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Subject: AR Task Force - Minutes and Additional Information
Attachments: AR Task Force Meeting Minutes 6-20.pdf

Good Afternoon Task Force Members,

Please see the attached meeting minutes from the Animal Rehabilitation Task Force meeting on June 20, 2016.

Also, please see the information below which was distributed at the previous meeting and contains excerpts from New York, Louisiana, Missouri, and Vermont.

Veterinary Physical Rehabilitation is considered the practice of veterinary medicine in at least 35 of 50 states. Please find below excerpts from four such states. Note that Missouri requires immediate supervision for all licensees from allied professions.

- **New York:** Animal Massage Q&A *"Is it okay to have a licensed massage therapist (or physical therapist, acupuncturists, chiropractor, etc.) treat a dog if I personally request the treatment and supervise it?"* No! In New York, individuals licensed in the health professions -- from medicine and nursing through massage therapy , physical therapy, acupuncture and chiropractic -- are restricted to practicing those health professions on humans. Only a licensed veterinarian or a licensed veterinary technician working under the supervision of a veterinarian may treat animals .There is sometimes confusion about which professionals can practice professions such as massage therapy, physical therapy, acupuncture and chiropractic on animals because not all states have the licensure restrictions that New York does .Veterinarians and LVTs who wish to use those techniques in their practice should be aware that the New York State Board for Veterinary Medicine has stated that veterinarians and veterinary technicians must have training in complimentary and alternative medical techniques before it is acceptable for them to use those techniques as part of their practice. Guideline 4.1.B from the Veterinary Medicine / Veterinary Technology Practice Guidelines, which states "The veterinarian and veterinary technician should ... complete appropriate professional training before performing any procedure or therapy" is intended to mean that the veterinarian and veterinary technician who wish to use any of these special therapies on their animal patients must have some training in their use. The training requirement doesn't mean that they must be licensed as a human health practitioner in that field, but merely that they have received sufficient training to practice those modalities safely and appropriately on their animal patients. If they have not received any train-ing in these techniques but wish their patients to receive this treatment, they should refer the animal patient to a veterinarian who specializes in this treatment. If a veterinarian permits a licensed massage therapist or another licensed human health professional to treat animals under his/her supervision, the veterinarian is in violation of the Regents Rule that prohibits "delegating professional responsibilities to a person when the licensee delegating such responsibilities knows ... that such person is not qualified by ... licensure, to perform them." (There are exceptions only for dentistry and for the treatment of the great apes by human medical specialists when a veterinary specialist is not available.) Reviewed by Legal Counsel- 10/2014
- **Louisiana:** (4) "Practice of veterinary medicine" means:
(a) to diagnose, treat, correct, change, relieve, or prevent animal disease, deformity, defect, injury, or other physical or mental conditions; including the prescription or administration of any drug, medicine, biologic apparatus, application,

anesthetic, or other therapeutic or diagnostic substance or technique, and the use of any manual or mechanical procedure for testing for pregnancy, or for correcting sterility, or infertility, or to render advice or recommendation with regard to any of the above.

(b) to represent, directly or indirectly, publicly or privately an ability and willingness to do any act described in Paragraph (a).

(c) to use any title, words, abbreviation, or letters in a manner or under circumstances which induce the belief that the person using them is qualified to do any act described in Paragraph (a), except where such person is a veterinarian.

Chapter 7. Veterinary Practice §700. Definitions

712. Alternative Therapy and Collaborative Treatment

A. Alternative therapy and/or collaborative treatment may be performed by a layperson (a person not licensed, registered, or certified by the board) only with an order or prescription from a Louisiana licensed, supervising veterinarian who has first established the veterinarian-client-patient relationship, and can be performed only under such supervising veterinarian's direct supervision and with the written informed consent of the owner of the animal (client) or his duly authorized agent. The layperson must possess a license, registration, or certification issued by another Louisiana regulatory authority, or he must possess verification of an educational level acceptable by the board, in the subject matter of the alternative therapy and/or collaborative treatment at issue.

B. Direct supervision as used in this Section means the supervising veterinarian must be on the premises where the alternative therapy and/or collaborative treatment are being performed and is directly responsible for the on-going evaluation and/or diagnosis. A lay person (a person not licensed, registered, or certified by the board) cannot perform surgery, on-going evaluation and/or diagnosis, prognosis, or prescribe treatment, medicines, or appliances as set forth in §702.A.2.

C. The supervising veterinarian will be held accountable for the proper diagnosis and treatment of the animal, including the work delegated to the layperson, as well as compliance with proper documentation in the patient's medical record as set forth in §701, including the written informed consent for the alternative therapy and/or collaborative treatment obtained from the client or his duly authorized agent. The supervising veterinarian will also be held accountable for the maintenance of the confidential relationship with the client and patient.

D. Alternative therapy as used in this Section includes, but is not limited to, ultrasonography, magnetic field therapy, holistic medicine, homeopathy, animal chiropractic treatment, animal acupuncture, animal physical therapy, animal massage therapy, and laser therapy.

- **Missouri** : <http://pr.mo.gov/boards/veterinary/VetSupervisionChart.pdf> Requires immediate supervision of any licensee from an allied profession. See addendum 1 for a copy of the supervision chart
- **Vermont** : POLICY OF THE VERMONT STATE VETERINARY BOARD Originally Adopted July 23, 1992

Alternative Therapies

Re: Dentistry, Physical Therapy, Acupuncture, Chiropractic, etc. in Veterinary Medicine

Currently, in Vermont, there are no provisions to allow a person other than a licensed veterinarian to administer treatment or to authorize treatment to animals. The exception is a person treating his or her own animal. A veterinarian may be assisted in the practice of veterinary medicine by a person other than a licensed veterinarian if that person is acting under the veterinarian's direct supervision.

Therefore, an acupuncturist, physical therapist, physician, chiropractor, dentist, dental hygienist, dental assistant, herbalist, animal dental technician, or other practitioner of medical arts, who is not a veterinarian may assist a licensed veterinarian in treating animals by administering treatments upon them, but only when the treatment has been prescribed by the veterinarian and the treatment is provided under the veterinarian's on-premise supervision. This applies to therapies and procedures on large and small animals.

It would constitute unlicensed practice if the veterinarian failed to exercise his or her independent judgement in the diagnosis and prescribing of appropriate treatment for the animal and merely acted as a "conduit" for the unlicensed person to practice on animals.

A person, including an acupuncturist, herbalist, physical therapist, physician, chiropractor, dentist, dental hygienist, dental assistant, or animal dental technician, etc., who is not a veterinarian and who represents that he or she practices veterinary medicine independently of a veterinarian by treating animals, is in violation of the practice act and may be subject to criminal prosecution.

Any veterinarian who aids and abets the unlicensed practice of veterinary medicine may have action taken against his or her license for unprofessional conduct.