

State of Arizona
House of Representatives
Fifty-first Legislature
Second Regular Session
2014

HOUSE BILL 2205

AN ACT

AMENDING SECTIONS 32-2201, 32-2207, 32-2211, 32-2212, 32-2213, 32-2214, 32-2215, 32-2216, 32-2218, 32-2219, 32-2231, 32-2238 AND 32-2272, ARIZONA REVISED STATUTES; RELATING TO VETERINARIANS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 32-2201, Arizona Revised Statutes, is amended to
3 read:

4 32-2201. Definitions

5 In this chapter, unless the context otherwise requires:

6 1. "Animal" means any animal other than human.

7 2. "Board" means the Arizona state veterinary medical examining board.

8 3. "Certified veterinary technician" means either:

9 (a) A graduate of a minimum two-year American veterinary medical
10 association accredited program in veterinary technology who has passed a
11 national and a state veterinary technician examination.

12 (b) A person who is certified on or before December 31, 2010 pursuant
13 to the rules adopted by the board.

14 4. "Consulting" means providing professional or expert advice that is
15 requested by a veterinarian licensed in this state and that is rendered only
16 on a specific case basis.

17 5. "Controlled substance" means any substance that is registered and
18 controlled under the federal controlled substances act (P.L. 91-513).

19 6. "Cremation" means the heating process that reduces animal remains
20 to bone fragments by combustion and evaporation.

21 7. "Crematory" means a building or portion of a building that is
22 licensed pursuant to article 8 of this chapter and that houses a retort in
23 which only animal remains are cremated.

24 8. "Direct supervision" means that a licensed veterinarian is
25 physically present at the location where animal health care is being
26 performed.

27 9. "Gross incompetence" means any professional misconduct or
28 unreasonable lack of professional skill in the performance of professional
29 practice.

30 10. "Gross negligence" means treatment of a patient or practice of
31 veterinary medicine resulting in injury, unnecessary suffering or death that
32 was caused by carelessness, negligence or the disregard of established
33 principles or practices.

34 11. "Indirect supervision" means that a licensed veterinarian is not
35 physically present at the location where animal health care is being
36 performed but has given either written or oral instructions for treatment of
37 the animal patient.

38 12. "Letter of concern" means an advisory letter to notify a
39 veterinarian that, while there is insufficient evidence to support
40 disciplinary action, the board believes the veterinarian should modify or
41 eliminate certain practices and that continuation of the activities that led
42 to the information being submitted to the board may result in action against
43 the veterinarian's license.

44 13. "Licensed veterinarian" means a person who is currently licensed to
45 practice veterinary medicine in this state.

1 14. "LICENSED VETERINARY FACULTY MEMBER" MEANS A PERSON WHO IS
2 CURRENTLY LICENSED TO PRACTICE VETERINARY MEDICINE AS AN EMPLOYEE OF A
3 VETERINARY COLLEGE IN THIS STATE.

4 ~~14.~~ 15. "Malpractice" means treatment in a manner contrary to accepted
5 practices and with injurious results.

6 ~~15.~~ 16. "Medical incompetence" means lacking sufficient medical
7 knowledge or skills, or both, to a degree likely to endanger the health of
8 patients or lacking equipment, supplies or medication to properly perform a
9 procedure.

10 ~~16.~~ 17. "Negligence" means the failure of a licensed veterinarian to
11 exercise reasonable care in the practice of veterinary medicine.

12 ~~17.~~ 18. "Regularly" means that veterinary services are offered to the
13 public once a month or more frequently.

14 ~~18.~~ 19. "Responsible veterinarian" means the veterinarian who is
15 responsible to the board for compliance by licensed veterinary premises with
16 the laws and rules of this state and of the federal government pertaining to
17 the practice of veterinary medicine and responsible for the establishment of
18 policy at such premises.

19 ~~19.~~ 20. "Specialist" means a veterinarian who is certified as a
20 diplomate in a particular discipline by a national specialty board or college
21 recognized by the American veterinary medical association after the
22 completion of additional education and training, an internship or residency,
23 passing required examinations and meeting any other criteria required by the
24 various individual national specialty boards or colleges.

25 ~~20.~~ 21. "Supervising veterinarian" means a licensed veterinarian who
26 is responsible for the care rendered to an animal by a certified veterinary
27 technician or a veterinary assistant.

28 ~~21.~~ 22. "Temporary sites" means sites where outpatient veterinary
29 services are performed.

30 ~~22.~~ 23. "Twenty-four hour services" means veterinary services when a
31 veterinarian is on the premises twenty-four hours a day.

