

ENGROSSED HOUSE
BILL NO. 1048

BY: THOMAS and RICE

AN ACT RELATING TO PROFESSIONS AND OCCUPATIONS;
AMENDING 59 O.S. 1991, SECTIONS 698.20, 698.21,
698.22, 698.24, 698.25 AND 698.26, WHICH RELATE TO
ANIMAL TECHNICIANS; CHANGING REFERENCES TO ANIMAL
TECHNICIAN AND ANIMAL TECHNOLOGY TO VETERINARY
TECHNICIAN AND VETERINARY TECHNOLOGY; MODIFYING
DEFINITION; DELETING OBSOLETE EXCEPTION TO
QUALIFICATION FOR EXAMINATION; AND PROVIDING AN
EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 59 O.S. 1991, Section 698.20, is amended to read as follows:

Section 698.20 As used in this act:

1. ~~"Animal~~ "Veterinary technician" means a person who has graduated from a school of ~~animal~~ veterinary technology and has been certified by the State Board of Veterinary Medical Examiners. ~~Animal~~ Veterinary technician shall not include a person licensed by this state to practice a healing arts skill, nor shall such term be construed to enable the ~~animal~~ veterinary technician to diagnose, prescribe or perform surgery in violation of the Oklahoma Veterinary Practice Act, as provided by Sections 698.1 et seq. of Title 59;

2. "Direct supervision" means ~~that degree of control, by the licensed veterinarian having actual charge of each individual case or animal, which will ensure that the activities of the animal~~ directions given to a veterinary technician are within the scope of the orders, assignments or prescriptions of the veterinarian, nurse, laboratory technician, intern, or other employee for medical care following the examination of an animal by the veterinarian responsible for the professional care of the animal; and

3. The terms, "animal", "Board", "licensed veterinarian" and "veterinarian" shall have the same meanings as are prescribed for such terms in Section 698.2 of Title 59.

SECTION 2. AMENDATORY 59 O.S. 1991, Section 698.21, is amended to read as follows:

Section 698.21 A person shall not act as ~~an animal~~ a veterinary technician in this state unless that person is certified by the Board and is under direct supervision of a veterinarian licensed by this state. A person shall not be considered to be ~~an animal~~ a veterinary technician in this state who:

1. Administers to animals for which he holds title, unless he has received title for the purpose of circumventing this act;
2. Conducts experimentation, scientific research or testing, and uses animals in connection therewith;
3. Conducts routine vaccination and pullorum testing of poultry under supervision of the National Poultry Improvement Plan as administered by this state and the United States Department of Agriculture; or
4. Is a regular student in a legally chartered and recognized curriculum for ~~animal~~ veterinary technician training, while in the performance of studies and acts assigned by his instructors.

SECTION 3. AMENDATORY 59 O.S. 1991, Section 698.22, is amended to read as follows:

Section 698.22 A. The Board shall examine a candidate for a certificate as ~~an animal~~ a veterinary technician. A candidate for examination shall pay to the secretary of the Board a reasonable fee to be established by the Board and shall furnish satisfactory proof of graduation from a school of ~~animal~~ veterinary technology approved by the Board.

~~B. A person, upon the recommendation of his supervising veterinarian, shall be eligible to take the examination without graduation from an accredited school of animal technology if he has been employed by a licensed veterinarian as an apprentice animal technician for a period of not less than five (5) years. Provided, five (5) years from the effective date of this act, every applicant taking the examination must have graduated from an accredited school of animal technology. Provided, that nothing in this act shall prohibit a veterinarian from employing a noncertified animal veterinary technician or aide.~~

~~C. B.~~ A veterinarian shall not be required to hire a ~~licensed animal~~ certified veterinary technician.

SECTION 4. AMENDATORY 59 O.S. 1991, Section 698.24, is amended to read as follows:

Section 698.24 ~~An animal~~ A veterinary technician shall not diagnose animal diseases, prescribe medical or surgical treatment, or perform as a surgeon.

SECTION 5. AMENDATORY 59 O.S. 1991, Section 698.25, is amended to read as follows:

Section 698.25 The Board may revoke or suspend the certificate of ~~an animal~~ a veterinary technician or place the ~~animal~~ veterinary technician on probation.

SECTION 6. AMENDATORY 59 O.S. 1991, Section 698.26, is amended to read as follows:

Section 698.26 A. Any person certified as ~~an animal~~ a veterinary technician, who practices veterinary medicine contrary to

this act, shall be guilty of a misdemeanor and also subject to revocation of certification by the Board.

B. The penalties provided in subsection A of this section shall not apply to a student enrolled in an accredited school of ~~animal~~ veterinary technology while the student is under the supervision of an instructor and is performing activities required as a part of the student's training.

C. Any veterinarian permitting or directing ~~an animal~~ a veterinary technician, aide or animal attendant to perform a task or procedure in violation of this act shall be guilty of a misdemeanor and subject to revocation or suspension of his license by the Board.

SECTION 7. This act shall become effective September 1, 1992.

Passed the House of Representatives the 27th day of February, 1992.

Speaker of the House of Representatives

Passed the Senate the ____ day of _____, 1992.

President of the Senate