

CHAPTER 43-29 VETERINARIANS

43-29-01. Purpose of the chapter.

Repealed by S.L. 2007, ch. 376, § 1.

43-29-01.1. Definitions.

As used in this chapter, unless the context otherwise requires:

1. "Accepted livestock management practice" means a procedure that is commonly performed as part of the routine management of livestock which includes vaccination, implantation of growth hormones, branding, castration, dehorning, docking, earmarking, semen collection, nonsurgical artificial insemination, and assisting in a nonsurgical birthing process.
2. "Animal" means a member of the animal kingdom other than a human being whether living or dead.
3. "Approved college of veterinary medicine" means a veterinary college or division of a university or college which offers the degree of doctor of veterinary medicine or its equivalent and which conforms to the standards required for accreditation by an accrediting entity approved by the board, if the entity is nationally recognized and develops and maintains accreditation standards for veterinary education.
4. "Approved program in veterinary technology" means any postsecondary educational program that offers a degree in veterinary technology or its equivalent and has been approved by the board by rule.
5. "Board" means the board of veterinary medical examiners.
6. "Client" means the patient's owner, owner's agent, or other individual presenting the patient for care.
7. "Complementary, integrative, and alternative therapies" means a heterogeneous group of preventative, diagnostic, and therapeutic philosophies and practices not considered part of conventional veterinary medicine practiced by most veterinarians.
8. "Consent" means the veterinarian has informed the client of the diagnostic and treatment options, risk assessment, and prognosis, and the client has authorized the recommended services.
9. "Consultation" means advice or assistance received by a veterinarian in person, or by any method of communication, from a veterinarian or other individual whose expertise, in the opinion of the veterinarian, would benefit a patient.
10. "Direct supervision" means supervision by a veterinarian who is readily available on the premises where the patient is being treated and has assumed responsibility for the veterinary care given to the patient by an individual working under the direction of the veterinarian.
11. "Foreign practitioner" has the same meaning as defined under section 43-51-01.
12. "Immediate supervision" means supervision by a veterinarian who is in the immediate area and within audible and visual range of the patient and the individual treating the patient and has assumed responsibility for the veterinary care given to the patient by an individual working under the direction of the veterinarian.
13. "Impaired veterinarian" means a veterinarian who is unable to practice veterinary medicine with reasonable skill and safety because of a physical or mental disability or the use of alcohol, drugs, or other habit-forming chemicals.
14. "Impaired veterinary technician" means a veterinary technician who is unable to practice veterinary technology with reasonable skill and safety because of a physical or mental disability or the use of alcohol, drugs, or other habit-forming chemicals.
15. "Indirect supervision" means the supervision by a veterinarian who is not on the premises where the patient is being treated but has given written or oral instructions for the treatment of the patient, is readily available for communication, and has assumed responsibility for the veterinary care given to the patient by an individual working under the direction of the veterinarian.

