

April 7, 2011

## **Notice to All Veterinarians**

### **No Collaborative Practice**

The Louisiana Board of Veterinary Medicine (LBVM) has received on occasion (and more frequently recently) the question regarding whether or not a lay person (non-licensed veterinarian, but perhaps licensed by another Louisiana State Board in a human medicine discipline) may perform rehabilitation techniques and/or alternative therapy on animals, including such terms as chiropractic, massage therapy, physical therapy, shiatsu and/or acupuncture, etc. The concept described is sometimes referred to as “collaborative practice.”

Also, at times, the lay person asserts that he has received some form of education evidenced by a “certification” from a program or association (generally out of state) not recognized by Louisiana law, nor accredited by a legitimate educational entity, regarding the provision of rehabilitation techniques and/or alternative therapy on animals.

Please understand that the practice of rehabilitation techniques and/or alternative therapy on animals (including advice, representation, and/or the recommendation for such care) without being licensed as a veterinarian constitutes a violation of the Louisiana Veterinary Practice Act and Rules promulgated by the LBVM. An exception exists if the person providing the care is the owner of the animal receiving the particular service.

The “certification” referred to in paragraph one above, in reality, involves some form of a certificate/diploma from an education program, and not a “certification” by a governmental entity (the LBVM in Louisiana) to allow the legal practice of the subject matter. There is no such “certification” to perform rehabilitation techniques and/or alternative therapy on an animal issued by the LBVM in Louisiana. You must be a “licensed” veterinarian in Louisiana to perform these services.

The LBVM’s main concern with respect to any procedure performed, or recommended, by someone on the animals of another, is whether that person has sufficient education and training not only to protect the animal and hence the owner and the public, but also to prevent adverse effects, and more important, the possible spread of illness and disease. Licensure as a veterinarian in Louisiana satisfies the competency requirement for practice which the LBVM must enforce, as well as approved annual continuing education.

In addition, whether the service provided is “charged for,” or not, does not change the applicable law prohibiting the provision of the service. “Charging” for an illegal service is a separate violation.

Furthermore, the provision of rehabilitation techniques and/or alternative therapy on an animal cannot lawfully be performed by an employee or contractor under the direct supervision of a licensed veterinarian. Such would be illegal based on the ongoing evaluation or diagnosis of

the animal receiving the care. In short, a Louisiana licensed veterinarian cannot legally prescribe, refer to, or supervise a non-veterinarian with regards to the provision of rehabilitation techniques and/or alternative therapy on an animal.

The LBVM has the authority to enforce the law which includes the obligation to pursue those lay persons who violate the LA Veterinary Practice Act and the LBVM's Rules. The sanctions for violations of the law in this matter include both civil and criminal penalties. In addition, any interested person may also pursue civil action and/or criminal charges against a person violating the law in this arena.

More specific to you, the veterinarian, who participates (knowingly or unknowingly) in the illegal conduct described in this notice may find yourself the unfortunate subject of an administrative action for "aiding and abetting the illegal practice of veterinary medicine."

In closing, the LBVM has the exclusive jurisdiction to regulate the practice of veterinary medicine and those services which fall within its scope as defined by the LA Veterinary Practice Act and the LBVM's Rules. The LA Veterinary Practice Act was enacted by the Louisiana Legislature and is the governing authority in this state. The Louisiana Legislature has given the authority to the LBVM to interpret and enforce the LA Veterinary Practice Act, as well as adopt Rules which assist in this mandate. Please understand that laws regarding the practice of veterinary medicine differ from state to state. Each state is a sovereign legal authority over its jurisdiction. It is for this reason that other states' laws may not necessarily conform with the laws in Louisiana. This is true for other professional industries and areas of law as well.

If you know of someone violating the law regarding the subject matter of this Notice, please contact the LBVM office with such information so the matter can be addressed and corrected. Also, if you have any questions or comments, please contact the LBVM office.