

ENROLLED SENATE
BILL NO. 712

By: Long (Ed) of the Senate

and

Taylor of the House

An Act relating to professions and occupations; amending 59 O.S. 1991, Section 698.3, which relates to the State Board of Veterinary Medical Examiners; re-creating the State Board of Veterinary Medical Examiners; clarifying statutory references; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 59 O.S. 1991, Section 698.3, is amended to read as follows:

Section 698.3 A. A State Board of Veterinary Medical Examiners is hereby re-created, to continue until July 1, ~~1994~~ 2000, in accordance with the provisions of the Oklahoma Sunset Law, Section 3901 et seq. of Title 74 of the Oklahoma Statutes, to regulate the practice of veterinary medicine in this state in accordance with the Oklahoma Veterinary Practice Act, Section 698.1 et seq. of this title, and otherwise to enforce this act, Section 698.1 et seq. of this title.

B. 1. The duty of determining a person's initial and continuing qualification and fitness for the practice of veterinary medicine, of proceeding against the unlawful and unlicensed practice of veterinary medicine and of enforcing this act is hereby delegated to the Board. That duty shall be discharged in accordance with this act and other applicable statutes.

2. It is necessary that the powers conferred on the Board by this act be construed to protect the health, safety and welfare of the people of this state. However, no member of the Board, acting in that capacity or as a member of any Board committee, shall participate in the making of any decision or the taking of any action affecting his or her own personal, professional or pecuniary interest, or that of a person related to the member within the third degree by consanguinity, marriage or adoption or of a business or professional associate. With advice of legal counsel, the Board shall adopt and annually review a conflict of interest policy to enforce this act.

C. The practice of veterinary medicine is a privilege granted by the people of this state acting through their elected representatives. It is not a natural right of individuals. In the interest of the public, and to protect the public, it is necessary to provide laws, rules and regulations to govern the granting and subsequent use of the privilege to practice veterinary medicine. The primary responsibility and obligation of the State Board of Veterinary Medical Examiners is to protect the public from the

unprofessional, improper, incompetent and unlawful practice of veterinary medicine.

D. The liability of any member or employee of the Board acting within the scope of his Board duties or employment shall be governed by the Governmental Tort Claims Act, Section 151 et seq. of Title 51 of the Oklahoma Statutes.

SECTION 2. This act shall become effective July 1, 1994.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 28th day of February, 1994.

President of the Senate

Passed the House of Representatives the 19th day of April, 1994.

Speaker of the House of Representatives

