

ORIGINAL HOUSE
BILL NO. 0007

ENROLLED ACT NO. 34, HOUSE OF REPRESENTATIVES

SIXTY-FIRST LEGISLATURE OF THE STATE OF WYOMING
2011 GENERAL SESSION

AN ACT relating to veterinarians; amending definitions relating to the practice of veterinary medicine; increasing board member salaries; eliminating the function of secretary-treasurer of the board of veterinary medicine; providing for a license renewal grace period; providing for a late fee; providing exceptions for emergency veterinary care; requiring continuing education; increasing penalties; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 33-30-202(a) by creating a new paragraph (ix), 33-30-203(a) by creating new paragraphs (xii) and (xiii), 33-30-204(e) and (g) through (k), 33-30-206(b), 33-30-207(c), 33-30-211(a), (b) and by creating a new subsection (e) and 33-30-214(a) are amended to read:

33-30-202. Definitions.

(a) When used in this act, these words and phrases, unless the context otherwise indicates, shall be defined as follows:

(ix) "Animal health emergency" means any event or situation involving animal disease or animal welfare that threatens public welfare and the viability of animal industries, including, but not limited to, incursion of foreign animal disease, natural disaster and bioterrorism.

33-30-203. License required; exceptions.

(a) No person may practice veterinary medicine in the state who is not a licensed veterinarian or the holder of a

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valid temporary permit issued by the board. This act shall not be construed to prohibit:

(xii) Any person who, without expectation of compensation, provides emergency veterinary care at the site in an emergency or disaster situation;

(xiii) The state veterinarian from deputizing licensed veterinarians to assist as deputy state veterinarians in case of an emergency as provided in W.S. 11-18-103(a)(ii). The state veterinarian may request the assistance of licensed veterinarians from other states as needed in emergency situations without requiring Wyoming licensure.

33-30-204. Board of veterinary medicine.

(e) Each member of the board shall ~~be paid twenty five dollars (\$25.00) for each day or substantial portion thereof that he is engaged in the work of the board, in addition to such reimbursement for travel and per diem allowance as is normally~~ receive compensation from the veterinary medicine account for each day actually spent in the performance of his official board duties at the salary rate provided in W.S. 28-5-101(d) and per diem and mileage as allowed to state employees.

(g) At the annual meeting the board shall organize by electing from its membership a president and vice-president and such other officers as may be prescribed by rules. Officers of the board shall serve for terms of one (1) year and until successors are elected, without limitation on the number of terms an officer may serve. The president shall serve as chairman at the board meetings, except that in his absence the vice-president shall serve as chairman. The state veterinarian shall be ex officio member of the board

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~~and serve as secretary treasurer of the board~~ and shall receive no compensation, ~~for any duties imposed upon him by the board,~~ except that he is entitled to the normal travel expenses allowed to state employees.

(h) The ~~duties of the secretary treasurer~~ board shall ~~include but not be limited to carrying on the correspondence of the board, keeping~~ keep permanent accounts and records of all receipts and disbursements by the board and minutes of all board proceedings, including the disposition of all applications for licenses, and ~~keeping~~ keep a register of all persons currently licensed by the board. The ~~secretary treasurer~~ board shall, as required by W.S. 9-2-1014, report to the governor and the Wyoming Veterinary Medical Association as to the transactions of the board. In all court actions or proceedings pertaining to this act, a transcript of any record or any part thereof, which is certified to be a true copy by the ~~secretary treasurer~~ board, shall be entitled to admission in evidence.

(j) All board records shall be open to public inspection during regular office hours of the ~~secretary treasurer~~ board; except, information received by the board through inspection and investigations involving the question of licensure shall be confidential and shall not be disclosed except as may be judicially required.

(k) All money shall be received and collected as provided by law. The state treasurer shall credit the money to a separate account. All expenses of the board and all expenses incurred in connection with the administration of this act shall be paid from the account by requisition signed by ~~the secretary treasurer of~~ a person designated by the board in a manner provided by law for payment of other state expenses. The account shall be a continuing account

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and shall not be subject to reversion to the state's general fund.

33-30-206. Application for license; fee; determination of qualifications.

(b) If the board determines that the applicant possesses the proper qualifications, it shall admit the applicant to the next examination, or if the applicant is eligible for a license without examination under W.S. 33-30-208, the board may forthwith grant him a license. If an applicant is found not qualified to take the examination or does not qualify for a license without examination, the ~~secretary-treasurer of the~~ board shall immediately notify the applicant in writing of such finding and the grounds therefor. A licensee whose license is revoked or an applicant found unqualified shall be afforded an opportunity for a hearing to be conducted in accordance with the Wyoming Administrative Procedure Act. Any applicant who is found not qualified shall be allowed the return of his application fee.

33-30-207. Examinations generally.

(c) After each examination the ~~secretary-treasurer~~ board shall notify each examinee of the result of his examination, and the board shall issue licenses to the persons successfully completing the examination. The ~~secretary-treasurer~~ board shall record the new licenses and issue certificates of registration to the new licensees. Any person failing an examination shall be admitted to any subsequent examination on payment of the application fee.

33-30-211. Expiration and renewal of licenses; fees; veterinarians on active duty with armed services; duplicate licenses; continuing education.

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(a) All licenses shall expire annually on December 31 of each year and shall be renewed by registration with the board and payment of the registration renewal fee established and published by the board. On December 1 of each year, the ~~secretary-treasurer-board~~ shall mail a notice to each licensed veterinarian that his license will expire on December 31 and provide him with a form for reregistration. The ~~secretary-treasurer-board~~ shall issue annual certificates of registration to all persons registering under this act.

(b) Any person who shall practice veterinary medicine after the expiration of his license and wilfully or by neglect fail to renew such license shall be practicing in violation of this act. ~~;~~ provided that, The board may, by rule establish a grace period for license renewal not to exceed sixty (60) days and establish a late fee for license renewal which shall not exceed the annual renewal fee. At the discretion of the board, any person not practicing in the state may renew an expired license within five (5) years of the date of its expiration by making written application for renewal and paying the current renewal fee plus a late fee and all delinquent renewal fees. After five (5) years have elapsed since the date of the expiration, a license may not be renewed, but the holder must make application for a new license.

(e) The renewal under subsection (a) of this section shall be accompanied by evidence satisfactory to the board of compliance with this chapter and completion of continuing education activities as established by rules and regulations of the board.

33-30-214. Penalty for violation; injunction.

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(a) Any person who ~~shall practice veterinary medicine without a currently valid license or temporary permit shall be violates~~ W.S. 33-30-101 through 33-30-215 is guilty of a misdemeanor ~~and upon conviction for a first offense shall be fined not more than one hundred dollars (\$100.00), or imprisoned for no more than ninety (90) days~~ punishable by a fine of not more than seven hundred fifty dollars (\$750.00), by imprisonment for not more than six (6) months, or both. ~~fined and imprisoned; provided that~~ Each act of such unlawful practice shall constitute a distinct and separate offense.

Section 2. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk

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