

1 ENGROSSED HOUSE AMENDMENTS

TO

2 ENGROSSED SENATE BILL NO. 270

By: Murdock and Bergstrom of
the Senate

3

and

4

Hasenbeck of the House

5

6

7

An Act relating to professions and occupations;
amending 59 O.S. 2011, Sections 698.2, 698.3, as last
amended by Section 3, Chapter 116, O.S.L. 2020,
698.4, 698.7, as amended by Section 14, Chapter 428,
O.S.L. 2019, 698.8, 698.30, 698.30a and 698.33 (59
O.S. Supp. 2020, Sections 698.3 and 698.7), which
relate to the Oklahoma Veterinary Practice Act;
modifying definitions; modifying termination date for
certain board; removing obsolete language; modifying
powers and duties of the Board; modifying reciprocity
of license; modifying certification of nonveterinary
equine dental care; removing obsolete language;
extending prohibition for program agreements; and
providing an effective date.

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17 AMENDMENT NO. 1. Page 1, lines 7 through 13 1/2, strike the title
to read:

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"[professions and occupations - Oklahoma Veterinary
Practice Act - modifying reciprocity of license -
effective date]"

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22 AMENDMENT NO. 2. Page 1, line 16, strike the enacting clause

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9 amended by Section 3, Chapter 116, O.S.L. 2020,
10 698.4, 698.7, as amended by Section 14, Chapter 428,
11 O.S.L. 2019, 698.8, 698.30, 698.30a and 698.33 (59
12 O.S. Supp. 2020, Sections 698.3 and 698.7), which
13 relate to the Oklahoma Veterinary Practice Act;
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15 certain board; removing obsolete language; modifying
16 powers and duties of the Board; modifying reciprocity
17 of license; modifying certification of nonveterinary
18 equine dental care; removing obsolete language;
19 extending prohibition for program agreements; and
20 providing an effective date.

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

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

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

- 30 1. "Board" means the State Board of Veterinary Medical
31 Examiners;
32 2. "Animal" means any animal other than humans and includes,
33 but is not limited to, fowl, fish, birds and reptiles, wild or
34 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;

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

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

11 10. "Direct supervision" means:

- 12 a. directions have been given to a veterinary technician,
13 nurse, laboratory technician, intern, veterinary
14 assistant or other employee for medical care following
15 the examination of an animal by the licensed
16 veterinarian responsible for the professional care of
17 the animal, or
- 18 b. that, under certain circumstances following the
19 examination of an animal by a licensed veterinarian
20 responsible for the professional care of the animal,
21 the presence of the licensed veterinarian on the
22 premises in an animal hospital setting or in the same
23 general area in a range setting is required after
24 directions have been given to a veterinarian who has a

1 certificate issued pursuant to Section 698.8 of this
2 title;

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

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

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

- 14 a. the licensed veterinarian has assumed the
15 responsibility for making medical judgments regarding
16 the health of an animal or animals and the need for
17 medical treatment, and the client, owner or other
18 caretaker has agreed to follow the instructions of the
19 licensed veterinarian, and
20 b. there is sufficient knowledge of the animal or animals
21 by the licensed veterinarian to initiate at least a
22 general or preliminary diagnosis of the medical
23 condition of the animal or animals in that:

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

4 (2) the licensed veterinarian has made medically
5 necessary and timely visits to the premises where
6 the animal or animals are kept or both, and

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

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

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

20 15. "Veterinary prescription drugs" means such prescription
21 items as are in the possession of a person regularly and lawfully
22 engaged in the manufacture, transportation, storage, or wholesale or
23 retail distribution of veterinary drugs and the federal Food and
24 Drug Administration-approved human drugs for animals which because

1 of their toxicity or other potential for harmful effects, or method
2 of use, or the collateral measures necessary for use, are labeled by
3 the manufacturer or distributor in compliance with federal law and
4 regulations to be sold only to or on the prescription order or under
5 the supervision of a licensed veterinarian for use in the course of
6 professional practice. Veterinary prescription drugs shall not
7 include over-the-counter products for which adequate directions for
8 lay use can be written;

