

SB

287

Original sponsor: Faiks

1 IN THE SENATE

BY THE LABOR AND  
COMMERCE COMMITTEE

2 CS FOR SENATE BILL NO. 287 (L&C)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 FIFTEENTH LEGISLATURE - SECOND 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 re-  
22 quired 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 is entitled to a  
29 temporary license after applying for examination, if the person (1)

1 [WHO] meets the requirements of AS 08.98.165(a)(1) and (5); (2) has a  
2 reported score on an examination required under AS 08.98.165(a)(2),  
3 (3), or (4) or the clinical competency test that is equal to or great-  
4 er than the minimum score required for licensure in this state, if the  
5 person has taken any of these examinations or the clinical competency  
6 test; and (3) [IS ENTITLED TO BE TEMPORARILY LICENSED AFTER APPLYING  
7 FOR EXAMINATION, IF THE PERSON] works under the supervision of a  
8 licensed veterinarian. A license issued under this section is valid  
9 until the results of the examinations are published. A person may not  
10 receive more than one temporary license. An application for a tempo-  
11 rary license must be signed by the supervising veterinarian and accom-  
12 panied by the temporary license fee required under AS 08.98.190.

13 \* Sec. 3. AS 08.98.184 is amended to read:

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

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

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

28 (3) has not failed the state written or practical examina-  
29 tion;

1 (4) does not have a [HAS NO] disciplinary proceeding,  
2 unresolved complaint [COMPLAINTS], or professional association review  
3 proceeding [PROCEEDINGS] pending at the time a license is to be is-  
4 sued, and has not had a veterinarian license revoked for cause in  
5 another jurisdiction; and

6 (5) has paid required fees.

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

8 Sec. 08.98.186. LOCUM TENENS PERMIT. (a) The board may grant a  
9 locum tenens permit to a person licensed to practice veterinary medi-  
10 cine in another

11 (1) state if the person meets the requirements of  
12 AS 08.98.165(a)(1) and (5) and, if the person has taken an examination  
13 required under AS 08.98.165(a)(2), (3), or (4) or the clinical  
14 competency test, has a reported score that is equal to or greater than  
15 the minimum score that is required on that examination or test for  
16 licensure in this state; or

17 (2) country if the person meets the requirements  
18 established by the board.

19 (b) A person who holds a locum tenens permit may

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

22 (2) consult with or assist a veterinarian licensed and  
23 practicing in this state; however, the consultation or assistance is  
24 limited to animals under the care of the veterinarian licensed and  
25 practicing in this state.

26 (c) An application to conduct the practice of a veterinarian  
27 licensed in this state who is absent from practice shall be signed by  
28 the person who is or will be absent from practice and by the appli-  
29 cant. A locum tenens permit issued under (b)(1) of this section is

1 valid for no longer than 60 consecutive days after issuance but may be  
2 renewed once within a two-year period.

3 (d) An application to consult with or assist a veterinarian  
4 licensed and practicing in this state shall be signed by the person  
5 who is licensed and practicing in this state and by the applicant. A  
6 locum tenens permit issued under (b)(2) of this section is valid for  
7 60 consecutive days but may be renewed once within a two-year period.

8 (e) An application for a locum tenens permit must be accompanied  
9 by the locum tenens permit fee.

10 \* Sec. 5. AS 08.98.190 is amended to read:

11 Sec. 08.98.190. FEES. The department shall set fees under  
12 AS 08.01.065 for the following:

- 13 (1) application;  
14 (2) examination;  
15 (3) investigation of credentials;  
16 (4) license;  
17 (5) license renewal;  
18 (6) temporary license;  
19 (7) locum tenens [TEMPORARY] permit.

20 \* Sec. 6. AS 08.98.250(6) is amended to read:

21 (6) "practice of veterinary medicine"

22 (A) means for compensation to

23 (i) [TO] diagnose, treat, correct, change, re-  
24 lieve, or prevent animal disease, deformity, defect, injury,  
25 or other physical or mental condition, including the pre-  
26 scription or administration of a drug, biologic apparatus,  
27 anesthetic, or other therapeutic or diagnostic substance;

28 (ii) [TO] use a manual or mechanical procedure for  
29 testing for pregnancy, or correcting sterility or

1 infertility; or

2 (iii) [TO] render advice or recommendation with  
3 regard to a [ANY] matter listed in (i) or (ii) of this  
4 subparagraph;

5 (B) means to represent, directly or indirectly, pub-  
6 licly or privately, an ability or willingness to do an [ANY] act  
7 in (A) of this paragraph for compensation;

8 (C) means to use a title, abbreviation, or letters in  
9 a manner or under circumstances that [WHICH] induce the belief  
10 that the person using them is qualified to do an [ANY] act in (A)  
11 of this paragraph whether or not for compensation;

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

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

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

19 (iii) standard practices commonly performed on farm  
20 or domestic animals in the course of routine farming or  
21 animal husbandry, when performed by an owner or the owner's  
22 employee unless ownership of the animal is transferred for  
23 the purpose of avoiding application of this chapter or the  
24 primary purpose of hiring the employee is to avoid applica-  
25 tion of this chapter;

26 RECORDED (iv) the administration of rabies vaccine by a lay  
27 vaccinator approved by the Department of Health and Social  
28 Services;

29 (v) veterinarians serving in the armed services

1 of the United States or the United States Department of  
2 Agriculture while engaged in their official capacity or  
3 while within federal facilities;  
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CHANGES TO BE  
MADE 1/23

LATEST  
1/22 11:51 AM

5-0814B  
Utermohle  
1/22/88

Original sponsor: Faiks

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FIFTEENTH LEGISLATURE - SECOND SESSION

A BILL

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

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

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

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

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

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

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

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

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

Sec. 08.98.180. TEMPORARY LICENSE. A person is entitled to a temporary license after applying for examination, if the person (1)

1 [WHO] meets the requirements of AS 08.98.165(a)(1) and (5); (2) has a  
2 reported score on an examination required under AS 08.98.165(a)(2),  
3 (3), or (4) or the clinical competency test that is <sup>= or ></sup> not lower than the  
4 minimum score required for licensure in this state, if the person has  
5 taken any of these examinations or the clinical competency test; and  
6 (3) [IS ENTITLED TO BE TEMPORARILY LICENSED AFTER APPLYING FOR EX-  
7 AMINATION, IF THE PERSON] works under the supervision of a licensed  
8 veterinarian. A license issued under this section is valid until the  
9 results of the examinations are published. A person may not receive  
10 more than one temporary license. An application for a temporary  
11 license must be signed by the supervising veterinarian and accompanied  
12 by the temporary license fee required under AS 08.98.190.

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15 approve the issuance of a license to an applicant who holds a valid  
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25 (2) has been engaged in the active practice of veterinary  
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27 cation;

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12 clinical competency test, has a reported score that is equal to or  
13 greater than the minimum score that is required on that examination or  
14 test for licensure in this state, <sup>SHALL</sup> may be granted a locum tenens permit  
15 to

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

18 (2) consult with or assist a veterinarian licensed and  
19 practicing in this state; however, the consultation or assistance is  
20 limited to animals under the care of the veterinarian licensed and  
21 practicing in this state.

22 (b) An application to conduct the practice of a veterinarian  
23 licensed in this state who is absent from practice shall be signed by  
24 the person who is or will be absent from practice and by the appli-  
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26 valid for no longer than 60 consecutive days after issuance but may be  
27 renewed once within a two-year period.

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24 (ii) [TO] use a manual or mechanical procedure for  
25 testing for pregnancy or correcting sterility or infertili-  
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27 (iii) provide emergency veterinary services; or  
28 (iv) [TO] render advice or recommendation with  
29 regard to a [ANY] matter listed in (i), (ii), or (iii) [(i)

~~COMPENSATION - NOT TO INCLUDE Quota, Borden, Penicillin, TRANSPORTATION SUPPLIES (OTHER EXPENSES INCURRED)~~

1 OR (ii)] of this subparagraph;

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12 clinical competency test, has a reported score that is equal to or  
13 greater than the minimum score that is required on that examination or  
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26 valid for no longer than 60 consecutive days after issuance but may be  
27 renewed once within a two-year period.

28 (c) An application to consult with or assist a veterinarian  
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2 locum tenens permit issued under (a)(2) of this section is valid for  
3 60 consecutive days but may be renewed once within a two-year period.

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5 by the locum tenens permit fee.

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7 Sec. 08.98.190. FEES. The department shall set fees under  
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- 9 (1) application;
- 10 (2) examination;
- 11 (3) investigation of credentials;
- 12 (4) license;
- 13 (5) license renewal;
- 14 (6) temporary license;
- 15 (7) locum tenens [TEMPORARY] permit.

16 \* Sec. 6. AS 08.98 is amended by adding a new section to Article 4 to  
17 read:

18 Sec. 08.98.240. EXEMPTION. A person licensed as a veterinarian  
19 in another state or country is exempt from the licensing requirements  
20 of this chapter if the person

21 (1) performs volunteer veterinary services only to assist  
22 the operation of a dog mushing event; and

23 (2) receives only room and board and travel expenses as  
24 compensation for veterinary services performed under (1) of this  
25 section.

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

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28 (A) means for compensation to

29 (i) [TO] diagnose, treat, correct, change,

1           relieve, or prevent animal disease, deformity, defect,  
2           injury, or other physical or mental condition, including the  
3           prescription or administration of a drug, biologic appara-  
4           tus, anesthetic, or other therapeutic or diagnostic sub-  
5           stance;

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

9                   (iii) [TO] render advice or recommendation with  
10          regard to a [ANY] matter listed in (i) or (ii) of this  
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12                   (B) means to represent, directly or indirectly, pub-  
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4 (iv) the administration of rabies vaccine by a lay  
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6 Services;

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8 of the United States or the United States Department of  
9 Agriculture while engaged in their official capacity or  
10 while within federal facilities;



# **Iditarod Trail Committee, Inc.**

**Pouch X, Wasilla, Alaska 99687 • Phone (907) 376-5155**

February 15, 1988

The Honorable Tim Kelly  
Alaska State Senate  
Pouch V  
Juneau, Alaska 99811

Dear Senator Kelly:

Please be advised of the following motion passed at a meeting of the executive committee of the Iditarod Trail Committee, Inc. on February 3, 1988:

**Leach/Page moved that a letter be worded to Senator's Faiks and Kelly advising them that the Iditarod Trail Committee has not requested that Senate Bill 287 be stopped, that the Iditarod Trail Committee has taken no official stand on the bill either way and, that we have no objection to the bill's continuing through committee.**

If you have any questions regarding this motion, please contact the trail committee president, Lavon Barve, at 376-2081.

Sincerely,

Joanne Potts, Secretary

# STATE OF ALASKA

FEB 2 1988

STEVE COWPER, GOVERNOR

## DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

P. O. BOX D  
JUNEAU, ALASKA 99811-0800  
PHONE: (907) 465-2505

DIVISION OF ADMINISTRATIVE SERVICES

January 29, 1988

Honorable Jan Faiks  
President of the Senate  
P.O. Box V  
Juneau, AK 99811

Dear Senator Faiks:

First, let me thank you for bringing to my attention the transcript of the veterinary board meeting of February 1987. Taken out of context, it certainly suggests that I was advising the board to deceive the Legislature, which was definitely not the case.

If my memory serves me correctly, the board was proposing to change a section of their statute which I believed might negatively impact the veterinarians who come to Alaska to participate in the Iditarod. My strong recommendation to them was not to include anything in the proposed legislation which would be controversial and, thus, possibly kill the bill. Most of their requested legislative changes were important to them, so I wanted to ensure those parts of the bill would pass. We discussed this issue at some length and they indicated that they had either contacted a member of the Iditarod Committee or actually had a letter from a member of the committee in support of their proposal. My response to that was to question what would happen if other members didn't agree and came to testify in opposition. The board was convinced the issue was not important, but asked me what would happen in that eventuality. I said that the Legislature would sit on the bill if there was controversy. They then indicated that they would be willing to compromise and get rid of the controversial section if, indeed, a controversy ever occurred.

My intention was never to advise them to circumvent the legislative process. It would be unfortunate if comments attributed to me put this legislation in jeopardy in any way. Furthermore, I have personally reviewed the legislation which was submitted and have discussed it with the staff of Occupational Licensing. They have assured me that the bill does not negatively impact the veterinarians who participate in the Iditarod.

Again, I apologize for having created this unfortunate situation and would be more than willing to discuss the issue in person or provide you with any additional information you may require.

Sincerely,



Kathy Marshall  
Director



# Alaska State Legislature

SENATE

*Office of the President*

P.O. Box V  
State Capitol  
Juneau, Alaska 99811

MEMORANDUM

January 25, 1988

TO: Senator Tim Kelly, Chairman  
Senate Labor & Commerce Committee

FROM: Senator Jan Faiks  
President of the Senate

SUBJECT: SB 287 "An Act relating to the practice of veterinary  
medicine."

During the hearing which the Labor & Commerce Committee held on this legislation on January 22, many concerns were raised by witnesses regarding the bill's actual effect on non-veterinarians and dog racing organizations. While these concerns are investigated, I request that you hold this bill in your committee.

Thank you.



# Alaska State Legislature

SENATE

Office of the President

P.O. Box V  
State Capitol  
Juneau, Alaska 99811

January 21, 1988

## MEMORANDUM

TO: Senator Tim Kelly, Chairman  
Senate Labor and Commerce Committee

FROM: Senator Jan Faiks  
President of the Senate

SUBJECT: Background on Senate Bill 287  
An Act relating to the practice of veterinary  
medicine

Senate Bill 287 has been referred to your committee for consideration. This bill proposes amendments to AS 08.98 which relates to the practice of veterinary medicine.

The purpose of SB 287 is to update and clarify the professional practice of veterinary medicine in Alaska.

The substitute bill prepared by the committee has the following effects:

Section 1. QUALIFICATION FOR LICENSE. Amends AS 08.98.165(a) by changing the phrase "pass the examination" to "has met the requirements" of the American Veterinary Medical Association Commission (AVMAC) for Foreign Graduates where this qualification is required for licensure under AS 08.98.165 and 08.98.184. The AVMAC has set up new requirements for issuance of their certification and have not actually administered an examination for several years, hence the current wording is obsolete.

