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**IDAPA 46
TITLE 01
CHAPTER 01**

IDAPA 46 - BOARD OF VETERINARY MEDICINE

46.01.01 - RULES OF THE STATE OF IDAHO BOARD OF VETERINARY MEDICINE

000. LEGAL AUTHORITY.

This chapter is adopted under the legal authority of Title 54, Chapter 21, Idaho Code. (7-1-97)

001. TITLE AND SCOPE.

01. Title. The title of this chapter is the "Rules of the State of Idaho Board of Veterinary Medicine," hereinafter referred to in these rules as the Board. (3-18-99)

02. Scope. These rules govern the licensing procedures, supervision requirements, standards of practice, inspections, and grounds for discipline of veterinarians, veterinary technicians, euthanasia task force members, and certified euthanasia technicians and agencies. The official citation of this chapter is IDAPA 46.01.01, et seq. For example, this Section's citation is IDAPA 46.01.01.001. (3-18-99)

002. WRITTEN INTERPRETATIONS.

In accordance with Section 67-5201(19)(b)(iv), Idaho Code, this agency may have written statements that pertain to the interpretation of the rules of this chapter, or to compliance with the rules of this chapter. Any such documents are available for public inspection and copying at cost at the Idaho Board of Veterinary Medicine office. (4-5-00)

003. ADMINISTRATIVE APPEAL.

All contested cases filed pursuant to the provisions of Title 67, Chapter 52, Idaho Code shall be governed by the provisions of IDAPA 04.11.01, "Idaho Rules of Administrative Procedure of the Attorney General." (7-1-97)

004. GENERAL PROVISIONS.

01. Office. (7-1-97)

a. The office of the Board is located at 2270 Old Penitentiary Road, Boise, Idaho 83712. (7-1-97)

b. The office mailing address is P.O. Box 7249, Boise, Idaho 83707. (7-1-97)

c. The office telephone number is (208) 332-8588. (7-1-97)

d. The Board's facsimile (FAX) number is (208) 334-2170. (4-7-11)

e. Office hours are 8 a.m. to 5 p.m., Mountain Time, Monday through Friday, except holidays designated by the state of Idaho. (7-1-97)

02. Communications. All written communications and documents concerning any matter covered by these rules should be addressed to the office of the Board, and not to individual members of the Board or the Board's staff. All communications and documents are deemed to be officially received only when delivered to the Board office during office hours. (7-1-97)

03. Filing of Documents. All written communications and documents that are intended to be part of an official record for decision in a rulemaking or contested case must be filed with the executive director of the Board. One (1) original is sufficient for submission to the executive director, one (1) copy for the Board, one (1) copy for the hearing officer, and one (1) copy submitted to the opposing party, as applicable. Whenever documents are filed by FAX transmission, originals and copies shall be deposited in the mail the same day or hand delivered the following business day to the executive director, the Board, the hearing officer, and opposing parties, as applicable. (4-7-11)

005. INCORPORATION BY REFERENCE.

01. Documents Incorporated. The following documents are incorporated herein by reference in accordance with the provision of Section 67-5229, Idaho Code. A copy of each of these documents may be obtained or electronically accessed via the Board of Veterinary Medicine's website at <http://www.bovm.idaho.gov>. (3-29-10)

a. The Principles of Veterinary Medical Ethics of the American Veterinary Medical Association (AVMA), as adopted and revised April 2008. (3-29-10)

b. The Educational Commission for Foreign Veterinary Graduates Information for Graduates of Colleges of Veterinary Medicine Outside the United States and Canada (ECFVG), adopted May 1, 2000. (3-30-01)

c. The American Association of Veterinary State Boards' (AAVSB) Program for the Assessment of Veterinary Education (PAVE), adopted August 15, 2002. (3-30-07)

006. -- 009. (RESERVED)

010. LICENSE.

01. Qualifications for License. Applicants for license to practice veterinary medicine and surgery in Idaho shall be of good moral character and reputation and have: (7-1-97)

a. Graduated from an accredited school of veterinary medicine as defined by Section 54-2103(2), Idaho Code; or (3-30-01)

b. The Board will accept as eligible for licensure: (3-30-01)

i. Any graduate of a veterinary school, college or university outside of the United States and Canada that fulfills the current requirements for foreign veterinary graduates as set forth by the Educational Commission for Foreign Veterinary Graduates or the American Association of Veterinary State Boards. A graduate enrolled in the foreign graduate program would be considered a student as defined by Section 54-2104(2)(b), Idaho Code. (3-30-07)

ii. Any graduate of an unaccredited veterinary school who has completed a curriculum of not less than four (4) academic years in a veterinary medical program approved by the Board and satisfactorily completed clinical education equivalent in purpose, content, experience and length to the clinical training received by students in an accredited veterinary medical program. Such clinical education needs to have been obtained pursuant to a formal affiliation agreement between the unaccredited veterinary school and an accredited veterinary medical program. Qualified graduates applying for licensure under Subparagraph 010.01.b.ii. of these rules may be issued a temporary permit to practice veterinary medicine under the professional supervision of an actively licensed Idaho veterinarian. Such temporary permit may be renewed for up to three (3) years by paying the current active license renewal fee established by Section 014 of these rules, provided that during this three (3)-year period, the applicant has applied to complete the evaluated clinical experience requirements of the ECFVG program. The evaluated clinical experience requirements of the ECFVG program require that the applicant, following graduation from an unaccredited veterinary medical program, has successfully passed the Clinical Proficiency Examination (CPE) approved by the ECFVG. (4-2-08)

c. If at the end of the three (3)-year period, the applicant has not received his ECFVG certificate or the results of the Clinical Proficiency Examination have not been made known to him, the expiration date for his temporary permit may be extended until a copy of his ECFVG certificate has been received or the results of the Clinical Proficiency Examination have been made known to him and the applicant's completed license application can be reviewed by the Board at their next regularly scheduled meeting. (3-30-01)

02. Application. Application for license may be obtained from the Board office. (7-1-97)

03. Examination. The national licensing examinations for licensure to practice veterinary medicine and surgery in Idaho are: (3-30-01)

a. National licensing examinations, developed by the National Board Examination Committee or its designee, that include, but are not limited to: (3-30-01)

i. The National Board Examination (NBE) and Clinical Competency Test (CCT), which may be taken at any time and as many times as necessary; or (3-30-01)

ii. The North American Veterinary Licensing Examination (NAVLE). Starting with the November-December 2007 testing window, the NAVLE may be taken no more than five (5) times. Candidates failing the NAVLE may not sit for the NAVLE at a date later than five (5) years after their initial attempt. Each of the final two (2) attempts must be at least one (1) year from the previous attempt. (4-2-08)

b. The jurisprudence examination, as prepared by the Board or its designee, and which may be taken more than once, at three (3) month intervals. (3-18-99)

i. The jurisprudence exam will be an open book exam, consisting of twenty-five (25) to fifty (50) questions on the Idaho veterinary law, and rules, and the Principles of Veterinary Medical Ethics of the American Veterinary Medical Association (AVMA). (3-30-01)

ii. The jurisprudence exam, a copy of Title 54, Chapter 21, Idaho Code, a copy of the rules of the Board, IDAPA 46.01.01, "Rules of the Idaho State Board of Veterinary Medical Examiners," and a copy of the Principles of Veterinary Medical Ethics of the American Veterinary Medical Association (AVMA) shall be sent to each applicant. (4-2-08)

iii. After November 1, 2000, applicants who have taken their national examinations prior to this date and have not taken and passed the Clinical Competency Test (CCT) may, in lieu of a passing score on the CCT, provide the documentation specified by Section 54-2107(5), Idaho Code. (3-30-01)

04. Passing Score. (7-1-97)

a. A passing score for the national licensing examinations shall be calculated and reported by the National Board Examination Committee, or its designee, or the American Association of Veterinary State Boards or its designated test vendor. If such a score is not available, the passing score shall be as reported by the National Board Examination Committee, or its designee, or the American Association of Veterinary State Boards or its designated test vendor and shall be considered equal to or greater than one point five (1.5) standard deviation below the mean score of the examination. (3-30-01)

b. A passing score for the jurisprudence examination shall be ninety percent (90%) or such score as deemed appropriate by the Board. All application materials and fees shall be at the Board office, with the exception of the Clinical Competency Examination results when an applicant is applying for a temporary permit or a license without having taken the Clinical Competency Examination, before the jurisprudence examination shall be graded. (3-30-01)

05. Review of Examination. (7-1-97)

a. An applicant wishing to review the results of the jurisprudence examination shall make a written request to the Board within thirty (30) days of receipt of the jurisprudence examination results. (7-1-97)

b. The review shall be conducted no later than sixty (60) days from the date of the written request, shall not exceed two (2) hours in length, and no written materials or any reproductions shall be removed from the review premises. (7-1-97)

c. The review shall take place at the office of the Board during normal business hours. (7-1-97)

011. LICENSE WITHOUT CLINICAL COMPETENCY TEST (CCT).

On or after November 1, 2000, an applicant who has taken his national examinations prior to this date and has not taken and passed the CCT, may be exempt from the Clinical Competency Test as provided for in Section 54-2110,

Idaho Code. (3-30-01)

012. LICENSE RENEWAL/RETURN TO ACTIVE STATUS.

01. Renewal. An “active” or “inactive” veterinary license may be renewed by submission of the completed and signed annual renewal form prescribed by the Board, submission of a continuing education report as outlined in Paragraph 015.03.d. of these rules for the appropriate hours of continuing education, and payment of all applicable fees. (4-5-00)

02. Return to “Active” License Status. A veterinarian whose license is on inactive status shall not practice veterinary medicine and surgery in this state. A licensee may convert from “inactive” license status to “active” license status by: (4-5-00)

a. Making written application to the Board on an application form prescribed by the Board; (7-1-97)

b. Providing evidence of completion of the required continuing education credits; and (3-30-07)

c. Taking and passing the jurisprudence exam with a score of ninety percent (90%) or better. (3-18-99)

d. Providing verification of license in good standing from the licensing boards in each state where the applicant has been licensed to practice veterinary medicine since converting to inactive status or from the American Association of Veterinary State Board’s Veterinary Information Verifying Agency (VIVA). (3-30-01)

e. Paying all applicable fees. (4-5-00)

03. Late Renewal. Within thirty (30) days of the date a license expires due to nonrenewal, the license may be reinstated by paying the established late fee, the renewal fee, and by fulfilling the requirements of Section 54-2112, Idaho Code. Once a license has expired, a veterinarian may not practice veterinary medicine until the license has been reinstated or until the veterinarian has applied for and received a new license. (4-5-00)

04. Change of Address. It is the responsibility of each licensed veterinarian to notify the Board office of any change of address. Failure to receive a renewal form from the Board shall not constitute an excuse for failure to pay the renewal fee and fulfill the requirements of Section 54-2112, Idaho Code. (4-5-00)

