

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

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

4   HOUSE BILL 3482

By: Hasenbeck of the House

5   and

6   **Dugger** of the Senate

7  
8  
9                               AS INTRODUCED

10           An Act relating to professions and occupations;  
11           amending 59 O.S. 2011, Sections 698.2, 698.3, as last  
12           amended by Section 1, Chapter 353, O.S.L. 2014,  
13           698.4, 698.7, as amended by Section 14, Chapter 428,  
14           O.S.L. 2019, 698.8, 698.30, 698.30a and 698.33 (59  
15           O.S. Supp. 2019, Sections 698.3 and 698.7), which  
16           relate to the Oklahoma Veterinary Practice Act;  
17           modifying definitions; re-creating the State Board of  
18           Veterinary Medical Examiners; modifying termination  
19           date; removing obsolete language; modifying powers  
20           and duties of the Board; modifying reciprocity of  
21           license; modifying certification of nonveterinary  
22           equine dental care; removing obsolete language;  
23           extending prohibition for program agreements; and  
24           providing an effective date.

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

SECTION 1.           AMENDATORY           59 O.S. 2011, Section 698.2, is  
amended to read as follows:

Section 698.2   As used in the Oklahoma Veterinary Practice Act:

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

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

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

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

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

17       6. "Veterinary technician" means a person who has graduated  
18       from a program accredited by the American Veterinary Medical  
19       Association, or its equivalent which is recognized and approved by  
20       the Board, and who has passed the examination requirements set forth  
21       by the Board, is certified to practice under the direct supervision  
22       of a licensed veterinarian. For the purpose of the Oklahoma  
23       Veterinary Practice Act, "registered veterinary technician (RVT)"  
24

1 will be used interchangeably with veterinary technician who is  
2 certified pursuant to Sections 698.21 through 698.26 of this title;

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

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

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

16 10. "Direct supervision" means:

- 17 a. directions have been given to a veterinary technician,  
18 nurse, laboratory technician, intern, veterinary  
19 assistant or other employee for medical care following  
20 the examination of an animal by the licensed  
21 veterinarian responsible for the professional care of  
22 the animal, or  
23 b. that, under certain circumstances following the  
24 examination of an animal by a licensed veterinarian

1 responsible for the professional care of the animal,  
2 the presence of the licensed veterinarian on the  
3 premises in an animal hospital setting or in the same  
4 general area in a range setting is required after  
5 directions have been given to a veterinarian who has a  
6 certificate issued pursuant to Section 698.8 of this  
7 title;

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

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

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

- 19 a. the licensed veterinarian has assumed the  
20 responsibility for making medical judgments regarding  
21 the health of an animal or animals and the need for  
22 medical treatment, and the client, owner or other  
23 caretaker has agreed to follow the instructions of the  
24 licensed veterinarian, and

1           b.    there is sufficient knowledge of the animal or animals  
2                by the licensed veterinarian to initiate at least a  
3                general or preliminary diagnosis of the medical  
4                condition of the animal or animals in that:

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

8                (2)   the licensed veterinarian has made medically  
9                      necessary and timely visits to the premises where  
10                     the animal or animals are kept or both, and

11           c.    the licensed veterinarian is readily available for  
12                follow-up in case of adverse reactions or failure of  
13                the regimen of therapy, or has arranged for emergency  
14                medical coverage, and

15           d.    the licensed veterinarian's actions would conform to  
16                applicable federal law and regulations;

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

1        15. "Veterinary prescription drugs" means such prescription  
2 items as are in the possession of a person regularly and lawfully  
3 engaged in the manufacture, transportation, storage, or wholesale or  
4 retail distribution of veterinary drugs and the federal Food and  
5 Drug Administration-approved human drugs for animals which because  
6 of their toxicity or other potential for harmful effects, or method  
7 of use, or the collateral measures necessary for use, are labeled by  
8 the manufacturer or distributor in compliance with federal law and  
9 regulations to be sold only to or on the prescription order or under  
10 the supervision of a licensed veterinarian for use in the course of  
11 professional practice. Veterinary prescription drugs shall not  
12 include over-the-counter products for which adequate directions for  
13 lay use can be written;

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

20        17. "Executive Director" means the Executive Director of the  
21 State Board of Veterinary Medical Examiners or the authorized  
22 representative of such official;

23        18. "Telemedicine" or "telehealth" ~~shall mean the transmission~~  
24 ~~of diagnostic images such as, but not limited to, radiographs,~~

1 ~~ultrasound, cytology, endoscopy, photographs and case information~~  
2 ~~over ordinary or cellular phone lines to a licensed veterinarian or~~  
3 ~~board-certified medical specialist for the purpose of consulting~~  
4 ~~regarding case management with the primary care licensed~~  
5 ~~veterinarian who transmits the cases~~ means the practice of  
6 veterinary medicine, including diagnosis, consultation, evaluation,  
7 treatment, transfer of medical data or exchange of information by  
8 means of a two-way, real-time interactive communication between a  
9 client or patient and a veterinarian with access to and reviewing  
10 the patient's relevant information prior to the telemedicine visit.  
11 Telemedicine or telehealth shall not include consultations provided  
12 by telephone audio-only communication. A veterinarian using  
13 telehealth technologies shall take appropriate steps to establish  
14 the veterinarian-client-patient relationship and conduct all  
15 appropriate evaluations and history of the patient consistent with  
16 traditional standards of care for the particular patient  
17 presentation. A veterinarian shall be licensed, or under the  
18 jurisdiction of, the veterinary board of the jurisdiction where the  
19 patient is located. The practice of medicine occurs where the  
20 patient is located at the time telehealth technologies are used;