32 ~~23.~~ 24. "Veterinarian" means a person who has received a doctor's
33 degree in veterinary medicine from a VETERINARY college ~~of veterinary~~
34 ~~medicine.~~

35 ~~24.~~ 25. "Veterinarian client patient relationship" means all of the
36 following:

37 (a) The veterinarian has assumed the responsibility for making medical
38 judgments regarding the animal's health and need for medical treatment and
39 the client, owner or caretaker has agreed to follow the veterinarian's
40 instructions.

41 (b) The veterinarian has sufficient knowledge of the animal to
42 initiate at least a general or preliminary diagnosis of the animal's medical
43 condition. Sufficient knowledge is obtained when the veterinarian has
44 recently seen and is personally acquainted with the keeping and caring of the
45 animal as a result of examining the animal, when the veterinarian makes

1 medically appropriate and timely visits to the premises where the animal is
2 kept or when a veterinarian affiliated with the practice has reviewed the
3 medical record of such examinations or visits.

4 (c) The veterinarian is readily available for a follow-up evaluation
5 or the veterinarian has arranged for either of the following:

6 (i) Emergency coverage.

7 (ii) Continuing care and treatment by another veterinarian who has
8 access to the animal's medical records.

9 ~~25-~~ 26. "Veterinary assistant" means an individual who provides care
10 under the direct or indirect supervision of a veterinarian or certified
11 veterinary technician.

12 ~~26-~~ 27. "Veterinary college" means any veterinary college or division
13 of a university or college that offers the degree of doctor of veterinary
14 medicine or its equivalent and that conforms to the standards required for
15 accreditation by the American veterinary medical association.

16 28. "VETERINARY FACULTY MEMBER" MEANS A PERSON WHO HAS RECEIVED A
17 DOCTOR'S DEGREE IN VETERINARY MEDICINE FROM A VETERINARY COLLEGE AND WHO IS
18 AN EMPLOYEE OF A VETERINARY COLLEGE IN THIS STATE.

19 ~~27-~~ 29. "Veterinary medicine" includes veterinary surgery, obstetrics,
20 dentistry, acupuncture, manipulation and all other branches or specialties of
21 veterinary medicine and the prescribing, administering or dispensing of drugs
22 and medications for veterinary purposes.

23 30. "VETERINARY STUDENT" MEANS A STUDENT WHO IS REGULARLY ENROLLED IN A
24 VETERINARY COLLEGE.

25 Sec. 2. Section 32-2207, Arizona Revised Statutes, is amended to read:

26 ~~32-2207.~~ Veterinary board: powers and duties

27 The primary duty of the board is to protect the public from unlawful,
28 incompetent, unqualified, impaired or unprofessional practitioners of
29 veterinary medicine through licensure and regulation of the profession in
30 this state. The powers and duties of the board include:

31 1. Administering and enforcing this chapter and board rules.

32 2. Regulating disciplinary actions, the granting, denial, revocation,
33 renewal and suspension of licenses and certificates and the rehabilitation of
34 licensees and certificate holders pursuant to this chapter and board rules.

35 3. Prescribing the forms, content and manner of application for
36 licensure and certification and renewal of licensure and certification and
37 setting deadlines for the receipt of materials required by the board.

38 4. Keeping a record of all licensees and certificate holders, board
39 actions taken concerning all applicants, licensees and certificate holders
40 and the receipt and disbursal of monies.

41 5. Adopting an official seal for attestation of licenses, certificates
42 and other official papers and documents.

43 6. Investigating charges of violations of this chapter and board rules
44 and orders.

1 7. Subject to title 41, chapter 4, article 4, employing an executive
2 director who serves at the pleasure of the board.

3 8. Adopting rules pursuant to title 41, chapter 6 that relate to the
4 qualifications and regulation of doctors of veterinary medicine, certified
5 veterinary technicians, veterinary premises, mobile veterinary clinics and
6 crematories and other rules that the board deems necessary for the
7 administration of this chapter. The rules may include continuing education
8 requirements for licensees and certificate holders and shall include:

9 (a) Minimum standards of veterinary practice.

10 (b) Provisions to ensure that the public has reasonable access to
11 nonconfidential information about the licensing or certification status of
12 persons regulated under this chapter and about resolved complaints against
13 licensees and certificate holders.

14 (c) Provisions to ensure that members of the public have an
15 opportunity to evaluate the services that the board provides to the public.

16 (d) A PROVISION THAT LICENSED VETERINARY FACULTY MEMBERS ARE NOT
17 SUBJECT TO CONTINUING EDUCATION REQUIREMENTS.

18 9. Establishing by rule fees and penalties as provided in this
19 chapter, including fees for the following:

20 (a) Reproduction of documents.

21 (b) Verification of information about a licensed veterinarian at the
22 request of a veterinary licensing board in another jurisdiction.

23 (c) Return of checks due to insufficient funds, an order to stop
24 payment or a closed account.