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

15 17. "Executive Director" means the Executive Director of the
16 State Board of Veterinary Medical Examiners or the authorized
17 representative of such official;

18 18. "Telemedicine" or "telehealth" ~~shall mean the transmission~~
19 ~~of diagnostic images such as, but not limited to, radiographs,~~
20 ~~ultrasound, cytology, endoscopy, photographs and case information~~
21 ~~over ordinary or cellular phone lines to a licensed veterinarian or~~
22 ~~board-certified medical specialist for the purpose of consulting~~
23 ~~regarding case management with the primary care licensed~~
24 ~~veterinarian who transmits the cases~~ means the practice of

1 veterinary medicine including diagnosis, consultation, evaluation,
2 treatment, transfer of medical data or exchange of information by
3 means of a two-way, real-time interactive communication between a
4 client or patient and a veterinarian with access to and reviewing
5 the patient's relevant information prior to the telemedicine visit.
6 Telemedicine or telehealth shall not include consultations provided
7 by telephone audio-only communication. A veterinarian using
8 telehealth technologies shall take appropriate steps to establish
9 the veterinarian-client-patient relationship and conduct all
10 appropriate evaluations and history of the patient consistent with
11 traditional standards of care for the particular patient
12 presentation. A veterinarian shall be licensed, or under the
13 jurisdiction of, the veterinary board of the jurisdiction where the
14 patient is located. The practice of medicine occurs where the
15 patient is located at the time telehealth technologies are used;

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 ~~(ves)~~ (VSC)
17 and 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;

24

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 ~~4 of this act~~
6 698.30b of this title to advise and make recommendations to the
7 Board regarding any new and evolving technology, procedure, method
8 or practice that may be considered or otherwise designated as an act
9 of animal husbandry that should be included as an act not prohibited
10 in 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; ~~and~~

13 29. "Examination Committee" means the committee established and
14 described in subsection ~~E D~~ of Section ~~3 of this act~~ 698.30a of this
15 title related 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 SECTION 2. AMENDATORY 59 O.S. 2011, Section 698.3, as
21 last amended by Section 3, Chapter 116, O.S.L. 2020 (59 O.S. Supp.
22 2020, Section 698.3), is amended to read as follows:

23 Section 698.3. A. The State Board of Veterinary Medical
24 Examiners is hereby re-created, to continue until July 1, ~~2023~~ 2025,

1 in accordance with the provisions of the Oklahoma Sunset Law, to
2 regulate and enforce the practice of veterinary medicine in this
3 state in accordance with the Oklahoma Veterinary Practice Act.

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

11 2. a. It is necessary that the powers conferred on the Board
12 by the Oklahoma Veterinary Practice Act be construed
13 to protect the health, safety and welfare of the
14 people of this state.

15 b. No member of the Board, acting in that capacity or as
16 a member of any Board committee, shall participate in
17 the making of any decision or the taking of any action
18 affecting such member's own personal, professional or
19 pecuniary interest, or that of a person related to the
20 member within the third degree by consanguinity,
21 marriage or adoption or of a business or professional
22 associate.

23 c. With advice of legal counsel, the Board shall adopt
24 and annually review a conflict of interest policy to

1 enforce the provisions of the Oklahoma Veterinary
2 Practice Act.

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

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

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

17 Section 698.4. A. 1. The State Board of Veterinary Medical
18 Examiners shall consist of six (6) members, appointed by the
19 Governor with the advice and consent of the Senate. The Board shall
20 consist of five licensed veterinarian members, and one lay person
21 representing the general public.