21 19. "Person" means any individual, firm, partnership,  
22 association, joint venture, cooperative, corporation, or any other  
23 group or combination acting in concert, and whether or not acting as  
24 a principal, trustee, fiduciary, receiver, or as any other kind of

1 legal or personal representative, or as the successor in interest,  
2 assignee, agent, factor, servant, employee, director, officer,  
3 fictitious name certificate, or any other representative of such  
4 person;

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

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

14 22. "Abandonment" means to forsake entirely or to neglect or  
15 refuse to provide or perform the legal obligations for care and  
16 support of an animal by its owner, or the owner's agent.

17 Abandonment shall constitute the relinquishment of all rights and  
18 claims by the owner to an animal;

19 23. "Animal chiropractic diagnosis and treatment" means  
20 treatment that includes vertebral subluxation complex (vcs) and  
21 spinal manipulation of nonhuman vertebrates. The term "animal  
22 chiropractic diagnosis and treatment" shall not be construed to  
23 allow the:

24 a. use of x-rays,



1           b.     performing of surgery,

2           c.     dispensing or administering of medications, or

3           d.     performance of traditional veterinary care;

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

9           25.    "Teeth floating", as provided by a nonveterinary equine  
10 dental care provider, means the removal of enamel points and the  
11 smoothing, contouring and leveling of dental arcades and incisors of  
12 equine and other farm animals. It shall not include dental  
13 procedures on canines and felines;

14           26.    "Nonveterinary reproductive services" means nonveterinary  
15 services provided by an individual certified by the Board as a  
16 nonveterinary reproductive services technician, and involves and  
17 shall be limited to nonsurgical embryo transfer in ruminating  
18 animals including cattle, sheep, goats, farmed deer and other  
19 ruminating exotic animals such as those found in zoos, and may  
20 include basic ultrasonography of their ovaries to evaluate the  
21 response to embryo-transfer-associated procedures and of the uterus  
22 to determine pregnancy by the detection of a heartbeat within the  
23 transferred embryo at or greater than twenty-eight (28) days of  
24 gestation of such ruminating animals;

1       27. "Embryo transfer" means the biosecure process of inducing  
2 increased ovulations within a donor female for the in vivo  
3 production of embryos, the flushing of those embryos, collecting,  
4 grading and transferring of those embryos to recipient females, or  
5 the cryopreservation of those embryos for storage and later transfer  
6 to recipient females;

7       28. "Animal Technology Advisory Committee" means the advisory  
8 committee established by the Board pursuant to Section ~~4 of this act~~  
9 698.30b of this title to advise and make recommendations to the  
10 Board regarding any new and evolving technology, procedure, method  
11 or practice that may be considered or otherwise designated as an act  
12 of animal husbandry that should be included as an act not prohibited  
13 in paragraph 1 of Section 698.12 of the Oklahoma Veterinary Practice  
14 Act. Reference to the advisory committee in this act shall mean the  
15 Animal Technology Advisory Committee; ~~and~~

16       29. "Examination Committee" means the committee established and  
17 described in subsection ~~E D~~ of Section ~~3 of this act~~ 698.30a of this  
18 title related to nonveterinary reproductive services; and

19       30. "Probable Cause Committee" means the committee consisting  
20 of the Board's secretary or treasurer, investigator and attorney, to  
21 negotiate and settle disputes in accordance with Oklahoma Veterinary  
22 Practice Act.

1       SECTION 2.       AMENDATORY       59 O.S. 2011, Section 698.3, as  
2 last amended by Section 1, Chapter 353, O.S.L. 2014 (59 O.S. Supp.  
3 2019, Section 698.3), is amended to read as follows:

4       Section 698.3 A. The State Board of Veterinary Medical  
5 Examiners is hereby re-created, to continue until July 1, ~~2020~~ 2025,  
6 in accordance with the provisions of the Oklahoma Sunset Law, to  
7 regulate and enforce the practice of veterinary medicine in this  
8 state in accordance with the Oklahoma Veterinary Practice Act.

9       B. 1. The duty of determining a person's initial and  
10 continuing qualification and fitness for the practice of veterinary  
11 medicine, of proceeding against the unlawful and unlicensed practice  
12 of veterinary medicine and of enforcing the Oklahoma Veterinary  
13 Practice Act is hereby delegated to the Board. That duty shall be  
14 discharged in accordance with the Oklahoma Veterinary Practice Act  
15 and other applicable statutes.

