person to whom a license has been issued or renewed during the current licensure period. Every person so licensed who desires to renew his or her license shall file with the Department such renewal application duly executed, together with a renewal fee as set forth in the Fee Structure for Licensing, Laboratory and Administrative Services Provided by the Department of Health (Part 10-05-2 of this Title) on or before the thirty-first day of March of each even year.
- C. Upon receipt of such application, and payment of said fee, the Department shall grant a renewal license effective the second day of May, and expiring on the first day of May of the next even-numbered year.
- D. Any person who allows his or her license to lapse by failing to renew it on or before the thirty-first day of March of the next even year, may be reinstated by the Department on payment of the current renewal fee, plus an additional fee as set forth in the Fee Structure for Licensing, Laboratory and Administrative Services Provided by the Department of Health (Part 10-05-2 of this Title) made payable to the General Treasurer, State of Rhode Island. Any person using the title "veterinarian" during the time that his/her license has lapsed shall be subject to the penalties provided for violations of the Act.

14.7 Continuing Education

- A. Continuing education requirements for veterinary medicine practice are pursuant to the provisions of R.I. Gen. Laws § 5-25-12(e).
- B. Veterinarians initially licensed after the May 1st renewal date shall be exempt from the continuing education requirements stated in this Part until the date of the next renewal cycle (i.e., April 30th of the next even numbered year).

- C. All veterinarians licensed to practice in this state shall maintain evidence that in the preceding two (2) years, he/she has satisfactorily completed at least twenty-four (24) hours of continuing veterinary medical education courses offered or sponsored by organizations approved by the Board.
- D. Continuing education programs approved by the Board include those offered or approved by:
 - 1. Rhode Island Veterinary Medical Association or other state veterinary medical association;
 - 2. American Veterinary Medical Association (AVMA);
 - 3. Registry of Approved Continuing Education (RACE);
 - 4. American Animal Hospital Association;
 - 5. Boards of licensure of veterinary medicine in other states;
 - 6. Academic coursework or continuing education programs offered by an approved school of veterinary medicine.
- E. A maximum of four (4) hours of the required twenty-four (24) hours of continuing education in a two-year period may be non-contact hours (e.g., online courses) or articles such as those in the Veterinary Learning Systems Compendium for continuing education.
- F. A maximum of four (4) hours of the required twenty-four (24) hours of continuing education in a two-year period may be related to business management. The remaining twenty (20) hours of continuing education in a two-year period shall be related to the professional practice of veterinary medicine.
- G. It shall be the sole responsibility of the individual veterinarian to obtain documentation from the recognized sponsoring or co-sponsoring organizations, agencies or other, of his or her participation in the learning experience and the number of dated credits earned. Furthermore, it shall be the sole responsibility of the individual to safeguard the documents for review by the Board, if required. These documents shall be retained by each licensee for no less than four (4) years and are subject to random audit by the Department.
- H. The Department may extend for any one six (6) month period, these educational requirements if the Department is satisfied that the applicant has suffered hardship which prevented him/her from meeting the educational requirements stipulated in this Part.
- I. Failure to produce satisfactory documentation of completion of the continuing education requirements of this section, upon request by the Board, constitutes grounds for disciplinary action under the provisions of the Act and this Part.

14.8 Denial, Suspension, Revocation of License

The Department is authorized to deny, revoke or suspend any license issued under the statutory and regulatory provisions of this Part or otherwise discipline a licensee upon proof of the actions stipulated by R.I. Gen. Laws § 5-25-14.

14.9 Veterinary Practice

14.9.1 Emergency Services

When a practicing veterinarian is not available, he/she shall provide for referral for emergency veterinary services. Such referral must fulfill the requirements of R.I. Gen. Laws § 5-25-13.

14.9.2 Record of Animals Receiving Veterinary Services

- A. A veterinarian subject to the provisions of the Act and this Part shall keep a written record, or a computerized record able to produce a printed copy, of all animals receiving veterinary services, and provide a summary of that record to the owner of animals receiving veterinary services, when requested.
- B. The minimum amount of information which shall be included in written or computerized records and summaries shall include no less than the following:
 - 1. Client's name;
 - 2. Patient's name;
 - 3. Patient's species and breed;
 - 4. Patient's age or date of birth;
 - 5. Patient's gender and reproductive status;
 - 6. Patient's color and/or markings;
 - 7. Dates(s) of treatment;
 - 8. Presenting problem;
 - 9. Pertinent history;
 - 10. Examination findings;
 - 11. Assessment;
 - 12. Plan for treatment/care.

- C. The minimum duration of time for which a licensed veterinarian or his/her designee shall retain the written or computerized record, including radiographs, shall be no less than five (5) years from the date of the last patient visit or, for deceased patients, no less than three (3) years from the date of death.
- D. A radiograph is the property of the veterinary practice in which the veterinarian associated with that practice originally ordered it to be prepared, and it shall be released upon the written request of another veterinarian who has the authorization of the owner of the animal to whom it pertains and such radiograph shall be returned to the original veterinary practice within a reasonable time.
- E. When a patient/owner requests in writing that his/her animal(s)' records and/or radiographs be transferred to another veterinarian, the original veterinarian shall promptly honor such request.
 - 1. The fee charged for the transfer shall not exceed the direct expense incurred to make copies of such veterinary records and/or radiograph(s).
- F. Any veterinarian licensed in the State of Rhode Island who writes a prescription for an animal patient shall provide a copy of that prescription to the owner of the animal patient, upon request of the owner, for the purpose of filling the prescription with a licensed pharmacy. Said prescription shall be written in accordance with the requirements of R.I. Gen. Laws Chapter 21-31.1 ("Veterinary Drugs").
- G. Veterinary drugs dispensed by a veterinarian shall comply with the requirements of R.I. Gen. Laws § 21-31.1-8, except for the prescription number.

14.9.3 Immunity from Liability

Immunity from liability is in accordance with R.I. Gen. Laws § 5-25-17.

14.10 Violations / Sanctions / Practices and Procedures

14.10.1 Violations and Sanctions

Pursuant to the provisions of the Act, the Department is authorized to deny, revoke or suspend licenses to any person found to have violated any provisions of this Part, and to impose such other sanction pursuant to R.I. Gen. Laws § 5-25-8. The procedure for the discipline of veterinarians shall be in accordance with the provisions set forth in R.I. Gen. Laws § 5-25-15.

14.10.2 Rules and Regulations Governing Practices and Procedures

All hearings and reviews required under the provisions of the Act and this Part, shall be held in accordance with the provisions of R.I. Gen. Laws § 5-25-15 and the rules and regulations regarding Practices and Procedures Before the

Department of Health (Part 10-05-4 of this Title) and Access to Public Records
(Part 10-05-1 of this Title).

216-RICR-40-05-14

TITLE 216 - DEPARTMENT OF HEALTH

CHAPTER 40 - PROFESSIONAL LICENSING AND FACILITY REGULATION

SUBCHAPTER 05 - PROFESSIONAL LICENSING

PART 14 - VETERINARIANS (216-RICR-40-05-14)

Type of Filing: Refile Capabilities

Department of State

Regulation Effective Date

Original Signing Date

Department of State Initials

Department of State Date