

ASSEMBLY BILL NO. 271—COMMITTEE
ON COMMERCE AND LABOR

MARCH 12, 2015

Referred to Committee on Commerce and Labor

SUMMARY—Enacts provisions relating to equine dentistry.
(BDR 54-1128)

FISCAL NOTE: Effect on Local Government: Increases or Newly
Provides for Term of Imprisonment in County or City
Jail or Detention Facility.
Effect on the State: Yes.

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

AN ACT relating to equine dentistry; providing for the licensure of equine dental providers by the Nevada State Board of Veterinary Medical Examiners; creating the Equine Dental Provider Advisory Committee; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law establishes the Nevada State Board of Veterinary Medical Examiners to license and regulate veterinarians, euthanasia technicians and veterinary technicians. (Chapter 638 of NRS) Existing law also makes it unlawful to practice dentistry on an animal without a license issued by the Board. (NRS 638.090)

Sections 2-10 of this bill authorize the Board to license and regulate equine dental providers with respect to the performance of certain dental procedures on horses within this State. **Sections 5, 10, 15 and 31** of this bill make it a misdemeanor for a person to practice as an equine dental provider without a valid license.

Section 11 of this bill creates the Equine Dental Provider Advisory Committee to advise and assist the Board in adopting and enforcing regulations regarding the practice of equine dentistry. The Committee will consist of three members, two of whom must be licensed equine dental providers.



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

Section 1. Chapter 638 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 11, inclusive, of this act.

Sec. 2. *“Committee” means the Equine Dental Provider Advisory Committee created by section 11 of this act.*

Sec. 3. *“Equine dentistry” means any diagnosis, treatment or surgical procedure performed on the head or oral cavity of an equine animal. The term includes, without limitation:*

1. Any procedure that invades the tissues of the oral cavity, including, without limitation, a procedure to:

(a) Remove sharp enamel projections;

(b) Treat malocclusions of the teeth;

(c) Reshape teeth; and

(d) Extract one or more teeth;

2. The treatment or extraction of damaged or diseased teeth;

3. The treatment of diseased teeth through restoration and endodontic procedures;

4. Periodontal treatments, including, without limitation:

(a) The removal of calculus, soft deposits, plaque and stains above the gum line; and

(b) The smoothing, filing and polishing of tooth surfaces; and

5. Dental radiography.

Sec. 4. *“Licensed equine dental provider” means a person who is licensed by the Board to practice equine dentistry in this State.*

Sec. 5. *1. Except as otherwise provided in subsection 2, a person may not perform equine dentistry or offer or attempt to act as an equine dental provider in this State unless the person holds an active license as an equine dental provider pursuant to this chapter.*

2. A veterinarian or veterinary technician licensed pursuant to this chapter may perform equine dentistry in this State without obtaining a license as an equine dental provider.

Sec. 6. *1. Any person who desires to secure a license to practice equine dentistry in the State of Nevada must make written application to the Executive Director of the Board.*

2. The application must include all information required to complete the application and any other information required by the Board and must be accompanied by satisfactory proof that the applicant:

(a) Is of good moral character;

(b) Has successfully:



(1) Completed the certification program administered by the International Association of Equine Dentistry or its successor organization;

(2) Graduated from a school of equine dentistry approved by the Board; or

(3) Completed a minimum of 280 hours of coursework in equine dentistry at a school of equine dentistry approved by the Board;

(c) Has passed the examination required by the Board pursuant to section 7 of this act; and

(d) Is a citizen of the United States or is lawfully entitled to remain and work in the United States.

3. The application must be accompanied by a notarized affidavit from at least three equine owners, in a form prescribed by the Board, stating that the applicant is known to be competent in the practice of smoothing or filing teeth by floating, and a letter of recommendation from at least two licensed veterinarians.

4. The application must be signed by the applicant, notarized and accompanied by a fee set by the Board, not to exceed \$500.

5. The Board may refuse to issue a license if the Board determines that an applicant has committed an act which would be grounds for disciplinary action if the applicant were a licensee.

Sec. 7. 1. Each applicant for an initial license as an equine dental provider must pass an examination administered by the Board.

