

HB0394S01 compared with HB0394

~~{Omitted text}~~ shows text that was in HB0394 but was omitted in HB0394S01

inserted text shows text that was not in HB0394 but was inserted into HB0394S01

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1

Veterinary Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stephanie Gricius

Senate Sponsor: Michael K. McKell

2

3

LONG TITLE

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General Description:

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This bill amends ~~{the Veterinary Practice Act}~~ provisions related to veterinarians.

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Highlighted Provisions:

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This bill:

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▸ ~~{enacts and modifies definitions; and}~~

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▸ ~~{clarifies}~~ amends provisions ~~{related to veterinary services}~~ regarding veterinarian licenses.

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Money Appropriated in this Bill:

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None

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Other Special Clauses:

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None

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Utah Code Sections Affected:

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AMENDS:

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~~{26B-4-801 (Effective 05/06/26), as renumbered and amended by Laws of Utah 2023, Chapter 307}~~

18

~~{58-24b-102 (Effective 05/06/26), as last amended by Laws of Utah 2025, Chapter 219}~~

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19 ~~{58-24b-405 (Effective 05/06/26), as enacted by Laws of Utah 2009, Chapter 220}~~
20 ~~{58-28-102 (Effective 05/06/26), as last amended by Laws of Utah 2024, Chapter 125}~~
21 ~~{58-28-301 (Effective 05/06/26), as last amended by Laws of Utah 2020, Chapter 339}~~
15 ~~58-28-302 {(Effective 05/06/26)}~~, as last amended by Laws of Utah 2020, Chapter 339
23 ~~{58-28-304 (Effective 05/06/26), as last amended by Laws of Utah 2022, Chapter 415}~~
24 ~~{58-28-305 (Effective 05/06/26), as renumbered and amended by Laws of Utah 2006,~~
~~Chapter 109}~~
26 ~~{58-28-307 (Effective 05/06/26), as last amended by Laws of Utah 2024, Chapter 455}~~
27 ~~{58-28-311 (Effective 05/06/26), as enacted by Laws of Utah 2020, Chapter 435}~~
28 ~~{58-28-502 (Effective 05/06/26), as last amended by Laws of Utah 2024, Chapter 125}~~
29 ~~{58-28-601 (Effective 05/06/26), as renumbered and amended by Laws of Utah 2006,~~
~~Chapter 109}~~
31 ~~{58-28-603 (Effective 05/06/26), as enacted by Laws of Utah 2006, Chapter 109}~~
32 ~~{58-28-604 (Effective 05/06/26), as last amended by Laws of Utah 2025, Chapter 82}~~
33 ~~{58-28-605 (Effective 05/06/26), as enacted by Laws of Utah 2006, Chapter 109}~~
34 ~~{58-28-606 (Effective 05/06/26), as last amended by Laws of Utah 2020, Chapter 354}~~
35 ~~{58-47b-304 (Effective 05/06/26) (Repealed 07/01/34), as last amended by Laws of Utah~~
~~2025, Chapter 236}~~
37 ~~{58-72-102 (Effective 05/06/26), as last amended by Laws of Utah 2024, Chapter 507}~~
38 ~~{58-73-102 (Effective 05/06/26), as last amended by Laws of Utah 2021, Chapter 240}~~

ENACTS:

40 ~~{58-28-104 (Effective 05/06/26), Utah Code Annotated 1953}~~
41 ~~{58-28-607 (Effective 05/06/26), Utah Code Annotated 1953}~~

REPEALS:

43 ~~{58-28-101 (Effective 05/06/26), as renumbered and amended by Laws of Utah 2006,~~
~~Chapter 109}~~
45 ~~{58-28-308 (Effective 05/06/26), as enacted by Laws of Utah 2006, Chapter 109}~~

16
17 *Be it enacted by the Legislature of the state of Utah:*

48 ~~{Section 1. Section 26B-4-801 is amended to read: }~~

49 **26B-4-801. Definitions.**

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As used in this part:

- 51 (1) "Disaster relief organization" means an entity that:
- 52 (a) provides emergency or disaster relief services that include health or veterinary services provided by
volunteer health practitioners;
- 54 (b) is designated or recognized as a provider of the services described in Subsection (1)(a) under a
disaster response and recovery plan adopted by:
- 56 (i) an agency of the federal government;
- 57 (ii) the department; or
- 58 (iii) a local health department; and
- 59 (c) regularly plans and conducts its activities in coordination with:
- 60 (i) an agency of the federal government;
- 61 (ii) the department; or
- 62 (iii) a local health department.
- 63 (2) "Emergency" means:
- 64 (a) a state of emergency declared by:
- 65 (i) the president of the United States;
- 66 (ii) the governor in accordance with Title 53, Chapter 2a, Part 2, Disaster Response and Recovery Act;
and
- 68 (iii) the chief executive officer of a political subdivision in accordance with Title 53, Chapter 2a, Part 2,
Disaster Response and Recovery Act, for a local emergency; or
- 70 (b) a public health emergency declared by:
- 71 (i) the executive director through a public health order in accordance with this title; or
- 72 (ii) a local health department for a location under the local health department's jurisdiction.
- 74 (3) "Emergency Management Assistance Compact" means the interstate compact approved by Congress
by Public L. No. 104-321, 110 Stat. 3877 and adopted by Utah in Title 53, Chapter 2a, Part 4,
Emergency Management Assistance Compact.
- 77 (4) "Entity" means a person other than an individual.
- 78 (5) "Health facility" means an entity licensed under the laws of this or another state to provide health or
veterinary services.
- 80 (6) "Health practitioner" means an individual licensed under Utah law or another state to provide health
or veterinary services.

