

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted. Complete new sections are not in boldface or underlined.)

Chapter 68. Board of Veterinary Examiners.

12 AAC 68.010(b) is amended to read:

(b) An application for licensure by examination and all supporting documents must be received by the department at least **15** [120] days before the **deadline to register for the examination as set by the International Council for Veterinary Assessment (ICVA)** [NEXT SCHEDULED EXAMINATION].

(Eff. 3/27/71, Register 37; am 7/11/81, Register 79; am 4/22/83, Register 86; am 6/29/84, Register 90; am 4/10/88, Register 106; am 12/27/90, Register 116; am 5/9/98, Register 146; am 1/1/2000, Register 152; am 8/13/2000, Register 155; am 9/2/2001, Register 159; am 5/23/2003, Register 166; am 8/6/2006, Register 179; am 5/11/2007, Register 182; am 5/30/2015, Register 214; am ____ / ____ / _____, Register _____)

Authority: AS 08.98.050 AS 08.98.165

Editor's note: The International Council for Veterinary Assessment (ICVA) described in 12 AAC 68.010(b) is administered by ICVA, P.O. Box 1356, Bismarck, ND 58502; Telephone: (701) 224-0332; website at <https://www.icva.net/navle/>.

12 AAC 68 is amended by adding a new section to read:

12 AAC 68.215. Veterinarian-client-patient relationship. (a) A person may not practice veterinary medicine unless a veterinarian-client-patient relationship exists. "Patient" and "client" are defined in 12 AAC 68.990. A veterinarian-client-patient relationship exists if the

licensed veterinarian or an associate of the licensed veterinarian:

(1) has assumed responsibility for making clinical judgements for the health of the patient and the need for medical therapy, has instructed the client on a course of therapy appropriate to the circumstance, and that client has agreed to follow the veterinarian's recommendations;

(2) has sufficient knowledge of the patient to initiate at least a general or preliminary diagnosis of the medical conditions; sufficient knowledge means the veterinarian has seen the patient for a physical examination within the last 12 months, or is personally acquainted with the keeping and care of the patient through medically appropriate visits to the premises where the patient is maintained within the last 12 months;

(3) provides oversight of treatment and is readily available to provide, or has provided for, follow-up medical care in the event of adverse reactions or failure of the treatment regimen;

(4) maintains patient records.

(b) A veterinarian-client-patient relationship cannot be established solely by telephone or other electronic means; however, an established veterinarian-client-patient relationship as defined in (a) of this section may be maintained by electronic or telephonic means during a 12-month period.

(c) Both the licensed veterinarian and the client have the right to establish or decline a veterinarian-client-patient relationship.

(d) A licensed veterinarian who in good faith engages in the practice of veterinary medicine by rendering or attempting to render emergency or urgent care to a patient when a client cannot be identified, and a veterinarian-client-patient relationship is not established, shall not be

subject to penalty based solely on the veterinarian's inability to establish a veterinarian-client-patient relationship.

(e) In remote regions of this state that are without access to the road system, where there is no locally available veterinarian, it may be logistically impossible for the patient or veterinarian to immediately travel for in-person consultation. In these cases, an emergency exists and the patient is at risk of going untreated. In this situation, an evaluation of the patient or premises may be initially conducted through electronic or telephonic means, as long as the veterinarian requests that the patient be presented for an in-person examination or that the veterinarian conducts a medically appropriate visit to the premise when reasonably achievable. The veterinarian acting in this manner must be licensed in this state at the time the electronic or telephonic evaluation is conducted. The veterinarian must provide the client with the veterinarian's identity, location, licensure status, and any privacy or security issues involved in accessing veterinary services through electronic means. (Eff. ____/____/_____, Register _____)

Authority: AS 08.98.050

12 AAC 68.315(b) is amended to read:

(b) An application for examination or reexamination must be received by the department at least **15** [45] days before the **deadline to register for** [DATE OF] the next examination **as set by the American Association of Veterinary State Boards**. Applicants who fail the examination may retake the examination within one year from the date of their application. After the expiration of one year from the date of application, applicants who wish to retake the examination must reapply for it.

