



MEMORANDUM

DATE	October 29, 2013
TO	Multidisciplinary Advisory Committee
FROM	Sue Geranen Executive Officer DCA/Veterinary Medical Board
SUBJECT	Review and Consider University License

Background:

Licensure Exemption was raised by a consumer relative to the fact that veterinarians providing services to the general public at the veterinary hospital run by UC Davis Veterinary Medical School do not have to be licensed in California. California law allows for an exemption to licensure for veterinarians working at UC Davis.

In states that have veterinary schools, there are either exemptions or some form of university licensure that accommodates the schools needs for hiring of veterinarians from all over the world who sometimes come into a state for a limited period of time and do not remain and who do not practice outside the confines of the university.

The problem arises when the university veterinary hospital is providing services to the general public and the consumer does not have recourse through the licensing board when there is a problem. In its Strategic Plan, the Board discussed the possibility of changing the law to require a license for veterinarians providing services to the public at the veterinary clinic. The discussion revolved around a "university" license that would not require the standard exams or equivalency programs, but would be issued and could be disciplined if necessary.

This item is up for discussion by the MDC.

Action Requested:

Discussion and consideration of taking action.

WELCOME TO
THE MEDICAL BOARD OF CALIFORNIA
Department of Consumer Affairs

[Home](#) » **Special Faculty**

Special Faculty Permit under Section 2168 of the Business and Professions Code

An internationally trained physician who is sponsored by the dean of a California medical school and has been recognized as academically eminent in his or her field of specialty by the Medical Board of California, may be issued a Special Faculty Permit under Section 2168 of the Business and Professions Code. This permit authorizes the physician to practice, with all the rights and privileges of a California medical license, only in the sponsoring medical school and its formally affiliated hospitals.

If you want more information on a physician who holds a Special Faculty Permit, please contact Phillip Egeston, Associate Analyst, at (916) 263-2343 or Phil.Egeston@mbc.ca.gov.

This web site contains PDF documents that require the most current version of Adobe Reader to view.
To download, click on the icon below.



[Conditions of Use](#) | [Privacy Policy](#)

Copyright © 2010 State of California



BUSINESS AND PROFESSIONS CODE

SECTION 2168-2169

2168. (a) A special faculty permit authorizes the holder to practice medicine only within the medical school itself and any affiliated institution in which the permitholder is providing instruction as part of the medical school's educational program and for which the medical school has assumed direct responsibility. The holder of a special faculty permit shall not engage in the practice of medicine except as provided above.

(b) Time spent in a faculty position under a special faculty permit shall not be counted toward the postgraduate training required for licensure and shall not qualify the holder of the permit for waiver of any written examination required for licensure.

(c) The medical school shall not appoint the holder of a special faculty permit to a position as a division chief or head of a department without express written authorization from the division.

2168.1. (a) Any person who meets all of the following eligibility requirements may apply for a special faculty permit:

(1) Is academically eminent. For purposes of this article, "academically eminent" means the applicant meets either of the following criteria:

(A) He or she holds or has been offered a full-time appointment at the level of full professor in a tenure track position, or its equivalent, at a California medical school approved by the Division of Licensing.

(B) He or she is clearly outstanding in a specific field of medicine or surgery and has been offered by the dean of a medical school in this state a full-time academic appointment at the level of full professor or associate professor, and a great need exists to fill that position.

(2) Possesses a current valid license to practice medicine issued by another state, country, or other jurisdiction.

(3) Is not subject to denial under Section 480 or any provision of this chapter.

(4) Pays the fee prescribed for application for, and initial licensure as, a physician and surgeon.

(5) Has not held a position under Section 2113 for a period of two years or more preceding the date of the application. The Division of Licensing may, in its discretion, waive this requirement.

(b) The Division of Licensing shall exercise its discretion in determining whether an applicant satisfies the requirements of paragraph (1) of subdivision (a).

(c) (1) The division shall establish a review committee comprised of two members of the division, one of whom shall be a physician and surgeon and one of whom shall be a public member, and one representative from each of the medical schools in California. The committee shall review and make recommendations to the division regarding the applicants applying pursuant to this section, including those applicants that a medical school proposes to appoint as a division chief or head of a department or as nontenure track faculty.

(2) The representative of the medical school offering the

applicant an academic appointment shall not participate in any vote on the recommendation to the division for that applicant.