Section 2. TEMPORARY LICENSE. Amends AS 08.98.180 by strengthening the temporary license requirements for veterinarians.

An applicant for licensure in Alaska must pass three separate tests: the National Board Examination (NBE), the Clinical Competency Test (CCT), and the state written or practical examination. The NBE and the CCT are both nationally recognized examinations which may be taken by the applicant prior to application or during the next scheduled Alaska examination. There have been occasions where the applicant has failed one or more of these tests but desires to obtain or continue employment as a veterinarian in Alaska. There is nothing in the current statutes which prohibit them from applying for and receiving the temporary license or temporary permit under AS 08.98.180 and AS 08.98.186.

This language will allow the board to continue to issue temporary licenses to new applicants who have not yet had the opportunity to sit for the next scheduled examinations, or those who do not need to sit for all of the exams due to licensing in another state with comparable requirements, and will allow the board to deny licenses to those who have actually demonstrated a lack of minimum competency.

Section 3. LICENSURE BY CREDENTIALS. Amends AS 08.98.184, as under section 1 of this bill, by changing the phrase "pass the examination" to "has met the requirements" of the American Veterinary Medical Association Commission (AVMAC) for Foreign Graduates.

Section 4. LOCUM TENENS PERMIT. Repeals and reenacts AS 08.98.186, relating to temporary permits granted to visiting veterinarians. The current statute allows practicing veterinarians from other states to take over the practice of an Alaska veterinarian for up to 60 days under a renewable license, with the signature of the Alaska veterinarian whose practice is involved.

Individual license holders, veterinary associations, and other groups frequently desire to invite qualified practitioners from other states to travel to Alaska to assist in treatments, provide demonstrations or other continuing education or hold specialty clinics. Our limited population still prohibits most "consultants" from setting up permanent practice situations which would require a regular license, and they do not fit into the specific language of the "relief veterinarian" category. However, they do practice veterinary medicine under the definition in our statutes and need to have some guidelines to limit the scope and conditions of their services. The addition of a subsection (b) under AS 08.98.186 sets up an appropriate licensing category and limitations. Such individuals would be limited to a 60 day permit, which may be renewed once within a two year period.

Section 5. FEES. Amends AS 08.98.190 to enable the board to set fees for locum tenens permits.

Section 6. DEFINITIONS. Makes housekeeping changes to AS 08.98.250(6); amends the definition of the practice of veterinary medicine to include the provision of emergency veterinary services for compensation; and amends the definition of the practice of veterinary medicine to exclude lay vaccinators who administer rabies vaccine, as well as federal government veterinarians acting within the scope of their employment.

Should you need any additional information, please let me know.

Thank you.

# STATE OF ALASKA

## DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

DIVISION OF OCCUPATIONAL LICENSING

STEVE COWPER, GOVERNOR

P. O. BOX D  
JUNEAU, ALASKA 99811-0800  
PHONE: (907) 465-2534

February 17, 1987

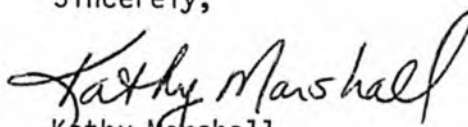
Mr. Mark Johnson  
Aide to Senator Jan Faiks  
P.O. Box V  
Juneau, AK 99811

Dear Mr. Johnson:

Enclosed is proposed legislation and the position paper developed by the Board of Veterinary Examiners in support of this legislation.

Pam Tuomi, a member of the board who met with you in early February, asked us to send you copies.

Sincerely,

  
Kathy Marshall  
Director

KM/mst5381m1  
021787a

cc: Pam Tuomi, DVM  
2036 E. Northern Lights Blvd.  
Anchorage, AK 99508

Veterinary Board  
Proposed Legislation

Proposed Language. AS 08.98 is amended to read:

1. AS 08.98.184(1) has graduated from an accredited school of veterinary medicine or has successfully met the requirements [PASSED THE EXAMINATION]

and

AS 08.98.165(a)(2) has met [PASSED] the requirements [EXAMINATION] of the American Veterinary Association's . . . .

2. AS 08.98.180. TEMPORARY LICENSE. A person who meets the requirements of AS 08.98.165(a)(1) and (5), and has not previously failed the national exam, CCT, state written and practical examination, is entitled . . . .

and

AS 08.98.186. LOCUM TENENS [TEMPORARY] PERMIT. A person licensed to practice veterinary medicine in another state who meets the requirements of AS 08.98.165(a)(1) and (5), and has not previously failed the national exam, CCT, state written and practical examination may be granted a locum tenens [TEMPORARY] permit to

- (a) conduct the practice of a person licensed in the state who is absent from practice. An application under this section shall be signed by the person who is or will be absent from practice and by the applicant. This [A] locum tenens [TEMPORARY] permit is valid for no longer than 60 consecutive days after issuance but may be renewed [.] once within a two year period; or, (b) consult with and/or assist a veterinarian licensed and practicing in this state provided that such practice is limited to animals under the care of the Alaskan licensed supervising veterinarian. An application under this section shall be signed by the supervising veterinarian and by the applicant. This locum tenens permit is valid for no longer than 30 consecutive days and may be renewed once within a two year period. (c) Application must be accompanied by required fees.

Sec. 08.98.250(A) means [FOR COMPENSATION]

Sec. 08.98.250(B) means to represent, directly or indirectly, publicly or privately, an ability or willingness to do any act in (A) of this paragraph [FOR COMPENSATION];

Sec. 08.98.250(C) means to use a title, abbreviation, or letters in a manner or under circumstances which induce the belief that the person using them is qualified to do any act in (A) of this paragraph [WHETHER OR NOT FOR COMPENSATION];

(D) does not include, [WHETHER OR NOT FOR COMPENSATION]

Section 08.98.250(D)(iv) those providing services in cases of emergency where no fee or other consideration is charged, contemplated, or received.

(v) a lay vaccinator approved by the Department of Health and Social Services administering rabies vaccinations under 7 AAC 27.020(b)(4).

(vi) veterinary surgeons while serving in any armed branch of the military service of the United States or the United States Department of Agriculture while actually engaged and employed in their official capacity and/or within federally controlled facilities.

HISTORY

Multiple Occupational Licensing bills have been submitted by the Governor over the past several years containing, in part, several minor housekeeping amendments to the Veterinary Statutes (AS 08.98). None of these bills has been passed. The same basic amendments along with minor housekeeping requests from several other boards are again being sent to the Governor for introduction as a Miscellaneous Amendments Bill. The Board of Veterinary Examiners decided at its meeting February 5-6, 1987 to request members of the Legislature to introduce the veterinary statute housekeeping changes along with new amendments which we have formulated in response to areas where we feel that the current statutes fail to address some specific problems.

1. The initial housekeeping request is to change the phrase "pass the examination" to "has met the requirements" of the American Veterinary Medical Association Commission (AVMAC) for Foreign Graduates where this qualification is required for licensure under AS 08.98.165 and 08.98.184. The AVMAC has set up new requirements for issuance of their certification and have not actually administered an examination for several years, hence the current wording is obsolete.
2. An applicant for licensure in Alaska must pass three separate tests: the National Board Examination (NBE), the Clinical Competency Test (CCT), and the state written or practical examination. The NBE and the CCT are both nationally recognized examinations which may be taken by the applicant prior to application or during the next scheduled Alaska examination. We have had occasions where the applicant has failed one or more of these tests but desires to obtain or continue employment as a veterinarian within this state. There is nothing in the current statutes which prohibits them from applying for and receiving the temporary license or temporary permit under AS 08.98.180 and

.186. We wish to continue to allow new applicants for temporary license, who have not yet had the opportunity to sit the next scheduled examinations, and those who do not need to sit for the exams due to licensing in another state with comparable requirements, to receive approval while adding language which will allow us to deny licenses to those who have actually demonstrated a lack of minimum competency.

3. The temporary permit in the veterinary statute currently applies to those cases where a veterinarian licensed and qualified in another state is hired specifically to work for a short time in an established practice while the regular veterinarian is absent. The same term, temporary permit, is used in the Medical Board statutes to apply to an applicant awaiting examination, and the term "Locum Tenens permit" is used to designate a relief practitioner. Renaming these permits would eliminate a lot of confusion.
  
4. Individual license holders, veterinary associations, and other groups frequently desire to invite qualified practitioners from other states to travel to Alaska to assist in treatments, provide demonstrations or other continuing education or hold specialty clinics. Our limited population still prohibits most "consultants" from setting up permanent practice situations which would require a regular license, and they do not fit into the specific language of the "relief veterinarian" category. However, they do practice veterinary medicine under the definition in our statutes and need to have some guidelines to limit the scope and conditions of their services. The addition of a subsection (b) under AS 08.98.186 sets up an appropriate licensing category and limitations. The addition is as follows:

AS 08.98.186(b) Consult with and/or assist a veterinarian licensed and practicing in this state provided that such practice is limited to animals under the care of the Alaskan Licensed Supervising Veterinarian. An application under this section shall be signed by the supervising veterinarian and

by the applicant. This Locum Tenens permit is valid for no longer than 90 consecutive days and may be renewed once within a two year period.

(c) Application must be accompanied by required fees.

5. The board has discussed several situations where substantial allegations of practicing veterinary medicine without a license appeared true but action could not be taken because of a lack of proof of compensation as specified under AS 08.98.250 subsection (6)(A), (B), (C), and (D). We feel that by deleting all reference to compensation under subsection (6) and enlarging the number of specified exclusions in (D), we can more effectively deal with gross violations of practice without a license without limiting reasonable care given by owners, state and federally authorized individuals or those rendering emergency care.
  
6. Disciplinary Powers of the Board. (a) A board may take the following disciplinary actions, in combination or alternative:
  - (1) permanently revoke a license, permit, or certificate of registration;
  
  - (2) suspend a license for a determinate period of time;
  
  - (3) censure a licensee;
  
  - (4) issue a letter of reprimand;
  
  - (5) imposition of limitations or conditions on the professional practice of a licensee;
  
  - (6) imposition of peer review;
  
  - (7) imposition of professional education requirements until a satisfactory degree of skill has been attained in those areas determined by the board to need improvement;

(8) imposition of probation requirements and require the licensee to report regularly to the board upon matters involving the basis of probation;

(9) impose a civil fine of not more than \$10,000.00.

(b) The board may withdraw probationary status if it finds that the deficiencies that required the sanction have been remedied.

(c) The board may summarily suspend a license before final hearing or during the appeals process if the board finds that the licensee poses a clear and immediate danger to the public health and safety if the licensee continues to practice. A person whose license is suspended under this section shall be entitled to a hearing by the board no later than seven days after the effective date of the order. The person may appeal the suspension after a hearing to a court of competent jurisdiction.

(d) The board may reinstate a license that has been suspended or revoked if the board finds after a hearing that the applicant is able to practice with skill and safety.

(e) The board shall seek consistency in the application of disciplinary sanctions, and significant departure from prior decisions involving similar situations shall be explained in findings of fact or order.

Veterinary Board  
Proposed Legislation

Pam Tuomi DVM  
2036 E. Northern Lights Blvd.  
Anchorage, Ak. 99508  
274-5623  
345-1450 (home)

1. Proposed Language. AS 08.98 is amended to read:

- a. AS 08.98.184(1) has graduated from an accredited school of veterinary medicine or has successfully met the requirements [PASSED THE EXAMINATION]

and

AS 08.98.165(a)(2) has met [PASSED] the requirements [EXAMINATION] of the American Veterinary Association's . . . .

- b. AS 08.98.180. TEMPORARY LICENSE. A person who meets the requirements of AS 08.98.165(a)(1) and (5), and has not previously failed the national exam, CCT, state written and practical examination, is entitled . . . .

and

AS 08.98.186. LOCUM TENENS [TEMPORARY] PERMIT. A person licensed to practice veterinary medicine in another state who meets the requirements of AS 08.98.165(a)(1) and (5), and has not previously failed the national exam, CCT, state written and practical examination may be granted a locum tenens [TEMPORARY] permit to conduct the practice of a person licensed in the state who is absent from practice.<sup>b)</sup> An application shall be signed by the person who is or will be absent from practice and by the applicant. A locum tenens [TEMPORARY] permit is valid for no longer than 60 days after issuance but may be renewed.

2. State the Problem:

- a. This change would ensure that applicants have met all the requirements of the American Veterinary Association. The AVA no longer administers an examination.
- b. Veterinarians are allowed temporary permits to practice in Alaska even when they have failed the exam required for licensure in Alaska.

3. State the History:

- a. As stated in #2.
- b. Applicants who have failed the Alaska examination, have passed the examination in another state which has lower requirements, and then returned to Alaska and obtained temporary permits to practice. These applicants would not be eligible for temporary licenses (which requires supervision) but would be eligible for temporary permits based on their out-of-state licenses.

4. Fiscal Impact:

a. n/a

b. n/a

VETERINARY BOARD  
Proposed Legislation

Pam Tuomi, DVM  
2036 E. Northern Lights  
Anchorage, AK 99508  
274-5623  
345-1450 (home)

AS 08.98.186. LOCUM TENENS [TEMPORARY] PERMIT. A person licensed to practice veterinary medicine in another state who meets the requirements of AS 08.98.165(a)(1) and (5), and has not previously failed the national exam, CCT, state written written and practical examination may be granted a locum tenans [TEMPORARY] permit to

(a) conduct the practice of a person licensed in the state who is absent from practice. An application under this section shall be signed by the person who is or will be absent from practice and the applicant. This [A] locum tenans [TEMPORARY] permit is valid for no longer than 60 consecutive days after issuance but may be renewed [.] once within a two year period; or,  
(b) consult with and/or assist a veterinarian licensed and practicing in this state provided that such practice is limited to animals under the care of the Alaskan licensed supervising veterinarian. An application under this section shall be signed by the supervising veterinarian and by the applicant. This locum tenans permit is valid for no longer than 30 consecutive days and may be renewed once within a two year period. (c) Application must be accompanied by required fees.