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

20       b. No member of the Board, acting in that capacity or as  
21 a member of any Board committee, shall participate in  
22 the making of any decision or the taking of any action  
23 affecting such member's own personal, professional or  
24 pecuniary interest, or that of a person related to the

1 member within the third degree by consanguinity,  
2 marriage or adoption or of a business or professional  
3 associate.

4 c. With advice of legal counsel, the Board shall adopt  
5 and annually review a conflict of interest policy to  
6 enforce the provisions of the Oklahoma Veterinary  
7 Practice Act.

8 C. The practice of veterinary medicine is a privilege granted  
9 by the people of this state acting through their elected  
10 representatives. It is not a natural right of individuals. In the  
11 interest of the public, and to protect the public, it is necessary  
12 to provide laws and rules to govern the granting and subsequent use  
13 of the privilege to practice veterinary medicine. The primary  
14 responsibility and obligation of the Board is to protect the public  
15 from the unprofessional, improper, incompetent and unlawful practice  
16 of veterinary medicine.

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

20 SECTION 3. AMENDATORY 59 O.S. 2011, Section 698.4, is  
21 amended to read as follows:

22 Section 698.4 A. 1. The State Board of Veterinary Medical  
23 Examiners shall consist of six (6) members, appointed by the  
24 Governor with the advice and consent of the Senate. The Board shall

1 consist of five licensed veterinarian members, and one lay person  
2 representing the general public.

3       2. Each veterinary member shall be a graduate of an approved  
4 school of veterinary medicine, shall be a currently licensed  
5 veterinarian and shall have held an active license for the three (3)  
6 years preceding appointment to the Board. One member shall be  
7 appointed from each congressional district and any remaining members  
8 shall be appointed from the state at large. However, when  
9 congressional districts are redrawn each member appointed prior to  
10 July 1 of the year in which such modification becomes effective  
11 shall complete the current term of office and appointments made  
12 after July 1 of the year in which such modification becomes  
13 effective shall be based on the redrawn districts. Appointments  
14 made after July 1 of the year in which such modification becomes  
15 effective shall be from any redrawn districts which are not  
16 represented by a board member until such time as each of the  
17 modified congressional districts are represented by a board member.  
18 No appointments may be made after July 1 of the year in which such  
19 modification becomes effective if such appointment would result in  
20 more than two members serving from the same modified district.

21       3. Of the five licensed veterinarian members, one must be an  
22 equine practitioner and one must be a large animal practitioner.  
23  
24

1       4. The lay member shall have no financial interest in the  
2 profession other than as a consumer or potential consumer of its  
3 services.

4       5. Members must be residents of the State of Oklahoma and be  
5 persons of integrity and good reputation. No member shall be a  
6 registered lobbyist. No member shall be an officer, board member or  
7 employee of a statewide or national organization established for the  
8 purpose of advocating the interests of or conducting peer review of  
9 veterinarians licensed pursuant to the Oklahoma Veterinary Practice  
10 Act.

11       B. Members of the Board shall be appointed for a term of five  
12 (5) years. No member shall serve consecutively for more than two  
13 (2) terms. Not more than two (2) terms shall expire in each year,  
14 and vacancies for the remainder of an unexpired term shall be filled  
15 by appointment by the Governor. Members shall serve beyond the  
16 expiration of their term until a successor is appointed by the  
17 Governor. ~~The initial appointee for the Board position created on~~  
18 ~~November 1, 1999, shall be appointed for less than five (5) years to~~  
19 ~~abide by staggered term requirements.~~ The Governor shall appoint to  
20 a vacancy within ninety (90) days of the beginning of the vacancy.  
21 Nominees considered by the Governor for appointment to the Board  
22 must be free of pending disciplinary action or active investigation  
23 by the Board.

1 C. A member may be removed from the Board by the Governor for  
2 cause which shall include, but not be limited to, if a member:

3 1. Ceases to be qualified;

4 2. Is found guilty by a court of competent jurisdiction of a  
5 felony or unlawful act which involves moral turpitude;

6 3. Is found guilty of malfeasance, misfeasance or nonfeasance  
7 in relation to Board duties;

8 4. Is found mentally incompetent by a court of competent  
9 jurisdiction;

10 5. Is found in violation of the Oklahoma Veterinary Practice  
11 Act; or

12 6. Fails to attend three successive Board meetings without just  
13 cause as determined by the Board.

14 SECTION 4. AMENDATORY 59 O.S. 2011, Section 698.7, as  
15 amended by Section 14, Chapter 428, O.S.L. 2019 (59 O.S. Supp. 2019,  
16 Section 698.7), is amended to read as follows:

17 Section 698.7 The State Board of Veterinary Medical Examiners  
18 shall have the powers and it shall also be its duty to regulate the  
19 practice of veterinary medicine. In addition to any other powers  
20 placed on it by the Oklahoma Veterinary Practice Act or as otherwise  
21 provided by law, the Board shall have the power and duty to:

- 22 1. a. set standards for licensure or certification by  
23 examination and develop such examinations as will  
24 provide assurance of competency to practice, and

1           b.    employ or enter into agreements with organizations or  
2               agencies to provide examinations acceptable to the  
3               Board or employ or enter into agreements with  
4               organizations or agencies to provide administration,  
5               preparation or scoring of examinations;