25 (d) Provision of a list of the names of veterinarians, certified
26 veterinary technicians or veterinary premises licensed or certified by the
27 board.

28 10. Adopting rules that require the board to inform members of the
29 public about the existence of the office of the ombudsman-citizens aide
30 established by section 41-1375.

31 Sec. 3. Section 32-2211, Arizona Revised Statutes, is amended to read:

32 32-2211. Exceptions from application of chapter

33 This chapter shall not apply to:

34 1. A commissioned veterinary medical officer of the United States
35 armed services, or employees of the animal disease eradication division of
36 the United States department of agriculture.

37 2. A person treating an animal belonging to himself or his employer
38 while in the regular service of such employer, or the animal of another
39 without compensation therefor. Animals consigned by their legal owner for
40 feeding or care to consignment livestock operations shall be considered to be
41 the property of the consignee.

42 3. A licensed veterinarian of another state or foreign country
43 consulting with a licensed veterinarian in this state.

1 ~~4. A veterinary student regularly enrolled in the final half of the~~
2 ~~veterinary curriculum in any veterinary college approved by the American~~
3 ~~veterinary medical association and working under the direct and personal~~
4 ~~instruction, control or supervision of a licensed veterinarian, if such~~
5 ~~student's compensation is paid solely by such veterinarian. Such student may~~
6 ~~perform those acts of health care that are assigned by the veterinarian~~
7 ~~having responsibility for the care of the animal. The student is not~~
8 ~~permitted to perform anesthesia or surgery unless the student is directly~~
9 ~~assisting the supervising veterinarian who is performing the anesthesia or~~
10 ~~surgery.~~

11 4. A VETERINARY STUDENT WHO PERFORMS ACTS OF HEALTH CARE OR PRESCRIBED
12 VETERINARY PROCEDURES AS A PART OF THE STUDENT'S EDUCATIONAL EXPERIENCE IF
13 BOTH OF THE FOLLOWING APPLY:

14 (a) THE ACTS ARE ASSIGNED BY A LICENSED VETERINARIAN OR A LICENSED
15 VETERINARY FACULTY MEMBER WHO IS RESPONSIBLE FOR THE ANIMAL'S CARE.

16 (b) THE STUDENT WORKS UNDER THE DIRECT SUPERVISION OF A LICENSED
17 VETERINARIAN OR A LICENSED VETERINARY FACULTY MEMBER.

18 5. A veterinary assistant employed by a licensed veterinarian
19 performing duties other than diagnosis, prognosis, prescription or surgery
20 under the direct supervision or indirect supervision of such veterinarian who
21 shall be responsible for such assistant's performance.

22 Sec. 4. Section 32-2212, Arizona Revised Statutes, is amended to read:
23 32-2212. Issuance of license; previous licenses qualified; use
24 of designations

25 A. If ~~the~~ AN applicant FOR A VETERINARY LICENSE satisfactorily passes
26 the examination given by the board, demonstrates a scientific and practical
27 knowledge of the art and science of veterinary medicine and, ~~in addition,~~
28 complies with ~~the provisions of~~ this chapter, the board shall issue a license
29 to the applicant to practice veterinary medicine in this state.

30 B. IF AN APPLICANT FOR A VETERINARY FACULTY MEMBER LICENSE COMPLIES
31 WITH THIS CHAPTER AND IS APPROVED BY THE BOARD, THE BOARD SHALL ISSUE A
32 VETERINARY FACULTY MEMBER LICENSE TO THE APPLICANT TO PRACTICE VETERINARY
33 MEDICINE AS A FACULTY MEMBER OF THE VETERINARY COLLEGE WHERE THE APPLICANT IS
34 EMPLOYED. A LICENSED VETERINARY FACULTY MEMBER MAY PRACTICE VETERINARY
35 MEDICINE ONLY UNDER THE LICENSEE'S OFFICIAL ACADEMIC RESPONSIBILITIES.

36 ~~B.~~ C. The board shall deny licensure to an applicant who has
37 satisfied all licensing requirements but who has not submitted the license
38 issuance fee within twelve months after the date of the examination OR, FOR A
39 VETERINARY FACULTY MEMBER LICENSE APPLICANT, WITHIN TWELVE MONTHS AFTER THE
40 DATE OF APPLICATION. An applicant who fails to submit the fee within that
41 time forfeits ~~his~~ qualification for licensure, and the applicant shall
42 reapply for licensure pursuant to sections 32-2213 and 32-2214.

43 ~~C.~~ D. All persons presently licensed to practice veterinary medicine
44 in the state of Arizona who have complied with the provisions of law existing
45 prior to June 12, 1967 shall be considered as licensed veterinarians under

1 this chapter, and the names of such licensees shall be entered ~~upon~~ ON the
2 official register kept by the board.