013. TEMPORARY PERMITS.

Temporary permits shall be consecutively numbered beginning with the number one (1) and all numbers shall be prefixed with the letters VT. (7-1-97)

01. Supervision. For the purpose of temporary permits, supervision shall mean the same as professional supervision and the supervising veterinarian shall be individually responsible and liable for the acts and omissions of the temporary licensee. (3-30-01)

02. Licensing Requirements. (3-30-01)

a. For new graduates or currently practicing veterinarians licensed in another state, licensing requirements for a temporary permit shall be the same as for a new licensee. (3-30-01)

b. After November 1, 2000, the licensing requirements for a temporary permit for applicants who have taken their national examinations prior to this date, but have not taken the Clinical Competency Test, shall be the same as for a new license, except in lieu of a passing score on the Clinical Competency Test, the applicant shall have fulfilled the requirements of Section 54-2107(5), Idaho Code. (3-30-01)

03. Responsibility. Nothing herein shall be construed to relieve the temporary licensee of any responsibility or liability for any of their own acts and omissions. (7-1-97)

04. Expiration. For new graduates or currently practicing veterinarians licensed in another state, a

temporary permit shall be valid until the next license review by the Board. Temporary permits issued prior to November 1, 2000 to applicants who have not taken the Clinical Competency Test shall be valid for no more than one (1) year. (3-30-01)

014. FEES.

Fees are established as authorized under Title 54, Chapter 21, Idaho Code, by action of the Board as follows:

- (7-1-97)
- 01. Veterinarian:** (3-18-99)
 - a.** Application and Original License Fee (Section 54-2107, Idaho Code) - Two hundred seventy-five dollars (\$275). (3-21-12)
 - b.** Annual Renewal Fee (Section 54-2112, Idaho Code). (3-18-99)
 - i.** Active License -- One hundred seventy-five dollars (\$175); (3-21-12)
 - ii.** Inactive License -- Fifty dollars (\$50). (3-18-99)
 - c.** License Without Clinical Competency Test Fee (Section 54-2110, Idaho Code): (3-30-01)
 - i.** Application and Original License Fee -- Two hundred seventy-five dollars (\$275); (3-21-12)
 - ii.** Annual Renewal Fee: (3-30-01)
 - (1) Active License -- One hundred seventy-five dollars (\$175); (3-21-12)
 - (2) Inactive License -- Fifty dollars (\$50). (3-30-01)
 - d.** Reinstatement/Late Fee (Section 54-2112, Idaho Code) -- Two hundred dollars (\$200). (3-21-12)
 - e.** Reactivation Fee (restore inactive license to active status) -- One hundred fifty dollars (\$150); (3-21-12)
 - f.** Temporary Permit Fee (Section 54-2111, Idaho Code) -- One hundred fifty dollars (\$150). (3-21-12)
 - g.** License Verifications (Sections 54-2105(6) and 54-2112, Idaho Code) -- Twenty dollars (\$20). (3-21-12)
 - 02. Veterinary Technician Certification Fee.** (Section 54-2105(6)(d), Idaho Code). (3-30-01)
 - a.** Application and Original Certification Fee -- One hundred twenty-five dollars (\$125). (3-21-12)
 - b.** Annual Renewal Fee -- Seventy-five dollars (\$75). (3-21-12)
 - c.** Reinstatement/Late Fee -- Fifty dollars (\$50). (3-21-12)
 - d.** Temporary Permit Fee -- Fifty dollars (\$50). (3-18-99)
 - 03. Certified Euthanasia Agency Certification Fee.** (Section 54-2105(6)(d), Idaho Code). (3-30-01)
 - a.** Application and Original Certification Fee -- One hundred dollars (\$100). (3-30-01)
 - b.** Annual Renewal Fee -- Two hundred dollars (\$200). (3-21-12)
 - c.** Reinstatement/Late Fee -- Fifty dollars (\$50). (3-21-12)

- 04. Certified Euthanasia Technician Certification Fee.** (Section 54-2105(6)(d), Idaho Code). (3-30-01)
- a.** Training and Certification Fee -- One hundred dollars (\$100). (3-30-01)
 - b.** Annual Renewal Fee -- One hundred dollars (\$100). (3-21-12)
 - c.** Reinstatement/Late Fee -- Fifty dollars (\$50). (3-21-12)
- 05. Duplicate License and Certificate Fee -- Twenty-Five Dollars (\$25).** When a new license, wall certificate or certification is issued for the purpose of changing the license or certificate holder's name, the request for name change must be accompanied by a copy of the court order or marriage license authorizing the name change and the current license, certification or original wall certificate shall be returned to the Board office. (3-30-01)
- 015. MANDATORY CONTINUING VETERINARY EDUCATION.**
- 01. Statement of Purpose.** It is of primary importance to the public that veterinarians continue their veterinary education throughout the period of their active practice of veterinary medicine. These rules establish the minimum continuing veterinary education requirements necessary for veterinarians to maintain a license to engage in the practice of veterinary medicine in the state of Idaho. (7-1-97)
- 02. Approved Courses.** (3-30-01)
- a.** Approved courses include: (3-30-01)
 - i.** Those courses and providers listed on the American Association of Veterinary State Board's Continuing Education Registry; and (3-30-01)
 - ii.** Those courses and providers approved by the Board. (3-30-01)
 - b.** Board approval for a continuing education course may be obtained by sending a written request to the Board office and enclosing copies of the course agenda, dates, times, locations, and requested number of credit hours in management and veterinary medicine. Copies of the sign-in and sign-out sheets for each approved course are to be supplied to the Board office following completion of the course by the course provider. (3-30-01)
- 03. Education Requirements.** (7-1-93)
- a.** Minimum Requirement. Each active veterinarian in the state of Idaho shall complete a minimum of twenty (20) credit hours of accredited continuing veterinary education activity in each and every two (2) year period following the date of his admission to the practice of veterinary medicine in this state. (3-30-07)
 - b.** Credit Requirements. The following are the minimum and maximum credits that may be earned for each reporting period and the number of credits that may be obtained by participating in on-line or correspondence courses. (3-30-07)
 - i.** A minimum of fourteen (14) hours of continuing education in veterinary medicine, surgery, and dentistry. (3-30-07)
 - ii.** A maximum of six (6) hours of continuing education in management. (3-30-07)
 - iii.** Veterinarians may obtain a maximum of fifteen (15) credit hours through approved on-line or correspondence courses. (3-30-07)
 - c.** Attendance Period. The attendance period shall be based upon the fiscal year (July 1 to June 30). (3-18-99)

d. Report. Each veterinarian subject to these rules shall file a written report, on a form prescribed by the Board, as provided in this rule. (7-1-93)

i. Content of Report. The report shall set forth the record of the veterinarian's compliance with these rules during the attendance period and shall contain at least: (7-1-93)

(1) A list of the courses attended; (7-1-93)

(2) The dates of attendance; (7-1-93)

(3) The sponsoring organization; (7-1-93)

(4) The hours attended, rounded to the nearest one-half (1/2) of an hour; and (7-1-97)

(5) The veterinarian's signature, under penalty of perjury. (7-1-93)

ii. Place of Filing. The report of compliance with the continuing veterinary education requirement shall be filed with the secretary of the Board. (3-30-01)

iii. Time of Filing. The report shall be submitted or postmarked no later than June 30 in the year the veterinarian is required to complete the continuing education requirement. (4-2-08)

04. Exemptions. Upon a showing of good cause by a licensee to the Board, the Board may exempt such licensee from any, all or part of the continuing education requirement or may grant an extension of the required period. Written requests for exemptions from continuing education credits shall be sent to the Board office. (3-30-07)

05. Credit for Attendance. Continuing veterinary education credits may be earned by attending approved courses in continuing veterinary education. (7-1-97)

a. Credits. One (1) credit hour shall be given for each fifty (50) minutes actually spent by the active member in attendance at an accredited, domestic or foreign, course. No credit shall be given for: (7-1-97)

i. Time spent in introductory remarks, coffee and lunch breaks, business meetings or other activities not involving the educational aspects of the course. (3-18-99)

ii. Any course attended before admission to practice veterinary medicine in Idaho. (7-1-93)

iii. Journal and magazine articles, videos or correspondence courses, unless specially approved by the Board. (7-1-97)

b. In cases of panel presentations, credit shall be calculated by multiplying the actual number of course hours by two (2) and dividing by the number of panel members involved. (3-18-99)

c. Carryover Credit. No credit for attending approved courses in continuing veterinary education shall be applicable to any reporting period other than that during which the credit is actually earned. (7-1-97)

016. -- 099. (RESERVED)

100. CERTIFICATION OF VETERINARY TECHNICIANS.

Any person representing himself as a veterinary technician, licensed veterinary technician, registered veterinary technician, or certified veterinary technician, shall hold a valid, unexpired certificate to practice veterinary technology in the state of Idaho. (3-30-07)

01. Application for Certification -- Contents -- Examinations. An individual desiring to be certified as a veterinary technician shall make written application to the Board upon a form furnished by the Board. A complete application shall be valid and maintained at the Board office for a period of one (1) year, contain the applicant's notarized signature, and include:

(3-30-01)

a. A copy of a birth certificate or current passport proving that the applicant is eighteen (18) years of age or older. (4-2-08)

b. Notarized affidavits issued during the year preceding certification from two (2) individuals, personally acquainted with the applicant, attesting to the fact that the applicant is of good moral character. (3-30-01)

c. Documentation of education/training/experience as follows: (3-30-01)

i. A certified copy of a diploma or transcript, or a letter verifying graduation from a veterinary technology program, accredited by the American Veterinary Medical Association; (3-29-10)

ii. A certified copy of a diploma or transcript, or a letter verifying graduation from a veterinary technology program equivalent to a program accredited by the American Veterinary Medical Association, or from another college or institution approved by the Board; (3-29-10)

iii. A certified copy of a diploma or transcript, or a letter verifying the award of a D.V.M. or V.M.D. degree or equivalent, from an accredited school of veterinary medicine; or (3-29-10)

iv. If a foreign veterinary graduate, notarized verification of having been awarded a D.V.M. or V.M.D. degree or equivalent in a program of veterinary medicine from a foreign school of veterinary medicine or the veterinary department of a foreign university or another college or institution that is approved by the Board. (3-30-07)

d. Verification of a criterion-referenced passing score reported by the Professional Examination Service or its designee, or by other designated test vendors or their designees approved by the American Association of Veterinary State Boards on the Veterinary Technician National Examination (VTNE) or other national examination approved by the American Association of Veterinary State Boards or its designated test vendor or by the Board. If such a score is not available, the passing score shall be as reported by the Professional Examination Service or its designee, or by other designated test vendors or their designees approved by the American Association of Veterinary State Boards or by the Board and shall be considered equal to or greater than one and five-tenths (1.5) standard deviation below the mean score of the examination. (3-30-01)

i. The VTNE or other national examination approved by the American Association of Veterinary State Boards or its designated test vendor or by the Board may have been taken at any time. (3-30-01)

ii. Scores for the VTNE or other national examination approved by the American Association of Veterinary State Boards or its designated test vendor or by the Board are to be provided to the Board by the Professional Examination Service or its designee or by other designated test vendors or their designees approved by the American Association of Veterinary State Boards. (3-30-01)

e. A passing score for the jurisprudence examination, which should be ninety percent (90%) or such score as deemed appropriate by the Board. The jurisprudence examination, as prepared by the Board or its designee, may be taken more than once, at three-month intervals. (3-29-10)

