

Senate Engrossed

veterinarians; malpractice; unprofessional conduct

State of Arizona
Senate
Fifty-seventh Legislature
First Regular Session
2025

SENATE BILL 1032

AN ACT

AMENDING SECTIONS 32-2232, 32-2233 AND 32-2237, 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 32-2232, Arizona Revised Statutes, is amended to
3 read:

4 32-2232. Unprofessional or dishonorable conduct; definition

5 A. As used in this chapter, unprofessional or dishonorable conduct
6 includes:

7 1. The fraudulent use of any certificate or other official form
8 used in practice that would increase the hazard of dissemination of
9 disease, the transportation of diseased animals or the sale of inedible
10 food products of animal origin for human consumption.

11 2. Inadequate methods in violation of meat inspection procedures
12 prescribed by the federal government and Arizona meat inspection laws or
13 wilful neglect or misrepresentation in the inspection of meat.

14 3. Misrepresentation of services rendered.

15 4. Failure to report, or the negligent handling of, the serious
16 epidemic diseases of animals, such as anthrax, rabies, glanders,
17 brucellosis, tuberculosis, foot and mouth disease, hog cholera, and other
18 communicable diseases known to medical science as being a menace to human
19 or animal health.

20 5. The dispensing or giving to anyone of live culture or attenuated
21 live virus vaccines to be administered by a layman without providing
22 instruction as to their administration and use.

23 6. Having professional connection with, or lending one's name to,
24 any illegal practitioner of veterinary medicine and the various branches
25 thereof OF VETERINARY MEDICINE.

26 7. Chronic inebriety or THE unlawful use of narcotics, dangerous
27 drugs or controlled substances.

28 8. Fraud or dishonesty in applying or reporting on any test or
29 vaccination for disease in animals.

30 9. False, deceptive or misleading advertising, having for its
31 purpose or intent deception or fraud.

32 10. Conviction of a crime involving moral turpitude, or conviction
33 of a felony.

34 11. Malpractice, gross incompetence or gross negligence in the
35 practice of veterinary medicine.

36 12. Violation of the ethics of the profession as defined by rules
37 adopted by the board.

38 13. Fraud or misrepresentation in procuring a license.

39 14. Knowingly signing a false affidavit.

40 15. Distribution of narcotics, dangerous drugs, prescription-only
41 drugs or controlled substances for other than legitimate purposes.

1 16. Violation of or failure to comply with any state or federal
2 laws or regulations relating to ~~the~~ storing, labeling, prescribing or
3 dispensing ~~of~~ controlled substances or prescription-only drugs as defined
4 in section 32-1901.

5 17. Offering, delivering, receiving or accepting any rebate,
6 refund, commission, preference, patronage, dividend, discount or other
7 consideration, whether in the form of money or otherwise, as compensation
8 or inducement for referring animals or services to any person.

9 18. Violating or attempting to violate, directly or indirectly, or
10 assisting or abetting the violation or conspiracy to violate ~~any of the~~
11 ~~provisions of~~ this chapter, a rule adopted by the board or a written order
12 of the board.

13 19. Failing to dispense drugs and devices in compliance with
14 article 7 of this chapter.

15 20. Performing veterinary services without adequate equipment and
16 sanitation considering the type of veterinary services provided.

17 21. Failure to maintain adequate records of veterinary services
18 provided.

19 22. Medical incompetence in the practice of veterinary medicine.

20 23. Cruelty to or neglect of animals. For the purposes of this
21 paragraph, "cruelty to or neglect of animals" means knowingly or
22 negligently torturing, beating or mutilating an animal, killing an animal
23 in an inhumane manner or depriving an animal of necessary food, water or
24 shelter.

25 24. Representing that the veterinarian is a specialist if the
26 veterinarian lacks the credentials to be a specialist.

27 25. Performing veterinary services without having a valid
28 veterinarian client patient relationship.

29 26. Releasing, prescribing or dispensing any prescription drugs in
30 the absence of a valid veterinarian client patient relationship.

