



NOTICE OF TEXT

[Authority G.S. 150B-21.2(c)]

OAH USE ONLY

VOLUME: 38

ISSUE: 24

CHECK APPROPRIATE BOX:

- Notice with a scheduled hearing
- Notice without a scheduled hearing
- Republication of text. Complete the following cite for the volume and issue of previous publication, as well as blocks 1 - 4 and 7 - 14. If a hearing is scheduled, complete block 5.
Previous publication of text was published in Volume: Issue:

1. Rule-Making Agency: [Veterinary Medical Board](#)

2. Link to agency website pursuant to G.S. 150B-19.1(c): www.ncvmb.org

3. Proposed Action -- Check the appropriate box(es) and list rule citation(s) beside proposed action:

ADOPTION:

AMENDMENT: [21 NCAC 66 .0108, .0206, .0901-.0905](#)

REPEAL:

READOPTION with substantive changes:

READOPTION without substantive changes:

REPEAL through READOPTION:

4. Proposed effective date: [01/01/2025](#)

5. Is a public hearing planned? [No](#)

If yes:

Date	Time	Location

6. If no public hearing is scheduled, provide instructions on how to demand a public hearing:
[Keith West at kwest@ncvmb.org](mailto:kwest@ncvmb.org)

7. Explain Reason For Proposed Rule(s):

Amended Hour requirements in .0206 and business day requirements in .0902, .0903, and .0904. Changed effective date for all rules stated above to 01/01/2025.

8. Procedure for Subjecting a Proposed Rule to Legislative Review: If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission. If the Rules Review Commission receives written and signed objections in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or email. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 984-236-1850.

Rule(s) is automatically subject to legislative review. Cite statutory reference:

9. The person to whom written comments may be submitted on the proposed rule(s):

Name: Keith West
Address: 1611 Jones Franklin Road Suite 106
Raleigh, NC 27606
Phone (optional):
Fax (optional):
EMail (optional) kwest@ncvmb.org

10. Comment Period Ends: 08/16/2024

11. Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.

No fiscal note required

12. Rule-making Coordinator:

Name: Keith West
919-854-5601
keith@ncvmb.org

Agency contact, if any:

Name:
Phone:
Email:

13. The Agency formally proposed the text of this rule(s) on

Date: 05/09/2024

1 21 NCAC 66 .0108 is proposed for amendment as follows:

2 **21 NCAC 66 .0108 FEES**

3 The following fees established by the Board shall be paid in advance to the ~~Executive Director of the Board:~~

- 4 (1) Veterinary License
- 5 (a) Issuance or Renewal \$170.00
- 6 (b) North Carolina License Examination \$250.00
- 7 (c) Late Renewal Fee \$50.00
- 8 (d) Reinstatement \$100.00
- 9 (2) Veterinary Technician Registration
- 10 (a) Issuance or Renewal \$50.00
- 11 (b) North Carolina Veterinary Technician Examination \$50.00
- 12 (c) Late Renewal Fee \$50.00
- 13 (d) Reinstatement \$100.00
- 14 (3) Professional Corporation Certificate of Registration
- 15 (a) Issuance or Renewal \$160.00
- 16 (b) Late Renewal Fee \$50.00
- 17 (c) Reinstatement \$100.00
- 18 (4) Limited Veterinary License
- 19 (a) Issuance or Renewal \$170.00
- 20 (b) Late Renewal Fee \$50.00
- 21 (c) Reinstatement \$100.00
- 22 (5) Veterinary Faculty Certificate
- 23 (a) Issuance or Renewal \$170.00
- 24 (b) Late Renewal Fee \$50.00
- 25 (c) Reinstatement \$100.00
- 26 (6) Zoo Veterinary Certificate
- 27 (a) Issuance or Renewal \$170.00
- 28 (b) Late Renewal Fee \$50.00
- 29 (c) Reinstatement \$100.00
- 30 (7) Temporary Permit: Issuance \$150.00
- 31 (8) Veterinary Student Intern Registration: Issuance \$25.00
- 32 (9) ~~Veterinary Student Preceptee Registration: Issuance \$25.00~~ Veterinary Facility Permit
- 33 (a) Issuance or Renewal \$150.00
- 34 (b) Late Renewal Fee \$50.00
- 35 (c) Reinstatement \$100.00
- 36 ~~(10) Veterinary Practice Facility Inspection \$125.00~~

1 ~~(11)~~ (10) Copies of Board publications, rosters, or other materials available for distribution from the
2 Board shall be free or at a minimal cost unless otherwise specifically provided by law. As
3 used herein, "minimal cost" shall mean the actual cost of reproducing the public record or
4 public information.