02. Application for Certification -- Fee -- Deadline -- Validity. (3-30-01)

a. A completed application, other required documents, and first year's certification fee in the amount established by the Board shall be received at the Board office by the first day of January or June. (3-30-01)

b. The Board will review applications and issue certifications in January and June of each year. Veterinary Technician Certifications shall be consecutively numbered beginning with the number one (1) and all numbers shall be prefixed with the letters CVT. If an applicant is found not qualified, the Board shall notify the applicant in writing of such finding and grounds therefor. An applicant denied certification may request a hearing pursuant to the procedures set forth in Title 67, Chapter 52, Idaho Code. Any applicant who is denied certification

shall be allowed the return of the certification fee portion of the application fee. (3-30-01)

c. Any applicant taking and passing the Idaho Veterinary Technician Jurisprudence Examination and not wanting to be certified at the next review by the Board shall be allowed the return of the certification fee portion of the application fee only. (3-30-01)

101. TEMPORARY CERTIFICATION.

The Board may, at its discretion, issue a temporary certification. The temporary certification shall be valid for one (1) year or until the next certification review by the Board, whichever comes first, and under no circumstances shall a second temporary certification be issued to the same person. A temporary certification shall not be issued to any applicant whose certification, license or registration has been revoked in any state for a reason other than nonpayment of fees or failure to fulfill the renewal requirements. An applicant granted a temporary certification shall provide notarized verification of twelve (12) months of active practice during the past year as a veterinary technician in another state or shall perform all veterinary technology procedures under the direct supervision of an Idaho licensed veterinarian. Temporary certifications shall be consecutively numbered beginning with the number one (1) and all numbers shall be prefixed with the letters TC. (3-29-10)

01. Certification Requirements. Requirements for a temporary certification shall be the same as for the original certification. (3-30-01)

02. Responsibility. Nothing herein shall be construed to relieve the temporary certificate holder of any responsibility or liability for any of their own acts and omissions. (3-30-01)

102. CERTIFIED VETERINARY TECHNICIAN MANDATORY CONTINUING EDUCATION.

In order to best serve the citizens of Idaho and their animals, each certified veterinary technician shall be required to complete a minimum of fourteen (14) hours of ongoing continuing education in the field of veterinary technology in each and every two (2) year certification period following the date of his certification. A maximum of four (4) credit hours of continuing education in management may be used toward the fulfillment of the CE requirement. Approved courses, attendance period, content of report, exemptions, and credit for attendance are the same as outlined in Section 015 of these rules, mandatory continuing veterinary education with the exception of Subparagraph 015.03.d.i.(5) of these rules, which shall be the veterinary technician's signature, under penalty of perjury, and Subparagraph 015.03.b.iii. of these rules, which shall be a maximum of ten (10) hours credit for on-line or correspondence courses. No credit for attending approved courses in the field of veterinary technology shall be applicable to any reporting period other than that during which the credit is actually earned. (3-30-07)

103. SUPERVISING VETERINARIANS.

01. Statement of Purpose. Veterinarians licensed under the provisions of Title 54, Chapter 21, Idaho Code, shall be responsible for all temporary licensees and temporary certification holders, certified euthanasia technicians, certified veterinary technicians, veterinary assistants, or any others to whom they delegate the performance of acts pertaining to the practice of veterinary medicine. (3-29-10)

02. A Supervising Veterinarian Shall: (3-30-01)

a. Provide direct supervision for all procedures pertaining to the practice of veterinary medicine that are delegated to a certified veterinary technician, a veterinary technician working under a temporary certification, an assistant or any others with the exception of: (3-29-10)

i. Routine procedures in the practice of veterinary technology that include, but are not limited to, taking radiographs, weight and temperature, or as determined by the standard of practice for the area. These routine procedures may be performed under the indirect supervision of the veterinarian. (3-30-01)

ii. Previously prescribed antibiotics and medications, which may be administered under the indirect supervision of the veterinarian. Previously prescribed antibiotics and medications shall not include injectable controlled substances, injectable tranquilizers, injectable sedatives, and injectable or inhalant anesthetics, which may only be administered under the direct supervision of the veterinarian. (3-30-01)

iii. Emergency situations where the animal has been placed in a life-threatening condition and immediate treatment is necessary to sustain life. In these situations, in order to stabilize the animal, the veterinarian, while en route to the location of the distressed animal, may prescribe treatment and delegate appropriate procedures pertaining to the practice of veterinary medicine under indirect supervision. Such emergency treatment and procedures may only be continued under indirect supervision until the veterinarian arrives at the animal's location. (3-30-01)

b. Be available to supervise and direct all procedures pertaining to the practice of veterinary medicine that are delegated to others. (3-29-10)

c. Bear legal responsibility for the health, safety and welfare of the animal patient that the temporary licensee, temporary certification holder, certified veterinary technician, assistant, or any others serves. (3-29-10)

d. Not delegate an animal health care task to an unqualified individual. (3-30-01)

e. Make all decisions relating to the diagnosis, treatment, management, and future disposition of an animal patient. (3-30-01)

f. Have examined the animal patient prior to the delegation of any animal health care task to a certified veterinary technician, temporary certification holder, or assistant. The examination of the animal patient shall be conducted at such times as acceptable veterinary medical practice dictates, consistent with the particular delegated animal health care task. (3-30-01)

g. Diagnose and perform operative dentistry, oral surgery, and teeth extraction procedures. Operative dentistry and oral surgery are considered to be any dental procedure which invades the hard or soft oral tissue including, but not limited to, a procedure that alters the structure of one (1) or more teeth or repairs damaged and diseased teeth, or the deliberate extraction of one (1) or more teeth. Operative dentistry and oral surgery do not include, removal of calculus, soft deposits, plaque, stains, floating to shape the teeth, or smoothing, filing or polishing of tooth surfaces above the gum line. (3-30-01)

03. Limitations on Supervising Veterinarians. Unless otherwise provided by law or rule, a supervising veterinarian shall not authorize a certified veterinary technician, a veterinary technician working under a temporary certification, an assistant or anyone else, other than a licensed veterinarian or a veterinarian holding a valid temporary permit to perform the following functions: (3-29-10)

a. Surgery; (7-1-93)

b. Diagnosis and prognosis of animal disease; (7-1-93)

c. Prescribing drugs, medicines and appliances; or (3-30-01)

d. Diagnosis and performance of procedures that constitute operative dentistry/oral surgery as defined by Section 54-2103(13)(b), Idaho Code. (3-30-01)

104. EXPIRATION OF VETERINARY TECHNICIAN CERTIFICATION -- NOTICE -- RENEWAL.

01. Term of Certification. A certification to practice veterinary technology in the state of Idaho shall be valid for a period of one (1) year. (3-30-01)

02. Expiration and Renewal. All certificates shall expire annually on July 1, but may be renewed by submission of the completed and signed renewal form prescribed by the Board, submission of a continuing education report as outlined in Paragraph 015.03.d. of these rules for the appropriate hours of continuing education, by meeting other requirements as defined in the rules adopted by the Board, and payment of all applicable fees. The form for renewal of a veterinary technician certificate shall include, but not be limited to: (3-30-01)

a. Name and social security number; (3-30-01)

- b.** Current employment status; (3-30-01)
- c.** Current employment address and phone number; (3-30-01)
- d.** Current home address and phone number; and (3-30-01)
- e.** Continuing education credits earned. (3-30-01)

03. Notice and Form for Renewal. On or about May 1, the Board shall mail a notice to each certified veterinary technician whose certification expires on July 1 of that year, and shall also provide a form for renewal. The Board shall issue a new certificate to all qualified veterinary technicians certified under Title 54, Chapter 21, Idaho Code. (3-30-01)

04. Expired Certification Fees. Within thirty (30) days of the date a certification expires due to nonrenewal, the certification may be reinstated by paying the established late fee, the renewal fee, and by fulfilling any other requirements of Section 104 of these rules. Once a certification has expired, a veterinary technician may not perform technician duties until the certification has been reinstated or until the technician has applied for and received a new certification. (3-30-01)

05. Failure to Renew or Reinstatement Certification. Any person who shall practice as a veterinary technician after the expiration of a certification and who fails to renew or reinstate the certification shall be practicing in violation of Title 54, Chapter 21, Idaho Code. (3-30-01)

06. Change of Address. It is the responsibility of each certified veterinary technician to notify the Board office of any change of address. Failure to receive a renewal form from the Board shall not constitute an excuse for failure to pay the renewal fee and completion of the prescribed form. (3-30-01)

105. GROUNDS FOR DISCIPLINE OF VETERINARY TECHNICIANS.

In addition to the provisions of Section 54-2118, Idaho Code, the Board may refuse to issue, renew, or reinstate the certification of a veterinary technician, or may deny, revoke, suspend, sanction, place on probation, or require voluntary surrender of the certification of a veterinary technician, or may impose other forms of discipline, and enter into consent agreements and negotiated settlements with certified veterinary technicians pursuant to the procedures set forth in Title 67, Chapter 52, Idaho Code, for any of the following reasons: (3-30-01)

01. Fraud, Misrepresentation, or Deception. The employment of fraud, misrepresentation or deception in obtaining certification. (3-30-01)

02. Unethical or Unprofessional Conduct. Unethical or unprofessional conduct is conduct that includes, but is not limited to, any of the following: (3-30-01)

- a.** False or misleading advertising or solicitation; (3-30-01)
- b.** Providing any procedure to an animal that constitutes the practice of veterinary medicine or veterinary technology and which has not been delegated by the supervising veterinarian, except in the case of an emergency as defined by Section 54-2103(16), Idaho Code; (3-29-10)
- c.** Working in conjunction with any unlicensed or uncertified person who is practicing veterinary medicine or veterinary technology; (3-30-01)
- d.** Failing to apply sanitary methods or procedures in the treatment of any animal; (3-30-01)
- e.** Physically abusing a patient or failing to conform to the currently accepted standards of care in the field of veterinary technology for any animal under his care; (3-30-01)
- f.** Practicing veterinary technology in a manner that endangers the health and welfare of the patient or the public. A certified veterinary technician shall not practice veterinary technology if his ability to practice with reasonable skill and safety is adversely affected by reason of illness, excessive use of alcohol, drugs, narcotics,

chemicals, or any other substance, or as a result of any mental or physical disability; (3-30-01)

g. Gross ignorance, incompetence or inefficiency in the practice of veterinary technology as determined by, but not limited to, the practices generally and currently followed and accepted by persons certified to practice veterinary technology in this state and the current teaching at accredited programs in veterinary technology; (3-30-01)

h. Intentionally performing a duty, task or procedure in the field of veterinary technology for which the individual is not qualified; (3-30-01)

i. Swearing falsely in any testimony or affidavits relating to, or in the course of, the practice of veterinary technology. (3-30-01)

j. Engaging in conduct of a character likely to deceive or defraud the public. (3-30-01)

