

87-05-02-01. Unprofessional conduct. Unprofessional conduct manifestly disqualifying a licensee from practicing veterinary medicine includes:

1. Failing to meet the minimum standards of practice.
2. Engaging in conduct likely to deceive, defraud, or harm the public or demonstrating a willful or careless disregard for the health, welfare, or safety of a patient, in which case, proof of actual injury need not be established.
3. Claiming to have performed or charging for an act or treatment that was, in fact, not performed or given.
4. Promoting, aiding, abetting, or permitting the practice of veterinary medicine by an unlicensed person.
5. Prescribing or dispensing, delivering, or ordering delivered a controlled substance without first having established a veterinarian-client-patient relationship by having personally examined the individual animal, herd, or a representative segment or a consignment lot and determining that treatment with the controlled substance is therapeutically indicated. Use of euthanizing drugs in recognized animal shelters or government animal control facilities is exempt from this requirement.
6. Performing surgery to conceal genetic or congenital defects, in any species, with the knowledge that the surgery has been requested to deceive a third party.
7. Promoting, selling, prescribing, or using a product for which the ingredient formula is unknown to the veterinarian.
8. Failing to report to law enforcement or humane officers inhumane treatment to animals, including staged animal fights or training events for fights, the veterinarian reasonably believed occurred.
9. Fraudulently issuing or using a certificate of veterinary inspection, test chart, vaccination report, or other official form used in the practice of veterinary medicine to prevent the dissemination of animal disease, transportation of diseased animals, or the sale of inedible products of animal origin for human consumption.

10. Willfully harassing, abusing, or intimidating a client or animal owner either physically or verbally. Taking legal action to collect for services rendered cannot be considered harassment.
11. Engaging in conduct which willingly and knowingly leads to the spread of contagious disease from one herd or animal to another.
12. Advertising, stating, or implying that the veterinarian is a certified or recognized specialist in any given field unless the veterinarian is a diplomate of a speciality board recognized by the American veterinary medical association.

History: Effective August 1, 2004; amended effective January 1, 2014.

General Authority: NDCC 43-29-03

Law Implemented: NDCC 43-29-14