6        2.   Set fees;

7        3.   Prescribe the time, place, method, manner, scope and  
8       subjects of examination for licensure;

9        4.   Prepare or select, conduct or direct the conduct of, set  
10       minimum requirements for, and assure security of licensing and other  
11       required examinations;

12       5.   a.   issue or deny licenses and certificates and renewals  
13               thereof,

14       b.   acquire information about and evaluate the  
15               professional education and training of applicants for  
16               licensure or certification; and accept or deny  
17               applications for licensure, certification or renewal  
18               of either licensure or certification based on the  
19               evaluation of information relating to applicant  
20               fitness, performance or competency to practice,

21       c.   determine which professional schools, colleges,  
22               universities, training institutions and educational  
23               programs are acceptable in connection with licensure  
24               pursuant to the Oklahoma Veterinary Practice Act, and



- 1 accept the approval of such facilities and programs by  
2 American-Veterinary-Medical-Association-accredited  
3 institutions in the United States and Canada,  
4 d. require supporting documentation or other acceptable  
5 verifying evidence for any information provided the  
6 Board by an applicant for licensure or certification,  
7 and  
8 e. require information on an applicant's fitness,  
9 qualification and previous professional record and  
10 performance from recognized data sources including,  
11 but not limited to, other licensing and disciplinary  
12 authorities of other jurisdictions, professional  
13 education and training institutions, liability  
14 insurers, animal health care institutions and law  
15 enforcement agencies;

16 6. Develop and use applications and other necessary forms and  
17 related procedures for purposes of the Oklahoma Veterinary Practice  
18 Act;

- 19 7. a. review and investigate complaints and adverse  
20 information about licensees and certificate holders,  
21 b. conduct hearings in accordance with the Oklahoma  
22 Veterinary Practice Act and the Administrative  
23 Procedures Act, and  
24

1           c.    adjudicate matters that come before the Board for  
2                judgment pursuant to the Oklahoma Veterinary Practice  
3                Act upon clear and convincing evidence and issue final  
4                decisions on such matters to discipline licensees and  
5                certificate holders;

6        8.    a.    impose sanctions, deny licenses and certificates and  
7                renewals thereof, levy reimbursement costs, seek  
8                appropriate administrative, civil or criminal  
9                penalties or any combination of these against those  
10              who violate examination security, who attempt to or  
11              who do obtain licensure or certification by fraud, who  
12              knowingly assist in illegal activities, or who aid and  
13              abet the illegal practice of veterinary medicine,

14           b.    review and investigate complaints and adverse  
15                information about licensees and certificate holders,

16           c.    discipline licensees and certificate holders,

17           d.    institute proceedings in courts of competent  
18                jurisdiction to enforce Board orders and provisions of  
19                the Oklahoma Veterinary Practice Act,

20           e.    (1)   establish mechanisms for dealing with licensees  
21                and certificate holders who abuse or are  
22                dependent on or addicted to alcohol or other  
23                chemical substances, and enter into agreements,  
24                at its discretion, with professional

1 organizations whose relevant procedures and  
2 techniques it has evaluated and approved for  
3 their cooperation or participation in the  
4 rehabilitation of the licensee or certificate  
5 holder,

6 (2) establish by rules cooperation with other  
7 professional organizations for the identification  
8 and monitoring of licensees and certificate  
9 holders in treatment who are chemically dependent  
10 or addicted, and

11 f. issue conditional, restricted or otherwise  
12 circumscribed modifications to licensure or  
13 certification as determined to be appropriate by due  
14 process procedures and summarily suspend a license if  
15 the Board has cause to believe by clear and convincing  
16 evidence such action is required to protect public or  
17 animal health and safety or to prevent continuation of  
18 incompetent practices;

19 9. Promulgate rules of professional conduct and require all  
20 licensees and certificate holders to practice in accordance  
21 therewith;

22 10. Act to halt the unlicensed or illegal practice of  
23 veterinary medicine and seek administrative, criminal and civil  
24 penalties against those engaged in such practice;

- 1        11. Establish appropriate fees and charges to ensure active and  
2 effective pursuit of Board responsibilities;
- 3        12. Employ, direct, reimburse, evaluate and dismiss staff in  
4 accordance with state procedures;
- 5        13. Establish policies for Board operations;
- 6        14. Respond to legislative inquiry regarding those changes in,  
7 or amendments to, the Oklahoma Veterinary Practice Act;
- 8        15. Act on its own motion in disciplinary matters, administer  
9 oaths, issue notices, issue subpoenas in the name of the State of  
10 Oklahoma, including subpoenas for client and animal records, hold  
11 hearings, institute court proceedings for contempt or to compel  
12 testimony or obedience to its orders and subpoenas, take evidentiary  
13 depositions and perform such other acts as are reasonable and  
14 necessary under law to carry out its duties;
- 15       16. Use clear and convincing evidence as the standard of proof  
16 and issue final decisions when acting as trier of fact in the  
17 performance of its adjudicatory duties;
- 18       17. Determine and direct Board operating, administrative,  
19 personnel and budget policies and procedures in accordance with  
20 applicable statutes;
- 21       18. Promulgate uniform rules such as may be necessary for  
22 carrying out and enforcing the provisions of the Oklahoma Veterinary  
23 Practice Act and such as in its discretion may be necessary to  
24 protect the health, safety and welfare of the public;