16. "Jurisdiction" means any commonwealth, state, or territory of the United States of America, including the District of Columbia, or any province of Canada.
17. "Patient" means an animal or group of animals examined or treated by a veterinarian.
18. "Practice of veterinary medicine" means the:
 - a. Diagnosis, prognosis, correction, supervision, recommendation, or performance of any medical or surgical treatment, including complementary, integrative or alternative therapies, for the diagnosis, prevention, cure, or relief of a wound, disease, deformity, defect, fracture, bodily injury, dental, physical, behavioral, or mental condition of an animal;
 - b. Prescription, distribution, or administration of a drug, medicine, anesthetic, biologic, appliance, apparatus, application, or treatment to an animal;
 - c. Provision of any manual or mechanical procedure for the diagnosis or treatment of pregnancy, sterility, or infertility of an animal;
 - d. Determination of the health, fitness, or soundness of an animal;
 - e. Representation of oneself, directly or indirectly, as engaging in the practice of veterinary medicine; or
 - f. Use of any title, word, abbreviation, or letter in a manner or under circumstances that induce the belief that the individual using such title is authorized to practice veterinary medicine under this chapter.
19.
 - a. "Practice of veterinary technology" means the:
 - (1) Provision of professional medical care, monitoring, or treatment on the basis of written or oral instructions from a veterinarian;
 - (2) Representation of oneself, directly or indirectly, as engaging in the practice of veterinary technology; or
 - (3) Use of any title, word, abbreviation, or letter in a manner or under circumstances inducing the belief the individual using such title is authorized to practice veterinary technology under this chapter.
 - b. This section may not be construed to permit a veterinary technician to do the following:
 - (1) Surgery, except when acting as a surgical assistant to a veterinarian;
 - (2) Diagnose;
 - (3) Prognose; or
 - (4) Prescribe.
20. "State board examination" means the jurisprudence examination administered by the board.
21. "Supervising veterinarian" means a veterinarian who has a valid veterinarian-client-patient relationship and assumes responsibility for the veterinary care provided to the patient by an individual working under the direction of the veterinarian.
22. "Teleadvice" means the provision of any health information, opinion, or guidance that is not specific to a particular animal's health, illness, or injury and is not intended to diagnose, prognose, or treat an animal.
23. "Telehealth" means the use of technology to gather and deliver health information, advice, education, or patient care remotely.
24. "Triage" means electronic communication with the client to determine urgency and need for immediate referral to a veterinarian.
25. "Veterinarian" means an individual who is licensed to practice veterinary medicine under this chapter.
26. "Veterinarian-client-patient relationship" means a relationship in which the veterinarian has assumed responsibility for making medical judgments regarding the health of a patient and the client has agreed to follow the instructions of the veterinarian.
27. "Veterinary medicine" includes all branches or specialties of veterinary medicine.
28. "Veterinary premises" means any premises or facility where the practice of veterinary medicine is performed but may not include the premises of a client, research facility, military base, or an approved college of veterinary medicine.
29. "Veterinary technician" means an individual who is licensed to practice veterinary technology under this chapter.

30. "Veterinary technology" includes all branches or specialties of veterinary technology.
31. "Veterinary telemedicine" means the virtual practice of veterinary medicine over the telecommunications infrastructure.

43-29-02. State board of veterinary medical examiners - Appointments - Qualifications - Terms - Vacancies.

1. The state board of veterinary medical examiners consists of five gubernatorially appointed members. In appointing the board members, the governor shall appoint three veterinarians, one veterinary technician, and one individual representing the public. In appointing the veterinarian members of the board, the governor shall make an effort to appoint:
 - a. One veterinarian whose practice has a predominant focus on large animals;
 - b. One veterinarian whose practice has a predominant focus on small animals; and
 - c. One veterinarian whose practice focuses on both large and small animals.
2.
 - a. Each veterinarian on the board must be licensed in this state and must have practiced in this state for at least five years immediately preceding the appointment.
 - b. The veterinary technician on the board must be licensed in this state and must have practiced in this state for at least five years immediately preceding the appointment.
 - c. The individual representing the public:
 - (1) Must be a resident of this state;
 - (2) Must have resided in this state for at least five years immediately preceding the appointment;
 - (3) May not be a veterinarian, a veterinary technician, or the spouse of a veterinarian or a veterinary technician;
 - (4) May not ever have been a veterinarian, a veterinary technician, or the spouse of a veterinarian or a veterinary technician; and
 - (5) May not have any direct financial interest in the provision of veterinary services and may not be engaged in any activity directly related to the veterinary profession.
3.
 - a. The term of office for each member is three years. Terms must be staggered by lot so that no more than two terms expire each year. Each term of office begins on July first.
 - b. Each member of the board shall hold office until a successor is appointed and qualified.
4. If at any time during a member's term, the member ceases to possess any of the qualifications provided in this section or if the member resigns, the member's office is deemed vacant and the governor shall appoint another qualified individual for the remainder of the term.
5. The governor may, after due notice and hearing, remove any member of the board of veterinary examiners for cause.

43-29-03. Officers of board - Seal - Meetings - Limitations on meetings - Duties of board - Rules - Fees.