2. The Board shall adopt regulations prescribing the requirements for the examination of the applicant and which must consist of not less than 100 questions pertaining to:

(a) The oral dentition of horses;

(b) The anatomy of the head and neck of horses as it relates to oral dentition and the practice of equine dentistry;

(c) Aging characteristics of horses related to oral dentition and the practice of equine dentistry; and

(d) Knowledge of the laws, rules and policies of this State affecting the practice of equine dentistry.

3. The written examination required of an applicant may be supplemented by such oral interviews and practical demonstrations as the Board considers necessary.

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

Sec. 8. 1. A licensed equine dental provider may perform the following procedures:

(a) Removing sharp enamel points;



- (b) *Removing dental overgrowths;*
- (c) *Rostral profiling of the first cheek teeth;*
- (d) *Reducing incisor length and angle;*
- (e) *Extracting loose, deciduous teeth;*
- (f) *Removing supragingival calculus;*
- (g) *Extracting loose, mobile or diseased teeth or dental fragments by hand with the use of an elevator; and*
- (h) *Removal of wolf teeth.*

2. *The same standard of care and professional responsibility that applies to a licensed veterinarian also applies to a licensed equine dental provider when performing any of the procedures set forth in subsection 1.*

3. *A licensed equine dental provider shall, after performing any procedure set forth in subsection 1, leave a copy of the dental chart of the animal with the person who authorized the procedure.*

4. *A licensed equine dental provider shall provide a copy of a dental chart of an animal on which he or she has performed any procedure set forth in subsection 1 to any veterinarian who has been authorized by the owner of the animal to receive a copy of the chart.*

Sec. 9. *The Board shall adopt regulations concerning continuing education requirements for a licensed equine dental provider which must include, without limitation, a requirement to complete a minimum of 8 hours of continuing education per calendar year.*

Sec. 10. 1. *It is unlawful for any person to offer or provide any of the services of an equine dental provider or otherwise to engage in, carry on or hold himself or herself out as engaging in or carrying on the business of an equine dental provider without first obtaining the applicable license issued pursuant to this chapter.*

2. *Only a person licensed as an equine dental provider pursuant to this chapter may use the title or designation "certified equine dental provider," "equine dental provider," "C.E.D.P." or "E.D.P." or any similar abbreviation, title or designation that implies or conveys that the person is competent to practice equine dentistry in this State.*

Sec. 11. 1. *There is hereby created the Equine Dental Provider Advisory Committee whose purpose is to provide advice and assistance to the Board in adopting rules and regulations relating to the practice of equine dental providers in this State.*

2. *The Board shall consult the Committee before:*

(a) *Adopting any rules or regulations regarding the licensing, practice or discipline of equine dental providers in this State; or*



(b) *Initiating any disciplinary action that involves an equine dental provider.*

3. *The Committee consists of three members appointed by the President of the Board as follows:*

(a) *Two members who are licensed equine dental providers in this State; and*

(b) *One member who is a licensed veterinarian in this State.*

4. *After the initial terms, the term of each member of the Committee is 6 years. The term of a member expires on January 31 of the year in which the term of the member expires. Each member may not serve more than two consecutive full terms. If a vacancy occurs during the term of a member, the President of the Board shall appoint a new member to fill the remainder of the unexpired term.*

5. *Every 2 years, the President of the Board shall designate a Chair of the Committee.*

6. *The Executive Director shall provide administrative support to the members of the Committee.*

7. *The Committee shall meet at least annually at the call of the President of the Board. Two members of the Committee constitute a quorum necessary to conduct the business of the Committee. Any action taken by the Committee must be approved by a majority of the members of the Committee.*

8. *A member of the Committee may be removed from the Committee before the expiration of his or her term if that member:*

(a) *Fails to maintain a valid license as an equine dental provider or veterinarian, as applicable, as required in subsection 3; or*

(b) *Cannot, due to illness or disability, discharge his or her duties for a substantial part of his or her term.*

9. *The validity of an action of the Committee is not affected by the fact that such action is taken when a ground for removal of a member exists pursuant to subsection 8, if the member in question has not yet been removed.*

10. *Each member of the Committee:*

(a) *Serves without compensation; and*

(b) *While engaged in the business of the Committee, is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally, to the extent that funds for such expenses are available within the budget of the Board.*

Sec. 12. NRS 638.001 is hereby amended to read as follows:

638.001 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 638.0015 to 638.013, inclusive, *and sections 2, 3 and 4 of this act* have the meanings ascribed to them in those sections.