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- 82 (7) "Health services" means the provision of treatment, care, advice, guidance, other services, or
supplies related to the health or death of individuals or human populations, to the extent necessary to
respond to an emergency, including:
- 85 (a) the following, concerning the physical or mental condition or functional status of an individual or
affecting the structure or function of the body:
- 87 (i) preventive, diagnostic, therapeutic, rehabilitative, maintenance, or palliative care; or
- 89 (ii) counseling, assessment, procedures, or other services;
- 90 (b) selling or dispensing a drug, a device, equipment, or another item to an individual in accordance
with a prescription; and
- 92 (c) funeral, cremation, cemetery, or other mortuary services.
- 93 (8) "Host entity":
- 94 (a) means an entity operating in Utah that:
- 95 (i) uses volunteer health practitioners to respond to an emergency; and
- 96 (ii) is responsible during an emergency, for actually delivering health services to individuals or human
populations, or veterinary services to animals or animal populations; and
- 99 (b) may include disaster relief organizations, hospitals, clinics, emergency shelters, health care provider
offices, or any other place where volunteer health practitioners may provide health or veterinary
services.
- 102 (9)
- (a) "License" means authorization by a state to engage in health or veterinary services that are unlawful
without authorization.
- 104 (b) "License" includes authorization under this title to an individual to provide health or veterinary
services based upon a national or state certification issued by a public or private entity.
- 107 (10) "Local emergency" means the same as that term is defined in Section 53-2a-203.
- 108 (11) "Local health department" means the same as that term is defined in Section 26A-1-102.
- 109 (12) "Public health emergency" means the same as that term is defined in Section 26B-7-301.
- 111 (13) "Scope of practice" means the extent of the authorization to provide health or veterinary services
granted to a health practitioner by a license issued to the practitioner in the state in which the
principal part of the practitioner's services are rendered, including any conditions imposed by the
licensing authority.
- 115 (14) "State" means:

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- 116 (a) a state of the United States;
117 (b) the District of Columbia;
118 (c) Puerto Rico;
119 (d) the United States Virgin Islands; or
120 (e) any territory or insular possession subject to the jurisdiction of the United States.

121 (15) "Veterinary services" [~~shall have the meaning provided for in Subsection 58-28-102(11).~~] means
the practice of veterinary medicine, surgery, and dentistry, as defined in Section 58-28-102.

124 (16)

- (a) "Volunteer health practitioner" means a health practitioner who provides health or veterinary services, whether or not the practitioner receives compensation for those services.
- 127 (b) "Volunteer health practitioner" does not include a practitioner who receives compensation under a preexisting employment relationship with a host entity or affiliate that requires the practitioner to provide health services in Utah, unless the practitioner is:
- 131 (i) not a Utah resident; and
132 (ii) employed by a disaster relief organization providing services in Utah during an emergency.

134 ~~{Section 2. Section 58-24b-102 is amended to read: }~~

135 **58-24b-102. Definitions.**

As used in this chapter:

- 137 (1) "Animal physical therapy" means practicing physical therapy or physiotherapy on an animal.
139 (2) "Board" means the Physical Therapies Licensing Board, created in Section 58-24b-201.
140 (3) "Consultation by telecommunication" means the provision of expert or professional advice by a physical therapist who is licensed outside of Utah to a licensed physical therapist or a health care provider by telecommunication or electronic communication.
143 (4) "General supervision" means supervision and oversight of an individual by a licensed physical therapist when the licensed physical therapist is immediately available in person, by telephone, or by electronic communication to assist the individual.
146 (5) "Licensed physical therapist" means an individual licensed under this chapter to engage in the practice of physical therapy.
148 (6) "Licensed physical therapist assistant" means an individual licensed under this chapter to engage in the practice of physical therapy, subject to the provisions of Subsection 58-24b-401(2)(a).

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- (7) "Licensing examination" means a nationally recognized physical therapy examination that is approved by the division, in consultation with the board.
- 153 (8) "On-site supervision" means supervision and oversight of an individual by a licensed physical therapist or a licensed physical therapist assistant when the licensed physical therapist or licensed physical therapist assistant is:
- 156 (a) continuously present at the facility where the individual is providing services;
- 157 (b) immediately available to assist the individual; and
- 158 (c) regularly involved in the services being provided by the individual.
- 159 (9) "Physical impairment" means:
- 160 (a) a mechanical impairment;
- 161 (b) a physiological impairment;
- 162 (c) a developmental impairment;
- 163 (d) a functional limitation;
- 164 (e) a disability;
- 165 (f) a mobility impairment; or
- 166 (g) a bodily malfunction.
- 167 (10)
- (a) "Physical therapy" or "physiotherapy" means:
- 168 (i) examining, evaluating, and testing an individual who has a physical impairment or injury;
- 170 (ii) identifying or labeling a physical impairment or injury;
- 171 (iii) formulating a therapeutic intervention plan for the treatment of a physical impairment, injury, or pain;
- 173 (iv) assessing the ongoing effects of therapeutic intervention for the treatment of a physical impairment or injury;
- 175 (v) treating or alleviating a physical impairment by designing, modifying, or implementing a therapeutic intervention;
- 177 (vi) reducing the risk of an injury or physical impairment;
- 178 (vii) providing instruction on the use of physical measures, activities, or devices for preventative and therapeutic purposes;
- 180 (viii) promoting and maintaining health and fitness;
- 181 (ix) the administration of a prescription drug pursuant to Section 58-24b-403;

