

Senator Scott K. Jenkins proposes the following substitute bill:

SHELTER ANIMAL VACCINE AMENDMENTS

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Scott K. Jenkins

House Sponsor: Richard A. Greenwood

LONG TITLE

General Description:

This bill amends the Veterinary Practice Act.

Highlighted Provisions:

This bill:

▶ exempts an employee of an animal shelter, from the requirement to be licensed as a veterinarian for the purpose of administering a rabies vaccination to a shelter animal; and

▶ exempts an animal shelter operating under the indirect supervision of a

§→ contracted ←§ veterinarian

from the requirement to obtain a license as a pharmacy for purposes of handling, storing, and administering a rabies vaccination, or a drug used for purposes of animal euthanasia.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

58-17b-309, as last amended by Laws of Utah 2013, Chapter 278



57 [58-17b-309.5](#), the following individuals may engage in the acts or practices described in this
58 section without being licensed under this chapter:

59 (a) if the individual is described in Subsections (2)(b), (d), or (e), the individual
60 notifies the division in writing of the individual's intent to dispense a drug under this
61 subsection;

62 (b) a person selling or providing contact lenses in accordance with Section [58-16a-801](#);

63 (c) an individual engaging in the practice of pharmacy technician under the direct
64 personal supervision of a pharmacist while making satisfactory progress in an approved
65 program as defined in division rule;

66 (d) a prescribing practitioner who prescribes and dispenses a cosmetic drug or an
67 injectable weight loss drug to the prescribing practitioner's patient in accordance with
68 Subsection (4); [or]

69 (e) an optometrist, as defined in Section [58-16a-102](#), acting within the optometrist's
70 scope of practice as defined in Section [58-16a-601](#), who prescribes and dispenses a cosmetic
71 drug to the optometrist's patient in accordance with Subsection (4)[-]; and

72 (f) an animal shelter that, in accordance with Section [58-28-307](#) and under the indirect
73 supervision of a veterinarian ~~§~~ → **under contract with the animal shelter** ← ~~§~~ , stores, handles, or
73a administers a rabies vaccine or a drug used for
74 ethanising an animal:

75 (3) In accordance with Subsection [58-1-303](#)(1)(a), an individual exempt under
76 Subsection (2)(c) must take all examinations as required by division rule following completion
77 of an approved curriculum of education, within the required time frame. This exemption
78 expires immediately upon notification of a failing score of an examination, and the individual
79 may not continue working as a pharmacy technician even under direct supervision.

80 (4) A prescribing practitioner or optometrist is exempt from licensing under the
81 provisions of this part if the prescribing practitioner or optometrist:

82 (a) (i) writes a prescription for a drug the prescribing practitioner or optometrist has the
83 authority to dispense under Subsection (4)(b); and

84 (ii) informs the patient:

85 (A) that the prescription may be filled at a pharmacy or dispensed in the prescribing
86 practitioner's or optometrist's office;

87 (B) of the directions for appropriate use of the drug;

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

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

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

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

194 (14) an animal shelter employee who is:

195 (a) (i) acting under the indirect supervision of a licensed veterinarian ~~§~~ **→ under contract**
 195a **with the animal shelter ←§** ; and

196 [~~(b)~~] (ii) (A) performing animal euthanasia in the course and scope of employment;
 197 [~~and~~] or

198 (B) administering a rabies vaccine to a shelter animal in accordance with the
 199 Compendium of Animal Rabies Prevention and Control; and

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