

## CHAPTER 156

### VETERINARIANS

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MEDICINE

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#### BOARD OF VETERINARY MEDICINE

##### 156.001 DEFINITIONS.

Subdivision 1. **Terms.** Except where the context otherwise indicates, for the purposes of this chapter, and acts amendatory thereof, the terms defined in this section have the meanings given them.

Subd. 2. **Accredited or approved college of veterinary medicine.** "Accredited or approved college of veterinary medicine" means a veterinary college or division of a university or college that offers the degree of doctor of veterinary medicine or its equivalent and that conforms to the standards required for accreditation or approval by the American veterinary medical association.

Subd. 3. **Animal.** "Animal" does not mean poultry or birds of any kind.

Subd. 4. **Board.** "Board" means the state board of veterinary medicine.

Subd. 5. **Compensation.** "Compensation" includes but is not limited to all fees, monetary rewards, discounts, and emoluments received directly or indirectly.

Subd. 6. **ECFVG certificate.** "ECFVG certificate" means a certificate issued by the American veterinary medical association education commission for graduates of a foreign college of veterinary medicine, indicating that the holder has demonstrated knowledge and skill equivalent to that possessed by a graduate of an accredited or approved college of veterinary medicine.

Subd. 7. **Foreign college of veterinary medicine.** "Foreign college of veterinary medicine" means a college of veterinary medicine other than an accredited or approved college of veterinary medicine.

Subd. 8. **Licensee.** "Licensee" means a person licensed to practice veterinary medicine in the state of Minnesota.

Subd. 9. **Operation.** "Operation" includes but is not limited to any act of cutting, scraping, or disturbing the intact body surface in any way, and any surgical or dental procedure, except as otherwise provided in this chapter.

Subd. 10. **Practice of veterinary medicine.** "Practice of veterinary medicine" has the meaning given by section 156.12.

Subd. 11. **Veterinary medicine.** "Veterinary medicine" includes veterinary surgery, obstetrics, pathology, radiology, dentistry, ophthalmology, cardiology, dermatology, laboratory animal medicine, and all other branches or specialties of veterinary medicine.

**History:** 1965 c 204 s 1; 1975 c 271 s 6; 1976 c 285 s 1; 1985 c 228 s 1

**156.01 STATE BOARD OF VETERINARY MEDICINE.**

Subdivision 1. There is hereby created a state board of veterinary medicine which shall consist of two public members as defined by section 214.02 and five qualified veterinarians appointed by the governor. Each appointee shall be a resident of the state of Minnesota, and the veterinarian members of the board shall have practiced veterinary medicine in this state for at least five years prior to their appointment and shall be graduates of an accredited veterinary college. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements shall be as provided in sections 214.07 to 214.09. The provision of staff, administrative services and office space; the review and processing of complaints; the setting of board fees; and other provisions relating to board operations shall be as provided in chapter 214.

Subd. 2. Whenever the occasion arises pursuant to this chapter for the appointment of a veterinarian member of the board by the governor the board of trustees of the Minnesota state veterinary medical society may recommend to the governor, at least 30 days in advance of the date that the appointment is to be made, three veterinarians qualified to serve on the board for each appointment so to be made.

Subd. 3. The board shall elect from its number a president and such other officers as are necessary, all from within its membership. One person may hold the offices of both secretary and treasurer. The board shall have a seal and the power to subpoena witnesses, to administer oaths, and take testimony. It shall make, alter, or amend such rules as may be necessary to carry into effect the provisions of this chapter. It shall hold examinations for applicants for license to engage in veterinary practice at a time and place of its own choosing. Notice of such examination shall be posted 90 days before the date set for an examination in all veterinary schools approved by the board in the state, and shall be published in the journal of the American Veterinary Medical Association. The board may hold such other meetings as it deems necessary; but no meeting shall exceed three days duration.

Subd. 4. [Repealed, 1976 c 222 s 209]

Subd. 5. The executive secretary shall conduct all correspondence necessary to carry out the provisions of this chapter. The board shall keep an official record of all meetings. The board shall keep an official register of all applicants for licenses and a register of licensees. Such registers shall be prima facie evidence of the matters therein contained.

