

3 Senate Bill No. 865

4 SENATE BILL NO. 865 - By: HARRISON of the Senate and EASLEY of the  
5 House.

6 An Act relating to Sunset Review; amending 59 O.S. 1991,  
7 Section 698.3, as last amended by Section 3, Chapter 94,  
8 O.S.L. 1999 (59 O.S. Supp. 1999, Section 698.3), which  
9 relates to the State Board of Veterinary Medical Examiners;  
10 modifying termination date.

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

12 SECTION 1. AMENDATORY 59 O.S. 1991, Section 698.3, as  
13 last amended by Section 3, Chapter 94, O.S.L. 1999 (59 O.S. Supp.  
14 1999, Section 698.3), is amended to read as follows:

15 Section 698.3 A. The State Board of Veterinary Medical  
16 Examiners is hereby re-created, to continue until July 1, ~~2000~~ 2006,  
17 in accordance with the provisions of the Oklahoma Sunset Law, to  
18 regulate and enforce the practice of veterinary medicine in this  
19 state in accordance with the Oklahoma Veterinary Practice Act.

20 B. 1. The duty of determining a person's initial and  
21 continuing qualification and fitness for the practice of veterinary  
22 medicine, of proceeding against the unlawful and unlicensed practice  
23 of veterinary medicine and of enforcing the Oklahoma Veterinary  
24 Practice Act is hereby delegated to the Board. That duty shall be  
25 discharged in accordance with the Oklahoma Veterinary Practice Act  
26 and other applicable statutes.

1           2.    a.    It is necessary that the powers conferred on the Board  
2                            by the Oklahoma Veterinary Practice Act be construed  
3                            to protect the health, safety and welfare of the  
4                            people of this state.

5            b.    No member of the Board, acting in that capacity or as  
6                            a member of any Board committee, shall participate in  
7                            the making of any decision or the taking of any action  
8                            affecting such member's own personal, professional or  
9                            pecuniary interest, or that of a person related to the  
10                           member within the third degree by consanguinity,  
11                           marriage or adoption or of a business or professional  
12                           associate.

13           c.    With advice of legal counsel, the Board shall adopt  
14                           and annually review a conflict of interest policy to  
15                           enforce the provisions of the Oklahoma Veterinary  
16                           Practice Act.

17           C.    The practice of veterinary medicine is a privilege granted  
18                           by the people of this state acting through their elected  
19                           representatives. It is not a natural right of individuals. In the  
20                           interest of the public, and to protect the public, it is necessary  
21                           to provide laws and rules to govern the granting and subsequent use  
22                           of the privilege to practice veterinary medicine. The primary  
23                           responsibility and obligation of the Board is to protect the public

1 from the unprofessional, improper, incompetent and unlawful practice  
2 of veterinary medicine.

3 D. The liability of any member or employee of the Board acting  
4 within the scope of Board duties or employment shall be governed by  
5 the Governmental Tort Claims Act.

6 COMMITTEE REPORT BY: COMMITTEE ON SUNSET REVIEW, dated 2-08-00 - DO  
7 PASS.