5
6 *History Note: Authority 90-185(6); 90-186(6); 90-187(b); 90-187.5; 132-6.2;*
7 *Eff. February 1, 1976;*
8 *Readopted Eff. September 30, 1977;*
9 *Amended Eff. October 1, 2017; January 1, 2016; January 1, 2015; May 1, 1996; May 1, 1989;*
10 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9,*
11 *2018.*
12 *Amended Eff. January 1, 2025.*

21 NCAC 66 .0206 is proposed for amendment as follows:

21 NCAC 66 .0206 MINIMUM STANDARDS FOR CONTINUING EDUCATION

Each person holding a veterinary license, limited license, a faculty certificate, or a zoo veterinary certificate (collectively referred to herein as “veterinarian”) or a veterinary technician registration issued by the Board shall comply with the standards in this Rule. The standards shall be a condition precedent to the renewal of a license, certificate, or registration respectively. The standards are as follows:

- ~~(1) —~~ ~~Continuing education credit hours shall relate to veterinary medicine.~~
- ~~(2) (1)~~ A veterinarian shall earn 20 continuing education credit hours for the calendar year license renewal period. A maximum of ten [five] hours may be obtained pursuant to courses described in Item (3) of this rule.
- ~~(3) (2)~~ A registered veterinary technician shall earn 12 continuing education credit hours for the two-calendar year registration renewal period. A maximum of six [four] hours may be obtained pursuant to course described in Item (3) of this rule.
- (3) One continuing education hour may be earned for each hour of independent self-study courses, prerecorded webinars, audio conferences, and non-interactive on-line presentations approved by approved continuing education credit providers.
- (4) One continuing education credit hour may be earned for each hour of in-person attendance or live interactive attendance at courses presented or approved by approved continuing education credit providers.
- (5) A live interactive presentation shall:
 - (a) include instant or synchronous two-way communication;
 - (b) provide access to both technical personnel and professional faculty, as well as interactivity among participants for the exchange of questions and answers via instant messaging or a moderated teleconference, and
 - (c) document the level of participation by keeping a record of the participant’s activity in asking or answering questions during the presentation and the score of any examination administered at the end or the presentation.
- ~~(4)(6)~~ A veterinarian or registered veterinary technician may request and be granted an extension of time, not to exceed six months, to satisfy the continuing education requirement if the veterinarian or registered veterinary technician provides evidence of a ~~debilitating injury or illness or circumstance~~ that prevents the veterinarian or registered veterinary technician from being able to obtain continuing education. The Board shall consider any evidence submitted of a circumstance preventing the veterinarian or registered veterinary technician from being able to obtain continuing education on a case-by-case basis. ~~If the veterinarian or veterinary technician submits evidence of failure to complete continuing education due to debilitating injury or illness or hardship, the Board shall consider the evidence submitted on a case-by-case basis. If the board finds that the debilitating injury or illness or hardship was the basis for non-compliance with the continuing education requirement,~~

1 the Board shall exempt that individual from completing the unearned portion of the continuing
2 education for that renewal period.

3 (7) If the Board finds that the circumstance that was the basis for non-compliance with the continuing
4 education requirement justified the non-compliance, the Board may exempt that individual from
5 completing the unearned portion of the continuing education for that renewal period.

6 ~~(5)~~(8) Continuing education credits hours may be earned from courses, programs, or materials presented or
7 approved by the following providers:

8 (a) the American Veterinary Medical Association (AVMA);

9 (b) the American Animal Hospital Association (AAHA);

10 (c) the North Carolina Veterinary Medical Association (NCVMA);

11 (d) the United States Department of Agriculture-Animal and Plant Health Inspection Service;

12 ~~(d)~~ (e) the American Association of Veterinary State Boards' (AAVSB) Registry of
13 Approved Continuing Education (RACE); and

14 ~~(e)~~ (f) academies, schools, or colleges of veterinary medicine.

15 These providers are designated herein as "approved continuing education credit providers." The
16 Board shall consider additional courses, presentations, or materials eligible for approval for
17 continuing education credit hours, provided that the individual seeking the credit furnishes the Board
18 with information to establish that the content of the course, presentation, or material are ~~of an~~
19 education level reflective of the audience (veterinarians or veterinary technicians): sufficiently
20 educational for veterinarians or registered veterinary technicians. Board approval for continuing
21 education credits for such additional courses, presentations, or materials shall be obtained prior to
22 attendance or participation; however, the Board shall waive the requirement of prior approval if
23 illness, injury, or natural disaster prevented the individual from obtaining the prior approval.