**History:** (5851-1) 1937 c 119 s 1; 1965 c 204 s 2; 1973 c 638 s 39,40; 1975 c 136 s 44,45; 1975 c 271 s 6; 1976 c 222 s 123,124; 1976 c 239 s 62; 1985 c 248 s 70; 1991 c 199 art 1 s 48

**156.02 APPLICANTS FOR LICENSE; QUALIFICATIONS.**

Subdivision 1. **License application.** Application for a license to practice veterinary medicine in this state shall be made in writing to the board of veterinary medicine upon a form furnished by the board, accompanied by satisfactory evidence that the applicant is at least 18 years of age, is of good moral character, and has one of the following:

- (1) a diploma conferring the degree of doctor of veterinary medicine, or an equivalent degree, from an accredited or approved college of veterinary medicine;
- (2) an ECFVG certificate; or
- (3) a certificate from the dean of an accredited or approved college of veterinary medicine stating that the applicant is a student in good standing expecting to be graduated at the completion of the current academic year of the college in which the applicant is enrolled.

The application shall contain the information and material required by subdivision 2 and any other information that the board may, in its sound judgment, require. The application shall be filed with the secretary of the board at least 45 days before the date of the examination. If the board deems it advisable, it may require that such application be verified by the oath of the applicant.

Subd. 2. Every application shall contain the following information and material: (1) A fee as set by the board in the form of a check or money order payable to the state treasurer, which fee shall not be returnable in the event permission to take the examination is denied upon good cause; (2) A certificate from the dean or secretary of an approved college of veterinary medicine showing the time spent in the school, and the date when the applicant was duly and regularly graduated or will duly and regularly graduate. If the applicant attended more than one college of veterinary medicine, the applicant shall furnish transcripts from each as to work done in each; (3) Affidavits of at least two veterinarians and three adults who are not related to the applicant setting forth how long a time, when, and under what circumstances they have known the applicant, and any other facts as may be proper to enable the board to determine the qualifications of the applicant; (4) If the applicant has served in the armed forces, the applicant shall furnish a copy of discharge papers.

**History:** (5851-2) 1937 c 119 s 2; 1965 c 204 s 3; 1973 c 725 s 22; 1975 c 271 s 6; 1976 c 222 s 125; 1976 c 285 s 2,3; 1985 c 228 s 2; 1986 c 444; 1989 c 314 s 3

#### 156.03 EXAMINATION; PAYMENT.

Upon filing the application and any other papers, affidavits, or proof that the board of veterinary medicine may require, together with the payment to the board of a fee as set by the board, the board, if satisfied, shall issue to the applicant for license an order for examination. Every applicant for a license shall submit to a theoretical or practical examination, or both, as designated by the board. The examination may be oral, or written, or both.

**History:** (5851-3) 1937 c 119 s 3; 1965 c 204 s 4; 1975 c 271 s 6; 1976 c 222 s 126; 1976 c 285 s 4

#### 156.04 BOARD TO ISSUE LICENSE.

The board of veterinary medicine shall issue to every applicant who has successfully passed the required examination, who has received a diploma conferring the degree of doctor of veterinary medicine or an equivalent degree from a veterinary school approved by the board, and who shall have been adjudged to be duly qualified to practice veterinary medicine a license to practice.

**History:** (5851-4) 1937 c 119 s 4; 1975 c 271 s 6; 1976 c 285 s 5

#### 156.05 LICENSE.

The license shall be subscribed by the members of the board of veterinary medicine and have affixed to it by the director the seal of the board.

**History:** (5851-5) 1937 c 119 s 5; 1965 c 204 s 5; 1975 c 271 s 6; 1985 c 247 s 25

#### 156.06 LICENSE RECORDED.

The license, before issued, shall be recorded in a book to be kept in the office which the board of veterinary medicine shall establish for the purpose of carrying out the provisions of this chapter. These records shall be open to public inspection with proper restrictions as to their preservation.

**History:** (5851-6) 1937 c 119 s 6; 1965 c 204 s 6; 1975 c 271 s 6

#### 156.07 LICENSE RENEWAL.

Persons licensed under this chapter, shall conspicuously display their license in their principal place of business.

