

HB

86

THE ALASKA STATE VETERINARY MEDICAL ASSOCIATION

BOX 631

• ANCHORAGE, ALASKA 99501

February 7, 1979

The Honorable Thelma Buchholdt
Pouch V
Juneau, Alaska 99811

Dear Ms. Buchholdt:

The Alaska State Veterinary Medical Association has written a new practice act, known as House Bill No. 86, that will be introduced this legislative session. The purpose of my letter is to give you an understanding of the bill.

We now have a veterinary practice act which was enacted in 1963 and has had no major revisions since then. We chose to write a new act rather than revise the old because in nearly all parts of the act changes have been proposed to clarify the intent. Writing a new act seemed the easiest way to accomplish this.

We have compared the content of the old act with the proposed act. In nearly all cases, the proposed act and the old act handle regulation and licensing of the profession in the same way. Notable exceptions are as follows:

The size of the Board of Veterinary Examiners was increased from three to five members. This was done because the present board size of three members often proved inadequate due to the absence of members for various reasons.

A public member was provided as one of the members of the Board to encourage representation of the public interest in regulation of the profession.

A section was included which defines the legal responsibilities of aides and trained technicians working under the direction of a veterinarian. The present act makes no mention of persons employed by veterinarians leaving it legally open to question as to whether or to what extent a veterinarian may use these people to aid in treatment of animals.

The new act provides for the examination and registration of Animal Health Technicians. Technicians are a relatively new profession employed by veterinarians to do a wide variety of technical tasks. Many technicians are presently employed in Alaska; however, there is no provision made for them in the present statutes.

Registration is necessary for up-to-date, immediate reference of all veterinary technicians engaged in animal care in the state with reference to qualifications, addresses, license status, etc. This provision allows the Board to adopt appropriate standards for those engaged in animal technology and the issuance of permits to such persons found competent.

Temporary licensing has been changed from the existing uncontrolled situation giving temporary licenses to all applicants who qualify for a license. Under the present law a person who has never passed a national or state examination can obtain a temporary unrestricted license to practice.

The new act proposes that two classes of temporary licenses be issued:

One type would be issued to any technician qualified to take the examination provided he work with a practitioner licensed in the state.

A second type would be issued for a 60-day period to a veterinarian who is licensed in another state. The license would allow the licensee to take over the practice of a veterinarian who is absent.

Examination of licensees has been changed to require a state exam and a national exam for every applicant unless the applicant has either (1) passed a National Board Examination in the last three years, or, (2) has been an active practicing veterinarian in another state. Persons qualifying would be required to take only the state exam.

Presently, veterinarians who have "practiced" for five of the last seven years in another state may receive a license without exam. The problem with this is that the definition of "Veterinary Practice" is so broad that people involved with activities not commonly considered to be the active practice of veterinary medicine would qualify for license. Examples of this could include meat inspectors, animal consultants, and certain types of researchers. The new act would require all applicants to take the state exam.

The new act provides a legal means by which to cope with the problem of animals left in the care of veterinarians and later abandoned. This is a frequent problem that is not dealt with in the present act.

We would appreciate your support on this bill.

Respectfully,

Jon Thomas, DVM

Jon Thomas
President, ASVMA

Sec. 08.03.010. Termination, continuation and reestablishment of regulatory boards. (a) Boards listed in this subsection have a termination date of June 30, 1979:

- (1) Board of Chiropractic Examiners (AS 08.20.010);
- (2) Board of Dental Examiners (AS 08.36.010);
- (3) State Medical Board (AS 08.64.010);
- (4) Board of Nursing (AS 08.68.010);
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- (6) Board of Examiners in Optometry (AS 08.72.010);
- (7) Board of Pharmacy (AS 08.80.010);
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- (11) Board of Governors of the Alaska Bar Association (AS 08.08.040).

(c) Upon termination, each board listed in (a) and (b) of this section shall continue in existence until June 30 of the next succeeding year for the purpose of concluding its affairs. During this period, termination does not reduce or otherwise limit the powers or authority of each board. One year after the date of termination, a board not continued shall cease all activities.

(d) The termination, dissolution, continuation or reestablishment of a regulatory board shall be governed by the legislative oversight procedures of AS 44.66.050.

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Article

- 1. Board of Pu
- 2. Certified Pu
- 3. Public Acco
- 4. Regulation
- 5. Unlawful A
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- 7. General Pro

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- 10. Creation o
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Name	Organization	Address	Bill No.
Harold R. Spalding DVM	Alaska State Veterinary Medical Assoc	3504 Spenard Rd Anch-ak 99503 274-5689	HB-86
DAVID HOWE	BD OF VETERINARY EXAM.	2639 BONIFACE PEWY 357-1561	HB-86
GAM. Tuomi DVM	South Central Vet. Med. Assoc.	2036 E. Northern Lights	
CLIFF LOBAUGIT	BD OF VET. EXAM.	Anchorage 99504 274-5623	HB 86
		RR6 Box 3552 JUNEAU 99803 789-7551 789-9210	HB 86
DON HOSTAK	DIV OF OCCUPATIONAL LICENSING	JUNEAU 465-2534	HB 86

September 29, 1978

Jon Thomas, DVM
2639 Boniface Parkway
Anchorage, Alaska 99504

Dear Dr. Thomas,

Thank you for your telephone call of September 28th raising the question of bringing A.I. technicians under the Veterinary Practice Act. This question was raised in 1973 and I will attempt reaffirm my position at this time.

I would emphasize first that the A. I. technician is not practicing veterinary medicine, but is providing a breeding service whereby livestock owners in Alaska can use the technology of semen collection, preservation, and use and the advancements in animal genetics available to the livestock industry throughout our sister states in the lower 48. The A. I. technician is not trained or qualified to provide veterinary services and is in fact legally and ethically constrained from doing so. If we bring the A. I. technician under regulation by the veterinary medical profession, do we in fact reduce the stature of that profession to the level of the A. I. technician or do we attempt to raise the A. I. technician to the level of a veterinary practitioner?

It is a temptation to emphasize the fact that technicians for the Matanuska Valley Breeders Association in cooperation with the University of Alaska are breeding cattle in very few major herds in addition to the University herd. However, this is irrelevant. If the public good requires regulation of the A. I. industry by the veterinary medical profession, that protection should be provided to all individuals irrespective of the total number involved.

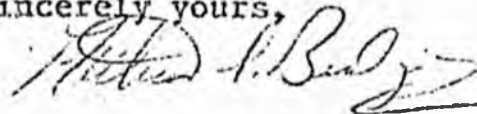
At this time I know of no instance in the State of Alaska where semen is being collected and processed for use in artificial insemination. Therefore, by definition, all of the semen used in Alaska has been drawn, processed, and shipped from individuals and/or semen producing organizations in the lower 48. These organizations are expected to operate under the minimum standards of the National Association of Animal Breeders as well as state and federal laws where applicable. I believe that it might be of value to establish regulations relative to the importation of semen to insure that semen entering the State of Alaska would originate from responsible individuals and/or

organizations. This would limit the entry of disease organisms and/or genetic defects into the state of Alaska via frozen semen.

If you bring the A. I. technician under the Veterinary Practices Act, how would you propose to examine and license A. I. technicians? The use of a written examination exclusively is of very limited value because successful A. I. depends upon the acquisition and development of skills which can be obtained only through hands on or "arms in" experience. This is difficult to assess other than through the examination of field data. The direct contact of the A. I. technician with the animal to be inseminated may be of limited importance relative to other considerations. Disregarding the possibility of physical damage or the introduction of disease organisms, the most obvious manifestation of incompetence is failure to achieve conception. Areas of equal importance are the maintenance of an adequate semen inventory under satisfactory conditions of storage, the proper removal of semen units and their handling prior to insemination, accuracy in semen selection and records maintained, and the motivation and knowledge to use currently available knowledge in population genetics and animal breeding. I submit that these areas fall within the domains of the A. I. industry and animal science programs in animal breeding at major universities, and not in the area of veterinary medical practices.

I do not mean to imply that the A. I. industry and its adherents would not benefit from codes of ethics and performance which are presently being developed and applied within the industry itself, but that the veterinary medical profession may be mistaken in bringing that industry within the practice of veterinary medicine which veterinary control and regulation implies. I believe that we will make maximum progress in serving the livestock industry if the veterinary medical profession and professional and para-professional animal scientists work together in mutual respect and consideration.

Sincerely yours,



ARTHUR L. BRUNDAGE, Ph.D.
Professor of Animal Science
Member, American Registry of
Certified Animal Scientists

ALB/bjf

cc: Fred Husby



UNIVERSITY OF ALASKA, FAIRBANKS
Fairbanks, Alaska 99701

School of Agriculture and Land Resources Management
Agricultural Experiment Station

October 19, 1978

Dr. Jon Thomas, D.V.M.
2639 Boniface Parkway
Anchorage, Alaska 99504

Dear Dr. Thomas:

Thank you for informing me of the possible legislative action concerning the regulation and issuance of permits to artificial insemination operators and technicians. At the present time, I do not believe the State of Alaska nor the level of livestock production within the state are ready for a possible restrictive regulation.

I am not familiar with similar regulations in other states, but the National Association of Animal Breeders (PO Box 1033, Columbia Missouri 65201) has established and published codes for animal identification, health and other rules governing the use of artificial insemination. This association was organized in 1946 and the members are former owned cooperatives and private corporations and the members account for approximately 95 percent of all semen used in the United States. The health code was set forth by an American Veterinary Medical Association committee. In addition, semen producing businesses must obtain a permit from the Purebred Dairy Cattle Association to keep accurate semen inventories before offspring from their bulls can be registered. Certified Semen Services, Inc., was organized in 1976 as a subsidiary of the National Association of Animal Breeders and has a primary objective to audit procedures for bull and semen identification used in A.I. and for the issuance of properly completed records each time a semen sale is made.