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- 182 (x) subject to Subsection [~~58-28-307(12)(b)~~] 58-28-307(1)(m), engaging in the functions
described in Subsections (10)(a)(i) through (ix) in relation to an animal, in accordance with the
requirements of Section 58-24b-405;
- 185 (xi) engaging in administration, consultation, education, and research relating to the practices
described in this Subsection (10)(a); or
- 187 (xii) applying dry needling to enhance an individual's physical performance if the physical therapy
practitioner has received the necessary training as determined by division rule in collaboration
with the board.
- 190 (b) "Physical therapy" or "physiotherapy" does not include:
- 191 (i) diagnosing disease;
- 192 (ii) performing surgery;
- 193 (iii) performing acupuncture;
- 194 (iv) taking x-rays; or
- 195 (v) prescribing or dispensing a drug, as defined in Section 58-37-2.
- 196 (11) "Physical therapy aide" means an individual who:
- 197 (a) is trained, on-the-job, by a licensed physical therapist; and
- 198 (b) provides routine assistance to a licensed physical therapist or licensed physical therapist assistant,
while the licensed physical therapist or licensed physical therapist assistant practices physical
therapy, within the scope of the licensed physical therapist's or licensed physical therapist assistant's
license.
- 202 (12) "Recognized accreditation agency" means an accreditation agency that:
- 203 (a) grants accreditation, nationally, in the United States of America; and
- 204 (b) is approved by the division, in consultation with the board.
- 205 (13)
- (a) "Testing" means a standard method or technique used to gather data regarding a patient that is
generally and nationally accepted by physical therapists for the practice of physical therapy.
- 208 (b) "Testing" includes measurement or evaluation of:
- 209 (i) muscle strength, force, endurance, or tone;
- 210 (ii) cardiovascular fitness;
- 211 (iii) physical work capacity;
- 212 (iv) joint motion, mobility, or stability;

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- 213 (v) reflexes or autonomic reactions;
- 214 (vi) movement skill or accuracy;
- 215 (vii) sensation;
- 216 (viii) perception;
- 217 (ix) peripheral nerve integrity;
- 218 (x) locomotor skills, stability, and endurance;
- 219 (xi) the fit, function, and comfort of prosthetic, orthotic, or other assistive devices;
- 220 (xii) posture;
- 221 (xiii) body mechanics;
- 222 (xiv) limb length, circumference, and volume;
- 223 (xv) thoracic excursion and breathing patterns;
- 224 (xvi) activities of daily living related to physical movement and mobility;
- 225 (xvii) functioning in the physical environment at home or work, as it relates to physical movement and
mobility; and
- 227 (xviii) neural muscular responses.
- 228 (14)
- (a) "Trigger point dry needling" means the stimulation of a trigger point using a dry needle to treat neuromuscular pain and functional movement deficits.
- 230 (b) "Trigger point dry needling" does not include the stimulation of auricular or distal points.
- 232 (15) "Therapeutic intervention" includes:
- 233 (a) therapeutic exercise, with or without the use of a device;
- 234 (b) functional training in self-care, as it relates to physical movement and mobility;
- 235 (c) community or work integration, as it relates to physical movement and mobility;
- 236 (d) manual therapy, including:
- 237 (i) soft tissue mobilization;
- 238 (ii) therapeutic massage; or
- 239 (iii) joint mobilization, as defined by the division, by rule;
- 240 (e) prescribing, applying, or fabricating an assistive, adaptive, orthotic, prosthetic, protective, or
supportive device;
- 242 (f) airway clearance techniques, including postural drainage;
- 243 (g) integumentary protection and repair techniques;

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- 244 (h) wound debridement, cleansing, and dressing;
- 245 (i) the application of a physical agent, including:
- 246 (i) light;
- 247 (ii) heat;
- 248 (iii) cold;
- 249 (iv) water;
- 250 (v) air;
- 251 (vi) sound;
- 252 (vii) compression;
- 253 (viii) electricity; and
- 254 (ix) electromagnetic radiation;
- 255 (j) mechanical or electrotherapeutic modalities;
- 256 (k) positioning;
- 257 (l) instructing or training a patient in locomotion or other functional activities, with or without an
assistive device;
- 259 (m) manual or mechanical traction;
- 260 (n) correction of posture, body mechanics, or gait; and
- 261 (o) trigger point dry needling, under the conditions described in Section 58-24b-505.

262 ~~{Section 3. Section 58-24b-405 is amended to read: }~~

263 **58-24b-405. Animal physical therapy.**

- 264 (1) Subject to Subsection 58-28-307(12)(b), a licensed physical therapist may practice animal physical
therapy if the licensed physical therapist completes at least 100 hours of animal physical therapy
training and education, which shall include:
- 267 (a) 50 hours of on-the-job training under the supervision of a licensed veterinarian;
- 268 (b) completion of a quadruped anatomy course; and
- 269 (c) continuing education for the required hours remaining.
- 270 (2) Subject to Subsection ~~[58-28-307(12)(b)]~~ 58-28-307(1)(m), a licensed physical therapist assistant
may practice animal physical therapy, within the scope of the licensed physical therapist assistant's
practice, if the licensed physical therapist assistant:
- 273 (a) is under the on-site supervision or general supervision of a physical therapist who has complied with
the requirements of Subsection (1); and

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- 275 (b) completes at least 100 hours of animal physical therapy training and education, which shall include:
277 (i) 50 hours of on-the-job training under the supervision of a licensed veterinarian;
278 (ii) completion of a quadruped anatomy course; and
279 (iii) continuing education for the required hours remaining.

