

CS FOR HOUSE BILL NO. 297(L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - SECOND SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

Offered: 2/13/08

Referred: Rules

Sponsor(s): REPRESENTATIVE NEUMAN

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 08.98.050(a) is amended to read:

4 (a) The board shall

5 (1) establish examination requirements for eligible applicants for
6 licensure to practice veterinary medicine;

7 (2) examine, or cause to be examined, eligible applicants for licensure
8 or registration;

9 (3) approve the issuance of licenses **and student permits** to qualified
10 applicants;

11 (4) establish standards for the practice of veterinary medicine by
12 regulation;

13 (5) conduct disciplinary proceedings in accordance with this chapter;

14 (6) adopt regulations requiring proof of continued competency before a
15 license is renewed;

1 (7) as requested by the department, monitor the standards and
 2 availability of veterinary services provided in the state and report its findings to the
 3 department;

4 (8) collect, or cause to be collected, data concerning the practice of
 5 veterinary technology by veterinary technicians in the state and submit the data to the
 6 department for maintenance;

7 (9) establish, by regulation, educational and training requirements for

8 **(A) the issuance of student permits; and**

9 **(B) the delegation of duties by veterinarians licensed under this**

10 chapter to veterinary technicians.

11 * **Sec. 2.** AS 08.98.070 is amended to read:

12 **Sec. 08.98.070. Duties of the department.** The department shall furnish the
 13 board with administrative services, including renting space for holding examinations,
 14 printing and mailing licenses **and student permits**, sending notices, before
 15 December 1 of each year, that licenses must be renewed, collecting fees and issuing
 16 receipts, keeping a current register of licensees, employing secretarial assistants,
 17 replying to routine requests for information, printing forms and informational
 18 bulletins, typing all matter to be reproduced, maintaining records and completed
 19 examinations, and keeping records of receipts and disbursements.

20 * **Sec. 3.** AS 08.98 is amended by adding a new section to read:

21 **Sec. 08.98.125. Exemptions.** This chapter does not apply to the following:

22 (1) a veterinary medical officer in the military service in the discharge
 23 of official duties or as an employee in the federal or state government performing
 24 veterinary medical services within the scope of the person's official duties;

25 (2) a person who provides care without remuneration to an injured or
 26 ill animal that reasonably appears to the person to be in need of aid;

27 (3) a veterinarian who is licensed in another state or country, or a
 28 person whose expertise a veterinarian licensed in this state believes would benefit an
 29 animal, and who provides only consultation to a veterinarian licensed in this state;

30 (4) a holder of a student permit under AS 08.98.188;

31 (5) a person who performs euthanasia of an animal in the course and

1 scope of the person's employment while employed by an agency that has a permit
2 issued under AS 08.02.050;

3 (6) a veterinarian licensed and residing in another state who provides
4 assistance, as requested by and under the supervision of a veterinarian licensed in this
5 state, for the purpose of providing skills not otherwise available in this state in
6 conducting research or other practice of veterinary medicine on captive or free-ranging
7 wildlife; however, that assistance is limited to not more than three events in a calendar
8 year for not more than a total of 60 days in the year and may not be on a regular or
9 recurring basis, as defined by the board;

10 (7) a person engaged in the practice of artificial insemination in an
11 animal;

12 (8) a farrier in the performance of the farrier's profession;

13 (9) a person approved by the Department of Health and Social Services
14 to administer rabies vaccine to animals; and

15 (10) a person or employee of a person, who, without compensation,
16 treats only animals belonging to that person, unless ownership is transferred for the
17 purpose of avoiding this chapter or unless the primary purpose of hiring the employee
18 is to avoid application of this chapter.

19 * **Sec. 4.** AS 08.98.165(a) is amended to read:

20 (a) An applicant is qualified to receive a license as a veterinarian who

21 (1) is a graduate of an accredited veterinary program [SCHOOL] or
22 who has successfully completed the Educational Commission for Foreign Veterinary
23 Graduates certification process;

24 (2) has, within the 60 months preceding application for the license,
25 passed a national examination for veterinarians approved by the board;

26 (3) has passed the written examination of the state on specific Alaska
27 issues of veterinary practice;

28 (4) is in good standing, as defined by the board in regulations; and

29 (5) has paid required fees.

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

31 **Sec. 08.98.188. Student permit.** (a) The board may approve the issuance of a

1 student permit to a student enrolled in and in good standing at an accredited college of
 2 veterinary medicine who has completed three years of study and is participating in an
 3 externship program as part of the college's educational curriculum.

