

256 CMR 5.00: PRACTICE

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5.01: Medical Records

(1) A licensee shall maintain a legible record for each patient. The identity of the author of all medical records shall be clearly noted on all records by either signature or initials. A licensee shall keep all original medical records and radiographs readily available for four years after the last contact with the animal. Upon the request of the owner, a licensee shall provide copies of medical records and radiographs to the owner of an animal or another veterinarian. A reasonable fee may be charged for the cost of such copies.

(2) A licensee shall accurately record the following information on each animal's medical record:

- (a) the owner's or owner's duly authorized agent's name, address, home and work telephone numbers;
- (b) the animal's name, any applicable identification number(s), species, breed, date of birth, sex, color, markings and current weight;
- (c) appropriate information to justify any tentative diagnosis and to warrant any treatment at the time of data entry on the record;
- (d) the date, initial problem, pertinent history, examination findings, and any plan for treatment and care;
- (e) all vaccines administered;
- (f) all laboratory tests;
- (g) all imaging evaluations;
- (h) all professional consultation reports;
- (i) all consent forms, such as anesthesia, surgery, euthanasia and necropsy consent forms, or child-resistant container waivers;
- (j) all records of treatment, both medical and surgical;
- (k) all dental procedures;
- (l) all medication given, including the date, dosage, route of administration (when more than one route is acceptable), frequency, duration of treatment and refills;
- (m) all medication dispensed or prescribed, including directions for use and quantity;
- (n) all changes in medication or doses, including changes made by telephone;
- (o) all client communications;
- (p) all client waivers or deferrals of recommended care;
- (q) all discharge instructions; and,
- (r) all necropsy findings.

(3) Medical records for economic animals and groups of animals such as sheep and fish may be maintained on a per client basis when treated as a group.

5.02: Drugs and Medications

(1) A licensee shall dispense or prescribe drugs and medications only for specific animals and for specific medical problems. When treating the animals as a group, a licensee shall judiciously dispense or prescribe drugs and medications on a per client basis only for specific medical problems and only in accordance with 256 CMR 7.01(2)(e).

(2) When dispensing medication, a licensee shall accurately type or print the following information on a label permanently affixed to the container:

- (a) client's name;
- (b) animal's name;
- (c) date;

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- (d) usage directions including route of administration;
- (e) name of the drug;
- (f) quantity dispensed;
- (h) hospital's name, address and telephone number;
- (i) the name of the licensee dispensing the drug;
- (j) expiration date if appropriate;
- (k) any appropriate warning labels; and
- (l) the number of refills if any.

(3) All dispensed or repackaged medications shall be in child-resistant, moisture-proof containers unless otherwise requested by the client or, if the drug is in a form that precludes it from dispensing in such a container.

(4) All drugs and medications dispensed in an original container shall retain the original label and shall have an additional label as required by 256 CMR 5.02(2).

(5) A licensee shall not leave expired drugs or medications on shelves or retain them for use or dispensing and shall insure that all drugs, medications or other medical supplies are properly disposed.

### 5.03: Advertising

(1) A licensee may, by using print or electronic media, provide information to the public by advertising which is not false, fraudulent, misleading or deceptive.

(2) A licensee shall not use any advertising that contains:

- (a) any statement or claim that a licensee is a veterinary specialist unless the licensee meets the definition of that term contained in 256 CMR 2.01. This does not prohibit truthful and non-deceptive statements concerning a licensee's experience or training in a particular area of veterinary practice;
- (b) techniques or communications which tend to or do intimidate or exert undue pressure on or influence over a client;
- (c) a lay or expert testimonial except from individuals with knowledge or experience obtained from a provider relationship with the licensee or direct knowledge of the subject of the testimonial. A lay or expert's testimonial shall not attest to any technical matter beyond that person's competence; or
- (d) any statement that guarantees that a cure will result from the professional service offered.

(3) Any advertisement or business listing for the provision of any veterinary service shall contain current information, including the name of at least one licensee who is responsible for the provisions of the advertised services.

(4) A licensee shall be responsible for the form and content of an advertisement containing the licensee's name, office address or telephone number. A licensee must list his or her degree actually conferred after his or her name or use the term "veterinarian" if only the title "Doctor" appears before his or her name.