The regulations and codes set forth by the above organizations serve as guidelines for the breeding associations to maintain competence and standards of production for the animal breeding industry. However, honesty and accuracy is primarily a responsibility of the individual breeding organization.

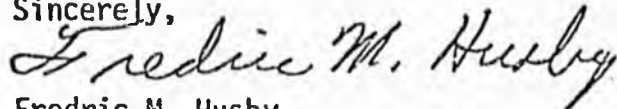
An A.I. technician is an individual who is authorized to issue breeding receipts or sales invoices in the name of the A.I. business with which he is employed or affiliated and is only responsible to that business. The A.I. business accepts certain responsibilities for the actions of its technicians. This individual represents a company in the field and it behooves the company to have technicians trained in both the physical aspects of insemination as well as a working knowledge of breeding records, sire selection and breed registration requirements. Therefore, if we consider the role of the national organizations in relation to the A.I. businesses and the competitive aspect of the industry, any additional state regulation may not be complementary to the self imposed standards of performance now in effect.

Within the State of Alaska, I know of only one A.I. operator that has been conducting business without formal training. This technician's lack of knowledge and ability to inseminate livestock has limited his business with herd owners. The other state A.I. operator, Matanuska Valley Breeder's Association, is affiliated with American Breeder's Service and has sponsored through the company a week long training school in 1974 and is currently scheduling another school the last week of October, 1978. When technician training sessions are not offered within this state, their technicians are sent to a school in the Northwest.

A regulation of the type under consideration would be difficult and costly for the state to administer. A valid test to certify technicians would have to include both proof of physical training required to inseminate livestock and knowledge of breed registration requirements, sire selection and record keeping. Would this imply that veterinarians who have had training in the physical aspects of insemination become conversant on breeding and selection programs similar to A.I. trained technicians? What criteria would be used for a waiver of an examination: a university course in artificial insemination, successful completion of a school sponsored by one of the A.I. companies or a degree in veterinary medicine? Would the permit be issued through the mail or would it require a costly trip to a central location to take a qualifying examination?

Although this letter may have posed more questions than answers, I hope that the information and personal thoughts will be of assistance to you and your committee. If I can be of further service, please contact me.

Sincerely,



Fredric M. Husby
Assistant Professor
Of Animal Science

FMH:ds

Berton A. Gore, D.V.M.

P. O. Box 666

Palmer, Alaska 99645

(907) 745-3219

Feb 12, 79

Dear Pat

I received your letter today regarding House Bill # 86. I concur with your decision to oppose further regulation of artificial insemination. Dr. Brundage and I both requested the Veterinary Assoc. to delete the A.I. Regulation, however, they chose otherwise. If the A.I. regulation is deleted ~~you may~~ would you consider ~~re~~ re-evaluating # 86 on its remaining points? Thanks.

Sincerely,

Bert Gore

Name

Organization

Address & PHONE#

Bill No

DON HOSTAK
Elaine Garrett
REP PAT CARNEY

DIV. OF OCCUPATIONAL LICENSING
" " "

JUNEAU ST. OFF. BLDG. 465-2534

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TELEGRAM

RCA ALASKA COMMUNICATIONS, INC.
PHONE 336-2442

JUNEAU, ALASKA 99802

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PMS REP THELMA BUCHHOLT CHAIRMAN HEALTH EDUCATION AND SOCIAL
SERVICES COMMITTEE

JUNEAU ALASKA

RE HB86 VETERINARY PRACTICES ACT.

THE NORTHLAND PIONEER GRANGE NBR 1 PROPOSES HB86 AS WRITTEN
IT IS TO ALL ENCOMPASSING IT THREATENS THE ARTIFICIAL INSEMINATION
PROGRAM OF ALASKAS STRUGGLING DAIRY INDUSTRY. VETERINARIANS
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LEGISLATIVE COMMITTEE NORTHLAND PIONEER GRANGE NBR 1

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WORLD TELEGRAMS, INC.

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PMS REP THELMA BUCHHOLT CHAIRMAN HEALTH EDUCATION AND SOCIAL SERVICES COMMITTEE

JUNEAU ALASKA

RE HB86 VETERINARY PRACTICES ACT.

THE NORTHLAND PIONEER GRANGE NBR 1 PROPOSES HERE AS WRITTEN IT IS TO ALL ENCOMPASSING IT THREATENS THE ARTIFICIAL INSEMINATION PROGRAM OF ALASKAS STRUGGLING DAIRY INDUSTRY. VETERINARIANS COULD NOT SERVICE THE INDUSTRY ADEQUATELY INSEMINATORS ALREADY MUST BE NATIONALLY REGISTERED A.I. TECHNICIANS TO MAKE INSEMINATIONS VALID FOR REGISTRY.

LEGISLATIVE COMMITTEE NORTHLAND PIONEER GRANGE NBR 1
PALMER ALASKA

STATE OF ALASKA



POUCH V
JUNEAU, ALASKA 99811
(907) 465-3822

SENATOR TIM KELLY

283 MULDOON ROAD
STATION BOX 76
ANCHORAGE, ALASKA 99504
(907) 333-1179

April 2, 1979

TO: Representative Buchholdt
Chairperson, House HESS Committee

FROM: Senator Kelly

RE: HB 86, An act relating to Veterinarian
Medicine

Attached is a letter from Dr. Leach, DVM
with comments and suggestions on HB 86.
I hope you'll consider his views when
this bill comes before your committee.

Tim

CHESTER VALLEY ANIMAL HOSPITAL

1571 MULDCON ROAD
ANCHORAGE, ALASKA 99504
(907) 333-6591

March 28, 1979

Mr. Tim Kelly
State Senator
State of Alaska
Pouch V
Juneau, Alaska 99811

Dear Senator Kelly:

Thank you very sincerely for your recent letter and enclosure of pending legislation relating to veterinary medicine. Your request that HB No.86 be reviewed for comments was much appreciated.

The following comments are those I would feel important to consider:

Article 2; Sec. 08.95.200 (page 4) #14 and #15:

Both of these paragraphs I feel allow "practice" by people other than those specifically qualified for such practice. A merchant or salesperson does not normally have the expertise to provide professional, competent veterinary services to the public.

Article 2; Sec. 08.95.200 (page 4) #16

It would seem only reasonable that if the State of Alaska is dependant upon a person for professional services such as veterinary medicine, which in many aspects also encompasses public health measures, that we should expect that individual able and competent to pass a required examination to be certified to practice their profession within the boundaries of the State of Alaska.

Sec. 08.95.290 (page 7)

It appears this section would not necessarily cause the person to maintain skills and or competence to provide high quality services to the public at large.

It would be preferable to have anyone who allows their Alaskan license to practice lapse, re-take fully and all tests required to return to practice within the State of Alaska, including the National Board and State Board examinations. This requirement of a re-establishing of competency would prevent the return to practice of an individual who had not continuously maintained professionalism.

Sec. 08.95.460 (page 11) Second Sentence:

It is my opinion this sentence should be reworded to read:

"The licensed veterinarian is responsible for the performance of any person under the veterinarian's direction or general supervision by this chapter or a regulation adopted under it".

Sec. 08.95.800 (page 12) Part A - last sentence:

This sentence should be reworded to read:

"Disposal of an animal under this section does not in any manner relieve the owner of the financial obligation incurred for the treatment and disposition of the animal but does extinguish all rights for claiming ownership of the animal.

Sec. 11 (page 16)

I feel this person should also be required to take the full examination for renewal or re-instatement of a license to practice; for the same reasons listed in Article 2, Sec. 08.95.20 (page 4 #16) as corrected previously in these comments.

It is gratifying to be able to have an opportunity to comment on this practice act prior to it being made into law. We do appreciate your representation and services.

Respectfully,


James B. Leach III, D.V.M.

JBL/al

Thanks for this opportunity - basically I feel the practice act (Bill 86) is a good step forward and agree with it in general.

*Thanks
JBL*

3504 Spenard Road
Anchorage, Alaska 99503
March 12, 1979

Representative Thelma Buchholdt
Chairperson
Health, Education and Social
Services Committee
House of Representatives
Pouch V
Juneau, Alaska 99811

Dear Mrs. Buchholdt:

The Legislative Affairs Committee of the Alaska State Veterinary Medical Association, as well as most members of the ASVMA, would like to go on record as to the following items concerning C.S. for House Bill 86 - The Veterinary Practice Act:

- 1) Board of Veterinary Medicine - (SEC. 08.95.01) - The formula of three (3) veterinary members and two (2) public members will probably not be an improvement over the present situation. A total of five (5) people would be an improvement if the total board were involved in doing all the necessary work involved with the board's activities, but we feel that the majority of the work load will fall on the three (3) veterinary members. At present this is not the ideal situation and we feel that an additional veterinarian as well as a public member would be a much more workable board.
- 2) Board Meetings - (SEC. 08.45.030) - No other board carries the restriction of having to have prior approval of the Department of Commerce and Economic Development for the chairman of the board to call additional meetings as needed. We are sure the situation will not present itself whereby the board would be denied permission to do so, but in light of the board's increased duties and responsibilities with passage of this Act, we feel they should have some responsibility in being able to call themselves together. We just do not feel these should be in the statutes.
- 3) Officers - (SEC. 08.95.040) - We would like to see a limit of two (2) conservative terms that an officer may serve on the board. This would encourage turn-over and yet allow continuity.