1 **Sec. 13.** NRS 638.017 is hereby amended to read as follows:
2 638.017 Except as otherwise provided in chapter 622A of
3 NRS:

4 1. Service of process made pursuant to and all notices required
5 by this chapter must be either personal or by registered or certified
6 mail with return receipt requested, addressed to the veterinarian,
7 *equine dental provider*, veterinary technician or applicant for a
8 license, at his or her last known address, as indicated on the records
9 of the Board. If personal service cannot be made and if notice by
10 mail is returned undelivered, the Executive Director of the Board
11 shall cause a notice of the hearing or action to be published once a
12 week for 4 consecutive weeks in a newspaper published in the
13 county of that person's last known address or, if no newspaper is
14 published in that county, then in a newspaper widely distributed in
15 that county.

16 2. Proof of service of process or publication of notice made
17 pursuant to this chapter must be filed with the Executive Director
18 and recorded in the minutes of the Board.

19 **Sec. 14.** NRS 638.020 is hereby amended to read as follows:

20 638.020 1. The Nevada State Board of Veterinary Medical
21 Examiners is hereby created.

22 2. The Board consists of eight members appointed by the
23 Governor.

24 3. Six of the members must:

25 (a) Be residents of the State of Nevada.

26 (b) Be graduates of a veterinary college accredited by the
27 American Veterinary Medical Association.

28 (c) Have been lawfully engaged in the practice of veterinary
29 medicine in the State of Nevada for at least 5 years next preceding
30 the date of their appointment.

31 4. One member must:

32 (a) Be a resident of the State of Nevada.

33 (b) Be a veterinary technician.

34 (c) Have been lawfully engaged in practice as a veterinary
35 technician in the State of Nevada for at least 5 years next preceding
36 the date of his or her appointment.

37 5. One member appointed by the Governor must be a
38 representative of the general public. This member must not be:

39 (a) A veterinarian, *an equine dental provider*, a veterinary
40 technician or a euthanasia technician; or

41 (b) The spouse or the parent or child, by blood, marriage or
42 adoption, of a veterinarian, *an equine dental provider*, a veterinary
43 technician or a euthanasia technician.

44 6. Any member may be removed from the Board by the
45 Governor for good cause.



Sec. 15. NRS 638.090 is hereby amended to read as follows:

638.090 **1.** It is unlawful for any person to practice veterinary medicine, surgery, obstetrics or dentistry within the State of Nevada without a license issued pursuant to the provisions of this chapter.

2. Except as otherwise provided in section 5 of this act, it is unlawful for any person to practice as an equine dental provider without a license issued pursuant to the provisions of this chapter.

Sec. 16. NRS 638.103 is hereby amended to read as follows:

638.103 **1.** In addition to any other requirements set forth in this chapter:

(a) An applicant for the issuance of a license to practice as a veterinarian, euthanasia technician , **equine dental provider** or veterinary technician shall include the social security number of the applicant in the application submitted to the Board.

(b) An applicant for the issuance or renewal of a license to practice as a veterinarian, euthanasia technician , **equine dental provider** or veterinary technician shall submit to the Board the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to NRS 425.520. The statement must be completed and signed by the applicant.

2. The Board shall include the statement required pursuant to subsection 1 in:

(a) The application or any other forms that must be submitted for the issuance or renewal of the license; or

(b) A separate form prescribed by the Board.

3. A license to practice as a veterinarian, euthanasia technician , **equine dental provider** or veterinary technician may not be issued or renewed by the Board if the applicant:

(a) Fails to submit the statement required pursuant to subsection 1; or

(b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Board shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.



1 **Sec. 17.** NRS 638.133 is hereby amended to read as follows:
2 638.133 Every veterinarian , *equine dental provider* or
3 veterinary technician licensed pursuant to this chapter shall report to
4 the Board any claim for malpractice or negligence filed against him
5 or her and its disposition within 90 days after the claim is filed and
6 after its disposition.

