



# SENATE BILL 651: Amend Veterinary Practice Act/DACS Budget.

2021-2022 General Assembly

<b>Committee:</b>		<b>Date:</b>	July 28, 2022
<b>Introduced by:</b>		<b>Prepared by:</b>	Kyle Evans Staff Attorney
<b>Analysis of:</b>	S.L. 2022-67		

**OVERVIEW:** *S.L. 2022-67 does all the following:*

- *Defines "staff" and eliminates the phrase "veterinary employee" from the veterinary statutes.*
- *Defines "veterinary consulting" and clarifies that it does not constitute the practice of veterinary medicine.*
- *Increases the dollar cap on fee increases for veterinary practice facility inspection, veterinary facility inspection, and sets a dollar fee cap on veterinary facility permit issuance.*
- *Expands the eligibility for "veterinary student interns" to include currently enrolled students who have satisfactorily completed the second year of an accredited veterinary college.*
- *Eliminates the position of "veterinary student preceptees" from the veterinary statutes.*
- *Makes technical and conforming changes to the North Carolina Veterinary Practice Act.*
- *Allows the Department of Agriculture and Consumer Services (DACs) to use funds allocated to it to repair the restaurant facility at the Piedmont Triad Farmers Market.*
- *Makes a technical change to a DACs budget provision.*

*This act becomes effective October 1, 2022, except that the DACs-related provisions became effective July 1, 2022.*

**CURRENT LAW & BILL ANALYSIS:**

Veterinary Consulting

G.S. 90-187.10 allows an out-of-state veterinarian to act as a consultant for a North Carolina licensed veterinarian if certain conditions regarding notice and supervision are met. The consultation by the out-of-state veterinarian must not exceed 10 days a year.

**Section 1** defines "veterinary consulting" as "when any person, whose expertise the veterinarian believes would benefit the veterinarian's patient, provides advice by any means of communication to a veterinarian at the veterinarian's direction or request." It further clarifies that veterinary consulting does not constitute the practice of veterinary medicine by that act alone.

Staff

The North Carolina Veterinary Practice Act does not define "veterinary employee," but uses the term throughout the Act.

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**Section 1** defines "staff" as "any person performing duties under the direction and supervision of a veterinarian" and replaces every instance of "veterinary employee" with "staff" in the Act.

## Dollar Cap on Fee Increases

G.S. 90-186(6) authorizes the Veterinary Medical Board (Board) to set and require fees pursuant to administrative rule. The Board may increase the fees provided that the fee does not increase by more than 15% within a calendar year and the cumulative total increase of any fee does not exceed 100% of the fee amounts set in that section.

### **Section 1:**

- Increases the dollar fee cap for the inspection of a veterinary practice facility from \$125 to \$150.
- Increases the dollar fee cap for the inspection of a veterinary facility, where the inspection is the result of a serious inspection violation or complaint, from \$125 to \$150.
- Establishes a dollar fee cap of \$150 for the issuance of veterinary facility permits.

## Veterinary Student Intern

G.S. 90-187.6 authorizes a veterinary student intern to assist a licensed veterinarian in diagnosis, laboratory analysis, and anesthesia and surgical procedures. Also, if under the direct personal supervision of a veterinarian, a veterinary student intern may perform surgery and administer therapeutic or prophylactic drugs.

A veterinary student intern must be enrolled in an accredited veterinary college, and must have satisfactorily completed the third year of the program and registered with the Board.

**Section 1** expands the pool of students eligible to become veterinary student interns to currently enrolled students who have satisfactorily completed the second year of veterinary college.

## Veterinary Student Preceptee

In addition to the services that veterinary student interns are authorized to carry out, G.S. 90-187.6 authorizes a veterinary student preceptee to make ambulatory calls, hospital and clinic diagnoses, write prescriptions, and carry out other treatments at the direction of the employing veterinarian.

A veterinary student preceptee must be pursuing a doctorate degree in an accredited veterinary college that has a preceptor or extern program, and must have completed the academic requirements of that program and registered with the Board.

**Section 1** eliminates the position of veterinary student preceptees from the veterinary statutes and makes technical and conforming changes.

**Section 2** adds to S.L. 2022-74 a provision that allows DACS to use up to \$3 million of allocated funds for repairs and renovations to be used for the purpose of renovating the restaurant facility at the Piedmont Triad Farmers Market by replacing the roof, mechanical systems, windows, and doors, renovating the building envelope, and making site drainage improvements. This section became effective July 1, 2022.

**Section 3** amends Section 10.1 of S.L. 2022-74 to correct a provision that mistakenly limited the payment of overtime compensation to only those members of the North Carolina Forest Service who are exempt from the Fair Labor Standards Act. This section became effective July 1, 2022.

**EFFECTIVE DATE:** Except as otherwise provided, this act becomes effective October 1, 2022.