03. Conviction of Violating Any Federal or State Statute, Rule or Regulation. Conviction of a charge of violating any federal or state statute or rule or regulation regulating narcotics, dangerous drugs or controlled substances. (3-30-01)

04. Conviction of a Charge or Crime. Being found guilty, convicted, placed on probation, having entered a guilty plea that is accepted by the court, forfeiture of bail, bond or collateral deposited to secure a defendant's appearance, or having received a withheld judgment or suspended sentence by a court of competent jurisdiction in this state or any other state of one (1) or more of the following: (3-30-01)

a. Any felony, as defined by Title 18, Chapter 1, Idaho Code; or (3-30-01)

b. Any other criminal act that in any way is related to the practice of veterinary technology as defined by Section 54-2103(47), Idaho Code. (3-30-01)

05. Medical Incompetence. Medical incompetence in the practice of veterinary technology, which means lacking in sufficient medical knowledge or skills or both to a degree likely to endanger the health of patients. (3-30-01)

06. Physical or Mental Incompetence. Physical or mental incompetence, which means the individual's ability to practice veterinary technology with reasonable skill and safety is impaired by reason of illness, excessive use of alcohol, drugs, narcotics, chemicals, or any other substance, or as a result of any physical or mental disability. (3-30-01)

07. Malpractice or Negligence. Malpractice or negligence, in the practice of veterinary technology, which includes, but is not limited to: (3-30-01)

a. Treatment in a manner contrary to accepted practices in veterinary technology and with injurious results; (3-30-01)

b. Any professional misconduct or unreasonable lack of professional skill or fidelity in the performance of an act that is part of the practice of veterinary technology; (3-30-01)

c. Performance of an act that is part of the practice of veterinary technology without adequate supervision; except in the case of an emergency as defined by Section 54-2103(16), Idaho Code; or (3-30-01)

d. The negligent practice of veterinary technology, as determined by the standard of practice for the area, that results in injury, unnecessary suffering or death. (3-30-01)

08. Cruelty to Animals. Cruelty to animals, including, but not limited to, the intentional and malicious infliction of pain, physical suffering, injury or death, performance of experimental treatments without the owner's consent, deprivation of necessary sustenance, withholding of appropriate pain medications or levels of pain medications, or the administration of unnecessary procedures and treatment. Infliction of pain on any animal in self-

defense, or to prevent physical harm to others, or in accordance with local custom and culture in moving, handling, treating, dehorning, castrating or performing other procedures on livestock, shall not be considered cruel or physically abusive unless done in an unnecessary or intentionally malicious manner. This provision does not alter Section 25-3514, Idaho Code. (3-30-01)

09. Revocation, Suspension, Limitation or Subjection. The revocation, suspension, limitation, or subjection of a license, certificate or registration or any other disciplinary action by another state or U.S. jurisdiction or voluntary surrender of a license, certificate or registration by virtue of which one is licensed, certified or registered to practice veterinary technology in that state or jurisdiction on grounds other than nonpayment of the renewal fee. (3-30-01)

10. Continuing Education. Failure to comply with the continuing education requirements outlined by the rules of the Board. (3-30-01)

11. Failure to Cooperate. (3-30-01)

a. Failure of any applicant or certificate holder to cooperate with the Board during any investigation, even if such investigation does not personally concern the applicant or certificate holder. (3-30-01)

b. Failure to comply with the terms of any order, negotiated settlement, or probationary agreement of the Board. (3-30-01)

c. Failure to comply with the terms for certification renewal or to timely pay certification renewal fees as specified by Section 104 of these rules. (3-30-01)

12. Aiding or Abetting. Knowingly aiding or abetting an unlicensed or uncertified person to practice veterinary medicine or veterinary technology. (3-30-01)

13. Current Certification. Practicing as a certified veterinary technician without a current certification. (3-30-01)

14. Acceptance of Fees. Accepting fees for veterinary technician services from a client. (3-30-01)

15. Unlawful Practice. Representing oneself as a doctor of veterinary medicine, which constitutes the unauthorized practice of veterinary medicine in violation of Title 54, Chapter 21, Idaho Code. (3-30-01)

16. Violation of Law, Rules or Order. Violating or attempting to violate, directly or indirectly, or assisting or abetting the violation or conspiracy to violate any of the provisions of the veterinary law or rules or a written order of the Board issued pursuant to Title 54, Chapter 21, Idaho Code. (3-30-01)

106. TIME FOR FILING COMPLAINT.

01. Limitation. A complaint must be filed within one (1) year after the occurrence of any alleged unlawful or unethical conduct as set forth in Section 105 of these rules. If the alleged unlawful or unethical conduct is of a continuing nature, the date of the occurrence of said conduct shall be deemed to be any date subsequent to the commencement of the unlawful or unethical conduct up to and including the date on which the complaint shall have been filed if the alleged unlawful or unethical conduct continues. (3-30-07)

02. Receipt. Upon receipt of a complaint at the Board's office, the date of such receipt shall be noted thereon, and the date of notation shall be the date of filing. (3-30-07)

03. Sufficiency. A complaint shall be deemed to have met the timeliness requirement of Subsection 106.01 of these rules when the Board receives a written statement sufficiently precise to identify the conduct and to describe generally the conduct alleged to be unlawful or unethical. (3-30-07)

107. -- 149. (RESERVED)

150. VALID VETERINARIAN/CLIENT/PATIENT RELATIONSHIP.

An appropriate veterinarian/client/patient relationship will exist when: (7-1-97)

01. Responsibility. The veterinarian has assumed the responsibility for making medical judgements regarding the health of the animal and the need for medical treatment, and the client (owner or other caretaker) has followed the instructions of the veterinarian. (7-1-97)

02. Medical Knowledge. There is sufficient knowledge of the animal by the veterinarian to initiate at least a general or preliminary diagnosis of the medical condition of the animal. This means that the veterinarian has seen the animal within the last twelve (12) months or is personally acquainted with the keeping and care of the animal, either by virtue of an examination of the animal, or by medically appropriate visits to the premises where the animals are maintained within the last twelve (12) months. (4-7-11)

03. Availability. The practicing veterinarian or designate is readily available for follow-up in case of adverse reactions or failure of the regimen of therapy. (3-30-07)

151. UNPROFESSIONAL CONDUCT.

The Board hereby adopts the Principles of Veterinary Medical Ethics of the American Veterinary Medical Association, as incorporated by Section 005 and Section 152, Code of Professional Conduct, of these rules, as the definition of ethical and professional conduct for licensed veterinarians. (Sections 54-2103(40) and 54-2115(2), Idaho Code). Any violation of the Principles of the Veterinary Medical Ethics of the American Veterinary Medical Association or Code of Professional Conduct shall constitute unprofessional conduct. Unprofessional conduct includes, but is not limited to: (3-30-01)

01. Violations of the Principles of Veterinary Medical Ethics. Any violation of the Principles of Veterinary Medical Ethics of the American Veterinary Medical Association. (3-30-01)

02. Violations of the Code of Professional Conduct. Any violation of the Code of Professional Conduct. (4-5-00)

03. Unsanitary Methods or Procedures. Failure to apply sanitary methods or procedures in the treatment of any animal, contrary to the rules adopted by the Board. (4-5-00)

04. Association With Illegal Practitioners. Shall include, but not be limited to: (4-5-00)

a. Having a professional relationship or connection with, lending one's name to, or otherwise aiding and abetting any illegal or unlicensed practice or practitioner of veterinary medicine and the various branches thereof; (4-5-00)

b. Rendering professional service in association with a person who is not licensed and does not hold a temporary permit; or (4-5-00)

c. Sharing fees with any person, except a licensed veterinarian, for services actually performed. (4-5-00)

05. False Testimony. Swearing falsely in any testimony or affidavits relating to, or in the course of, the practice of veterinary medicine, surgery or dentistry. (4-5-00)

06. Gross Ignorance, Incompetence or Inefficiency. In determining gross ignorance, incompetence or inefficiency in the profession, the Board may take into account all relevant factors and practices including, but not limited to, the practices generally and currently followed and accepted by the persons licensed to practice veterinary medicine in this state, the current teaching at accredited veterinary schools, relevant technical reports published in recognized veterinary medical journals, and the desirability of reasonable experimentation in the furtherance of the art of veterinary medicine. (4-5-00)

07. Improper Supervision. Shall include, but not be limited to: (3-30-01)

a. Permitting, allowing, causing or directing any individual to perform a duty, task or procedure that they are not qualified to perform. (3-30-01)

b. Providing, permitting, allowing, causing or directing any individual to perform inadequate anesthetic monitoring. Evidence of this monitoring shall be documented in written form and contained within the medical record. (3-30-07)

08. Association With Others. Accepting fees from the providers of animal services or products when referring clients to such providers. (4-5-00)

152. CODE OF PROFESSIONAL CONDUCT.

The Board's code of professional conduct includes, but is not limited to, the following standards of conduct: (7-1-97)

01. Veterinarian/Client/Patient Relationship. A veterinarian shall not dispense or prescribe controlled substances, prescription or legend drugs except in the course of his professional practice and after a bona fide veterinarian/client/patient relationship as defined by Section 150 of these rules has been established. (3-30-01)

02. Health Certificate. A veterinarian shall not issue a certificate of health unless he has personal knowledge by means of actual examination and appropriate testing of the animal that the animal meets the requirements for issuance of such a certificate. (3-30-01)

03. DEA and Controlled Substance Registration. A veterinarian shall notify the Board of the suspension, revocation, or voluntary surrender of his federal Drug Enforcement Administration (DEA) registration and his state controlled substance registration. (3-30-01)

04. Fraud. A veterinarian shall not engage in fraud, deceit, or misrepresentation in the practice of veterinary medicine. (7-1-97)

05. Aiding or Abetting. A veterinarian shall not in any way aid or abet the unlawful practice of veterinary medicine. (7-1-97)

06. Ability to Practice. A veterinarian shall not practice veterinary medicine as to endanger the health and welfare of his patients or the public. A veterinarian shall not practice veterinary medicine if his ability to practice with reasonable skill and safety is adversely affected by reason of illness, excessive use of alcohol, drugs, narcotics, chemicals, or any other substance or as a result of any mental or physical disability. (7-1-97)