2168.2. An application for a special faculty permit shall be made on a form prescribed by the Division of Licensing and shall include any information that the Division of Licensing may prescribe to establish an applicant's eligibility for a permit. This information shall include, but is not limited to, the following:

(a) A statement from the dean of the medical school at which the applicant will be employed describing the applicant's qualifications and justifying the dean's determination that the applicant satisfies the requirements of paragraph (1) of subdivision (a) of Section 2168.1.

(b) A statement by the dean of the medical school listing every affiliated institution in which the applicant will be providing instruction as part of the medical school's educational program and justifying any clinical activities at each of the institutions listed by the dean.

2168.3. A special faculty permit may be denied, suspended, or revoked for any violation that would be grounds for denial, suspension, or revocation of a physician and surgeon's certificate, or for violation of any provision of this article. The holder of a special faculty permit shall be subject to all the provisions of this chapter applicable to the holder of a physician's and surgeon's certificate.

2168.4. (a) A special faculty permit expires and becomes invalid at midnight on the last day of the permitholder's birth month during the second year of a two-year term, if not renewed.

(b) A person who holds a special faculty permit shall show at the time of license renewal that he or she continues to meet the eligibility criteria set forth in Section 2168.1. After the first renewal of a special faculty permit, the permitholder shall not be required to hold a full-time faculty position, and may instead be employed part-time in a position that otherwise meets the requirements set forth in paragraph (1) of subdivision (a) of Section 2168.1.

(c) A person who holds a special faculty permit shall show at the time of license renewal that he or she meets the continuing medical education requirements of Article 10 (commencing with Section 2190).

(d) In addition to the requirements set forth above, a special faculty permit shall be renewed in accordance with Article 19 (commencing with Section 2420) in the same manner as a physician's and surgeon's certificate.

(e) Those fees applicable to a physician's and surgeon's certificate shall also apply to a special faculty permit and shall be paid into the State Treasury and credited to the Contingent Fund of the Medical Board of California.

2168.5. The Medical Board of California shall report to the Legislature by December 31, 2011, on the status of the special faculty permit program.

2169. A person who holds a special faculty permit shall meet the continuing medical education requirements set forth in Article 10 (commencing with Section 2190).

2011 Minnesota Statutes

156.12 PRACTICE OF VETERINARY MEDICINE.

Subdivision 1. **Practice.** The practice of veterinary medicine, as used in this chapter, shall mean the diagnosis, treatment, correction, relief, or prevention of animal disease, deformity, defect, injury, or other physical or mental conditions; the performance of obstetrical procedures for animals, including determination of pregnancy and correction of sterility or infertility; and the rendering of advice or recommendations with regard to any of the above. The practice of veterinary medicine shall include but not be limited to the prescription or administration of any drug, medicine, biologic, apparatus, application, anesthetic, or other therapeutic or diagnostic substance or technique. The practice shall not be construed to include the dehorning of cattle and goats or the castration of cattle, swine, goats, and sheep, or the docking of sheep.

Subd. 2. **Authorized activities.** No provision of this chapter shall be construed to prohibit:

(a) a person from rendering necessary gratuitous assistance in the treatment of any animal when the assistance does not amount to prescribing, testing for, or diagnosing, operating, or vaccinating and when the attendance of a licensed veterinarian cannot be procured;

(b) a person who is a regular student in an accredited or approved college of veterinary medicine from performing duties or actions assigned by instructors or preceptors or working under the direct supervision of a licensed veterinarian;

(c) a veterinarian regularly licensed in another jurisdiction from consulting with a licensed veterinarian in this state;

(d) the owner of an animal and the owner's regular employee from caring for and administering to the animal belonging to the owner, except where the ownership of the animal was transferred for purposes of circumventing this chapter;

(e) veterinarians who are in compliance with subdivision 6 and who are employed by the University of Minnesota from performing their duties with the College of Veterinary Medicine, College of Agriculture, Agricultural Experiment Station, Agricultural Extension Service, Medical School, School of Public Health, or other unit within the university; or a person from lecturing or giving instructions or demonstrations at the university or in connection with a continuing education course or seminar to veterinarians or pathologists at the University of Minnesota Veterinary Diagnostic Laboratory;

(f) any person from selling or applying any pesticide, insecticide or herbicide;

(g) any person from engaging in bona fide scientific research or investigations which reasonably requires experimentation involving animals;

(h) any employee of a licensed veterinarian from performing duties other than diagnosis, prescription or surgical correction under the direction and supervision of the veterinarian, who shall be responsible for the performance of the employee;

(i) a graduate of a foreign college of veterinary medicine from working under the direct personal instruction, control, or supervision of a veterinarian faculty member of the College of Veterinary Medicine, University of Minnesota in order to complete the requirements necessary to obtain an ECFVG or PAVE

certificate;

(j) a licensed chiropractor registered under section 148.01, subdivision 1a, from practicing animal chiropractic.