22 2. Each veterinary member shall be a graduate of an approved
23 school of veterinary medicine, shall be a currently licensed
24 veterinarian and shall have held an active license for the three (3)

1 years preceding appointment to the Board. One member shall be
2 appointed from each congressional district and any remaining members
3 shall be appointed from the state at large. However, when
4 congressional districts are redrawn each member appointed prior to
5 July 1 of the year in which such modification becomes effective
6 shall complete the current term of office and appointments made
7 after July 1 of the year in which such modification becomes
8 effective shall be based on the redrawn districts. Appointments
9 made after July 1 of the year in which such modification becomes
10 effective shall be from any redrawn districts which are not
11 represented by a board member until such time as each of the
12 modified congressional districts are represented by a board member.
13 No appointments may be made after July 1 of the year in which such
14 modification becomes effective if such appointment would result in
15 more than two members serving from the same modified district.

16 3. Of the five licensed veterinarian members, one must be an
17 equine practitioner and one must be a large animal practitioner.

18 4. The lay member shall have no financial interest in the
19 profession other than as a consumer or potential consumer of its
20 services.

21 5. Members must be residents of the State of Oklahoma and be
22 persons of integrity and good reputation. No member shall be a
23 registered lobbyist. No member shall be an officer, board member or
24 employee of a statewide or national organization established for the

1 purpose of advocating the interests of or conducting peer review of
2 veterinarians licensed pursuant to the Oklahoma Veterinary Practice
3 Act.

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

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

- 19 1. Ceases to be qualified;
- 20 2. Is found guilty by a court of competent jurisdiction of a
21 felony or unlawful act which involves moral turpitude;
- 22 3. Is found guilty of malfeasance, misfeasance or nonfeasance
23 in relation to Board duties;

1 4. Is found mentally incompetent by a court of competent
2 jurisdiction;

3 5. Is found in violation of the Oklahoma Veterinary Practice
4 Act; or

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

7 SECTION 4. AMENDATORY 59 O.S. 2011, Section 698.7, as
8 amended by Section 14, Chapter 428, O.S.L. 2019 (59 O.S. Supp. 2020,
9 Section 698.7), is amended to read as follows:

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

- 15 1. a. set standards for licensure or certification by
16 examination and develop such examinations as will
17 provide assurance of competency to practice, and
18 b. employ or enter into agreements with organizations or
19 agencies to provide examinations acceptable to the
20 Board or employ or enter into agreements with
21 organizations or agencies to provide administration,
22 preparation or scoring of examinations;

23 2. Set fees;

24

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

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

6 5. a. issue or deny licenses and certificates and renewals
7 thereof,

8 b. acquire information about and evaluate the
9 professional education and training of applicants for
10 licensure or certification; and accept or deny
11 applications for licensure, certification or renewal
12 of either licensure or certification based on the
13 evaluation of information relating to applicant
14 fitness, performance or competency to practice,

15 c. determine which professional schools, colleges,
16 universities, training institutions and educational
17 programs are acceptable in connection with licensure
18 pursuant to the Oklahoma Veterinary Practice Act, and
19 accept the approval of such facilities and programs by
20 American-Veterinary-Medical-Association-accredited
21 institutions in the United States and Canada,

22 d. require supporting documentation or other acceptable
23 verifying evidence for any information provided the
24

1 Board by an applicant for licensure or certification,
2 and

- 3 e. require information on an applicant's fitness,
4 qualification and previous professional record and
5 performance from recognized data sources including,
6 but not limited to, other licensing and disciplinary
7 authorities of other jurisdictions, professional
8 education and training institutions, liability
9 insurers, animal health care institutions and law
10 enforcement agencies;

11 6. Develop and use applications and other necessary forms and
12 related procedures for purposes of the Oklahoma Veterinary Practice
13 Act;

- 14 7. a. review and investigate complaints and adverse
15 information about licensees and certificate holders,
16 b. conduct hearings in accordance with the Oklahoma
17 Veterinary Practice Act and the Administrative
18 Procedures Act, and