Persons now qualified to practice veterinary medicine in this state, or who shall hereafter be licensed by the board of veterinary medicine to engage in the practice, shall periodically renew their license in a manner prescribed by the board. Renewal fees shall be set by the board. The board may assess a charge for delinquent payment of a renewal fee.

Any person who is licensed to practice veterinary medicine in this state pursuant to this chapter, shall be entitled to receive a license to continue to practice upon making application to the board and complying with the terms of this section.

**History:** (5851-7) 1937 c 119 s 7; 1963 c 578 s 1; 1965 c 204 s 7; 1975 c 271 s 6; 1976 c 222 s 127; 1976 c 285 s 6; 1986 c 444

#### **156.071 REINSTATEMENT OF EXPIRED LICENSE.**

Except as otherwise provided in this chapter, an expired license, which is suspended by the board pursuant to section 156.07, may be reinstated at any time within five years after its suspension on filing an application for reinstatement on a form prescribed by the board and by payment of the renewal fee in effect on the last preceding regular renewal date, plus all back fees and the late filing fee.

A person who fails to renew a license within five years after its suspension may not renew it, and it shall not be restored, reissued, or reinstated thereafter, but such person may apply for and obtain a new license on complying with the following conditions: (1) The person is of good moral character; (2) No fact, circumstance, or condition exists which, if the license were issued, would justify its revocation or suspension; (3) The person takes and passes the examination, if any, which would be required if the person were then applying for a license for the first time, or otherwise establishes to the satisfaction of the board that, with due regard for the public interest the person is qualified to practice veterinary medicine; and (4) The person pays all of the fees that would be required if the person were then applying for the license for the first time.

**History:** 1965 c 204 s 8; 1986 c 444

#### **156.072 NONRESIDENTS; LICENSES.**

Subdivision 1. A doctor of veterinary medicine duly admitted to practice in any of the other states or territories or District of Columbia desiring permission to practice veterinary medicine in this state shall submit an application to the board upon forms prescribed by the board. Upon proof of licensure to practice in any other state or territory or in the District of Columbia and has been actively engaged in practicing veterinary medicine therein, for at least five years next preceding the application, or has been engaged in full time teaching of veterinary medicine in an approved college for at least five years next preceding the application, or any combination thereof, the examination may be waived, upon the recommendation of the board, and the applicant be admitted to practice without examination. However, the board may impose any other tests as it considers proper.

Subd. 2. Such doctor of veterinary medicine shall accompany the application by the following:

(1) A certified copy of the license registration and affidavits of two practicing doctors of veterinary medicine of the state, territory or District of Columbia so certifying that they are well acquainted with such applicant, that the applicant is a person of good moral character, and has been actively engaged in practicing or teaching as the case may be in such state, territory, or District of Columbia for the period above prescribed;

(2) A certificate from the proper body therein having jurisdiction over the conduct of practice of veterinary medicine that such applicant is in good standing and not under pending charges of misconduct; and

(3) A fee as set by the board in form of check or money order payable to the treasurer of the state of Minnesota, no part of which shall be refunded, should the application be denied.

Subd. 3. A doctor of veterinary medicine duly admitted to practice in any of the other states or territories or in the District of Columbia desiring admission to practice in this state but who has not been actively engaged in the practice thereof for the period prescribed herein must be examined for admission in accordance with the rules prescribed herein for those not admitted to practice anywhere and in addition, must meet all of the requirements of this section except that the fee may differ from the fee charged to those not admitted to practice in other states.

Subd. 4. The board may enter into reciprocity agreements with other states that have comparable licensing requirements and may issue a license without requiring an examination.

Subd. 5. The board may issue without examination a temporary permit to practice veterinary medicine in this state to a person who has submitted an application approved by the board for license pending examination, and holds a degree doctor of veterinary medicine or an equivalent degree from a veterinary college approved by the board. The temporary permit shall expire the day after publication of the notice of results of the first examination given after the permit is issued. No temporary permit may be issued to any applicant who has previously failed the examination in this state or in any other state, territory, or district of the United States or a foreign country.

