

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 HOUSE BILL 3239

By: Hasenbeck

6 AS INTRODUCED

7 An Act relating to professions and occupations;
8 amending 59 O.S. 2021, Section 698.2, which relates
9 to veterinary profession definitions; modifying
10 certain definitions; providing for new definitions;
11 amending 59 O.S. 2021, Section 698.12, which relates
12 to allowable conduct; providing fee structure for
13 Pulsed Electromagnetic Field Therapy; establishing
14 Pulsed Electromagnetic Field Therapy certification;
15 providing for codification; and providing an
16 effective date.

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

18 SECTION 1. AMENDATORY 59 O.S. 2021, Section 698.2, is
19 amended to read as follows:

20 Section 698.2. As used in the Oklahoma Veterinary Practice
21 Act:

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

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

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, and is certified to practice under the direct
17 supervision of a licensed veterinarian. For the purpose of the
18 Oklahoma Veterinary Practice Act, "registered veterinary technician
19 (RVT)" will be used interchangeably with veterinary technician who
20 is certified pursuant to Sections 698.21 through 698.26 of this
21 title;

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

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

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

10. "Direct supervision" means:

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

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

certificate issued pursuant to Section 698.8 of this title;

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

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

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

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

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

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

(2) the licensed veterinarian has made medically necessary and timely visits to the premises where the animal or groups of animals are ~~kept or both~~ maintained and created a herd health plan with the client within the last twelve (12) months, and

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

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

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

15. "Veterinary prescription drugs" means such prescription drugs as are in the possession of a person regularly and lawfully

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

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

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

21 18. "Telemedicine" or "telehealth" means the practice of
22 veterinary medicine including diagnosis, consultation, evaluation,
23 treatment, transfer of medical data or exchange of information by
24 means of a two-way, real-time interactive communication between a

1 client or patient and a veterinarian with access to and reviewing
2 the patient's relevant information prior to the telemedicine visit.
3 Telemedicine or telehealth shall not include consultations provided
4 by telephone audio-only communication. A veterinarian using
5 telehealth technologies shall take appropriate steps to establish
6 the veterinarian-client-patient relationship by an in person
7 examination within the last twelve (12) months and conduct all
8 appropriate evaluations and history of the patient consistent with
9 traditional standards of care for the particular patient
10 presentation. A veterinarian shall be licensed, or under the
11 jurisdiction of, the veterinary board of the jurisdiction where the
12 patient is located. The practice of medicine occurs where the
13 patient is located at the time telehealth technologies are used and
14 the relationship may not be established solely by telephone or
15 electronic means;

16 19. "Person" means any individual, firm, partnership,
17 association, joint venture, cooperative, corporation or any other
18 group or combination acting in concert, and whether or not acting as
19 a principal, trustee, fiduciary, receiver or as any other kind of
20 legal or personal representative, or as the successor in interest,
21 assignee, agent, factor, servant, employee, director, officer,
22 fictitious name certificate or any other representative of such
23 person;
24

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

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

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

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

15 23. "Animal chiropractic diagnosis and treatment" means
16 treatment that includes vertebral subluxation complex (VSC) and
17 spinal manipulation of nonhuman vertebrates. The term "animal
18 chiropractic diagnosis and treatment" shall not be construed to
19 allow the:

- 20 a. use of x-rays,
- 21 b. performing of surgery,
- 22 c. dispensing or administering of medications, or
- 23 d. performance of traditional veterinary care;

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

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

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

22 27. "Embryo transfer" means the biosecure process of inducing
23 increased ovulations within a donor female for the in vivo
24 production of embryos, the flushing of those embryos, collecting,

1 grading and transferring of those embryos to recipient females or
2 the cryopreservation of those embryos for storage and later transfer
3 to recipient females;

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

13 29. "Examination Committee" means the committee established and
14 described in subsection D of Section 698.30a of this title related
15 to nonveterinary reproductive services; and

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

20 31. "Pulsed Electromagnetic Field Therapy (PEMF)" means the use
21 of a low frequency electromagnetic field to aid in pain relief,
22 improved healing, reduced inflammation and enhanced circulation in a
23 non-human;

1 32. "Alternative Animal Therapy" means use of laser light and
2 hydrotherapy that aids in healing and pain management in a non-
3 human;