3 ~~D.~~ E. No person shall append any letters to such person's name,
4 indicating a degree in veterinary medicine, such as D.V.M. or V.M.D., or use
5 the word doctor, veterinary, veterinarian, professor, animal doctor, OR
6 animal surgeon, or any abbreviation or combination thereof of similar import
7 in connection with such person's name, or any trade name in the conduct of
8 any occupation or profession pertaining to the diagnosis or treatment of
9 animal diseases or conditions mentioned in this chapter, unless such person
10 is licensed to practice veterinary medicine under ~~the provisions of~~ this
11 chapter.

12 Sec. 5. Section 32-2213, Arizona Revised Statutes, is amended to read:
13 32-2213. Application for license; retention of examination
14 materials

15 A. A person desiring to practice veterinary medicine or surgery,
16 INCLUDING AS A FACULTY MEMBER AT A VETERINARY COLLEGE, shall ~~make a written~~
17 ~~application~~ APPLY IN WRITING to the board for a license to practice. The
18 application shall be on a form provided by the board and shall require the
19 following information:

20 1. THE name, age and address of the applicant.

21 2. THE names of schools of veterinary medicine THAT THE APPLICANT
22 attended, THE dates of attendance and THE date of transfer.

23 3. THE degrees held from schools of veterinary medicine.

24 4. ~~Places~~ THE LOCATION and length of time in active practice in other
25 states or territories of the United States, if any, and ~~that~~ WHETHER OR NOT
26 the applicant is in good standing in ~~such places~~ EACH LOCATION OF PRACTICE.

27 5. An affidavit that the facts recited in the application are
28 accurate, true, and complete.

29 6. An affidavit that no complaint has been filed and is pending, no
30 investigation is pending and no disciplinary action has been taken or is
31 pending on any veterinary license the applicant holds from another state.

32 7. FOR A VETERINARY FACULTY MEMBER LICENSE APPLICATION, DOCUMENTATION
33 FROM AN AUTHORIZED OFFICIAL OF A VETERINARY COLLEGE IN THIS STATE THAT SHOWS
34 THAT THE APPLICANT HAS BEEN APPOINTED TO THE FACULTY OF THAT VETERINARY
35 COLLEGE.

36 ~~7-~~ 8. ~~Such~~ ANY other information ~~as may be~~ THAT IS required by rules
37 adopted by the board.

38 B. All examination papers, tapes, questions and answers shall be
39 maintained in accordance with a retention schedule approved by the Arizona
40 state library, archives and public records.

41 Sec. 6. Section 32-2214, Arizona Revised Statutes, is amended to read:
42 32-2214. Examination of applicants; confidentiality

43 A. All applicants for a VETERINARY license, NOT INCLUDING A VETERINARY
44 FACULTY MEMBER LICENSE, shall be given a state examination.

1 B. Examinations shall be held in January and June of each year unless
2 otherwise provided by the board.

3 C. The examination shall consist of the following:

4 1. A state examination approved by the board.

5 2. The North American veterinary licensing examination.

6 D. The state examination shall be so conducted that the members of the
7 board do not know the name of the applicant until the judging or grading is
8 officially completed.

9 E. A grade of at least seventy-five per cent shall be required to
10 successfully pass the North American veterinary licensing examination. A
11 grade of at least seventy-five per cent shall be required to successfully
12 pass the state examination. The scores of the North American veterinary
13 licensing examination and the state examination shall not be averaged.
14 National board scores that are received from either the national examination
15 committee or the North American veterinary licensing examination committee
16 from another state may be accepted for part of an applicant's passing score.

17 F. An applicant's score that was received within the preceding five
18 years and that is on record at the national examination service or the North
19 American veterinary licensing examination committee shall be verified through
20 either the national examination service or the North American veterinary
21 licensing examination committee, unless the applicant is applying for
22 endorsement or a specialty license under section 32-2215, subsection C or D,
23 in which case the applicant's score shall be transcribed and received by the
24 board.

25 G. All examination materials, records of examination grading and
26 performance and transcripts of educational institutions concerning applicants
27 or licensees are confidential and not public records.

28 Sec. 7. Section 32-2215, Arizona Revised Statutes, is amended to read:

29 32-2215. Qualifications for license to practice veterinary
30 medicine

31 A. An applicant for a license issued under this chapter shall:

32 1. Be of good moral character.

33 2. Be a graduate of a veterinary college that is accredited by the
34 American veterinary medical association or hold a certificate issued by the
35 educational commission for foreign veterinary graduates, the program for the
36 assessment of veterinary education equivalence or a foreign graduate testing
37 program approved by the board.

38 3. Satisfactorily pass an examination given by the board as provided
39 in this chapter. **THIS PARAGRAPH DOES NOT APPLY TO AN APPLICANT FOR A**
40 **VETERINARY FACULTY MEMBER LICENSE.**

41 B. An applicant may be denied licensure either before or after
42 examination if the applicant has committed any act that if committed by a
43 licensee would be grounds for suspension or revocation of a license to
44 practice veterinary medicine under this chapter.