31 27. MAKING A FALSE STATEMENT ON OR ALTERING ANY DOCUMENT, RECORD OR
32 REPORT TO INCLUDE A FALSE STATEMENT CONCERNING THE MEDICAL TREATMENT OF AN
33 ANIMAL.

34 28. WITHHOLDING KNOWN MEDICAL INFORMATION ABOUT A DOMESTIC ANIMAL
35 THAT IS MATERIAL FOR THE OWNER OR CARETAKER TO MAKE AN INFORMED DECISION
36 WHETHER TO PURSUE FURTHER TREATMENT OF THE DOMESTIC ANIMAL WITH THAT
37 VETERINARIAN OR WITH ANOTHER VETERINARIAN.

38 B. FOR THE PURPOSES OF THIS SECTION, "DOMESTIC ANIMAL" MEANS A
39 MAMMAL, BIRD, REPTILE OR AMPHIBIAN THAT IS NOT REGULATED BY TITLE 3 AND
40 THAT IS KEPT PRIMARILY AS A PET OR COMPANION OR THAT IS BRED TO BE A PET
41 OR COMPANION.

1 Sec. 2. Section 32-2233, Arizona Revised Statutes, is amended to
2 read:

3 32-2233. Revocation or suspension of license or permit; civil
4 penalties; report of perjury; definition

5 A. The board, by majority consent, may revoke or suspend a permit
6 or license granted to any person under this chapter or may impose a civil
7 penalty of not ~~to exceed one thousand dollars~~ MORE THAN \$1,900 against any
8 veterinarian or the responsible veterinarian, or both, for:

9 1. Unprofessional or dishonorable conduct.

10 2. Publicly professing to cure or treat diseases of a highly
11 contagious, infectious and incurable nature.

12 3. Curing or treating an injury or deformity in such a way as to
13 deceive the public.

14 4. Testing any animal for any communicable disease and knowingly
15 stating verbally or in writing that the ~~animals are~~ ANIMAL IS diseased or
16 in a disease-free condition if the statement is contrary to the indication
17 of the test made.

18 B. The board may sanction any of the following conduct as an
19 administrative violation, rather than unprofessional conduct, and may
20 impose a civil penalty of not more than ~~one thousand dollars~~ \$1,900 for
21 any of the following:

22 1. Failure to timely renew the veterinary license or the premises
23 license while continuing to practice veterinary medicine or conducting
24 business from ~~that~~ THOSE premises.

25 2. Failure to notify the board in writing within twenty days ~~of~~
26 AFTER any change in residence, practice, ownership, management or
27 responsible veterinarian.

28 3. Minor records violations that are routine entries into a medical
29 record and that do not affect the diagnosis or care of the animal.

30 4. FAILURE TO PROVIDE RECORDS OR COPIES OF RECORDS OF VETERINARY
31 MEDICAL SERVICES, INCLUDING COPIES OF RADIOGRAPHS, TO THE OWNER OF OR
32 ANOTHER VETERINARIAN CURRENTLY PROVIDING VETERINARY MEDICAL SERVICES TO A
33 DOMESTIC ANIMAL WITHIN TEN DAYS AFTER THE DATE OF THE OWNER'S OR
34 VETERINARIAN'S REQUEST OR IN LESS THAN TEN DAYS IF THE DOMESTIC ANIMAL'S
35 MEDICAL CONDITION REQUIRES.

36 C. The civil penalties collected pursuant to this chapter shall be
37 deposited in the state general fund.

38 D. The board may report to the proper legal authorities for perjury
39 anyone it suspects of giving deliberate, fraudulent testimony whether the
40 testimony is given personally, telephonically or in writing.

41 E. FOR THE PURPOSES OF THIS SECTION, "DOMESTIC ANIMAL" MEANS A
42 MAMMAL, BIRD, REPTILE OR AMPHIBIAN THAT IS NOT REGULATED BY TITLE 3 AND
43 THAT IS KEPT PRIMARILY AS A PET OR COMPANION OR THAT IS BRED TO BE A PET
44 OR COMPANION.

