



ADMINISTRATIVE RULES OF MONTANA



24.225.950 UNPROFESSIONAL CONDUCT

- (1) For the purposes of implementing the provisions of 37-1-319, MCA, and in addition to 37-1-316, MCA, the board further defines unprofessional conduct as follows:
 - (a) violation of any state or federal regulations regulating the practice of animal euthanasia;
 - (b) cruel or inhumane treatment of animals;
 - (c) incompetence, negligence, cruelty, or use of any practice or procedure in the practice of animal euthanasia, which creates an unreasonable risk of physical harm to the animal, staff, or public;
 - (d) possession and use of euthanasia and restraint drugs for any purpose other than animal euthanasia as described in these rules;
 - (e) violation of any state or federal drug laws;
 - (f) failure to cooperate with an investigation or inspection authorized by the Board of Veterinary Medicine;
 - (g) failure to meet the certified euthanasia agency operation standards described in these rules, including but not limited to maintaining sanitary conditions and appropriate records of euthanasia and restraint drugs;
 - (h) practicing as a CEA or as a CET if a certificate is expired, terminated, revoked, or suspended;
 - (i) willful or repeated violations of rules regarding euthanasia established by any health agency or authority of the state or a political subdivision thereof;
 - (j) resorting to fraud, misrepresentation, or deception in the euthanasia of an animal;
 - (k) failure of a certified euthanasia agency to have current DEA registration;
 - (l) use of unapproved drugs or methods for euthanasia;
 - (m) euthanasia of an animal for which the certified euthanasia technician has not received training; or
 - (n) failure to store euthanasia or restraint drugs or other controlled substances used in the euthanasia of animals in compliance with established DEA requirements.

Authorizing statute(s): 37-1-131, 37-1-319, 37-18-202, 37-18-603, MCA

Implementing statute(s): 37-1-131, 37-1-316, 37-1-319, 37-18-603, 37-18-604, 37-18-605, MCA

History: NEW, 2004 MAR p. 1324, Eff. 6/4/04; TRANS, from Commerce, 2005 MAR p. 323; AMD, 2008 MAR p. 633, Eff. 4/11/08; AMD, 2020 MAR p. 1633, Eff. 8/29/20.