1 C. The board may waive the examination requirements pursuant to
2 section 32-2214, subsection C, paragraph 2 and, except as provided in
3 subsection E of this section, may issue a license by endorsement to an
4 applicant to practice veterinary medicine if the applicant provides all
5 required documentation pursuant to section 32-2213 and meets the following
6 requirements:

7 1. The applicant holds an active license in one or more other states
8 or in Canada and submits verification that the applicant has previously taken
9 and passed the examination required by section 32-2214, with a score at least
10 equal to the score required to pass in this state. An applicant who received
11 original licensure before the examination required by section 32-2214 was
12 required in the state in which the applicant was originally licensed may be
13 eligible for licensure without having taken that examination as required
14 pursuant to this chapter if all other requirements are met.

15 2. The applicant has been lawfully and actively engaged in the
16 practice of veterinary medicine for at least three of the preceding five
17 years or six of the preceding ten years in one or more states in this country
18 or in Canada before filing an application for licensure in this state.

19 3. The applicant has graduated from a veterinary college recognized by
20 the board.

21 4. The applicant passes a state examination approved by the board. A
22 grade of at least seventy-five per cent is required to successfully pass the
23 examination.

24 5. The applicant pays a fee for the license of seven hundred fifty
25 dollars.

26 D. The board may waive the examination requirements pursuant to
27 section 32-2214, subsection C, paragraph 2 and, except as provided in
28 subsection E of this section, may issue a specialty license to an applicant
29 to practice veterinary medicine if the applicant provides all required
30 documentation pursuant to section 32-2213 and meets the following
31 requirements:

32 1. The applicant holds a current certification as a specialist of a
33 national specialty board or college recognized by the American veterinary
34 medical association.

35 2. The applicant's practice is limited to the scope of the applicant's
36 board certification.

37 3. The applicant successfully passes a state examination approved by
38 the board with a score of at least seventy-five per cent.

39 4. The applicant pays a fee for the specialty license of seven hundred
40 fifty dollars.

41 E. The board shall determine if previous disciplinary action prevents
42 licensure by endorsement or specialty licensure of an applicant to practice
43 veterinary medicine, and the board may discipline the licensee at the time of
44 licensure as a result of the previous disciplinary action.

1 temporary permit DESCRIBED IN SUBSECTION B OF THIS SECTION is immediately
2 void.

3 D. AN EMERGENCY TEMPORARY PERMIT THAT IS ISSUED TO AN INDIVIDUAL WHO
4 IS A VETERINARIAN LICENSED IN GOOD STANDING IN ANOTHER STATE ENTITLES THE
5 INDIVIDUAL TO PROVIDE VOLUNTARY VETERINARY CARE DURING A STATE OF EMERGENCY
6 FOR THE SOLE PURPOSE OF ASSISTING IN CARE RELATED TO THAT EMERGENCY. THE
7 EMERGENCY TEMPORARY PERMIT EXPIRES NINETY DAYS AFTER THE DATE OF ISSUANCE OR
8 UNTIL THE END OF THE STATE OF EMERGENCY, WHICHEVER OCCURS FIRST. AN
9 APPLICANT FOR AN EMERGENCY TEMPORARY PERMIT SHALL SUBMIT A COMPLETE
10 APPLICATION, INCLUDING INFORMATION REGARDING VETERINARY LICENSURE IN ANY
11 OTHER STATE AND VERIFICATION THAT THE STATUTES AND RULES PERTAINING TO THE
12 BOARD HAVE BEEN REVIEWED. THE BOARD SHALL VERIFY WHETHER THE VETERINARIAN IS
13 LICENSED IN THE STATE OR STATES INDICATED AND CONFIRM THE APPLICANT'S GOOD
14 STANDING. THE APPLICANT IS NOT REQUIRED TO PASS THE STATE VETERINARY
15 EXAMINATION. A VETERINARIAN WHO IS ISSUED AN EMERGENCY TEMPORARY PERMIT
16 UNDER THIS SECTION SHALL PRACTICE IN ACCORDANCE WITH ALL LAWS AND RULES
17 RELATED TO THE PRACTICE OF VETERINARY MEDICINE IN THIS STATE. THE BOARD MAY
18 INVESTIGATE ANY ALLEGED VIOLATION BY A HOLDER OF AN EMERGENCY TEMPORARY
19 PERMIT AND TAKE DISCIPLINARY ACTION AS PRESCRIBED IN THIS CHAPTER. A
20 VETERINARIAN GRANTED AN EMERGENCY TEMPORARY PERMIT UNDER THIS SECTION IS A
21 LICENSED, CERTIFIED OR AUTHORIZED EMERGENCY RESPONDER PURSUANT TO SECTION
22 26-353 AND AN EMERGENCY WORKER AS DEFINED IN SECTION 26-314.