24 ~~(6)~~ Subject to the limitations in this Rule, continuing education credit hours may be earned by:

25 ~~(a)~~ attendance at in-person courses or presentations;

26 ~~(b)~~ completion of independent self-study courses;

27 ~~(c)~~ non-interactive on-line presentations, courses, or materials; or

28 ~~(d)~~ completion of live interactive on-line presentations or courses.

29 ~~(7)~~ One continuing education credit hour, up to 100% of the CE requirement for renewal, may be earned
30 for each hour of in-person attendance at courses presented or approved by approved continuing
31 education credit providers. Up to 25% of the CE requirement for renewal may be obtained from
32 independent self-study courses, videos, DVDs, CDs, prerecorded webinars, audio conferences, and
33 non-interactive on-line presentations approved by approved continuing education credit providers.
34 Up to 50% of the CE requirement for renewal may be obtained from live interactive on-line
35 presentations or courses approved by approved continuing education credit providers. However,
36 the number of credit hours earned from live interactive on-line presentations or courses shall be
37 reduced by the number of credit hours earned from independent self-study courses or materials and

1 ~~non-interactive on-line presentations or courses. A live interactive on-line presentation or course~~
2 ~~shall:~~

3 (a) ~~include instant or asynchronous two-way communication;~~

4 (b) ~~provide access to both technical personnel and professional faculty, as well as interactivity~~
5 ~~among participants for the exchange of questions and answers via instant messaging or a~~
6 ~~moderated teleconference; and~~

7 (c) ~~document the level of participation by keeping a record of the participant's activity in~~
8 ~~asking or answering questions during the presentation and the score of any examination~~
9 ~~administered at the end of the presentation.~~

10 (8) (9) Each veterinarian and registered veterinary technician shall keep a record file containing for the
11 three most recent renewal periods of the content of courses submitted to the Board for
12 continuing education credit hours.

13 (9) (10) A veterinarian licensed in the year of graduation from a veterinary medical college is not
14 required to earn continuing education credit hours to be eligible for license renewal for the
15 next renewal period.

16 (10)(11) A veterinary technician registered in the year of graduation from a veterinary medical
17 technology program is not required to earn continuing education credit hours to be eligible for
18 registration renewal for the next renewal period.

19 (11) (12) A veterinarian or veterinary technician serving in the armed forces of the United States and to
20 whom an extension of time to file a tax return is granted pursuant to G.S. § 105-249.2 is granted
21 the same extension of time to comply with the continuing education requirement of this Rule.

22
23 *History Note: Authority G.S. 90-185(6); 90-186(1); 93B-15;*

24 *Eff. February 1, 1976;*

25 *Readopted Eff. September 30, 1977;*

26 *Amended Eff. June 1, 2003; May 1, 1996; May 1, 1989; January 1, 1987;*

27 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9,*
28 *2018;*

29 *Amended Eff. February 1, 2018.*

30 *Amended Eff. January 1, 2025.*

1 **SECTION .0900 – VETERINARY FACILITY PERMITS**

2
3 21 NCAC 66 .0901 is proposed for amendment as follows:

4 **21 NCAC 66. 0901 DEFINITIONS**

5 In addition to the terms set forth in G.S. 90-181, the following definitions apply to this Subchapter:

6 (1) “Owner” means the person whose business provides services that constitute the practice of
7 veterinary medicine as defined by G.S. 90-181(6).

8 (2) “Facility” means any physical location, including mobile units, in which the practice of veterinary
9 medicine occurs.

10 (3) “Veterinary Facility Permit” means a document authorizing an owner to operate a facility which
11 engages in the practice of veterinary medicine.

12
13 *History Note: Authority G.S. 90-185(6); 90-186(8);*

14 *Eff. January 1, 2025.*

1 21 NCAC 66 .0902 is proposed for amendment as follows:

2 **21 NCAC 66 .0902 VETERINARY FACILITY PERMITS**

3 (a) Any person who owns a business which operates a facility providing services that constitute the “practice of
4 veterinary medicine” on a full, part-time, or temporary basis shall have a veterinary facility permit issued by the Board
5 prior to offering or delivering any veterinary medical services to the public. Veterinary or Veterinary Technician
6 teaching programs offering services to the public shall have a veterinary facility permit.

7 (b) As a condition of any veterinary facility permit issued by the Board, the owner shall designate a supervising
8 veterinarian.

