

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 57th Legislature (2020)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2833

By: Gann

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8 COMMITTEE SUBSTITUTE

9 An Act relating to sunset; amending 59 O.S. 2011,
10 Section 698.3, as last amended by Section 1, Chapter
11 353, O.S.L. 2014 (59 O.S. Supp. 2019, Section 698.3),
12 which relates to the State Board of Veterinary
13 Medical Examiners; re-creating the Board; and
14 modifying termination date.

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

16 SECTION 1. AMENDATORY 59 O.S. 2011, Section 698.3, as
17 last amended by Section 1, Chapter 353, O.S.L. 2014 (59 O.S. Supp.
18 2019, Section 698.3), is amended to read as follows:

19 Section 698.3 A. The State Board of Veterinary Medical
20 Examiners is hereby re-created, to continue until July 1, ~~2020~~ 2021,
21 in accordance with the provisions of the Oklahoma Sunset Law, to
22 regulate and enforce the practice of veterinary medicine in this
23 state in accordance with the Oklahoma Veterinary Practice Act.

1 B. 1. The duty of determining a person's initial and
2 continuing qualification and fitness for the practice of veterinary
3 medicine, of proceeding against the unlawful and unlicensed practice
4 of veterinary medicine and of enforcing the Oklahoma Veterinary
5 Practice Act is hereby delegated to the Board. That duty shall be
6 discharged in accordance with the Oklahoma Veterinary Practice Act
7 and other applicable statutes.

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

12 b. No member of the Board, acting in that capacity or as
13 a member of any Board committee, shall participate in
14 the making of any decision or the taking of any action
15 affecting such member's own personal, professional or
16 pecuniary interest, or that of a person related to the
17 member within the third degree by consanguinity,
18 marriage or adoption or of a business or professional
19 associate.

20 c. With advice of legal counsel, the Board shall adopt
21 and annually review a conflict of interest policy to
22 enforce the provisions of the Oklahoma Veterinary
23 Practice Act.
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1 C. The practice of veterinary medicine is a privilege granted
2 by the people of this state acting through their elected
3 representatives. It is not a natural right of individuals. In the
4 interest of the public, and to protect the public, it is necessary
5 to provide laws and rules to govern the granting and subsequent use
6 of the privilege to practice veterinary medicine. The primary
7 responsibility and obligation of the Board is to protect the public
8 from the unprofessional, improper, incompetent and unlawful practice
9 of veterinary medicine.

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

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14 COMMITTEE REPORT BY: COMMITTEE ON ADMINISTRATIVE RULES, dated
15 02/06/2020 - DO PASS, As Amended.
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