

SENATE BILL NO. 100—COMMITTEE ON COMMERCE AND LABOR

(ON BEHALF OF BOARD OF VETERINARY MEDICAL EXAMINERS)

FEBRUARY 4, 1999

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions governing veterinarians, euthanasia technicians and veterinary technicians. (BDR 54-237)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~for omitted material~~ is material to be omitted.

AN ACT relating to the care of animals; revising certain requirements concerning the licensing of veterinarians; revising the grounds for disciplinary action against veterinarians, euthanasia technicians and veterinary technicians; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 638.105 is hereby amended to read as follows:

638.105 1. The board may in its discretion license an applicant solely on the basis of oral interviews and practical demonstrations upon sufficient proof that the applicant has, within the previous 5 years, successfully passed ~~the clinical competency examination and the national board examination.~~ ***any examination approved by:***

(a) The board; and

(b) A national testing service for veterinary medicine that has been approved by the board.

2. The board may, upon payment of the fee prescribed under NRS 638.100, license without examination any person who is a diplomate from an approved specialty board of the American Veterinary Medical Association. The veterinary practice of any person who is licensed pursuant to this subsection is limited to the specialty in which the person is certified.

1 If an applicant for a license under this section is denied a license, any fee ~~{or fees}~~
2 tendered by him may be returned to him at the discretion of the
3 board.

4 **Sec. 2.** NRS 638.110 is hereby amended to read as follows:

5 638.110 1. Except as otherwise provided by NRS 638.105, each applicant for
6 an initial license must pass ~~{the}~~ :

7 *(a) The* state examination administered by the board ~~{, the clinical competency~~
8 ~~examination and the national board examination. The board~~
9 ~~may require the applicant to complete any}~~ ; *and*

10 *(b) Any* other examination approved by the board ~~{or the American~~
11 ~~Veterinary Medical Association.}~~ *and a national testing service for veterinary*
12 *medicine that has been approved by the board.*

13 2. The board shall adopt regulations prescribing the requirements for the
14 examination of an applicant.

15 3. The written examination required of an applicant may be supplemented by
16 *such* oral interviews and practical demonstrations as the
17 board considers necessary.

18 4. If the board denies an applicant a license because the applicant did
19 not comply with the requirements of this section, the board is not required to return
20 the fee submitted with his application.

21 **Sec. 3.** NRS 638.140 is hereby amended to read as follows:

22 638.140 The following acts, among others, are grounds for
23 disciplinary action:

24 1. Violation of a regulation adopted by the state board of pharmacy or
25 the Nevada state board of veterinary medical examiners;

26 2. Habitual drunkenness;

27 3. Addiction to the use of a controlled substance;

28 4. Conviction of or a plea of nolo contendere to a felony, or any
29 offense involving moral turpitude;

30 5. Incompetence ~~{, gross negligence or other malpractice}~~ ;

31 *6. Negligence;*

32 *7. Malpractice* pertaining to veterinary medicine as evidenced by an
33 action for malpractice in which the holder of a license is found liable for damages;

34 ~~{6.}~~ *8.* Conviction of a violation of any law concerning the possession,
35 distribution or use of a controlled substance or a dangerous drug as defined
36 in chapter 454 of NRS;

37 ~~{7.}~~ *9.* Willful failure to comply with any provision of this chapter, a
38 regulation, subpoena or order of the board, the standard of care established by the
39 American Veterinary Medical Association, or an order of a court;

40 ~~{8.}~~ *10.* Prescribing, administering or dispensing a controlled substance to an
41 animal to influence the outcome of a competitive event in
42 which the animal is a competitor;

- 1 ~~[9.]~~ **11.** Willful failure to comply with a request by the board for
2 medical records within 14 days after receipt of a demand letter issued by the board;
3 ~~[10.]~~ **12.** Willful failure to accept service by mail or in person from the board;
4 ~~[11.]~~ **13.** Failure of a supervising veterinarian to provide immediate or direct
5 supervision to licensed or unlicensed personnel if the failure results
6 in malpractice or the death of an animal; and
7 ~~[12.]~~ **14.** Failure of a supervising veterinarian to ensure that a licensed
8 veterinarian is on the premises of a facility or agency when medical treatment is
9 administered to an animal if the treatment requires direct or
10 immediate supervision by a licensed veterinarian.
11 **Sec. 4.** 1. This section and section 3 of this act become effective on
12 October 1, 1999.
13 2. Sections 1 and 2 of this act become effective on October 1, 2000.

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