Representative Thelma Buchholdt

Page 2

March 12, 1979

- 4) Qualification for Examination - (SEC. 08.95.220) - We would like some type of statement added to qualifications that would take into account possible felony convictions, malpractice convictions, pending investigations, or other such type of acts that we feel are undesirable in professional people. Only two (2) present state practice acts do not carry any statement about good moral character. The present veterinary practice act does carry such a statement and we would like the proposed one also to carry one.
- 5) Temporary Permit to Practice Veterinary Medicine - (SEC. 08.95.275) - We feel this is too loosely written and may allow a legal precedence to be established whereby a temporary permit may be granted, the person fail either or both examinations and then legally try to get the license to practice through the fact that he once had such and now is being denied it. There is no means available to check on persons obtaining such a permit and establishing a "bush" practice whereby they would not be under any type of review. It does not take into consideration that some people can be granted such a permit who have not been in "active" practice for a long period of time or a very recent new graduate with no practice experience at all. We feel both situations may be undesirable as pertaining to the general public's welfare.
- 6) Power of Injunction and Power of Investigation - Loss of these two powers by the board leaves the board totally under the division of occupational licensing. We feel these two powers should be available to the board as well as the division of occupational licensing either cumulative or independently of one another. The present act carries the power of injunction by the board. Past situations have had too little and too slow a response. We feel the board should be able to act on its own merits if need be.

Representative Thelma Buchholdt
Page 3
March 12, 1979

We look forward to your consideration of these statements as they pertain to the Veterinary Practice Act. Please feel free to request further input if need be.

Sincerely,

Harold R. Spalding DVM

Harold R. Spalding, DVM
Vice President, ASVMA

Legislative Affairs Committee:
Pam Tuomi DVM - Anchorage
Jim Sachtjen DVM - Fairbanks
Jon Thomas DVM - Anchorage, President ASVMA
Harold Spalding DVM - Anchorage



Official Business

Alaska State Legislature

House of Representatives

Committee on

Health, Education & Social Services

March 13, 1979

Pouch V
State Capitol
Juneau, Alaska 99811

Alaska S.P.C.A.
P.O. Box 776
Anchorage, Alaska 99510

Dear S.P.C.A. Members:

Enclosed you will find a copy of the latest Committee Substitute by the House Health, Education and Social Services Committee.

I have held off sending it because this is a work draft and there are amendments still to be added. But I thought you would want to look at what the committee is working with.

We plan to hold another hearing on the bill tomorrow and it may be passed out at that time. The committee, just last week, adopted the Committee Substitute to the bill so I'm sure there will be lots of changes by the time you receive this letter.

In any event, I thought this might help.

Sincerely,

A handwritten signature in cursive script that reads "Cynthia L. Hill".

CYNTHIA L. HILL
Secretary to
THELMA BUCHHOLDT
Chairman
House HESS Committee

TB/ch

Name

Address

Organization

Bill No.

Robert J. Green
John R. Berg
Harold Spalding DSH
DON HOSTAK

DH & SS - Admin
DH & SS - Div. of Social Services
3504 Grand Hill Ave.
OCCUPATIONAL LICENSING

DH & SS
DH & SS
Self

321 + 22
HB 96
HB 86
HB 86 - HB 96

THELMA SUCCHOLDT

Will appreciate your committee keeping HB 86 relating to practice of veterinary medicine, in committee until there has been much more time for input from laymen. Thank you.

Mrs. Harold De Voe
4036 Balchen Dr., Anch., 99503

243-4827

THELMA BUCCHOLDT

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4036 Balchen Dr., Anch., 99503

243-4827

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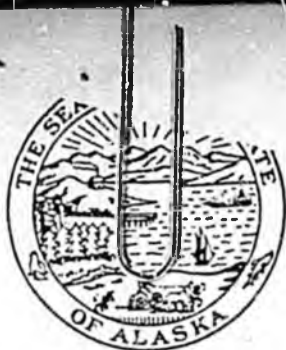
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Official Business

House of Representatives
Committee on
Health, Education & Social Services

Pouch V
State Capitol
Juneau, Alaska 99811

February 7, 1979

Dr. Harold R. Spalding, D.V.M.
Denali Veterinary Clinic
3504 Spenard Road
Anchorage, Alaska 99504

Dear Dr. Spalding:

Thank you for sending me a copy of the Veterinary Practices Act, HB-86.

I am one of the co-sponsors of the bill and will work for its passage along with Representative Miles.

HB-86 is now in my committee, House Health, Education and Social Services, and we will review the bill as soon as our committee schedule permits.

Again, thank you for writing to me. I will let you know as soon as we schedule the bill as you may wish to testify or send some kind of back up for committee review.

Sincerely yours,

THELMA BUCHHOLDT
Chairman
House Health, Education and Social Services

TB/ch

DENALI VETERINARY CLINIC

3504 SPENARD ROAD
ANCHORAGE, ALASKA

1-26-79

Dear Mrs. Buckholdt,

Please find enclosed the final draft copy of the Veterinary Practice Act to be introduced by Bill Miller and Terry Martin. This is the form in which it was last written before introduction that I have in possession. Would you please go over it and get back in touch with me as to your comments? Our state association is looking this and there is to my knowledge no real opposition to it from within our profession. We would welcome your co-sponsoring it if you feel that you can do so.

I am sorry I contacted you so late before you were going to Juneau that we were ^{not} able to make connections here in Anchorage. Thank you and I look forward to hearing from you soon.

Sincerely,
Harold R. Spalding

SECTIONAL ANALYSIS OF HOUSE BILL NO. 86

Section 1. Adds a new chapter to AS 08 (Business and Professions) entitled "Veterinary Practice Act." Each section of this new chapter will be analyzed separately.

ARTICLE 1. BOARD OF VETERINARY MEDICINE

Sec. 08.95.010. CREATION AND MEMBERSHIP OF BOARD. Creates a Board of Veterinary Medicine, composed of four veterinarian members and one public member, to replace the current Board of Veterinary Examiners.

Sec. 08.95.030. SOURCE OF APPOINTMENTS FOR VETERINARIAN MEMBERS. Directs the governor to appoint each veterinarian member of the board from a list of at least three candidates recommended by the Alaska State Veterinary Medical Association.

Sec. 08.95.040. BOARD MEETINGS. Requires the board to hold a regular annual meeting and permits the chairman to call other meetings.

Sec. 08.95.050. OFFICERS. Directs the board to elect a chairman, subject to the governor's approval, and a secretary to serve one-year terms.

Sec. 08.95.060. REPORT REQUIRED. Requires the chairman and secretary to submit a report on the actions of the board to the Department of Commerce and Economic Development at the end of each examining period.

Sec. 08.95.070. MEETING OF NATIONAL VETERINARY STATE BOARD OF EXAMINERS. Authorizes the board to send one of its members to the annual meeting of the National Veterinary State Board of Examiners at state expense.

Sec. 08.95.080. POWERS AND DUTIES OF THE BOARD. Directs the board to regulate the "practice of veterinary medicine" (as defined) in accordance with the Act, to adopt regulations implementing the Act, and to authorize the issuance, renewal, or reinstatement of a license, permit, or certificate of registration to any person entitled to it. Authorizes the board to adopt regulations interpreting, clarifying, and making specific the provisions of the Act. Directs that the powers granted to the board under the Act be liberally construed.

ARTICLE 2. LICENSING.

Sec. 08.95.200. LICENSE REQUIRED. Prohibits anyone but a licensed veterinarian from practicing veterinary medicine except

- (1) a veterinarian licensed in another state consulting with a licensed veterinarian in this state;

- (2) the holder of a temporary permit, acting under the direction of a licensed veterinarian, who has applied to take the veterinarian's examination;
- (3) a veterinarian licensed in another state who holds a temporary permit to conduct the practice of a licensed veterinarian during his absence;
- (4) a person performing tasks within his competence, other than diagnosis, prescription, or initiation of treatment, under the "general supervision" (as defined) of a licensed veterinarian and in accordance with board regulations;
- (5) a person performing artificial insemination of animals, who holds a permit to do so;
- (6) a person giving advice on livestock management or engaging in accepted livestock management practices in accordance with board regulations;
- (7) a faculty member of a "veterinary school" (as defined) engaging in his official duties;
- (8) a person lecturing, giving instructions, or performing demonstrations with the approval of the board, at a veterinary school, or in connection with a continuing education course or seminar sponsored by a veterinary school or approved by the board;
- (9) a veterinary student performing duties or actions assigned by his instructors;
- (10) a veterinary student acting under the general supervision of a licensed veterinarian;
- (11) a person engaging in scientific research that reasonably requires experiments with animals;
- (12) a person gratuitously giving emergency aid to animals;
- (13) the owner of an animal and his regular, full-time employees caring for and treating the animal, unless ownership of the animal was transferred to avoid application of the Act or the employees were hired primarily to treat animals;
- (14) a merchant or manufacturer selling at his regular place of business products used in the prevention or treatment of animal diseases;
- (15) a person selling or applying a pesticide or herbicide;
- (16) a governmental employee engaging in his official duties.

Sec. 08.95.220. QUALIFICATION FOR EXAMINATION. Sets out the qualifications for taking an examination to become a licensed veterinarian. These qualifications are substantially the same as under existing law except for a new provision allowing a person who was not graduated from a veterinary school to take the examination if he has passed the Education Commission for Foreign Veterinary Graduates examination in veterinary medicine.

Sec. 08.95.230. EXAMINATION FEE. Directs the Department of Commerce and Economic Development to establish a fee to accompany applications for licensing as a veterinarian, refundable if the applicant is found unqualified to take the examination.

Sec. 08.95.240. CONTENT OF EXAMINATION. Requires that the examination be in two parts, a national examination selected by the board and a state examination prepared by the board. Requires the examination to cover subjects and techniques commonly taught in veterinary schools and permits the board to require a practical demonstration of skills.

Sec. 08.95.250. EXEMPTION FROM NATIONAL EXAMINATION. Permits the board to exempt an applicant from the national examination who meets specified criteria involving years of practice as a veterinarian in another state and recent passing of a national examination.

Sec. 08.95.260. REEXAMINATION. Allows a person failing an examination to take a subsequent examination upon payment of the examination fee.

Sec. 08.95.265. INITIAL LICENSE AND RENEWAL FEES. Directs the Department of Commerce and Economic Development to establish a fee for issuance of a veterinarian's license and a fee for biennial renewal.