280 ~~{Section 4. Section 58-28-102 is amended to read: }~~

281 **58-28-102. Definitions.**

In addition to the definitions in Section 58-1-102, as used in this chapter:

- 283 (1) "Abandonment" means to forsake entirely or to refuse to provide care and support for an animal
placed in the custody of a licensed veterinarian.
- 285 (2) "Administer" means:
286 (a) the direct application by an individual of a prescription drug or device by injection, inhalation,
ingestion, or by any other means, to the body of an animal that is a patient or is a research subject;
or
289 (b) a licensed veterinarian providing to the owner or caretaker of an animal a prescription drug for
application by injection, inhalation, ingestion, or any other means to the body of the animal by the
owner or caretaker in accordance with the licensed veterinarian's written directions.
- 293 (3) "Animal" means any animal other than a human.
- 294 (4) "Animal shelter" means the same as that term is defined in Section 11-46-102.
- 295 ~~[(4)]~~ (5) "AVMA" means American Veterinary Medical Association.
- 296 ~~[(5)]~~ (6) "Board" means the Veterinary Board established in Section 58-28-201.
- 297 ~~[(6)]~~ (7) "Client" means the patient's owner, the owner's agent, or other person responsible for the
patient.
- 299 ~~[(7)]~~ (8) "Direct supervision" means a licensed veterinarian is present and available for face-to-
face contact with the patient and individual being supervised, at the time the patient is receiving
veterinary care.
- 302 ~~[(8)]~~ (9) "Extra-label use" means actual use or intended use of a drug in an animal in a manner that is
not in accordance with approved labeling.
- 304 ~~[(9)]~~ (10) "Immediate supervision" means the licensed veterinarian is present with the individual being
supervised, while the individual is performing the delegated tasks.
- 306 ~~[(10)]~~ (11) "Indirect supervision" means a licensed veterinarian:
307

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- (a) has given either written or verbal instructions for veterinary care of a patient to the individual being supervised; and
- 309 (b) is available to the individual being supervised by telephone or other electronic means of communication during the period of time in which the veterinary care is given to the patient.
- 312 (12) "Licensed veterinarian" means an individual licensed under this chapter to engage in the practice of veterinary medicine, surgery, and dentistry.
- 314 ~~[(11)]~~ (13) "Practice of veterinary medicine, surgery, and dentistry" means to:
- 315 (a) diagnose, prognose, or treat any disease, defect, deformity, wound, injury, or physical condition of any animal;
- 317 (b) administer, prescribe or dispense any drug, medicine, treatment, method, or practice, perform any operation or manipulation, apply any apparatus or appliance for the cure, relief, or correction of any animal disease, deformity, defect, wound, or injury, or otherwise practice any veterinary medicine, dentistry, or surgery on any animal;
- 321 (c) represent by verbal or written claim, sign, word, title, letterhead, card, or any other manner that one is a licensed veterinarian or qualified to practice veterinary medicine, surgery, or dentistry;
- 324 (d) hold oneself out as able to practice veterinary medicine, surgery, or dentistry;
- 325 (e) solicit, sell, or furnish any parenterally administered animal disease cures, preventions, or treatments, with or without the necessary instruments for the administration of them, or any and all worm and other internal parasitic remedies, upon any agreement, express or implied, to administer these cures, preventions, treatments, or remedies; or
- 330 (f) assume or use the title or designation, "veterinary," "veterinarian," "animal doctor," "animal surgeon," or any other title, designation, words, letters, abbreviations, sign, card, or device tending to indicate that such individual is qualified to practice veterinary medicine, surgery, or dentistry.
- 334 ~~[(12)]~~ (14) "Practice of veterinary technology" means to perform tasks that are:
- 335 (a) related to the care and treatment of animals;
- 336 ~~[(b) delegated by a veterinarian;]~~
- 337 ~~[(e) performed under the direct or indirect supervision of a veterinarian; and]~~
- 338 ~~[(d)]~~ (b) performed in accordance with Section 58-28-607;
- 339 (c) permitted by administrative rule made by the division; and
- 340 (d) performed in accordance with the standards of the profession.
- 341 ~~[(13)]~~ (15)

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- (a) "State certification" means a designation granted by the division on behalf of the state to an individual who has met the requirements for state certification as a veterinary technician related to the practice of veterinary technology.
- 344 (b) "State certification" does not grant a state certified veterinary technician the exclusive right to practice veterinary technology.
- 346 ~~[(14)]~~ (16) "State certified" means, when used in conjunction with the occupation of veterinary technician, a title that:
- 348 (a) may be used by an individual who has met state certification requirements related to the occupation of veterinary technician as described in this chapter; and
- 350 (b) may not be used by an individual who has not met the state certification requirements related to the occupation of veterinary technician as described in this chapter.
- 353 ~~[(15)]~~ (17)
- (a) "Teeth floating" means the removal of enamel points and the smoothing, contouring, and leveling of dental arcades and incisors of equine and other farm animals performed in accordance with Section 58-28-607.
- 356 (b) "Teeth floating" does not include a dental procedure on a canine or feline.
- 357 (18) "Teeth floating practitioner" means an individual who has a valid certification to perform teeth floating from:
- 359 (a) the International Association of Equine Dentistry; or
- 360 (b) an equivalent certification designated by division rule made in collaboration with the board.
- 362 ~~[(16)]~~ (19) "Unlawful conduct" is defined in Sections 58-1-501 and 58-28-501.
- 363 ~~[(17)]~~ (20)
- (a) "Unlicensed assistive personnel" ~~[:]~~
- 364 ~~[(a)]~~ means any unlicensed individual, regardless of title, to whom tasks are delegated by a licensed veterinarian ~~[as permitted by]~~ in accordance with:
- 366 (i) Section 58-28-607;
- 367 (ii) administrative rule made by the division; and
- 368 (iii) ~~[in accordance with]~~ the standards of the profession~~[: and]~~ .
- 369 (b) "Unlicensed assistive personnel" includes:
- 370 (i) a veterinary assistant~~[- if working under immediate supervision];~~
- 371 (ii) a state certified veterinary technician;

