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SENATE BILL DRS45374-NB-131

Short Title: Amend Veterinary Practice Act. (Public)

Sponsors: Senator Rabon (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE VARIOUS CHANGES TO THE VETERINARY PRACTICE ACT.
3 The General Assembly of North Carolina enacts:

4 SECTION 1. Article 11 of Chapter 90 of the General Statutes reads as rewritten:

5 "Article 11.

6 "Veterinarians.

7 ...

8 "§ 90-181. Definitions.

9 When used in this Article these words and phrases shall be defined as follows:

- 10 (1) ~~"Accredited school of veterinary medicine"~~ means any Accredited school of
11 veterinary medicine. – Any veterinary college or division of a university or
12 college that offers the degree of doctor of veterinary medicine or its equivalent
13 and that conforms to the standards required for accreditation by the American
14 Veterinary Medical Association.
- 15 (2) ~~"Animal"~~ means any Animal. – Any animal, mammal other than man and
16 includes birds, fish, and reptiles, wild or domestic, living or dead.
- 17 (2a) ~~"Animal dentistry"~~ means the Animal dentistry. – The treatment, extraction,
18 cleaning, adjustment, or "floating" (filing or smoothing) of an animal's teeth,
19 and treatment of an animal's gums.
- 20 (3) ~~"Board"~~ means the Board. – The North Carolina Veterinary Medical Board.
- 21 (3a) ~~"Cruelty to animals"~~ means to Cruelty to animals. – To willfully overdrive,
22 overload, wound, injure, torture, torment, deprive of necessary sustenance,
23 cruelly beat, needlessly mutilate or kill any animal, or cause or procure any of
24 these acts to be done to an animal; provided, that the words "torture,"
25 "torment," or "cruelty" include every act, omission, or neglect causing or
26 permitting unjustifiable physical pain, suffering, or death.
- 27 (3b) ~~"Impairment"~~ means an Impairment. – An individual's inability to practice
28 veterinary medicine; the inability to assist in the delivery of veterinary
29 services as a registered veterinary technician, or the inability to perform acts,
30 tasks, and functions with reasonable skill and safety; and in a manner not
31 harmful to the public or to animals, by reason of physical or mental illness or
32 condition, or use of alcohol, drugs, chemicals, or any other type of substance
33 or material.
- 34 (4) ~~"Limited-Limited veterinary license"~~ license or ~~"limited license"~~ means a
35 limited license. – A license issued by the Board under authority of this Article
36 that specifically, by its terms, restricts the scope or areas of practice of