**History:** 1965 c 204 s 9; 1976 c 222 s 128,129; 1976 c 285 s 7-9; 1986 c 444

**156.08** [Repealed, 1965 c 204 s 13]

**156.081 REVOCATION; SUSPENSION.**

Subdivision 1. The board may revoke or suspend for a certain time the license of any person to practice veterinary medicine or any branch thereof in this state for any of the causes provided in this section. The executive secretary, in all cases of suspension or revocation of licenses, shall enter on the register the fact of suspension or revocation, as the case may be. The record of such suspension or revocation so made by the secretary shall be prima facie evidence of the fact thereof, and of the regularity of all the proceedings of the board in the matter of the suspension or revocation.

Subd. 2. The board may revoke or suspend a license for any of the following causes:

(1) The employment of fraud, misrepresentation or deception in obtaining such license.

(2) Conviction of a crime involving moral turpitude or conviction of a felony, in which case the record shall be conclusive evidence of such conviction.

(3) Chronic inebriety or addiction to the use of habit forming drugs.

(4) Existence of professional connection with or the lending of one's name to any illegal practitioner of veterinary medicine and the various branches thereof.

(5) Violation or attempt to violate, directly or indirectly, any of the provisions of this chapter.

(6) Revocation by another state or territory of a license or certificate by virtue of which one is licensed to practice veterinary medicine in that state or territory, notwithstanding that such license or certificate did not support the application for license to practice in this state.

(7) Conviction of or cash compromise of a charge or violation of the Harrison Narcotic Act, regulating narcotics, in which case the record of such conviction or compromise, as the case may be, shall be conclusive evidence.

(8) Fraud or dishonesty in applying, treating, or reporting on tuberculin or other biological tests.

(9) Employment of anyone but a veterinarian licensed in the state of Minnesota to demonstrate the use of biologics in the treatment of animals.

(10) False or misleading advertising having for its purpose or intent deception or fraud.

(11) Habitual conduct reflecting unfavorably on the profession of veterinary medicine or conduct in violation of law or rules of the board.

(12) Conviction on a charge of cruelty to animals.

(13) Failure, after written notification by the board, to keep one's premises and all equipment therein in a clean and sanitary condition, according to reasonable standards adopted by the board.

(14) Fraud, deception, or incompetence in the practice of veterinary medicine.

(15) Unprofessional conduct as defined in rules adopted by the board.

A plea or verdict of guilty to a charge of a felony or of any offense involving moral turpitude is deemed to be a conviction within the meaning of this section. The board may order the license suspended or revoked, or may decline to issue a license, when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal.

Subd. 3. The adjudication of insanity or mental illness, of any licensee shall operate as a suspension of the right to practice under this chapter. Such suspension shall continue until such licensee is restored to capacity by proper authorities, except that any such licensee may practice veterinary medicine while on a provisional discharge.

**History:** 1965 c 204 s 10; 1976 c 222 s 130; 1985 c 228 s 3; 1985 c 248 s 70; 1986 c 444

**156.09** [Repealed, 1985 c 228 s 5]

### **156.10 UNLAWFUL PRACTICE WITHOUT LICENSE OR PERMIT.**

It shall be unlawful for any person to practice veterinary medicine, or any branch thereof, in the state without having first secured a license or temporary permit, as provided in this chapter, and any person violating the provisions of this section shall be guilty of a gross misdemeanor and punished therefor according to the laws of the state.

**History:** (5851-10) 1937 c 119 s 10; 1976 c 285 s 10

### **156.11 CORPORATIONS NOT TO PRACTICE.**

It shall be unlawful in the state of Minnesota for any corporation, other than one organized pursuant to chapter 319A, to practice veterinary medicine, or to hold itself out or advertise itself in any way as being entitled to practice veterinary medicine, or to receive the fees, or portions of fees, or gifts or other emoluments or benefits derived from the practice of veterinary medicine, or the performance of veterinary services by any person, whether such person be licensed to practice veterinary medicine or not. Any corporation violating the provisions of this section shall be guilty of a gross misdemeanor and fined not more than \$3,000 for each offense, and each day that this chapter is violated shall be considered a separate offense.

