

1 ENGROSSED SENATE  
2 BILL NO. 2086

By: Marlatt of the Senate  
and  
Denney of the House

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7 [ professions and occupations - Oklahoma Veterinary  
8 Practice Act - recognizing Program for the  
9 Assessment of Veterinary Equivalency (PAVE) -  
10 codification -  
11 effective date ]

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

15 SECTION 1. AMENDATORY 59 O.S. 2001, Section 698.2, as  
16 amended by Section 1, Chapter 172, O.S.L. 2002 (59 O.S. Supp. 2009,  
17 Section 698.2), is amended to read as follows:

18 Section 698.2 As used in the Oklahoma Veterinary Practice Act:

19 1. "Board" means the State Board of Veterinary Medical  
20 Examiners;

21 2. "Animal" means any animal other than humans and includes,  
22 but is not limited to, fowl, fish, birds and reptiles, wild or  
23 domestic, living or dead;

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1           3. "Veterinarian" means a person who has received a degree in  
2 veterinary medicine or its equivalent from a school of veterinary  
3 medicine;

4           4. "Licensed veterinarian" means any veterinarian who holds an  
5 active license to practice veterinary medicine in this state;

6           5. "School of veterinary medicine" means any veterinary college  
7 or division of a university or college that offers the degree of  
8 doctor of veterinary medicine or its equivalent, which conforms to  
9 the standards required for accreditation by the American Veterinary  
10 Medical Association (AVMA) and which is recognized and approved by  
11 the Board;

12           6. "Veterinary technician" means a person who has graduated  
13 from a program accredited by the American Veterinary Medical  
14 Association, or its equivalent which is recognized and approved by  
15 the Board, and who has passed the examination requirements set forth  
16 by the Board, is certified to practice under the direct supervision  
17 of a licensed veterinarian. For the purpose of the Oklahoma  
18 Veterinary Practice Act, "registered veterinary technician (RVT)"  
19 will be used interchangeably with veterinary technician who is  
20 certified pursuant to Sections 698.21 through 698.26 of this title;

21           7. "Veterinary technologist" means a person who has  
22 successfully graduated from an AVMA-accredited bachelor degree  
23 program of veterinary technology, or its AVMA equivalent;

1 8. "Veterinary assistant" means an individual who may perform  
2 the duties of a veterinary technician or veterinary technologist,  
3 however, has not graduated from an AVMA-accredited technology  
4 program or its equivalent, and has not been certified by the Board;

5 9. "Veterinary technology" means the science and art of  
6 providing all aspects of professional medical care, services, and  
7 treatment for animals with the exception of diagnosis, prognosis,  
8 surgery, and prescription of any treatments, drugs, medications, or  
9 appliances, where a valid veterinarian-client-patient relationship  
10 exists;

11 10. "Direct supervision" means:

12 a. directions have been given to a veterinary technician,  
13 nurse, laboratory technician, intern, veterinary  
14 assistant or other employee for medical care following  
15 the examination of an animal by the licensed  
16 veterinarian responsible for the professional care of  
17 the animal, or

18 b. that, under certain circumstances following the  
19 examination of an animal by a licensed veterinarian  
20 responsible for the professional care of the animal,  
21 the presence of the licensed veterinarian on the  
22 premises in an animal hospital setting or in the same  
23 general area in a range setting is required after  
24 directions have been given to a veterinarian who has a

1 certificate issued pursuant to Section 698.8 of this  
2 title;

3 11. "License" means authorization to practice veterinary  
4 medicine granted by the Board to an individual found by the Board to  
5 meet certain requirements pursuant to the Oklahoma Veterinary  
6 Practice Act or any other applicable statutes;

7 12. "Supervised Doctor of Veterinary Medicine Certificate"  
8 means authorization to practice veterinary medicine with certain  
9 limitations or restrictions on that practice, set by the Board or  
10 authorization to perform certain enumerated functions peripheral to  
11 the practice of veterinary medicine as set by the Board and has a  
12 certificate issued pursuant to Section 698.8 of this title;