9 (c) The Board shall issue a veterinary facility permit to an owner after the owner submits an application, pays the
10 veterinary facility permit fee, and passes a facility inspection. The Board shall inspect the veterinary facility to
11 ensure compliance with Rule .0207 and .0208 of this chapter if an inspection has not been performed in the last
12 two years. It is the responsibility of the owners to ensure that the veterinary facility meets the minimum veterinary
13 facility standards in Rules .0207 and .0208 of this Chapter.

14 (d) The application for a veterinary facility permit shall be on a form prescribed by the Board and available on the
15 Board’s website. The application shall contain:

16 (1) the owner’s name, physical address, mailing address, email address, and telephone number;

17 (2) proposed or existing name of the facility, as set forth in G.S. 90-181.1, physical address, mailing
18 address, email address, and telephone number; and

19 (3) designation of a supervising veterinarian of the facility subject to the provisions of Rules .0903 of
20 this section.

21 (e) Each veterinary facility permit shall be renewed yearly. The veterinary facility must have passed an inspection pursuant
22 to Rule .0207(b)(16) of this Chapter within the 24 months prior to issuance of renewal.

23 (f) Each veterinary facility that is identified by a separate physical address or that is located at the same physical address
24 as another veterinary facility but has different owners or supervising veterinarians shall be a separate veterinary facility
25 requiring a separate veterinary facility permit. The physical address for a veterinary facility shall be the primary
26 business location.

27 (g) The owner shall notify the Board within 10 business days of any changes in contact information.

28 (h) The owner shall notify the Board in writing of a planned change in the ownership or in the supervising
29 veterinarian of the veterinary facility at least 20 business days prior to the planned change.

30 (i) In the event of an owner’s inability to maintain the facility’s compliance with Chapter 90 of the General Statutes
31 and the rules of this Chapter, the Board shall be notified within 10 business days by an owner, or if the owner is
32 unable to do so as a result of physical inability, the supervising veterinarian, or a member of the veterinary
33 facility’s staff.

34 (j) In the event that the Board is notified that the owner to whom a facility permit is issued is dissolved voluntarily,
35 administratively, or by operation of law; suspended by the NC Department of Revenue; or has its certificate of
36 authority revoked by the NC Secretary of State, the Board shall also suspend the permit issued to the owner. The

1 suspension shall remain in effect until the suspension has been lifted by NC Department of Revenue, or the person
2 has been reinstated by the NC Secretary of State, or both.

3 (k) The Board may issue a temporary veterinary facility permit to the owners of a veterinary facility for a period of
4 35 business days to allow the owners to address and resolve violations of the rules of this Chapter, particularly,
5 Rules .0207 and .0208 of this chapter, discovered during the veterinary facility inspection. However, the Board
6 shall not issue a temporary veterinary facility permit if the violations present a danger to the health or safety of the public
7 or animals. Upon request of the owner, the Board may extend a temporary permit for an additional period of no more
8 than 35 business days, as long as satisfactory progress has been made as determined by the Board. In the event of the
9 death of an owner, the permit remains valid for 50 [35] business days from the date of the death of the owner, so long
10 as the facility continues to have an active, supervising veterinarian registered with the Board.

11 (l) The following are exempt from the requirement for a veterinary facility permit:

12 (1) those exempted by licensure under G.S. 90-187.10;

13 (2) a veterinary facility owned and operated by the State of North Carolina, a political subdivision
14 thereof, or the federal government, so long as the facility does not offer or provide veterinary
15 services to the public; or

16 (3) a temporary veterinary facility established as a result of an emergency declared by the Governor of
17 North Carolina.

18 (m) A person operating without a veterinary facility permit is subject to the provisions of G.S. 90-187.13.

19 (n) The veterinary facility permit shall be displayed by the owners at the facility at a location viewable by the public.
20 Veterinary facility permits for mobile facilities shall be available upon request.

21 (o) An owner or supervising veterinarian shall provide a copy of medical records maintained pursuant to Rule .0207
22 of this Chapter within 10 business days of receipt of a request by a current or former patient's owner. The veterinary
23 facility may charge the patient's owner the actual cost of reproducing the records as a reasonable fee.

24 (p) Owners shall post on any existing veterinary facility website home page:

25 (1) The facility's name, address, and telephone number,

26 (2) The facility's regular business hours.

27 (3) Availability of after-hours emergency care at the facility; and

28 (4) If after-hours emergency care is not available, the name, address, and telephone number of an
29 after-hours emergency provider.