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- 372 (iii) a veterinary technician~~[-who:]~~ ; and
373 [~~(A) has graduated from a program of veterinary technology accredited by the AVMA that is at least a~~
~~two-year program; and]~~
375 [~~(B) is working under direct supervision or indirect supervision; and]~~
376 (iv) a veterinary technologist~~[-who:]~~ .
377 [~~(A) has graduated from a four-year program of veterinary technology accredited by the AVMA; and]~~
379 [~~(B) is working under indirect supervision.~~]
380 [~~(18)~~] (21) "Unprofessional conduct" is as defined in Sections 58-1-501 and 58-28-502 and may be
further defined by rule.
382 [~~(19) "Veterinarian" means an individual licensed under this chapter to engage in the practice of~~
~~veterinary medicine, surgery, and dentistry.~~]
384 (22) "Veterinary assistant" means an individual who:
385 (a) works with a veterinarian; and
386 (b) is not a veterinary technologist, state certified veterinary technician, or veterinary technician.
388 (23) "Veterinary corporation" means a professional corporation organized to render veterinary services
under Title 16, Chapter 11, Professional Corporation Act.
390 (24) "Veterinary limited liability company" means a limited liability company organized to render
veterinary services under Title 48, Chapter 3a, Utah Revised Uniform Limited Liability Company
Act.
393 (25) "Veterinary partnership" means a partnership or limited liability partnership organized to render
veterinary services under:
395 (a) Title 48, Chapter 1d, Utah Uniform Partnership Act; or
396 (b) Title 48, Chapter 2e, Utah Uniform Limited Partnership Act.
397 (26) "Veterinary technician" means an individual who has graduated from a program of veterinary
technology accredited by the American Veterinarian Medical Association that is at least two years in
length but less than four years in length.
400 (27) "Veterinary technologist" means an individual who has graduated from a four-year program of
veterinary technology accredited by the American Veterinarian Medical Association.
403 [~~(20)~~] (28) "Veterinarian-client-patient relationship" means:
404

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- (a) a veterinarian has assumed responsibility for making clinical judgements regarding the health of an animal and the need for medical treatment of an animal, and the client has agreed to follow the veterinarian's instructions;
- 407 (b) the veterinarian has sufficient knowledge of the animal to initiate at least a general or preliminary diagnosis of the medical condition of the animal, including knowledge of the keeping and care of the animal as a result of recent personal examination of the animal or by medically appropriate visits to the premises where the animal is housed; and
- 412 (c) the veterinarian has arranged for emergency coverage for follow-up evaluation in the event of adverse reaction or the failure of the treatment regimen.

414 Section 5. Section **5** is enacted to read:

415 **58-28-104. Supervision.**

For the purposes of this chapter, any task authorized to be performed under a specified level of supervision is also authorized to be performed under a stricter level of supervision.

418 ~~{Section 6. Section **58-28-301** is amended to read: }~~

419 **58-28-301. Licensure required.**

- 420 (1)
- (a) A license is required to engage in the practice of veterinary medicine, except as specifically provided in Sections 58-1-307 and 58-28-307.
- 422 (b) Notwithstanding the provisions of Subsection 58-1-307(1)(c) an individual shall be licensed under this chapter as a veterinary intern in order to engage in a program of indirectly supervised clinical training with ~~[a veterinarian licensed under this chapter]~~ a licensed veterinarian, and as necessary to meet licensing requirements under Subsection 58-28-302(1)(c).
- 427 (2) The division shall issue to a person who qualifies under this chapter a license in the classification of:
- 429 (a) veterinarian; or
- 430 (b) veterinarian intern.

18 Section 1. Section **58-28-302** is amended to read:

19 **58-28-302. ~~{(Effective 05/06/26)}~~ License qualifications.**

- 433 (1) Every applicant for a license to practice veterinary medicine, surgery, and dentistry shall:
- 434 (a) pass an examination approved by the board on the theory and practice of the science of veterinary medicine, surgery, dentistry, and other subjects determined by the board, knowledge of which is generally required of veterinarians;

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- 437 (b)
- (i) graduate from a veterinary college accredited by the AVMA; or
- 438 (ii) obtain a certificate issued by the Educational Commission for Foreign Veterinary Graduates issued
by the AVMA;
- 440 (c)
- (i) have practiced under the supervision of a {~~licensed~~} veterinarian {~~licensed to practice in this state~~
~~}~~ for ~~[a period of at least six months]~~ at least 1,000 hours;
- 442 (ii) have participated in veterinary investigational, educational, or sanitary control work of a nature and
duration as to be the equivalent of the experience of Subsection (1)(c)(i);
- 445 (iii) have practiced as a {~~licensed~~} veterinarian outside Utah for ~~[a period of at least six months]~~ at
least 1,000 hours; or
- 447 (iv) have practiced as a veterinarian while employed by the United States government, its agencies, or
the state or its political subdivisions for ~~[a period of at least six months]~~ at least 1,000 hours; and
- 450 (d) pay a fee to the {~~Department of Commerce~~} ~~}~~ division determined in accordance with Section
63J-1-504 for the examination, for an initial license, and for a renewal license.
- 452 (2)
- (a) An applicant for licensure as a veterinary intern shall comply with the provisions of Subsection (1)
(b).
- 454 {~~(b) An applicant's license as a veterinary intern is limited to the period of time necessary to complete
clinical training as described in Subsection (1)(c) and extends not more than one year from the
date the minimum requirement for training is completed, unless the individual presents satisfactory
evidence to the division and the board that the individual is making reasonable progress toward
passing the qualifying examination or is otherwise on a course reasonably expected to lead to
licensure as a veterinarian, but the period of time under this Subsection (2)(b) may not exceed two
years past the date the minimum supervised clinical training has been completed.~~}
- 462 {~~(b)~~}
- {~~(i) Except as provided in Subsection (2)(b)(ii), an applicant's license as a veterinary intern expires one
year from the day the applicant completes the training described in Subsection (1)(c).~~}
- 465 {~~(ii) The division may extend an expiring veterinary intern license for one year if the applicant presents
satisfactory evidence to the division and the board that the applicant is:~~}
- 468 {~~(A) making reasonable progress toward passing the qualifying examination; or~~}