Sec. 08.95.270. TEMPORARY PERMIT TO PRACTICE WITH LICENSED VETERINARIAN. Permits a qualified applicant for a veterinarian's license who has not failed a veterinarian's examination to obtain a temporary permit to practice veterinary medicine under the direction of a licensed veterinarian, pending examination. Comment. The permit holder is required to be under the "direction" of a licensed veterinarian rather than his "general supervision." "General supervision" is defined in the Act but "direction" is not. The difference between these terms is not clear but might be made so by board regulation.

Sec. 08.95.280. TEMPORARY PERMIT TO TAKE OVER PRACTICE OF LICENSED VETERINARIAN. Allows a veterinarian licensed in another state, who would be qualified to take the veterinarian's examination in this state, to obtain a temporary permit, for no longer than 60 days, to conduct the practice of a licensed veterinarian during his absence. Directs the Department of Commerce and Economic Development to establish a fee for these temporary permits and any renewals that may be permitted by the board.

Sec. 08.95.290. REINSTATEMENT OF LAPSED LICENSE. Allows a veterinarian whose license has lapsed to have it reinstated without examination within three years of its lapsing.

ARTICLE 3. REGULATION OF PRACTICE OF VETERINARY MEDICINE.

Sec. 08.95.400. DISCIPLINE OF LICENSED VETERINARIANS. Authorizes the board to revoke or suspend the license of a licensed veterinarian or otherwise discipline a licensed veterinarian for specified reasons, including unprofessional conduct as defined in board regulations.

Sec. 08.95.410. REVOCATION AND SUSPENSION OF TEMPORARY PERMITS. Authorizes the board to revoke or suspend a temporary permit for a violation of the Act or a regulation adopted under it, whether committed by the permit holder or the licensed veterinarian with whom he is associated.

Sec. 08.95.420. ARTIFICIAL INSEMINATION OF ANIMALS. Directs the board to adopt regulations providing for issuance of permits to perform artificial insemination of animals. Authorizes the board to revoke or suspend such a permit for a violation of the Act or a regulation adopted under it.

Sec. 08.95.430. REGISTRATION OF VETERINARY TECHNICIANS. Directs the board to adopt regulations providing for the registration of "veterinary technicians" (as defined). Directs that these regulations require, for registration, the completion of college programs approved by the board, but permits the board to register veterinary technicians before July 1, 1981 who have been graduated from high school and completed two years of satisfactory work experience in lieu of college programs. Sets a fee of \$25 for registration and biennial renewal. Authorizes the board to revoke or suspend a certificate of registration for a violation of the Act or a regulation adopted under it. Emphasizes that a veterinary technician must be under the general supervision of a licensed veterinarian. Provides that this section does not require a veterinary technician to become registered, but authorizes the board to impose such a requirement by regulation.

Sec. 08.95.440. STANDARDS OF PRACTICE. Authorizes the board to establish standards of practice, including continuing education requirements, for (1) licensed veterinarians and holders of temporary permits; (2) holders of permits to perform artificial insemination of animals; (3) persons giving advice on livestock management or engaging in livestock management; and (4) persons acting under the general supervision of licensed veterinarians. Authorizes the board to

(1) classify persons acting under the general supervision of licensed veterinarians; (2) limit or qualify the duties which may be performed by members of a class; (3) permit or require members of a class to be registered or licensed; (4) establish qualifications for registration or licensing of members of a class; (5) provide for renewal, revocation, and suspension of certificates or licenses of members of a class; and (6) set fees for issuing and renewing certificates or licenses of members of a class.

Sec. 08.95.460. RESPONSIBILITY OF LICENSED VETERINARIAN. Requires employees of a licensed veterinarian to be under his general supervision. Makes the licensed veterinarian responsible for the performance of any person required to be under his direction or general supervision.

ARTICLE 4. ENFORCEMENT.

Sec. 08.95.600. UNLAWFUL PRACTICE OF VETERINARY MEDICINE. Makes the unlawful practice of veterinary medicine a misdemeanor punishable by a fine of not less than \$50 or more than \$500 or imprisonment for not more than 90 days. Makes each day of unlawful practice a separate offense.

Sec. 08.95.610. NO RIGHT TO COMPENSATION FOR SERVICES UNLAWFULLY RENDERED. Provides that a person is not entitled to compensation for services constituting the practice of veterinary medicine that are unlawfully rendered.

Sec. 08.95.620. INJUNCTION. Authorizes the board to seek an injunction to restrain a person from practicing veterinary medicine unlawfully.

Sec. 08.95.630. REMEDIES CUMULATIVE. Declares that remedies for enforcing the Act are cumulative and independent.

Sec. 08.95.640. INVESTIGATIONS. Authorizes the board to conduct investigations to determine whether violations of the Act or regulations adopted under it have occurred.

ARTICLE 5. ABANDONMENT OF ANIMALS.

Sec. 08.95.800. Authorizes a licensed veterinarian or temporary permit holder to dispose of an animal, by sale or otherwise, left in his custody and abandoned. Provides that abandonment is considered to have occurred if the animal is unclaimed within 10 days after notice is sent to the owner or his agent.

ARTICLE 6. GENERAL PROVISIONS.

Sec. 08.95.900. DEFINITIONS. Defines principal terms used in the Act, including "animal," "general supervision," "practice of veterinary medicine," and "veterinary technician."

Sec. 08.95.910. SHORT TITLE. Designates AS 08.95 as the Veterinary Practices Act.

Section 2. Makes the Board of Veterinary Medicine subject to the centralized licensing law.

Section 3. Directs the Department of Commerce and Economic Development to provide investigative services to the Board of Veterinary Medicine to assist it in matters of professional discipline.

Section 4. Gives the Board of Veterinary Medicine a termination date of June 30, 1985 for purposes of the sunset law.

Section 5. Reenacts a portion of the sunset law as a new section in the Alaska Statutes. This reenactment has no substantive effect. It is necessitated by the inclusion of the Board of Veterinary Medicine in the sunset law.

Section 6. Provides for a lien on an animal for veterinary services.

Section 7. Makes the Board of Veterinary Medicine subject to the administrative adjudication provisions of the Administrative Procedure Act.

Section 8. Repeals the current laws relating to the practice of veterinary medicine and a portion of the sunset law. The repeal of a portion of the sunset law is of no effect, other than to eliminate a reference to the Board of Veterinary Examiners, because its reenactment as a new section is provided for in Sec. 5.

Section 9. Provides for the validity of a temporary license to practice veterinary medicine issued under law that is being repealed.

Section 10. Provides for the validity of a license to practice veterinary medicine issued under law that is being repealed.

Section 11. Authorizes the reinstatement of a lapsed license to practice veterinary medicine, within five years of its lapsing, which was issued under law that is being repealed.

Section 12. Directs that the members of the Board of Veterinary Examiners automatically become veterinarian members of the Board of Veterinary Medicine and serve until their terms on the former board would have expired.

Section 13. Directs that the title "Board of Veterinary Examiners" in the laws of the state be read as "Board of Veterinary Medicine." Provides for continuation of proceedings begun, orders issued, and regulations adopted under law that is being repealed. Directs that property of the Board of Veterinary Examiners be transferred to the Board of Veterinary Medicine.

Section 14. Makes this Act effective July 1, 1979.

THE ALASKA STATE VETERINARY MEDICAL ASSOCIATION

BOX 631

● ANCHORAGE, ALASKA 99501

February 7, 1979

The Honorable Thelma Buchholdt
Pouch V
Juneau, Alaska 99811

Dear Ms. Buchholdt:

The Alaska State Veterinary Medical Association has written a new practice act, known as House Bill No. 86, that will be introduced this legislative session. The purpose of my letter is to give you an understanding of the bill.

We now have a veterinary practice act which was enacted in 1963 and has had no major revisions since then. We chose to write a new act rather than revise the old because in nearly all parts of the act changes have been proposed to clarify the intent. Writing a new act seemed the easiest way to accomplish this.

We have compared the content of the old act with the proposed act. In nearly all cases, the proposed act and the old act handle regulation and licensing of the profession in the same way. Notable exceptions are as follows:

The size of the Board of Veterinary Examiners was increased from three to five members. This was done because the present board size of three members often proved inadequate due to the absence of members for various reasons.

A public member was provided as one of the members of the Board to encourage representation of the public interest in regulation of the profession.

A section was included which defines the legal responsibilities of aides and trained technicians working under the direction of a veterinarian. The present act makes no mention of persons employed by veterinarians leaving it legally open to question as to whether or to what extent a veterinarian may use these people to aid in treatment of animals.

The new act provides for the examination and registration of Animal Health Technicians. Technicians are a relatively new profession employed by veterinarians to do a wide variety of technical tasks. Many technicians are presently employed in Alaska; however, there is no provision made for them in the present statutes.

Registration is necessary for up-to-date, immediate reference of all veterinary technicians engaged in animal care in the state with reference to qualifications, addresses, license status, etc. This provision allows the Board to adopt appropriate standards for those engaged in animal technology and the issuance of permits to such persons found competent.

Temporary licensing has been changed from the existing uncontrolled situation giving temporary licenses to all applicants who qualify for a license. Under the present law a person who has never passed a national or state examination can obtain a temporary unrestricted license to practice.

The new act proposes that two classes of temporary licenses be issued:

One type would be issued to any technician qualified to take the examination provided he work with a practitioner licensed in the state.

A second type would be issued for a 60-day period to a veterinarian who is licensed in another state. The license would allow the licensee to take over the practice of a veterinarian who is absent.

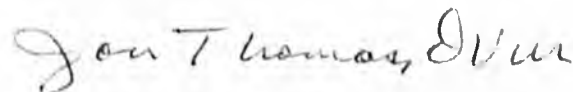
Examination of licensees has been changed to require a state exam and a national exam for every applicant unless the applicant has either (1) passed a National Board Examination in the last three years, or, (2) has been an active practicing veterinarian in another state. Persons qualifying would be required to take only the state exam.