- 19 c. adjudicate matters that come before the Board for
20 judgment pursuant to the Oklahoma Veterinary Practice
21 Act upon clear and convincing evidence and issue final
22 decisions on such matters to discipline licensees and
23 certificate holders;

24

1 (2) establish by rules cooperation with other
2 professional organizations for the identification
3 and monitoring of licensees and certificate
4 holders in treatment who are chemically dependent
5 or addicted, and

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

14 9. Promulgate rules of professional conduct and require all
15 licensees and certificate holders to practice in accordance
16 therewith;

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

20 11. Establish appropriate fees and charges to ensure active and
21 effective pursuit of Board responsibilities;

22 12. Employ, direct, reimburse, evaluate and dismiss staff in
23 accordance with state procedures;

24 13. Establish policies for Board operations;

1 14. Respond to legislative inquiry regarding those changes in,
2 or amendments to, the Oklahoma Veterinary Practice Act;

3 15. Act on its own motion in disciplinary matters, administer
4 oaths, issue notices, issue subpoenas in the name of the State of
5 Oklahoma, including subpoenas for client and animal records, hold
6 hearings, institute court proceedings for contempt or to compel
7 testimony or obedience to its orders and subpoenas, take evidentiary
8 depositions and perform such other acts as are reasonable and
9 necessary under law to carry out its duties;

10 16. Use clear and convincing evidence as the standard of proof
11 and issue final decisions when acting as trier of fact in the
12 performance of its adjudicatory duties;

13 17. Determine and direct Board operating, administrative,
14 personnel and budget policies and procedures in accordance with
15 applicable statutes;

16 18. Promulgate uniform rules such as may be necessary for
17 carrying out and enforcing the provisions of the Oklahoma Veterinary
18 Practice Act and such as in its discretion may be necessary to
19 protect the health, safety and welfare of the public;

20 19. Determine continuing education requirements. Such
21 continuing education shall include not less than one (1) hour of
22 education in pain management or one (1) hour of education in opioid
23 use or addiction annually, unless the licensee has demonstrated to
24 the satisfaction of the Board that the licensee does not currently

1 hold a valid federal Drug Enforcement Administration registration
2 number;

3 20. Establish minimum standards for veterinary premises;

4 21. Establish standards for veterinary labeling and dispensing
5 of veterinary prescription drugs and federal Food and Drug
6 Administration-approved human drugs for animals which would conform
7 to current applicable state and federal law and regulations;

8 22. Promulgate rules such as may be necessary for carrying out
9 and enforcing provisions relating to certification of animal
10 euthanasia technicians and approval of drugs to be used for
11 euthanasia of animals in an animal shelter pursuant to the
12 requirements of Section 502 of Title 4 of the Oklahoma Statutes;

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

15 a. the applicant shall furnish the Board two completed
16 fingerprint cards and a money order or cashier's check
17 made payable to the Oklahoma State Bureau of
18 Investigation,

19 b. the Board shall forward the fingerprint cards, along
20 with the applicable fee for a national fingerprint
21 criminal history records search, to the Bureau, and

22 c. the Bureau shall retain one set of fingerprints in the
23 Automated Fingerprint Identification System (AFIS) and
24 submit the other set to the Federal Bureau of

1 Investigation (FBI) for a national criminal history
2 records search;

3 24. Establish standards for animal chiropractic diagnosis and
4 treatment. The standards shall include but not be limited to a
5 requirement that a veterinarian who holds himself or herself out to
6 the public as certified to engage in animal chiropractic diagnosis
7 and treatment shall:

- 8 a. carry at least One Million Dollars (\$1,000,000.00) of
9 additional malpractice coverage to perform animal
10 chiropractic diagnosis and treatment, and
- 11 b. have appropriate training in animal chiropractic
12 diagnosis and treatment. The Veterinary Examining
13 Board shall have the authority to establish
14 educational criteria for certification standards in
15 animal chiropractic diagnosis and treatment. The
16 Veterinary Examining Board shall work in conjunction
17 with the Board of Chiropractic Examiners to establish
18 comparable standards for the practice of animal
19 chiropractic diagnosis and treatment for both medical
20 professions within thirty (30) days after the
21 effective date of this act. The Board shall certify
22 any licensed veterinarian wishing to engage in animal
23 chiropractic diagnosis and treatment who meets the
24 standards established by the Board pursuant to this

