



SENATE BILL 604: Amend NC Veterinary Practice Act.

2019-2020 General Assembly

Committee: Senate Rules and Operations of the Senate	Date: May 6, 2019
Introduced by: Sen. Rabon	Prepared by: Chris Saunders
Analysis of: Second Edition	Staff Attorney

OVERVIEW: *Senate Bill 604 would: (i) define "impairment" for purposes of the Veterinary Medical Board (Board) and allow the Board to take disciplinary action against registrants for impairment, (ii) amend the extent to which a person may administer to an animal owned by the person, (iii) require veterinary facility permits for any facility where veterinary medicine is practiced, and (iv) allow a business entity to own a veterinary facility upon obtaining a veterinary facility permit.*

CURRENT LAW AND BILL ANALYSIS:

Section 1 of the bill would define "impairment" for purposes of the Veterinary Medical Board. "Impairment" would 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 would also allow 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.

This section would be effective when it becomes law.

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...."

Section 2 would provide 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 would 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.

Section 3 would amend the definition of "person" for purposes of the Veterinary Medical Board to include an "entity."

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Legislative Analysis
Division
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Senate Bill 604

Page 2

Section 4 would direct the Board to 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 would also be directed to adopt rules requirements for a supervising veterinarian for each veterinary facility maintaining a valid veterinary facility permit.

Section 5 would make conforming changes.

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. **Section 6.(a)** would 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.

Section 6.(b) would also repeal a provision 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.

Section 6.(c) would make technical changes.

EFFECTIVE DATE: Sections 1, 2, 3, 4, and 7 of this act are effective when they become law. Sections 5 and 6 of this act are effective 60 days after the date that the rules adopted pursuant to Section 4 of this act become effective.