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- 1 veterinary medicine by the holder of the limited license; provided, that no
 2 limited license shall confer or denote an area of specialty of the holder of this
 3 limited veterinary license; and provided further, that unless otherwise
 4 provided by Board rule, the licensing requirements shall be identical to those
 5 specified for a veterinary license.
- 6 (5) ~~"Person" means any Person.~~ – Any individual, firm, entity, partnership,
 7 association, joint venture, cooperative or corporation, or any other group or
 8 combination acting in concert; and whether or not acting as a principal,
 9 trustee, fiduciary, receiver, or as any kind of legal or personal representative,
 10 or as the successor in interest, assignee, agent, factor, servant, employee,
 11 director, officer, or any other representative of such person.
- 12 (6) ~~"Practice of veterinary medicine" means:~~Practice of veterinary medicine. –
 13 Any of the following:
- 14 a. To diagnose, treat, correct, change, relieve, or prevent animal disease,
 15 deformity, defect, injury, or other physical or mental conditions;
 16 including the prescription or administration of any drug, medicine,
 17 biologic, apparatus, application, anesthetic, or other therapeutic or
 18 diagnostic substance or technique on any animal.
- 19 b. To represent, directly or indirectly, publicly or privately, an ability and
 20 willingness to do any act described in sub-subdivision a. of this
 21 subdivision.
- 22 c. To use any title, words, abbreviation, or letters in a manner or under
 23 circumstances which induce the belief that the person using them is
 24 qualified to do any act described in sub-subdivision a. of this
 25 subdivision.
- 26 (7) ~~"Veterinarian" shall mean a Veterinarian.~~ – A person who has received a
 27 doctor's degree in veterinary medicine from an accredited school of veterinary
 28 medicine and who is licensed by the Board to practice veterinary medicine.
- 29 (7a) ~~"Veterinarian-client-patient relationship" means~~
 30 ~~that:~~Veterinarian-client-patient relationship. – Includes all of the following:
- 31 a. The veterinarian has assumed the responsibility for making medical
 32 judgments regarding the health of the animal and the need for medical
 33 treatment, and the client (owner or other caretaker) has agreed to
 34 follow the instruction of the veterinarian.
- 35 b. There is sufficient knowledge of the animal by the veterinarian to
 36 initiate at least a general or preliminary diagnosis of the medical
 37 condition of the animal. This means that the veterinarian has recently
 38 seen and is personally acquainted with the keeping and care of the
 39 animal by virtue of an examination of the animal, or by medically
 40 appropriate and timely visits to the premises where the animal is kept.
- 41 c. The practicing veterinarian is readily available or provides for
 42 follow-up in case of adverse reactions or failure of the regimen of
 43 therapy.
- 44 (7b) Veterinary consulting. – When any person, whose expertise the veterinarian
 45 believes would benefit the veterinarian's patient, provides advice by any
 46 means of communication to a veterinarian at the veterinarian's direction or
 47 request. Veterinary consulting does not constitute the practice of veterinary
 48 medicine by that act alone.
- 49 (7b)(7c) ~~"Veterinary license"~~Veterinary license or ~~"license"~~ means a license. – A
 50 license to practice veterinary medicine issued by the Board.

- 1 (8) ~~"Veterinary medicine" includes~~ Veterinary medicine. – Includes veterinary
2 surgery, obstetrics, dentistry, and all other branches or specialties of veterinary
3 medicine.
- 4 (9) ~~"Veterinary Veterinary student intern" means a~~ intern. – A person who is
5 enrolled in an accredited veterinary college, has satisfactorily completed the
6 ~~third~~ second year of veterinary college education, and is registered with the
7 Board as a veterinary student intern.
- 8 (10) ~~"Veterinary student preceptee" means a person who is pursuing a doctorate~~
9 ~~degree in an accredited school of veterinary medicine that has a preceptor or~~
10 ~~extern program, has completed the academic requirements of that program,~~
11 ~~and is registered with the Board as a veterinary student preceptee.~~
- 12 (11) ~~"Veterinary technician" means either~~ Veterinary technician. – Either of the
13 following persons:
14 a. A person who has successfully completed a post-high school course in
15 the care and treatment of animals that conforms to the standards
16 required for accreditation by the American Veterinary Medical
17 Association and who is registered with the Board as a veterinary
18 technician.
19 b. A person who holds a degree in veterinary medicine from a college of
20 veterinary medicine recognized by the Board for licensure of
21 veterinarians and who is registered with the Board as a veterinary
22 technician.

23 ...
24 **"§ 90-186. Special powers of the Board.**

25 In addition to the powers set forth in G.S. 90-185 above, the Board may:

- 26 ...
- 27 (6) Set and require fees pursuant to administrative rule. The Board may increase
28 the following fees, provided (i) no fee shall be increased more than fifteen
29 percent (15%) within a calendar year and (ii) the cumulative total increases of
30 any fee shall not exceed one hundred percent (100%) of the fee amounts set
31 in this subdivision:
32 ...
- 33 k. ~~Issuance of a veterinary student preceptee registration, in the amount~~
34 ~~of twenty-five dollars (\$25.00).~~

35 ...

36 The fees set under this subdivision for the renewal of a license, a limited
37 license, a registration, or a certificate apply to each year of the renewal period.

