

Maine Revised Statutes
Title 32: PROFESSIONS AND OCCUPATIONS
Chapter 71-A: MAINE VETERINARY PRACTICE ACT OF 1975

§4853. DEFINITIONS

When used in this chapter, except where otherwise indicated by context, the following words and phrases shall have the following meaning. [1975, c. 477, §4 (NEW).]

1. Animal. "Animal" means any animal other than man and includes fowl, birds, fish and reptiles, wild or domestic, living or dead.

[1975, c. 477, §4 (NEW) .]

1-A. Veterinary assistant. "Veterinary assistant" means a person employed in a veterinary facility to assist a licensed veterinarian or a licensed veterinary technician, but who has neither had the formal training required for licensure nor passed the required examination for licensure as a veterinary technician.

[2015, c. 209, §3 (AMD) .]

2. Animal technician.

[1993, c. 404, Pt. A, §4 (RP) .]

3. Board. "Board" means the Maine State Board of Veterinary Medicine.

[1975, c. 477, §4 (NEW) .]

4. Commissioner. "Commissioner" means the Commissioner of Professional and Financial Regulation.

[1989, c. 450, §28 (AMD) .]

4-A. Direct supervision. "Direct supervision" means any time when a supervisor is on the premises and is quickly and easily available.

[2015, c. 209, §4 (AMD) .]

4-B. Indirect supervision. "Indirect supervision" means any time when a supervisor is not on the premises but is available for consultation on patient care.

[2015, c. 209, §5 (AMD) .]

5. Licensed veterinarian. "Licensed veterinarian" means a person who is validly and currently licensed by the board to practice veterinary medicine in this State.

[1975, c. 477, §4 (NEW) .]

5-A. Patient. "Patient" means an animal or group of animals examined or treated by a veterinarian.

[2015, c. 209, §6 (NEW) .]

6. Person. "Person" means any individual, firm, partnership, association, joint venture, cooperative and corporation or any other group or combination acting in concert; and whether or not acting as a principal, trustee, fiduciary, receiver or as any other kind of legal or personal representative, or as the successor in interest, assignee, agent, factor, servant, employee, director, officer or any other representative of such person.

[1975, c. 477, §4 (NEW) .]

7. Practice of veterinary medicine. "Practice of veterinary medicine" means:

A. The diagnosis, treatment, correction, change, relief or prevention of animal disease, deformity, defect, injury or other physical or mental condition, including the prescription or administration of a drug, medicine, biologic, apparatus, application, anesthetic or other imaging, therapeutic or diagnostic technique or nutritional substance or technique on, for or to any animal, including, but not limited to, acupuncture, dentistry, homeopathic or chiropractic procedures, physical or massage therapy, surgery including elective surgery or any manual, mechanical, biological or chemical procedure used for pregnancy testing or correcting sterility or infertility; [2015, c. 209, §7 (AMD).]

B. [2015, c. 209, §7 (RP).]

C. The representation directly or indirectly of an ability and willingness to perform an act included in paragraph A; and [1997, c. 246, §4 (RPR).]

D. The use of any titles, word or abbreviations of letters in a manner or under circumstances that induce the belief that the person using them is legally authorized and qualified to perform any act included in paragraph A. That use is prima facie evidence of the intention to represent oneself as engaged in the practice of veterinary medicine. [1997, c. 246, §4 (NEW).]

The practice of veterinary medicine must occur within an established veterinarian-client-patient relationship.

[2015, c. 209, §7 (AMD) .]

7-A. Relief veterinary service. "Relief veterinary service" means the practice of veterinary medicine in Maine on a temporary basis by a qualified veterinarian not licensed to practice in this State for the purpose of substituting for a Maine-licensed veterinarian at a specified location during the licensee's absence or period of incapacitation.

[1997, c. 246, §5 (AMD) .]

7-B. Practice of veterinary technology. "Practice of veterinary technology" means:

A. The performance of patient care or other services that require a technical understanding of veterinary medicine on the basis of written or oral instructions of a veterinarian. "Practice of veterinary technology" does not include diagnosing, making prognoses, performing surgery or prescribing a drug, medicine, biologic, apparatus, application, anesthetic or other imaging, therapeutic or diagnostic technique or nutritional substance or technique on, for or to any patient; [2015, c. 209, §8 (NEW).]

B. The representation directly or indirectly of an ability and willingness to perform an act authorized under paragraph A; and [2015, c. 209, §8 (NEW).]

C. The use of any titles, word or abbreviations of letters in a manner or under circumstances that induce the belief that the person using them is legally authorized and qualified to perform any act authorized under paragraph A. That use is prima facie evidence of the intention to represent oneself as engaged in the practice of veterinary technology. [2015, c. 209, §8 (NEW).]

[2015, c. 209, §8 (NEW) .]

8. School of veterinary medicine. "School of veterinary medicine" means any veterinary college or division of a college or university that offers the degree of Doctor of Veterinary Medicine or its equivalent and that conforms to the standards required by the Maine State Board of Veterinary Medicine as provided in this chapter.

[1975, c. 477, §4 (NEW) .]

8-A. Supervisor. "Supervisor" means a licensed veterinarian or, if the task being supervised warrants, a licensed veterinary technician.

[2015, c. 209, §9 (AMD) .]

9. Veterinarian. "Veterinarian" means a person who has received a doctor's degree in veterinary medicine from a school of veterinary medicine.

[1975, c. 477, §4 (NEW) .]

10. Veterinary medicine. "Veterinary medicine" includes veterinary surgery, obstetrics, dentistry and all other branches or specialties of veterinary medicine including all aspects of the "practice of veterinary medicine" under subsection 7.

[1997, c. 246, §6 (AMD) .]

11. Licensed veterinary technician. "Licensed veterinary technician" means a person who has completed a minimum of 2 years in a college program that is certified according to the standards adopted by the American Veterinary Medical Association's Committee on Veterinary Technician Education and Activities or an equivalent program, as determined by the board, and who has passed an examination for licensure prescribed by the board.

[2015, c. 209, §10 (AMD) .]

SECTION HISTORY

1975, c. 477, §4 (NEW). 1983, c. 48, §1 (AMD). 1989, c. 450, §28 (AMD). 1993, c. 404, §§A3-5 (AMD). 1997, c. 246, §§3-6 (AMD). 2015, c. 209, §§3-10 (AMD).

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