



SENATE BILL 604: Amend NC Veterinary Practice Act.

2019-2020 General Assembly

Committee:		Date:	December 10, 2019
Introduced by:		Prepared by:	Jason Moran-Bates Staff Attorney
Analysis of:	S.L. 2019-170		

OVERVIEW: *S.L. 2019-170: (i) defines "impairment" for purposes of the Veterinary Medical Board (Board) and allows the Board to take disciplinary action against registrants for impairment, (ii) amends the extent to which a person may administer to an animal owned by the person, (iii) requires veterinary facility permits for any facility where veterinary medicine is practiced, (iv) allows a business entity to own a veterinary facility upon obtaining a veterinary facility permit, and (v) allows the Board to establish rules for the practice of veterinary telehealth.*

The conforming changes and provisions of the act relating to unlicensed practice of veterinary medicine became effective 60 days after the date that the Board adopts pertinent rules. The remainder of the act became effective July 16, 2019.

CURRENT LAW AND BILL ANALYSIS:

Definition of "Impairment"

"Impairment" is defined to mean an individual's inability to practice veterinary medicine, inability to assist in the delivery of veterinary services as a registered veterinary technician, or inability to perform acts, tasks, and functions with reasonable skill and safety, and in a manner not harmful to the public or to animals, by reason of physical or mental illness or condition, or use of alcohol, drugs, chemicals, or any other type of substance or material. This section also allows the Board to take disciplinary action against registered veterinary technicians, registered student interns, and registered student preceptees for impairment. Under current law, the Board is only explicitly authorized to take disciplinary action against licensed veterinarians for impairment caused by alcohol, drugs, or controlled substances.

Practice of Veterinary Medicine on Owned Animals

Under current law, the necessity for a license to practice veterinary medicine does prohibit "any person from administering to animals, the title to which is vested in the person or the person's employer...." S.L. 2019-170 adds specific limitations on what activities a person may engage in, for animals owned by the person or their employer, without a license to practice veterinary medicine. These include:

- Administering to food animals or to animals maintained for the production of food or fiber.
- Administering first aid, not including surgery or invasive procedures, to companion animals in emergency situations.
- Administering routine disease prevention pharmaceuticals to companion animals.

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578

Senate Bill 604

Page 2

Definition of "Person"

The definition of "person" for purposes of the Veterinary Medical Board is amended to include an "entity."

Rule-Making Requirements

The Board must adopt rules to establish provisions and requirements for a new veterinary facility permit, the issuance of which shall be required for any facility where veterinary medicine is practiced, except for animal shelters registered with the Department of Agriculture and Consumer Services. The Board is also be directed to adopt rules requirements for a supervising veterinarian for each veterinary facility maintaining a valid veterinary facility permit and to establish rules for the practice of veterinary telehealth.

Unlicensed Practice of Veterinary Medicine

Under current law, no person may engage in the practice of veterinary medicine or own a full or partial interest in a veterinary medical practice in this State without a veterinary license from the Board. This is amended to provide that no individual may practice veterinary medicine without a license from the board, and that no person (which includes entities, partnerships, corporations, etc.) may own a veterinary facility without having a veterinary facility permit from the Board.

The provision of the Veterinary Medicine practice Act that requires all partners to be licensed when the practice of veterinary medicine is carried on by a partnership, and prohibits any corporation to practice or offer to practice veterinary medicine as defined in this Article, except as a professional corporation organized as provided in Chapter 55B of the General Statutes is repealed.

Technical Changes

Technical and conforming changes are made throughout the Veterinary Medicine Practice Act.

EFFECTIVE DATE: The conforming changes and provisions of the act relating to unlicensed practice of veterinary medicine became effective 60 days after the date that the Board adopts pertinent rules. The remainder of the act became effective July 16, 2019.

****Chris Saunders of the Legislative Analysis Division substantially contributed to this summary.****