**History:** (5851-11) 1937 c 119 s 11; 1971 c 450 s 1; 1976 c 239 s 72; 1984 c 628 art 3 s 11

### **156.12 PRACTICE OF VETERINARY MEDICINE.**

Subdivision 1. The practice of veterinary medicine, as used in this chapter, shall mean the diagnosis, treatment, correction, relief, or prevention of animal disease, deformity, defect, injury, or other physical or mental conditions; the performance of obstetrical procedures for animals, including determination of pregnancy and correction of sterility or infertility; and the rendering of advice or recommendations with regard to any of the above. The practice of veterinary medicine shall include but not be limited to the prescription or administration of any drug, medicine, biologic, apparatus, application, anesthetic, or other therapeutic or diagnostic substance or technique. The practice shall not be construed to include the dehorning of cattle and goats or the castration of cattle, swine, goats, and sheep, or the docking of sheep.

Subd. 2. No provision of this chapter shall be construed to prohibit:

(a) a person from rendering necessary gratuitous assistance in the treatment of any animal when the assistance does not amount to prescribing, testing for, or diagnosing, operating, or vaccinating and when the attendance of a licensed veterinarian cannot be procured;

(b) a person who is a regular student in an accredited or approved college of veterinary medicine from performing duties or actions assigned by instructors or preceptors or working under the direct supervision of a licensed veterinarian;

(c) a veterinarian regularly licensed in another jurisdiction from consulting with a licensed veterinarian in this state;

(d) the owner of an animal and the owner's regular employee from caring for and treating the animal belonging to the owner, except where the ownership of the animal was transferred for purposes of circumventing this chapter;

(e) veterinarians employed by the University of Minnesota from performing their duties with the college of veterinary medicine, college of agriculture, agricultural experiment station, agricultural extension service, medical school, school of public health, or other unit within the university; or a person from lecturing or giving instructions or demonstrations at the university or in connection with a continuing education course or seminar to veterinarians;

(f) any person from selling or applying any pesticide, insecticide or herbicide;

(g) any person from engaging in bona fide scientific research or investigations which reasonably requires experimentation involving animals;

(h) any employee of a licensed veterinarian from performing duties other than diagnosis, prescription or surgical correction under the direction and supervision of the veterinarian, who shall be responsible for the performance of the employee;

(i) a graduate of a foreign college of veterinary medicine from working under the direct personal instruction, control, or supervision of a licensed veterinarian in order to complete the requirements necessary to obtain an ECFVG certificate.

Subd. 3. Any person who both sells and applies or offers to apply, any drug, medicine, biologic preparation, including sera, vaccines, bacterins, tuberculin, mallein, johnin, or any other material agency for the treatment, vaccination, or testing of any animal belonging to another, shall be engaged in the practice of veterinary medicine.

Subd. 4. It shall be unlawful for a person who has not received a professional degree from a college of veterinary medicine to use any of the following titles or designations: Veterinary, veterinarian, animal doctor, animal surgeon, or any other title, designation, word, letter, abbreviation, sign, card, or device tending to indicate that the person is qualified to practice veterinary medicine.

Subd. 5. The board may, at any time upon written complaint, inspect the premises in which veterinary medicine is being practiced for cleanliness and sanitation and may direct action to insure adequate cleanliness and sanitation.

**History:** (5851-12) 1937 c 119 s 12; 1965 c 204 s 11; 1976 c 285 s 11; 1984 c 427 s 1; 1985 c 228 s 4; 1986 c 444

### 156.13 PENALTIES, HOW RECOVERED.

The penalties prescribed in this chapter may be recovered in a civil case instituted by the board of veterinary medicine in the name of the state or by a criminal prosecution upon complaint being made. In case any county attorney shall omit or refuse to conduct such civil action or such criminal prosecution, the board may employ another attorney for that purpose.

**History:** (5851-13) 1937 c 119 s 13; 1975 c 271 s 6

### 156.14 EXPENSES.

The expenses of administering sections 156.001 to 156.14 shall be paid from the appropriations made to the state board of veterinary medicine.

**History:** (5851-14) 1937 c 119 s 14; 1965 c 204 s 12; 1973 c 638 s 41; 1975 c 271 s 6; 1976 c 222 s 131

## VETERINARY PRESCRIPTION DRUGS

### 156.16 DEFINITIONS.

Subdivision 1. **Applicability.** The definitions in this section apply to sections 156.16 to 156.20.