Sec. 08.98.250(A) means [FOR COMPENSATION]

Sec. 08.98.250(B) means to represent, directly or indirectly, publicly or privately, an ability or willingness to do any act in (A) of this paragraph [FOR COMPENSATION];

Sec. 08.98.250(C) means to use a title, abbreviation, or letters in a manner or under circumstances which induce the belief that the person using them is qualified to do any act in (A) of this paragraph [WHETHER OR NOT FOR COMPENSATION];

(D) does not include, [WHETHER OR NOT FOR COMPENSATION];

- Sec. 08.98.250(D)(iv) those providing services in cases of emergency where no fee or other consideration is charged, contemplated, or received. (v) a lay vaccinator approved by the Department of Health and Social Services administering rabies vaccinations under 7 AAC 27.020(b)(4). (vi) veterinary surgeons while serving in any armed branch of the military service of the United States or the United States Department of Agriculture while actually engaged and employed in their official capacity and/or within federally controlled facilities.

MARK

04 NOV 1987

Mr. Tim Kelly  
Chairman Labor & Commerce Committee  
3111 "C" Street Suite 545  
Anchorage, AK 99503

Dear Mr. Kelly,

RE SB 287 "AN ACT RELATING TO THE PRACTICE OF VETERINARY  
MEDECINE"

Enclosed is a copy of the above bill with some requested changes. If you get mail or phone calls asking you to adopt what we are designating the "FOR COMPENSATION" Amendment, these changes are what is being asked for.

It is imperative in Section 7 to leave the words "FOR COMPENSATION" in. Jan Faiks ~~paper~~ wanted to remove those words apparently so that the atrocities that some people commit on animals can be prosecuted more easily. (Unless someone accepts a fee, it is hard to prosecute.) I agree that those atrocities should stop. However, penalizing all people who legitimately deal regularly with animals with what would amount to severe economic hardship by making their husbandry and animal care illegal is neither realistic nor fair!! The words "FOR COMPENSATION" must be left in; it is not enough merely to expand the exclusions section 7 (D) iii. Too many contingencies could inadvertently be overlooked. (Leased animals, borrowed animals, boarding kennels and stables, pet shops, sled dogs ... to mention only a few.)

Section 2 08.98.180 should have the marked section deleted. I know of no other profession that does not allow retaking an examination if it is once failed.

Section 4 should just be deleted. The current statute (enclosed) is perfectly adequate. If Section 4 is not deleted, there are several negative ramifications:

(a) (2) This does not address new animals that "would have been brought" to the veterinarian if the veterinarian were there. It only addresses animals he/she has already treated.

(b) Only one renewal is not realistic. What if a veterinarian goes on vacation every year and wants to hire the same person to cover for him/her?

(c) Once again, renewing only once, and for only 30 day, would be devastating for races such as the Iditarod and the Yukon Quest. These races not only depend heavily on volunteer veterinarians but also often last more than 30 days.

Dog mushing is a big industry in Alaska and many other

people show dogs and horses etc. Unless the changes proposed in the "FOR COMPENSATION" Amendment are made, many of these people will be hard pressed economically to provide proper care for their animals. Instead of protecting animals against abuse, the bill proposed by Jan Faiks would thus certainly lead to a general deterioration of animal care that Alaskan animal owners are perfectly capable of providing.

Please keep me informed regarding the progress of this bill. *Also, please keep this letter on file for when the bill comes up in session*

Thank you

*Rita St. Louis*

Rita St. Louis  
248 Bentley Drive East  
Fairbanks, AK 99701  
452-2689

cc/ Mr. Richard Eliason  
Ms. Betty Fahrenkamp  
Mr. Mike Szymanski  
Mr. Rich Uehling  
Mr. Mark Rojer  
Mr. Nilo Kopenen  
Mr. Mike Davis  
Ms. Virginia Collins  
Ms. Jan Faiks

KEY:

[CAPS] = material to be deleted  
underlined = material to be added

*Recommended amendments to be paid*  
*"FOR COMPENSATION"*  
*delete*

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 medicine."  
7

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 veterinarian who  
11

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 Section 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~~ *delete*

1 ~~passed an examination required under AS 08.98.165(a)(2), (3), (4), (5)~~

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 Section 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

Use current statute (attached), for  
comparison.

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 ~~AS 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:

delete  
entire  
section

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]~~ *leave in*

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]~~; *leave in*

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 employe 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;

applicant obtained a license in the other jurisdiction if the applicant

(1) has graduated from an accredited school of veterinary medicine or has successfully passed the examination of the American Veterinary Association's Education Commission for Foreign Veterinary Graduates;

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

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

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

(5) has paid required fees. (§ 11 ch 130 SLA 1980)

Editor's notes. — This section was redrafted by the revisor of statutes to remove personal pronouns in conformity with AS 01.05.031(c) and § 4, Chapter 58, SLA 1982.

Sec. 08.98.186. Temporary permit. A person licensed to practice veterinary medicine in another state who meets the requirements of AS 08.98.165(a)(1) and (5) may be granted a temporary permit to conduct the practice of a person licensed in the state who is absent from practice. An application shall be signed by the person who is or will be absent from practice and by the applicant. A temporary permit is valid for no longer than 60 days after issuance but may be renewed. (§ 11 ch 130 SLA 1980)

Editor's notes. — This section was redrafted by the revisor of statutes to remove personal pronouns in conformity with AS 01.05.031(c) and § 4, Chapter 58, SLA 1982.

Sec. 08.98.190. Fees. The following fees are imposed as applicable:

- (1) application fee . . . . . \$ 25
- (2) examination fee . . . . . \$ 50
- (3) fee for investigation of credentials . . . . . \$ 50
- (4) license fee . . . . . \$200
- (5) renewal of license fee (due every four years) . . . . . \$200
- (6) temporary license fee . . . . . \$ 50
- (7) temporary permit fee . . . . . \$ 50

(§ 1 ch 91 SLA 1963; am § 1 ch 53 SLA 1968; am § 12 ch 130 SLA 1980)

Effect of amendments. — The 1980 amendment rewrote this section.

Sec. 08.98.200. Reinstatement of lapsed license. A person whose

taking an examination unless the li than five years. (§ 1 ch 91 SLA 196

Editor's notes. — This section was redrafted by the revisor of statutes to remove personal pronouns in conformity

Sec. 08.98.210. Out-of-state vete

Repealed by § 16 ch 130 SLA 1980

Cross references. — For present provisions covering the subject matter of the repealed section, see AS 08.98.184 and 08.98.186.

Article 3. Enfo

Section

230. [Repealed]

235. Grounds for imposition of disciplinary sanctions

240. Disciplinary sanctions

Sec. 08.98.230. Injunction.

Repealed by § 16 ch 130 SLA 1980.

Cross references. — For provisions relating to disciplinary sanctions, see AS 08.98.235 and 08.98.240.

Sec. 08.98.235. Grounds for in sanctions. After a hearing, the board sanction on a person licensed under this that the person

(1) secured a license through de misrepresentation;

(2) engaged in deceit, fraud, or intent course of providing professional service activities;

(3) advertised professional services in

(4) has been convicted of a felony or person's ability to continue to practice c

(5) intentionally or negligently enga formance of animal care by the person conform to minimum professional stan

actual injury to the animal occurred;

(6) failed to comply with this chapter

or function/act as consultant or assistant to a person licensed in the state

amendment

Lake Minchumina  
Alaska 99757  
10-21-87

MARK

Labor & Commerce Committee  
Alaska State Legislature  
Tim Kelly, Chairman  
3111 C St. Suite 545  
Anchorage  
AK 99503

Hi all,

I have some strong concerns about SB287 and the proposal to remove the words "for compensation" from the definition of practicing veterinary medicine, ie making it illegal to help another person treat or diagnos or advise on a sick animal without a veterinary license. (Section 7)

This will pose a problem for pet stores, feed stores, and boarding places for livestock; mushers, and kennel and stable owners. Also, in the bush where one or two people in a small community may have considerably more knowledge than others, assistance is invaluable when a veterinarian cannot be brought in. I have taken a course in veterinary assistance, have a B.S. in biology, and have taken several in-depth trauma courses. I have also done a lot of individual study on veterinary problems especially in dogs. I know how to look for symptoms and I know what my limitations are and when to call a vet. I also have commonly-used drugs on hand for my own dog team, and sometimes provide non-prescription drugs at-cost to others who can't get to town to buy them. I do not try to substitute as a vet or dispense controlled substances or anything like that, but I am someone to turn to when folks don't know whether to call a vet or not, or if they think their dogs have tapeworms. As I understand it this bill would make it illegal for me to even make suggestions. That may do in the city, but not in the bush, especially when a number of people have limited medical knowledge. Also, we often get together and purchase large numbers of distemper vaccines from a vet (who has told me this is legal) so we can get a reduced cost. I coordinate it, pay the initial expense, and collect the money back when I hand out the vaccine. Will that now be illegal?

Also I certainly hope this will not affect the lay vaccinators in the rabies programs, which provide an invaluable service to remote communities, insuring that all the dogs are vaccinated against this deadly disease, saving the state monstrous quantities of money over the cost of flying a vet in to each village just to give the shots.

I also object to Section 4(C) which limits the services of a consulting/assisting veterinarian to every other year; why should we limit a valuable resource, especially of a specialist, to every other year?

Thank-you,

Yours Truly, *Miki Collins*

Miki Collins  
Julie Collins  
*Julie Collins*

THE DOG WORKS  
PO BOX 13014 TRAPPER CREEK AK  
99683

Mark

16 NOV 87

MR. TIM KELLY  
3111 "C" ST. SUIT 545  
ANCHORAGE AK 99503

DEAR MR. KELLY;

IT HAS RECENTLY BEEN BROUGHT TO MY ATTENTION THAT SEVERAL WORDAGE PROBLEMS EXIST WITH SB 287. AS AN ALASKAN SINCE 1962, AND SLED DOG DRIVER AS WELL, I AM GREATLY DISTURBED WITH SB 287 AS IT IS PRESENTLY WRITTEN. WITHOUT CHANGE, MY PARTICIPATION IN ALASKA'S GREATEST WINTER SPORT WILL BECOME COST PROHIBITIVE AS A RESULT OF VETERINARY COSTS ALONE. AT THE PRESENT TIME, I ADMINISTER ALL ROUTINE HEALTH OR VETERINARY CARE NEEDED FOR A DOG LOT OF 32 RACING ALASKAN SLED DOGS. EXPERIENCE HAS ALLOWED ME TO BASICLY CARE FOR A HEALTHY DOG LOT WITHOUT REPEATED CONSULTATIONS WITH LOCAL OR IN MY CASE VETERINARY SERVICES LOCATED IN EXCESS OF 100 MILES AWAY.

YOUR ASSISTANCE IN INSURING THAT MY EXISTANCE AS A DOG DRIVER REMAINS WILL BE GREATLY APPRECIATED. PLEASE EFFECT THE FOLLOWING CHANGE TO SB 287 WITH REGARD TO SECTION 7 : KEEP THE PHRASEOLOGY "FOR COMPENSATION" IN THE BILL!

SB 287 ALSO HAS AN ADDITIONAL CLAUSE THAT NEEDS YOUR CONSIDERATION. THE SECTION THAT ALLOWS, (SEC 4) CONSULTING/ASSISTING VETERINARIANS TO PRACTICE FOR ONLY 30 DAYS WITHIN THE STATE OF ALASKA SHOULD BE CHANGED TO ALLOW THE PRACTICE FOR A MAXIMUM OF 60 DAYS. IN MANY CASES 30 DAYS IS NOT ENOUGH TIME TO ALLOW OUTSIDE ANIMAL CARE EXPERTS TO ASSIST IN THE REFINEMENT OF THE ALASKAN SLED DOG AS A WORLD COMPETITOR, ALSO, OUTSIDE VETERINARIANS ARE USED ON A ROUTINE BASIS DURING THE IDITAROD AS A RESULT OF THE NEED FOR LARGE NUMBERS OF VETERINARIANS TO ENSURE AND EVALUATE STRESS AND POSSIBLE INJURY TO ALASKA'S FINEST FOR LEGGED ATHLETES.

AGAIN, YOUR ASSISTANCE IN CLEANING UP SB 287 WILL BE GREATLY APPRECIATED BY THE DOG DRIVING COMMUNITY OF ALASKA AS A WHOLE, AND WILL ULTIMATELY INSURE THAT DOG MUSHING REMAINS ALASKA'S GREATEST WINTER SPORT.

THANK YOU  
  
BILL TODD

MARK



# Senator John Binkley

---

Senate Finance Committee  
P.O. Box V • Juneau, Alaska 99811 • (907) 465-4985

Finance Committee  
Co-Chairman

November 10, 1987

The Honorable Tim Kelly  
Chairman, Labor & Commerce Committee  
Alaska State Senate  
3111 C Street, Suite 545  
Anchorage, AK 99503

Dear Tim:

It is my understanding that SB 287, relating to the practice of veterinary medicine, was heard by your Committee the last day of the 1987 session but was not moved out. I have some concerns about that bill I would like to share with you.

As I am sure you are aware, many of the villages in rural Alaska do not have licensed veterinarians. A limited "practice" is often conducted by a resident of the community who has some amount of knowledge of animals, usually for no pay. Because SB 287 would prohibit even so much as giving advise to someone about their animal, whether for compensation or not, most communities in the outlying areas of our State would be left with no access to any kind of veterinary care. Naturally, this would pose serious problems in those areas where veterinarians are scarce but animals, particularly dogs, are not.

Clearly, there are many problems with the unlicensed practice of a professional field. Cruelty to animals is one problem that can exist with the unlicensed practice of veterinary medicine. However, we need to weigh the enormous difficulties SB 287 would place on rural Alaskan communities against such problems.

Perhaps one solution might be to limit the effects of this bill to those communities who do have access to licensed veterinarians. Another might be to include the lack of a licensed veterinarian as an "emergency service" under Section 7 of the bill on page 6.

