



Minnesota

State-Specific Controlled Substance Requirements

Updated 6/25/23

<p>Biennial Inventory (DEA):</p>	<p>A physical inventory of all controlled substances on hand must be taken at least every <u>two years</u>. The biennial inventory may be taken on any date, which is within two years of the previous biennial or initial inventory. [21 CFR 1304.11]</p> <p>NOTE:</p> <ul style="list-style-type: none"> • Separate biennial inventories must be completed for schedule II and schedule III-V controlled substances. • Biennials may be conducted more frequently than every two years. As a recommendation, conduct your DEA biennial inventory at the same time you conduct your annual inventory for the state. • Biennial inventories must be conducted by the DEA registrant, or their designee who has been granted Power of Attorney, along with an authorized witness. <p>Biennial inventories must indicate whether they are conducted at the start or close of business.</p> <p>Minnesota follows the same biennial inventory guidelines as the DEA.</p>
<p>CE:</p>	<p><u>Veterinarian</u>: 40 hours every 2 years</p> <ul style="list-style-type: none"> ▪ General medicine topics: 30 hours if approved by national, regional, and local associations; at least 30 hours must be from interactive sources ▪ Management topics: maximum of 10 hours allowed ▪ Online or home study: 10 hours allowed for journal study (three hours of self-study for every one hour of CE granted) ▪ You do not need to submit documentation 40 CE hours when renewing your license. If required, the Board will request proof of completion during a routine audit or individual investigation. <p>See Rule 9100.1000 for board approved CE parameters.</p> <p><u>Veterinarian Tech</u>: Not required by state, however, if certified MVTA 10 hours required. General medicine topics: Recommended—CE that combines clinical, practice management, marketing, etc.</p> <p>Minnesota does not currently require controlled substance CE.</p> <p>The licensees shall maintain CE records for at least three years.</p>
<p>Compounding:</p>	<p>"8.2.10 Compounding of a controlled substance by a practitioner is permitted as long as the United States Pharmacopoeia (USP) 795 and 797 standards and guidelines are followed." 24 Del. Admin. Code § 8.0</p> <p><u>Compounding</u> is <u>any manipulation</u> of a drug beyond that stipulated on the drug label. Veterinary drugs should only be compounded based on a licensed veterinarian's prescription, and to meet the medical needs of a specific patient. Manipulation might include mixing, diluting, concentrating, flavoring, or changing a drug's dosage form. Examples of compounding include:</p> <ul style="list-style-type: none"> • Mixing two injectable drugs in the same syringe • Creating an oral suspension from crushed tablets or an injectable solution • Adding flavoring to a commercially available drug • Creating a transdermal gel for a drug typically taken through other routes • Mixing two solutions for instilling into the ear <p>MN Compounding:</p>