1. The board shall elect a president and a vice president. The board shall hold meetings semiannually for the approval of applicants for licensure. The board may hold any other meeting it determines necessary at the time and place it designates. No session of the board may exceed two days. A quorum must be present to conduct the business and proceedings of the board.
2. The board may adopt and enforce reasonable rules, and orders that it determines to be necessary to the performance of its duties and the regulation of the practice of veterinary medicine, veterinary technology, and veterinary telemedicine, including to:
 - a. Establish standards for professional conduct and inspection of veterinary premises;
 - b. Establish requirements for granting of licenses and temporary licenses;

- c. Establish requirements for renewal of licenses and continuing education;
 - d. Prepare application forms for licensure and renewal;
 - e. Administer the state board examination for qualified applicants;
 - f. Obtain the services of professional examination agencies to administer national examinations; and
 - g. Issue, suspend, revoke, or place on probationary status licenses and temporary licenses as provided in this chapter.
3. All rules must be submitted to the attorney general in accordance with chapter 28-32.
 4. The board shall set the following by rule:
 - a. Application fee;
 - b. License fee;
 - c. Temporary license fee;
 - d. Renewal fee;
 - e. Late renewal fee; and
 - f. Continuing education fee.

43-29-03.1. Authority of the board to rely on certain data.

The board shall be authorized to rely upon the expertise of and verified data gathered and stored by not-for-profit organizations that share in the public protection mission of the board including the American association of veterinary state boards to make determinations under this chapter and to promote uniformity and administrative efficiencies.

43-29-04. Record of proceedings of board - Register of applicants kept by board - Records and register as evidence.

The board shall keep a record of all its proceedings and a register of applicants for licenses showing the name of each applicant, the time spent by each applicant in the study and practice of veterinary medicine or veterinary technology, and the name and location of the program which granted the applicant a degree or diploma. Such books and records are prima facie evidence of the matters recorded therein.

43-29-05. Compensation and expenses of members of board.

Members of the board may receive for each day the members are engaged in the performance of the duties of their office the per diem fixed by the board. The members also may be reimbursed for necessary travel expenses and meals and lodging expenses at the same rate and in the same manner as are elected officials and employees of the state.

43-29-05.1. Executive director.

The board may employ an executive director and other individuals as necessary to carry out the purpose of this chapter at such salaries as it may determine.

43-29-06. License required.

An individual must have a license or temporary license issued by the board to practice veterinary medicine or veterinary technology.

43-29-07. Requirements for veterinarian licensure.

The board may grant a license to practice veterinary medicine to an applicant who:

1. Is a graduate of an approved college of veterinary medicine or has completed an equivalency program of veterinary medicine as established by the board by rule;
2. Passes the national board examination and clinical competency test, or the North American veterinary licensing examination;
3. Passes the state board examination;
4. Has no grounds for license refusal under section 43-29-14; and
5. Meets any additional requirements for licensure established by the board by rule.

43-29-07.1. Requirements for veterinary technician licensure.

The board may grant a license to practice veterinary technology to an applicant who:

1. Is a graduate of an approved program of veterinary technology or completed an equivalency program of veterinary technology as established by the board by rule;
2. Passes the veterinary technician national examination;
3. Passes the state board examination;
4. Has no grounds for license refusal under section 43-29-14; and
5. Meets any additional requirements for licensure established by the board by rule.

43-29-07.2. Temporary license to practice veterinary medicine.

The board may issue a temporary license to practice veterinary medicine in this state to a qualified applicant who has met the requirements established by the board.

43-29-07.3. Veterinarian - License renewal - Continuing education requirements.

1. A veterinarian license expires annually on June thirtieth.
2. A veterinarian license may be renewed by submission of the following to the board, no later than June thirtieth:
 - a. A complete renewal application;
 - b. Payment of the renewal fee established by the board; and
 - c. Proof of completion of board required continuing education.
3. An individual who neglects or willfully fails to renew a license and practices veterinary medicine after the expiration of the license, is practicing veterinary medicine in violation of this chapter.
4. An individual may renew an expired license within five years of the date of expiration by completing an application for renewal, paying the current renewal fee plus all delinquent renewal fees, and completing all required continuing education. After five years have elapsed since the date of expiration, a license may not be renewed, but the holder may apply for a new license.
5. The board may refuse to renew or may suspend, revoke, or place on probationary status any license issued under this chapter upon proof the veterinarian has failed to meet the applicable continuing education requirements.

43-29-07.4. Indirect practice without a license - Foreign practitioners.