Subd. 3. **Requirement to be engaged in practice.** Any person who sells or offers to apply, any prescription drug, biologic preparation, including sera, vaccines, bacterins, tuberculin, mallein, johnin, or any other agent for the treatment, vaccination, or testing of any animal belonging to another, shall be engaged in the practice of veterinary medicine.

Subd. 4. **Titles.** It is unlawful for a person who has not received a professional degree from an accredited or approved college of veterinary medicine, or ECFVG or PAVE certification, to use any of the following titles or designations: Veterinary, veterinarian, animal doctor, animal surgeon, animal dentist, animal chiropractor, animal acupuncturist, or any other title, designation, word, letter, abbreviation, sign, card, or device tending to indicate that the person is qualified to practice veterinary medicine.

Subd. 5. [Repealed, 1996 c 415 s 33]

Subd. 6. **Faculty licensure.** (a) Veterinary Medical Center clinicians at the College of Veterinary Medicine, University of Minnesota, who are engaged in the practice of veterinary medicine as defined in subdivision 1 and who treat animals owned by clients of the Veterinary Medical Center must possess the same license required by other veterinary practitioners in the state of Minnesota except for persons covered by paragraphs (b) and (c).

(b) A specialty practitioner in a hard-to-fill faculty position who has been employed at the College of Veterinary Medicine, University of Minnesota, for five years or more prior to 2003 or is specialty board certified by the American Veterinary Medical Association or the European Board of Veterinary Specialization may be granted a specialty faculty Veterinary Medical Center clinician license which will allow the licensee to practice veterinary medicine in the state of Minnesota in the specialty area of the licensee's training and only within the scope of employment at the Veterinary Medical Center.

(c) A specialty practitioner in a hard-to-fill faculty position at the College of Veterinary Medicine, University of Minnesota, who has graduated from a board-approved foreign veterinary school may be granted a temporary faculty Veterinary Medical Center clinician license. The temporary faculty Veterinary Medical Center clinician license expires in two years and allows the licensee to practice veterinary medicine as defined in subdivision 1 and treat animals owned by clients of the Veterinary Medical Center. The temporary faculty Veterinary Medical Center clinician license allows the licensee to practice veterinary medicine in the state of Minnesota in the specialty area of the licensee's training and only within the scope of employment at the Veterinary Medical Center while under the direct supervision of a veterinarian currently licensed and actively practicing veterinary medicine in Minnesota, as defined in section 156.04. The direct supervising veterinarian must not have any current or past conditions, restrictions, or probationary status imposed on the veterinarian's license by the board within the past five years. The holder of a temporary faculty Veterinary Medical Center clinician license who is enrolled in a PhD program may apply for up to two additional consecutive two-year extensions of an expiring temporary faculty Veterinary Medical Center clinician license. Any other holder of a temporary faculty Veterinary Medical Center clinician license may apply for one two-year extension of the expiring temporary faculty Veterinary Medical Center clinician license. Temporary faculty Veterinary Medical Center clinician licenses that are allowed to expire may not be renewed. The board shall grant an extension to a licensee who demonstrates suitable progress toward completing the requirements of their academic program,

specialty board certification, or full licensure in Minnesota by a graduate of a foreign veterinary college.

(d) Temporary and specialty faculty Veterinary Medical Center clinician licensees must abide by all the laws governing the practice of veterinary medicine in the state of Minnesota and are subject to the same disciplinary action as any other veterinarian licensed in the state of Minnesota.

(e) The fee for a license issued under this subdivision is the same as for a regular license to practice veterinary medicine in Minnesota. License payment deadlines, late payment fees, and other license requirements are also the same as for regular licenses.

History: (5851-12) 1937 c 119 s 12; 1965 c 204 s 11; 1976 c 285 s 11; 1984 c 427 s 1; 1985 c 228 s 4; 1986 c 444; 1996 c 415 s 18-20; 1999 c 231 s 162,163; 2004 c 254 s 25,26; 2008 c 297 art 1 s 38-40

Ohio Faculty Licensure

-
- 1. **Route: Ohio Revised Code » Title [47] XLVII OCCUPATIONS - PROFESSIONS » Chapter 4741: VETERINARIANS**

4741.13 Limited license to practice veterinary medicine.

The state veterinary medical licensing board may issue a limited license to practice veterinary medicine to an individual whose sole professional capacity is with a veterinary academic institution or veterinary technology institution recognized by the board in accordance with rules the board adopts or with a government diagnostic laboratory. A person holding a limited license is authorized to engage in the practice of veterinary medicine only to the extent necessary to fulfill the person's employment or educational obligations as an instructor, researcher, diagnostician, intern, resident in a veterinary specialty, or graduate student. The board may issue a limited license to an applicant who submits a completed application on a form prescribed by the board, pays the applicable fee prescribed in section [4741.17](#) of the Revised Code, and meets the criteria established by the board.

