

HOUSE BILL NO. 432

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

Introduced: 1/19/96

Referred: State Affairs, Labor and Commerce

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the practice of veterinary medicine."

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

3 * **Section 1.** AS 08.98.120 is amended to read:

4 Sec. 08.98.120. LICENSE REQUIRED. A person may not practice veterinary
5 medicine, surgery, or dentistry unless the person is licensed as a veterinarian under
6 this chapter or has a temporary permit issued under AS 08.98.186, except that a
7 person [VETERINARY TECHNICIAN] may perform functions authorized by
8 regulation of the board if the person is licensed as a veterinary technician.

9 * **Sec. 2.** AS 08.98.120 is amended by adding new subsections to read:

10 (b) A person may not

11 (1) present or attempt to use a license or permit that was issued under
12 this chapter to another person, either directly or by impersonation;

13 (2) secure or attempt to secure a license or permit under this chapter
14 through deceit, fraud, or intentional misrepresentation;

15 (3) use or attempt to use an expired or revoked license or permit

1 knowing of the license's or permit's status; or

2 (4) falsely claim to be licensed or to hold a permit under this chapter.

3 (c) Violation of this section is a misdemeanor punishable by a fine of not more
4 than \$10,000 or by imprisonment for not more than one year, or by both.

5 * **Sec. 3.** AS 08.98.140(a) is amended to read:

6 (a) The examination shall be in subjects related to the practice of veterinary
7 medicine, surgery, and dentistry and shall include

8 (1) the veterinary examination prepared by the National Board
9 Examination Committee [OF VETERINARY MEDICAL EXAMINERS] or other
10 national veterinary examination determined to be acceptable by the board; and

11 (2) a standardized written examination testing practical skills.

12 * **Sec. 4.** AS 08.98.165 is amended to read:

13 Sec. 08.98.165. QUALIFICATION FOR LICENSE. (a) An applicant is
14 qualified to receive a license as a veterinarian who

15 (1) is a graduate of an accredited veterinary school or who has passed
16 the examination of the National Board Examination Committee's [AMERICAN
17 VETERINARY ASSOCIATION'S] Education Commission for Foreign Veterinary
18 Graduates;

19 (2) has passed an examination for veterinarians prepared by the
20 National Board Examination Committee [OF VETERINARY MEDICAL
21 EXAMINERS] or an equivalent examination as determined by the board, or qualifies
22 for an exemption under (b) of this section;

23 (3) has passed the written examination of the state;

24 (4) has passed a practical examination of skills [,] if required by the
25 board; and

26 (5) has no disciplinary proceeding, unresolved complaint, or
27 professional association review proceeding pending at the time a license is to be
28 issued, and has not had a veterinarian license revoked for cause in another jurisdiction.

29 (b) An applicant is exempted from taking the examination required under
30 (a)(2) of this section if the applicant furnishes proof acceptable to the board that the
31 applicant has passed the examination prepared by the National Board of Veterinary

1 Medical Examiners, the veterinary examination prepared by the National Board
2 Examination Committee, or an equivalent examination within the five years before
3 application, or has been in active practice of veterinary medicine for five of the seven
4 years before application in another state, territory, or country with licensing
5 requirements substantially similar to or higher than those of this state which were in
6 effect at the time the applicant obtained a license in the other jurisdiction.

7 * **Sec. 5.** AS 08.98 is amended by adding a new section to read:

8 Sec. 08.98.167. QUALIFICATION FOR TECHNICIAN LICENSE. The board
9 shall adopt regulations under which a person may qualify to be licensed as a veterinary
10 technician.

11 * **Sec. 6.** AS 08.98.184 is amended to read:

12 Sec. 08.98.184. LICENSURE BY CREDENTIALS. The board shall approve
13 the issuance of a license to an applicant who holds a valid license to practice
14 veterinary medicine in another state, territory, or country with licensing requirements
15 substantially similar to or higher than those of this state which were in effect at the
16 time the applicant obtained a license in the other jurisdiction if the applicant

17 (1) has graduated from an accredited school of veterinary medicine or
18 has successfully passed the examination of the National Board Examination
19 Committee's [AMERICAN VETERINARY ASSOCIATION'S] Education
20 Commission for Foreign Veterinary Graduates;

21 (2) has been engaged in the active practice of veterinary medicine for
22 at least five of the seven years before filing the application;

23 (3) has not failed the state written or practical examination;

24 (4) has no disciplinary proceeding, unresolved complaints, or
25 professional association review proceedings pending at the time a license is to be
26 issued, and has not had a veterinarian license revoked for cause in another jurisdiction;
27 and

28 (5) has paid required fees.

29 * **Sec. 7.** AS 08.98.250(5) is amended to read:

30 (5) "practice of veterinary medicine"

31 (A) means for compensation to

1 (i) [TO] diagnose, treat, correct, change, relieve, or
2 prevent animal disease, deformity, defect, injury, or other physical or
3 mental condition, including the prescription or administration of a drug,
4 biologic apparatus, anesthetic, or other therapeutic or diagnostic
5 substance;

6 (ii) [TO] use a manual or mechanical procedure for
7 testing for pregnancy or correcting sterility or infertility; or

8 (iii) [TO] render advice or recommendation with regard
9 to any matter listed in (i) or (ii) of this subparagraph;

10 (B) means to represent, directly or indirectly, publicly or
11 privately, an ability or willingness to do any act in (A) of this paragraph for
12 compensation;

13 (C) means to use a **description**, title, abbreviation, or letters in
14 a manner or under circumstances **tending to** [WHICH] induce the belief that
15 the person using **it or** them is qualified **or licensed** to do any act in (A) of this
16 paragraph whether or not for compensation;

17 (D) does not include, whether or not for compensation,

18 (i) practices related to artificial insemination and the use
19 of a title, abbreviation, or letters in a manner which induces the belief
20 that the person using them is qualified to perform artificial
21 insemination;

22 (ii) the practices of a farrier done in the performance of
23 the farrier's profession;

24 (iii) standard practices commonly performed on farm or
25 domestic animals in the course of routine farming or animal husbandry,
26 when performed by an owner or the owner's employee unless
27 ownership of the animal is transferred for the purpose of avoiding
28 application of this chapter or the primary purpose of hiring the
29 employee is to avoid application of this chapter;