07. Conflicting Interests. A veterinarian shall not represent conflicting interests except by the express consent of all the parties after full disclosure of all the facts. A conflict of interest shall include, but not be limited to, accepting a fee from a buyer to inspect an animal for soundness and accepting a fee from the seller. (7-1-97)

08. Confidentiality. A veterinarian shall maintain a confidential relationship with his clients, except as otherwise provided by law or required by considerations related to public health and animal health. (7-1-97)

a. The information contained in veterinary medical records is considered confidential. It is unethical for a veterinarian to release this information except by court order or consent of the patient's owner or other caretaker at the time treatment was rendered. (3-30-01)

b. Without express permission of the practice owner, it is unethical for a veterinarian or certified veterinary technician to remove, copy, or use the medical records or any part of any record belonging to the practice or its owner for any purpose other than the business of the practice. (3-30-07)

09. Physical Abuse-Patient. A veterinarian shall not physically abuse a patient or fail to conform to the currently accepted standards of care in the veterinary profession for any animal under his care. (7-1-97)

10. Preservation of Patient's Body. A veterinarian shall where possible preserve for twenty-four (24) hours the body of any patient which dies while in the veterinarian's care until the owner can be contacted, except as otherwise provided by law. The time of contact or attempted contact with the owner shall be documented in the

medical record. The veterinarian shall be allowed to use the usual manner of disposal if the owner has not made pick-up arrangements within twenty-four (24) hours of the documented contact time. (3-30-07)

11. Consent for Transporting. A veterinarian shall obtain written consent from a patient's owner or other caretaker before transporting a patient to another facility for veterinary medical care or any other reason, unless circumstances qualifying as an emergency do not permit obtaining such consent. (3-30-01)

12. Patient Record. A veterinarian shall maintain a patient record for each animal or herd that accurately reflects the veterinary problems and interventions and conforms to the standards set forth in Section 154 of these rules. (3-30-01)

13. Supervision. A veterinarian shall provide the proper form of supervision required for persons to whom veterinary functions are delegated or assigned. (7-1-97)

14. Cooperation with Authorities. A veterinarian shall cooperate with authorities in the investigation of the incompetent, unethical or illegal practice of veterinary medicine by any individual including another veterinarian. (7-1-97)

15. Refusal to Render Services. A veterinarian shall have the right to refuse to render veterinary medical services for any reason, or refuse an owner's request to euthanize a healthy or treatable animal. (3-30-07)

16. Improper Disposal of Controlled Substances. A veterinarian shall dispose of all controlled substances and the containers, instruments and equipment used in their administration in conformance with the requirements of the Code of Federal Regulations and the Idaho Board of Pharmacy law and rules. (3-30-01)

153. STANDARDS OF PRACTICE.

Veterinarians shall adhere to the guidelines for professional behavior set forth in the Principles of Veterinary Medical Ethics, Opinions and Reports of the Judicial Council, Section 152, Code of Professional Conduct, of these rules, and the Board's standards of practice as defined by rule. Standards of practice include, but are not limited to: (3-30-01)

01. Practice Procedures. (7-1-97)

a. A licensed veterinarian shall exercise at least the same degree of care, skill, and diligence in treating patients that is ordinarily used in the same or similar circumstances by members of the veterinary medical profession of similar training and experience in the community in which he practices. (3-30-07)

b. When the primary objective is to protect the animal patient's health and a professionally acceptable immunization procedure is being sought, an examination of the animal by the veterinarian is required prior to each and every immunization procedure, unless the animal has been examined in the last ninety (90) days, except in the practice of large animal medicine where mass immunizations of animal herds is involved or when immunization is performed by the animal patient's owner. For the purpose of this Subsection, the definition of "owner" in addition to ownership as defined by the laws of the ownership of property, non-profit organizations dedicated to the care and treatment of animals shall be considered the owners of animals in their custody if such organizations are the primary care giver for the animal or if the true owner of such animal cannot be immediately determined. (4-2-08)

c. A veterinarian shall establish a valid veterinarian/client/patient relationship as defined by Section 150 of these rules, prior to dispensing, using, prescribing, or selling any controlled substance or legend drug, or the prescribing of an extra-label use of any drug. (4-5-00)

d. A veterinarian dispensing or distributing any drug or medicine shall dispense or distribute such drug or medicine in good faith, within the context of a valid veterinarian/client/patient relationship as defined by Section 150 of these rules, and shall, except in the case of any drugs and medicines that are in containers that bear a label of the manufacturer with information describing their contents and that are in compliance with the requirements of the Federal Food, Drug, and Cosmetic Act, 21 CFR 201.105, affix or cause to be affixed to the container containing the drug or medicine a label indicating: (3-30-01)

i. The date on which such drug or medicine is dispensed; (4-5-00)

- ii. The name of the owner and patient; (4-2-08)
- iii. The last name of the person dispensing such drug or medicine; (4-5-00)
- iv. Directions for use thereof, including dosage and quantity; and (4-5-00)
- v. The proprietary or generic name of the drug or medicine. (4-5-00)
- 02. Construction Standards.** (7-1-97)
 - a.** All premises shall meet the minimum requirements of construction, sanitation and cleanliness of the county health department in which the premise is located. (7-1-97)
 - b.** All buildings and grounds shall conform to local building and zoning regulations. (7-1-97)
 - c.** Fire prevention measures shall conform to state and local codes. (7-1-97)
 - d.** All facilities shall provide for the effective separation of contagious and noncontagious cases. (7-1-97)
 - e.** Animals shall not be placed in cages or kennels with other breeds or species that are incompatible with the animal in question. Animals shall not be overcrowded in a cage or kennel. (3-30-01)
- 03. Equipment Standards.** (7-1-97)
 - a.** All facilities shall be equipped with or have access to adequate diagnostic and therapeutic equipment and supplies to enable the veterinarian to provide the services offered. Adequacy of equipment and supplies will be consistent with and determined by the standards of veterinary medicine practiced by members of the veterinary medical profession in the community. (3-30-01)
 - b.** All facilities and equipment used shall meet the manufacturers' label requirements for the storage of biologicals and supplies requiring temperature control. (7-1-97)
 - c.** All facilities offering surgical services shall have properly sterilized surgical supplies and instruments. Autoclave equipment shall be properly utilized in those facilities where major surgery is conducted. (7-1-97)
 - d.** All facilities shall have an adequate power supply to operate all equipment necessary to perform the services offered. (7-1-97)
- 04. Facility Sanitation Standards.** (7-1-97)
 - a.** All facilities shall meet the requirements of the state department of health and local health departments pertaining to sewage, waste disposal, and the disposal of dead animals. (7-1-97)
 - b.** All areas of the building and grounds shall be kept free of refuse. (7-1-97)
 - c.** All facilities shall maintain a sanitary environment to avoid sources and transmission of infection including a means to isolate animals with a highly communicable disease. (7-1-97)
 - d.** Floors, countertops, tabletops, sinks, and similar equipment shall be maintained in a clean and sanitary condition. (3-30-01)
 - e.** Examination tables, surgery tables and all indoor, as well as outdoor, small animal compartments shall be constructed of sealed or non-porous material and cleaned and disinfected after each animal use. (4-5-00)

f. All animal compartments shall be cleaned and disinfected at least once a day when in use, and be constructed in a manner to reasonably prevent injury to and loss of confinement for the animal. (7-1-97)

g. Large animal compartments shall be cleaned at least once daily when in use. If communicable disease is present, the enclosure shall be disinfected after each use. (7-1-97)

05. Surgical Standards. (7-1-97)

a. Aseptic surgery shall be performed in a room or area designated for that purpose and isolated from other activities during the procedure. A separate, designated area is not necessarily required for herd or flock animal surgery or antiseptic surgery. Minor surgical procedures shall be performed at least under antiseptic surgical techniques. (4-2-08)

b. Surgical areas shall be provided with emergency lighting. (7-1-97)

c. In the surgical areas, temperature and ventilation shall be maintained at adequate levels to ensure the animal's comfort, safety and sanitation. (7-1-97)

d. All surgical areas shall be equipped with adequate resuscitation equipment. (7-1-97)

06. Anesthesia Standards. (7-1-97)

a. All anesthetized animals shall be appropriately monitored and under supervision at all times. Evidence of this monitoring shall be documented in writing in the medical record. (3-30-07)

b. Anesthesia areas shall be equipped with adequate ventilation systems that ensure the safety of humans and animals. (4-5-00)

154. RECORD KEEPING STANDARDS.

Every veterinarian shall maintain daily medical records of the animals treated. These records may be computerized and shall be readily retrievable to be inspected, duplicated, or submitted when requested by the Board. All records, including electronic records, shall be safeguarded against loss, defacement, tampering, and use by unauthorized personnel. If changes are made to any records (either hard-copy or electronic), the records must clearly reflect what the change is, who made the change, when the change was made, and why. In the case of electronic records, the veterinarian shall keep either a duplicate hard-copy record or a back-up electronic record. Records shall be maintained for a period of three (3) years following the last treatment or examination. Patient medical records shall be maintained for every animal accepted and treated as an individual patient by a veterinarian, or for every animal group (for example, herd, litter, and flock) treated by a veterinarian. (3-8-12)

01. Medical Records. Medical records shall include, but not be limited to: (7-1-97)

a. Name, address and phone number of the animal's owner or other caretaker. (7-1-97)

b. Name and description, sex (if readily determinable), breed and age of animal; or description of group. (7-1-97)

c. Dates (beginning and ending) of custody of the animal. (7-1-97)

d. A short history of the animal's condition as it pertains to the animal's medical status. (7-1-97)

e. Results and notation of examination, condition, and diagnosis suspected. (4-2-08)

f. All medications, treatments, prescriptions or prophylaxis given, including amount, frequency, and route of administration for both inpatient and outpatient care. (3-29-10)

g. Diagnostic and laboratory tests or techniques utilized, and results of each. (7-1-97)