1 paragraph. Upon request, the Board shall make
2 available to the public a list of licensed
3 veterinarians so certified; ~~and~~

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

15 26. Perform such other duties and exercise such other powers as
16 the provisions and enforcement of the Oklahoma Veterinary Practice
17 Act may require.

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

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

23 B. Requirements for licensure or certification shall be set by
24 the Board and may be changed as the education and training for the

1 practice of veterinary medicine changes. Prior to issuance of a
2 license or certificate to practice veterinary medicine in this
3 state, the applicant shall have been found by the Board to be of
4 good moral character and the Board shall consider but not be limited
5 to the following evidence of suitability to practice:

6 1. a. Graduation from an approved school of veterinary
7 medicine whose requirements at the time of graduation
8 are acceptable to the Board.

9 b. Graduates of schools of veterinary medicine located
10 outside the United States and Canada shall be held to
11 the same standards for evidence of suitability to
12 practice as are graduates of schools of veterinary
13 medicine located within the United States in that
14 applicants shall conform in all respects to the
15 requirements set forth in this section. Where
16 necessary, further examination shall be administered
17 by the Board or its designee to determine competency
18 to practice. In addition, applicants shall
19 demonstrate a command of the English language
20 satisfactory to the Board. Documents and material
21 submitted in support of application for licensure or
22 certification, if in a foreign language, shall be
23 translated and certified as accurate by an
24 organization acceptable to the Board;

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

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

6 4. a. Except as otherwise provided by this paragraph,
7 evidence that the applicant has passed examinations
8 satisfactory to the Board and that the examination
9 score is acceptable to the Board. The Board may set
10 minimum passing scores for examinations and limit the
11 number of times an applicant may take an examination
12 in this state.

13 b. In lieu of national examination requirements, an
14 applicant shall have actively engaged in the clinical
15 practice of veterinary medicine for a period of at
16 least five thousand (5,000) hours during the five (5)
17 consecutive years immediately prior to making
18 application in Oklahoma and hold a license to practice
19 veterinary medicine in another state, territory,
20 district or province of the United States and Canada
21 and successfully passed the Oklahoma State
22 Jurisprudence Examination;

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

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

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

11 8. If the Board deems it necessary, a personal appearance by
12 the applicant before the Board in support of the applicant's
13 application for licensure or certification. If the Board is not
14 satisfied with the credentials of the applicant, or demonstration of
15 knowledge or skills presented, the Board may require further
16 examination or supervised practice before reconsideration of the
17 application; and

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

19 C. Practice without the legal possession of an active license
20 or certificate shall be prohibited, and evidence of ~~said~~ the
21 practice shall be reported by the Board to the district attorney of
22 the county in which the practice is found to occur.

23 D. Certificates may be issued to any veterinarian who has
24 failed to obtain or failed to maintain a regular license to practice

1 veterinary medicine. Such certificates may be issued by the Board
2 at such times as the Board determines that all requirements for
3 possession of such certificate have been met as set by rules and
4 policies of the Board. Certificates may be issued for, but not
5 limited to, the practice of veterinary medicine under the direct
6 supervision of a licensed veterinarian while the application for
7 full licensure is pending.