23 E. FOR THE PURPOSES OF THIS SECTION, "EMERGENCY TEMPORARY PERMIT"
24 MEANS A TEMPORARY PERMIT THAT IS ISSUED TO A VETERINARIAN LICENSED IN ANOTHER
25 STATE WHO ENTERS THIS STATE TO PROVIDE VOLUNTARY SERVICES DURING A STATE OF
26 EMERGENCY AS DECLARED BY THE GOVERNOR OR THE COUNTY BOARD OF SUPERVISORS
27 PURSUANT TO SECTION 26-311.

28 Sec. 9. Section 32-2218, Arizona Revised Statutes, is amended to read:
29 32-2218. License renewal and reinstatement

30 A. Except as provided in SUBSECTION D OF THIS SECTION OR section
31 32-4301, a license issued under this chapter remains in effect until December
32 31 of every even-numbered year unless IT IS suspended or revoked. Except as
33 provided in section 32-4301, on submittal of an application for renewal and
34 payment of a renewal fee, a license is renewed for two years.

35 B. Failure to pay the license fee before February 1 following
36 expiration of the license shall be a forfeiture of the license, and the
37 license shall not be restored except upon written application to the board
38 and payment of a penalty fee of fifty dollars in addition to all regular
39 license fees and past due fees owed to the board. A person applying for
40 reinstatement of a license within thirty-six months of expiration shall not
41 be required to submit to an examination because of failure to pay the license
42 fee, but it is unlawful for a person to practice veterinary medicine or any
43 branch of veterinary medicine during the period in which the person's license
44 has been forfeited by reason of nonpayment of the license fee. If an
45 applicant for reinstatement of a license has not completed the continuing

1 education requirements, a license may be reinstated if the continuing
2 education requirements are completed within six months of reinstatement. A
3 person who does not apply for reinstatement within thirty-six months after
4 expiration of the license must meet the requirements set forth in sections
5 32-2213, 32-2214 and 32-2215.

6 C. An application for renewal shall include a signed statement that no
7 complaint has been filed and is pending, no investigation is pending and no
8 disciplinary action has been taken or is pending on any veterinary license
9 the veterinarian holds from another state.

10 D. A VETERINARY FACULTY MEMBER LICENSE ISSUED UNDER THIS CHAPTER
11 REMAINS IN EFFECT UNTIL DECEMBER 31 OF EVERY EVEN-NUMBERED YEAR UNLESS IT IS
12 SUSPENDED OR REVOKED OR UNLESS THE LICENSEE IS NO LONGER EMPLOYED BY THE
13 VETERINARY COLLEGE. IF THE LICENSEE IS NO LONGER EMPLOYED BY THE VETERINARY
14 COLLEGE, THE LICENSE EXPIRES ON THE DATE OF THE SEPARATION OF EMPLOYMENT.

15 Sec. 10. Section 32-2219, Arizona Revised Statutes, is amended to
16 read:

17 32-2219. Fees; veterinary licenses; veterinary faculty member
18 licenses

19 A. Every original application FOR A VETERINARY LICENSE OR A VETERINARY
20 FACULTY MEMBER LICENSE shall be accompanied by an examination fee of not more
21 than four hundred dollars.

22 B. For every issuance of a VETERINARY license OR A VETERINARY FACULTY
23 MEMBER LICENSE there shall be collected a fee of not more than one hundred
24 dollars in even-numbered years and two hundred dollars in odd-numbered years.

25 C. For every renewal of a VETERINARY license OR A VETERINARY FACULTY
26 MEMBER LICENSE there shall be collected a fee of not more than four hundred
27 dollars.

28 D. Every request for a temporary permit shall be accompanied by a fee
29 of seventy-five dollars.

30 E. For every issuance of a duplicate license, there shall be collected
31 a fee of not more than twenty-five dollars.

32 F. No fee shall be returned to an applicant.

33 Sec. 11. Section 32-2231, Arizona Revised Statutes, is amended to
34 read:

35 32-2231. Acts constituting the practice of veterinary medicine;
36 exceptions; definitions

37 A. A person shall be regarded as practicing veterinary medicine,
38 surgery and dentistry within the meaning of this chapter who, within this
39 state:

40 1. By advertisement, or by any notice, sign or other indication, or by
41 a statement written, printed or oral, in public or in private, made, done or
42 procured by himself or any other at his request claims, announces, makes
43 known or pretends ability or willingness to diagnose any animal condition,
44 disease, deformity, defect, wound or injury or to perform any type of
45 surgical procedure on animals.