It is my understanding that the Committee was made aware of some of these potential problems when the bill was heard and that you are committed to resolving them before moving the bill on. I would appreciate it if you would keep my office informed of any amendments the Committee might be making to SB 287.

Thank you for your consideration the of concerns expressed herein. I will look forward to hearing from you, as necessary, on this piece of legislation.

Sincerely,

A handwritten signature in black ink, appearing to read "John Binkley". The signature is stylized and cursive.

Senator John Binkley  
Yukon-Kuskokwim and  
Interior Rivers

jka  
cc: The Honorable Jan Faiks  
President, Alaska State Senate

December 3, 1987

*CS ordered by MARK  
being prepared by FAIKS.*

MEMORANDUM

To: Tamara Cook, Director  
Division of Legal Services

From: Jan Faiks, Senator  
President of the Senate

Subject: Committee Substitute to Senate Bill 287, relating to  
the practice of veterinary medicine

Please prepare a committee substitute to SB 287 for the Senate Labor and Commerce Committee with the following changes:

Page 1, Section 2: Sec. 08.98.180. Temporary License

A person is entitled to be temporarily licensed after applying for the examination who

- a) meets the requirements of AS 08.98.165 a(1) and (5); and
- b) has a reported score, if any, on an examination required under AS 08.98.165 a(2), (3), or (4) or the clinical competency test that is not lower than the minimum score required for licensure; and
- c) works under the supervision of a licensed veterinarian.  
. . . .

Page 3, Section 4: Sec. 08.98.186 Locum Tenens Permit.

- (a) A person licensed to practice veterinary medicine in another state who meets the requirements of AS 08.98.185 (a)(1) and (5) and whose highest reported score, if any, on an examination required under AS 08.98.165 (a)(2), (3), or (4) or the clinical competency test is not lower

than the minimum score required for licensure, may be granted a locum tenens permit to. . . . .

(c) An application to consult. . . A locum tenens permit issued under (a)(2) of this section is valid for 60 consecutive days but may be renewed once within a two-year period.

Page 5, Section 7: AS 08.98.250(6). Definitions.

(6) "practice of veterinary medicine"

(A) means for compensation . . .

(iv) the provision of emergency services

(v) administration of rabies vaccinations by a lay vaccinator approved by the Department of Health and Social Services

If you have any questions, please contact Chris Christensen of my staff at 561-7610. Thank you.



# Senate Labor and Commerce Committee

Senator Tim Kelly, Chairman

EXAMINERS  
BOARD OF VETERINARY ~~SCIENCE~~

5 ADPT

1 VETERINARY ANATOMY

1 PHYSIOLOGY

DAVID GARDNER JONES

DULLY JONES

JAMES LEACH JONES

BIG LAKE

NEW FEEL  
REPLACES  
TUMOR

DERRICK LEBEY

NAME

STEVEN MERSCH

SR 2 - Rm 200

SOLDONIA, AK 99669

SINCE 8/1  
1988 87



# Senate Labor and Commerce Committee

Senator Tim Kelly, Chairman

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PATRICK MURPHY

FB

---

Cathy Marshall

was former director

Occupational Licensing

---

Lateral Transfer 8/09

Now Director of Admin  
Services in DCED

in this interim, I ...(indiscernible)... know that we discuss that, ahm, that we just seems to clean up our act a little bit to officially let them know what we decided to do about it.

Board Mbr: Weren't you, weren't you contacted about a client who was concerned about someone who did um, satellite surgical sexing?

Tuomi: Uh-huh (affirmative). And that's why my move was to, to broaden this, for one thing to take it away from just being specifically Iditarod and raising that red flag but because these types of things do occur, um for Mr. George's information, an individual who is licensed in another state was brought to Alaska, um, to hold a surgery clinic. And he surgically sexed birds for this client but he also surgically sexed for clients whom ah, his hostess solicited. He was paid for this, to our knowledge. Ah, somebody collected a lot of money and he left the state, and he did the same thing a second year, came back up and did it again. And second time around a, there was actually a newspaper photograph and article...

*Iditarod*

Number 000, Tape 2, Side A

Board Mbr: ...where you've got somebody doing ...unary abortions in their back yard or something ...(indiscernible)... license ...(indiscernible)... considerations ...(indiscernible)... I don't know. How far do you want to go? It seems to me it's a question that has to be answered before we get too carried away with all of this.

Tuomi: Certainly, in other states, they do just specifically exempt consultants, or, or exempt them as long as they are associated with a validly licensed veterinarian, appears to be the wording. And so, we could add that to our list of exemptions...

Board Mbr: ...for specific functions...

Tuomi: ...and get rid of those, those individuals who aren't consulting with a licensed veterinarian, it wouldn't matter whether they do it for a function or just an individual coming up to one procedure for one practitioner.

George: So, what's the target group, this's ...(indiscernible)..., do we have a consensus on the target group that it would like to regulate that is not regulated now? Who are we looking at?

*Target-  
Iditarod*

Board Mbr: We're looking at the Iditarod people.

Tuomi: As, as long as it's limited to working with that individual who obtained his services...

Number 294 (2, A)

George: Do you really watch that, I mean if somebody worked 60 days, year after year after year, shouldn't they just get a regular license?

Tuomi: Well, it's a theory, after two of these, they should, we don't do it anymore, for either category.

George: Oh, is there a two time...

Marshall: That will...

(four people talking)

Tuomi: ...it's not in statute, it's been our board's policy...

Marshall: But that's, you can't, I mean you can't really...

Tuomi: Yea, since the renewal is at the discretion of the board, the board's discretion has been multiple renewals being refused, after a certain point.

Marshall: Well you should put that in... (two people talking) ... (indiscernible)....

George: ... (indiscernible)....

Marshall: ... 'cause you could be challenged on that.

George: Yea, we should put, I think if there's a limitation like that we should probably stick them in there.

Board Mbr: "That may be renewed upon approval of the board" is the way it came out in the minutes.

Tuomi: Um-hum (affirmative).

Board Mbr: Yea, that's what it says, "may..."

Board Mbr: "...may be renewed once upon approval of the board."

George: On the other hand, I don't think the board in denying a renewal can be arbitrary or capricious. And if we just arbitrarily say you don't get if you do more than two times, that's pretty arbitrary...

Marshall: That's right, you could be challenged on that, and you could, so you need to be clear about what you want there.

Tuomi: Uh-huh (affirmative).

board policy - only 2 permits issued per individual - board discretion

board acting arbitrary & capricious

Board Mbr: Well, it seems to be limited to patients involved in...

George: If we limit the time frame on it, though, do we need to put on this other qualifying language?

Tuomi: Yea, that's the idea. We won't, don't want them practicing on all the other dogs and cats in the neighborhood, we just want them practicing on the group involved in the race or the group brought in by the licensed practitioner.

} closed market

Number 315 (2, A)

George: If, if he, if it's a consulting with or under the supervision, we don't have under the supervision, but under supervision of a person licensed, isn't that fairly...

Board Mbr: No...

Tuomi: uh-uh (negative).

Board Mbr: I don't think so.

Tuomi: Especially if there's an "or" in there.

George: I okay, so where are we here?

(three people talking)

Board Mbr: limited...

George: ...limited and you want to put that...

Board Mbr: ...you know, ah,...

(four people talking)

Board Mbr: ...(indiscernible)... numbering  
...(indiscernible)...

Board Mbr: ...limiting in scope to animals ah, involved in the  
...(indiscernible)... these special race events,  
athletic events or...

George: ...consultation...

Board Mbr: ...consultation or clinic...

George: ...may consult on...

Tuomi: Uh-huh (affirmative).

George: ...aren't we trying to include consultation  
...(indiscernible)... area to do with ah...

Tuomi: ...with an athletic event...

George: ...athletic event, consultations involved with that specialty ...(indiscernible)... they're including both consultation for ...(indiscernible)... specialties under the regulation or statutes.

Tuomi: Uh-huh (affirmative).

Board Mbr: Right.

Board Mbr: So anyway, but there's two groups of animals here, you know, there's the animals being seen by the, ah, ah, consultant coming up for special clinics or ah, cardiovascular disease, or something and then there's the group of animals are just those in the races, you know, and not any other ones. So there's, there's kind of two parts to it. I think we have to be pretty narrow with the, ah, with the ones involving the race in particular.

} focus on "race"

Leedy: Maybe there should be a "B" considering the ah, specialist and "C" concerning the races?

Number 340 (2, A)

Board Mbr: Yea, there's definitely two parts, this'll break it down...

George: And I don't know ...(indiscernible)..., least specific as pos... so you can go fix 'em by regulation later.

Tuomi: Yea, that's where we're getting into trouble with locum tenens the way it is, it is very specific (two people talking) and you been having trouble stretching it...

Board Mbr: ...don't have enough discretion...

Tuomi: Um, how 'bout "limited to the animals under the care of the, ah, regularly licensed practitioner..."

Board Mbr: ..."supervising practitioner."

Tuomi: That way he can always practice on animals that the supervisor says is okay, 'cause...

Board Mbr: ...(indiscernible)... ..licensed or not...

(two people talking)

Board Mbr: ...(indiscernible)....

Board Mbr: On the race, under the care of, of that individual?

DOL: ...right...

Number 389 (2, A)

Board Mbr: ...the one about signing it...um...I see it, it sure starts me to, it's a lot easier to give the benefit but restrict it if you do it on a time basis, trying to figure out what procedures are acceptable or not, or you can have a laundry list that'd be...eight miles long, I don't know, ...(indiscernible)... writing on boards.

Tuomi: I think this is coming the closest to what we want to do.

George: Okay, let's...

Tuomi: ...and the, and the simplest, yea...if we...

Board Mbr: ...what about renewable and not renewable, though?

Tuomi: Yea, right. (two people talking) ... (indiscernible)...

Board Mbr: Well, we haven't gotten to that yet.

Tuomi: It's such a problem. (two people talking) ... (indiscernible)....

Leedy: ...might be a second race, or a third race, or a fourth race, (two people talking) ... (indiscernible)...

Tuomi: Yea, he might come up and do all four of 'em in a row...

Leedy: ...might want to come back, ah...

Tuomi: ...the Kuskokwim, the Iditarod, to the...

Leedy: Um-hum (affirmative). And if there's, if there's over 30 days consecutive days, they can get another one for another fifty dollars for another 30 days, back-to-back.

Tuomi: But they'd still have to limit themselves. Now what's that going to do to the consultant. We gonna let him keep get getting back-to-back consulting fees, for consulting... (two people talking) eventually it would be economically cheaper to get a regular license, if you've got to pay fifty bucks a crack ac it an he stays up here for more...

Board Mbr: Um-hum (affirmative). Costs to renew, too, right?

Tuomi: Yah, if it's only 30 days.

impose limits

get regular license

George: That right? You could something like ah, "an individual may not receive licenses under this section ah, cumulatively, cumulative effective period exceeds 30 days within a two year period, or one year period, or three year period..."

Tuomi: ...or a 180 within a ...(indiscernible)... period...

George: ...or whatever...

Tuomi: Yah.

Board Mbr: For sure you don't want people to keep just coming in 30 days, 30 days, 30 days, (chuckle).

Tuomi: Well, that's a good word...

Board Mbr: You could make money, though, that way.

Tuomi: Say that again. Say that again.

Board Mbr: Thirty days,...

Tuomi: No, no, no, the whole, the whole thing, "an individual may not renew..."

Board Mbr: Oh, I don't know, that's, that's gone now.

Tuomi: Well let's get it back.

Board Mbr: It was something like cumulative, cumulative...

Tuomi: ...(indiscernible)... renew if their (two people talking) cumulative...days exceed...180. That way you get two temporary permits, or he could get...i my math right, six...

Board Mbr: You've been awful quite...

Board Mbr: I'm just trying to comprehend all of this.

Tuomi: ...(indiscernible)... ingesting...

Board Mbr: What's the bottom, "an application must..."

Tuomi: "...be accompanied (two people talking) by a fee."

Board Mbr: ...(indiscernible)... a fee.

Board Mbr: Takes the wording off of ...(indiscernible)....

Board Mbr: So maybe we need a "D", it is renewable, they are renewable, is that?

Tuomi: Yea, then we still need the renewab... yea, a locum tenens is valid ah, ...

} make  
money  
through  
licenses

George: That under "D"?

Tuomi: ...(indiscernible)...

(three people talking)

Tuomi: It's not, yea, we really don't have renewable  
...(indiscernible)...

George: You want them both renewable?

Tuomi: Yea. I'd like 'em both renewable, but I'd like to  
put a max on how many times we can renew 'em. And  
we, an as far as I'm concerned we could set that  
same 180 day limit because that would give us two,  
um, relief veterinarian, back-to-back...

Board Mbr: ...(indiscernible)...

Tuomi: ...an it would give us...

DOL: ...temporary permits... ...(indiscernible)...

Tuomi: ...yea...

DOL: ...temporary permits... ...(indiscernible)... locum  
tenens.

Tuomi: Cumulative 180 days within two years? Within a two  
year period?

Board Mbr: That's ah, gosh that's six renewables.

Tuomi: Um-hum (affirmative). Which would seem to me to be  
plenty, even for the race guy...

Board Mbr: .....(indiscernible)... renewals...

Tuomi: ...who wants to go from one race to another...

Board Mbr: ...that's a lot of renewals...

Tuomi: Okay, (two people talking) ...(indiscernible)...  
three years?

Board Mbr: ...might as well get a real license. You're gonna  
make more money...

} get  
real  
license

Board Mbr: What's the difference if we do, if we, (two people  
talking) ...(indiscernible)... if they just reapply?

Board Mbr: Are we saying they can't reapply?

Tuomi: To me, a re... a new application is a renewal. If,  
if they last a year and come back and say I want a  
temporary permit...

George: We were planning... (two people talking)  
...(indiscernible)...

Board Mbr: ...we aren't at this point in time.

George: This presumes that compensation would be deleted.