A foreign practitioner may provide veterinary services in this state which fall within the scope of practice designated by the foreign practitioner's license and by this chapter without obtaining a license from the board if the services are provided through telehealth and are a continuation of an existing veterinarian-client-patient relationship as established under this chapter.

43-29-08. Certificate of qualification issued to applicants passing examination - Conclusiveness of certificate - Re-examination.

Repealed by S.L. 1997, ch. 376, § 12.

43-29-08.1. Veterinary technician - Renewal of license - Continuing education requirements.

1. A veterinary technician license expires annually on December thirty-first.
2. A veterinary technician license may be renewed by submission of the following to the board, no later than December thirty-first:
 - a. A complete renewal application;
 - b. Payment of a renewal fee established by the board; and
 - c. Proof of completion of board required continuing education.
3. An individual who neglects or willfully fails to renew a license and practices veterinary technology after the expiration of the license, is practicing veterinary technology in violation of this chapter.
4. An individual may renew an expired license within five years of the date of its expiration by completing an application for renewal, paying the current renewal fee

plus all delinquent renewal fees, and completing all required continuing education. After five years have elapsed since the date of expiration, a license may not be renewed, but the holder may apply for a new license.

5. The board may refuse to renew or may suspend, revoke, or place on probationary status any license issued under this chapter upon proof the veterinary technician has failed to meet the applicable continuing education requirements.

43-29-09. Limited specialty license - Graduate veterinary technicians.

Repealed by S.L. 2025, ch. 397, § 30.

43-29-10. Display of license and certificate.

Repealed by S.L. 2025, ch. 397, § 30.

43-29-11. Fees deposited with state treasurer - Separate fund - Vouchers.

Repealed by S.L. 2025, ch. 397, § 30.

43-29-12. Veterinary medicine defined.

Repealed by S.L. 1997, ch. 376, § 12.

43-29-12.1. Veterinary technician services - Emergency services - Prohibited services.

Repealed by S.L. 2025, ch. 397, § 30.

43-29-12.2. Veterinarian-client-patient relationship - Requirements.

1. A veterinarian-client-patient relationship may not be established unless the veterinarian has sufficient knowledge of the patient to initiate a general or preliminary diagnosis of the medical condition of the patient. To establish a veterinarian-client-patient relationship, the veterinarian must be personally acquainted with the keeping and care of the patient by virtue of a medically appropriate and timely in-person examination of the patient by the veterinarian, or by a timely in-person visit to the premises where the patient is managed or resides.
2. The veterinarian must be reasonably available for patient followup care after a veterinarian-client-patient relationship is established.
3. The veterinarian shall provide oversight of patient treatment.
4. Patient records must be maintained according to rules promulgated by the board.
5. A veterinarian-client-patient relationship may not be established solely through veterinary telemedicine.
6. A veterinarian seeking consultation shall maintain the veterinarian-client-patient relationship.
7. A veterinarian may terminate a veterinarian-client-patient relationship by notifying the client that the veterinarian no longer wishes to serve the patient and client.
8. The veterinarian shall provide medical records to the client, another veterinarian, or a foreign practitioner designated by the client if the veterinarian-client-patient relationship has been terminated. The veterinarian shall allow the client a reasonable amount of time to arrange care with another veterinarian unless the circumstance, patient, or client threatens the safety of the veterinarian or the staff.
9. A veterinarian who in good faith engages in the practice of veterinary medicine by rendering or attempting to render emergency care may not be subject to penalty based solely on the inability to establish a veterinarian-client-patient relationship.
10. The veterinarian-client-patient relationship may extend to all veterinarians within the same practice with access to the patient records.

43-29-12.3. Practice of veterinary medicine - Location of practice.

The provision of veterinary services to a patient in this state which fall within the standard of practice of veterinary medicine regardless of the means by which the services are provided or

the physical location of the person providing those services, constitutes the practice of veterinary medicine in this state and is subject to regulation by the board.

43-29-13. Practice of veterinary medicine - Exceptions.

