

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

CHAPTER 51
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
46 medically appropriate and timely visits to the premises where the animal is

1 kept or when a veterinarian affiliated with the practice has reviewed the
2 medical record of such examinations or visits.

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

5 (i) Emergency coverage.

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

8 ~~25-~~ 26. "Veterinary assistant" means an individual who provides care
9 under the direct or indirect supervision of a veterinarian or certified
10 veterinary technician.

11 ~~26-~~ 27. "Veterinary college" means any veterinary college or division
12 of a university or college that offers the degree of doctor of veterinary
13 medicine or its equivalent and that conforms to the standards required for
14 accreditation by the American veterinary medical association.

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

18 ~~27-~~ 29. "Veterinary medicine" includes veterinary surgery, obstetrics,
19 dentistry, acupuncture, manipulation and all other branches or specialties of
20 veterinary medicine and the prescribing, administering or dispensing of drugs
21 and medications for veterinary purposes.

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

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

25 32-2207. Veterinary board; powers and duties

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

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

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

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

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

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

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

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

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

7 (a) Minimum standards of veterinary practice.

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

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

14 (d) **A PROVISION THAT LICENSED VETERINARY FACULTY MEMBERS ARE NOT**
15 **SUBJECT TO CONTINUING EDUCATION REQUIREMENTS.**

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

18 (a) Reproduction of documents.

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

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

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

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

29 Sec. 3. Section 32-2211, Arizona Revised Statutes, is amended to read:
30 32-2211. Exceptions from application of chapter

31 This chapter shall not apply to:

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

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

40 3. A licensed veterinarian of another state or foreign country
41 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.

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

1 C. The examination shall consist of the following:

2 1. A state examination approved by the board.

3 2. The North American veterinary licensing examination.

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

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

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

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

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

27 32-2215. Qualifications for license to practice veterinary
28 medicine

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

30 1. Be of good moral character.

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

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

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

43 C. The board may waive the examination requirements pursuant to
44 section 32-2214, subsection C, paragraph 2 and, except as provided in
45 subsection E of this section, may issue a license by endorsement to an
46 applicant to practice veterinary medicine if the applicant provides all

1 required documentation pursuant to section 32-2213 and meets the following
2 requirements:

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

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

15 3. The applicant has graduated from a veterinary college recognized by
16 the board.

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

20 5. The applicant pays a fee for the license of seven hundred fifty
21 dollars.

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

28 1. The applicant holds a current certification as a specialist of a
29 national specialty board or college recognized by the American veterinary
30 medical association.

31 2. The applicant's practice is limited to the scope of the applicant's
32 board certification.

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

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

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

41 Sec. 8. Section 32-2216, Arizona Revised Statutes, is amended to read:

42 32-2216. Issuance of temporary permits; emergency temporary
43 permits; definition

44 A. The board may issue temporary permits to ~~applicants for a license~~
45 ~~who at the time of application are~~ VETERINARY LICENSE APPLICANTS AND TO
46 VETERINARIANS LICENSED IN OTHER STATES WHO ENTER THIS STATE TO PROVIDE

1 VOLUNTARY SERVICES DURING A STATE OF EMERGENCY AS DECLARED BY THE GOVERNOR OR
2 THE BOARD OF SUPERVISORS OF THE COUNTY IN WHICH THE BOARD OF SUPERVISORS HAS
3 DECLARED A STATE OF EMERGENCY PURSUANT TO SECTION 26-311. APPLICANTS FOR ALL
4 TEMPORARY PERMITS MUST BE graduates of an American veterinary medical
5 association accredited veterinary college or ~~who hold an education~~ HOLDERS OF
6 A CERTIFICATE FROM THE EDUCATIONAL commission for foreign veterinary
7 graduates ~~certificate~~ or FROM a program for the assessment of veterinary
8 education ~~equivalence certificate~~ AT THE TIME OF APPLICATION.