- h.** Written anesthesia records. (3-30-07)
- 02. Consent Forms.** Consent forms, signed by the patient's owner or other legal caretaker for each surgical or anesthesia procedure requiring hospitalization or euthanasia, shall be obtained, except in emergency situations, for each animal and shall be maintained on file with the practitioner. (3-30-07)
- 03. Postoperative Instructions.** Postoperative home-care instructions shall be provided in writing and be noted in the medical record. (3-30-07)
- 04. Treatment Records.** Veterinarians who practice with other veterinarians shall indicate by recognizable means on each patient's or animal group's medical record any treatment the veterinarian personally performed and which treatments and procedures were delegated to a technician or assistant to perform. (3-30-01)
- 05. Ownership of Medical Records.** Medical records are the personal property of the hospital or the proprietor of the practice that prepares them. Other veterinarians, including those providing subsequent health needs for a patient, and the patient's owner may receive within fourteen (14) calendar days, a copy or summary of the patient's medical record, upon the request of the patient's owner or other caretaker. Vaccination records shall be supplied within twenty-four (24) hours, unless the business is closed, in which case the records shall be provided within twenty-four (24) hours of resumption of business. (3-8-12)
- 06. Diagnostic Image Identification and Ownership.** All diagnostic images shall be labeled in the emulsion film or digitally imprinted to identify the veterinarian or premise, the patient, the owner, the date, and anatomical orientation. A diagnostic image is the physical property of the hospital or the proprietor of the practice that prepares it, and it shall be released upon the request of another veterinarian who has the authorization of the owner of the animal to whom it pertains or to the Board. Such diagnostic images shall be returned within a reasonable time to the veterinarian who originally ordered them to be prepared. (4-2-08)
- 07. Estimates.** A veterinarian shall make available to each client a written estimate on request. (3-30-07)
- 08. Controlled Substances and Prescription or Legend Drugs.** A controlled substance is any substance classified by the federal Food and Drug Administration or the Idaho Board of Pharmacy in Schedules I through V of the state or federal Controlled Substances Act, Title 37, Chapter 27, Idaho Code, or 21 CFR 1308. A prescription or legend drug is any drug that under federal law is required, prior to being dispensed or delivered, to be labeled with one (1) of the following statements: "Caution federal law prohibits dispensing without a prescription"; or "RX Only"; or "Caution: Federal law restricts this drug to used by or on the order of a licensed veterinarian"; or a drug which is required by any applicable federal or state law or regulation or rule to be dispensed on prescription only, or is restricted to use by practitioners only. A veterinarian shall only dispense or distribute a controlled substance or prescription or legend drug within the context of a valid veterinarian/client/patient relationship as defined by Section 150 of these rules. (3-30-01)
- a.** Records shall be kept that account for all dispensed and distributed controlled substances and prescription or legend drugs. The records shall comply with all federal and state laws. All information required by statute shall be recorded in the patient record along with the initials of the veterinarian who authorized the dispensing or distribution of the controlled substances or prescription or legend drugs. (3-30-01)
- b.** A separate inventory record shall be kept for each controlled substance by name and strength. The record shall include: (7-1-97)
- i.** Records of the receipt, which include all information required by federal law, the date of the receipt, the amount received, the source of receipt, and the invoice number. (7-1-97)
- ii.** Records of dispensing, which include the date the controlled substance was dispensed, the amount dispensed, the animal's name, identification of the patient record, identification of the person who dispensed the drug, identification of the veterinarian who supervised the dispensing and any other information required by federal law. (7-1-97)

c. Records for all dispensed or distributed prescription or legend drugs shall be maintained in the individual patient or herd record and shall include the date the drug was dispensed or distribution was authorized, the amount dispensed or distributed, identification of the person who dispensed or authorized distribution of the drug, identification of the veterinarian who supervised the dispensing and any other information required by federal or state law, regulation or rule. (3-30-01)

d. Prescription drug order means a lawful written or verbal order of a veterinarian for a drug. (3-30-01)

i. When prescription drug orders are issued by a licensed veterinarian to be distributed to the animal's owner or legal caretaker by a retail veterinary drug outlet, all orders for prescription or legend drugs shall be written on an official numbered three (3) part order form available through the Idaho Department of Agriculture. The veterinarian shall retain the second copy in his medical record and the original and one (1) copy shall be sent to the retail veterinary drug outlet. The retail veterinary drug outlet shall retain the original and attach the copy of the original to the order for delivery to the animal's owner or legal caretaker. (5-8-09)

ii. Under no circumstances shall a prescription or legend drug be distributed by a retail veterinary drug outlet to an animal's owner or legal caretaker prior to the issuance of either a written or oral prescription drug order from the veterinarian: (3-30-01)

(1) When a written prescription drug order from the veterinarian has been issued to a retail veterinary drug outlet, a copy of the veterinarian's original numbered prescription drug order shall be attached to the prescription or legend drugs that are delivered to the animal's owner or legal caretaker. (5-8-09)

(2) When a retail veterinary drug outlet receives an oral prescription drug order from the veterinarian, the oral order shall be promptly reduced to writing on a Department of Agriculture unnumbered telephone drug order blank. A copy of this completed form shall be attached to the prescription or legend drugs that are delivered to the animal(s)'s owner or legal caretaker. (5-8-09)

(3) When a veterinarian issues an oral prescription drug order to a retail veterinary drug outlet, the oral order shall be followed by a written prescription drug order signed by the veterinarian using the official numbered three (3) part order form and procedures required under Subparagraph 154.08.d.i. of these rules. The written order shall be sent promptly by the veterinarian so that it is received by the retail veterinary drug outlet no later than seven (7) days after the retail veterinary drug outlet receives the oral order. The written confirmation order may be hand-delivered, mailed, faxed, attached to an e-mail, or otherwise properly delivered to the retail veterinary drug outlet. (3-29-10)

e. When prescription or legend drugs are dispensed, the labeling on all containers shall be in compliance with the requirements of Paragraph 153.01.d. of these rules. (3-30-01)

f. When controlled substances are dispensed, all containers shall be properly labeled with: (4-5-00)

i. The clinic's name, address, and phone number; (4-5-00)

ii. The name of the client and patient; (3-30-01)

iii. The drug name and quantity; and (3-30-01)

iv. The directions for use, including dosage and quantity. (3-30-01)

g. All controlled substances shall be stored, dispensed, and disposed of in accordance with the requirements of the Uniform Controlled Substances Law and Code of Federal Regulations. (3-29-10)

09. Return or Disposal of Expired Pharmaceuticals and Biologicals. Except for controlled substances, which shall be disposed of in accordance with Paragraph 154.08.g. of these rules, all pharmaceuticals and biologicals that have exceeded their expiration date shall be removed from inventory and disposed of appropriately. (3-29-10)

155. -- 199. (RESERVED)

200. EUTHANASIA TASK FORCE.

Pursuant to Section 54-2105(8), Idaho Code, a Certified Euthanasia Task Force (CETF) is established for the purpose of training, examining, and certifying euthanasia agencies and euthanasia technicians. The CETF shall consist of no fewer than five (5) members appointed by the Board. At its discretion, the Board may appoint itself as the CETF. The membership of the CETF shall always include at least one (1) member of the Board. New members shall be nominated by either the Board or the CETF and be confirmed by the Board. Applicants for a CETF position shall be certified euthanasia technicians (CETs) as defined by Section 54-2103(9), Idaho Code, and employed by a certified euthanasia agency as defined by Section 54-2103(8), Idaho Code, or be an Idaho licensed veterinarian. (4-2-08)

01. Term. Each member shall serve for three (3) years, at the pleasure of the Board. A CETF member may be eligible for reappointment. If there is a vacancy for any cause, the CETF or the Board shall nominate and the Board shall confirm a successor to fill the unexpired term. (4-7-11)

02. Duties. The duties of CETF members shall include, but not be limited to, the following: (7-1-93)

a. Coordinate and provide euthanasia training classes as needed. (7-1-97)

b. Inspect and certify agencies. (3-30-01)

c. Review the applications, records, performance, methods and procedures used by agencies and persons seeking to be certified or to renew their certification as a Certified Euthanasia Agency (CEA) or Certified Euthanasia Technician (CET). (3-30-01)

d. Conduct written and practical examinations for applicants applying for certification and authorize certification through the Board. (3-30-01)

e. Recommend suspension or revocation of a certification when necessary. (3-30-01)

03. Compensation. Members of the CETF shall be compensated as provided by Section 59-509(n), Idaho Code. (7-1-97)

201. METHODS OF EUTHANASIA, PRE-EUTHANASIA SEDATION, AND CHEMICAL CAPTURE.

Methods approved by the CETF and used for the purpose of humanely euthanizing, sedating, or remote chemical capturing injured, sick, homeless, or unwanted pets and animals: (4-7-11)

01. Euthanasia Drugs. Any Schedule II non-narcotic or Schedule III non-narcotic euthanasia drug covered by the Controlled Substances Act that has first been approved in writing by the CETF and the Board. A list of approved euthanasia drugs is on file at the Board office. (4-7-11)

02. Pre-Euthanasia Sedation Drugs. Any Schedule III or Schedule IV narcotic or non-narcotic controlled substance as defined by the Controlled Substances Act, or other legend drugs that have been approved for use by CEAs or CETs at a CEA facility. Such pre-euthanasia sedation drugs shall be limited to those approved in writing by the CETF and the Board. A list of approved pre-euthanasia sedation drugs is on file at the Board office. (4-7-11)

03. Remote Chemical Capture Restraint Drugs. Any Schedule III or Schedule IV narcotic or non-narcotic controlled substance as defined by the Controlled Substances Act, or other legend drugs that have been approved for use by CEAs or CETs. Such remote chemical capture restraint drugs shall be limited to those approved in writing by the CETF and the Board. A list of approved remote chemical capture restraint drugs is on file at the Board office. Use of remote chemical capture is limited to CEAs and CETs who are classified as law enforcement agencies or law enforcement personnel who have successfully completed a Board-approved course in remote chemical capture. (4-7-11)

202. PROCUREMENT AND ADMINISTRATION OF APPROVED DRUGS.

In order for a certified euthanasia agency to obtain approved drugs for euthanizing animals and a certified euthanasia technician to administer such drugs, the following procedure shall be followed: (3-30-01)

01. DEA Registration. A certified euthanasia agency (CEA) shall appoint a person who will be responsible for ordering the approved drugs and who shall submit an application for the agency's registration as a Euthanasia Agency Practitioner-A.S. to the Drug Enforcement Agency (DEA). The CEA shall also designate a certified euthanasia technician (CET) who will be responsible for the security of the agency's approved drugs. (3-30-01)

02. Controlled Substance Registration. Each CET employed by the agency shall apply for a controlled substance registration from the Idaho Board of Pharmacy under their individual name and using the CEA's DEA registration number. (3-30-01)

03. Purchase of Approved Drugs. After the certified euthanasia agency has received a DEA registration number and the CETs at that agency have received their Idaho Board of Pharmacy controlled substance registrations, the designated individual for the agency may on behalf of the agency purchase approved drugs for storage at the CEA location. Approved drugs shall only be obtained from a drug wholesaler. (5-8-09)

04. Administration of Approved Drugs. Certified euthanasia technicians employed by certified euthanasia agencies and registered with the Idaho Board of Pharmacy may perform euthanasia by the administration of approved drugs. (3-30-01)

203. FEES.

01. Payment. All fees shall be paid prior to training, examination, certification, and renewal. (3-30-01)

02. Refunds. Fees are non-refundable. (7-1-93)

204. CERTIFIED EUTHANASIA AGENCY.

A certified euthanasia agency is a law enforcement agency, an animal control agency or a society for the prevention of cruelty to animals that has been inspected and certified by the euthanasia task force or the Board, Section 54-2103(8), Idaho Code. In order to be certified to purchase and store approved drugs, certified euthanasia agencies shall be inspected by the CETF or the Board and shall meet the following criteria: (3-30-01)