13 13. "Veterinarian-client-patient relationship" means when:

- 14 a. the licensed veterinarian has assumed the  
15 responsibility for making medical judgments regarding  
16 the health of an animal or animals and the need for  
17 medical treatment, and the client, owner or other  
18 caretaker has agreed to follow the instructions of the  
19 licensed veterinarian; and
- 20 b. there is sufficient knowledge of the animal or animals  
21 by the licensed veterinarian to initiate at least a  
22 general or preliminary diagnosis of the medical  
23 condition of the animal or animals in that:

1 (1) the licensed veterinarian has recently seen or is  
2 personally acquainted with the keeping and care  
3 of the animal or animals, or

4 (2) by medically necessary and timely visits to the  
5 premises where the animal or animals are kept or  
6 both, and

7 c. the licensed veterinarian is readily available for  
8 follow-up in case of adverse reactions or failure of  
9 the regimen of therapy, or has arranged for emergency  
10 medical coverage, and

11 d. would conform to applicable federal law and  
12 regulations;

13 14. "Veterinary premises" means any facility where the practice  
14 of veterinary medicine occurs, including, but not limited to, a  
15 mobile unit, mobile clinic, outpatient clinic, satellite clinic,  
16 public service outreach of a veterinary facility, or veterinary  
17 hospital or clinic. The term "veterinary premises" shall not  
18 include the premises of a client of a licensed veterinarian or  
19 research facility;

20 15. "Veterinary prescription drugs" means such prescription  
21 items as are in the possession of a person regularly and lawfully  
22 engaged in the manufacture, transportation, storage, or wholesale or  
23 retail distribution of veterinary drugs and the federal Food and  
24 Drug Administration-approved human drugs for animals which because

1 of their toxicity or other potential for harmful effects, or method  
2 of use, or the collateral measures necessary for use, are labeled by  
3 the manufacturer or distributor in compliance with federal law and  
4 regulations to be sold only to or on the prescription order or under  
5 the supervision of a licensed veterinarian for use in the course of  
6 professional practice. Veterinary prescription drugs shall not  
7 include over-the-counter products for which adequate directions for  
8 lay use can be written.

9 16. "ECFVG certificate" means a certificate issued by the  
10 American Veterinary Medical Association Education Commission for  
11 Foreign Veterinary Graduates, indicating that the holder has  
12 demonstrated knowledge and skill equivalent to that possessed by a  
13 graduate of an accredited or approved college of veterinary  
14 medicine;

15 17. "Executive Director" means the Executive Director of the  
16 State Board of Veterinary Medical Examiners or the authorized  
17 representative of such official;

18 18. "Telemedicine" shall mean the transmission of diagnostic  
19 images such as, but not limited to, radiographs, ultrasound,  
20 cytology, endoscopy, photographs and case information over ordinary  
21 or cellular phone lines to a licensed veterinarian or board-  
22 certified medical specialist for the purpose of consulting regarding  
23 case management with the primary care licensed veterinarian who  
24 transmits the cases;

1       19. "Person" means any individual, firm, partnership,  
2 association, joint venture, cooperative, corporation, or any other  
3 group or combination acting in concert, and whether or not acting as  
4 a principal, trustee, fiduciary, receiver, or as any other kind of  
5 legal or personal representative, or as the successor in interest,  
6 assignee, agent, factor, servant, employee, director, officer,  
7 fictitious name certificate, or any other representative of such  
8 person;

9       20. "Food animal" means any mammalian, poultry, fowl, fish, or  
10 other animal that is raised primarily for human food consumption;

11       21. "Surgery" means the branch of veterinary science conducted  
12 under elective or emergency circumstances, which treats diseases,  
13 injuries and deformities by manual or operative methods including,  
14 but not limited to, cosmetic, reconstructive, ophthalmic,  
15 orthopedic, vascular, thoracic, and obstetric procedures. The  
16 provisions in Section 698.12 of this title shall not be construed as  
17 surgery;