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469 {~~(B) otherwise on a course reasonably expected to lead to licensure as a veterinarian.~~}

471 {~~Section 8. Section 58-28-304 is amended to read: }~~}

472 **58-28-304. Temporary license -- License reciprocity.**

473 (1)

(a) The division may issue a temporary license to practice veterinary medicine, surgery, and dentistry to any person not qualified for licensure under Section 58-1-302 who meets all requirements of Section 58-28-302 ~~[with the exception of]~~ except for Subsections 58-28-302(1)(a) and (c)~~[, except that the temporary license shall by its terms expire at the date examination results are available for the examination next following the date of the issuance of the temporary license.]~~ .

479 (b) A license issued under Subsection (1)(a) expires on the date examination results are available for the examination conducted after the issuance of the temporary license.

481 (2) The temporary license shall permit the holder to practice under the indirect supervision of a licensed veterinarian~~[-licensed to practice in this state].~~

483 (3) The division may extend the expiration date of the temporary license until the following examination date if:

485 (a) the applicant shows to the board good cause for failing to take or pass the examination; and

487 (b) the majority of the board members recommend the extension.

488 {~~Section 9. Section 58-28-305 is amended to read: }~~}

489 **58-28-305. Term of license -- Expiration -- Renewal.**

490 (1)

(a) A license as a veterinarian issued under this chapter shall be issued in accordance with a two-year renewal cycle established by rule.

492 (b) A renewal period may be extended or shortened by as much as one year to maintain established renewal cycles or to change an established renewal cycle.

494 (2) A license as a veterinarian intern issued under this chapter shall be issued for a term established by the division by rule and consistent with the requirements of Subsection 58-28-302(2)(b).

497 (3) Each license under this chapter automatically expires on the expiration date shown on the license unless renewed by the licensee in accordance with Section 58-1-308.

499 {~~Section 10. Section 58-28-307 is amended to read: }~~}

500 **58-28-307. Exemptions from chapter.**

501 (1) In addition to the exemptions from licensure in Section 58-1-307 this chapter does not apply to:

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- 503 [(1)] (a) except as provided in Subsection (2):
- 504 (i) an individual who practices veterinary medicine, surgery, or dentistry upon [any] an animal owned
by the individual[, and the employee of that individual when the practice is upon an animal owned
by the employee's employer, and incidental to employment, except:] ; or
- 508 [~~(a)~~] ~~this exemption does not apply to an individual, or the individual's employee, when the ownership of~~
~~an animal was acquired for the purpose of circumventing this chapter; and]~~
- 511 [~~(b)~~] ~~this exemption does not apply to the administration, dispensing, or prescribing of a prescription~~
~~drug, or nonprescription drug intended for off label use, unless the administration, dispensing, or~~
~~prescribing of the drug is obtained through an existing veterinarian-patient relationship;]~~
- 515 [(2)] (i) an employee practicing veterinary medicine, surgery, or dentistry on an animal owned by the
employee's employer if the practice is incidental to the employee's employment;
- 518 (b) an individual who as a student at a veterinary college approved by the board engages in the practice
of veterinary medicine, surgery, and dentistry as part of the individual's academic training and under
the direct supervision and control of a licensed veterinarian, if:
- 522 (i) that practice is during the last two years of the college course of instruction; and
- 523 (ii) does not exceed an 18-month duration;
- 524 [(3)] (c) a veterinarian who is an officer or employee of the government of the United States, or the
state, or its political subdivisions, and technicians under the veterinarian's supervision, while
engaged in the practice of veterinary medicine, surgery, or dentistry for that government;
- 528 [(4)] (d) an individual while engaged in the vaccination of poultry, pullorum testing, typhoid testing of
poultry, and related poultry disease control activity;
- 530 [(5)] (e) an individual who is engaged in bona fide and legitimate medical, dental, pharmaceutical,
or other scientific research, if that practice of veterinary medicine, surgery, or dentistry is directly
related to, and a necessary part of, that research;
- 533 [(6)] (f) a veterinarian licensed under the laws of another state rendering professional services in
association with licensed veterinarians of this state for a period not to exceed 90 days;
- 536 [(7)] (g) a [~~registered~~] licensed pharmacist of this state engaged in the sale of veterinary supplies,
instruments, and medicines, if the sale is at the registered pharmacist's regular place of business;
- 539 [(8)] (h) an individual in this state engaged in the sale of veterinary supplies, instruments, and
medicines, except prescription drugs which must be sold in compliance with state and federal
regulations, if the supplies, instruments, and medicines are sold in original packages bearing