1. The following individuals may not be considered to be engaging in the practice of veterinary medicine in this state:
 - a. An individual who treats animals, owned by themselves or the individual's regular employer, except if ownership of the animal was transferred or otherwise manipulated to avoid the requirements of this chapter.
 - b. An individual who conducts experiments in scientific research in the development of methods, techniques, or treatment, directly or indirectly applicable to the problems of medicine, and who in connection with these activities uses animals.
 - c. A student enrolled in an approved college of veterinary medicine performing duties or actions assigned by an instructor or working under the direct supervision of a veterinarian.
 - d. An individual engaged in this state in consultation with veterinarians legally practicing herein.
 - e. An employee of the United States or this state while in the performance of duties as an employee.
 - f. A merchant or manufacturer selling nonprescription medicine, feed, an appliance, or any other product for use as labeled in the prevention or treatment of animal diseases.
 - g. An employee of a veterinarian performing duties under the direction or supervision of the veterinarian responsible for the employee's performance, except the following duties:
 - (1) Performing surgery;
 - (2) Diagnosing;
 - (3) Prognosing; or
 - (4) Prescribing.
 - h. An individual lecturing or giving instructions or demonstrations within the individual's area of professional expertise in connection with a continuing education course or seminar.
 - i. An individual selling or applying any pesticide, insecticide, or herbicide.
 - j. An individual who is not a graduate of an approved college of veterinary medicine, and is enrolled in an equivalency program of veterinary medicine as approved by the board, performing duties or actions assigned by an instructor in an approved college of veterinary medicine.
 - k. An individual performing a direct embryo transfer procedure on a recipient cow. Except as provided in this subsection, an individual performing a direct embryo transfer procedure on a recipient cow may not administer prescription drugs to the cow during, or as part of, the procedure. The owner of the recipient cow, however, may administer or cause the administration of prescription drugs to the recipient cow during, or as part of, the procedure as prescribed by a veterinarian.
 - l. An individual who administers medication or treatment as prescribed by a veterinarian.
 - m. An individual who performs gratuitous services for an animal in a life-threatening situation.
2. This section may not be construed to protect individuals from animal cruelty laws in this state.

43-29-13.1. Practice of veterinary medicine - Exceptions for recognized animal services.

1. The provision of a recognized animal service does not constitute the practice of veterinary medicine if provided by an individual who is not a veterinarian or veterinary technician and not otherwise excepted from the practice of veterinary medicine under section 43-29-13.

2. For purposes of this section, "recognized animal service" means:
 - a. Grooming;
 - b. Training or conditioning;
 - c. Horseshoeing or farrier work;
 - d. Massage therapy or acupuncture;
 - e. Microchip implantation; and
 - f. An accepted livestock management practice.
3. This section does not permit an individual who is not a veterinarian to diagnose, prescribe, or perform surgical procedures, other than surgical procedures considered to be an accepted livestock management practice.
4. The exceptions provided under this section do not extend to any other animal services.

43-29-13.2. Practice of veterinary technology - Exceptions.

1. The following individuals may not be considered to be engaging in the practice of veterinary technology in this state:
 - a. An individual who treats an animal owned by the individual or the individual's regular employer, except if ownership of the animal was transferred or otherwise manipulated to avoid the requirements of this chapter.
 - b. An individual who conducts experiments in scientific research in the development of methods, techniques, or treatment, directly or indirectly applicable to the problems of medicine, and who in connection with these activities uses animals.
 - c. A student enrolled in an approved program of veterinary technology performing duties or actions assigned by an instructor or working under the direct supervision of a veterinarian.
 - d. An employee of the United States or this state while in the performance of duties as employees.
 - e. An employee of a veterinarian performing duties under the direction or supervision of the veterinarian responsible for the employee's performance.
 - f. An individual lecturing or giving instructions or demonstrations within the individual's area of professional expertise in connection with a continuing education course or seminar.
 - g. An individual who is not a graduate of an approved program of veterinary technology, enrolled in an equivalency program of veterinary technology as approved by the board, performing duties or actions assigned by an instructor in an approved program of veterinary technology.
 - h. An individual who administers medication or treatment as prescribed by a veterinarian.
 - i. An individual who performs gratuitous services for an animal in a life-threatening situation.
2. This section may not be construed to protect individuals from animal cruelty laws in this state.

43-29-14. Refusal, suspension, and revocation of license - Reinstatement and relicensure.

