

CS for SB 1

THE STATE SENATE
Thursday, February 17, 2005

Committee Substitute for
Senate Bill No. 1

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 1 - By: SHURDEN of the
Senate and SHOEMAKE of the House.

[professions and occupations - Oklahoma Veterinary Practice
Act -
emergency]

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

SECTION 1. AMENDATORY 59 O.S. 2001, Section 698.12, as
amended by Section 3, Chapter 172, O.S.L. 2002 (59 O.S. Supp. 2004,
Section 698.12), is amended to read as follows:

Section 698.12 The Oklahoma Veterinary Practice Act shall not
be construed to prohibit:

1. Acts of dehorning, branding, tagging or notching ears,
pregnancy checking, collecting semen, preparing semen, freezing
semen, castrating, worming, vaccinating, injecting or artificial
insemination of farm animals; or the acts or conduct of a person
advising with respect to nutrition, feeds or feeding;

~~2. The owner of an animal or the owner's employees or helpers
from caring for or treating animals belonging to the owner; provided
that, the acts of the owner's employees or helpers otherwise
prohibited by the Oklahoma Veterinary Practice Act are only an
incidental part of the employment duties and for which no special~~

1 ~~compensation is made~~ Notwithstanding any other law, rule or
2 regulation to the contrary, an individual may care for or treat an
3 animal owned by that individual, or an agent of the owner, acting
4 with the owner's approval, may care for or treat an animal, if that
5 individual or agent does not represent himself or herself as a
6 veterinarian or use any title or degree appertaining to the practice
7 thereof and does not diagnose, prescribe or perform surgery;

8 3. Acts of a person in lawful possession of an animal for some
9 other purpose than practicing veterinary medicine; provided that, no
10 charge may be made or included in any other charge or fee or
11 adjustment otherwise made of any charge or fee for acts performed
12 pursuant to this subsection unless the acts are performed by a
13 licensed veterinarian as provided by the Oklahoma Veterinary
14 Practice Act;

15 4. Acts of auction markets and other shippers of food animals
16 in preparing such animals for shipment;

17 5. Acts of a person who is a student in good standing in a
18 veterinary school, in performing duties or functions assigned by
19 the student's instructors, or working under the direct supervision
20 of a licensed veterinarian for each individual case and acts
21 performed by an instructor or student in a school of veterinary
22 medicine recognized by the State Board of Veterinary Medical
23 Examiners and performed as a part of the educational and training

1 curriculum of the school under the direct supervision of faculty.
2 The unsupervised or unauthorized practice of veterinary medicine
3 even though on the premises of a school of veterinary medicine is
4 prohibited;

5 6. Acts of any employee in the course of employment by the
6 federal government or acts of a veterinarian practicing on property
7 and persons outside the jurisdiction of the State of Oklahoma;

8 7. A veterinarian currently licensed in another state from
9 consulting with a licensed veterinarian of this state;

10 8. Acts of vocational-agriculture instructors or students while
11 engaged in regular vocational-agriculture instruction in programs
12 approved by the Oklahoma Department of Vocational and Technical
13 Education; provided that said acts are under the supervision of
14 instructors and are carried out in the usual course of instruction
15 and not as independent practice by an unlicensed veterinarian
16 without supervision;

17 9. Any person employed by a licensed veterinarian who is
18 assisting with the professional duties of the licensed veterinarian
19 and who is under the direct supervision of the licensed veterinarian
20 from administering medication or rendering auxiliary or supporting
21 assistance under the direct supervision of such licensed
22 veterinarian, provided that the practice is conducted in compliance
23 with all laws of this state and rules of this Board;

1 10. Any chiropractic physician licensed in this state who is
2 certified by the Board of Chiropractic Examiners to engage in animal
3 chiropractic diagnosis and treatment from practicing animal
4 chiropractic diagnosis and treatment; or

5 11. Any chiropractic physician licensed in this state who is
6 not certified to practice animal chiropractic diagnosis and
7 treatment by the Board of Chiropractic Examiners from providing
8 chiropractic treatment to an animal referred to such chiropractic
9 physician by a licensed veterinarian.

10 SECTION 2. It being immediately necessary for the preservation
11 of the public peace, health and safety, an emergency is hereby
12 declared to exist, by reason whereof this act shall take effect and
13 be in full force from and after its passage and approval.

14 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS AND LABOR, dated 2-7-05 -
15 DO PASS, As Amended and Coauthored.