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- adequate identification and directions for application and administration and the sale is made in the regular course of, and at the regular place of business;
- 545 [(9)] (i) an individual rendering emergency first aid to animals in those areas where a licensed veterinarian is not available, and if suspicious reportable diseases are reported immediately to the state veterinarian;
- 548 [(10)] (j) an individual performing or teaching nonsurgical bovine artificial insemination;
- 549 [(11)] (k) an individual affiliated with an institution of higher education who teaches nonsurgical bovine embryo transfer or any technician trained by or approved by an institution of higher education who performs nonsurgical bovine embryo transfer~~[, but]~~ only if any prescription drug used in the procedure is prescribed and administered under the direction of a licensed veterinarian~~[-licensed to practice in Utah]~~;
- 554 [(12)] (l)
- [(a)] the practice of animal chiropractic by a chiropractic physician licensed under Chapter 73, Chiropractic Physician Practice Act, who has been certified by the American Veterinary Chiropractic Association for performing chiropractic procedures on an animal;
- 558 [(b)] (m) upon written referral by a licensed veterinarian, the practice of animal physical therapy by a physical therapist licensed under Chapter 24b, Physical Therapy Practice Act, who has completed at least 100 hours of animal physical therapy training, including quadruped anatomy and hands-on training, approved by the division;
- 563 [(c)] (n) the practice of animal massage therapy by an individual who has completed at least 60 hours of animal massage therapy training in areas specified by the division in rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;~~[-and]~~
- 567 [(d)] (o) upon written referral by a licensed veterinarian, the practice of acupuncture by an acupuncturist licensed under Chapter 72, Acupuncture Licensing Act, who has completed a course of study on animal acupuncture approved by the division;
- 570 [(13)] (p) unlicensed assistive personnel performing duties appropriately delegated to the unlicensed assistive personnel in accordance with Section ~~[58-28-502]~~ 58-28-607;
- 572 [(14)] (q) an animal shelter employee who is:
- 573 [(a)] (i)
- [(i)] (A) acting under the indirect supervision of a licensed veterinarian; and
- 574 [(ii)] (B) performing animal euthanasia in the course and scope of employment; and

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- 575 ~~[(b)]~~ (ii) acting under the indirect supervision of a veterinarian who is under contract with the animal
shelter, administering a rabies vaccine to a shelter animal in accordance with the most recent
Compendium of Animal Rabies Prevention and Control;
- 579 ~~[(15)]~~ (r) an individual providing appropriate training for animals~~[-; however, this exception does~~
~~not include-]~~ unless the training involves diagnosing any medical condition, or prescribing or
dispensing any prescription drugs or therapeutics;
- 582 ~~[(16)]~~ (s) ~~[an individual who performs teeth floating if the individual:]~~ a teeth floating practitioner
performing teeth floating to the extent the teeth floating practitioner complies with Subsection
58-28-607(3); and
- 585 ~~[(a)]~~ has a valid certification from the International Association of Equine Dentistry, or an equivalent
certification designated by division rule made in collaboration with the board, to perform teeth
floating;]
- 588 ~~[(b)]~~ administers or uses a sedative drug only if the individual is under the direct supervision of a
veterinarian in accordance with Subsection 58-28-502(2)(a)(iv); and]
- 590 ~~[(17)]~~ (t) an individual testing a bovine for pregnancy if the individual has:
- 591 ~~[(a)]~~ (i) obtained a masters degree or higher in animal reproductive physiology; and
- 592 ~~[(b)]~~ (ii) completed at least eight hours of continuing education on animal reproductive physiology
within the previous two-year period.
- 594 (2) The exemption in Subsection (1)(a) does not apply to:
- 595 (a) an individual, or the individual's employee, if the ownership of an animal was acquired for the
purpose of circumventing this chapter; or
- 597 (b) the administration, dispensing, or prescribing of a prescription drug, or nonprescription drug
intended for off label use, unless the administration, dispensing, or prescribing of the drug is
obtained through an existing veterinarian-client-patient relationship.

601 ~~{Section 11. Section 58-28-311 is amended to read: }~~

602 **58-28-311. Limitation of state certification.**

This chapter does not prevent a person from lawfully engaging in the practice of
veterinary technology without state certification ~~[under the direct supervision of a veterinarian~~
~~licensed under]~~ in accordance with the provisions of this chapter.

606 ~~{Section 12. Section 58-28-502 is amended to read: }~~

607 **58-28-502. Unprofessional conduct.**

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- 608 (1) "Unprofessional conduct" includes, in addition to the definitions in Section 58-1-501:
- 609 (a) applying unsanitary methods or procedures in the treatment of any animal, contrary to rules adopted
by the board and approved by the division;
- 611 (b) procuring any fee or recompense on the assurance that a manifestly incurable diseased condition of
the body of an animal can be permanently cured;
- 613 (c) selling any biologics containing living or dead organisms or products or such organisms, except in a
manner which will prevent indiscriminate use of such biologics;
- 616 (d) swearing falsely in any testimony or affidavit, relating to, or in the course of, the practice of
veterinary medicine, surgery, or dentistry;
- 618 (e) willful failure to report any dangerous, infectious, or contagious disease, as required by law;
- 620 (f) willful failure to report the results of any medical tests, as required by law, or rule adopted pursuant
to law;
- 622 (g) violating Chapter 37, Utah Controlled Substances Act;
- 623 (h) delegating to unlicensed assistive personnel[;]
- 624 [(i)] a task that violates the standards of the profession or [~~Subsection (2)~~] Section 58-28-607; [~~or~~] and
- 626 [(ii) ~~the administration of anesthesia or sedation if the delegating veterinarian is not providing direct
supervision of the administration; and~~]
- 628 (i) making any unsubstantiated claim of superiority in training or skill as a veterinarian in the
performance of professional services.
- 630 (2)
- 631 [(a)] "Unprofessional conduct" does not include [~~the following~~:]
- 635 [(i) ~~delegating to a veterinary technologist, while under the indirect supervision of a veterinarian,
patient care and treatment that requires a technical understanding of veterinary medicine if
written or oral instructions are provided to the technologist by the veterinarian;~~]
- 640 [(ii) ~~delegating to a state-certified veterinary technician or a veterinary technician, while under
the direct or indirect supervision of a veterinarian, patient care and treatment that requires
a technical understanding of veterinary medicine if the veterinarian provides written or oral
instructions to the state-certified veterinary technician;~~]
- 643 [(iii) ~~delegating to a veterinary assistant, under the immediate supervision of a licensed veterinarian,
tasks that are consistent with the standards and ethics of the profession;~~]

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~~[(iv) delegating to an individual described in Subsection 58-28-307(16), under the direct supervision of a licensed veterinarian, the administration of a sedative drug for teeth floating; or]~~

646 [(v)] discussing the effects of the following on an animal with the owner of an animal:

647 [(A)] (a) a cannabinoid or industrial hemp product, as those terms are defined in Section 4-41-102; or

649 [(B)] (b) THC or medical cannabis, as those terms are defined in Section 26B-4-201.