Marshall: That you're gonna reword the definition of  
...(indiscernible)... (two people talking).

Board Mbr: We'll have to (two people talking)  
...(indiscernible)... at it another.

Number 055 (2, B)

Tuomi: Yah, but... (two people talking)

Board Mbr: ...do it in conjunction with this.

Tuomi: (two people talking) hand in hand with this.

Marshall: Okay. Yah, this looks good to me.

Board Mbr: Um, part "A", I had, I put 60 consecutive days and  
may not, an may be renewed. Ahm, for three periods,  
or 180 days, in case, as you mentioned, there's an  
illness, and you need to be, gives a little more  
flexibility.

Tuomi: A hundred and eighty days is six months, is a hell  
of a long time...

Board Mbr: ...in two years.

Tuomi: Okay. 'Cause then we need to do is back up and  
write under part "A", where is says ah, "is valid  
for no longer than 60 days after issuance", "but may  
be renewed twice within a two year period upon  
approval by the board"?

(two people talking)

Tuomi: And that way we can address it right there under  
"A"?

Board Mbr: I was thinking about it ...(indiscernible).... Um,  
um, and there's certainly ah, ah, ah, a good reason  
to limit these things, so you don't get these people  
coming back and back again. I could however,  
anticipate a situation, let's say you come up under  
"B" and you could get one for 30 days, but you come  
up for one day, and you want to come up for another  
one day. I mean you've only been here three days,  
but you can't do that, 'cause you'd only get two,  
right?

} limit needs  
to be  
imposed

Board Mbr: Right.

Board Mbr: I was toying with the thought of saying you could get kind of one automatically, and any subsequent renewals, any subsequent applications for the same permit within the two year period may be granted at the discretion of the, of the board, or, I'd think you'd probably have to put a little more in there than discretion...

Marshall: Why don't you just leave...I mean I don't know if this is sound

Tuomi: Um-hum (affirmative).

Marshall: ...but please correct me, why don't you just say "may be renewed upon approval of the board" and not put in any onces, twice, within years...

Tuomi: Ah, the comment was made before, though, if we leave that wording, which is what is in there now, and we apply the board rule that we wrote that says it, we'll do it automatically for two years, but the third time around we won't, somebody said that's capricious, and won't hold up.

board  
has acted  
"capriciously"

Board Mbr: Well, how do you determine what the parameters are?

Marshall: Yea.

Board Mbr: I think you need something, you need something like, "or bona fide medical veterinarian ...(indiscernible)..." you can come up with some hokey language...

Marshall: ...yea...

Board Mbr: ...or something. Do you want to limit yourself to two, I guess. Or certainly want to put...

Marshall: (two people talking) ...actually if somebody is going to be here that long...

Board Mbr: ...if they're going to come up that often...

Marshall: ...(indiscernible)...

Board Mbr: ...they're gonna just get a license.

Marshall: ...license.

Tuomi: (three people talking) ...regular license.

(three people talking)

George: Under "A" was it ever contemplated that if a veterinarian dies somebody might come in and keep his practice going for 60 days or 120 days so he can ...(indiscernible)... his client?

Board Mbr: I think he should get a license, regular license.

Board Mbr: ...(indiscernible)...

Board Mbr: I think so, 'cause he's, he's not doing, he's doin' it...

Marshall: Not ...(indiscernible)...

Board Mbr: Yah.

Tuomi: Well, if this isn't super... a whole locum tenens is not necessarily supervised...

Board Mbr: ...under "A"...

Tuomi: ...under "A".... But that's not gonna fly.

Marshall: ...fly. Right, I...i (two people talking).

Board Mbr: Okay, ...(indiscernible)... (two people talking), in the very first sentence "a person who meets the requirements..." the old one had in there also a person licensed to practice veterinary medicine in another state, who meets the requirements of... (two people talking) ...(indiscernible)...

Tuomi: Good point, we left that out, we typed it.

Marshall: What, now?

Board Mbr: We left...i (two people talking)

Tuomi: "A person licensed to practice veterinary medicine in another state who meets the requirements of AS 08..."

(chuckles)

Tuomi: And that was one of the things we were gonna limit it to.

Board Mbr: And then you talkin' about failing these tests?

Tuomi: Um-huh (affirmative).

Board Mbr: What happens if somebody, who's been practicing say, for ten years, fifteen years, first time took the exam, he f... failed, he then passed and...

failing tests - scenario

Tuomi: ...subsequently... ...(indiscernible)... (two people talking).

Board Mbr: ...(indiscernible)... fine ever, ever since.

Tuomi: I can, I, I thought of that once or twice this week, proposed this wording, too. The assumption...

Marshall: Can you give your scenario one more time?

Board Mbr: You go out an you take your test and you fail, right out of school...

Marshall: ...um-hum (affirmative)...

Board Mbr: ...fifteen years ago. You take the test again, you pass and you've been doing fine ever since.

Marshall: Well, I, ah, "that's not previously failed..."

Tuomi: Technically he did fail it once.

Board Mbr: ...should be "has a passing score"...

Marshall: Right, that's what it should be.

Tuomi: We should word both of those phrases in the positive...

Marshall: (two people talking) ... "and have a passing score..."

Tuomi: ...rather than the negative, on the...

Marshall: ..."national CCT and state written and practical."

Board Mbr: You know, I don't know if that's really true either, cause you could have passed it once, and ...(indiscernible)... (two people talking) was failed.

Marshall: Yah, how 'bout hav... ...(indiscernible)...

Board Mbr: Wha...wa...once you pass the national, though, it's good forever, you don't take it again.

George: Okay. Are there any of these things you would take and pass and then fail?

Tuomi: Well the other thing is the intent of this was...

Board Mbr: ...sure...

Tuomi: ...if they take 'em and pass that state board they've got a state license, they don't need a temporary.

if ever failed the test, can't get license

Marshall: Right, yes, that's true. I think it's all right the way it is "not previously failed".

Tuomi: Yea. The assumption is that, their, the scores that are standing at the time of application...

ASSUME  
Scores  
at time  
of  
application

Marshall: ...uh-huh (affirmative)...

Tuomi: ...either it's failing or passing...

Marshall: ...uh-huh (affirmative).

Board Mbr: You could.

Tuomi: ...but that...

Board Mbr: ...well that's all right (two people talking) ... (indiscernible) ..., we could leave it like this and we could just interpret it that way.

board  
interpretation

Board Mbr: I can draw you a picture...

Tuomi: ... (indiscernible) ...

Board Mbr: ...of where it would happen real easy. But you don't want to hear it.

board  
disregards  
reality

(laughter)

Board Mbr: ... (indiscernible) ... don't we just bury this while we have it...

Marshall: You've come a long way.

Tuomi: That's, that's how we came back full circle ... (indiscernible) ... using ... (indiscernible) ... ..ing our thought tracks.

Number 251 (2, B)

Marshall: Okay, now (two people talking) let's see you're...

Tuomi: ... (indiscernible) ... think we got it, now...

Marshall: We still have more to go...

Tuomi: ...right...

Marshall: ...though, on this legislative proposal.

Tuomi: We still have to do um,...

(?): ...licensure by credential...

Tuomi: ...do the compensation bit.

Tuomi: Well, basically the way we do it is to relate it right back to the first question, can a licensed PA treat animals? Yes, he can legally treat animals in an emergency situation.

Marshall: Not, not, right now, it's only without compensation.

Tuomi: ...with, without compensation and one of the legal ramifications of doing so, ah, anybody who does so, rather than no liability, the board is not going to prosecute because the animal's been treated in a civilized order. Right?

*make it illegal & leave up to board discretion (emergency help)*

Marshall: ...(indiscernible)...

Board Mbr: The answer to question one would be "no."

(two people talking) ...(indiscernible)...

Board Mbr: ...(indiscernible)... veterinarian.

Marshall: ...no...

Board Mbr: ...(indiscernible)... contact the veterinarian.

Tuomi: Well, that's, that's number three. What you're suggesting is you contact...

(two people talking) ...(indiscernible)...

Board Mbr: ...the answer to number one should be "no", but a qualified "no", ...(indiscernible)... licensed ...(indiscernible)....

Tuomi: Yea.

Marshall: Yea. ...(indiscernible)... I think you ...(indiscernible)...

Tuomi: ...yea...

Marshall: ...you know, if you, if this ...(indiscernible)... to us, it would be our.

Tuomi: Well, in fact it did. It do that to me, anyway, I've been writing so... I mean, something like this would be nice to have on file, circulated around for a couple ...(indiscernible)... right before I have to ...ail it. It's nice to have to fall back on for you guys to send out if you have any other suggestions along ...(indiscernible)... same lines, you will ...(indiscernible)... this board's statement as to how we feel about it, ...(indiscernible)....

bringin... to glorifying the Iditarod and getting these people up and...

Board Mbr: The obstacle's already there.

Marshall: No it's not...

Board Mbr: Sure it is...

(three people talking) ...(indiscernible)...

Tuomi: ...right now they don't have to have a license...

Marshall: ...right now ...(indiscernible)... they don't have to do anything...

Tuomi: ...they just walk in and do it.

Marshall: ...they walk in, they come.

Board Mbr: Depending on what, how we define "compensation".

Tuomi: No, well (three people talking) ...(indiscernible)...

Marshall: No, no, right now there's no problem at all.

Board Mbr: ...for compensation...

(two people talking) ...(indiscernible)...

Board Mbr: If this passes, we don't have to worry about the Iditarod...

Marshall: ...right...

Board Mbr: ...people anymore because they are doing it. They are all in violation...

Board Mbr: ...that's right...

Board Mbr: ...of this ...(indiscernible)... section...

Board Mbr: ...(indiscernible)... law violation, to the extent that they receive plane tickets or free hotel rooms, if that's within the gambit of compensation, they're supposed to be licensed.

Marshall: Wait a second, I lost it here ah,...

Tuomi: ...(indiscernible)...

Board Mbr: What?

Marshall: ...they're not going to even make the connection with the Iditarod with this bill.

against Iditarod

legislature won't make connection

- Tuomi: No, they'll (two people talking)  
...(indiscernible)...
- Marshall: That's why this bill as it is, has a good potential to fly unless they're, because you've already talked to Iditarod Committee, if they figure it out, they may come and testify.
- Board Mbr: ...(indiscernible)...
- Tuomi: Um-hum (affirmative). (two people talking)  
...(indiscernible)...
- Marshall: But if you've got them behind you then...
- Tuomi: (two people talking) ...(indiscernible)... they favor it.
- Marshall: ...then you, then you're gonna be okay. And as long as the legislature doesn't quite figure it out I think you're gonna be okay. But, but if you add the exam thing, I...
- Board Mbr: Well you can just, just dump that out and take the Iditarod through, they can always off part of it. They're not...interdependent.
- Tuomi: Yah, but they may decide to kill the whole with the exam. I, I can see that ...(indiscernible)...
- Marshall: If you're willing to give it up, then yah, go ahead, put it in, give it a try...
- Board Mbr: Well, well, cause what you're saying is we submit it separately it's not gonna go anyway, so what do you got to lose?
- Marshall: Well you still...
- Board Mbr: Have this to lose.
- Marshall: ...yah...
- Board Mbr: ...an...
- Marshall: ...and they just sit on the bill if there's controversy.
- Tuomi: Unless they ...(indiscernible)....
- Marshall: But, if you're willing to go to them right away and say, if they start sitting on it, and you're willing to say, look...
- Tuomi: ...what's the problem with this, if this is the problem...

Leg.  
not  
figure  
out  
about  
Iditarod

- Marshall: ...is this...well you'll know from the first hearing...(laugh)
- Tuomi: We can ...(indiscernible)... ..we can make that statement...if this is the problem let's...
- Marshall: ...yah, we're willing to drop it.
- Board Mbr: (two people talking) ...(indiscernible)... say drop it, sure.
- Marshall: Um-hum (affirmative). Course then you've killed it for any future year, too.
- Tuomi: 'Cause we've already admitted that it's not ...(indiscernible)...
- Board Mbr: (three people talking) ...(indiscernible)... well it's either gonna or it's not, I mean, tack it on to the Iditarod bill, an they come down and say "Look at these vet board guys, they're great people, they're helping us out, gee..."
- Marshall: Yah, I wouldn't talk about the Iditarod though, with this bill, I (two people talking) ...(indiscernible)...
- Board Mbr: Ah, courage, courage, cum' on, you got to have courage.
- (laughter)
- Board Mbr: They want to talk about somethin' like dog races instead of money, god... (three people talking) ...(indiscernible)...
- Tuomi: I, I think we're gonna have to admit it, if we come in kind a like "Oh, oh, what? Iditarod? You mean, oh, I guess it will..." we're gonna look dumb, folks, we ...(indiscernible)... admit...
- Number 065 (3, A)
- Marshall: Don't even say Iditarod...it might affect dog races. (laugh)
- Tuomi: They're not dumb, they're gonna know ...(indiscernible)... (mumbled).
- Board Mbr: Oh, the ...(indiscernible)... with Iditarod people, get some Iditarod people to testify, it'll be a breeze.
- Tuomi: Yah, I, I think as long as Iditarod is with us, there's no point in...

the  
Iditarod  
bill

Marshall: Yah, yah, um-huh (affirmative)...

Tuomi: ...there's no problem in mentioning it as long as we don't make it sound like it was tailored specifically for them, it's tailored specifically for a problem, and it's designed so that we won't delete or, or interfere with Iditarod in the process. That's the way we have to approach it.

Redirect  
cover  
real intentions

George: Okay.

Tuomi: ...in my mind...um....

George: So are we submitting them together or we dump one if we get a hassle, is that right?

Board Mbr: I would...

George: No?

Board Mbr: Say no.

Tuomi: I'd like to...

(laughter)

Board Mbr: (three people talking) ...(indiscernible)... as much as I think that, I think we've got everything within a, I don't want to see this part get washed out.

Tuomi: Yea, what I would like to do...

Board Mbr: I've been on the board for three or four years and nothin's ever gone through, if we get one thing through...

Tuomi: ...oh, we get to come back next year...