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	<p>On March 4, 2015, the Pharmacy Board issued the following guidance to veterinarians and pharmacies, pursuant to MN Stats. §214.108. It will remain in effect only until the Board can promulgate appropriate rules related to this issue. Compounding pursuant to a patient- specific prescription is not subject to this guidance. The full document</p>
<p>Dispensing:</p>	<p>"Dispense" or "dispensing" has the meaning given in section 151.01, subdivision 30. Dispensing does not include the direct administering of a controlled substance to a patient by a licensed health care professional.</p> <p>"Dispenser" means a person authorized by law to dispense a controlled substance, pursuant to a valid prescription. For the purposes of this section, a dispenser does not include a licensed hospital pharmacy that distributes controlled substances for inpatient hospital care or a veterinarian who is dispensing prescriptions under section 156.18.</p> <p><u>Who may issue:</u> (f) A veterinarian or a bona fide employee of a veterinarian may dispense veterinary prescription drugs to a person on the basis of a prescription issued by a licensed veterinarian.</p> <p><u>Dispensing per prescriptions:</u> (a) A person may not dispense a veterinary prescription drug to a client without a prescription or other veterinary authorization. A person may not make extra-label use of an animal or human drug for an animal without a prescription from a veterinarian. A veterinarian or the veterinarian's authorized employee may dispense veterinary prescription drugs, human drugs for extra-label use, or an over-the-counter drug for extra-label use by a client without a separate written prescription, providing there is documentation of the prescription in the medical record and there is an existing veterinarian-client-patient relationship. The prescribing veterinarian must monitor the use of veterinary prescription drugs, human drugs for extra-label use, or over-the-counter drugs for extra-label use by a client.</p> <p><u>Dispensing without examination:</u> (b) A veterinarian may dispense prescription veterinary drugs and prescribe and dispense extra-label use drugs to a client without personally examining the animal if a bona fide veterinarian-client-patient relationship exists and in the judgment of the veterinarian the client has sufficient knowledge to use the drugs properly.</p> <p><u>Label of dispensed veterinary drugs.</u></p> <p>(a) A veterinarian or the veterinarian's authorized agent or employee dispensing a veterinary prescription drug, an over-the-counter drug for extra-label use, or a human drug for extra-label use must provide written information which includes the name and address of the veterinarian, date of filling, species of patient, name or names of drug, strength of drug or drugs, directions for use, withdrawal time, and cautionary statements, if any, appropriate for the drug.</p> <p>(b) If the veterinary drug has been prepared, mixed, formulated, or packaged by the dispenser, all of the information required in paragraph (a) must be provided on a label affixed to the container.</p> <p>(c) If the veterinary drug is in the manufacturer's original package, the information required in paragraph (a) must be supplied in writing but need not be affixed to the container. Information required in paragraph (a) that is provided by the manufacturer on the original package does not need to be repeated in the separate written information. Written information required by this paragraph may be written on the sales invoice.</p> <p>156.18 Veterinary Prescription Drugs</p>
<p>Diversion Reporting:</p>	<p>Controlled substance theft must be reported to local law enforcement and the DEA within one day of discovery in Minnesota and the Minnesota Board of Pharmacy (MNBP).</p>



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Euthanasia:	<p>The following may perform euthanasia:</p> <ul style="list-style-type: none"> ▪ Licensed veterinarians ▪ Commercial Breeder ▪ Kennels and kennel dealers shall establish and maintain a program of euthanasia under the supervision of a Doctor of Veterinary Medicine
Ownership:	Non-veterinarian practice ownership is restricted.
Power of Attorney Notarization:	For a POA to be legal in Minnesota, you must sign form in front of a notary or have it signed by two witnesses. The Arc Minnesota also believes there is value in having an attorney, or lawyer, look over the POA.
Prescribing:	<p>"<u>Prescriber</u>" means a licensed health care professional who is authorized to prescribe a controlled substance under section 152.12, subdivision 1 or 2.</p> <p>Minnesota Statute 156.16 defines "<u>prescription</u>" as an order from a veterinarian to a pharmacist or another veterinarian authorizing the dispensing of veterinary drugs, human drugs for extra-label use, or over-the-counter drugs for extra-label use to a client for use on or in a patient.</p> <p>Veterinarians should be prepared to include the following additional information on the prescription when prescribing controlled substances, as defined in M.S. 152.126, which includes gabapentin prescriptions:</p> <ul style="list-style-type: none"> ▪ The animal's name ▪ The client's first name, last name, date of birth (DOB), and gender ▪ The veterinarian's state license number (e.g. if the prescription is for gabapentin). <p>NOTE: The pharmacist's software requires FIVE digits for the veterinarian's license number. You must add a zero at the front of your license number if it is less than four digits. If the license includes the letter C, include the C. <i>Examples: License number 6416 would be written on the prescription as 06416. License number C219 would be written on the prescription as 0C219.</i></p> <p><u>Sending prescriptions:</u> (c) A veterinarian may issue a prescription or other veterinary authorization by oral or written communication to the dispenser, or by computer connection. If the communication is oral, the veterinarian must enter it into the patient's record. The dispenser must record the veterinarian's prescription or other veterinary authorization within 72 hours.</p> <p><u>What to include on prescriptions:</u> (d) A prescription or other veterinary authorization must include:</p> <ol style="list-style-type: none"> (1) the name, address, and, if written, the signature of the prescriber; (2) the name and address of the client; (3) identification of the species for which the drug is prescribed or ordered; (4) the name, strength, and quantity of the drug; (5) the date of issue; (6) directions for use; (7) withdrawal time; (8) expiration date of prescription; and (9) number of authorized refills. <p>156.18 Veterinary Prescription Drugs</p> <p>Note: Per M.S. 156.18, veterinarians are already required to provide the following information on a prescription: address of the veterinarian, and if written, the signature; address of the client; species; name, strength, and quantity of the drug; date of issue, directions for use; withdrawal time for food animals; expiration date of the prescription; and number of refills.</p> <p>Per 21 CFR 1306.05 (a), controlled substance prescriptions must bear the name, address, and registration number of the prescriber.</p>