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

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

18 Section 698.30. A. The State Board of Veterinary Medical
19 Examiners shall annually certify any practitioner of teeth floating,
20 known as a nonveterinary equine dental care provider and as defined
21 by paragraph 25 of Section 698.2 of Title 59 of the Oklahoma
22 Statutes. Certification shall be issued within ninety (90) days of
23 application, and to be eligible for this certification,
24 nonveterinary equine dental care providers shall provide proof of

1 qualification to be a nonveterinary equine dental care provider
2 using one of the following methods:

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

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

11 B. ~~Prior to July 1, 2011, teeth floaters shall be granted~~
12 ~~certification upon submission of a signed and notarized affidavit~~
13 ~~from three persons who are residents of this state, stating that~~
14 ~~they know this individual and the individual is known by the~~
15 ~~community to be a nonveterinary equine dental care provider. Of the~~
16 ~~three residents, one shall be from a veterinarian that is licensed~~
17 ~~to practice in the state; and one shall be from the current~~
18 ~~president of any official statewide association representing horses,~~
19 ~~horse breeds or horsemen, or a horse owner currently residing in the~~
20 ~~state.~~

21 ~~C.~~ Proof of four (4) hours of continuing education shall be
22 required for annual certification renewal for ~~teeth floaters~~ a
23 nonveterinary equine dental care provider. This continuing
24 education shall be a course approved by ~~the Texas Institute of~~

1 ~~Equine Dentistry, the Academy of Equine Dentistry, the State Board~~
2 ~~of Veterinary Medical Examiners,~~ the International Association of
3 Equine Dentistry or a similar organization approved by the State
4 Board of Veterinary Medical Examiners and shall be obtained in the
5 twelve-month period immediately preceding the year for which the
6 certification is to be issued.

7 ~~D.~~ C. If prescription drugs, not to include any controlled
8 dangerous substances as defined in the Uniform Controlled Dangerous
9 Substances Act, are to be used in nonveterinary equine dental care
10 procedures, the equine owner shall contact a veterinarian licensed
11 by the state. If the veterinarian deems that prescription drugs,
12 not to include any controlled dangerous substances as defined in the
13 Uniform Controlled Dangerous Substances Act, are necessary, the
14 veterinarian may assemble those drugs and may allow the owner or the
15 owner's agent, who can be a nonveterinary equine dental care
16 provider, to pick up those drugs and deliver them to the equine
17 owner. No prescription drugs shall be prescribed, dispensed, or
18 administered without the establishment of a valid client-patient
19 relationship between the equine owner and the veterinarian.
20 Prescription drugs must be used in accordance with United States
21 Food and Drug Administration regulations.

22 ~~E.~~ D. Complaints related to any ~~teeth-floater~~ nonveterinary
23 equine dental care provider shall be filed with the State
24 Veterinarian through the Oklahoma Department of Agriculture, Food,

1 and Forestry. The State Veterinarian may investigate complaints,
2 and may forward findings as it deems appropriate to the appropriate
3 law enforcement entity.

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

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

17 ~~B. Prior to July 1, 2012, an individual with a Bachelor of~~
18 ~~Science degree from an accredited college or university, which~~
19 ~~includes completion of at least six (6) semester hours in~~
20 ~~reproductive physiology and who has practical experience in embryo~~
21 ~~transfer in ruminating animals as verified in writing by sworn~~
22 ~~affidavit from at least two client animal owners and from two~~
23 ~~approved certified members of the American Embryo Transfer~~
24 ~~Association, shall be allowed to become certified as a nonveterinary~~

1 ~~reproductive services technician upon passing a written~~
2 ~~certification examination approved by the Board.~~

3 ~~C.~~ In connection with performing nonveterinary reproductive
4 services, federal legend drugs shall be prescribed and dispensed
5 only on the order of a licensed veterinarian who has an existing
6 veterinarian-client-patient relationship as defined by the Oklahoma
7 Veterinary Practice Act and the rules of the Board and shall only be
8 administered in accordance with the act. Every nonveterinary
9 reproductive services technician shall keep and maintain medical
10 records that include the source of any prescription drugs used in
11 connection with providing nonveterinary reproductive services,
12 including the name and address of the veterinarian prescribing or
13 dispensing the drugs, the date the drugs are received, the species
14 and description of the animal involved, the animal owner or client
15 name and address, and the medications administered including date
16 and dosage. All medical records pertaining to prescription drugs
17 shall be made available for inspection by the Board or the Board's
18 agent upon request and must be kept and maintained for a period of
19 two (2) years from the date the drug was administered.

