

1 IN THE SENATE

BY FAIKS

2 SENATE BILL NO. 287

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the practice of veterinary medi-
7 cine."

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

9 * Section 1. AS 08.98.165(a) is amended to read:

10 (a) An applicant is qualified to receive a license as a veter-
11 inarian who

12 (1) is a graduate of an accredited veterinary school or who
13 has satisfied [PASSED] the requirements [EXAMINATION] of the American
14 Veterinary Association's Education Commission for Foreign Veterinary
15 Graduates;

16 (2) has passed an examination prepared by the National
17 Board of Veterinary Medical Examiners or an equivalent examination as
18 determined by the board, or qualifies for an exemption under (b) of
19 this section;

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

21 (4) has passed a practical examination of skills, if
22 required by the board; and

23 (5) does not have a [HAS NO] disciplinary proceeding,
24 unresolved complaint, or professional association review proceeding
25 pending at the time a license is to be issued, and has not had a
26 veterinarian license revoked for cause in another jurisdiction.

27 * Sec. 2. AS 08.98.180 is amended to read:

28 Sec. 08.98.180. TEMPORARY LICENSE. A person who meets the
29 requirements of AS 08.98.165(a)(1) and (5) and who has not taken and

1 failed an examination required under AS 08.98.165(a)(2), (3), or (4)
2 or the clinical competency test is entitled to be temporarily licensed
3 after applying for examination, if the person works under the super-
4 vision of a licensed veterinarian. A license issued under this sec-
5 tion is valid until the results of the examinations are published. A
6 person may not receive more than one temporary license. An applica-
7 tion for a temporary license must be signed by the supervising veter-
8 inarian and accompanied by the temporary license fee required under
9 AS 08.98.190.

10 * Sec. 3. AS 08.98.184 is amended to read:

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

18 (1) has graduated from an accredited school of veterinary
19 medicine or has satisfied [SUCCESSFULLY PASSED] the requirements
20 [EXAMINATION] of the American Veterinary Association's Education
21 Commission for Foreign Veterinary Graduates;

22 (2) has been engaged in the active practice of veterinary
23 medicine for at least five of the seven years before filing the appli-
24 cation;

25 (3) has not failed the state written or practical examina-
26 tion;

27 (4) does not have a [HAS NO] disciplinary proceeding,
28 unresolved complaint [COMPLAINTS], or professional association review
29 proceeding [PROCEEDINGS] pending at the time a license is to be

1 issued, and has not had a veterinarian license revoked for cause in
2 another jurisdiction; and

3 (5) has paid required fees.

4 * Sec. 4. AS 08.98.186 is repealed and reenacted to read:

5 Sec. 08.98.186. LOCUM TENENS PERMIT. (a) A person licensed to
6 practice veterinary medicine in another state who meets the require-
7 ments of AS 08.98.165(a)(1) and (5) and who has not taken and failed
8 an examination required under AS 08.98.165(a)(2), (3), or (4) or the
9 clinical competency test may be granted a locum tenens permit to

10 (1) conduct the practice of a veterinarian licensed in the
11 state who is absent from practice; or

12 (2) consult with or assist a veterinarian licensed and
13 practicing in this state; however, the consultation or assistance is
14 limited to animals under the care of the veterinarian licensed and
15 practicing in this state.

16 (b) An application to conduct the practice of a veterinarian
17 licensed in this state who is absent from practice shall be signed by
18 the person who is or will be absent from practice and by the
19 applicant. A locum tenens permit issued under (a)(1) of this section
20 is valid for no longer than 60 consecutive days after issuance but may
21 be renewed once within a two-year period.

22 (c) An application to consult with or assist a veterinarian
23 licensed and practicing in this state shall be signed by the person
24 who is licensed and practicing in this state and by the applicant. A
25 locum tenens permit issued under (a)(2) of this section is valid for
26 30 consecutive days but may be renewed once within a two-year period.

27 (d) An application for a locum tenens permit must be accompanied
28 by the locum tenens permit fee.

29 * Sec. 5. AS 08.98.190 is amended to read:

1 **Sec. 08.98.190. FEES.** The department shall set fees under
2 **AS 08.01.065** for the following:

- 3 (1) application;
- 4 (2) examination;
- 5 (3) investigation of credentials;
- 6 (4) license;
- 7 (5) license renewal;
- 8 (6) temporary license;
- 9 (7) locum tenens [TEMPORARY] permit.

10 * **Sec. 6.** AS 08.98.240(a) is amended to read:

11 (a) When it finds that a licensee is guilty of an offense under
12 AS 08.98.235, the board may impose the following sanctions singly or
13 in combination:

- 14 (1) permanently revoke a license to practice;
- 15 (2) suspend a license for a determinate period of time;
- 16 (3) censure a licensee;
- 17 (4) issue a letter of reprimand;
- 18 (5) place a licensee on probationary status and require the
19 licensee to

20 (A) report regularly to the board upon matters involv-
21 ing the basis of probation;

22 (B) limit practice to those areas prescribed;

23 (C) continue professional education until a satisfac-
24 tory degree of skill has been attained in those areas determined
25 by the board to need improvement;

26 (D) submit to peer review;

27 (6) impose limitations or conditions on the practice of a
28 licensee;

29 (7) impose a civil fine of not more than \$5,000.

1 * Sec. 7. AS 08.98.250(6) is amended to read:

2 (6) "practice of veterinary medicine"

3 (A) means [FOR COMPENSATION]

4 (i) to diagnose, treat, correct, change, relieve,
5 or prevent animal disease, deformity, defect, injury, or
6 other physical or mental condition, including the prescrip-
7 tion or administration of a drug, biologic apparatus, anes-
8 thetic, or other therapeutic or diagnostic substance;

9 (ii) to use a manual or mechanical procedure for
10 testing for pregnancy or correcting sterility or infertili-
11 ty; or

12 (iii) to render advice or recommendation with
13 regard to a [ANY] matter listed in (i) or (ii) of this
14 subparagraph;

15 (B) means to represent, directly or indirectly, pub-
16 licly or privately, an ability or willingness to do an [ANY] act
17 in (A) of this paragraph [FOR COMPENSATION];

18 (C) means to use a title, abbreviation, or letters in
19 a manner or under circumstances that [WHICH] induce the belief
20 that the person using them is qualified to do an [ANY] act in (A)
21 of this paragraph [WHETHER OR NOT FOR COMPENSATION];

22 (D) does not include [, WHETHER OR NOT FOR COMPENSA-
23 TION,]

24 (i) practices related to artificial insemination
25 and the use of a title, abbreviation, or letters in a manner
26 that [WHICH] induces the belief that the person using them
27 is qualified to perform artificial insemination;

28 (ii) the practices of a farrier done in the per-
29 formance of the farrier's profession;

1 (iii) standard practices commonly performed on farm
2 or domestic animals in the course of routine farming or
3 animal husbandry, when performed by an owner or the owner's
4 employee unless ownership of the animal is transferred for
5 the purpose of avoiding application of this chapter or the
6 primary purpose of hiring the employee is to avoid applica-
7 tion of this chapter;

8 (iv) the provision of emergency services if a fee
9 or other consideration is not charged or received;

10 (v) a lay vaccinator approved by the Department
11 of Health and Social Services to administer rabies vaccina-
12 tions;

13 (vi) veterinarians serving in the armed services
14 of the United States or the United States Department of
15 Agriculture while engaged in their official capacity or
16 while within federal facilities;