

SHELTER ANIMAL VACCINE AMENDMENTS

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Scott K. Jenkins

House Sponsor: _____

LONG TITLE

General Description:

This bill amends the Veterinary Practice Act.

Highlighted Provisions:

This bill:

▶ exempts the following from the requirement to be licensed as a veterinarian:

• an employee of an animal shelter who, under the indirect supervision of a veterinarian, administers to a shelter animal a rabies vaccination; and

• an employee of an animal shelter who, without the supervision of a veterinarian, administers to a shelter animal vaccinations that promote health and prevent disease.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

58-28-307, as last amended by Laws of Utah 2013, Chapter 278

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **58-28-307** is amended to read:



28 **58-28-307. Exemptions from chapter.**

29 In addition to the exemptions from licensure in Section [58-1-307](#) this chapter does not
30 apply to:

31 (1) any person who practices veterinary medicine, surgery, or dentistry upon any
32 animal owned by him, and the employee of that person when the practice is upon an animal
33 owned by his employer, and incidental to his employment, except:

34 (a) this exemption does not apply to any person, or his employee, when the ownership
35 of an animal was acquired for the purpose of circumventing this chapter; and

36 (b) this exemption does not apply to the administration, dispensing, or prescribing of a
37 prescription drug, or nonprescription drug intended for off label use, unless the administration,
38 dispensing, or prescribing of the drug is obtained through an existing veterinarian-patient
39 relationship;

40 (2) any person who as a student at a veterinary college approved by the board engages
41 in the practice of veterinary medicine, surgery, and dentistry as part of his academic training
42 and under the direct supervision and control of a licensed veterinarian, if that practice is during
43 the last two years of the college course of instruction and does not exceed an 18-month
44 duration;

45 (3) a veterinarian who is an officer or employee of the government of the United
46 States, or the state, or its political subdivisions, and technicians under his supervision, while
47 engaged in the practice of veterinary medicine, surgery, or dentistry for that government;

48 (4) any person while engaged in the vaccination of poultry, pullorum testing, typhoid
49 testing of poultry, and related poultry disease control activity;

50 (5) any person who is engaged in bona fide and legitimate medical, dental,
51 pharmaceutical, or other scientific research, if that practice of veterinary medicine, surgery, or
52 dentistry is directly related to, and a necessary part of, that research;

53 (6) veterinarians licensed under the laws of another state rendering professional
54 services in association with licensed veterinarians of this state for a period not to exceed 90
55 days;

56 (7) registered pharmacists of this state engaged in the sale of veterinary supplies,
57 instruments, and medicines, if the sale is at his regular place of business;

58 (8) any person in this state engaged in the sale of veterinary supplies, instruments, and

59 medicines, except prescription drugs which must be sold in compliance with state and federal
60 regulations, if the supplies, instruments, and medicines are sold in original packages bearing
61 adequate identification and directions for application and administration and the sale is made in
62 the regular course of, and at the regular place of business;

63 (9) any person rendering emergency first aid to animals in those areas where a licensed
64 veterinarian is not available, and if suspicious reportable diseases are reported immediately to
65 the state veterinarian;

66 (10) any person performing or teaching nonsurgical bovine artificial insemination;

67 (11) any person affiliated with an institution of higher education who teaches
68 nonsurgical bovine embryo transfer or any technician trained by or approved by an institution
69 of higher education who performs nonsurgical bovine embryo transfer, but only if any
70 prescription drug used in the procedure is prescribed and administered under the direction of a
71 veterinarian licensed to practice in Utah;

72 (12) (a) upon written referral by a licensed veterinarian, the practice of animal
73 chiropractic by a chiropractic physician licensed under Chapter 73, Chiropractic Physician
74 Practice Act, who has completed an animal chiropractic course approved by the American
75 Veterinary Chiropractic Association or the division;

76 (b) upon written referral by a licensed veterinarian, the practice of animal physical
77 therapy by a physical therapist licensed under Chapter 24b, Physical Therapy Practice Act, who
78 has completed at least 100 hours of animal physical therapy training, including quadruped
79 anatomy and hands-on training, approved by the division;

80 (c) upon written referral by a licensed veterinarian, the practice of animal massage
81 therapy by a massage therapist licensed under Chapter 47b, Massage Therapy Practice Act,
82 who has completed at least 60 hours of animal massage therapy training, including quadruped
83 anatomy and hands-on training, approved by the division; and

84 (d) upon written referral by a licensed veterinarian, the practice of acupuncture by an
85 acupuncturist licensed under Chapter 72, Acupuncture Licensing Act, who has completed a
86 course of study on animal acupuncture approved by the division;

87 (13) unlicensed assistive personnel performing duties appropriately delegated to the
88 unlicensed assistive personnel in accordance with Section [58-28-502](#);

89 (14) (a) an animal shelter employee who ~~is~~ administers a vaccine, other than a rabies

90 vaccine administered under Subsection (14)(b), to a shelter animal to promote animal health
91 and prevent disease; and

92 ~~(a)~~ (b) an animal shelter employee who is acting under the indirect supervision of a
93 licensed veterinarian[;] and is:

94 ~~(b)~~ (i) performing animal euthanasia in the course and scope of employment; [and] or

95 (ii) administering a rabies vaccine to a shelter animal in accordance with the

96 Compendium of Animal Rabies Prevention and Control; and

97 (15) an individual providing appropriate training for animals; however, this exception
98 does not include diagnosing any medical condition, or prescribing or dispensing any
99 prescription drugs or therapeutics.

Legislative Review Note
as of 1-13-14 10:42 AM

Office of Legislative Research and General Counsel