18       22. "Abandonment" means to forsake entirely or to neglect or  
19 refuse to provide or perform the legal obligations for care and  
20 support of an animal by its owner, or the owner's agent.  
21 Abandonment shall constitute the relinquishment of all rights and  
22 claims by the owner to an animal;

23       23. "Animal chiropractic diagnosis and treatment" means  
24 treatment that includes vertebral subluxation complex (vcs) and

1 spinal manipulation of nonhuman vertebrates. The term "animal  
2 chiropractic diagnosis and treatment" shall not be construed to  
3 allow the:

- 4 a. use of x-rays,
- 5 b. performing of surgery,
- 6 c. dispensing or administering of medications, or
- 7 d. performance of traditional veterinary care; ~~and~~

8 24. "Animal euthanasia technician" means an employee of a law  
9 enforcement agency, an animal control agency, or animal shelter that  
10 is recognized and approved by the Board, who is certified by the  
11 Board and trained to administer sodium pentobarbital to euthanize  
12 injured, sick, homeless or unwanted domestic pets and other animals;  
13 and

14 25. "PAVE Program certificate" means a certificate issued by  
15 the American Association of Veterinary State Boards Program for the  
16 Assessment of Veterinary Education Equivalence for foreign  
17 veterinary graduates, indicating that the holder has demonstrated  
18 knowledge and skill equivalent to that possessed by a graduate of an  
19 accredited or approved college of veterinary medicine.

20 SECTION 2. NEW LAW A new section of law to be codified  
21 in the Oklahoma Statutes as Section 698.13a of Title 59, unless  
22 there is created a duplication in numbering, reads as follows:

23 A. The PAVE Program certificate is designed to fulfill the  
24 licensing requirements of the American Association of Veterinary

1 State Boards (AAVSB) for foreign veterinary school graduates, and  
2 Oklahoma hereby recognizes foreign veterinary school graduates who  
3 successfully complete the PAVE Program certificate within the  
4 guidelines provided in this act as fulfilling the educational  
5 component requirement for state licensure established by the State  
6 Board of Veterinary Medical Examiners.

7 B. A foreign graduate and participant in the PAVE Program may  
8 complete Step Four of the program for clinical evaluations in this  
9 state or in another accredited college or university within the  
10 United States or Canada. Applicants must complete the following  
11 application requirements to be considered for the PAVE Program Step  
12 Four clinical evaluations offered by Oklahoma State University. An  
13 applicant must:

14 1. Submit a letter from the AAVSB/PAVE Office as proof that the  
15 applicant is registered in the PAVE Program and has completed the  
16 required steps and has successfully completed the Qualifying  
17 Examination including dates taken and scores received;

18 2. Submit a completed PAVE application form, letter of intent  
19 and curriculum vitae;

20 3. Submit a notarized copy of the applicant's diploma awarded  
21 by a college of veterinary medicine, or its equivalent, and a  
22 notarized copy of the applicant's transcript including all courses  
23 taken during professional training including an English translation,  
24 if necessary;

1 4. Be fluent in both written and spoken English. Results of  
2 the English fluency examinations must be submitted with the  
3 application, when applicable;

4 5. Submit three letters of recommendation, sent directly to  
5 Oklahoma State University Department of Veterinary Clinical  
6 Sciences, by individuals living in the United States or Canada who  
7 can adequately evaluate the applicant's clinical abilities; and

8 6. Provide evidence of legal residency within the United States  
9 for the duration of the program. Only U.S. citizens or those  
10 persons holding appropriate visas or permits will be considered for  
11 admission to Step Four of the PAVE Program offered through the  
12 Oklahoma State University.

13 C. Oklahoma State University will review only applicants who  
14 have completed all application steps and have experience working at  
15 a veterinary hospital in the United States or Canada. It is  
16 strongly recommended that applicants have hands-on experience  
17 through either work experience or volunteering of twenty to thirty  
18 (20-30) hours or more per week under the supervision of North  
19 American educated veterinarians for one (1) year or more.