1. The board may refuse to issue a license or temporary license, or may suspend or revoke a license or temporary license, upon any of the following grounds:
 - a. Fraud or deception in procuring the license, including conduct that violates the security or integrity of any licensing examination.
 - b. The use of advertising or solicitation that is false, misleading, or otherwise determined unprofessional under rules adopted by the board.
 - c. The determination that an individual is an impaired veterinarian as defined by section 43-29.01.1 or an impaired veterinary technician as defined by section 43-29-01.1.
 - d. Unprofessional conduct as defined by the rules adopted by the board, or violating the code of ethics adopted by the board by rule.

- e. Incompetence, gross negligence, or other malpractice in the practice of veterinary medicine or veterinary technology.
 - f. Employment of unlicensed individuals to perform work that under this chapter can lawfully be done only by individuals licensed to practice veterinary medicine or veterinary technology.
 - g. Fraud or dishonest conduct in applying or reporting diagnostic biological tests, inspecting foodstuffs, or in issuing regulatory documents.
 - h. Failure to keep the premises and equipment used in a reasonably clean and sanitary condition and failure to use reasonably sanitary methods in the practice of veterinary medicine or veterinary technology.
 - i. Violation of the rules adopted by the board.
 - j. Conviction of an offense determined by the board to have a direct bearing upon the ability of an individual to serve the public as a veterinarian or veterinary technician, or when the board determines, following conviction of any offense, that an individual is not sufficiently rehabilitated under section 12.1-33-02.1.
 - k. Willful or repeated violations of this chapter or any rule adopted by the board.
 - l. Failure to report, as required by law, or making false report of, any contagious or infectious disease.
 - m. Cruelty to animals as defined under chapter 36-21.2.
 - n. Revocation of a license to practice veterinary medicine or veterinary technology by another jurisdiction on grounds other than nonpayment of a renewal fee.
 - o. The use, prescription, or dispensing of any veterinary prescription drug, or the prescription or extra-label use of any over-the-counter drug, in the absence of a valid veterinarian-client-patient relationship, except as provided by section 43-29-19.
2. An individual whose license has been revoked may apply to the board for reinstatement and relicensure one year after the date of revocation. The board may reissue a license if the board is satisfied the applicant is qualified to practice veterinary medicine or veterinary technology, meets the existing requirements for licensure, and will comply with the rules regarding the practice of veterinary medicine or veterinary technology.

43-29-15. Complaints - Investigations - Rules.

1. An individual may file a written complaint with the board setting forth the specific charges upon which the complaint is made. Upon receiving a complaint, the board shall notify the veterinarian or veterinary technician of the complaint and request a written response from the veterinarian or veterinary technician. The board may adopt rules establishing a peer review committee for the purpose of investigating complaints and providing recommendations to the board. A veterinarian or veterinary technician who is the subject of an investigation by the board shall cooperate fully with the investigation. Cooperation includes responding fully and promptly to any reasonable question raised by or on behalf of the board relating to the subject of the investigation and providing copies of records when reasonably requested by the board. Failure to cooperate in the investigative process may be grounds for disciplinary action against the veterinarian or veterinary technician.
2. To pursue the investigation, the board may:
 - a. Subpoena and examine witnesses, records, medical records, copy, photograph, or take samples;
 - b. Require the veterinarian or veterinary technician to give statements under oath;
 - c. Require the veterinarian or veterinary technician to submit to a physical examination, chemical dependency evaluation, or psychological examination by a physician or other qualified evaluation professional selected by the board if there is reasonable cause to believe the veterinarian or veterinary technician is impaired as defined by section 43-29-01.1; and
 - d. Require the veterinarian or veterinary technician to enroll in a treatment or monitoring program approved by the board if the board determines in good faith

enrollment would be beneficial to the veterinarian or veterinary technician or to protect the public.

3. After review of the complaint, the response from the veterinarian or veterinary technician, and information obtained in the investigation, the board shall determine if there is a reasonable basis to believe the allegations are true and if the allegations constitute a violation of this chapter or the rules of the board. If the board determines there is a reasonable basis to believe the allegations are true and the allegations constitute a violation of this chapter or the rules of the board, the board shall take appropriate action. If a reasonable basis is not found by the board, the board shall notify the complaining party and the veterinarian or veterinary technician in writing.
4. Unless the board proceeds with a disciplinary action, the complaint, the response, and any records received by the board during an investigation of a complaint under this section are exempt records, as defined in section 44-04-17.1.
5. A veterinarian or veterinary technician shall report in good faith any impaired veterinarian or impaired veterinary technician as defined by section 43-29-01.1.
6. The board may adopt rules as necessary to carry out this section.