1 2. Advertises or makes known or claims ability and willingness to
2 perform the following for hire, fee, compensation or reward that is directly
3 or indirectly promised, offered, expected, received or accepted:

4 (a) Prescribe or administer any drug, medicine, treatment, method or
5 practice for any animal.

6 (b) Perform any operation or manipulation on or apply any apparatus or
7 appliance to any animal.

8 (c) Give any instruction or demonstration for the cure, amelioration,
9 correction or reduction or modification of any animal condition, disease,
10 deformity, defect, wound or injury.

11 3. Diagnoses or prognosticates any animal condition, disease,
12 deformity, defect, wound or injury for hire, fee, reward or compensation that
13 is directly or indirectly promised, offered, expected, received or accepted.

14 4. Prescribes or administers any drug, medicine, treatment, method or
15 practice, performs any operation or manipulation, or applies any apparatus or
16 appliance for the cure, amelioration, correction or modification of any
17 animal condition, disease, deformity, defect, wound or injury for hire, fee,
18 compensation or reward that is directly or indirectly promised, offered,
19 expected, received or accepted.

20 B. This section does not apply to:

21 1. Duly authorized representatives of the United States department of
22 agriculture in the discharge of any duty authorized by the director in charge
23 of the animal disease eradication division.

24 2. A certified veterinary technician performing a task or function
25 authorized by the rules of the board in the employ of and under the
26 direction, supervision and control of a licensed veterinarian OR A LICENSED
27 VETERINARY FACULTY MEMBER.

28 3. An equine dental practitioner if all of the following apply:

29 (a) The equine dental practitioner is certified by the international
30 association of equine dentistry or the academy of equine dentistry.

31 (b) The equine dental practitioner performs any of the following
32 procedures under the general supervision of a licensed veterinarian:

33 (i) The application of any apparatus used to work on the oral cavity.

34 (ii) The examination of dental conditions.

35 (iii) The removal of overgrowth from the teeth of horses and the
36 removal of sharp enamel points from the teeth of horses, excluding any
37 extractions unless the certified equine dental practitioner is under the
38 direct supervision of a licensed veterinarian.

39 (iv) Any treatment of the oral cavity as authorized by the animal's
40 owner, excluding any extractions unless the certified equine dental
41 practitioner is under the direct supervision of a licensed veterinarian.

42 (c) The equine dental practitioner provides both of the following to
43 the board:

44 (i) Proof of current certification from the international association
45 of equine dentistry or the academy of equine dentistry.

1 (ii) A written statement signed by the supervising veterinarian that
2 the certified equine dental practitioner will be under the general or direct
3 supervision of the licensed veterinarian when performing the procedures
4 prescribed by this paragraph.

5 (d) Both the supervising veterinarian and the certified equine dental
6 practitioner maintain dental charts for procedures done pursuant to this
7 paragraph.

8 4. A VETERINARY STUDENT WHO PERFORMS ACTS OF HEALTH CARE OR PRESCRIBED
9 VETERINARY PROCEDURES AS A PART OF THE STUDENT'S EDUCATIONAL EXPERIENCE IF
10 BOTH OF THE FOLLOWING APPLY:

11 (a) THE ACTS ARE ASSIGNED BY A LICENSED VETERINARIAN OR A LICENSED
12 VETERINARY FACULTY MEMBER WHO IS RESPONSIBLE FOR THE ANIMAL'S CARE.

13 (b) THE STUDENT WORKS UNDER THE DIRECT SUPERVISION OF A LICENSED
14 VETERINARIAN OR A LICENSED VETERINARY FACULTY MEMBER.

15 C. Notwithstanding subsection B, paragraph 3 OF THIS SECTION, only a
16 licensed veterinarian and not an equine dental practitioner may prescribe or
17 administer, or both prescribe and administer, any drug or medicine.

18 D. For the purposes of this section:

19 1. "Direct supervision" means a licensed veterinarian must authorize
20 and be physically present for the procedure.

21 2. "General supervision" means a licensed veterinarian must be
22 available for consultation by telephone or other form of immediate
23 communication.

24 Sec. 12. Section 32-2238, Arizona Revised Statutes, is amended to
25 read:

26 32-2238. Violations: classification

27 A. A person is guilty of a class 1 misdemeanor who:

28 1. Practices veterinary medicine or surgery under an assumed name.

29 2. Falsely impersonates another practitioner.

30 3. Fraudulently obtains a veterinary medical diploma, license or
31 record of registration.

32 4. Practices veterinary medicine or surgery without a license and
33 registration.

34 5. Unlawfully assumes or advertises a veterinary title conveying the
35 impression that the person is a lawful practitioner.

36 6. Knowingly violates any other provision of this chapter.