Effective Date: 10-12-2006

- 2. **Route: Ohio Revised Code » Title [47] XLVII OCCUPATIONS - PROFESSIONS » Chapter 4741: VETERINARIANS**

4741.17 Fees.

(A) Applicants or registrants shall pay to the state veterinary medical licensing board:

(1) For an initial veterinary license based on examination, on or after the first day of March in an even-numbered year, three hundred seventy-five dollars, and on or after the first day of March in an odd-numbered year, two hundred fifty dollars;

(2) For an initial limited license to practice veterinary medicine for an intern, resident in a veterinary specialty, or graduate student, thirty-five dollars;

(3) For an initial limited license to practice veterinary medicine

for an instructor, researcher, or diagnostician, one hundred fifty-five dollars;

(4) For a veterinary license by reciprocity issued on or after the first day of March in an even-numbered year, four hundred twenty-five dollars, and on or after the first day of March in an odd-numbered year, three hundred dollars;

(5) For a veterinary temporary permit, one hundred dollars;

(6) For a duplicate license, thirty-five dollars;

(7) For the veterinary license biennial renewal fee, where the application is postmarked no later than the first day of March, one hundred fifty-five dollars; where the application is postmarked after the first day of March, but no later than the first day of April, two hundred twenty-five dollars; and where the application is postmarked after the first day of April, four hundred fifty dollars. Notwithstanding section [4741.25](#) of the Revised Code, the board shall deposit ten dollars of each veterinary license biennial renewal fee that it collects into the state treasury to the credit of the veterinarian loan repayment fund created in section [4741.46](#) of the Revised Code.

(8) For the limited license to practice veterinary medicine biennial renewal fee, where the application is postmarked not later than the first day of July, one hundred fifty-five dollars; where the application is postmarked after the first day of July, but not later than the first day of August, two hundred twenty-five dollars; and where the application is postmarked after the first day of August, four hundred fifty dollars. Notwithstanding section [4741.25](#) of the Revised Code, the board shall deposit ten dollars of each limited license biennial renewal fee that it collects from instructors, researchers, and diagnosticians into the state treasury to the credit of the veterinarian loan repayment fund.

(9) For an initial registered veterinary technician registration fee on or after the first day of March in an odd-numbered year, thirty-five dollars, and on or after the first day of March in an even-numbered year, twenty-five dollars;

(10) For the biennial renewal registration fee of a registered

veterinary technician, where the application is postmarked no later than the first day of March, thirty-five dollars; where the application is postmarked after the first day of March, but no later than the first day of April, forty-five dollars; and where the application is postmarked after the first day of April, sixty dollars;

(11) For a specialist certificate, fifty dollars. The certificate is not subject to renewal.

(12) For the reinstatement of a suspended license, or for reinstatement of a license that has lapsed more than one year, an additional fee of seventy-five dollars;

(13) For examinations offered by the board, a fee, which shall be established by the board, in an amount adequate to cover the expense of procuring, administering, and scoring examinations;

(14) For a provisional veterinary graduate license, one hundred dollars.

(B) For the purposes of divisions (A)(7), (8), and (10) of this section, a date stamp of the office of the board may serve in lieu of a postmark.

Effective Date: 06-30-1999; 10-12-2006

From: "Cathy Kirkpatrick" <cathy@okvetboard.com>
Subject: RE: Practice Act Licensure for Veterinary School employed Veterinarians
Date: August 2, 2012 6:34:25 AM PDT
To: <tkendall@aol.com>, <Dgdanner@aol.com>

Good morning Dr. Kendall,

I am including both the Statutes and Rules related to the Faculty Licensure. All of the Interns, Residents and Instructors that make diagnosis and if they have interactions with the patients/clients they are required to have a Faculty license. Just in the past 5 years a rule was implemented that requires the "new" Faculty licensed individuals to take and pass the state jurisprudence examination. The fee for a new license is \$125 and each year on or before July 15th a renewal fee of \$175 is required. We have a great relationship and communicate with the College of Veterinary Medicine with is a big plus for our agency.