7 **Sec. 18.** NRS 638.140 is hereby amended to read as follows:
8 638.140 The following acts, among others, are grounds for
9 disciplinary action:

10 1. Violation of a regulation adopted by the State Board of
11 Pharmacy or the Nevada State Board of Veterinary Medical
12 Examiners;

13 2. Habitual drunkenness;

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

15 4. Conviction of or a plea of nolo contendere to a felony related
16 to the practice of veterinary medicine ~~H~~ *or equine dentistry*, or any
17 offense involving moral turpitude;

18 5. Incompetence;

19 6. Negligence;

20 7. Malpractice pertaining to veterinary medicine *or equine*
21 *dentistry* as evidenced by an action for malpractice in which the
22 holder of a license is found liable for damages;

23 8. Conviction of a violation of any law concerning the
24 possession, distribution or use of a controlled substance or a
25 dangerous drug as defined in chapter 454 of NRS;

26 9. Willful failure to comply with any provision of this chapter,
27 a regulation, subpoena or order of the Board, the standard of care
28 established by the American Veterinary Medical Association or an
29 order of a court;

30 10. Prescribing, administering or dispensing a controlled
31 substance to an animal to influence the outcome of a competitive
32 event in which the animal is a competitor;

33 11. Willful failure to comply with a request by the Board for
34 medical records within 14 days after receipt of a demand letter
35 issued by the Board;

36 12. Willful failure to accept service by mail or in person from
37 the Board;

38 13. Failure of a supervising veterinarian to provide immediate
39 or direct supervision to licensed or unlicensed personnel if the
40 failure results in malpractice or the death of an animal; and

41 14. Failure of a supervising veterinarian to ensure that a
42 licensed veterinarian is on the premises of a facility or agency when
43 medical treatment is administered to an animal if the treatment
44 requires direct or immediate supervision by a licensed veterinarian.



Sec. 19. NRS 638.1402 is hereby amended to read as follows:
638.1402 The following acts, among others, are grounds for disciplinary action:

1. Fraud or misrepresentation to secure a license;
2. Conspiring to commit fraud, forgery or deception in connection with an examination for a license;

3. Swearing falsely in any testimony or affidavit relating to or in the course of the practice of veterinary medicine ~~or~~ *or equine dentistry*; and

4. Engaging in any conduct likely to deceive, defraud or harm the public, including the dissemination of information by a veterinarian, *equine dental provider*, licensee of a facility or agency or an employee of either, concerning the services of the licensee which is false or misleading and which the person knew or should have known was false or misleading.

Sec. 20. NRS 638.1404 is hereby amended to read as follows:
638.1404 The following acts, among others, are grounds for disciplinary action:

1. Claiming or implying professional superiority over other licensees;

2. Accepting money to cure permanently a manifestly incurable disease; and

3. Participating in an agreement with other veterinarians , *equine dental providers* or licensees of a facility or agency if:

(a) The agreement is to split fees or provide rebates in connection with the referral of a client; and

(b) The client has not been informed of the agreement.

Sec. 21. NRS 638.1406 is hereby amended to read as follows:
638.1406 The following acts, among others, are grounds for disciplinary action:

1. Allowing one's name to be used as a veterinarian , *an equine dental provider* or ~~as~~ a veterinary technician by another person who is not licensed or permitted to practice in this State;

2. Having professional association with or employing any person claiming to be a veterinarian , *equine dental provider* or veterinary technician unlawfully; and

3. Failure to report, within 30 days, the revocation of a license to practice veterinary medicine *or equine dentistry* or *to act* as a veterinary technician in another state, territory or district of the United States on grounds other than nonpayment of a fee.