4 (b) A student permit is valid for not longer than one year and may not extend
 5 beyond the student's graduation.

6 (c) A holder of a student permit is subject to the following limitations:

7 (1) assistance in diagnosis and surgery must be under the immediate
 8 supervision of a veterinarian licensed in this state;

9 (2) assistance in treatment must be under the direct or indirect
 10 supervision of a veterinarian licensed in this state;

11 (3) not more than one student permit holder at a time may be under the
 12 direct supervision of a veterinarian licensed in this state; and

13 (4) a veterinary practice may not retain more than two student permit
 14 holders at a time.

15 (d) The board shall establish requirements for student permits by regulation.

16 * **Sec. 6.** AS 08.98.250(1) is amended to read:

17 (1) "accredited veterinary **program** [SCHOOL]" means a veterinary
 18 college or division of a university or college that offers the degree of Doctor of
 19 Veterinary Medicine, or its equivalent **that has been approved** [AS DETERMINED]
 20 by the board [, AND CONFORMS TO THE STANDARDS REQUIRED FOR
 21 ACCREDITATION BY THE AMERICAN VETERINARY MEDICAL
 22 ASSOCIATION];

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

24 (5) "practice of veterinary medicine" **means**

25 (A) [MEANS FOR COMPENSATION] to

26 (i) diagnose, treat, correct, change, relieve, or prevent
 27 animal disease, deformity, defect, injury, or other physical or mental
 28 condition, including the prescription or administration of a drug,
 29 biologic apparatus, anesthetic, or other therapeutic or diagnostic
 30 substance;

31 (ii) use a manual or mechanical procedure for testing

1 for pregnancy or correcting sterility or infertility; or

2 (iii) render advice or recommendation with regard to
3 any matter listed in (i) or (ii) of this subparagraph;

4 (B) [MEANS] to represent, directly or indirectly, publicly or
5 privately, an ability or willingness to do any act in (A) of this paragraph [FOR
6 COMPENSATION];

7 (C) [MEANS] to use a description, title, abbreviation, or letters
8 in a manner or under circumstances tending to induce the belief that the person
9 using it or them is qualified or licensed to do any act in (A) of this paragraph
10 [WHETHER OR NOT FOR COMPENSATION];

11 [(D) DOES NOT INCLUDE, WHETHER OR NOT FOR
12 COMPENSATION,

13 (i) PRACTICES RELATED TO ARTIFICIAL
14 INSEMINATION AND THE USE OF A TITLE, ABBREVIATION,
15 OR LETTERS IN A MANNER WHICH INDUCES THE BELIEF
16 THAT THE PERSON USING THEM IS QUALIFIED TO PERFORM
17 ARTIFICIAL INSEMINATION;

18 (ii) THE PRACTICES OF A FARRIER DONE IN
19 THE PERFORMANCE OF THE FARRIER'S PROFESSION;

20 (iii) STANDARD PRACTICES COMMONLY
21 PERFORMED ON FARM OR DOMESTIC ANIMALS IN THE
22 COURSE OF ROUTINE FARMING OR ANIMAL HUSBANDRY,
23 WHEN PERFORMED BY AN OWNER OR THE OWNER'S
24 EMPLOYEE UNLESS OWNERSHIP OF THE ANIMAL IS
25 TRANSFERRED FOR THE PURPOSE OF AVOIDING
26 APPLICATION OF THIS CHAPTER OR THE PRIMARY PURPOSE
27 OF HIRING THE EMPLOYEE IS TO AVOID APPLICATION OF
28 THIS CHAPTER;]

29 * **Sec. 8.** AS 08.98.250 is amended by adding new paragraphs to read:

30 (7) "consultation" means advice or assistance provided in person,
31 telephonically, electronically, or by any other method of communication from a

1 veterinarian or other person whose expertise, in the opinion of the veterinarian, would
2 benefit the animal;

3 (8) "direct supervision" means the supervising veterinarian is on the
4 premises where the animal is being treated and is quickly and easily available;

5 (9) "immediate supervision" means the supervising veterinarian is in
6 the immediate area and within audible and visual range of the animal patient and the
7 person treating the patient;

8 (10) "indirect supervision" means the supervising veterinarian does not
9 need to be on the premises but has given either written or oral instructions for the
10 treatment of the animal;

11 (11) "veterinary practice" means a business that provides veterinary
12 services.