Board Mbr: ...oh, we get to come back next year, and start all over again.

Number 074 (3, A)

Tuomi: (mumbled) ...(indiscernible)... What I would like to do, rather than making a decision right now is to make a priorities list, that if, if we get favorable reaction from legislators, sufficient legislators that we submit it as one package, if we get bad reaction, that we'd have the option of either deleting, of, of deleting, this examination section, before or shortly after it's submitted. But I would like to take the package as it is all together to the legislators and see their personal reaction, before this board makes a decision about deleting it.

Marshall: Well, don't set yourself up though, to have to wait for another board meeting, 'cause you're already losing out on ...(indiscernible)... (two people talking).

Tuomi: No, no, that's why I say I, I, I think that we can set the priority here, we can, we can say that we would prefer that it be submitted together...

Board Mbr: ...or we could just say nothing...

Tuomi: ...but if there's sufficient opposition...

Marshall: ...yah, well...

Tuomi: ...we'd all agree...

Marshall: (two people talking) ...(indiscernible)... your, whoever's presenting it to a legislator, leave it up to them, you know, I mean if they see that they're gettin' resistance on that, but you see, well, I don't...see, a, they may not, they may not, if they don't know the issue well enough, they may not see it, and then...

*If Legis, doesn't know issue, won't recognize it.*

Tuomi: ...initially...

Marshall: ...yea, but you can always dump it on ...(indiscernible)...

Tuomi: ...always dump it. With that...

Marshall: ...you've got a smoother (two people talking) ...(indiscernible)...

Tuomi: ...possibility...

(two people talking) ...(indiscernible)...

Marshall: ...possibility this way, but if you want to do it, um, you know, and you're willing to give it up, go for it.

Board Mbr: How much is the dental board problem in the limelight now? I mean is that right on top of ...(indiscernible)... department?

(four people talking) ...(indiscernible)...

Board Mbr: ...with this ...(indiscernible)... bill.

Marshall: ...um...they've had two audits, they've had an AGs opinion...

have some flexibility or at least set up a procedure...

Tuomi: ...yea...

Marshall: ...for getting permission...

Tuomi: ...yea...

Marshall: ...to make a change...

Tuomi: ...if Faiks takes a look at this tomorrow and says "I think it looks great, but I'd be more comfortable if we added this other exemption", I could tr... my allowance for, (laugh) if she wants to put her 'le pet in here too, is it okay for me to authorize that in order to ensure the best possible presentation for the bill.

Faiks  
request

(three people talking) ...(indiscernible)...

Tuomi: ...or ...(indiscernible)... back to the whole board (two people talking) ...(indiscernible)...

Board Mbr: ...I don't, I don't think ...(indiscernible)...

Tuomi: ...do you want to say "no way", don't touch it.

George: I don, just don't think we have to worry about it unless she asks "What's the board's position on this?" Other than that, it's whatever it takes to get it through.

Tuomi: 'kay. May basic approach normally would be that any changes would be copied to the Board members and circulated before I would personally say that the Board would agree to this.

Marshall: You're not going to be able to operate that way (two people talking) I mean, because, you're gonna go to a hear, I mean, they're gonna have a hearing. Somebody out in the audience is gonna say, some veterinarian from down here is gonna go to that meeting and is gonna say "Heck, no, you know, you know what this really means, don't you." (laugh) Or, "I don't like that, let's change this to 60 days", or they're gonna meet with a legislator, the bill will come forward in a different format, they'll probably call you, and say "We've made change here, we want to change this to 60, is that okay with you?" Now, you're not gonna have time to circulate, you may want to call at least two of the board members or one of the board members or give her the total authority...

real meaning of bill

George: ...(indiscernible)...



LEAH KADUSH  
P.O. Box 210008  
Auke Bay, Alaska 99821  
(907) 789-0728

November 27, 1987

The Honorable Jan Faiks  
President of the Senate  
3111 C Street, Suite 525  
Anchorage, Alaska 99503

Re: SB 287, Relating to the Practice of Veterinary Medicine

Dear Senator Faiks:

Senate Bill 287 which was proposed by the Board of Veterinary Examiners and sponsored by yourself, has a number of areas of grave concern, which merit re-examination and amendment.

As proposed this bill will have significant ramifications on the entire state's animal industry and should be considered in exactly that context, not just for veterinarian's welfare. While there are proposed exclusions such as "barn yard" animals and owner's care, it is not clearly defined and would be subject to interpretation and "discretion" by a board which is not really sure where they want to go! They had many conflicting ideas in their meeting of February 5-6, 1987 and deliberately chose to make almost all animal care an illegal activity subject their own "discretion".

If all went as proposed, I would find myself in a position of operating my business illegally simply by giving the care, "recommendation and advice" that are normally asked of a professional in animal care or training in varied fields throughout the state (e.g., pet stores, kennels, stables, feed store, etc.). The change of the wording which deletes "for compensation" is misleading since the average person who reads the bill would assume that it applies to veterinarians only. According to the February 5-6 meeting it will definitely include everyone and that seems to be their desired intent.

The changes for temporary licenses and permits seem extremely stringent especially considering they are based on supposition, assumption and relatively few cases of professional misconduct. Is what we have now so bad, or is this proposed legislation a way to eliminate competition?



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Senator Faiks

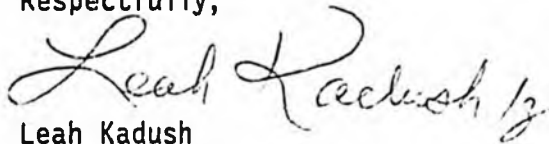
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November 27, 1987

From listening to the tapes, I understand they are having a problem with one or two individuals. I would like to take them out of the picture also, but not by cutting everyone else off. Perhaps there could be a task force to investigate, on notification of a problem, which would be able to incorporate police assistance if necessary and go through a legal course of action to remove them from the scene.

These are my primary concerns. Any help would be appreciated and I would welcome the opportunity to discuss them with you.

Respectfully,

  
Leah Kadush

January 21, 1988

The Honorable Tim Kelly, Chairman  
Senate Labor and Commerce Committee  
Alaska State Legislature  
P.O. Box V  
Juneau, Alaska 99811

Re: SB 287, Relating to the Practice of Veterinary Medicine

Dear Senator Kelly:

SB 287 is scheduled to be heard in your committee on January 22, 1988. Before taking any further action on this bill, I strongly urge the Committee to carefully investigate the ramifications of this bill as it will affect all animal owners, animal care givers and even people who talk about animals, all across the state. In that respect, it will affect most of us. Unfortunately, it will be in a highly negative way.

As a long time animal lover and owner, Iditarod supporter, 10 year resident of the "bush", and former member of that city's Animal Control Study Committee I have gained a fair amount of knowledge regarding the reality of animal care in Alaska as well as the laws associated with them. In an attempt to understand why the Veterinary Board found it necessary to propose such sweeping changes, I have gathered a great deal of information, studied years of tapes of their meetings, asked many questions and asked others to do likewise. I would gladly make this information available to the Committee. I think you would be as shocked as I was.

SB 287 is aimed at making all animal care, including verbal, a crime, unless done by an Alaska licensed veterinarian, from recommending someone get their dog spayed to flea dips to you-name-it. They are also trying to close the door on other veterinarians coming up here. The draft CS I have seen is not much better. They know exactly what they are doing, and repeatedly offer "board discretion" as the protection we have against prosecution. It is this same board that is deliberately seeking to deceive the legislature as to its real intentions, writes laws to be able to prosecute specific groups and individuals, and lies to and misleads both the public and other members of their profession as to the content and intent of this legislation. These are the people whose "discretion" we are supposed to put our faith in. Even their "supporters" do not know what this bill is about, because they believed what the board told them instead of gathering their own information.

I can neither trust nor support this board. They have forgotten both their professional and board objectives. To quote a Wisconsin veterinarian commenting on regulations this board recently proposed, "As veterinarians remember that our veterinary oath is to protect animals from diseases not protect our pocket books. ...stop trying to monopolize the health care in your state."

Some suggested changes are enclosed. I would welcome the opportunity to work with staff on this legislation.

Sincerely,



Martha Fischbach  
P.O. Box 34496  
Juneau, Alaska 99803

cc: Senators Eliason, Uehling, Fahrenkamp and Szymanski

WORK  
DRAFT  
(with comments)

5-0814B ✓  
Utermohle  
12/15/87

Original sponsor: Faiks

1 IN THE SENATE

2 CS FOR SENATE BILL NO. 287( )  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 FIFTEENTH LEGISLATURE - SECOND 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 re-  
22 quired 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 is entitled to a  
29 temporary license after applying for examination, if the person (1)

(at time of application)

1 [WHO] meets the requirements of AS 08.98.165(a)(1) and (5); (2) has a  
2 → reported score on an examination required under AS 08.98.165(a)(2),  
3 (3), or (4) or the clinical competency test that is not lower than the  
4 minimum score required for licensure in this state, if the person has  
5 taken any of these examinations or the clinical competency test; and  
6 (3) [IS ENTITLED TO BE TEMPORARILY LICENSED AFTER APPLYING FOR EX-  
7 AMINATION, IF THE PERSON] works under the supervision of a licensed  
8 veterinarian. A license issued under this section is valid until the  
9 results of the examinations are published. A person may not receive  
10 more than one temporary license. An application for a temporary  
11 license must be signed by the supervising veterinarian and accompanied  
12 by the temporary license fee required under AS 08.98.190.

13 \* Sec. 3. AS 08.98.184 is amended to read:

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

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

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

28 (3) has not failed the state written or practical examina-  
29 tion;

1 (4) does not have a [HAS NO] disciplinary proceeding,  
2 unresolved complaint [COMPLAINTS], or professional association review  
3 proceeding [PROCEEDINGS] pending at the time a license is to be is-  
4 sued, and has not had a veterinarian license revoked for cause in  
5 another jurisdiction; and

6 (5) has paid required fees.

7 \* Sec. 4. ~~AS 08.98.186 is repealed and reenacted to read:~~  
*AS 08.98.186 is amended to read:*

"or act as consultant or assistant to a person  
with a state license"

*insert*

Sec. 08.98.186. Temporary permit. A person licensed to practice veterinary medicine in another state who meets the requirements of AS 08.98.165(a)(1) and (5) may be granted a temporary permit to conduct the practice of a person licensed in the state who is absent from practice. An application shall be signed by the person who is or will be absent from practice and by the applicant. A temporary permit is valid for no longer than 60 days after issuance but may be renewed. (§ 11 ch 130 SLA 1980)

Editor's notes. — This section was redrafted by the revisor of statutes to remove personal pronouns in conformity with AS 01.05.031(c) and § 4, Chapter 68, SLA 1982.

1 locum tenens permit issued under (a)(2) of this section is valid for  
2 60 consecutive days but may be renewed once within a two-year period.

3 (d) An application for a locum tenens permit must be accompanied  
4 ~~by the locum tenens permit fee.~~

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

6 Sec. 08.98.190. FEES. The department shall set fees under  
7 AS 08.01.065 for the following:

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

15 \* Sec. 6. AS 08.98.250(6) is amended to read:

16 (6) "practice of veterinary medicine"

17 (A) means for compensation to

18 (i) [TO] diagnose, treat, correct, change, re-  
19 lieve, or prevent animal disease, deformity, defect, injury,  
20 or other physical or mental condition, including the pre-  
21 scription or administration of a drug, biologic apparatus,  
22 anesthetic, or other therapeutic or diagnostic substance;

23 (ii) [TO] use a manual or mechanical procedure for  
24 testing for pregnancy or correcting sterility or infertili-  
25 ty; [OR].

26 (iii) provide emergency veterinary services; or  
27 (iv) [TO] render advice or recommendation with  
28 regard to a [ANY] matter listed in (i), (ii), or (iii) [(i)  
29 OR (ii)] of this subparagraph;

move to  
(D)(vi)  
(next page)

1 (B) means to represent, directly or indirectly, publicly or privately, an ability or willingness to do an [ANY] act  
2 in (A) of this paragraph [FOR COMPENSATION]; *must be left in!*

3  
4  
5 (C) means to use a title, abbreviation, or letters in  
6 a manner or under circumstances that [WHICH] induce the belief  
7 that the person using them is qualified to do an [ANY] act in (A)  
8 of this paragraph [WHETHER OR NOT FOR COMPENSATION];

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

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

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

17 (iii) standard practices commonly performed on farm  
18 or domestic animals in the course of routine farming or  
19 animal husbandry, when performed by an owner or the owner's  
20 employee unless ownership of the animal is transferred for  
21 the purpose of avoiding application of this chapter or the  
22 primary purpose of hiring the employee is to avoid applica-  
23 tion of this chapter;

24 (iv) lay vaccinators appointed by the Department  
25 of Health and Social Services who, without compensation,  
26 administer rabies vaccine;

27 (v) veterinarians serving in the armed services  
28 of the United States or the United States Department of  
29 Agriculture while engaged in their official capacity or  
30 while within federal facilities;

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# (vi)

add insert (emergency  
Service)  
from page 4

applicant obtained a license in the other jurisdiction if the applicant

(1) has graduated from an accredited school of veterinary medicine or has successfully passed the examination of the American Veterinary Association's Education Commission for Foreign Veterinary Graduates;

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

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

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

(5) has paid required fees. (§ 11 ch 130 SLA 1980)

Editor's notes. — This section was redrafted by the revisor of statutes to remove personal pronouns in conformity with AS 01.05.031(c) and § 4, Chapter 58, SLA 1982.

Sec. 08.98.186. Temporary permit. A person licensed to practice veterinary medicine in another state who meets the requirements of AS 08.98.165(a)(1) and (5) may be granted a temporary permit to conduct the practice of a person licensed in the state who is absent from practice. An application shall be signed by the person who is or will be absent from practice and by the applicant. A temporary permit is valid for no longer than 60 days after issuance but may be renewed. (§ 11 ch 130 SLA 1980)

Editor's notes. — This section was redrafted by the revisor of statutes to remove personal pronouns in conformity with AS 01.05.031(c) and § 4, Chapter 58, SLA 1982.