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	<p><u>E-prescribing</u>: Veterinarians are not required to use e-prescribing because they are specifically exempt from the e-prescribing requirements found in Minnesota Statutes, Section 62J.497. Since January 1, 2011, e-prescribing for all medications is mandated, but there is no penalty for non-compliance.</p>
<p>MN PMP & VETPMP:</p>	<p><u>MN PMP</u> In Minnesota, prescribers are not required to use the MN PMP database, but use is highly encouraged. The Minnesota Prescription Monitoring Program (MN PMP) is a tool to be used by prescribers and pharmacists to assist in managing their patient's care. It contains information provided by Minnesota licensed pharmacies and prescriber dispensers.</p> <p>Pharmacies and prescribers who dispense from their office can submit prescription data to the MN PMP system for all Schedules II, III, IV and V controlled substances, butalbital and gabapentin dispensed in or into Minnesota.</p> <p><u>VETPMP</u> VETPMP is a Minnesota-specific platform that contains all Schedule 2,3,4 and 5 controlled drug prescriptions by Minnesota veterinarians. Since the MN PMP (AwareRx) system was designed for the human health care system resulting in challenges for veterinarians the VETPMP was developed to enhance the process and allow all licensed veterinarians and certified veterinary technicians access to the system.</p> <ul style="list-style-type: none"> ▪ Participation is voluntary program designed to allow Veterinarians and veterinary professionals to self-monitor controlled drug prescriptions for patients. ▪ <u>Identifier</u>: Pets are identified by a microchip number generating a permanent identification that cannot be changed between clinics ▪ <u>Registering</u>: Accounts are available for Minnesota licensed Veterinarians and Certified Veterinary Technicians. Each Veterinarian and Technician has to select a unique user name and password and therefore needs register themselves on the website. ▪ The VetPMP database is designed for dispense prescriptions and written prescriptions and not in-clinic use. All controlled drug prescriptions need to be entered into the VetPMP regardless if they are a written prescription or a dispensed prescription. Thus the pet will need a microchip. <p>Register for VETPMP: VetPMP.org to set up your account.</p>
<p>Premises Permit:</p>	<p><u>"Premises"</u> means property, including land and buildings on the land, used in the practice of veterinary medicine.</p> <p>Premises registration are specific to livestock and non-livestock production and processing facilities. All animal production or processing facilities in Minnesota are highly encouraged to register their site to obtain an official Premise Identification Number. Non-Livestock Premises Permit Application</p>
<p>Recordkeeping:</p>	<p><u>Patient records</u>: Records must be maintained for a minimum of three years after the last visit.</p> <p><u>Controlled substance records</u>: records must be retained for a minimum two years. Records required by this section must be kept for at least two years after dispensing of the drug has been completed.</p>
<p>State-Scheduled CS's:</p>	<p><u>Schedule III</u>: Codeine-containing cough syrups</p> <p><u>Schedule V</u>: Ephedrine</p>