43-29-15.1. Mental health or substance use disorder - Self-reporting and self-referral to treatment or monitoring program - Confidential records.

1. A veterinarian or veterinary technician may voluntarily self-report or self-refer to a treatment or monitoring program approved or contracted by the board to seek assistance for a potential or existing impairment due to a mental health or substance use disorder.
2. A veterinarian or veterinary technician who under this section voluntarily seeks assistance from a treatment or monitoring program in assessing or treating a potential or existing impairment will not be reported to the board solely on the basis of self-reporting or self-referral.
3. The identity of the veterinarian or veterinary technician and findings of the evaluation only may be reported to the board when:
 - a. A veterinarian or veterinary technician refuses to undergo an evaluation by the program;
 - b. The evaluation reveals evidence of an impairment that could affect the ability of the veterinarian or veterinary technician to practice, or constitutes a threat to the safety of a patient or the public; or
 - c. The veterinarian or veterinary technician refuses to cooperate with a treatment plan, monitoring and followup, or aftercare directed by the program, including a recommendation about continuing practice.
4. Participation in the program does not protect a veterinarian or veterinary technician from disciplinary action resulting from a complaint.
5. A veterinarian or veterinary technician who self-reports or self-refers to the board for a potential or existing impairment may be referred by the board to a treatment or monitoring program in a manner prescribed by the board by rule, and subsequent reporting by the program to the board is at the discretion of and in the manner prescribed by the board.
6. A veterinarian or veterinary technician who has completed a treatment or monitoring program and is in full compliance with all parts of the treatment or monitoring plan and aftercare, may answer in the negative to a question on an application to the board for licensure or licensure renewal regarding current impairment by the condition for which the veterinarian or veterinary technician completed treatment. However, any recurrence of the impairment or the existence of other potential impairments that are not currently known to the program must be reported on the application.
7. Notwithstanding section 44-04-18, except as otherwise provided in this chapter, all records related to participation in a treatment or monitoring program established under this section containing identifying information about a veterinarian or veterinary technician are confidential and only may be disclosed when:

- a. Disclosure is reasonably necessary for the accomplishment of the purposes of intervention, rehabilitation, referral assistance, or supportive services;
 - b. Disclosure is required by law in a legal or administrative hearing or requested by the board for a formal disciplinary action;
 - c. Disclosure is necessary regarding a veterinarian's or veterinary technician's noncompliance with the program;
 - d. A staff member is handling records for administrative purposes as provided under this section; and
 - e. A person is participating in treatment or program monitoring, evaluations, or followup.
8. A person in attendance at any meeting of a treatment or monitoring program is not required to testify as to the content of any findings, committee discussions, or proceedings, unless requested by the board for a disciplinary proceeding or regarding noncompliance with the program.

43-29-16. Proceedings on revocation or suspension of license - Appeals - Costs of prosecution - Disciplinary proceedings.

1. All proceedings relative to the issuance, revocation, or suspension of a license, or relative to reissuing a license that has been revoked must be conducted pursuant to chapter 28-32. An appeal from the final decision of the board in any matter covered by this chapter may be taken to the district court of Burleigh County or the aggrieved party's county of residence in accordance with chapter 28-32.
2. In any order or decision issued by the board in which disciplinary action is imposed against a veterinarian or veterinary technician, the board may direct the veterinarian or veterinary technician to pay the board a sum not to exceed the reasonable and actual costs, including attorney's fees, incurred by the board in the investigation and prosecution of the case.

43-29-16.1. Abandonment of animals by client - Disposal of remains.