Presently, veterinarians who have "practiced" for five of the last seven years in another state may receive a license without exam. The problem with this is that the definition of "Veterinary Practice" is so broad that people involved with activities not commonly considered to be the active practice of veterinary medicine would qualify for license. Examples of this could include meat inspectors, animal consultants, and certain types of researchers. The new act would require all applicants to take the state exam.

The new act provides a legal means by which to cope with the problem of animals left in the care of veterinarians and later abandoned. This is a frequent problem that is not dealt with in the present act.

We would appreciate your support on this bill.

Respectfully,



Jon Thomas
President, ASVMA

February 10, 1979

Dear Sally,

A pleasure to hear from you! Thanks for sending along the Veterinary Prctice Act. I have been wondering where it stood these days. I reviewed it and discussed it at length with two Veterinarians, and have one suggestion and a question. The Vets agreed with my suggestion, but declined to write and represent themselves...sigh.

The suggestion: Page 3, Art. 2, Sec. 08.95.200 ...(15) now reads:

"No person may practice veterinary medicine in this state who is not a licensed veterinarian except...(15) a person selling or applying a pesticide or herbicide."

I thought seriously of dropping out of school to start selling pesticides and doing spays on the side! I think the intent is better reflected in this wording from the original draft of the act:

"No person may practice veterinary medicine in this state who is not a licensed veterinarian.
THIS ACT SHALL NOT BE CONTRUED TO PROHIBIT: ...
(15) a person selling..."

My question concerns the "one public member" of the board (page 1, Art. 1, Sec. 08.95.010), and also page 2, Sec. 08.95.030. The bill states that the governor shall appoint each veterinarian member, etc. It does not, at this time, say who appoints nor who nominates the public member. I assume the governor appoints, but should it be specified? Hopefully the appointee would have some relevant experience and interest in the profession. I wouldn't object to the position myself!

Take care,

Tom

Tom & Joan Welsh
P.O. Box 81067
Fairbanks, Alaska
99708

BILL ANALYSIS

ASSIGNMENT DATE _____

UNASSIGNED _____

DEPARTMENT	SPONSOR (PRINCIPAL)	BILL NO.
Commerce & Economic Development	Miles, Martin, Barnes, Buchholdt, Cotton, Phillips & Hayes	HB 86
DEPARTMENT POSITION		
Opposed as noted below.		
DIVISION DIRECTOR	DATE	COMMISSIONER
Occupational Licensing	February 2, 1979	
GOVERNOR'S OFFICE USE		
<input type="checkbox"/> POSITION NOTED	<input type="checkbox"/> POSITION APPROVED	<input type="checkbox"/> POSITION DISAPPROVED
BY:	DATE:	
SUMMARY		
(1) RELATED BILLS (SIMILAR OR CONFLICTING)		
(2) OTHER AGENCIES AFFECTED BY BILL		
(2) a. ORGANIZATIONAL SUPPORT FOR BILL		(2) b. ORGANIZATIONAL OPPOSITION TO BILL
Alaska Veterinary Society		Unknown
(3) PROGRAM EFFECTS OF BILL		
Some major changes to existing practice act (AS 08.98) and increased costs in implementation.		
(4) FISCAL IMPACT:	<input type="checkbox"/> NONE	<input checked="" type="checkbox"/> FISCAL ANALYSIS ATTACHED
(5) AMENDMENTS PROPOSED:		
(6) COMMENTS:		

The Division of Occupational Licensing opposes Secs. 1 through 14 of HB 86, "An Act relative to the practice of veterinary medicine; and providing for an effective date." Provisions in the Act for additional members, annual National meeting attendance, specialty permits (Sec. 420), and registration of technicians would entail substantial additional costs for regulation and administrative overhead. Many other aspects of the proposed Act are objectionable from the standpoint of standard statutory authority. These include, but are not limited to, (1) a requirement that board members be appointed only from a list submitted by the state association, (2) limits on voting power of public members,

(See reverse)

(3) a requirement that those applying for temporary permits may work only under supervision of a licensee, (4) that the board itself may conduct investigations, and (5) inappropriate revisions to AS 08.03 (Termination, Continuation and Reestablishment of Regulatory Boards).

We believe that the present practice act is workable but needs amendments. Appropriate recommendations have been made as a result of the Sunset review process that should be considered in increasing board efficiency. We do not believe, however, that the proposed new act would accomplish this nor would it be in the best overall interests of the public.

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 86

Title An act relating to the practice of veterinary medicine; and providing

Requested by for an effective date Date 2/15/79

Miles, Martin, Barnes, Buchholdt,
Cotten, Phillips and Hayes

II. FISCAL DETAIL

Agency Affected Commerce and Economic Development

Program Category Affected Public Protection

Budget Request Unit(s) Affected Regulation and Licensing of Professions

EXPENDITURES (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
100 PERSONAL SERVICES	-0-	-0-	-0-	-0-	-0-	-0-
200 TRAVEL	-0-	1.8	1.9	2.0	2.1	2.2
300 CONTRACTUAL	-0-	3.0	3.1	3.4	3.6	3.8
400 COMMODITIES	-0-	-0-	-0-	-0-	-0-	-0-
500 EQUIPMENT	-0-	-0-	-0-	-0-	-0-	-0-
600 LAND & STRUCTURES	-0-	-0-	-0-	-0-	-0-	-0-
700 GRANTS, CLAIMS, ETC.	-0-	-0-	-0-	-0-	-0-	-0-
TOTAL	-0-	4.8	5.0	5.4	5.7	6.0

FUNDING (Thousands of Dollars)

GENERAL FUND	-0-	4.8	5.0	5.4	5.7	6.0
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

FULL TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART TIME	-0-	-0-	-0-	-0-	-0-	-0-
TEMPORARY	-0-	-0-	-0-	-0-	-0-	-0-

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

FY 80 travel includes funding for two additional board members transportation and per diem to attend presently budgeted board meetings of two a year. There will be one person making one out-of state trip per year to national organization. Contractual expense includes costs for a hearing per year. This includes costs for a hearing office and court reporters preparation, recording, and reporting of the hearings before and after organization. Inflation is computer @ 6% per year. A detailed analysis of expenditures is attached.

IV. DATE 2/15/79

PREPARED BY Don Hoytak

AGENCY Occupational Licensing

PHONE 465-2534

Original: Legislative Finance

Budget and Management

Prime Sponsor (First Legislator Name)

Travel

1 trip
6 days

Out-of-State Trans.	550
Out-of-State Per Diem	<u>300</u>
	850

Boards, Commissions and Legislators

2 trips for 2 additional members	In State Trans.	478
8 days	In State Per Diem	<u>440</u>
		918

Total Travel FY 80 1,768

Contractual

Cost for 8 hour hearing. This includes the cost for a hearing officer and court reporter's before and after preparation, recording, and reporting of the hearings activities.

3,000

Total Contractual FY 80 3,000

February 14, 1979

The Alaska Veterinary Technicians Association is in agreement with the Sections applying to the recognition, function and regulations of Veterinary Technicians in the Veterinary Practice Act currently being submitted to the Legislature.

We do, however, recommend that a Veterinary Technician be included in any decision making process regarding the regulation and registration of Veterinary Technicians.

Respectfully submitted,

Tamela Thomas

Tamela Thomas
Sec-Treas - Alaska Veterinary Technicians
Association

POSITION STATEMENT OF THE ALASKA HEALTH COALITION ON HB 86

"An Act Relating To The Practice Of Veterinary Medicine"

1000 people

The Alaska Health Coalition wishes to go on record as being strongly in support of HB 86, "An Act Relating To The Practice of Veterinary Medicine." The present statute, having been enacted in 1963, is no longer adequate. The proposed statute addresses the issues of veterinary employees, delegation of duties, temporary licensure, size of the board and inclusion of public representation, powers of the board and registration. The Coalition feels that the proposed act clarifies the intent of each section thereby simplifying interpretation and enforcement.

Of particular importance is the addition of two members to the board: a practicing veterinarian and a public member. A three person board, as the board is now composed, is impractical. Input is limited and the members are overburdened with the responsibilities of board function. The addition of two more persons would divide the workload more evenly, make the formation of subcommittees feasible, facilitate the decision-making process by increasing information input. Addition of a public member would bring the board into partial compliance with Governor Hammond's mandate that there be two public members on each regulatory board, and would assure some balancing of opinion in matters affecting the general population as well as those affecting veterinary practitioners.

The Coalition feels that the adoption of this bill will do much to assure competency to practice veterinary medicine in Alaska and will thereby protect the public and the animals which are being treated by veterinarians.

Respectfully submitted by,

Jana Varrati, Coordinator
Alaska Health Coalition

Rep. Barnes.



THE ALASKA SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS, INC.

ANIMAL CONTROL SHELTER
3600 E. TUDOR ROAD
ANCHORAGE, ALASKA 99507
PHONE: 279-0578

SPCA STATE HEADQUARTERS
P.O. BOX 776
ANCHORAGE, ALASKA 99510
PHONE: 279-9853

March 5, 1979

THELMA BUCHHOLDT, Chairman, Health Education & Social Services Committee

Re: HB 86

~~For information~~, Ramona Barnes, Vernon Hurlbert
Bill Miles, Mike Berne, C.V. Chatterton

ALASKA SPCA BOARD OF DIRECTORS VOTED UNANIMOUSLY RECOMMENDING VETERINARIAN BILL PROVIDE FOR RECIPROCITY REGISTRATION OF VETERINARIANS, SIMILAR TO PROCEDURE FOLLOWED BY OTHER PROFESSIONAL BOARDS SUCH AS ENGINEERS, ARCHITECTS, PHARMACISTS, etc.

ALSO THE SPCA REQUESTS YOUR COMMITTEE REVISE BILL NO. 86 TO DEFINE OTHER TRAINED PERSONS AS QUALIFIED TO ADMINISTER SHOTS, NOT UNDER DIRECT SUPERVISION OF REGISTERED VETERINARIAN. SPCA BOARD SUGGESTS TRAINED AND CERTIFICATED TECHNICIANS, NURSES, AND OTHERS BE QUALIFIED TO ADMINISTER SHOTS. MANY SITUATIONS ARISE IN BUSH REQUIRING EMERGENCY HUMANE TREATMENT.