37 B. This chapter ~~shall~~ DOES not ~~be construed to~~ prohibit ANY OF THE
38 FOLLOWING:

39 1. A person from practicing veterinary medicine or any of its branches
40 in partnership with another practitioner, or under a partnership or firm
41 name, if the partnership or firm is clearly identified as that of a
42 practicing veterinarian, and if all members of the partnership or firm are
43 licensed to practice veterinary medicine by the board.

1 2. A VETERINARY STUDENT FROM PERFORMING ACTS OF HEALTH CARE OR
2 PRESCRIBED VETERINARY PROCEDURES AS A PART OF THE STUDENT'S EDUCATIONAL
3 EXPERIENCE IF BOTH OF THE FOLLOWING APPLY:

4 (a) THE ACTS ARE ASSIGNED BY A LICENSED VETERINARIAN OR A LICENSED
5 VETERINARY FACULTY MEMBER WHO IS RESPONSIBLE FOR THE ANIMAL'S CARE.

6 (b) THE STUDENT WORKS UNDER THE DIRECT SUPERVISION OF A LICENSED
7 VETERINARIAN OR A LICENSED VETERINARY FACULTY MEMBER.

8 3. A LICENSED VETERINARY FACULTY MEMBER FROM PERFORMING THE LICENSED
9 VETERINARY FACULTY MEMBER'S REGULAR CLINICAL FUNCTIONS, FROM GIVING LECTURES,
10 INSTRUCTIONS OR DEMONSTRATIONS OR FROM PRACTICING VETERINARY MEDICINE AS A
11 VETERINARY FACULTY MEMBER IN CONNECTION WITH CONTINUING EDUCATION COURSES OR
12 SEMINARS TO LICENSED VETERINARIANS, CERTIFIED VETERINARY TECHNICIANS,
13 VETERINARY STUDENTS OR VETERINARY TECHNICIAN STUDENTS.

14 Sec. 13. Section 32-2272, Arizona Revised Statutes, is amended to
15 read:

16 32-2272. Veterinary premises license; application;
17 nontransferability; expiration; renewal; civil
18 penalty

19 A. Any person who desires to establish premises at or from which
20 veterinary services are offered to the public shall file with the board an
21 application for a veterinary premises license accompanied by the license fee.

22 B. The application shall be on a form prescribed and furnished by the
23 board and shall contain:

24 1. The name and location of the premises.

25 2. The name of the person owning the premises and the name and
26 signature of the veterinarian responsible to the board for the operation of
27 the premises. The responsible veterinarian shall be a veterinarian who is
28 licensed in this state and who resides in this state or who holds a special
29 permit under section 32-2217.01, EXCEPT THAT A VETERINARIAN WHO ONLY PROVIDES
30 SERVICES AT A TEMPORARY SITE IN THE STATE DOES NOT HAVE TO RESIDE IN THIS
31 STATE.

32 3. A description of the services provided at or from the premises.

33 C. A license is valid only for the responsible veterinarian to whom it
34 is issued. A license is not subject to sale, assignment or transfer,
35 voluntary or involuntary. A license is not valid for any premises other than
36 those for which issued. If there have been major changes in the scope of
37 veterinary services offered, the premises are subject to reinspection.

38 D. A change of responsible veterinarian or owner shall cancel a
39 premises license. The responsible veterinarian or owner shall surrender the
40 premises license to the board within twenty days of the change in responsible
41 veterinarian or owner. The failure of the responsible veterinarian or owner
42 to notify the board in writing within twenty days of a change in responsible
43 veterinarian or owner is grounds for disciplinary action.

1 E. Except as provided in section 32-4301, a license expires on
2 December 31 of every even-numbered year unless suspended or revoked. A
3 license is renewable for two years upon payment of the renewal fee. If the
4 renewal fee is not paid before February 1 following the expiration of the
5 license, a penalty fee of one hundred dollars shall be paid in addition to
6 the renewal fee before the premises may be relicensed.

7 F. Within ninety days of receipt of an initial application and fee,
8 the board shall issue a license if the application demonstrates compliance
9 with this article or shall notify the applicant at his last address of record
10 if the application is not in conformance with this article. Veterinary
11 medical services may be performed at any premises for which an application
12 fee is submitted pending issuance of the license or notification of a
13 deficiency in the application.

14 G. If a veterinary premises ceases to operate and the premises owner
15 is subject to this chapter, the premises owner must continue to comply with
16 the requirements of this chapter and rules adopted by the board. The
17 premises owner is subject to a civil penalty of not more than one thousand
18 dollars for each violation of the requirements of this chapter or rules
19 adopted by the board. The total penalty shall not exceed five thousand
20 dollars.

21 H. If the responsible veterinarian is only an employee, the premises
22 owner is subject to a civil penalty of not more than one thousand dollars for
23 each violation of this article. The total penalty shall not exceed five
24 thousand dollars.