9 B. The temporary permit issued under this section entitles ~~the~~ A
10 VETERINARY LICENSE applicant to engage in the active practice of veterinary
11 medicine in this state as an employee of a licensed veterinarian, the state
12 or any county or municipality in this state. Such applicant shall be
13 eligible for the next examination, if the applicant has not violated any
14 provision of this chapter. Such applicant working under the direct and
15 personal instruction, control or supervision of a licensed veterinarian and
16 whose compensation is paid by such veterinarian may perform those acts of
17 animal health care assigned by the veterinarian having responsibility for the
18 care of the animal. ~~No temporary permit shall be valid beyond the time for~~
19 ~~the next license examination for which the applicant is qualified. In the~~
20 ~~event any such~~ THE TEMPORARY PERMIT DESCRIBED IN THIS SUBSECTION EXPIRES
21 TWENTY DAYS AFTER THE EXAMINATION. IF THE applicant fails for good and
22 sufficient reason to take the examination, the board, by majority consent,
23 may extend the permit until the next succeeding examination. Except as
24 otherwise provided in this section, the holder of a temporary permit must be
25 examined and satisfactorily pass the license examination next following the
26 issuance of the permit and duly receive a license in order to continue active
27 professional practice. ~~No more than two temporary permits shall be issued to~~
28 ~~one individual.~~ THE TEMPORARY PERMIT MAY BE EXTENDED ONLY ONE TIME. For the
29 purposes of this subsection, "direct and personal instruction, control or
30 supervision" means that a veterinarian licensed by the board is physically
31 present and personally supervising a temporary permittee when the permittee
32 is practicing acts of veterinary medicine except if the permittee is at a
33 temporary site for the purpose of delivering services to large animals or if
34 the permittee is administering emergency services not during regular office
35 hours. In these cases, phone contact constitutes direct and personal
36 instruction, control or supervision.

37 C. If an employer, for any reason, terminates the employment of the
38 applicant, the employing veterinarian shall notify the board and the
39 temporary permit DESCRIBED IN SUBSECTION B OF THIS SECTION is immediately
40 void.

41 D. AN EMERGENCY TEMPORARY PERMIT THAT IS ISSUED TO AN INDIVIDUAL WHO
42 IS A VETERINARIAN LICENSED IN GOOD STANDING IN ANOTHER STATE ENTITLES THE
43 INDIVIDUAL TO PROVIDE VOLUNTARY VETERINARY CARE DURING A STATE OF EMERGENCY
44 FOR THE SOLE PURPOSE OF ASSISTING IN CARE RELATED TO THAT EMERGENCY. THE
45 EMERGENCY TEMPORARY PERMIT EXPIRES NINETY DAYS AFTER THE DATE OF ISSUANCE OR
46 AT THE END OF THE STATE OF EMERGENCY, WHICHEVER OCCURS FIRST. AN APPLICANT

1 FOR AN EMERGENCY TEMPORARY PERMIT SHALL SUBMIT A COMPLETE APPLICATION,
2 INCLUDING INFORMATION REGARDING VETERINARY LICENSURE IN ANY OTHER STATE AND
3 VERIFICATION THAT THE STATUTES AND RULES PERTAINING TO THE BOARD HAVE BEEN
4 REVIEWED. THE BOARD SHALL VERIFY WHETHER THE VETERINARIAN IS LICENSED IN THE
5 STATE OR STATES INDICATED AND CONFIRM THE APPLICANT'S GOOD STANDING. THE
6 APPLICANT IS NOT REQUIRED TO PASS THE STATE VETERINARY EXAMINATION. A
7 VETERINARIAN WHO IS ISSUED AN EMERGENCY TEMPORARY PERMIT UNDER THIS SECTION
8 SHALL PRACTICE IN ACCORDANCE WITH ALL LAWS AND RULES RELATED TO THE PRACTICE
9 OF VETERINARY MEDICINE IN THIS STATE. THE BOARD MAY INVESTIGATE ANY ALLEGED
10 VIOLATION BY A HOLDER OF AN EMERGENCY TEMPORARY PERMIT AND TAKE DISCIPLINARY
11 ACTION AS PRESCRIBED IN THIS CHAPTER. A VETERINARIAN GRANTED AN EMERGENCY
12 TEMPORARY PERMIT UNDER THIS SECTION IS A LICENSED, CERTIFIED OR AUTHORIZED
13 EMERGENCY RESPONDER PURSUANT TO SECTION 26-353 AND AN EMERGENCY WORKER AS
14 DEFINED IN SECTION 26-301.

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

20 Sec. 9. Section 32-2218, Arizona Revised Statutes, is amended to read:
21 32-2218. License renewal and reinstatement

22 A. Except as provided in SUBSECTION D OF THIS SECTION OR section
23 32-4301, a license issued under this chapter remains in effect until December
24 31 of every even-numbered year unless IT IS suspended or revoked. Except as
25 provided in section 32-4301, on submittal of an application for renewal and
26 payment of a renewal fee, a license is renewed for two years.

27 B. Failure to pay the license fee before February 1 following
28 expiration of the license shall be a forfeiture of the license, and the
29 license shall not be restored except upon written application to the board
30 and payment of a penalty fee of fifty dollars in addition to all regular
31 license fees and past due fees owed to the board. A person applying for
32 reinstatement of a license within thirty-six months of expiration shall not
33 be required to submit to an examination because of failure to pay the license
34 fee, but it is unlawful for a person to practice veterinary medicine or any
35 branch of veterinary medicine during the period in which the person's license
36 has been forfeited by reason of nonpayment of the license fee. If an
37 applicant for reinstatement of a license has not completed the continuing
38 education requirements, a license may be reinstated if the continuing
39 education requirements are completed within six months of reinstatement. A
40 person who does not apply for reinstatement within thirty-six months after
41 expiration of the license must meet the requirements set forth in sections
42 32-2213, 32-2214 and 32-2215.