1       19. Determine continuing education requirements. Such  
2 continuing education shall include not less than one (1) hour of  
3 education in pain management or one (1) hour of education in opioid  
4 use or addiction annually, unless the licensee has demonstrated to  
5 the satisfaction of the Board that the licensee does not currently  
6 hold a valid federal Drug Enforcement Administration registration  
7 number;

8       20. Establish minimum standards for veterinary premises;

9       21. Establish standards for veterinary labeling and dispensing  
10 of veterinary prescription drugs and federal Food and Drug  
11 Administration-approved human drugs for animals which would conform  
12 to current applicable state and federal law and regulations;

13       22. Promulgate rules such as may be necessary for carrying out  
14 and enforcing provisions relating to certification of animal  
15 euthanasia technicians and approval of drugs to be used for  
16 euthanasia of animals in an animal shelter pursuant to the  
17 requirements of Section 502 of Title 4 of the Oklahoma Statutes;

18       23. Shall conduct a national criminal history records search  
19 for certified animal euthanasia technicians:

- 20           a. the applicant shall furnish the Board two completed  
21 fingerprint cards and a money order or cashier's check  
22 made payable to the Oklahoma State Bureau of  
23 Investigation,

- 1           b.    the Board shall forward the fingerprint cards, along  
2                with the applicable fee for a national fingerprint  
3                criminal history records search, to the Bureau, and  
4           c.    the Bureau shall retain one set of fingerprints in the  
5                Automated Fingerprint Identification System (AFIS) and  
6                submit the other set to the Federal Bureau of  
7                Investigation (FBI) for a national criminal history  
8                records search;

9           24.   Establish standards for animal chiropractic diagnosis and  
10           treatment. The standards shall include but not be limited to a  
11           requirement that a veterinarian who holds himself or herself out to  
12           the public as certified to engage in animal chiropractic diagnosis  
13           and treatment shall:

- 14           a.    carry at least One Million Dollars (\$1,000,000.00) of  
15                additional malpractice coverage to perform animal  
16                chiropractic diagnosis and treatment, and  
17           b.    have appropriate training in animal chiropractic  
18                diagnosis and treatment. The Veterinary Examining  
19                Board shall have the authority to establish  
20                educational criteria for certification standards in  
21                animal chiropractic diagnosis and treatment. The  
22                Veterinary Examining Board shall work in conjunction  
23                with the Board of Chiropractic Examiners to establish  
24                comparable standards for the practice of animal

1 chiropractic diagnosis and treatment for both medical  
2 professions within thirty (30) days after the  
3 effective date of this act. The Board shall certify  
4 any licensed veterinarian wishing to engage in animal  
5 chiropractic diagnosis and treatment who meets the  
6 standards established by the Board pursuant to this  
7 paragraph. Upon request, the Board shall make  
8 available to the public a list of licensed  
9 veterinarians so certified; ~~and~~

10 25. Give scholarships, as determined by the Board, to an  
11 individual advancing toward obtaining a degree in veterinary  
12 medicine from an Oklahoma higher education institution; and take  
13 such other action as may be reasonably necessary or appropriate to  
14 effectuate the Veterinary Practice Act. The Board may, at its  
15 discretion, contract with other state agencies and nonprofit  
16 corporations for the endowment, management and administration of  
17 scholarships. The requirements of such scholarships shall be  
18 determined by the Board. However, nothing contained herein shall be  
19 construed as requiring the Board to endow or award any scholarship;  
20 and

21 26. Perform such other duties and exercise such other powers as  
22 the provisions and enforcement of the Oklahoma Veterinary Practice  
23 Act may require.

1       SECTION 5.       AMENDATORY       59 O.S. 2011, Section 698.8, is  
2 amended to read as follows:

3       Section 698.8 A. It shall be unlawful to practice veterinary  
4 medicine in this state without a license or certificate issued by  
5 the State Board of Veterinary Medical Examiners.

6       B. Requirements for licensure or certification shall be set by  
7 the Board and may be changed as the education and training for the  
8 practice of veterinary medicine changes. Prior to issuance of a  
9 license or certificate to practice veterinary medicine in this  
10 state, the applicant shall have been found by the Board to be of  
11 good moral character and the Board shall consider but not be limited  
12 to the following evidence of suitability to practice:

13       1.   a.   Graduation from an approved school of veterinary  
14               medicine whose requirements at the time of graduation  
15               are acceptable to the Board.

