

DEPARTMENT OF STATE

Division of Professional Regulation

3300 Board of Veterinary Medicine

Statutory Authority: 24 Delaware Code, Section 3306(a)(1) (24 **Del.C.** § 3306(a)(1)),
and 29 Delaware Code, Section 10119 (29 **Del.C.** § 10119)

24 DE Admin. Code 3300

EMERGENCY ORDER

WHEREAS, the Board of Veterinary Medicine (the “Board”) has been charged by the Delaware legislature pursuant to 24 **Del.C.** §3301 to protect the general public from unsafe practices with respect to the practice of veterinary medicine; and

WHEREAS, subsection 3.1.15 of the Board’s rules and regulations prohibits a veterinarian from “[p]rescribing medication without examining the animal(s) within a period of one year”; and

WHEREAS, in light of the current State of Emergency in Delaware related to COVID-19, in-person visits to a veterinarian should not be required for a medication renewal needed for an animal’s health; and

WHEREAS, for the safety of animals, the examination requirement should not be open-ended; and

WHEREAS, amending subsection 3.1.15 to state “within a period of eighteen months” will serve to protect both the clients and their animals; and

WHEREAS, the Board finds that adoption of an emergency regulation to govern the prescribing of medications must occur on an emergency basis to avoid imminent peril to the public health, safety or welfare; and

WHEREAS, consistent with the requirements of 29 **Del.C.** §10119(4), the Board will accept, consider and respond to petitions by any interested person for the reconsideration or revision of this regulation by addressing the same to the attention of Monique Pruitt, the Board of Veterinary Medicine, 861 Silver Lake Boulevard, Dover, Delaware 19904; and

WHEREAS, in accordance with the provisions of 29 **Del.C.** §10119(3), this Emergency Order shall be effective for 120 days from the date of execution and may be renewed once for a period not exceeding 60 days; and

WHEREAS, a copy of this Emergency Order will be submitted to the Registrar for publication in the next issue of the Delaware *Register of Regulations*.

NOW, the Rules and Regulations of the Board of Veterinary Medicine, attached hereto as Exhibit A, shall take effect immediately.

IT IS SO ORDERED this 28th day of April 2020 by the Delaware Board of Veterinary Medicine.

/s/ Danielle Downs, DVM

Danielle Downs, DVM
President

/s/ Lisa Garrison, LVT

Lisa Garrison, LVT
Vice President

/s/ Craig Stonesifer, DVM

Craig Stonesifer, DVM

/s/ Erin Whaley, DVM

Erin Whaley, DVM

/s/ Alanna Mallory, LVT

Alanna Mallory, LVT

/s/ Mary Jo Verdery

Mary Jo Verdery

Absent

Bruce Cavanaugh

EXHIBIT A

1.0 Supervision

(24 Del.C. §3303(10) and (11))

1.1 Supervision refers to the oversight of any person performing non-licensed support activities and/or licensed veterinary technician activities by a licensed Delaware veterinarian. Oversight includes control over the work schedule of the person performing support and/or veterinary technician activities and any remuneration the person receives for performing such activities. Oversight does not include remuneration paid directly to support personnel or veterinary technicians by the public. Supervision of veterinary technicians and support personnel is based on the following:

1.1.1 The initial examination of the animal by the veterinarian is to be performed prior to the delegation of work to be performed by support personnel. The veterinarian may, however, authorize support or veterinary technician personnel to administer emergency measures prior to the initial examination.

1.1.2 The veterinarian shall develop a treatment plan to be referenced by support and/or veterinary technician personnel.

1.1.3 The veterinarian must authorize the work to be performed by support and/or veterinary technician personnel. Whether tasks are appropriate to be delegated may differ from case to case.

1.2 At no time may support personnel perform the following activities (24 Del.C. §3303(10)):

1.2.1 Diagnosing.

1.2.2 Prognosing

1.2.3 Prescribing.

1.2.4 Inducing Anesthesia

1.2.5 Performing Surgery.

1.2.6 Administration of Rabies vaccinations.

1.2.7 Operative dentistry and oral surgery.

1.2.8 Centesis of body structures (not to include venipuncture) in other than emergency situations.

1.2.9 The placement of tubes into closed body structures, such as chest tubes, in other than emergency situations (not to include urinary or IV catheters; see subsection 1.5.1).

1.2.10 Splinting or casting of broken bones in other than emergency situations.

1.2.11 Euthanasia, subject to Section 2.0 of the Board's Rules and Regulations.

1.2.12 Issue health certificates.

1.3 At no time may licensed veterinary technicians perform the following activities (24 Del.C. §3303(11)):

1.3.1 Diagnosing.

Last Updated: September 16 2019 17:38:09.