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

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

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

8 32-2219. Fees; veterinary licenses; veterinary faculty member
9 licenses

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

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

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

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

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

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

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

26 32-2231. Acts constituting the practice of veterinary medicine;
27 exceptions; definitions

28 A. A person shall be regarded as practicing veterinary medicine,
29 surgery and dentistry within the meaning of this chapter who, within this
30 state:

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

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

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

42 (b) Perform any operation or manipulation on or apply any apparatus or
43 appliance to any animal.

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

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

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

10 B. This section does not apply to:

11 1. Duly authorized representatives of the United States department of
12 agriculture in the discharge of any duty authorized by the director in charge
13 of the animal disease eradication division.

14 2. A certified veterinary technician performing a task or function
15 authorized by the rules of the board in the employ of and under the
16 direction, supervision and control of a licensed veterinarian **OR A LICENSED**
17 **VETERINARY FACULTY MEMBER.**

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

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

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

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

24 (ii) The examination of dental conditions.

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

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

32 (c) The equine dental practitioner provides both of the following to
33 the board:

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

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

40 (d) Both the supervising veterinarian and the certified equine dental
41 practitioner maintain dental charts for procedures done pursuant to this
42 paragraph.

43 **4. A VETERINARY STUDENT WHO PERFORMS ACTS OF HEALTH CARE OR PRESCRIBED**
44 **VETERINARY PROCEDURES AS A PART OF THE STUDENT'S EDUCATIONAL EXPERIENCE IF**
45 **BOTH OF THE FOLLOWING APPLY:**

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

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

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

8 D. For the purposes of this section:

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

11 2. "General supervision" means a licensed veterinarian must be
12 available for consultation by telephone or other form of immediate
13 communication.

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

16 32-2238. Violations; classification

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

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

19 2. Falsely impersonates another practitioner.

20 3. Fraudulently obtains a veterinary medical diploma, license or
21 record of registration.

22 4. Practices veterinary medicine or surgery without a license and
23 registration.

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

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

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

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

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

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

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

41 3. A LICENSED VETERINARY FACULTY MEMBER FROM PERFORMING THE LICENSED
42 VETERINARY FACULTY MEMBER'S REGULAR CLINICAL FUNCTIONS, FROM GIVING LECTURES,
43 INSTRUCTIONS OR DEMONSTRATIONS OR FROM PRACTICING VETERINARY MEDICINE AS A
44 VETERINARY FACULTY MEMBER IN CONNECTION WITH CONTINUING EDUCATION COURSES OR
45 SEMINARS TO LICENSED VETERINARIANS, CERTIFIED VETERINARY TECHNICIANS,
46 VETERINARY STUDENTS OR VETERINARY TECHNICIAN STUDENTS.

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

3 32-2272. Veterinary premises license; application;
4 nontransferability; expiration; renewal; civil
5 penalty

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

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

11 1. The name and location of the premises.

12 2. The name of the person owning the premises and the name and
13 signature of the veterinarian responsible to the board for the operation of
14 the premises. The responsible veterinarian shall be a veterinarian who is
15 licensed in this state and who resides in this state or who holds a special
16 permit under section 32-2217.01, **EXCEPT THAT A VETERINARIAN WHO ONLY PROVIDES**
17 **SERVICES AT A TEMPORARY SITE IN THE STATE DOES NOT HAVE TO RESIDE IN THIS**
18 **STATE.**

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

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

25 D. A change of responsible veterinarian or owner shall cancel a
26 premises license. The responsible veterinarian or owner shall surrender the
27 premises license to the board within twenty days of the change in responsible
28 veterinarian or owner. The failure of the responsible veterinarian or owner
29 to notify the board in writing within twenty days of a change in responsible
30 veterinarian or owner is grounds for disciplinary action.

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

37 F. Within ninety days of receipt of an initial application and fee,
38 the board shall issue a license if the application demonstrates compliance
39 with this article or shall notify the applicant at his last address of record
40 if the application is not in conformance with this article. Veterinary
41 medical services may be performed at any premises for which an application
42 fee is submitted pending issuance of the license or notification of a
43 deficiency in the application.

44 G. If a veterinary premises ceases to operate and the premises owner
45 is subject to this chapter, the premises owner must continue to comply with
46 the requirements of this chapter and rules adopted by the board. The

1 premises owner is subject to a civil penalty of not more than one thousand
2 dollars for each violation of the requirements of this chapter or rules
3 adopted by the board. The total penalty shall not exceed five thousand
4 dollars.

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

APPROVED BY THE GOVERNOR APRIL 16, 2014.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 17, 2014.