38 ...
39 **"§ 90-187.6. Veterinary technicians and veterinary employees.**

40 (a) "Veterinary technicians," and "veterinary student interns," ~~and "veterinary student~~
41 ~~preceptees,"~~ before performing any services otherwise prohibited to persons not licensed or
42 registered under this Article, shall be approved by and registered with the Board. The Board shall
43 be responsible for all matters pertaining to the qualifications, registration, discipline, and
44 revocation of registration of these persons, under this Article and rules issued by the Board.

45 (b) The services of a technician, intern, ~~preceptee,~~ or other veterinary employee shall be
46 limited to services under the direction and supervision of a veterinarian. This employee shall
47 receive no fee or compensation of any kind for services other than any salary or compensation
48 paid to the employee by the veterinarian or veterinary facility by which the employee is
49 employed. The employee may participate in the operation of a branch office, clinic, or allied
50 establishment only to the extent allowable under and as defined by this Article or by rules issued
51 by the Board.

1 (c) An employee under the supervision of a veterinarian may perform such duties as are
2 required in the physical care of animals and in carrying out medical orders as prescribed by the
3 veterinarian, requiring an understanding of animal science but not requiring the professional
4 services as set forth in G.S. 90-181(6)a. In addition, a veterinary technician may assist
5 veterinarians in diagnosis, laboratory analysis, anesthesia, and surgical procedures. Neither the
6 employee nor the veterinary technician may perform any act producing an irreversible change in
7 the animal. An employee, other than a veterinary technician, or intern, or preceptee, may, under
8 the direct supervision of a veterinarian, perform duties including collection of specimen; testing
9 for intestinal parasites; collecting blood; testing for heartworms and conducting other laboratory
10 tests; taking radiographs; and cleaning and polishing teeth, provided that the employee has had
11 sufficient on-the-job training by a veterinarian to perform these specified duties in a competent
12 manner. It shall be the responsibility of the veterinarian supervising the employee to ascertain
13 that the employee performs these specified duties assigned to the employee in a competent
14 manner. These specified duties shall be performed under the direct supervision of the veterinarian
15 in charge of administering care to the patient.

16 (d) Veterinary student interns, in addition to all of the services permitted to veterinary
17 technicians, may, under the direct personal supervision of a veterinarian, perform surgery and
18 administer therapeutic or prophylactic drugs.

19 ~~(e) Veterinary student preceptees, in addition to all of the services permitted to veterinary
20 technicians and veterinary student interns, may, upon the direction of the employing veterinarian,
21 make ambulatory calls and hospital and clinic diagnoses, prescriptions and treatments.~~

22 (f) Any person registered as a veterinary technician, or veterinary student intern, or
23 ~~veterinary student preceptee,~~ who shall practice veterinary medicine except as provided herein,
24 shall be guilty of a Class 1 misdemeanor, and shall also be subject to revocation of registration.
25 Any nonregistered veterinary employee employed under subsection (c) who practices veterinary
26 medicine except as provided under that subsection shall be guilty of a Class 1 misdemeanor.

27 (g) Any veterinarian directing or permitting a veterinary technician, intern, ~~preceptee or~~
28 other employee to perform a task or procedure not specifically allowed under this Article and the
29 rules of the Board shall be guilty of a Class 1 misdemeanor.

30 ...

31 "**§ 90-187.8. Discipline of licensees.**

32 (a) Upon complaint or information, and within the Board's discretion, the Board may
33 revoke or suspend a license issued under this Article, may otherwise discipline a person licensed
34 under this Article, or may deny a license required by this Article in accordance with the
35 provisions of this Article, Board rules, and Chapter 150B of the General Statutes. As used in this
36 section, the word "license" includes a license, a limited license, a veterinary faculty certificate, a
37 zoo veterinary certificate, and a registration of a veterinary technician, and a veterinary student
38 ~~intern, and a veterinary student preceptee.~~intern.

39"

40 **SECTION 2.** This act becomes effective October 1, 2021.