Sec. 22. NRS 638.142 is hereby amended to read as follows:
638.142 1. If the Board has reason to believe that the conduct of any veterinarian , *equine dental provider* or veterinary technician has raised a reasonable question as to his or her competence to practice veterinary medicine *or equine dentistry* or to act as a



1 veterinary technician with reasonable skill and safety to animals, it
2 may order that person to undergo a mental or physical examination
3 or an examination testing his or her competence to practice
4 veterinary medicine *or equine dentistry* or to act as a veterinary
5 technician. The examination must be conducted by physicians or
6 other persons designated by the Board to assist it in determining the
7 fitness of that person to practice veterinary medicine *or equine*
8 *dentistry* or to act as a veterinary technician.

9 2. Every veterinarian , *equine dental provider* or veterinary
10 technician who accepts a license issued pursuant to this chapter shall
11 be deemed to have given consent to submit to a mental or physical
12 examination or an examination testing his or her competence when
13 directed to do so in writing by the Board.

14 3. If the Board directs a licensee to submit to a mental or
15 physical examination or an examination testing his or her
16 competence, the examination must be held and the results returned
17 to the Board not later than 60 days after the Board issues the order.

18 4. The testimony or reports of the examining physicians or
19 other persons designated by the Board are privileged
20 communication, except as to proceedings conducted pursuant to this
21 chapter.

22 5. Except in extraordinary circumstances, as determined by the
23 Board, the failure of a person licensed under this chapter to submit
24 to an examination when directed as provided in this section
25 constitutes a ground for the immediate suspension of the license.

26 **Sec. 23.** NRS 638.1423 is hereby amended to read as follows:

27 638.1423 Notwithstanding the provisions of chapter 622A of
28 NRS:

29 1. If the Board receives information that a veterinarian , *equine*
30 *dental provider* or veterinary technician is causing, allowing or
31 maintaining any condition or activity which is an immediate threat
32 to the welfare of an animal, it may, without a hearing, suspend his or
33 her license or prohibit the use of certain procedures or any
34 dangerous activity. The Board shall notify the veterinarian , *equine*
35 *dental provider* or veterinary technician within 2 days after taking
36 the action.

37 2. The Board shall, within 14 days after notifying the
38 veterinarian , *equine dental provider* or veterinary technician, hold
39 an informal hearing to determine if cause exists to extend the order.
40 The veterinarian , *equine dental provider* or veterinary technician
41 may present evidence at that hearing. After the hearing the Board
42 may extend the order for no more than 60 days.

43 3. The issuance or extension of the order is not an adjudication
44 on the merits. During the period of suspension, the Board shall
45 investigate further and if it decides it is necessary, hold a formal



1 hearing which must take priority over any other proceeding before
2 the Board. If the Board finds, after the formal hearing, that the
3 licensee is causing, allowing or maintaining any condition or
4 activity which is an immediate threat to the welfare of an animal, it
5 shall issue an order stating its findings and the action taken.

6 **Sec. 24.** NRS 638.144 is hereby amended to read as follows:

7 638.144 1. The Board, or a member assigned to investigate a
8 complaint, may issue subpoenas to compel the attendance of
9 witnesses and the production of books, records, papers and any
10 other article related to the practice of veterinary medicine ~~or~~ *or*
11 *equine dentistry.*

12 2. If any witness refuses to attend or testify or produce any
13 article as required by the subpoena, the Board may report to the
14 district court in the county in which the hearing is pending, by
15 petition setting forth that:

16 (a) Due notice has been given of the time and place of
17 attendance of the witness or the production of the required articles;

18 (b) The witness has been subpoenaed pursuant to this section;
19 and

20 (c) The witness has failed or refused to attend or produce the
21 articles required by the subpoena, or has refused to answer questions
22 propounded to him or her,

23 and asking for an order of the court compelling the witness to
24 attend and testify before the Board or produce the articles as
25 required by the subpoena.

26 3. Upon receiving the petition, the court may enter an order
27 directing the witness to appear before the court at a time and place
28 to be fixed by the court in its order, the time to be not more than 10
29 days from the date of the order, and then and there show cause why
30 the witness has not attended or testified before the Board or
31 produced the articles as required by the subpoena. A certified copy
32 of the order must be served upon the witness.

33 4. If it appears to the court that the subpoena was regularly
34 issued by the Board, the court shall enter an order that the witness
35 appear before the Board at the time and place fixed in the order and
36 testify or produce the required articles, and upon failure to obey the
37 order the witness may be dealt with as for contempt of court.