Sec. 08.98.190. Fees. The following fees are imposed as applicable:

- (1) application fee . . . . . \$ 25
- (2) examination fee . . . . . \$ 50
- (3) fee for investigation of credentials . . . . . \$ 50
- (4) license fee . . . . . \$200
- (5) renewal of license fee (due every four years) . . . . . \$200
- (6) temporary license fee . . . . . \$ 50
- (7) temporary permit fee . . . . . \$ 50

(§ 1 ch 91 SLA 1963; am § 1 ch 53 SLA 1968; am § 12 ch 130 SLA 1980)

Effect of amendments. — The 1980 amendment rewrote this section.

"or act as consultant or assistant to a person with a state license"

taking an examination unless the lic than five years. (§ 1 ch 91 SLA 1963)

Editor's notes. — This section was redrafted by the revisor of statutes to remove personal pronouns in conformity

Sec. 08.98.210. Out-of-state veter

Repealed by § 16 ch 130 SLA 1980.

Cross references. — For present provisions covering the subject matter of the repealed section, see AS 08.98.184 and 94, 08.98.186.

Article 3. Enfor

Section

230. [Repealed]

235. Grounds for imposition of disciplinary sanctions

240. Disciplinary sanctions

Sec. 08.98.230. Injunction.

Repealed by § 16 ch 130 SLA 1980.

Cross references. — For provisions relating to disciplinary sanctions, see AS 08.98.235 and 08.98.240.

Sec. 08.98.235. Grounds for in sanctions. After a hearing, the board sanction on a person licensed under this that the person

(1) secured a license through de misrepresentation;

(2) engaged in deceit, fraud, or intenti course of providing professional service activities;

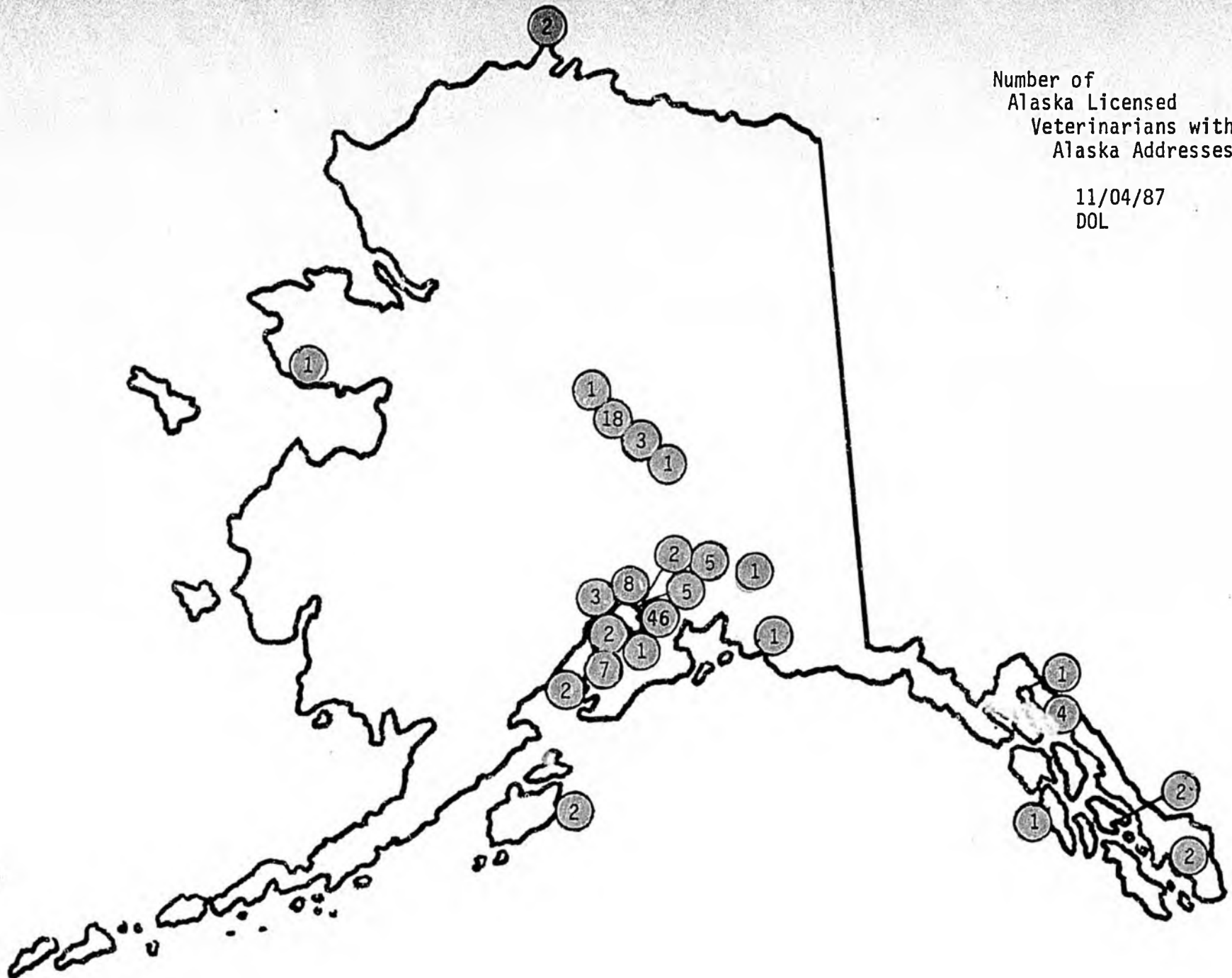
(3) advertised professional services in

(4) has been convicted of a felony or person's ability to continue to practice c

(5) intentionally or negligently enga formance of animal care by the person's conform to minimum professional stan actual injury to the animal occurred;

Number of  
Alaska Licensed  
Veterinarians with  
Alaska Addresses

11/04/87  
DOL



Alaska Licensed Veterinarians with Alaska addresses as of 11/04/87 (DOL). In order by number of veterinarians in community. See accompanying map.

Anchorage	46
Fairbanks	18
Wasilla	8
Soldotna	7
Palmer	5
Eagle River	5
Juneau	4
Big Lake	3
North Pole	3
Kenai	2
Homer	2
Kodiak	2
Barrow	2
Petersburg	2
Ketchikan	2
Chugiak	2
Sitka	1
Cordova	1
Nome	1
Girdwood	1
Skagway	1
College	1
Delta Junction	1
Copper Center	1
Total	<u>121</u>

From: Laura Else  
P.O. Box 33464  
Juneau, AK 99803

To: The Honorable Tim Kelly, Chairman  
Senate Labor and Commerce Committee  
P.O. Box V  
Juneau, AK 99811

Date: 01/19/20

Dear Chairman,

I would like to call your attention to the flaws and or omissions in Committee Substitute SB 287. Although I applaude recognition of the deficiencies of the original Senate Bill, the Substitute would omit the critically needed "For Compensation" in Section 6, Paragraph B. This must be left in to protect pet owners, kennels, mushers, Humane Societies and others that must treat their animals in the course of routine or emergency care. This also applies to people living in bush or outlying areas where a licensed veterinarian just is'nt available to them.

I am also concerned with Section 4, Locum Tenens Permit. The severe limitations proposed on this section would drastically inhibit veter-inary care and professional objectives. I urge you to drop the pro-posed section and instead, add the following launquage to the current Section 08.98.186 after, "...absent from practice", or act as consul-tant or assistant to a person with a state license.

Again, please leave "For Compensation" in the propsed bill as stated in this letter and drop (or change as recommended) Section 4, Locum Tenens Permit. Even the simplest, most routine of animal care will be affected by this bill. Let's make this beneficial, rather than detrimental to our animals.

Sincerely,

*Laura Else*

Laura Else  
Box 33464  
Juneau, AK 99803

cc: The Honorable Jan Faiks  
cc: The Honorable Jim Duncan  
cc: The Honorable Dick Eliason  
cc: The Honorable Rick Halford  
cc: The Honorable Rick Uehling  
cc: The Honorable Mike Szymanski  
cc: The Honorable Bettye Fahrenkamp

04 NOV 1987

Mr. Tim Kelly  
Chairman Labor & Commerce Committee  
3111 "C" Street Suite 545  
Anchorage, AK 99503

Dear Mr. Kelly,

RE SB 287 "AN ACT RELATING TO THE PRACTICE OF VETERINARY  
MEDECINE"

Enclosed is a copy of the above bill with some requested changes. If you get mail or phone calls asking you to adopt what we are designating the "FOR COMPENSATION" Amendment, these changes are what is being asked for.

It is imperative in Section 7 to leave the words "FOR COMPENSATION" in. Jan Faiks ~~was~~ wanted to remove those words apparently so that the atrocities that some people commit on animals can be prosecuted more easily. (Unless someone accepts a fee, it is hard to prosecute.) I agree that those atrocities should stop. However, penalizing all people who legitimately deal regularly with animals with what would amount to severe economic hardship by making their husbandry and animal care illegal is neither realistic nor fair!! The words "FOR COMPENSATION" must be left in; it is not enough merely to expand the exclusions section 7 (D) iii. Too many contingencies could inadvertently be overlooked. (Leased animals, borrowed animals, boarding kennels and stables, pet shops, sled dogs ... to mention only a few.)

Section 2 08.98.180 should have the marked section deleted. I know of no other profession that does not allow retaking an examination if it is once failed.

Section 4 should just be deleted. The current statute (enclosed) is perfectly adequate. If Section 4 is not deleted, there are several negative ramifications:

(a) (2) This does not address new animals that "would have been brought" to the veterinarian if the veterinarian were there. It only addresses animals he/she has already treated.

(b) Only one renewal is not realistic. What if a veterinarian goes on vacation every year and wants to hire the same person to cover for him/her?

(c) Once again, renewing only once, and for only 30 day, would be devastating for races such as the Iditarod and the Yukon Quest. These races not only depend heavily on volunteer veterinarians but also often last more than 30 days.

Dog mushing is a big industry in Alaska and many other

people show dogs and horses etc. Unless the changes proposed in the "FOR COMPENSATION" Amendment are made, many of these people will be hard pressed economically to provide proper care for their animals. Instead of protecting animals against abuse, the bill proposed by Jan Faiks would thus certainly lead to a general deterioration of animal care that Alaskan animal owners are perfectly capable of providing.

Please keep me informed regarding the progress of this bill.

Thank you

Rita St. Louis  
248 Bentley Drive East  
Fairbanks, AK 99701  
452-2689

cc/ Mr. Richard Eliason  
Ms. Betty Fahrenkamp  
Mr. Mike Szymanski  
Mr. Rich Uehling  
Mr. Mark Boyer  
Mr. Nilo Kopenen  
Mr. Mike Davis  
Ms. Virginia Collins  
Ms. Jan Faiks

CAVED 16 January 1988  
1/26/88

Dear Mr. Kelly-

Re: CS SB 287 "AN ACT RELATING TO THE PRACTICE  
OF VETERINARY MEDICINE"

My main objection is that Sec 'o (6)(B) -  
the words FOR COMPENSATION must be left in.  
Otherwise we are back to the same old thing:  
If I show that I have the ability or willingness to  
help you treat a cut pad on your dog or give worm medicine,  
I am practicing veterinary medicine illegally! If you  
~~take~~ take FOR COMPENSATION out, you will create a crippling  
economic hardship on many people who keep animals -  
especially dog mushers and people who have stables and pet  
shops. Considering how important dog mushing is to the  
State's image, and in a smaller way to many local economies,  
taking those words out is ill-advised.

Enclosed is a petition with signatures of other people  
who want to have the words for compensation left in.

Another objection regards Section 4(a)(2) in which  
a consulting or assisting veterinarian can treat only those  
animals under the care of the licensed veterinarian. This is  
not realistic, if you consider that animals on the Quest  
or Iditarod surely won't be under the care of that  
veterinarian. And it is these races who really use/need  
such temporary veterinarians.

A third objection is in Section 4(b)<sup>(c)</sup> - last sentence  
"...but ~~may~~ be renewed once within a two-year period."  
I strongly urge that the wording be changed to  
"...once within any two year period." After listening to the  
tapes of the board of Veterinary Examiners (Feb 5-6, 1987), it is  
clear to me that they might limit renewal to once in a lifetime,  
given the present wording!

Thank you for considering my letter. I am sorry that I was not able to type it.

Please let me know the progress of SB287, as this is an issue very important to many Alaskans.

Respectfully -

RITA ST LOUIS

248 BENTLEY DRIVE EAST

FAIRBANKS AK 99701

452-2689.

Jan 14,  
1988

Dear Mr Kelly, and all members of  
Labor & Commerce Committee.

We, the undersigned, urge you to  
leave the words "for compensation"  
in the revised version of SB 287.

Scott Heidorn PO Box 82903 College AK 99708

Susan A. Seinochev

Chick Barnum

William S. Pfalters

Joseph Peterson

Alan M. Crowe

Steven H. Wollard.

~~John D. Lee~~

Catherine Frankler

Sherman T. Rodda 5345 Old Ridge Trail, Fairbanks, AK

Frances Bundzen

Richard T. Shideler 1833 No Way Ln Fairbanks AK 99709

Steve Teller 2283 Solar " " "

Susan M. Kaul 2283 solar Fairbanks AK 99709

Richard Hornath 1904 Bulck Dr, Fairbanks, AK 99709

Lori Hornath " " "

Douglas McIntosh 1681 Goldstream Road Fairbanks AK

Bruce M. [unclear]

Brad M. [unclear]

Robert Zietler

Shuley Lin 2749 Goldstream FBK 99709

Bonita L Post P.O. Box 72962 Fairbanks, AK 99707

Roger Post P.O. Box 72962 Fairbanks, AK 99707

Pete Powers P.O. Box 80532 FBXS. AK. 99708

Bill Schwabe Men. Del. Ester, AK 99725

Sidney Stephens PO 82088 College 99708

Wesley Deitch P.O. 80434 FBX, AK 99708

Richard Eastman P.O. 80434 " " "

Lita M. Heidkamp box 82903, FBK AK 99708

OVER

James W. Gardner  
Richard L. Prober  
Law Reed  
Hugh Richards

P.O. Box 84468 FAIRBANKS  
1689 Gladstone Rd. Fairbanks  
P.O. 82655 FRES 99708  
248 Bentley Dr., Fols 99701

Rt 4 St Louis  
248 Bentley Drive E.  
Fairbanks AK 99701



**SPECIAL  
DELIVERY**

**SPECIAL  
DELIVERY**

**SPECIAL  
DELIVERY**

Mr Tim Kelley, Chairman Labor & Commerce  
P.O. Box V  
Juneau ~~AK~~ 99811

Congress Person Tim Kelly

I am writing concerning a Bill SB 287  
As I understand, in the new definition  
of the "practice of veterinary medicine," the words  
"for compensation" are to be left out.