WE DO NOT YET HAVE A COPY OF REVISED BILL.

WE TRUST THE COMMITTEE WILL PROVIDE FOR HUMAN PREVENTION OF PAIN IN SITUATIONS WHERE A VETERINARIAN IS NOT AVAILABLE.

THANK YOU FOR YOUR HELP.

Louise DeVoe (DeVoe)
ALASKA SPCA, INC.

P.O. BOX 776

ANCHORAGE, ALASKA 99510

Phone: 277-4015

February 14, 1979

The Alaska Veterinary Technicians Association is in agreement with the Sections applying to the recognition, function and regulations of Veterinary Technicians in the Veterinary Practice Act currently being submitted to the Legislature.

We do, however, recommend that a Veterinary Technician be included in any decision making process regarding the regulation and registration of Veterinary Technicians.

Respectfully submitted,

Tamela Thomas

Tamela Thomas
Sec-Treas - Alaska Veterinary Technicians
Association

Rep. Barnes.



THE ALASKA SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS, INC.

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3600 E. TUDOR ROAD
ANCHORAGE, ALASKA 99507
PHONE: 279-0578

SPCA STATE HEADQUARTERS
P.O. BOX 776
ANCHORAGE, ALASKA 99510
PHONE: 279-9853

MARCH 5, 1979

THELMA BUCHIOLDT, Chairman, Health Education & Social Services Committee

Re: HB 86

~~James Miles~~, Ramona Barnes, Vernon Huribert
Bill Miles, Mike Berne, C.V. Chatterton

ALASKA SPCA BOARD OF DIRECTORS VOTED UNANIMOUSLY RECOMMENDING VETERINARIAN BILL PROVIDE FOR RECIPROCITY REGISTRATION OF VETERINARIANS, SIMILAR TO PROCEDURES FOLLOWED BY OTHER PROFESSIONAL BOARDS SUCH AS ENGINEERS, ARCHITECTS, PHARMACISTS, etc.

ALSO THE SPCA REQUESTS YOUR COMMITTEE REVISE BILL NO. 86 TO DEFINE OTHER TRAINED PERSONS AS QUALIFIED TO ADMINISTER SHOTS, NOT UNDER DIRECT SUPERVISION OF REGISTERED VETERINARIAN. SPCA BOARD SUGGESTS TRAINED AND CERTIFICATED TECHNICIANS, NURSES, AND OTHERS BE QUALIFIED TO ADMINISTER SHOTS. XXXX MANY SITUATIONS ARISE IN BUSH REQUIRING EMERGENCY HUMANE TREATMENT.

WE DO NOT YET HAVE A COPY OF REVISED BILL.

WE TRUST THE COMMITTEE WILL PROVIDE FOR HUMANE PREVENTION OF PAIN IN SITUATIONS WHERE A VETERINARIAN IS NOT AVAILABLE.

THANK YOU FOR YOUR HELP.

Louise DeVoe (DeVoe)
ALASKA SPCA, INC.

P.O. BOX 776

ANCHORAGE, ALASKA 99510

Phone: 277-4013

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800


LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

April 17, 1980

SUBJECT: CSHB 86 (practice of veterinary medicine)

TO: House Health, Education and Social Services
Committee
Attn: Shannon Garrett

FROM: Donna Spragg Pegues 
Co-Revisor of Statutes

Enclosed you will find the requested committee substitute.
We made the following necessary changes from the draft:

1. Effective date is changed from June 30, 1979 to June 30, 1980.
2. Section 5 relating to "sunset" of boards was eliminated because it was enacted in a different bill in 1979.
3. Section 4 relating to the sunset of the veterinary board is changed to reflect laws enacted in 1979.
4. The title to the bill is changed to add mention of the lien provisions in the amendment (in new Sec. 5) to AS 34.35.220. This addition was needed to insure that the subject of the bill is included in the title.

Please let me know if you have any questions.

DSP:ljb

Enclosure

Introduced: 1/26/79
Referred: Health, Education &
Social Services and Finance

BY MILES, MARTIN, BARNES,
BUCHHOLDT, COTTEN, PHILLIPS
AND HAYES

1 IN THE HOUSE

2 HOUSE BILL NO. 86

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the practice of veterinary medi-
7 cine; and providing for an effective date."

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

9 * Section 1. AS 08 is amended by adding a new chapter to read:

10 CHAPTER 95. VETERINARY PRACTICE ACT.

11 ARTICLE 1. BOARD OF VETERINARY MEDICINE.

12 Sec. 08.95.010. CREATION AND MEMBERSHIP OF BOARD. There is
13 created the Board of Veterinary Medicine, composed of ^{three} ~~four~~ veterinarian
14 members and ^{two} ~~one~~ public member. ^{Appt. by the Gov} Each veterinarian member shall be a
15 licensed veterinarian who is a graduate of a veterinary school, is a
16 resident of this state, and has been licensed to practice veterinary
17 medicine in this state for a period of five years immediately preceding
18 his appointment. No person may serve on the board who is, or was during
19 the two years immediately preceding his appointment, a member of a
20 faculty, board of trustees, or advisory board of a veterinary school.
21 The public member is a voting member in all matters except those in-
22 volving judgment of professional ability and skill.

23 Sec. 08.95.020. TERM OF OFFICE. Members of the board serve
24 staggered terms of five years. An appointment to fill a vacancy oc-
25 ccurring in an unexpired term is for the unexpired term. No person may
26 serve consecutive five-year terms, but a person appointed for a term of
27 less than five years is not disqualified by this section from being
28 reappointed to a five-year term. Members serve until their successors
29 are appointed and qualify.

1 Sec. 08.95.030. SOURCE OF APPOINTMENTS FOR VETERINARIAN MEMBERS.

2 The governor shall appoint each veterinarian member of the board from a
3 list of persons prepared by the Alaska State Veterinary Medical Associa-
4 tion and submitted at least 30 days before the expiration of a term and
5 not more than 60 days after a vacancy occur in an unexpired term. The
6 list shall contain not less than three recommended candidates for the
7 appointment. The governor shall make the appointment within 30 days
8 after receiving the list.

9 Sec. 08.95.040. BOARD MEETINGS. The board shall hold a regular

10 annual meeting at the time and place fixed by rule of the board. The
11 chairman of the board, ^{with prior approval} may call other meetings by giving notice as may be
12 required by rule.

13 Sec. 08.95.050. OFFICERS. At its regular annual meeting, the

14 board shall elect a chairman and secretary from among its members. The
15 election of the chairman is subject to the approval of the governor. An
16 officer of the board serves for a term of one year and until his succes-
17 sor is elected and qualifies, without limitation on the number of terms
18 he may serve as an officer. The chairman shall preside at board meet-
19 ings.

20 Sec. 08.95.060. REPORT REQUIRED. At the end of each examining

21 period, the chairman and secretary shall submit to the department a
22 report on the actions of the board.

23 Sec. 08.95.070. MEETING OF NATIONAL VETERINARY STATE BOARD OF

24 EXAMINERS. The board may select one of its members to represent it at
25 the annual meeting of the National Veterinary State Board of Examiners.
26 This representation is authorized official business incident to the
27 duties of the person selected as a member of the board.

28 Sec. 08.95.080. POWERS AND DUTIES OF THE BOARD. The board

29 (1) shall regulate the practice of veterinary medicine in

*minimum
of one meeting
a year*

Selected

*Covered by
Dept. of Commerce*

1 accordance with this chapter;

2 (2) shall adopt regulations implementing this chapter;

3 (3) may adopt regulations interpreting, clarifying, and
4 making specific the provisions of this chapter; and ^{implementing} ~~the intent of this~~ Chapter

5 (4) shall authorize the issuance, renewal, or reinstatement
6 of a license, permit, or certificate of registration to any person
7 entitled to it under this chapter or a regulation adopted under it.

8 (b) The powers granted to the board under this chapter shall be
9 liberally construed.

10 ARTICLE 2. LICENSING.

11 Sec. 08.95.200. LICENSE REQUIRED. No person may practice veteri-
12 nary medicine in this state who is not a licensed veterinarian except

13 (1) a veterinarian licensed in another state consulting with
14 a licensed veterinarian in this state;

15 (2) the holder of a temporary permit under AS 08.95.270
16 acting under the direction of a licensed veterinarian;

17 (3) the holder of a temporary permit under AS 08.95.280
18 conducting the practice of a licensed veterinarian during his absence;

19 (4) a person performing tasks within his competence, other
20 than diagnosis, prescription, or initiation of treatment, under the
21 general supervision of a licensed veterinarian and in accordance with
22 such regulations as may be adopted by the board;

23 (5) the holder of a permit under AS 08.95.420 performing
24 artificial insemination of animals;

25 (6) a person giving advice on livestock management or en-
26 gaging in accepted livestock management practices in accordance with
27 such regulations as may be adopted by the board;

28 (7) a member of the faculty of a veterinary school engaging
29 in his professional duties for that school;

1 (8) a person lecturing, giving instructions, or performing
2 demonstrations with the approval of the board, at a veterinary school,
3 or in connection with a continuing education course or seminar sponsored
4 by a veterinary school or approved by the board;

5 (9) a student enrolled in veterinary school performing duties
6 or actions assigned by his instructors;

7 (10) a student enrolled in veterinary school acting under the
8 general supervision of a licensed veterinarian;

9 (11) a person engaging in bona fide scientific research which
10 reasonably requires experiments with animals;

11 (12) a person gratuitously giving emergency aid to animals;

12 (13) the owner of an animal and his regular, full-time em-
13 ployees caring for and treating the animal, unless ownership of the
14 animal was transferred to avoid application of a provision of this
15 chapter or the employees were hired primarily to treat animals;

16 (14) a merchant or manufacturer selling at his regular place
17 of business medicines, feed, appliances, or other products used in the
18 prevention or treatment of animal diseases;

19 (15) a person selling or applying a pesticide or herbicide;

20 (16) an employee of the federal government, the state govern-
21 ment, or a local government engaging in his official duties.