If you have any questions or I can assist in anyway please do not hesitate to ask.

Cathy

§ 698.8a VETERINARY FACULTY LICENSE

The State Board of Veterinary Medical Examiners may issue a veterinary faculty license to any qualified applicant associated with one of the state's institutions of higher learning and involved in the instructional program of either undergraduate or graduate veterinary medical students, subject to the following conditions:

1. The holder of the veterinary faculty license shall be remunerated for the practice aspects of the services of the holder solely from state, federal or institutional funds and not from the

patient-owner beneficiary of his practice efforts;

2. The applicant will furnish the Board with such proof as the Board may deem necessary to demonstrate that:

a. the applicant is a graduate of a reputable school or college of veterinary medicine,

b. the applicant has or will have a faculty position at one of the state's institutions of higher learning and will be involved in the instructional program of either undergraduate or graduate veterinary medical students, as certified by an authorized administrative official at such institution, and

c. the applicant understands and agrees that the faculty license is valid only for the practice of veterinary medicine as a faculty member of the institution;

3. The license issued pursuant to this section may be revoked, suspended or not renewed or the licensee may be placed on probation or otherwise disciplined in accordance with the provisions of the Oklahoma Veterinary Practice Act; and

4. The license issued pursuant to this section may be canceled by the Board upon receipt of information that the holder of the veterinary faculty license has left or has otherwise been discontinued from faculty employment at an institution of higher learning of this state.

775:10-3-8. Faculty licensure

(a) Practice in Oklahoma requires licensure or certification. Any faculty member of any school of veterinary medicine located in the State of Oklahoma shall obtain licensure if said faculty member is:

(1) Representing to the public himself/herself as a practicing veterinarian;

(2) Engaged in any clinical or practice related conduct that could be reasonably construed by the public as the practice of veterinary medicine and that is not specifically conducted as part of the academic training curriculum of the school of veterinary medicine.

(b) Said license or certificate must be prominently displayed in full view of the public.

775:10-3-8.1. Requirements for obtaining faculty licensure

(a) The Board may, within its discretion, issue a Veterinary Faculty License.

(b) Candidates for Veterinary Faculty License have the burden to furnish the Board with evidence on the following issues, to-wit:

(1) Applicant must submit proof that he/she holds or will hold a veterinary faculty position at one of the state's institutions of higher learning and that such position will involve the Applicant in the instructional program of either undergraduate or graduate veterinary medical students. Such faculty position and duties shall be certified by an authorized administrative official at the educational institution. The Board will review other applicants on individual merit and position sought in the interest of the public.

(2) Applicant is a graduate of a college of veterinary medicine approved by the American Veterinary Medical Association (AVMA) or certified by the Education Council on Foreign Veterinary Graduates (ECFVG); or Applicant may have passed the National Board Examination (NBE), the Clinical Competency Test (CCT), or North American Veterinary Licensing Examination (NAVLE); or be currently licensed in good standing in another state, or be board certified in a specialty recognized by the AVMA.

(3) Applicant must be prepared for personal interview with the Board or its designee to provide evidence of competency in their specialty or subspecialty and their ability to communicate in the English language.

(4) For veterinarians whose native language is not English and who have graduated from AVMA-approved or accredited colleges, in addition to requirements (1) through (3) of this subsection, the Board may require satisfactory completion of the same English competency tests used by the ECFVG. Currently these tests include the Test of English as a Foreign Language, Test of Written English and Test of Spoken English.

(5) Applicant is required to take and pass the Oklahoma Jurisprudence examination before issuance of a Faculty license.

(c) Any Veterinary Faculty license is valid only for the practice of veterinary medicine as a faculty member of the aforesaid educational institution.

(d) Any Veterinary Faculty License is limited only to the specialty or subspecialty that the Applicant teaches at the educational institution, and shall be enumerated on the application and on the license.

(e) Any fees charged for the professional veterinary services of the holder of a Veterinary Faculty License shall be equal to that charged by fully licensed veterinary practitioners in the area. All fees received for the professional veterinary services provided by a veterinary faculty licensee shall go to the educational institution and the holder of any Veterinary Faculty License shall be reimbursed for practice aspects of his services only from federal, state or institutional funds, not from clients.

(f) Each person holding a Veterinary Faculty License must at all times clearly identify and represent himself as a veterinary faculty licensee.

(g) Each person holding a Veterinary Faculty License must renew that license prior to July 15 each year.