Article - Agriculture

[Previous][Next]

§2–301.

(a) In this subtitle the following words have the meanings indicated.

(b) "Board" means the State Board of Veterinary Medical Examiners.

(b–1) "Compounded nonsterile preparations" has the meaning stated in § 12–101 of the Health Occupations Article.

(b–2) "Compounded sterile preparations" has the meaning stated in § 12–101 of the Health Occupations Article.

(b–3) "Convicted" includes:

(1) A finding of guilt by a court or a jury; and

(2) The acceptance by a court of a defendant's plea of guilty, nolo contendere, or Alford plea.

(b–4) (1) "Declawing procedure" means:

(i) An onychectomy, a dactylectomy, a phalangectomy, or any other procedure that removes a portion of the paw or digit of an animal in order to remove a claw;

(ii) A tendonectomy or any other procedure that cuts or modifies the tendon of the limb, paw, or digit of an animal in order to prohibit the extension of a claw; or

(iii) Any procedure that prevents the normal functioning of one or more claws of an animal.

(2) "Declawing procedure" does not include nail filing, nail trimming, or the placement of temporary nail caps on one or more claws of an animal.

(c) "Direct supervision" means that the supervising veterinarian who is licensed and registered in the State:

(1) Is on the premises of the animal treatment facility;

(2) Is available on an immediate basis; and

(3) Has given written or oral instructions for treatment of the animal patients involved.

(c–1) "Immediate supervision" means the supervising veterinarian who is licensed and registered in the State is in the immediate area and within audible and visual range of the animal patient and the person treating the patient.

(c–2) "Indirect supervision" means the supervising veterinarian who is licensed and registered in the State:

(1) Is not required to be in the same facility or in close proximity to the individual being supervised; and

(2) (i) Has given written or oral instructions for treatment of the animal patient involved;

(ii) Is available to provide supervision by electronic or telephonic means; and

(iii) Has arranged for telephonic consultation with a licensed veterinarian, if necessary.

(d) "License" means a license to practice veterinary medicine in the State.

(e) "Member" means a member of the State Board of Veterinary Medical Examiners.

(f) "Practice of veterinary medicine" includes the practice by any person who:

(1) Diagnoses, advises, prescribes, or administers a drug, medicine, biological product, appliance, application, or treatment of any nature, for the prevention, cure, or relief of a wound, fracture, bodily injury, or disease of an animal;

(2) Performs a surgical operation, including cosmetic surgery, upon any animal;

(3) Performs dentistry on any animal;

(4) Performs any manual procedure upon an animal for the diagnosis or treatment of sterility or infertility of the animal;

(5) Represents himself as engaged in the practice of veterinary medicine;

(6) Offers, undertakes, or holds himself out as being able to diagnose, treat, operate, vaccinate, or prescribe for any animal disease, pain, injury, deformity, or physical condition; or

(7) Uses any words, letters, or titles in connection or under circumstances as to induce the belief that the person using them is engaged in the practice of veterinary medicine. This use is prima facie evidence of the intention to represent himself as engaged in the practice of veterinary medicine.

(g) "Practice of veterinary medicine" does not include or apply to:

(1) Any person practicing veterinary medicine in the performance of civil or military official duties in the service of the United States or of the State;

(2) Experimentation and scientific research of biological chemists or technicians engaged in the study and development of methods and techniques, directly or indirectly related or applicable to the problems of the practice of veterinary medicine;

(3) A person who advises with respect to or performs acts which the Board, by rule or regulation, has prescribed as accepted management practices in connection with livestock production;

(4) A physician licensed to practice medicine in the State or to his assistant while engaged in educational research;

(5) A person administering to the ills and injuries of his own animals if they otherwise comply with all laws, rules and regulations relative to the use of medicines and biologics;

(6) A farrier or a person actively engaged in the art or profession of horseshoeing as long as his actions are limited to the art of horseshoeing or trimming and maintaining horse hooves;

(7) Any nurse, attendant, technician, intern, or other employee of a licensed and registered veterinarian when administering medication or rendering auxiliary or supporting assistance under the responsible direct supervision of a licensed and registered veterinarian;

(8) A person who floats (files) equine teeth or removes caps;

(9) A person who scales or cleans animal teeth;

(10) A registered veterinary technician when performing a procedure in accordance with § 2–309.1 of this subtitle;

(11) A person practicing acupuncture in accordance with the principles of oriental medical theories if the person:

(i) Is licensed under Title 1A of the Health Occupations Article;

(ii) Is certified as an animal acupuncturist by the Board of Acupuncture;

(iii) Practices only acupuncture, acupressure, and moxibustion;

(iv) Cooperates and consults with a veterinary practitioner by:

1. Beginning acupuncture treatment on an animal only if the animal has been seen by a veterinary practitioner within the previous 14 days;

2. Adhering to the terms and conditions of treatment decided by the veterinary practitioner, including the degree of communication and collaboration between the veterinary practitioner and the person practicing acupuncture;

3. Reporting to the veterinary practitioner at the end of treatment or at monthly intervals, at the discretion of the veterinary practitioner; and

4. Not working on an animal for which the person has not been appropriately trained, in accordance with regulations adopted by the Board of Acupuncture; and

(v) Has successfully completed a specialty training program in animal acupuncture that:

1. Is approved by the Board of Acupuncture;

2. Is offered by a school holding nationally recognized accreditation;

3. Consists of at least 135 hours; and

4. Enables the person to:

A. Design effective treatments of animals based on traditional acupuncture theories and principles, including appropriate knowledge of functional animal anatomy and physiology;

B. Handle and restrain animals to the extent appropriate in the practice of acupuncture;

C. Demonstrate sufficient knowledge of animal diseases and zoonoses that would require the immediate attention of a veterinary practitioner; and

D. Communicate effectively with a veterinary practitioner;

(12) A veterinarian licensed in another jurisdiction while consulting with a veterinary practitioner in this State; or

(13) A student of veterinary medicine practicing veterinary medicine who has successfully completed 3 years of veterinary education at an institution approved by the Board and who works under the responsible direct supervision, as defined by the Board, of a veterinary practitioner.

(g–1) (1) "Therapeutic purpose" means to address a physical or medical condition that compromises the health or well–being of an animal.

(2) "Therapeutic purpose" does not include cosmetic or aesthetic reasons or reasons of convenience in the keeping or handling of the animal.

(h) "Veterinarian" means any person who is a graduate of a college of veterinary medicine.

(h–1) "Veterinary assistant" means a person who:

(1) Aids a veterinarian or veterinary technician in patient care; and

(2) Is not registered with the Board as a veterinary technician.

(i) "Veterinary practitioner" means a licensed and registered veterinarian engaged in the practice of veterinary medicine.

(j) (1) "Veterinary technician" means a person who is registered with the Board as a veterinary technician.

(2) "Veterinary technician" includes a veterinary nurse.

[Previous][Next]