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State CS License:	Minnesota does not require DEA registrant practitioners to obtain a second state controlled substance license, just a DEA registration and an active Veterinary Medical Professional License to practice in Minnesota.
Supervision:	<p>A licensed veterinarian is professionally and legally responsible for any practice of veterinary medicine by the veterinarian's unlicensed employees. An employee's practice of veterinary medicine without a license constitutes grounds for the board to take action against the licensed veterinarian and the unlicensed individual. A veterinarian must have examined the animal patient prior to the delegation of an animal health care task to a non-licensed employee. The examination must be conducted at a time consistent with prevailing standards of practice relative to the delegated animal health care task. B. A veterinarian shall not authorize a non-licensed employee to perform the following functions: (1) surgery;(2) diagnosis and prognosis; and(3) prescribing of drugs, medicines, and appliances. A veterinarian shall ensure that the activities of a supervised individual are within the scope of the orders, assignment, or prescriptions of the veterinarian and within the capabilities of the individual. Supervision by a veterinarian must involve the degree of close physical proximity necessary for the supervising veterinarian to observe and monitor the performance of a supervised individual. The supervising veterinarian must be on the client's premises or present in the veterinary facility while the supervised individual is performing health care services. This does not prohibit the performance of generalized nursing tasks, ordered by the attending veterinarian, to be performed by an unlicensed employee on inpatient animals during the hours when a veterinarian is not routinely on the premises. Nor does it prohibit, under emergency conditions, wherein an animal is placed in a life-threatening condition and requires immediate treatment to sustain life or prevent further injury, an unlicensed employee from rendering lifesaving aid and treatment to an animal in the absence of a veterinarian.</p> <p>Minn. R. 9100.0800</p>
Telemedicine:	No existing law. Where telemedicine occurs is not defined.
Veterinary Professional License:	<p>Minnesota veterinary licenses are issued for a two-year period. Even-numbered licenses renew on March 1 of even years and odd-numbered licenses renew on March 1 of odd years.</p> <p>Information and application for a MN Veterinary License</p> <p>February 29, 2024 is the next license renewal deadline in Minnesota.</p> <p>Minnesota vet techs are not certified or licensed.</p> <p><u>Display:</u> licensed veterinarians shall conspicuously display their license in their principal place of business.</p>
VCPR:	<p>VCPR must be established in-person: Yes</p> <p>Scope of VCPR: Any vet at same practice, any DVM within 18 months.</p> <p>"<u>Veterinarian-client-patient relationship</u>" means a relationship that meets the conditions established in Minnesota Statutes, section 156.16, subdivision 12.</p> <p>(a) The veterinarian has assumed the responsibility for making medical judgments regarding the health of the animal and the need for medical treatment, and the client has agreed to follow the instructions of the veterinarian.</p> <p>(b) The veterinarian has sufficient knowledge of the animal to initiate at least a general, preliminary, or tentative diagnosis of the medical condition of the animal. The veterinarian must be acquainted with the keeping and care of the animal by virtue of an examination of the animal or medically appropriate and timely visits to the premises where the animal is kept.</p> <p>(c) The veterinarian is available for consultation in case of adverse reactions or failure of the regimen of therapy.</p>



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(d) The veterinarian maintains records documenting patient visits, diagnosis, treatments, and drugs prescribed, dispensed, or administered, and other relevant information.

A valid VCPR will require a physical examination or visit to the premises within the preceding 12 months.

Information and Resources

FEDERAL:

Drug Enforcement Administration, Omaha Division
7300 World Communications Drive
Omaha, NE 68122
Phone: (402) 965-3600

Local DEA Offices

- Minneapolis - (612) 344-4100

Federal Law: www.deadiversion.usdoj.gov

Controlled Substances Act: [21 USC 801 – 904](#)

Code of Federal Regulations: [21 CFR Part 1300 – 1399](#)

NDC drug: www.fda.gov/Drugs/DevelopmentApprovalProcess/UCM070829

Diversion Control Division: <https://www.deadiversion.usdoj.gov/schedules/>

STATE:

Minnesota Board of Veterinary Medicine website: <https://mn.gov/boards/veterinary-medicine/>

Minnesota Board of Pharmacy website: <https://mn.gov/boards/pharmacy/>