I believe this to be a mistake.

With out the words "for compensation" most  
dog and cat owners may become criminals  
under this bill. Most of us can not afford to take  
pets to a Vet for every minor illness or injury  
anymore than we can take ourselves to a  
doctor for colds and scratches.

I believe the wording of this bill will  
punish the majority for the crimes of a few  
and may lead to less care being given to pets.

Secondly, Section 4 should be deleted if  
it's more restrictive in time duration and  
numbers of permits to out-of-state veterinarians.  
These types of restrictions do nothing to  
improve veterinary care and may hurt  
organizations like the Iditarod and  
Yukon Quest.

John  
Calk

Sherman J. Nodler  
5545 Old Ridge Trail  
Fairbanks, Ak 99709

789-9456  
From: Laura Else  
P.O. Box 33464  
Juneau, AK 99803

To: The Honorable Tim Kelly, Chairman  
Senate Labor and Commerce Committee  
P.O. Box V  
Juneau, AK 99811

Date: 01/19/20

Dear Chairman,

I would like to call your attention to the flaws and or omissions in Committee Substitute SB 287. Although I applaude recognition of the deficiencies of the original Senate Bill, the Substitute would omit the critically needed "For Compensation" in Section 6, Paragraph B. This must be left in to protect pet owners, kennels, mushers, Humane Societies and others that must treat their animals in the course of routine or emergency care. This also applies to people living in bush or outlying areas where a licensed veterinarian just is'nt available to them.

I am also concerned with Section 4, Locum Tenens Permit. The severe limitations proposed on this section would drastically inhibit veterinary care and professional objectives. I urge you to drop the proposed section and instead, add the following language to the current Section 08.98.186 after, "...absent from practice", or act as consultant or assistant to a person with a state license."

Again, please leave "For Compensation" in the propsed bill as stated in this letter and drop (or change as recommended) Section 4, Locum Tenens Permit. Even the simplest, most routine of animal care will be affected by this bill. Let's make this beneficial, rather than detrimental to our animals.

Sincerely,

*Laura Else*

Laura Else  
Box 33464  
Juneau, AK 99803

cc: The Honorable Jan Faiks  
cc: The Honorable Jim Duncan  
cc: The Honorable Dick Eliason  
cc: The Honorable Rick Halford  
cc: The Honorable Rick Uehling  
cc: The Honorable Mike Szymanski  
cc: The Honorable Bettye Fahrenkamp

January 21, 1988

The Honorable Tim Kelly, Chairman  
Senate Labor and Commerce Committee  
Alaska State Legislature  
P.O. Box V  
Juneau, Alaska 99811

Re: SB 287, Relating to the Practice of Veterinary Medicine

Dear Senator Kelly:

SB 287 is scheduled to be heard in your committee on January 22, 1988. Before taking any further action on this bill, I strongly urge the Committee to carefully investigate the ramifications of this bill as it will affect all animal owner, animal care givers and even people who talk about animals, all across the state. In that respect, it will affect most of us. Unfortunately, it will be in a highly negative way.

As a long time animal lover and owner, Iditarod supporter, 10 year resident of the "bush", and former member of that city's Animal Control Study Committee I have gained a fair amount of knowledge regarding the reality of animal care in Alaska as well as the laws associated with them. In an attempt to understand why the Veterinary Board found it necessary to propose such sweeping changes, I have gathered a great deal of information, studied years of tapes of their meetings, asked many questions and asked others to do likewise. I would gladly make this information available to the Committee. I think you would be as shocked as I was.

SB 287 is aimed at making all animal care, including verbal, a crime, unless done by an Alaska licensed veterinarian, from recommending someone get their dog spayed to flea dips to you-name-it. They are also trying to close the door on other veterinarians coming up here. The draft CS I have seen is not much better. They know exactly what they are doing, and repeatedly offer "board discretion" as the protection we have against prosecution. It is this same board that is deliberately seeking to deceive the legislature as to its real intentions, writes laws to be able to prosecute specific groups and individuals, and lies to and misleads both the public and other members of their profession as to the content and intent of this legislation. These are the people whose "discretion" we are supposed to put our faith in. Even their "supporters" do not know what this bill is about, because they believed what the board told them instead of gathering their own information.

I can neither trust nor support this board. They have forgotten both their professional and board objectives. To quote a Wisconsin veterinarian commenting on regulations this board recently proposed, "As veterinarians remember that our veterinary oath is to protect animals from diseases not protect our pocket books. ...stop trying to monopolize the health care in your state."

Some suggested changes are enclosed. I would welcome the opportunity to work with staff on this legislation.

Sincerely,



Martha Fischbach  
P.O. Box 34496  
Juneau, Alaska 99803

cc: Senators Eliason, Uehling, Fahrenkamp and Szymanski

WORK  
DRAFT  
(with comments)

5-0814B ✓  
Utermohle  
12/15/87

Original sponsor: Faiks

1 IN THE SENATE

2 CS FOR SENATE BILL NO. 287 ( )  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 FIFTEENTH LEGISLATURE - SECOND 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 re-  
22 quired 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 is entitled to a  
29 temporary license after applying for examination, if the person (1)

(at time of application)

1 [WHO] meets the requirements of AS 08.98.165(a)(1) and (5); (2) has a  
2 reported score on an examination required under AS 08.98.165(a)(2),  
3 (3), or (4) or the clinical competency test that is not lower than the  
4 minimum score required for licensure in this state, if the person has  
5 taken any of these examinations or the clinical competency test; and  
6 (3) [IS ENTITLED TO BE TEMPORARILY LICENSED AFTER APPLYING FOR EX-  
7 AMINATION, IF THE PERSON] works under the supervision of a licensed  
8 veterinarian. A license issued under this section is valid until the  
9 results of the examinations are published. A person may not receive  
10 more than one temporary license. An application for a temporary  
11 license must be signed by the supervising veterinarian and accompanied  
12 by the temporary license fee required under AS 08.98.190.

13 \* Sec. 3. AS 08.98.184 is amended to read:

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

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

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

28 (3) has not failed the state written or practical examina-  
29 tion;

1 (4) does not have a [HAS NO] disciplinary proceeding,  
2 unresolved complaint [COMPLAINTS], or professional association review  
3 proceeding [PROCEEDINGS] pending at the time a license is to be is-  
4 sued, and has not had a veterinarian license revoked for cause in  
5 another jurisdiction; and

6 (5) has paid required fees.  
7 \* Sec 4. ~~AS 08.98.186 is repealed and reenacted to read:~~  
*AS 08.98.186 is amended to read:*

"or act as consultant or assistant to a person with a state license" *insert*

**Sec. 08.98.186. Temporary permit.** A person licensed to practice veterinary medicine in another state who meets the requirements of AS 08.98.165(a)(1) and (5) may be granted a temporary permit to conduct the practice of a person licensed in the state who is absent from practice. An application shall be signed by the person who is or will be absent from practice and by the applicant. A temporary permit is valid for no longer than 60 days after issuance but may be renewed. (§ 11 ch 130 SLA 1980)

Editor's notes. — This section was redrafted by the revisor of statutes to remove personal pronouns in conformity with AS 01.05.031(c) and § 4, Chapter 66, SLA 1982.

1 locum tenens permit issued under (a)(2) of this section is valid for  
2 60 consecutive days but may be renewed once within a two-year period.

3 (d) An application for a locum tenens permit must be accompanied  
4 ~~by the locum tenens permit fee.~~

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

6 Sec. 08.98.190. FEES. The department shall set fees under  
7 AS 08.01.065 for the following:

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

15 \* Sec. 6. AS 08.98.250(6) is amended to read:

16 (6) "practice of veterinary medicine"

17 (A) means for compensation to

18 (i) [TO] diagnose, treat, correct, change, re-  
19 lieve, or prevent animal disease, deformity, defect, injury,  
20 or other physical or mental condition, including the pre-  
21 scription or administration of a drug, biologic apparatus,  
22 anesthetic, or other therapeutic or diagnostic substance;

23 (ii) [TO] use a manual or mechanical procedure for  
24 testing for pregnancy or correcting sterility or infertili-  
25 ty; [OR].

move to  
(D)(vi)  
(next page)

26 Sec. 6. (iii) provide emergency veterinary services; or  
27 (iv) [TO] render advice or recommendation with  
28 regard to a [ANY] matter listed in (i), (ii), or (iii) [(i)  
29 OR (ii)] of this subparagraph;

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2 60 consecutive days but may be renewed once within a two-year period.

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21 scription or administration of a drug, biologic apparatus,  
22 anesthetic, or other therapeutic or diagnostic substance;

23 (ii) [TO] use a manual or mechanical procedure for  
24 testing for pregnancy or correcting sterility or infertili-  
25 ty; [OR].

26 move to  
27 (D)(vi)  
28 (next page)  
29

26 Sec. 6. →

26 (iii) provide emergency veterinary services; or  
27 (iv) [TO] render advice or recommendation with  
28 regard to a [ANY] matter listed in (i), (ii), or (iii) [(i)  
29 OR (ii)] of this subparagraph;

From:  
Ronald J. Gould  
4558 Chena Hot Springs Road  
Fairbanks, Alaska  
99712

To:  
BETTYE FAHRENKAMP  
515 7TH AVENUE  
SUITE 130  
FAIRBANKS, ALASKA 99701

COPY

Date: 10-28-1987

Re: SB 287 AN ACT RELATING TO THE PRACTICE OF VETERINARY MEDICINE

I AM CONCERNED AS TO THE REASON TO CONSIDER CHANGING THE "FOR COMPENSATION" LINE AS IT CURRENTLY EXISTS IN SECTION 7. I WOULD NOT LIKE TO SEE A CHANGE OR DELETION OF THIS DEFINITION.

ALSO SECTION 7 WHICH ALLOWS OWNERS LATITUDE IN CARE OF THEIR ANIMALS IN ROUTINE FARMING AND ANIMAL HUSBANDY, SHOULD MAKE SIMILAR ALLOWANCES FOR KENNEL OWNERS AND DOG MUSHERS. GIVING FREEDOM OF ACTION TO FARMERS IN THIS STATE WHICH HAS ESSENTIALLY NO FARMERS, AND NOT GRANTING IT FOR THE DOG TEAM OWNER OF WHICH THERE ARE THOUSANDS ACROSS THE STATE IS NOT IN KEEPING WITH A REALISTIC VIEW OF WHO HAS ANIMALS THAT NEED INEXPENSIVE OWNER ADMINISTERED HEALTH CARE.

I AM NOT OPPOSED TO VETERINARY CARE WHERE TRUE SKILL AND TRAINING IS NEEDED FOR THE BENEFIT OF THE ANIMAL, BUT 90 % OF CARE RELATING TO DOG MUSHING IS ISSUING WORMING MEDICATIONS AND VACCINATIONS THAT REQUIRE LITTLE SKILL THAT CAN NOT BE SELF TAUGHT. AS I AM SURE YOU KNOW THE DOGS TEND TO BE RURAL OR BUSH AND THE VETS TEND TO BE IN THE TOWNS AND CITIES AND BRINGING THESE TWO ENTITIES TOGETHER IN AN AFFORDABLE WAY IS NOT POSSIBLE FOR THE VILLAGER OR RURAL PERSON AND NOT OFFERED ON ANY SORT OF ROUTINE BASIS BY THE VETERINARIANS.

AN UNFORTUNATE OCCURANCE THAT THE VETERINARIANS INFLICTED ON THE DOG OWNER SEVERAL YEARS AGO WAS THEIR STAND PRECLUDING THE DISPENSATION OF PARVOVIRUS VACCINE BY THE LAY VACCINATORS IN COMBINATION WITH THE PHS SANITARIANS. DISTEMPER AND RABIES HAD BEEN HANDLED THIS WAY FOR YEARS, BUT FOR REASONS THAT I JUDGE TO BE FINANCIAL SELF INTEREST THE VETS PRESSURED THE RABIES CONTROL PERSONNEL IN THE STATE OFFICES TO NOT ALLOW THIS VACCINE TO BE ADDED. THE VACCINE COULD EVEN BE PURCHASED IN A COMBINED VACCINE FORM SO THAT NO ADDITIONAL EQUIPMENT OR EXPENSE WOULD BE ADDED FOR SYRINGES AND NEEDLES. SO NOW THE DOG OWNER CAN GET THE ITINERANT SANITARIAN TO VACCINATE THE DOG AT COST OR USE THE VILLAGE LAY VACCINATOR PROGRAM FOR RABIES AND DISTEMPER BUT MUST CONTACT A NON-ITINERANT VET IN TOWN TO MAIL OUT PARVOVIRUS VACCINE AT A GREATER EXPENSE.

I HAVE LOOKED WITH GREAT SUSPICION ON THE VETERINARY PROFESSION SINCE THIS DECISION AND SUGGEST YOU DO THE SAME WHEN EVALUATING REQUESTED CHANGES IN LAW OR REGULATION THAT WILL AFFECT OWNER ADMINISTERED MEDICATIONS TO THEIR OWN ANIMALS.

THANK YOU FOR ANY INFORMATION THAT YOU CAN PROVIDE AS TO THE MOTIVATION OF REQUESTING PERSONS OR GROUPS REQUESTING CHANGES IN THE CURRENT VETERINARY LAWS.