



Can a licensed DVM insert microchips for a pet store / shelter and receive compensation for the service assuming that only the microchip insertion will be provided?

The “subcutaneous insertion of a microchip intended to be used to identify an animal” is part of the definition of the practice of veterinary medicine (Ed.L. Section 6701), which means that it must be performed by a veterinarian or an LVT working under the supervision of a veterinarian.

The law provides an exception, providing that “an employee of a not-for-profit pound, shelter, duly incorporated society for the prevention of cruelty to animals, humane society or dog and cat protective association may insert a microchip for the purposes of identification of any animal being held for adoption by such organization” (Ed.L. Section 6705.10). The language of the exception restricts the exception to animals owned by the pound, shelter, duly incorporated society for the prevention of cruelty to animals, humane society or dog and cat protective association.

Since the insertion of a microchip is classified as part of the practice of veterinary medicine, a veterinarian or an LVT can perform it and can charge for it in the same way they would charge for the performance of any other veterinary procedure if they are hired by a pet store or shelter to perform this procedure on animals owned by the pet store or shelter.

If the veterinarian was providing veterinary medical services on animals owned by a pet store or shelter, they would normally be required to establish a veterinarian-client-patient relationship and conduct a physical exam of the animal, but since the law allows persons other than a veterinarian to insert a microchip in similar settings, I don't believe the veterinarian is necessarily held to this standard. They should provide the owner (pet store / shelter) with a record of the insertion, since that part of the VCPR requirements is still appropriate in the performance of this procedure.

dealers (pet stores) to designate an attending veterinarian to provide veterinary care to the animals owned by the pet dealer in accordance with a written program of veterinary care. Microchipping is not included in the minimum standards of care that must be provided to animals owned by a pet dealer, but if the veterinarian inserting the microchip is providing the veterinary care required by law, the medical record maintained for the animal should also record the insertion of the microchip.

The one circumstance where it is questionable whether a veterinarian should insert microchips for a pet dealer or for a shelter is at an event sponsored by the pet store / shelter and open to the general public for individually-owned animals. It would not be appropriate for a veterinarian to participate in such an event and accept compensation from the pet store / shelter to insert microchips in animals that are not owned by the pet store / shelter, since it would amount to a veterinarian working for a lay corporation providing veterinary services to animals that are owned by the general public.