Subd. 2. **Client.** "Client" means the owner or caretaker of an animal who arranges for the animal's veterinary care.

Subd. 3. **Dispensing.** "Dispensing" means distribution of veterinary prescription drugs or over-the-counter drugs for extra-label use by a person registered by the board of pharmacy to dispense or a person licensed by the board of veterinary medicine.

Subd. 4. **Extra-label use.** "Extra-label use" means the actual or intended use of a human or veterinary drug in an animal in a manner that is not in accordance with the drug's labeling.

Subd. 5. **Food-producing animals.** "Food-producing animals" means livestock or poultry raised commercially for human consumption.

Subd. 6. **Over-the-counter drug.** "Over-the-counter drug" means a veterinary drug labeled "for veterinary use only" or "for animal use only" that does not require a prescription or is not required to have the restrictive legend: "Caution: federal law restricts this drug to use by or on the order of a licensed veterinarian."

Subd. 7. **Patient.** "Patient" means an animal for which a veterinary prescription drug is used or intended to be used.

Subd. 8. **Person.** "Person" means an individual, or a firm, partnership, company, corporation, trustee, association, agency, or other public or private entity.

Subd. 9. **Pharmacist.** "Pharmacist" means an individual with a valid Minnesota license to practice pharmacy.

Subd. 10. **Prescription.** "Prescription" means an order from a veterinarian to a pharmacist or another veterinarian authorizing the dispensing of a veterinary prescription drug to a client for use on or in a patient.

Subd. 11. **Veterinarian.** "Veterinarian" means an individual with a valid Minnesota license to practice veterinary medicine.

Subd. 12. **Veterinarian-client-patient relationship.** "Veterinarian-client-patient relationship" means a relationship in which the conditions in paragraphs (a) to (d) have been met.

(a) The veterinarian has assumed the responsibility for making medical judgments regarding the health of the animal and the need for medical treatment, and the client has agreed to follow the instructions of the veterinarian.

(b) The veterinarian has sufficient knowledge of the animal to initiate at least a general, preliminary, or tentative diagnosis of the medical condition of the animal. The veterinarian must be acquainted with the keeping and care of the animal by virtue of an examination of the animal or medically appropriate and timely visits to the premises where the animal is kept.

(c) The veterinarian is available for consultation in case of adverse reactions or failure of the regimen of therapy.

(d) The veterinarian maintains records documenting patient visits, diagnosis, treatments, and drugs prescribed, dispensed, or administered, and other relevant information.

Subd. 13. **Veterinary drug.** "Veterinary drug" means:

(1) a drug for animal use recognized in the official United States Pharmacopoeia or National Formulary of the United States;

(2) a drug intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in animals;

(3) a drug, other than feed, medicated feed, or a growth promoting implant intended to affect the structure or function of the body of an animal; or

(4) a drug intended for use as a component of a drug in clause (1), (2), or (3).

Subd. 14. **Veterinary prescription drug.** "Veterinary prescription drug" means:

(1) a drug that is not safe for animal use except under the supervision of a veterinarian, and that is required by federal law to bear the following statement: "Caution: federal law restricts this drug to use by or on the order of a licensed veterinarian";



- (2) a drug that is required by state law to be dispensed only on order or prescription of a licensed veterinarian; and
- (3) the extra-label use of an over-the-counter drug.

**History:** 1989 c 314 s 4

### 156.17 POSSESSION PROHIBITED.

A person may not possess a veterinary prescription drug unless the person is a licensed veterinarian or pharmacist, a client holding a veterinary prescription drug by or on the order of a veterinarian, a manufacturer or wholesaler of veterinary drugs, an animal health researcher, or a person performing official state or federal regulatory duties.

**History:** 1989 c 314 s 5

### 156.18 VETERINARY PRESCRIPTION DRUGS.

**Subdivision 1. Prescription.** (a) A person may not dispense a veterinary prescription drug to a client without a prescription or other veterinary authorization. A person may not make extra-label use of a veterinary drug without a prescription from a veterinarian. A veterinarian or the veterinarian's authorized agent may dispense a veterinary prescription drug to a client or oversee the extra-label use of a veterinary drug directly by a client without a separate written prescription.