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

24

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

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

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

9 3. An animal embryologist as designated by the American Embryo
10 Transfer Association.

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

13 Section 698.33. A. There is hereby established the veterinary
14 training program for rural Oklahoma to be administered by the
15 Oklahoma State University Center for Veterinary Health Sciences.
16 The program shall be developed and implemented in order to provide
17 encouragement, opportunities, and incentives for persons pursuing a
18 veterinary medicine degree at Oklahoma State University to locate
19 their veterinary practice in rural Oklahoma communities, and receive
20 specialized training targeted to meet the needs of livestock
21 producers in rural Oklahoma communities.

22 B. Subject to available funds, each year the Veterinary Center
23 may enter into program agreements with up to three first-year
24 veterinary students or currently practicing large animal

1 veterinarians with qualifying school loans, as determined by the
2 Veterinary Center. Preference shall be given to those students and
3 large animal veterinarians who are Oklahoma residents and who agree
4 to serve in a community as described in paragraph 3 of subsection D
5 of this section, which is determined by the Veterinary Center to be
6 an underserved area for the practice of veterinary medicine.

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

17 D. Each program agreement shall require that the person
18 receiving the assistance:

19 1. Complete the veterinary medicine degree program at the
20 Veterinary Center;

21 2. Complete all requirements in public health, livestock
22 biosecurity, foreign animal disease diagnosis, regulatory veterinary
23 medicine and zoonotic disease, and an externship and mentoring
24

1 requirement with a licensed, accredited veterinarian in rural
2 Oklahoma as required by the Veterinary Center;

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

16 4. Commence the full-time practice of veterinary medicine in
17 that community within ninety (90) days after completion of the
18 person's degree program, or if the person enters a postdegree
19 training program, such as a graduate school or internship or
20 residency program, within ninety (90) days after completion of the
21 postdegree training program.

22 E. Upon the failure of a person to satisfy the obligation to
23 engage in the full-time practice of veterinary medicine in
24 accordance with the provisions of this section, that person shall

1 repay to the Veterinary Center, within ninety (90) days of the
2 failure, the amount equal to the assistance provided to the person
3 less a prorated amount based on any periods of practice of
4 veterinary medicine meeting the requirements of this section, plus
5 interest at the prime rate of interest plus two percent (2%) from
6 the date the assistance accrued. The interest shall be compounded
7 annually.

8 F. An obligation to engage in the practice of veterinary
9 medicine in accordance with the provisions of this section shall be
10 postponed during:

11 1. Any period of temporary medical disability during which the
12 person obligated is unable to practice veterinary medicine due to
13 the disability; and

14 2. Any other period of postponement agreed to or determined in
15 accordance with criteria agreed to in the practice agreement.

16 G. An obligation to engage in the practice of veterinary
17 medicine in accordance with the provisions of the agreement and this
18 section shall be satisfied:

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

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

23 3. The person who is obligated dies.
24

1 H. The Veterinary Center may adopt additional provisions,
2 requirements, or conditions to participate in this program as are
3 practicable and appropriate to accomplish the provisions of the
4 program or may be required for the implementation or administration
5 of the program, and are not inconsistent with the provisions of this
6 section.

7 I. The Veterinary Center shall not enter into any program
8 agreements pursuant to the provisions of this section after July 1,
9 ~~2018~~ 2025. All agreements entered into prior to such date shall be
10 valid.

11 SECTION 9. This act shall become effective November 1, 2021.

12 Passed the Senate the 11th day of February, 2021.

13
14 _____
15 Presiding Officer of the Senate

16 Passed the House of Representatives the ____ day of _____,
17 2021.

18
19 _____
20 Presiding Officer of the House
21 of Representatives