16       b.   Graduates of schools of veterinary medicine located  
17               outside the United States and Canada shall be held to  
18               the same standards for evidence of suitability to  
19               practice as are graduates of schools of veterinary  
20               medicine located within the United States in that  
21               applicants shall conform in all respects to the  
22               requirements set forth in this section. Where  
23               necessary, further examination shall be administered  
24               by the Board or its designee to determine competency



1 to practice. In addition, applicants shall  
2 demonstrate a command of the English language  
3 satisfactory to the Board. Documents and material  
4 submitted in support of application for licensure or  
5 certification, if in a foreign language, shall be  
6 translated and certified as accurate by an  
7 organization acceptable to the Board;

8 2. Satisfactory completion of a minimum number of months of  
9 education in veterinary medicine as a requirement for graduation  
10 from a school of veterinary medicine as set by the Board;

11 3. Evidence that the applicant for licensure or certification  
12 is of good moral character;

13 4. a. Except as otherwise provided by this paragraph,  
14 evidence that the applicant has passed examinations  
15 satisfactory to the Board and that the examination  
16 score is acceptable to the Board. The Board may set  
17 minimum passing scores for examinations and limit the  
18 number of times an applicant may take an examination  
19 in this state.

20 b. In lieu of national examination requirements, an  
21 applicant shall have actively engaged in the clinical  
22 practice of veterinary medicine for a period of at  
23 least five thousand (5,000) hours during the five (5)  
24 consecutive years immediately prior to making

1 application in Oklahoma and hold a license to practice  
2 veterinary medicine in another state, territory,  
3 district or province of the United States and Canada  
4 and successfully passed the Oklahoma State  
5 Jurisprudence Examination;

6 5. Evidence that the applicant has demonstrated familiarity  
7 with the statutes and rules set by the Board;

8 6. Evidence that the applicant is mentally and professionally  
9 capable of practicing veterinary medicine in a competent manner as  
10 determined by the Board and willing to submit, if deemed appropriate  
11 by the Board, to an evaluation of skills and abilities;

12 7. Evidence that the applicant has not been found guilty by a  
13 court of law of any conduct that would constitute grounds for  
14 disciplinary action under the Oklahoma Veterinary Practice Act or  
15 rules of the Board, and there has been no disciplinary action taken  
16 against the applicant by any public agency concerned with the  
17 practice of veterinary medicine;

18 8. If the Board deems it necessary, a personal appearance by  
19 the applicant before the Board in support of the applicant's  
20 application for licensure or certification. If the Board is not  
21 satisfied with the credentials of the applicant, or demonstration of  
22 knowledge or skills presented, the Board may require further  
23 examination or supervised practice before reconsideration of the  
24 application; and

1        9. Evidence that all required fees have been paid.

2        C. Practice without the legal possession of an active license  
3 or certificate shall be prohibited, and evidence of said practice  
4 shall be reported by the Board to the district attorney of the  
5 county in which the practice is found to occur.

6        D. Certificates may be issued to any veterinarian who has  
7 failed to obtain or failed to maintain a regular license to practice  
8 veterinary medicine. Such certificates may be issued by the Board  
9 at such times as the Board determines that all requirements for  
10 possession of such certificate have been met as set by rules and  
11 policies of the Board. Certificates may be issued for, but not  
12 limited to, the practice of veterinary medicine under the direct  
13 supervision of a licensed veterinarian while the application for  
14 full licensure is pending.

15        E. Any active military or their spouse who is licensed in  
16 veterinary medicine or is registered or certified as a veterinary  
17 technician in another state may submit a completed application for  
18 licensure or registration in Oklahoma and if found to be in good  
19 standing and has equivalent education, training and experience shall  
20 be licensed within thirty (30) days. The application fee and the  
21 first period of issuance shall be waived for such active military or  
22 their spouse.

23        SECTION 6.        AMENDATORY        59 O.S. 2011, Section 698.30, is  
24 amended to read as follows:

1       Section 698.30   A.   The State Board of Veterinary Medical  
2   Examiners shall annually certify any practitioner of teeth floating,  
3   known as a nonveterinary equine dental care provider and as defined  
4   by paragraph 25 of Section 698.2 of Title 59 of the Oklahoma  
5   Statutes.   Certification shall be issued within ninety (90) days of  
6   application, and to be eligible for this certification,  
7   nonveterinary equine dental care providers shall provide proof of  
8   qualification to be a nonveterinary equine dental care provider  
9   using one of the following methods:

10       1.   Completion of at least eighty (80) hours of training in  
11   ~~equine dentistry at the Texas Institute of Equine Dentistry, the~~  
12   ~~Academy of Equine Dentistry or a similar~~ program approved by the  
13   State Board of Veterinary Medical Examiners; or

14       2.   Certification as ~~an~~ a nonveterinary equine dental ~~technician~~  
15   care provider by the International Association of Equine Dentistry  
16   or its equivalent by a similar certifying organization approved by  
17   the State Board of Veterinary Medical Examiners.