(b) A veterinarian may sell prescription veterinary drugs and prescribe extra-label use drugs to a client without personally examining the animal if a veterinarian-client-patient relationship exists and in the judgment of the veterinarian the client has sufficient knowledge to use the drugs properly.

(c) A veterinarian may issue a prescription or other veterinary authorization by oral or written communication to the dispenser, or by computer connection. If the communication is oral, the veterinarian must enter it into the patient's record. The dispenser must record the veterinarian's prescription or other veterinary authorization within 72 hours.

(d) A prescription or other veterinary authorization must include:

- (1) the name, address, and, if written, the signature of the prescriber;
- (2) the name and address of the client;
- (3) identification of the species for which the drug is prescribed or ordered;
- (4) the name, strength, and quantity of the drug;
- (5) the date of issue;
- (6) directions for use; and
- (7) withdrawal time.

**Subd. 2. Label of dispensed veterinary drugs.** (a) A veterinarian or the veterinarian's authorized agent dispensing a veterinary prescription drug or prescribing the extra-label use of an over-the-counter drug must provide written information which includes the name and address of the veterinarian, date of filling, species of patient, name or names of drug, directions for use, withdrawal time, and cautionary statements, if any, appropriate for the drug.

(b) If the veterinary drug has been prepared, mixed, formulated, or packaged by the dispenser, all of the information required in paragraph (a) must be provided on a label affixed to the container.

(c) If the veterinary drug is in the manufacturer's original package, the information required in paragraph (a) must be supplied in writing but need not be affixed to the container. Information required in paragraph (a) that is provided by the manufacturer on the original package does not need to be repeated in the separate written information. Written information required by this paragraph may be written on the sales invoice.

**Subd. 3. Records on veterinary drug transactions.** A veterinarian must maintain

complete records of receipt and distribution of each prescription veterinary drug. The records may be kept in the form of sales invoices, shipping records, prescription files, or a record or log established solely to satisfy the requirements of this subdivision. Records must include:

- (1) the name of the drug;
- (2) the name and address of the person from whom the drug was shipped and the date and quantity received; and
- (3) the name and address of the person to whom the drug was distributed and the date and quantity shipped or otherwise distributed.

**Subd. 4. Record keeping.** Records required by this section must be kept for at least two years after dispensing of the drug has been completed.

**History:** 1989 c 314 s 6

#### 156.19 EXTRA-LABEL USE.

A person, other than a veterinarian or a person working under the control of a veterinarian, must not make extra-label use of a veterinary drug in or on a food-producing animal, unless permitted by the prescription of a veterinarian. A veterinarian may prescribe the extra-label use of a veterinary drug if:

- (1) the veterinarian makes a careful medical diagnosis within the context of a valid veterinarian-client-patient relationship;
- (2) the veterinarian determines that there is no marketed drug specifically labeled to treat the condition diagnosed, or that drug therapy as recommended by the labeling has, in the judgment of the attending veterinarian, been found to be clinically ineffective;
- (3) the veterinarian recommends procedures to ensure that the identity of the treated animal will be carefully maintained; and
- (4) the veterinarian prescribes a significantly extended time period for drug withdrawal before marketing meat, milk, or eggs.

**History:** 1989 c 314 s 7

#### 156.20 INSPECTIONS AND SAMPLES.

**Subdivision 1. Authority.** To enforce sections 156.16 to 156.19, a veterinarian must allow authorized representatives of the board of veterinary medicine, after receiving allegations of a violation of sections 156.16 to 156.19 and upon presenting appropriate credentials to the veterinarian in charge, to:

- (1) enter premises in which veterinary drugs are held for distribution in Minnesota at reasonable times, within reasonable limits, and in a reasonable manner;
- (2) inspect pertinent records, equipment, materials, containers, and facilities bearing on whether veterinary drugs are in compliance with sections 156.16 to 156.19; and
- (3) collect samples.

**Subd. 2. Limits on inspection.** An inspection authorized by this section may not extend to financial information, pricing information, personnel information, or sales information other than shipment information. An inspection must be started and completed with reasonable promptness.

**History:** 1989 c 314 s 8