22 Sec. 08.95.210. EXAMINATION. The board shall hold at least ⁽¹⁾ two
23 examinations each year. A person who passes the examination is entitled
24 to be licensed as a veterinarian.

25 Sec. 08.95.220. QUALIFICATION FOR EXAMINATION. (a) A person is
26 entitled to take the examination who

27 (1) is of good moral character;

28 (2) was graduated from a veterinary school or has passed the
29 Education Commission for Foreign Veterinary Graduates examination in

1 veterinary medicine;

2 (3) has not had a veterinarian license revoked on grounds
3 other than nonpayment of fees in another jurisdiction;

4 (4) has completed application forms and returned them to the
5 department; and

6 (5) has paid the examination fee.

7 (b) If the board finds that an applicant is qualified under this
8 section, it shall admit him to the next examination. If the board finds
9 that an applicant is not qualified under this section, the secretary of
10 the board shall notify the department in writing of that finding and the
11 grounds for it.

12 Sec. 08.95.230. EXAMINATION FEE. The department shall establish a
13 fee to accompany applications for licensing as a veterinarian. The
14 department shall return an applicant's fee to him if he is found to be
15 unqualified to take the examination, but in all other instances the
16 examination fee is not refundable.

17 Sec. 08.95.240. CONTENT OF EXAMINATION. (a) ~~The~~ examination
18 shall be in two parts: (1) a national examination prepared by the
19 National Board of Veterinary Medical Examiners or other national veteri-
20 nary competency examination selected by the board, and (2) a state
21 examination prepared by the board. The ^{state} examination shall be designed to
22 test the examinee's knowledge of and proficiency in the subjects and
23 techniques commonly taught in veterinary schools. To pass the examina-
24 tion, the examinee must demonstrate to the board that he has sufficient
25 scientific and practical knowledge to practice veterinary medicine. The
26 state examination may consist of a practical demonstration of skills as
27 well as ~~oral~~ or written answers to questions.

28 (b) Each examinee must take the national examination and the state
29 examination unless exempted by the board from the ^{faking} national examination

1 under AS 08.95.250.

2 Sec. 08.95.250. EXEMPTION FROM THE NATIONAL EXAMINATION. The
3 board may exempt an applicant from taking the national examination who
4 furnishes proof that he was graduated from a veterinary school and that
5 he

6 (1) has for five of the seven years immediately preceding the
7 filing of his application been a practicing veterinarian licensed in
8 another state having licensing requirements, ~~at the time he was first~~
9 ~~licensed~~, substantially equivalent to the present requirements of this
10 chapter; or

11 (2) has within the ^{Five} three years immediately preceding the
12 filing of his application ^{taken} passed a national examination prepared by the
13 National Board of Veterinary Medical Examiners or other national veteri-
14 nary competency examination selected by the board.

15 Sec. 08.95.260. REEXAMINATION. A person who fails an examination
16 may apply for a subsequent examination, but shall pay the examination
17 fee each time he applies.

18 Sec. 08.95.265. INITIAL LICENSE AND RENEWAL FEES. (a) The
19 department shall establish a fee for issuance of a veterinarian's
20 license, payable at the time the license is issued. This fee is in
21 addition to the examination fee.

22 (b) The department shall establish a fee for biennial renewal of a
23 veterinarian's license.

24 Sec. 08.95.270. TEMPORARY PERMIT TO PRACTICE WITH LICENSED VETERI-
25 NARIAN. (a) An applicant for licensing as a veterinarian who meets the
26 requirements of AS 08.95.220(a) and has not failed a veterinarian's
27 examination in this or another state is entitled to a temporary permit
28 to practice veterinary medicine with a licensed veterinarian. The
29 temporary permit may not be renewed and expires on the day after publi-

1 cation of the results of the first examination following the issuance of
2 the permit. The application for the temporary permit shall be signed by
3 the applicant and the licensed veterinarian with whom he will be asso-
4 ciated. No fee may be imposed for the temporary permit. No person may
5 receive more than one temporary permit under this section.

6 (b) The holder of a temporary permit under this section shall
7 limit his practice of veterinary medicine to the practice of the
8 licensed veterinarian with whom he is associated and shall be under the
9 direction of that veterinarian.

10 Sec. 08.95.280. TEMPORARY PERMIT TO TAKE OVER PRACTICE OF LICENSED
11 VETERINARIAN. A veterinarian licensed in another state who meets the
12 requirements of AS 08.95.220(a)(1) - (3) is entitled to a temporary
13 permit to conduct the practice of a licensed veterinarian during his
14 absence. The temporary permit shall be valid for a period of no more
15 than 60 days. It may be renewed at the discretion of the board. The
16 department shall establish a fee for temporary permits and renewals of
17 temporary permits under this section.

18 Sec. 08.95.290. REINSTATEMENT OF LAPSED LICENSE. A person whose
19 license to practice veterinary medicine has lapsed is entitled to have
20 his license reinstated without taking an examination unless his license
21 has remained lapsed more than three years.

22 ARTICLE 3. REGULATION OF PRACTICE OF VETERINARY MEDICINE.

23 Sec. 08.95.400. DISCIPLINE OF LICENSED VETERINARIANS. The board
24 may, after hearing, revoke or suspend the license of a licensed veteri-
25 narian or otherwise discipline a licensed veterinarian for

26 (1) fraud, misrepresentation, or deception in obtaining a
27 license;

28 (2) an adjudication of mental incompetency by a court of com-
29 petent jurisdiction;

- 1 (3) chronic drunkenness or habitual use of drugs;
- 2 (4) the use of advertising or solicitation which is false,
- 3 misleading, or otherwise unprofessional under regulations adopted by the
- 4 board;
- 5 (5) conviction or cash compromise of a felony or any crime
- 6 involving moral turpitude;
- 7 (6) incompetence, gross negligence, or other malpractice in
- 8 the practice of veterinary medicine;
- 9 (7) having professional association with or employing a
- 10 person practicing veterinary medicine unlawfully;
- 11 (8) fraud or other dishonest conduct in applying or reporting
- 12 diagnostic biological tests;
- 13 (9) failure to keep veterinary premises and equipment in a
- 14 clean and sanitary condition;
- 15 (10) failure to report, as required by law, or making a false
- 16 report of a contagious or infectious disease;
- 17 (11) fraud, other dishonest conduct, or gross negligence in
- 18 the inspection of foodstuffs or the issuance of health or inspection
- 19 certificates;
- 20 (12) cruelty to animals;
- 21 (13) revocation of a license to practice veterinary medicine
- 22 by another state on grounds other than nonpayment of fees; or
- 23 (14) unprofessional conduct as defined in regulations adopted
- 24 by the board.

25 Sec. 08.95.410. REVOCATION AND SUSPENSION OF TEMPORARY PERMITS.

26 The board may, after hearing, revoke or suspend a temporary permit

27 issued under AS 08.95.270 or 08.95.280 for a violation of this chapter

28 or a regulation adopted under it committed by the holder of the permit

29 or the licensed veterinarian with whom he is associated.

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Sec. 08.95.420. ARTIFICIAL INSEMINATION OF ANIMALS. (a) The board shall adopt regulations providing for issuance of permits to perform artificial insemination of animals. The regulations may provide for renewal of a permit. The regulations shall establish qualifications for obtaining a permit, which may include passing an examination, and fees for issuing a permit and any renewal of it.

(b) A person meeting the qualifications established by the board and paying the required fee is entitled to permit to perform artificial insemination of animals.

(c) The board may, after hearing, revoke or suspend a permit to perform artificial insemination of animals for a violation of this chapter or a regulation adopted under it.

Sec. 08.95.430. REGISTRATION OF VETERINARY TECHNICIANS. (a) The board shall adopt regulations providing for the registration of veterinary technicians. The regulations shall establish qualifications for registration which shall include satisfactory completion of college programs approved by the board and may include passing an examination. However, the board may provide for registration, before July 1, 1981, of veterinary technicians who have not completed college programs but have completed at least two years of satisfactory experience in the employ of a veterinarian, or its equivalent as determined by the board, and have been graduated from high school. The regulations shall provide for renewal of registration biennially. The fee for registration and renewal of registration is \$25.

(b) A person meeting the qualifications established by the board and paying the required fee is entitled to a certificate of registration as a veterinary technician.

(c) The board may, after hearing, revoke or suspend a certificate of registration as a veterinary technician for a violation of this

1 chapter or a regulation adopted under it.

2 (d) This section does not entitle a veterinary technician to do
3 any act constituting the practice of veterinary medicine while not under
4 the general supervision of a licensed veterinarian.

5 (e) This section does not require a veterinary technician to
6 become registered, but such a requirement may be imposed by regulation
7 adopted by the board under AS 08.95.440(a)(4).

8 Sec. 08.95.440. STANDARDS OF PRACTICE. (a) The board may adopt
9 regulations establishing standards of practice for

10 (1) licensed veterinarians and holders of temporary permits
11 under AS 08.95.270 and 08.95.280;

12 *Delete* (2) holders of permits to perform artificial insemination of
13 animals;

14 (3) persons giving advice on livestock management or engaging
15 in livestock management; and *Delete*

16 (4) persons acting under the general supervision of licensed
17 veterinarians.

18 (b) Regulations adopted under (a)(4) of this section may

19 (1) classify persons acting under the general supervision of
20 licensed veterinarians;

21 (2) limit or qualify the duties which may be performed by
22 members of a class;

23 (3) permit or require members of a class to be registered or
24 licensed;

25 (4) establish qualifications, which may include passing an
26 examination, for registration or licensing of members of a class;

27 (5) provide for renewal and, after hearing, revocation or
28 suspension of certificates of registration or licenses of members of a
29 class; and

1 (6) establish fees for issuing and renewing certificates of
2 registration and licenses of members of a class. *- shall*

3 (c) Regulations adopted under this section may impose continuing
4 education requirements as part of a standard of practice.