1. Any animal placed in the custody of a veterinarian for treatment, boarding, or other care, which is abandoned by the client for a period of more than ten days after a written notice, by registered or certified letter, return receipt requested, is mailed to the client at the last-known address, may be turned over to the custody of the nearest humane society or pound in the area or disposed of as such custodian may deem proper.
2. The service of notice to the client, of such animal by the veterinarian, as provided in subsection 1, shall relieve the veterinarian and any custodian to whom such animal may be given of any further liability for disposal. Such procedure by the veterinarian does not constitute grounds for disciplinary procedure under this chapter.
3. For the purpose of this section, the term "abandoned" means to forsake entirely or to neglect or refuse to provide or perform the care and support of an animal by the client; such abandonment constitutes the relinquishment of all rights and claim by the owner of such animal.
4. Any animal remains that are left in the possession of a veterinarian and have not been claimed by the client for a period of more than ten days after a written notice, by registered or certified letter, return receipt requested, is mailed to the client at the last-known address, may be disposed of by the veterinarian as deemed proper.

43-29-17. Unlawful practice of veterinary medicine - Penalty - Civil remedy.

1. An individual is guilty of a class B misdemeanor if the individual:
 - a. Practices veterinary medicine in this state without compliance with the provisions of this chapter;
 - b. Willfully and falsely claims or pretends to have or hold a license or temporary license issued by the board; or

- c. Willfully and falsely, with intent to deceive the public, claims or pretends to be a graduate of, or to hold a degree or diploma from a program of veterinary medicine approved by the board.
2. In addition to the criminal penalty provided, the civil remedy of injunction is available to restrain and enjoin violations of any provisions of this chapter without proof of actual damages sustained by an individual, upon application and unanimous vote of all members of the board.

43-29-17.1. Unlawful practice of veterinary technology - Penalty - Civil remedy.

1. An individual is guilty of a class B misdemeanor if the individual:
 - a. Practices veterinary technology in this state without compliance with the provisions of this chapter;
 - b. Willfully and falsely claims or pretends to have or hold a license issued by the board; or
 - c. Willfully and falsely, with intent to deceive the public, claims or pretends to be a graduate of, or to hold a degree or diploma from, a program of veterinary technology approved by the board.
2. In addition to the criminal penalty provided, the civil remedy of injunction is available to restrain and enjoin violations of any provisions of this chapter without proof of actual damages sustained by an individual, upon application and unanimous vote of all members of the board.

43-29-17.2. Immunity from liability.

The following individuals are immune from liability in any civil or criminal proceeding brought against the individual for any action occurring while the individual was acting in good faith within the scope of the individual's respective capacity:

1. A member of the board;
2. A member of a peer review committee;
3. A witness testifying in a proceeding or hearing authorized under this chapter or administrative proceeding held under chapter 28-32;
4. A treating professional;
5. An individual who files a complaint pursuant to this Act; and
6. An individual reporting an impaired veterinarian or impaired veterinary technician as defined by section 43-29-01.1.

43-29-18. Effect of invalidity of part of this chapter.

Repealed by S.L. 1983, ch. 82, § 154.

43-29-19. Veterinary prescription drugs.

1. Except as provided under subsection 2, a veterinary prescription drug must be dispensed, used, or prescribed within the context of a veterinarian-client-patient relationship.
2. Other than a controlled substance, a veterinarian may dispense a veterinary prescription drug without establishing a veterinarian-client-patient relationship if:
 - a. The drug is prescribed by a veterinarian or by a foreign practitioner who has established a veterinarian-client-patient relationship;
 - b. The prescribing veterinarian or foreign practitioner has an inadequate supply of the drug, failure to dispense the drug would interrupt a therapeutic regimen, or failure to dispense the drug would cause an animal to suffer;
 - c. The dispensing veterinarian verifies the prescription with the prescribing veterinarian or foreign practitioner; and
 - d. The dispensing veterinarian is not presumptively aware of any disciplinary action against the prescribing veterinarian or foreign practitioner.

43-29-20. Veterinary telemedicine - Teleadvice and teletriage - Rules.

1. A veterinarian shall establish a veterinarian-client-patient relationship by virtue of a medically appropriate and timely in-person examination of a patient by the veterinarian, or by a timely in-person visit to the premises where the patient is managed or resides before the provision of veterinary telemedicine services.
2. The provision of teleadvice or teletriage by a veterinarian does not require the prior establishment of a veterinarian-client-patient relationship.
3. A veterinary technician may perform teleadvice and teletriage without instructions from a veterinarian.
4. The board may adopt rules as necessary to carry out this section.