01. Approved Drugs. Approved drugs shall be kept in a locked cabinet securely attached to the building in which it is housed. (3-30-01)

a. Each agency shall maintain a current written list of CET. (3-30-01)

b. Access to the drug storage cabinet shall be limited to licensed veterinary supervisors and assigned CET. Such persons shall be responsible for the security of the approved drugs and shall allow withdrawal of the approved drugs only to a person certified by the Board and registered with the Idaho Board of Pharmacy to administer such drugs. (3-30-01)

c. All approved drugs shall be prepared according to the manufacturer's instructions. (7-1-97)

d. Needles in a range of sizes that are the appropriate gauge for the intended use. Needles shall be of medical quality, and shall not be used if they are dirty, clogged, barbed, or might otherwise cause unnecessary discomfort for the animal. Needles shall not be used more than five (5) times. (3-29-10)

f. Used needles and syringes that are to be reused shall be kept in the same secure or temporary storage as the approved drugs. (7-1-97)

e. Three (3) different syringe sizes are required: three (3), six (6), and twelve (12) cc. An agency may have other syringe sizes according to its needs. Syringes shall be of medical quality. They may be reused if they are properly cleaned. (3-30-01)

- g.** Spent needles and syringes shall be disposed of in a manner that makes their re-use impossible. (7-1-93)
- 02. Proper Storage.** When no CET is on duty, proper storage for approved drugs is in a locked storage cabinet. (3-30-01)
- a.** The cabinet shall be of such material and construction that it will withstand strong attempts to break into it. A metal safe is preferred. (7-1-93)
- b.** The cabinet shall be securely attached to the building in which it is housed. (7-1-93)
- c.** The temperature and environment in the storage cabinet shall be adequate to assure the proper keeping of the drug. (7-1-93)
- 03. Proper Labeling.** Proper labeling of approved drugs shall include: (7-1-97)
- a.** Shipment records showing receipt of the approved drugs shall be maintained and include all information required by federal law, the date the shipment was received, the amount, the source, and the invoice number. Upon removal from the shipment carton, each individual container of an approved drug shall be labeled with the drug name and strength, the date the drug was prepared, a drug hazard warning label and the name and address of the agency owning the drug. (7-1-97)
- b.** Administration records showing the date an approved drug was administered, weight, species of animal and dosage of each drug administered for euthanasia and restraint, identification of the person who dispensed the approved drugs and if applicable identification of the veterinarian or CET who supervised the dispensing shall be maintained. (3-30-01)
- c.** Records of wastage shall be maintained and signed by the person administering the approved drug and the CET responsible for security. (3-30-01)
- d.** A weekly record of the approved drugs on hand, minus the amounts withdrawn for administration, signed by the CET or person responsible for security. (3-30-01)
- e.** Disposal records of any expired or unwanted approved drugs shall be maintained. Disposal of unwanted drugs and the containers, instruments and equipment used in the administration of the approved drugs shall be in conformance with the Idaho Board of Pharmacy law and rules and the Code of Federal Regulations. (3-30-01)
- 04. Temporary Storage.** When a CET is on duty and when animals are being euthanized throughout the workday, approved drugs may be kept in a temporary storage cabinet. When approved drugs are transported in a vehicle, the temporary storage cabinet shall be securely bolted to the vehicle. The cabinet shall be constructed of any strong material and shall be securely locked when not in use. The key to this cabinet shall be available only to the licensed veterinary supervisor and designated CET. (3-29-10)
- 05. Record Keeping.** Proper record keeping; (7-1-97)
- a.** All records shall be filed in chronological order in a binder that is labeled with the name of the agency. (7-1-93)
- b.** All records shall be kept for a period of three (3) years from the calendar date on the record. (7-1-93)
- 06. Proper Sanitation.** The euthanasia area shall be clean and regularly disinfected. (3-30-01)
- 07. Other Site Conditions.** Other site conditions relevant to the proper euthanasia environment. (7-1-93)
- a.** Each agency shall have a specific area designated for euthanasia. The area shall be: (7-1-93)

- i. A separate room; or (7-1-93)
- or ii. An area that is physically separated from the rest of the agency by a wall, barrier or other divider; (7-1-93)
- iii. An area that is not used for any other purpose while animals are being euthanized. (7-1-93)
- b.** The euthanasia area shall meet the following minimum standards: (7-1-93)
 - i. Lighting shall be bright and even; (7-1-93)
 - ii. The air temperature shall be within a reasonable comfort range for both the personnel and animals. A minimum sixty (60) degrees F and maximum ninety (90) degrees F is recommended; (7-1-93)
 - iii. The area shall have adequate ventilation that prevents the accumulation of odors. At least one (1) exhaust fan vented directly to the outside is recommended; and (7-1-93)
 - iv. The floor of the area shall provide dry, non-slip footing to prevent accidents. (7-1-93)
- c.** The euthanasia area shall have the following equipment: (7-1-93)
 - i. A table or other work area where animals can be handled while being euthanized. (7-1-93)
 - ii. A cabinet, table or work bench where the drugs, needles, syringes and clippers can be placed. (7-1-93)
- d.** The following items and materials shall either be kept in the euthanasia area or brought to the area each time an animal is euthanized: (3-29-10)
 - i. A first aid kit that meets minimum first aid supply standards; (7-1-93)
 - ii. One (1) or more tourniquets; (7-1-93)
 - iii. Standard electric clippers with No. 40 blade; (7-1-93)
 - iv. Animal control stick for dogs and animal net for cats (if the agency handles cats); (7-1-93)
 - v. Stethoscope; (7-1-93)
 - vi. Disinfectant. (3-29-10)
 - vii. The current certification cards for the CEA and all CETs working at the CEA, which shall be kept together. The CEA is strongly encouraged to keep all DEA and Idaho Board of Pharmacy registration cards together with the certification cards. (3-29-10)
- e.** All equipment shall be in good working order. (7-1-93)

08. Equipment Stored. All equipment shall be stored so that it does not create a safety hazard for the personnel. All drugs and other chemical agents used in the euthanasia area shall be clearly labeled as specified by Subsection 204.03 of these rules. (3-30-01)

09. Certification Renewal. Certifications may be renewed upon successful completion of a facility inspection by a CETF member, a member of the Board or other individual appointed by the CETF and payment of the annual renewal fee. (3-30-01)

205. CERTIFIED EUTHANASIA TECHNICIAN.

01. Training and Examinations. The CETF or the Board shall develop training sessions and materials that shall include, but not be limited to, the following topics: (3-30-01)

- a. Euthanasia:** (3-30-01)
 - i. The theory and history of euthanasia methods; (3-30-01)
 - ii. Animal anatomy; (3-30-01)
 - iii. Proper animal handling to ease trauma and stress; (3-30-01)
 - iv. Dosages of chemical agents, record keeping and documentation of usage, storage, handling, and disposal of out-dated drugs and their containers, instruments and equipment used in their administration in accordance with the Idaho Board of Pharmacy law and rules and the Code of Federal Regulations; (3-30-01)
 - v. Proper injection techniques; and (3-30-01)
 - vi. Proper use and handling of approved euthanasia drugs and equipment; (3-30-01)
 - vii. Examination. Following the euthanasia training, a written examination shall be given. Those passing the written examination will be eligible for the practical examination. (3-30-01)
- b. Remote Chemical Capture:** (3-30-01)
 - i. An overview of remote chemical capture; (3-30-01)
 - ii. Description and basic mechanism of action of approved drugs; (3-30-01)
 - iii. Laws, regulations and rules governing remote chemical capture; (3-30-01)
 - iv. Post-injection care; (3-30-01)
 - v. Proper use and handling of approved restraint drugs and equipment; (3-30-01)
 - vi. Human safety; (3-30-01)
 - vii. Tactics and strategy; and (3-30-01)
 - viii. Delivery systems and equipment. (3-30-01)

02. Certification Standards. Applicants for certification as a CET shall be eighteen (18) years of age or older and demonstrate proficiency in compliance with the following standards: (4-7-11)

- a. Demonstrate efficiency in euthanasia techniques in the presence of a CETF or Board member, or a person approved by the Board:** (4-7-11)
 - i. CETs are fully responsible for all actions that take place in the euthanasia area when an animal is brought to the area including, but not limited to, animal handling, use of the proper restraint technique, the proper drug dosage, and drug handling; (3-30-01)
 - ii. CETs shall be able to properly perform intravenous injections on dogs and intraperitoneal injections on both dogs and cats. Intravenous injections on cats shall not be required as part of the certification process, but when performed, shall meet the standards listed in Subparagraph 205.02.a.ii.(1) of these rules. Intracardiac injections on dogs and cats shall not be required as part of the certification process, but when performed, are restricted to the limitations listed in Subparagraph 205.02.a.ii.(3) of these rules. (4-7-11)

(1) Intravenous Injections: The CET shall be able to properly and efficiently insert the needle into an animal's vein in no more than two (2) attempts on ninety percent (90%) of the animals injected by this method. A minimum of two (2) people shall be required for any IV injection. One (1) person shall be a CET and one (1) or more people shall be the handler. The handler does not need to be a CET, but the handler should be trained in human safety and animal handling techniques; (4-7-11)

(2) Intraperitoneal Injections: The CET shall be able to efficiently insert the needle into the proper injection site in no more than two (2) attempts on ninety-five percent (95%) of the animals injected by this method. It is recommended that animals injected by this method be placed into a cage with no other animals. The front of the cage shall be covered with cloth or other material that can keep the cage isolated from the normal activities in the euthanasia area. Intraperitoneal injections may be administered by a CET without a handler. (4-7-11)