1 Sec. 3. Section 32-2237, Arizona Revised Statutes, is amended to
2 read:

3 32-2237. Investigative committees; members; report; board
4 investigation powers; civil penalty; injunctions;
5 cease and desist orders; confidentiality

6 A. The board shall appoint one or more investigative committees,
7 each consisting of three licensed veterinarians who are not board members
8 and two members of the general public who are not board members. The
9 board shall appoint and dismiss members of investigative committees. Each
10 member shall serve for a term of two years. A committee member may not
11 serve more than four consecutive terms. A member of ~~the~~ AN investigative
12 committee must resign when the member files an application to serve on the
13 board. A quorum for an investigative committee shall include at least
14 three members, at least two of whom must be veterinarians.

15 B. The investigative committee may interview witnesses, gather
16 evidence and otherwise investigate any allegations accusing any person of
17 violating ~~any of the provisions of~~ this chapter. An assistant attorney
18 general shall advise the investigative committee on all questions of law
19 arising out of its investigations. The expenses of the committee shall be
20 paid out of the veterinary medical examining board fund.

21 C. The investigative committee shall prepare a written report
22 relating to any allegations it investigates. The committee shall present
23 its report to the board in an open meeting. The report shall include:

- 24 1. A summary of the investigation.
25 2. Findings of fact.
26 3. Either a recommendation to dismiss the allegation made in the
27 complaint or a finding that a violation of this chapter or a rule adopted
28 pursuant to this chapter occurred.

29 D. If the board rejects any recommendation contained in a report of
30 the investigative committee, ~~it~~ THE BOARD shall document the reasons for
31 its decision in writing.

32 E. ~~Upon the~~ ON complaint of any citizen of this state, or ~~upon~~ ON
33 its own initiative, the board may investigate any alleged violation of
34 this chapter. If after investigation the board has probable cause to
35 believe that an unlicensed person is performing acts that are required to
36 be performed by a person licensed pursuant to this chapter, the board may
37 take one or more of the following enforcement actions:

- 38 1. Issue a cease and desist order.
39 2. Request the county attorney or attorney general to file criminal
40 charges against the person.
41 3. File an action in the superior court to enjoin the person from
42 engaging in the unlicensed practice of veterinary medicine.
43 4. After notice and an opportunity for a hearing, impose a civil
44 penalty of not more than ~~one thousand dollars~~ \$1,900 for each violation.

1 F. The board or its agents or employees may at all reasonable times
2 have access to and the right to copy any documents, reports, records or
3 other physical evidence of any veterinarian, including documents, reports,
4 records or physical evidence maintained by and in the possession of any
5 veterinary medical hospital, clinic, office or other veterinary medical
6 premises being investigated, if such documents, records, reports or other
7 physical evidence relates to a specific investigation or proceeding
8 conducted by the board.

9 G. The board on its own initiative or ~~upon~~ ON application of any
10 person involved in an investigation or proceeding conducted by the board
11 may issue subpoenas compelling the attendance and testimony of witnesses
12 or demanding the production for examination or copying of documents,
13 reports, records or any other physical evidence if such evidence relates
14 to the specific investigation or proceeding conducted by the board.

15 H. Except as provided in this subsection, all materials, documents
16 and evidence associated with a pending or resolved complaint or
17 investigation are confidential and are not public records. The following
18 materials, documents and evidence are not confidential and are public
19 records if they relate to resolved complaints:

20 1. The complaint.

21 2. The response and any rebuttal statements submitted by the
22 licensee or certificate holder.

23 3. Board discussions of complaints that are recorded pursuant to
24 section 32-2204, subsection C.

25 4. Written reports of an investigative committee that are prepared
26 pursuant to subsection C of this section.

27 5. Written statements of the board that are prepared pursuant to
28 subsection D of this section.