Register _____, _____ 2021 **PROFESSIONAL REGULATIONS**

(Eff. 10/21/92, Register 124; am 5/9/98, Register 146; am 9/2/2001, Register 159; am 4/9/2005, Register 174; am 5/30/2015, Register 214; am ____/____/_____, Register _____)

Authority: AS 08.98.050 AS 08.98.080 AS 08.98.167

Editor's note: The American Association of Veterinary State Boards (AAVSB) described in 12 AAC 68.315 is administered by AAVSB, 380 W. 22nd Street, Suite 101, Kansas City, MO 64108; Telephone: (816) 931-1504; website at <https://aavsb.org/vtne-overview/the-online-application>.

12 AAC 68.910(e) is amended to read:

(e) Unless released to the patient's owner, patient medical records must be retained by the veterinary medical facility or licensed veterinarian for a minimum of five years. Records may be disposed of by tearing, shredding, [OR] burning, **or other method for electronic disposal** so that the records are totally destroyed. (Eff. 2/10/85, Register 93; am 5/9/98, Register 146; am ____/____/_____, Register _____)

Authority: AS 08.98.050

12 AAC 68.930 is amended to read:

12 AAC 68.930. Registration with the prescription drug monitoring program controlled substance prescription database. (a) A licensed veterinarian who has a federal Drug Enforcement Administration registration number must register with the prescription drug monitoring program (PDMP) controlled substance prescription database under AS 17.30.200, **not later than 30 days after initial licensure or registration with the Drug Enforcement Administration (DEA), whichever is later.**

(b) A veterinarian may delegate PDMP responsibilities to another veterinarian or veterinary technician within their practice who holds a current license under AS 08.68 and this chapter.

(c) The veterinarian’s delegate must be registered with the PDMP using a separate login, and shall register using the name of the delegating veterinarian. The veterinarian may not give their login to a delegate. (Eff. 5/16/2020, Register 234; am ___/___/___, Register _____)

Authority: AS 08.98.050 AS 17.30.200

12 AAC 68 is amended by adding a new section to read:

12 AAC 68. 935. Compliance with the prescription drug monitoring program controlled substance prescription database. (a) Unless excused under AS 17.30.200(t) and (c) of this section, a veterinarian or the veterinarian’s delegate must review the information in the PDMP database to check a client’s prescription records before dispensing, prescribing, or administering a schedule II or III controlled substance to the client.

(b) Unless excused under AS 17.30.200(t) and (c) of this section, a veterinarian who dispenses a schedule II, III, or IV controlled substance must submit the information as required by AS 17.30.200(b), to the prescription drug monitoring program (PDMP) daily including days when no controlled substances are dispensed. When reporting a dispensed controlled substance under this subsection, the veterinarian shall use the name of the client.

(c) A veterinarian is not required to review the client’s information in the PDMP database before prescribing, administering, or dispensing a controlled substance if

(1) the patient is receiving treatment

- (A) in an inpatient setting;
- (B) at the scene of an emergency;
- (C) in an emergency veterinary hospital;
- (D) immediately before, during, or within the first 48 hours after surgery

or a medical procedure; or

(2) the prescription is non-refillable and is written for a quantity intended to last for not more than three days.

(d) In this section

- (1) "reporting" means inputting prescription data for the client's animal patient;
- (2) "client" has the meaning given in 12 AAC 68.990(1);
- (3) "emergency veterinary hospital" means a veterinary hospital or emergency

service with the primary function of receiving, treating, and monitoring of emergency patients during its specified hours of operation. A veterinarian must be in attendance at all hours of operation and sufficient staff must be available to provide timely and appropriate care. A veterinary emergency service may be an independent, after-hours service; an independent 24-hour service; or part of a full-service hospital. (Eff. ____/____/____, Register ____)

Authority: AS 08.98.050 AS 17.30.200

12 AAC 68.990 is amended by adding a new paragraph to read:

(6) "veterinary facility" or "veterinary medical facility" means any premises or facility where the practice of veterinary medicine is performed, including but not limited to a mobile clinic, temporary clinic, outpatient clinic, veterinary hospital or clinic, emergency facility, specialty facility, referral facility, or veterinary center, but shall not include the premises of a

Register _____, _____ 2021 **PROFESSIONAL REGULATIONS**

veterinary client, research facility, or a federal military base. (Eff. 4/10/88, Register 106; am 5/9/98, Register 146; am 1/1/2000, Register 152; am 5/16/2020, Register 234; am ___/___/_____, Register _____)

Authority: AS 08.98.050