38 **Sec. 25.** NRS 638.1471 is hereby amended to read as follows:

39 638.1471 Notwithstanding the provisions of chapter 622A of
40 NRS:

41 1. The Board may issue to a licensee a citation which may
42 contain an order of abatement or an order to pay an administrative
43 fine assessed by the Board when the licensee is in violation of any
44 provision of this chapter or any regulation adopted by the Board.



2. A citation must be in writing and describe with particularity the nature of the violation, including specific reference to the provision of law or the regulation determined to have been violated, and the amount of the fine, if any. A citation must be issued for each violation of this chapter or any regulation adopted by the Board.

3. Where appropriate, the citation must contain an order of abatement fixing a reasonable time for abatement of the violation.

4. The administrative fine assessed by the Board must not exceed \$5,000 for each violation. In assessing a fine the Board shall give consideration to the appropriateness of the amount of the fine with respect to such factors as the gravity of the violation, the good faith of the licensee and the history of previous violations.

5. A citation must inform the licensee that if he or she desires a hearing to contest the finding of a violation or the amount of the fine assessed, the hearing must be requested by written notice to the Board within 30 days after the date of issuance of the citation. If a hearing is not requested pursuant to this section, a settlement does not constitute an admission of the violation charged unless the settlement agreement stipulates to such an admission.

6. Failure of a licensee to pay a fine within 30 days after the date of assessment, unless the citation is being appealed, may result in disciplinary action being taken by the Board. Where a citation is not contested and a fine is not paid, the full amount of the fine that is assessed must be added to the fee for renewal of the license. A license must not be renewed without payment of the renewal fee and fine.

7. Notwithstanding any other provision of law, where a fine is paid to satisfy an assessment based on the finding of a violation, payment of the fine constitutes a satisfactory resolution of the matter for purposes of public disclosure of the disposition of the violation.

8. The Board may adopt regulations to carry out this section. It may also adopt regulations to establish similar provisions for the issuance of a citation to a person who is practicing veterinary medicine *or equine dentistry* without a license.

Sec. 26. NRS 638.1515 is hereby amended to read as follows:

638.1515 1. Notwithstanding the provisions of chapter 622A of NRS, in any disciplinary proceeding:

(a) Proof of actual injury need not be established where the charge is deceptive or unethical professional conduct.

(b) If proof of actual injury is an issue, proof of actual injury may be established by the testimony and opinion of a witness who is not an expert witness.

(c) A certified copy of the record of a court or a licensing agency showing a conviction or the suspension, limitation, modification, denial or revocation of a license of a veterinarian ,



1 *equine dental provider* or veterinary technician is conclusive
2 evidence of its occurrence. A plea of nolo contendere is a conviction
3 for the purpose of this section.

4 2. As used in this section, "actual injury" means any type of
5 injury, abuse or mistreatment, whether or not the injury, abuse or
6 mistreatment results in substantial or permanent physical harm or
7 death.

8 **Sec. 27.** NRS 638.152 is hereby amended to read as follows:

9 638.152 In addition to any other immunity provided by the
10 provisions of chapter 622A of NRS, the Board, a veterinary society,
11 or any person who or other organization which initiates or assists in
12 any lawful investigation or proceeding concerning a veterinarian ,
13 *equine dental provider* or veterinary technician, is immune from
14 any civil action for that initiation or assistance or any consequential
15 damages, if the person or organization acted without malicious
16 intent.

17 **Sec. 28.** NRS 638.1527 is hereby amended to read as follows:

18 638.1527 1. If the Board receives a copy of a court order
19 issued pursuant to NRS 425.540 that provides for the suspension of
20 all professional, occupational and recreational licenses, certificates
21 and permits issued to a person who is the holder of a license to
22 practice as a veterinarian, euthanasia technician , *equine dental*
23 *provider* or veterinary technician, the Board shall deem the license
24 issued to that person to be suspended at the end of the 30th day after
25 the date on which the court order was issued unless the Board
26 receives a letter issued to the holder of the license by the district
27 attorney or other public agency pursuant to NRS 425.550 stating
28 that the holder of the license has complied with the subpoena or
29 warrant or has satisfied the arrearage pursuant to NRS 425.560.