18       B.   ~~Prior to July 1, 2011, teeth floaters shall be granted~~  
19   ~~certification upon submission of a signed and notarized affidavit~~  
20   ~~from three persons who are residents of this state, stating that~~  
21   ~~they know this individual and the individual is known by the~~  
22   ~~community to be a nonveterinary equine dental care provider. Of the~~  
23   ~~three residents, one shall be from a veterinarian that is licensed~~  
24   ~~to practice in the state; and one shall be from the current~~

1 ~~president of any official statewide association representing horses,~~  
2 ~~horse breeds or horsemen, or a horse owner currently residing in the~~  
3 ~~state.~~

4 C. Proof of four (4) hours of continuing education shall be  
5 required for annual certification renewal for ~~teeth floaters~~ a  
6 nonveterinary equine dental care provider. This continuing  
7 education shall be a course approved by ~~the Texas Institute of~~  
8 ~~Equine Dentistry, the Academy of Equine Dentistry, the State Board~~  
9 ~~of Veterinary Medical Examiners,~~ the International Association of  
10 Equine Dentistry or a similar organization approved by the State  
11 Board of Veterinary Medical Examiners and shall be obtained in the  
12 twelve-month period immediately preceding the year for which the  
13 certification is to be issued.

14 ~~D.~~ C. If prescription drugs, not to include any controlled  
15 dangerous substances as defined in the Uniform Controlled Dangerous  
16 Substances Act, are to be used in nonveterinary equine dental care  
17 procedures, the equine owner shall contact a veterinarian licensed  
18 by the state. If the veterinarian deems that prescription drugs,  
19 not to include any controlled dangerous substances as defined in the  
20 Uniform Controlled Dangerous Substances Act, are necessary, the  
21 veterinarian may assemble those drugs and may allow the owner or the  
22 owner's agent, who can be a nonveterinary equine dental care  
23 provider, to pick up those drugs and deliver them to the equine  
24 owner. No prescription drugs shall be prescribed, dispensed, or

1 administered without the establishment of a valid client-patient  
2 relationship between the equine owner and the veterinarian.

3 Prescription drugs must be used in accordance with United States  
4 Food and Drug Administration regulations.

5 ~~E.~~ D. Complaints related to any ~~teeth-floater~~ nonveterinary  
6 equine dental care provider shall be filed with the State  
7 Veterinarian through the Oklahoma Department of Agriculture, Food,  
8 and Forestry. The State Veterinarian may investigate complaints,  
9 and may forward findings as it deems appropriate to the appropriate  
10 law enforcement entity.

11 SECTION 7. AMENDATORY 59 O.S. 2011, Section 698.30a, is  
12 amended to read as follows:

13 Section 698.30a A. The State Board of Veterinary Medical  
14 Examiners shall certify an individual as a nonveterinary  
15 reproductive services technician who qualifies and passes a written  
16 certification examination approved by the Board and who holds a  
17 Ph.D. from an accredited college or university with emphasis in  
18 animal reproductive physiology, or a Master of Science degree from  
19 an accredited college or university with emphasis in animal  
20 reproductive physiology and Board Certification in animal physiology  
21 by the American Registry of Professional Animal Scientists, which  
22 certification authorizes them to provide nonveterinary reproductive  
23 services as defined in the Oklahoma Veterinary Practice Act.

1       B. ~~Prior to July 1, 2012, an individual with a Bachelor of~~  
2 ~~Science degree from an accredited college or university, which~~  
3 ~~includes completion of at least six (6) semester hours in~~  
4 ~~reproductive physiology and who has practical experience in embryo~~  
5 ~~transfer in ruminating animals as verified in writing by sworn~~  
6 ~~affidavit from at least two client animal owners and from two~~  
7 ~~approved certified members of the American Embryo Transfer~~  
8 ~~Association, shall be allowed to become certified as a nonveterinary~~  
9 ~~reproductive services technician upon passing a written~~  
10 ~~certification examination approved by the Board.~~

11       C. In connection with performing nonveterinary reproductive  
12 services, federal legend drugs shall be prescribed and dispensed  
13 only on the order of a licensed veterinarian who has an existing  
14 veterinarian-client-patient relationship as defined by the Oklahoma  
15 Veterinary Practice Act and the rules of the Board and shall only be  
16 administered in accordance with the act. Every nonveterinary  
17 reproductive services technician shall keep and maintain medical  
18 records that include the source of any prescription drugs used in  
19 connection with providing nonveterinary reproductive services,  
20 including the name and address of the veterinarian prescribing or  
21 dispensing the drugs, the date the drugs are received, the species  
22 and description of the animal involved, the animal owner or client  
23 name and address, and the medications administered including date  
24 and dosage. All medical records pertaining to prescription drugs

1 shall be made available for inspection by the Board or the Board's  
2 agent upon request and must be kept and maintained for a period of  
3 two (2) years from the date the drug was administered.

4 ~~D.~~ C. Proof of at least eight (8) hours of continuing education  
5 from courses and study approved by the Board shall be required for  
6 annual certification renewal as a nonveterinarian reproductive  
7 services technician.

8 ~~E.~~ D. The certification examination and continuing education  
9 described in this section shall be approved by the Examination  
10 Committee that is overseen by the Board and consists of:

11 1. A veterinarian designated by the Dean of the Oklahoma State  
12 University Center of Veterinary Health Sciences;

13 2. An animal scientist with a Ph.D. with an emphasis in animal  
14 reproductive physiology designated by the head of the Oklahoma State  
15 University Department of Animal Science; and

16 3. An animal embryologist as designated by the American Embryo  
17 Transfer Association.