20 Applicants are ranked according to the applicant's exam scores,  
21 grade point, letters of reference and experience. Applicants being  
22 considered for admittance into Step Four of the PAVE Program for  
23 clinical evaluations offered through the Oklahoma State University  
24 Department of Veterinary Clinical Sciences must attend an interview,

1 at applicant's expense, with the ECFVG-PAVE Committee of Oklahoma  
2 State University for final acceptance into Step Four of the PAVE  
3 program offered through Oklahoma State University Department of  
4 Veterinary Clinical Sciences.

5 D. Applicants who do not meet the application requirements will  
6 not be considered eligible for admission to the clinical evaluation  
7 portion of the PAVE Program offered through the Oklahoma State  
8 University Department of Veterinary Clinical Sciences.

9 E. The Pave Program clinical evaluation Step Four portion of  
10 the program shall consist of forty-eight (48) weeks of veterinary  
11 clinical rotations held to the same standard as students regularly  
12 enrolled in Oklahoma State University who receive their Doctor of  
13 Veterinary Medicine degree from the University. The PAVE Program  
14 fee is equal to the out-of-state tuition rate of the Oklahoma State  
15 University Department of Veterinary Clinical Sciences. PAVE  
16 participants are not Oklahoma State University students and are not  
17 eligible for certain student benefits or federal financial aid or  
18 loans. Selected candidates for Step Four of the PAVE Program are  
19 personally responsible for all financial aspects of participation in  
20 the PAVE Program including, but not limited to, program fees,  
21 housing, parking, medical insurance, and rabies vaccines. It is  
22 preferable that the participant have the rabies vaccine prior to  
23 starting Step Four of the PAVE Program. Participants are to provide  
24 their own instruments and uniforms. Oklahoma State University

1 provides no liability insurance and accepts no liability for the  
2 actions of these participants or the death or injury to these  
3 participants. Each participant will be required to accept and sign  
4 a liability release statement.

5 F. As used in this section, "clinical rotations" means  
6 instruction and hands-on participation in courses of internal  
7 medicine, community practice, small animal surgery including, but  
8 not limited to, orthopedics and soft tissue, neurology, production  
9 medicine, equine medicine and equine surgery, radiology, anesthesia,  
10 critical care, clinical pathology, public health, necropsy, clinical  
11 microbiology, and other elective rotations established by the  
12 Department of Veterinary Clinical Sciences.

13 G. Participants in Step Four of the PAVE Program must agree to  
14 perform the same duties required of a regularly enrolled senior  
15 veterinary students assigned to rotations in the Oklahoma State  
16 University Department of Veterinary Clinical Sciences. PAVE  
17 participants are required to participate in night and emergency duty  
18 as required. PAVE participants will receive a written evaluation at  
19 the end of each rotation. If a poor or failing evaluation is  
20 received, the participant will need to repeat the rotation. If a  
21 participant receives three failing or unsatisfactory evaluations,  
22 the participant must be immediately dismissed from the clinical  
23 evaluation portion of the PAVE Program. No university credit is  
24 awarded for the PAVE Program. Participants who successfully

1 complete this training program will be awarded a certificate of  
2 completion by the Oklahoma State University Department of Veterinary  
3 Clinical Sciences as evidence of completion of Step Four of the PAVE  
4 Program certification process.

5 H. To be considered for Oklahoma licensure as a licensed  
6 veterinarian pursuant to a successfully completed PAVE Program  
7 certificate, applicants who are foreign graduates of veterinary  
8 schools must:

9 1. Graduate from Step Four of the PAVE Program for their  
10 clinical evaluation portion offered through an accredited college or  
11 university of veterinary medicine in North America recognized by the  
12 State Board of Veterinary Medical Examiners;

13 2. Must maintain a satisfactory grade in each class or course  
14 attempted as determined acceptable by the State Board of Veterinary  
15 Medical Examiners;

16 3. Must successfully pass the National American Veterinary  
17 Licensing Examination (NAVLE) sponsored by the American Association  
18 of Veterinary State Boards;

19 4. Must be a resident of Oklahoma and a United States citizen  
20 or possess the appropriate visas or permits to remain in the United  
21 States;

22 5. Must be fluent in writing and speaking English; and  
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