31 History Note: Authority G.S. 90-185; 90-186(2); 90-186(8); 90-186(9);

32 Eff January 1, 2025.

1 **21 NCAC 66 .0903 SUPERVISING VETERINARIAN**

2 (a) The owners of a veterinary facility shall designate a supervising veterinarian who shall be responsible for
3 informing the owners as to the instances of non-compliance with 21 NCAC 66 .0207 and 21 NCAC 66 .0208 at the
4 veterinary facility.

5 (b) The supervising veterinarian shall be currently licensed by and in good standing with the Board.

6 (c) The owners may designate an interim supervising veterinarian to serve for a period not to exceed 50 [25] business
7 days.

8 (d) A veterinarian may be a supervising veterinarian at more than one veterinary facility. At
9 each veterinary facility that is open for 159 hours or less per month, the supervising veterinarian
10 shall be physically onsite for a minimum of 25 percent of the total time a veterinary facility is open. At each veterinary
11 facility that is open for 160 hours or more per month, the supervising veterinarian shall be physically onsite at each
12 veterinary facility for a minimum of 40 hours per month. Electronic or handwritten documentation stating the dates and
13 times that the supervising veterinarian was present at the veterinary facility shall be maintained by the supervising
14 veterinarian at each individual facility and made available by the owner, supervising veterinarian, or the staff at each
15 facility at the time of inspection or investigation by the Board.

16 (e) The owners of a veterinary facility may designate more than one supervising veterinarian for a veterinary facility,
17 in which case the onsite physical presence of each of the supervising veterinarians at the veterinary facility shall be
18 counted toward satisfaction of the onsite physical presence requirement of Board Rule 0.0903(d).

19
20 *History Note: Authority G.S. 90-185(6); 90-186(9);*

21 *Eff. January 1, 2025.*

1 21 NCAC 66 .0904 is proposed for amendment as follows:

2 **21 NCAC 66 .0904 DISCIPLINE VETERINARY FACILITY PERMITS**

3 (a) The Board shall investigate any complaint within its jurisdiction. The investigation and any resulting hearings shall
4 be conducted pursuant to Sections .0600 and .0700 of the Chapter. Following an investigation and the owner's
5 opportunity to be heard, the Board may:

- 6 (1) revoke or suspend a veterinary facility permit issued under this Chapter;
7 (2) discipline the owner of a facility permitted under this Chapter in accordance with the disciplinary
8 measures set forth in Sections .0600 and .0700 of this Chapter;
9 (3) deny a veterinary facility permit required by G.S. 90-186(8) and the rules of this Chapter based on
10 violations of Board Rules including but not limited to .0207 and .0208 of this Chapter.

11 For the purpose of this rule, references to licensee or registrant in the provisions of sections .0600 and .0700 of this
12 chapter are treated as references to owner and permittee. References to license are treated as references to facility
13 permit.

14 (b) The Board may suspend, revoke, or deny issuance of a veterinary facility permit, without hearing, if:

- 15 (1) A veterinary facility has not had a supervising veterinarian or an interim supervising veterinarian
16 serving in that capacity for more than *fifteen [five]* business days.
17 (2) The Board obtains a summary emergency order pursuant to the provisions of G.S. 90-186(3).
18 (3) The owners of the veterinary facility have failed to notify the Board after 10 business days of a
19 change in ownership of the facility or change in the supervising veterinarian.

20 (c) An owner shall cease to operate a veterinary facility as of the date the Board notifies the owner of the revocation
21 of his or her veterinary facility permit. Within 24 hours of receiving notification of revocation, an owner shall display
22 the following information at the facility and through any existing medium of communication with the public, such as
23 social media, a telephone answering system, or facility website:

- 24 (1) information that the veterinary facility is closed;
25 (2) the means by which clients may obtain their animal's medical records; and
26 (3) notice of the Board's revocation of the facility permit.

27

28 *History Note: Authority G.S. 90-185(6); 90-186(8); 90-186(9);*

29 *Eff. January 1, 2025.*

1 21 NCAC 66 .0905 is proposed for amendment as follows:

2 **21 NCAC 66 .0905 REINSTATEMENT AFTER REVOCATION OF FACILITY PERMIT**

3 Any person whose facility permit been suspended or revoked pursuant to the provisions of rule .0904 of this Section
4 may apply for reinstatement subject to any terms and conditions contained in the final agency decision issued by the
5 Board upon revoking or suspending the person's facility permit. The Board may conduct an inspection prior to
6 reinstatement to determine if the terms and conditions stated in the final agency decision have been addressed.

7

8 History Note: Authority G.S. 90-185(6); 90-186(8); 90-186(9);

9 Eff. January 1, 2025.