(5) Advertising making reference to a fee may only contain a fixed or stated range of fees for a specifically-described routine professional service. A licensee who advertises fees shall disclose all relevant variables and considerations ordinarily included in such a service. In the absence of such a disclosure, the stated fees shall include all components ordinarily included in provisions of such a service. Offers of discounts or fee reductions shall indicate the fixed or stated range of fees from which the fee is discounted. The period during which a fee or discount shall remain in effect shall be clearly and specifically stated in the advertisement.

### 5.04: Hospital Safety

(1) All licensees shall properly handle hazardous medications.

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- (2) All licensees under the jurisdiction of the federal Occupational Safety and Health Administration (OSHA) shall review and comply with OSHA regulations.
- (3) Licensees shall ensure the proper disposal of biomedical waste, such as culture plates, tubes, contaminated sponges, swabs, biological products, needles, syringes and blades.
- (4) Radiation safety procedures shall be in compliance with all requirements of the Radiation Control Division of the Department of Public Health.

5.05: Requirements of Full-service Veterinary Facility

A full-service facility shall at a minimum provide the following services:

- (1) Diagnostic Imaging. A full-service facility shall have the capacity to generate diagnostic quality radiographic images.
- (2) Emergency Services. A full-service facility shall have the appropriate equipment to respond to all reasonably anticipated emergency situations.
- (3) Examination Services. A full-service facility shall have one or more examination rooms adequate in size and lighting for proper examination of animals. Minimum equipment for examination services shall include:
  - (a) ophthalmoscope;
  - (b) otoscope;
  - (c) restraint equipment;
  - (d) scales to correctly weigh all animals treated;
  - (e) stethoscope; and,
  - (f) thermometer.
- (4) Housekeeping and Maintenance. A full-service facility and surrounding grounds shall be safe and sanitary. All fixtures, furnishings and equipment shall be free from excessive wear and be in good condition. Ventilation, heating and air conditioning systems shall be adequate to prevent harmful or unacceptable concentrations of toxic gases, odors or particles and the facility shall have adequate lighting. Waste disposal shall be in accordance with good public health practice. The staff shall use adequate safety precautions in disposing of animal remains and tissue specimens. Water shall be safe for use by clients, employees and animals. An adequate supply of clean or unused disposable linens and supplies shall be available and in good condition.
- (5) Patient Care. A full-service facility shall provide all equipment necessary for the safety and comfort of animals. All animal holding areas shall be secure, escape-proof and easily-cleaned. Cages and runs shall be of appropriate and comfortable size for animals. The staff shall use proper handling and disposal for all waste materials and proper cleaning and disinfecting of compartments, exercise areas and runs.
- (6) Pathology/Laboratory. A full-service facility shall provide pathology services either in the facility or through outside sources. Pathology services shall, at a minimum include hematology, serology, blood chemistry analysis, urinalysis (including urine sediment examination and stone analysis), microbiology, culturing, antibiotic sensitivity screening, parasite examinations (fecal, blood and skin), cytology, pathology, and toxicology. Regarding tests performed on the premises, the equipment, at a minimum, shall include:
  - (a) clinical centrifuge;
  - (b) microhematocrit;
  - (c) microscope
  - (d) refractometer or urinometer; and,
  - (e) refrigerator.

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(7) Dispensary. A full-service facility shall provide for the storage, safekeeping and use of drugs. Equipment shall include a refrigerator for those drugs requiring refrigeration. A locked substantially constructed cabinet or safe shall be available for storage of controlled substances.

(8) Surgery. A full-service facility shall provide surgical instrumentation in good repair, properly cleaned and sufficient in number and variety to meet the requirements of the surgical case load. There shall be a supply of oxygen. Sterile surgical procedures require the use of sterilized instruments, towels, drapes and gloves as well as clean caps and masks. The use of cold sterilization is appropriate only for instruments used in minor surgical procedures. A surgical light of adequate candle power shall illuminate the surgical field and the facility shall have provisions for adequate emergency surgical lighting. Surgical tables shall be constructed of impervious material.

5.06: Requirements of Emergency Service Veterinary Facility

(1) All standards applying to a full service facility shall apply to an emergency service facility.

(2) An emergency service facility shall have at least one licensee and one assistant or veterinary technician on the premises during the hours it is open for service.

(3) The facility shall, by posted notice, provide information about referral to an appropriate facility during hours it is not open for service.

REGULATORY AUTHORITY

256 CMR 5.00: M.G.L. c. 112, § 54.