18 SECTION 8. AMENDATORY 59 O.S. 2011, Section 698.33, is  
19 amended to read as follows:

20 Section 698.33 A. There is hereby established the veterinary  
21 training program for rural Oklahoma to be administered by the  
22 Oklahoma State University Center for Veterinary Health Sciences.  
23 The program shall be developed and implemented in order to provide  
24 encouragement, opportunities, and incentives for persons pursuing a



1 veterinary medicine degree at Oklahoma State University to locate  
2 their veterinary practice in rural Oklahoma communities, and receive  
3 specialized training targeted to meet the needs of livestock  
4 producers in rural Oklahoma communities.

5 B. Subject to available funds, each year the Veterinary Center  
6 may enter into program agreements with up to three first-year  
7 veterinary students or currently practicing large animal  
8 veterinarians with qualifying school loans, as determined by the  
9 Veterinary Center. Preference shall be given to those students and  
10 large animal veterinarians who are Oklahoma residents and who agree  
11 to serve in a community as described in paragraph 3 of subsection D  
12 of this section, which is determined by the Veterinary Center to be  
13 an underserved area for the practice of veterinary medicine.

14 C. Subject to available funds, each student or large animal  
15 veterinarian entering into a program agreement under this section  
16 shall receive assistance in an amount not to exceed Twenty Thousand  
17 Dollars (\$20,000.00) per year for not more than four (4) years for  
18 tuition, books, supplies, and other school expenses, and travel and  
19 training expenses incurred by the student in pursuing a veterinary  
20 medicine degree. Upon satisfaction of all commitments under the  
21 provisions of the agreement and the provisions of this section, the  
22 financial obligations pursuant to this section shall be deemed  
23 satisfied and forgiven.

1 D. Each program agreement shall require that the person  
2 receiving the assistance:

3 1. Complete the veterinary medicine degree program at the  
4 Veterinary Center;

5 2. Complete all requirements in public health, livestock  
6 biosecurity, foreign animal disease diagnosis, regulatory veterinary  
7 medicine and zoonotic disease, and an externship and mentoring  
8 requirement with a licensed, accredited veterinarian in rural  
9 Oklahoma as required by the Veterinary Center;

10 3. Engage in the full-time practice of veterinary medicine in  
11 any community in Oklahoma which has a population not exceeding  
12 twenty-five thousand (25,000) as determined by the most recent  
13 Federal Decennial Census at the time the person entered into the  
14 program agreement for a period of at least twelve (12) continuous  
15 months for each separate year a student receives assistance under  
16 the program, unless the obligation is otherwise satisfied as  
17 provided in this section. If, after the date a program agreement  
18 was entered into by the parties, a community no longer meets the  
19 maximum population requirements provided in this paragraph, a person  
20 engaging in the full-time practice of veterinary medicine pursuant  
21 to the program agreement shall continue to practice in that  
22 designated community; and

23 4. Commence the full-time practice of veterinary medicine in  
24 that community within ninety (90) days after completion of the

1 person's degree program, or if the person enters a postdegree  
2 training program, such as a graduate school or internship or  
3 residency program, within ninety (90) days after completion of the  
4 postdegree training program.

5 E. Upon the failure of a person to satisfy the obligation to  
6 engage in the full-time practice of veterinary medicine in  
7 accordance with the provisions of this section, that person shall  
8 repay to the Veterinary Center, within ninety (90) days of the  
9 failure, the amount equal to the assistance provided to the person  
10 less a prorated amount based on any periods of practice of  
11 veterinary medicine meeting the requirements of this section, plus  
12 interest at the prime rate of interest plus two percent (2%) from  
13 the date the assistance accrued. The interest shall be compounded  
14 annually.

15 F. An obligation to engage in the practice of veterinary  
16 medicine in accordance with the provisions of this section shall be  
17 postponed during:

18 1. Any period of temporary medical disability during which the  
19 person obligated is unable to practice veterinary medicine due to  
20 the disability; and

21 2. Any other period of postponement agreed to or determined in  
22 accordance with criteria agreed to in the practice agreement.  
23  
24

1 G. An obligation to engage in the practice of veterinary  
2 medicine in accordance with the provisions of the agreement and this  
3 section shall be satisfied:

4 1. If the obligation to engage in the practice of veterinary  
5 medicine in accordance with the agreement has been completed;

6 2. If, because of permanent disability, the person obligated is  
7 unable to practice veterinary medicine; or

8 3. The person who is obligated dies.

9 H. The Veterinary Center may adopt additional provisions,  
10 requirements, or conditions to participate in this program as are  
11 practicable and appropriate to accomplish the provisions of the  
12 program or may be required for the implementation or administration  
13 of the program, and are not inconsistent with the provisions of this  
14 section.

15 I. The Veterinary Center shall not enter into any program  
16 agreements pursuant to the provisions of this section after July 1,  
17 ~~2018~~ 2025. All agreements entered into prior to such date shall be  
18 valid.

19 SECTION 9. This act shall become effective November 1, 2020.  
20

21 COMMITTEE REPORT BY: COMMITTEE ON AGRICULTURE AND RURAL DEVELOPMENT,  
22 dated 02/24/2020 - DO PASS, As Coauthored.  
23  
24