30 2. The Board shall reinstate a license to practice as a
31 veterinarian, euthanasia technician , *equine dental provider* or
32 veterinary technician that has been suspended by a district court
33 pursuant to NRS 425.540 if the Board receives a letter issued by the
34 district attorney or other public agency pursuant to NRS 425.550 to
35 the person whose license was suspended stating that the person
36 whose license was suspended has complied with the subpoena or
37 warrant or has satisfied the arrearage pursuant to NRS 425.560.

38 **Sec. 29.** NRS 638.1551 is hereby amended to read as follows:

39 638.1551 1. In addition to any other remedy provided by law,
40 the Board, through its President or the Attorney General, may apply
41 to a court to enjoin any unprofessional conduct of a veterinarian ,
42 *equine dental provider* or veterinary technician, or to limit his or
43 her practice or suspend his or her license.

44 2. The court may issue a temporary restraining order or a
45 preliminary injunction for such purposes:



(a) Without proof of actual damage sustained by any person, this provision being a preventive as well as punitive measure; and

(b) Pending proceedings for disciplinary action by the Board. Such proceedings must be instituted and determined as promptly as practicable.

Sec. 30. NRS 638.1555 is hereby amended to read as follows:

638.1555 Any person seeking to enjoin another person from acting as a veterinarian , *equine dental provider* or veterinary technician without a license need allege only that the other person did, on a specified date in this State, so act without having a license.

Sec. 31. NRS 638.170 is hereby amended to read as follows:

638.170 1. Except as otherwise provided in subsections 2 and 3 ~~[of this section]~~ and NRS 638.1525, a person who violates any of the provisions of this chapter , *including, without limitation, practicing as an equine dental provider without a license issued pursuant to the provisions of this chapter,* is guilty of a misdemeanor.

2. A person who practices veterinary medicine without a license issued pursuant to the provisions of this chapter is guilty of a category D felony and shall be punished as provided in NRS 193.130.

3. A person who practices as a veterinary technician without a license issued pursuant to the provisions of this chapter is guilty of a gross misdemeanor and shall be punished by imprisonment in the county jail for not more than 364 days, or by a fine of not more than \$2,000, or by both fine and imprisonment.

Sec. 32. The President of the Nevada State Board of Veterinary Medical Examiners shall make his or her initial appointments to the Equine Dental Provider Advisory Committee created by section 11 of this act on or before February 1, 2016, pursuant to subsection 3 of that section. The initial terms of the members of the Committee shall be as follows:

1. One member to serve a 2-year term beginning on February 1, 2016, and ending on January 31, 2018;

2. One member to serve a 4-year term beginning on February 1, 2016, and ending on January 31, 2020; and

3. One member to serve a 6-year term beginning on February 1, 2016, and ending on January 31, 2022.

Sec. 33. The initial members of the Equine Dental Provider Advisory Committee created by section 11 of this act who are appointed pursuant to paragraph (a) of subsection 3 of that section shall have 6 months after the date of their appointment to make application for, and receive, a license as an equine dental provider pursuant to section 6 of this act. The failure to receive a license within 6 months as required by this section is grounds for removal



1 from the Committee pursuant to subsection 8 of section 11 of this
2 act.

3 **Sec. 34.** 1. This act becomes effective upon:

4 (a) Passage and approval for the purposes of adopting any
5 regulations or performing any preparatory administrative tasks that
6 are necessary to carry out the provisions of this act; and

7 (b) On January 1, 2016, for all other purposes.

8 2. Section 28 of this act expires by limitation on the date 2
9 years after the date on which the provisions of 42 U.S.C. § 666
10 requiring each state to establish procedures under which the state
11 has authority to withhold or suspend, or to restrict the use of
12 professional, occupational and recreational licenses of persons who:

13 (a) Have failed to comply with a subpoena or warrant relating to
14 a proceeding to determine the paternity of a child or to establish or
15 enforce an obligation for the support of a child; or

16 (b) Are in arrears in the payment for the support of one or more
17 children,

18 ➤ are repealed by the Congress of the United States.

