

256 CMR: BOARD OF REGISTRATION IN VETERINARY MEDICINE

256 CMR 7.00: CODE OF PROFESSIONAL CONDUCT

Section

7.01: Code of Professional Conduct

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- (1) A licensee's practice shall conform to currently-accepted professional and scientific standards in the profession of veterinary medicine such as but not limited to the AVMA Principles.
- (2) A licensee shall:
 - (a) Bill accurately and truthfully for services rendered;
 - (b) Comply with all restrictions on his or her practice which are imposed by the Board with the licensee's consent or after an adjudicatory hearing;
 - (c) Conduct all professional activities in accordance with federal, state, local and Board statutes and regulations;
 - (d) Cooperate promptly with any request of the Board to appear before it or provide information to the Board;
 - (e) Dispense or prescribe controlled substances only in the course of his or her professional practice after establishing a genuine veterinarian-client patient relationship;
 - (f) Prior to hiring a veterinarian, and annually thereafter before March 1, establish whether that veterinarian has a current license to practice veterinary medicine in the Commonwealth;
 - (g) Certify that an animal meets the requirements of a health certificate only based upon personal knowledge gained from a current physical examination and current appropriate testing;
 - (h) Maintain a confidential relationship with all clients, except as otherwise provided by law, such as but not limited to animal control, animal welfare and public health statutes and regulation;
 - (i) Maintain his or her attire, facility and equipment in a clean and sanitary condition;
 - (j) Insure that his or her staff exhibit professional appearance and behavior;
 - (k) Notify the Board within ten days regarding any criminal conviction or disciplinary action taken against or voluntary surrender of his or her license to practice veterinary medicine in another jurisdiction or any suspension, revocation or surrender of his or her DEA certificate or DPH registration for controlled substances;
 - (l) Obtain the written or witnessed verbal consent of an animal's owner or other authorized person before proceeding with any of the following: sedation, administering general anesthesia; performing surgery, euthanasia or a post-mortem examination; disposing of an animal's body when that animal dies while in the care of a licensee, provided such consent is available within a reasonable time; housing an animal if 24 hour medical care is not available; or transporting an animal to another facility for any reason unless emergency circumstances do not permit obtaining consent;
 - (m) Disclose all situations presenting a conflict and appearance of a conflict and obtain the written consent of all parties before providing veterinary services that present a conflict of interest;
 - (n) Where possible, preserve the body of any animal which dies while in the care of a licensee except as otherwise provided by law;
 - (o) Provide by oral, written or posted notice and by telephone information about office hours, emergency coverage, overnight and 24 hour attendance and similar information about the operation of his or her facility.
 - (p) Comply with all laws of the Commonwealth.
- (3) A licensee may:
 - (a) Establish his or her own policy regarding hours, emergency coverage and other similar provisions for operation of his or her facility;
 - (b) Refuse to admit as an inpatient to his or her hospital any animal which is not currently vaccinated;
 - (c) Refuse to provide veterinary services:
 1. for any owner who is physically or verbally abusive to the licensee or any employee of the licensee;

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2. when the licensee is unable to reach agreement with an owner or other authorized person regarding services;
 3. to any animal due to inadequate facilities or coverage for the animal;
 4. when an animal is dangerous or difficult to handle; or
 5. for any owner or agent who provides false information.
- (d) Use chemical or physical restraint when attempting to treat an animal, that may be dangerous or difficult to handle.
- (4) A licensee shall not:
- (a) In any way aid or abet the illegal practice of veterinary medicine;
 - (b) Engage in any conduct which reflects unfavorably on the profession of veterinary medicine;
 - (c) Engage in fraud, deceit or misrepresentation in the practice of veterinary medicine or in the procurement of a license to practice veterinary medicine.
 - (d) Engage in verbal abuse or harrassment of a client or employee or physically abuse or threaten a client or an employee;
 - (e) Perform diagnostic, medical or surgical procedures which in quality or quantity exceed the needs of the animal;
 - (f) Permit a veterinary technician or other assistant to diagnose the condition of an animal, by telephone or otherwise;
 - (g) Except as permitted by this chapter, permit a veterinary technician or other assistant to practice any aspect of veterinary medicine as defined in M.G.L. c. 112, § 58, without the supervision of a licensed veterinarian on the premises;
 - (h) Physically abuse or engage in unnecessarily rough handling of an animal in his or her care;
 - (i) Practice veterinary medicine if illness, chemical dependency or substance abuse or any mental or physical condition adversely influences his or her ability to practice with reasonable skill and safety;
 - (j) Practice veterinary medicine so as to endanger the health and welfare of his or her patient or the public;
 - (k) Refuse to provide first aid or advice for an animal already on the premises in an emergency situation, or to help identify an alternate source of veterinary medical care;
 - (l) Refuse to return an animal to its owner on the grounds that the owner has failed to fully pay for veterinary services except as provided in M.G.L. c. 255, § 24 regarding boarding services;
 - (m) Refuse to treat an animal on the basis of the owner's race, color, age, gender, sexual orientation, ancestry, national origin, religion or mental or physical disability.
 - (n) Engage in any conduct, which involves or may be perceived as a conflict of interest, without full disclosure and/or the express written consent of all the parties involved.
 - (o) Perform or offer to perform services outside of the licensee's area(s) of training, experience, competence or scope of practice or licensure.
 - (p) Procure, use, or renew a license by fraudulent or deceptive means.
 - (q) Practice with an expired license.

REGULATORY AUTHORITY

256 CMR 7.00: M.G.L. c. 112, § 54.