4 33. "Medical Records" means any form of documentation that
5 provides a current and accurate account of a patient or herd history
6 and relevant medical information. Each licensed veterinarian engaged
7 in the practice shall maintain a complete, legible, written or
8 computer-generated record concerning the patient and/or herd;

9 34. "Relief Veterinarian" is a licensed veterinarian who works
10 on a temporary or contract basis, who performs the duties of a full-
11 time veterinarian. They are required to maintain accurate medical
12 records that allow another veterinarian to proceed with care and
13 treatment and promote continuity of care for the animal; and

14 35. "Herd Health Plan" is a documented plan provided by a
15 licensed veterinarian with a veterinarian-client-patient
16 relationship that establishes the treatment and supportive care for
17 a group of animals to enhance a good herd management and optimize
18 animal health and productivity.

19 SECTION 2. AMENDATORY 59 O.S. 2021, Section 698.12, is
20 amended to read as follows:

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

23 1. Acts of animal husbandry consisting of dehorning, branding,
24 tagging or notching ears, teeth floating, farriery, pregnancy

1 checking by transrectal palpation, collecting semen, preparing
2 semen, freezing semen, castrating, worming, vaccinating, injecting
3 or nonsurgical artificial insemination of farm animals; or the acts
4 or conduct of a person advising with respect to nutrition, feeds or
5 feeding; and such other acts designated by administrative rule of
6 the Board which may be recommended by the Animal Technology Advisory
7 Committee;

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

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

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

23 5. Acts of a person who is a student in good standing in a
24 veterinary school, in performing duties or functions assigned by the

1 student's instructors, or working under the direct supervision of a
2 licensed veterinarian for each individual case and acts performed by
3 an instructor or student in a school of veterinary medicine
4 recognized by the Board and performed as a part of the educational
5 and training curriculum of the school under the direct supervision
6 of faculty. The unsupervised or unauthorized practice of veterinary
7 medicine even though on the premises of a school of veterinary
8 medicine is prohibited;

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

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

14 8. Acts of agriculture education instructors or students while
15 engaged in regular agriculture education instruction in programs
16 approved by the Oklahoma Department of Career and Technology
17 Education; provided that said acts are under the supervision of
18 instructors and are carried out in the usual course of instruction
19 and not as independent practice by an unlicensed veterinarian
20 without supervision;

21 9. Any person employed by a licensed veterinarian who is
22 assisting with the professional duties of the licensed veterinarian
23 and who is under the direct supervision of the licensed veterinarian
24 from administering medication or rendering auxiliary or supporting

1 assistance under the direct supervision of such licensed
2 veterinarian, provided that the practice is conducted in compliance
3 with all laws of this state and rules of this Board;

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

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

13 12. Any individual that is certified in animal massage therapy
14 and acquires liability insurance from engaging in animal massage
15 therapy after referral from a licensed veterinarian;

16 13. Any individual that is certified by the State Board of
17 Veterinary Medical Examiners and pays a certification fee of Two
18 Hundred Dollars (\$200.00) under subsection A of Section 698.30 of
19 this title from engaging in nonveterinary equine dental care; or

20 14. Any individual that is certified by the Board pursuant to
21 Section 3 of this act and pays a certification fee of Two Hundred
22 Dollars (\$200.00) from providing nonveterinary reproductive services
23 as defined by Section 698.2 of this title.; and

24

1 15. Any individual that is certified by the Board pays a
2 certification fee of Two Hundred Dollars (\$200.00) from using Pulsed
3 Electromagnetic Field Therapy (PEMF).

4 SECTION 3. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 59 of Title 698.30c, unless
6 there is created a duplication in numbering, reads as follows:

7 A. The Board may annually certify an individual that has
8 completed instruction on non-humans in Pulsed Electromagnetic Field
9 Therapy (PEMF) and receive certification from the Association of
10 PEMF Professionals or a similar certifying organization approved by
11 the Board.

12 B. To be eligible for this certification, the person shall pay
13 a fee of Two Hundred Dollars (\$200.00) and complete an application
14 on a form provided by the Board and provide qualifying documentation
15 as established by the Board, including the following:

16 1. Endorsement from a licensed veterinarian in good standing;
17 and

18 2. Proof of liability malpractice coverage.

19 C. Proof of four (4) continuing education hours shall be
20 required for annual certification upon renewal due on or before July
21 1 each year. The renewal fee shall remain the same as the
22 application fee.

1 SECTION 4. This act shall become effective November 1, 2026.

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