(3) Intracardiac Injections: Intracardiac injection shall be performed only on an anesthetized animal. CETs shall be able to efficiently insert the needle into the heart of an animal in no more than two (2) attempts on ninety percent (90%) of the animals injected by this method. Intracardiac injections may be administered by a CET without a handler. (3-30-01)

iii. No other injection procedures are permitted in any type of animal; (3-30-01)

iv. Oral administration of approved drugs is permitted for any animal that cannot be captured or restrained without serious danger to human safety; (3-30-01)

b. Demonstrate proper record keeping. A record of all approved drugs received and used by the agency shall be kept. The record shall contain the following information: (3-30-01)

i. A weekly verification of the drug stock on hand, signed by the CET; (3-30-01)

ii. An entry of the date that a new bottle of any approved drug is opened and the volume of the bottle, signed by the CET; (3-30-01)

iii. The species and approximate weight of each animal administered a drug; (3-30-01)

iv. The amount of the drug that was administered; (3-30-01)

v. The signature of the CET who administered the drug; (3-30-01)

vi. A record of the amount of the drug wasted, if any, signed by the CET administering the drug; and (3-30-01)

vii. A record of any disposal of expired or unwanted approved drugs, other chemical agent or the containers, instruments and equipment used in their administration, signed by the CET and disposed of in accordance with the Idaho Board of Pharmacy law and rules and the Code of Federal Regulations. (3-30-01)

c. Demonstrate understanding and concern for the needs and humane treatment of individual animals: (4-7-11)

i. All animals shall be handled in a manner that minimizes stress to the animal and maximizes the personal safety of the CET and the handler. Each animal shall be handled with the least amount of restraint necessary, but human safety shall always be the primary concern. Handling includes all aspects of moving an animal from one (1) area to another; (4-7-11)

ii. The use of control sticks and other similar devices shall be limited to fractious or potentially dangerous animals; and (3-30-01)

iii. Animals shall not be placed in cages or kennels with other breeds or species that are incompatible with the animal in question. Animals shall not be overcrowded in a cage or kennel. (7-1-93)

d. Demonstrate ability to verify death. The animal should become unconscious and show terminal signs within sixty (60) minutes of drug administration. If any animal does not show any of these signs within the designated time period, the CET shall re-administer the drug. An animal that has received an approved drug orally may be injected with the same or another approved drug after it has become unconscious. Verification is the responsibility of the CET and shall be made by physical examination of the individual animal. One (1) of the following two (2) standards for death shall be met: (4-7-11)

i. Rigor mortis; or (7-1-93)

ii. Complete lack of heartbeat (as checked with a stethoscope), complete lack of respiration, and complete lack of corneal and palpebral reflexes. (4-2-08)

e. Demonstrate ability to communicate with handlers during the euthanasia process. (3-18-99)

03. Certification. An individual shall not be certified as a CET until such time as he has demonstrated proficiency in the practical examination that shall be conducted following the successful passing of the written exam. Training courses and written and practical examinations will be given as needed. Certification and renewal training sessions and examinations will be conducted prior to July 1 of each year at a place selected by the CETF or the Board. (3-29-10)

a. An individual who has passed the written exam, but has not attended a training session and has not passed the practical examination, may serve as a probationary euthanasia technician under the direct supervision of a currently certified CET until such time as the next training course, practical exam and certification are conducted by a CETF or Board member. (3-30-07)

b. An individual who has not passed the written exam may not serve as a euthanasia technician. (4-7-11)

c. An individual who attends a training session and passes the written exam but fails the practical exam may serve on probation until the CETF member re-examines the individual. If the individual fails to pass the practical exam a second time and wishes to apply again, the individual shall attend the next regular training session and written exam. (3-30-01)

d. Upon termination from an agency as defined in Section 204 of these rules, a CET's certification immediately becomes invalid and the CET shall not perform animal euthanasia until employed by another certified euthanasia agency, at which time the certification may be reinstated. (4-7-11)

e. The agency shall notify the Board office in writing within thirty (30) days from the date the CET's employment at that agency is terminated. (3-29-10)

f. If a CET is employed again by a CEA prior to the expiration of his certification, the CEA employer may request reinstatement of the CET's certification. If a CET has not attended a euthanasia training in the three (3)-year period preceding recertification, the CET may not be recertified and will need to reapply for certification, at CETF discretion. (4-7-11)

g. All certifications expire on July 1 of each year and are effective for no longer than twelve (12) months from the date of certification. (3-30-01)

04. Certification Renewal. (4-7-11)

a. Certifications may be renewed each year by payment of the annual renewal fee, provided that, every third year following the date of certification, the CET will need to attend a euthanasia training and pay the current training and certification fee prescribed by Section 014 of these rules. (4-7-11)

b. In addition to the above euthanasia training recertification requirement, CETs classified as law enforcement personnel who use chemical capture must recertify in remote chemical capture every third year

following their original remote chemical capture certification. (4-7-11)

05. Duties. The duties of a CET shall include, but are not limited to: (7-1-97)

a. Preparing animals for euthanasia; (7-1-97)

b. Accurately recording the dosages for drugs that are administered and amounts for drugs wasted; (3-30-01)

c. Ordering supplies; (7-1-93)

d. Maintaining the security of all controlled substances and other approved drugs; (3-30-01)

e. Directly supervising probationary CET; (7-1-97)

f. Reporting to the Board violations or suspicions of a violation of these rules or any abuse of drugs; (3-30-01)

g. Humanely euthanizing animals; and (3-30-01)

h. Proper and lawful disposal of euthanized animals and expired or unwanted drugs, other chemical agent or the containers, instruments and equipment used in the administration of approved drugs. (3-30-01)

206. GROUNDS FOR DISCIPLINE -- CEAS AND CETs.

The Board may refuse to issue, renew, or reinstate the certification of a CEA or CET, or may deny, revoke, suspend, sanction, place on probation, or require voluntary surrender of the certification of a CEA or CET, impose other forms of discipline, and enter into consent agreements and negotiated settlements with CEAs and CETs pursuant to the procedures set forth in Title 67, Chapter 52, Idaho Code, for any of the following reasons: (3-30-01)

01. Failure to Carry Out Duties. Failure to carry out the duties of a CEA or CET. (3-30-01)

02. Abuse of Chemical Substances. Abuse of any chemical substance by: (3-30-01)

a. Selling or giving chemical substances away; or (7-1-97)

b. Stealing chemical substances; or (7-1-97)

c. Using chemical substances; or (3-18-99)

d. Abetting anyone in the foregoing activities. (7-1-97)

03. Euthanizing of Animals Without Proper Supervision. Allowing uncertified individuals or probationary CETs to euthanize animals or personally euthanizing animals without proper supervision. (3-30-01)

04. Administration of Approved Drugs Without Proper Supervision. Allowing uncertified individuals or probationary CETs to administer approved drugs or personally administering approved drugs without proper supervision. (3-30-01)

05. Euthanizing of Animals Without Proper Certification. Allowing individuals or probationary CETs to euthanize animals or personally euthanizing animals without being properly certified to do so. (3-30-01)

06. Fraud, Misrepresentation, or Deception. The employment of fraud, misrepresentation or deception in obtaining certification. (3-30-01)

07. Unethical or Unprofessional Conduct. Unethical or unprofessional conduct means to knowingly engage in conduct of a character likely to deceive or defraud the public and includes, but is not limited to: (3-30-01)

- a. Working in conjunction with any agency or person illegally practicing as a CEA or CET; (3-30-01)
 - b. Failing to provide sanitary facilities or apply sanitary procedures for the euthanizing of any animal; (3-30-01)
 - c. Euthanizing animals in a manner that endangers the health and welfare of the public. A CET shall not euthanize animals if his ability to practice with reasonable skill and safety is adversely affected by reason of illness, excessive use of alcohol, drugs, narcotics, chemicals, or any other substance or as a result of any mental or physical disability; (3-30-01)
 - d. Gross ignorance, incompetence or inefficiency in the euthanizing of animals as determined by, but not limited to, the practices generally and currently followed and accepted by persons certified to practice as CETs in this state; (3-30-01)
 - e. Intentionally performing a duty, task or procedure involved in the euthanizing of animals for which the individual is not qualified; and (3-30-01)
 - f. Swearing falsely in any testimony or affidavits relating to practicing as a CEA or CET. (3-30-01)
- 08. Conviction of Violating Any Federal or State Statute, Rule or Regulation.** Conviction of a charge of violating any federal or state statute or rule or regulation regulating narcotics, dangerous drugs or controlled substances. (3-30-01)
- 09. Conviction of a Charge or Crime.** Being found guilty, convicted, placed on probation, having entered a guilty plea that is accepted by the court, forfeiture of bail, bond or collateral deposited to secure a defendant's appearance, or having received a withheld judgment or suspended sentence by a court of competent jurisdiction in this state or any other state of one (1) or more of the following: (3-30-01)
- a. Any felony, as defined by Title 18, Chapter 1, Idaho Code; or (3-30-01)
 - b. Any other criminal act that in any way is related to practicing as a CEA or CET as defined by Section 54-2103(8) and (9), Idaho Code. (3-30-01)
- 10. Improper Record Keeping.** Failure to follow proper record keeping procedures as outlined in the rules of the Board. (3-30-01)
- 11. Improper Security for Approved Drugs.** Failure to provide and maintain proper security for approved euthanasia and restraint drugs as outlined in the rules of the Board. (3-30-01)
- 12. Improper Storage of Equipment and Approved Drugs.** Failure to properly store equipment or approved drugs as outlined in the rules of the Board. (3-30-01)
- 13. Improper Disposal of Approved Drugs and Equipment.** Failure to properly dispose of approved drugs and the containers, instruments and equipment used in their administration as outlined in the rules of the Board. (3-30-01)
- 14. Improper Labeling of Approved Drugs.** Failure to properly label approved euthanasia and restraint drugs as outlined by the rules of the Board. (3-30-01)
- 15. Revocation, Suspension, Limitation or Subjection.** The revocation, suspension, limitation, or subjection of a license, certificate or registration or any other disciplinary action by another state or U.S. jurisdiction or voluntary surrender of a license, certificate or registration by virtue of which one is licensed, certified or registered to practice as a CEA or CET in that state or jurisdiction on grounds other than nonpayment of the renewal fee. (3-30-01)
- 16. Failure to Cooperate.** (3-30-01)

a. Failure of any applicant or certificate holder to cooperate with the Board during any investigation, even if such investigation does not personally concern the applicant or certificate holder; or (3-30-01)

b. Failure to comply with the terms of any order, negotiated settlement, or probationary agreement of the Board; or (3-30-01)

c. Failure to comply with the terms for certification renewal or to timely pay certification renewal fees. (3-30-01)

17. Aiding and Abetting. Knowingly aiding or abetting an uncertified agency or person to practice as a CEA or CET. (3-30-01)

18. Current Certification. Practicing as a CEA or CET without a current certification. (3-30-01)

19. Improper Drug Preparation. Preparing approved drugs, contrary to manufacturer's instructions. (3-30-01)

20. Violation of any Law, Rules or Orders. Violating or attempting to violate, directly or indirectly, or assisting or abetting the violation or conspiracy to violate any provisions of the veterinary law and rules or a written order of the Board issued pursuant to Title 54, Chapter 21, Idaho Code, the Idaho Board of Pharmacy law and rules, or the Code of Federal Regulations. (3-30-01)

207. INSPECTION DEFICIENCIES.

If there are inspection deficiencies with either a CEA or CET, a CETF member or the Board shall document in writing areas for correction. The CEA or CET, or both, shall make corrections within ten (10) days of receipt of notice of deficiency and a CETF or Board member shall re-inspect within ninety (90) days of the date of the initial notice of deficiency. If the deficiency has not been corrected, the certification may be revoked by the Board and the Idaho Board of Pharmacy will be notified. (3-30-01)

208. -- 999. (RESERVED)

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