5 Sec. 08.95.460. RESPONSIBILITY OF LICENSED VETERINARIAN. An
6 employee of a licensed veterinarian shall perform his duties under the
7 general supervision of the licensed veterinarian. The licensed veteri-
8 narian is responsible for the performance of any person required to be
9 under his direction or general supervision by this chapter or a regula-
10 tion adopted under it.

11 ARTICLE 4. ENFORCEMENT

12 Sec. 08.95.600. UNLAWFUL PRACTICE OF VETERINARY MEDICINE. If a
13 person is required by this chapter or a regulation adopted under it to
14 have a license, permit, or certificate of registration in order to
15 practice veterinary medicine, it is a misdemeanor for him to practice
16 veterinary medicine without a currently valid license, permit, or certi-
17 ficate or in excess of the authority granted in it. Upon conviction, a
18 person violating this section is punishable by a fine of not less than
19 \$50 or more than \$500, or by imprisonment for not more than 90 days, or
20 by both. Each day of unlawful practice is a separate offense.

21 Sec. 08.95.610. NO RIGHT TO COMPENSATION FOR SERVICES UNLAWFULLY
22 RENDERED. If a person is required by this chapter or a regulation
23 adopted under it to have a license, permit, or certificate of registra-
24 tion in order to practice veterinary medicine, he is not entitled to
25 compensation for services which he renders, constituting the practice of
26 veterinary medicine, without a currently valid license, permit, or
27 certificate or in excess of the authority granted in it.

28 Sec. 08.95.620. INJUNCTION. When it appears that a person has
29 engaged in or is about to engage in an act constituting a violation of

1 AS 08.95.600, the board may bring an action in the superior court to
2 enjoin the act and enforce compliance with that section.

3 Sec. 08.95.630. REMEDIES CUMULATIVE. The remedies described in AS
4 08.95.600 - 08.95.620 and AS 08.01.087 are cumulative and independent.

5 Sec. 08.95.640. INVESTIGATIONS. The board may, upon its own
6 motion, conduct investigations to determine whether violations of this
7 chapter or regulations adopted under it have occurred. In connection
8 with an investigation, the board may administer oaths, compel the
9 attendance and testimony of witnesses, either before the board or by
10 deposition, and compel the production of books, papers, records, and
11 other documents.

12 ARTICLE 5. ABANDONMENT OF ANIMALS.

13 Sec. 08.95.800. ABANDONMENT OF ANIMALS. (a) A licensed veteri-
14 narian or holder of a temporary permit under AS 08.95.270 or 08.95.280
15 is entitled to humanely dispose of an animal, by sale or otherwise,
16 which has been left in his custody and abandoned. Abandonment is con-
17 sidered to have occurred if the owner of the animal or his agent does
18 not claim the animal within ten days after the licensed veterinarian or
19 temporary permit holder sends written notice of his intent to dispose of
20 the animal to the owner or agent, at his last known address, by regis-
21 tered or certified mail, return receipt requested. However, the
22 licensed veterinarian or temporary permit holder may not dispose of an
23 animal under this section if the owner or his agent claims the animal
24 before the disposal occurs. Disposal of an animal under this section
25 extinguishes all rights of the owner in the animal.

26 (b) A licensed veterinarian or holder of a temporary permit under
27 AS 08.95.270 or 08.95.280 is not liable in civil damages for disposing
28 of an animal under this section. Disposal of an animal under this
29 section may not constitute grounds for discipline by the board.

1 a manner or under circumstances which induce the belief that the
2 person using them is qualified to do any act described in (A) of
3 this paragraph;

4 (7) "veterinarian" means a person who has received a Doctor
5 of Veterinary Medicine degree, or its equivalent as determined by the
6 board, from a veterinary school or has passed the Education Commission
7 for Foreign Veterinary Graduates examination in veterinary medicine;

8 (8) "veterinary school" means a veterinary college or divi-
9 sion of a university or college that offers the degree of Doctor of
10 Veterinary Medicine, or its equivalent as determined by the board, and
11 conforms to the standards required for accreditation by the American
12 Veterinary Medical Association;

13 (9) "veterinary technician" means a person who, for compen-
14 sation, directly or indirectly performs an act requiring substantial
15 specialized judgment and skill founded on formal education which pro-
16 vides knowledge and application of the principles of animal technology
17 based on biological, physical, and social sciences in the care, treat-
18 ment, or maintenance of health or prevention of illness of animals, but
19 does not include a person licensed by the state to practice a healing
20 arts skill.

21 Sec. 08.95.910. SHORT TITLE. This chapter may be known and cited
22 as the Veterinary Practice Act.

23 * Sec. 2. AS 08.01.010(14) is amended to read:

24 (14) Board of Veterinary Medicine [EXAMINERS];

25 * Sec. 3. AS 08.01.050(a)(19) is amended to read:

26 (19) provide investigative services to the boards established
27 under AS 08.20, AS 08.32, AS 08.36, AS 08.64, AS 08.68, AS 08.71, AS
28 08.72, AS 08.80, AS 08.84, [AND] AS 08.86, and AS 08.95 for the purpose
29 of assisting those boards in matters of professional discipline.

1 * Sec. 4. AS 08.03.010(c) is repealed and re-enacted to read:

2 (c) The Board of Veterinary Medicine (AS 08.95.010) has a termina-
3 tion date of June 30, 1985.

4 * Sec. 5. AS 08.03 is amended by adding a new section to read:

5 Sec. 08.03.020. TERMINATION, CONTINUATION, AND REESTABLISHMENT OF
6 REGULATORY BOARDS. (a) Upon termination, each board listed in AS
7 08.03.010 shall continue in existence until June 30 of the next suc-
8 ceeding year for the purpose of concluding its affairs. During this
9 period, termination does not reduce or otherwise limit the powers or
10 authority of each board. One year after the date of termination, a
11 board not continued shall cease all activities.

12 (b) The termination, dissolution, continuation or reestablishment
13 of a regulatory board shall be governed by the legislative oversight
14 procedures of AS 44.66.050.

15 (c) A board scheduled for termination under this chapter may be
16 continued or reestablished by the legislature for a period not to exceed
17 four years.

18 * Sec. 6. AS 34.35.220 is amended to read:

19 Sec. 34.35.220. PERSONS ENTITLED TO CARRIER, WAREHOUSE, AND ANIMAL
20 [LIVESTOCK] LIENS. (a) The following persons shall have liens upon
21 personal property for their just and reasonable charges for the labor,
22 care, and attention bestowed and the food furnished, and may retain
23 possession of the property until the charges are paid:

24 (1) a person who is a common carrier, or who, at the request
25 of the owner or lawful possessor of personal property, carries, conveys,
26 or transports the property from one place to another;

27 (2) a person who safely keeps or stores grain, wares, mer-
28 chandise, and personal property at the request of the owner or lawful
29 possessor of the property; and

1 (3) a person who pastures or feeds an animal [HORSES, CATTLE,
2 HOGS, SHEEP, OR OTHER LIVESTOCK,] or bestows labor, care, or attention
3 upon an animal, including veterinary services, [THE LIVESTOCK] at the
4 request of the owner or lawful possessor of the animal [LIVESTOCK].

5 (b) As used in this section, "animal" has the meaning ascribed
6 to it in AS 08.95.900.

7 * Sec. 7. AS 44.62.330 is amended by adding a new paragraph to read:

8 (46) Board of Veterinary Medicine.

9 * Sec. 8. The following laws are repealed: AS 08.03.010(a)(8), (d), and
10 (e); and AS 08.98.

11 * Sec. 9. A person who, on the effective date of this Act, holds a valid
12 temporary license issued under former AS 08.98.180 is entitled to practice
13 veterinary medicine until the results of the examination following the issu-
14 ance of the license are published, so long as his temporary license is not
15 revoked or suspended. Notwithstanding AS 08.95.200(2) and 08.95.270, enacted
16 in sec. 1 of this Act, he is not required to practice veterinary medicine in
17 association with or under the direction of a licensed veterinarian. In all
18 other respects, he is fully subject to AS 08.95, enacted in sec. 1 of this
19 Act.

20 * Sec. 10. A person who, on the effective date of this Act, holds a valid
21 license issued under former AS 08.98.130 or 08.98.210 is considered to hold a
22 license issued under AS 08.95.210 and is fully subject to AS 08.95, including
23 provisions relating to renewal, revocation, suspension, and reinstatement of
24 his license.

25 * Sec. 11. A person who, on the effective date of this Act, holds a
26 license issued under former AS 08.98.130 or 08.98.210 which has lapsed is
27 entitled to issuance of a license under AS 08.95.210 without taking an exami-
28 nation upon payment of the penalty and fees referred to in AS 08.01.100(b),
29 unless his old license has remained lapsed more than five years at the time

1 he applies for the new license.

2 * Sec. 12. Notwithstanding AS 08.95.010 - 08.95.030, the members of the
3 former Board of Veterinary Examiners on the day before the effective date of
4 this Act automatically become veterinarian members of the Board of Veterinary
5 Medicine. They serve until their terms of office on the former Board of
6 Veterinary Examiners would have expired and until their successors are
7 appointed and qualify.

8 * Sec. 13. Where the title "Board of Veterinary Examiners" appears in the
9 laws of this state, it shall be read as the "Board of Veterinary Medicine".
10 All litigation, hearings, investigations, and other proceedings pending under
11 former AS 08.98 continue in effect and may be continued and completed not-
12 withstanding the repeal of that chapter in this Act. Orders issued and
13 regulations adopted under former AS 08.98 remain in effect until they expire
14 by their own terms or until revoked, vacated, or otherwise modified under AS
15 08.95. Records, equipment, and other property of the former Board of
16 Veterinary Examiners are transferred to the Board of Veterinary Medicine.

17 * Sec. 14. This Act takes effect July 1, 1979.
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