650 [(b) The delegation of tasks permitted under Subsections (2)(a)(i) through (iv) does not include:]

652 [(i) diagnosing;]

653 [(ii) prognosing;]

654 [(iii) surgery; or]

655 [(iv) prescribing drugs, medicines, or appliances.]

656 (3) Notwithstanding any provision of this section, a veterinarian is not prohibited from engaging in a discussion described in Subsection ~~[(2)(a)(v)]~~ (2).

658 ~~{Section 13. Section 58-28-601 is amended to read: }~~

659 **58-28-601. Animal abandonment.**

660 (1)

(a) Any animal which suffers abandonment for a period of five days may be sold or placed in the custody of the nearest ~~[humane society or county dog pound]~~ animal shelter if the animal is not picked up within seven days after~~[-mailing]~~ the day the veterinarian or agent of the veterinarian mails a notification, by certified mail, to the last known address of the person placing the animal in the veterinarian's custody.

665 (b) ~~[If no humane society or dog pound is located in the county, the]~~ The animal may be disposed of in a humane manner if the nearest animal shelter:

667 (i) ~~is not located in the county; or~~

668 (ii) ~~is not able to accept the animal.~~

669 (2) A veterinarian who complies with this section is relieved from liability for the disposal or sale of abandoned animals.

671 ~~{Section 14. Section 58-28-603 is amended to read: }~~

672 **58-28-603. Medical records.**

Medical records maintained by a ~~[person licensed under this chapter]~~ licensed veterinarian:

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- 675 (1) shall meet the standards and ethics of the profession;
676 (2) shall be maintained in accordance with administrative rules adopted by the division in consultation
with the board; and
678 (3) may be maintained in electronic format.

679 ~~{Section 15. Section 58-28-604 is amended to read: }~~

680 **58-28-604. Veterinarian-client-patient relationship.**

- 681 (1)
(a) Except as provided in Subsection (1)(b), a licensee under this chapter may only practice under a
veterinarian-client-patient relationship~~[as defined in Section 58-28-102]~~.
684 (b) ~~[Notwithstanding Section 58-28-102, when-]~~ When a veterinarian employed by the Department
of Agriculture and Food issues a veterinary feed directive to a beekeeper who is registered in
accordance with Section 4-11-104, a veterinarian-client-patient relationship is established for the
veterinarian employed by the Department of Agriculture and Food if:
689 (i) the relevant apiary is inspected by:
690 (A) a county bee inspector appointed under Section 4-11-105; or
691 (B) an inspector for the Department of Agriculture and Food; and
692 (ii) in conducting the inspection under Subsection (1)(b)(i), the inspector works in conjunction with the
veterinarian employed by the Department of Agriculture and Food.
695 (2) A veterinarian-client-patient relationship may not be established solely by telephone or other
electronic means.

697 ~~{Section 16. Section 58-28-605 is amended to read: }~~

698 **58-28-605. Veterinarian-client-patient confidentiality.**

- 699 (1) A ~~[licensee under this chapter may not disclose information about the licensee's care of an animal
to anyone other than the client, as defined in Section 58-28-102]~~ veterinarian may not disclose
information about the veterinarian's care of an animal to anyone other than the client, unless:
703 (a) the client consents to the disclosure in writing;
704 (b) disclosure to public health officials, animal health or welfare officials, agricultural authorities, or
federal, state, or local officials is required, or necessary to protect the animal or to protect public
health;
707 (c) disclosure is required by court order or subpoena; or
708

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(d) the client has placed the veterinarian's care or treatment of the animal or the nature or extent of injuries to the animal at issue in a civil or criminal proceeding.

710 (2) A licensee who releases medical records under the provisions of this section is not liable to the client or any other person for the release of the records.

712 ~~{Section 17. Section 58-28-606 is amended to read: }~~

713 **58-28-606. Veterinary corporations, partnerships, and limited liability companies --
Unlicensed individuals -- Ownership of capital stock -- Service as officer or director.**

716 [(1) As used in this section:]

717 [(a) "Veterinary corporation" means a professional corporation organized to render veterinary services under Title 16, Chapter 11, Professional Corporation Act.]

719 [(b) "Veterinary limited liability company" means a limited liability company organized to render veterinary services under Title 48, Chapter 3a, Utah Revised Uniform Limited Liability Company Act.]

722 [(c) "Veterinary partnership" means a partnership or limited liability partnership organized to render veterinary services under:]

724 [(i) Title 48, Chapter 1d, Utah Uniform Partnership Act; or]

725 [(ii) Title 48, Chapter 2e, Utah Uniform Limited Partnership Act.]

726 [(2)] (1) A veterinary corporation may issue or transfer shares of the veterinary corporation's capital stock to a person that is not licensed to practice veterinary medicine, surgery, and dentistry under this chapter.

729 [(3)] (2) An individual who is not licensed to practice veterinary medicine, surgery, and dentistry under this chapter:

731 (a) may not serve as an officer or director of a veterinary corporation; and

732 (b) may serve as secretary or treasurer of a veterinary corporation.

733 [(4)] (3) A veterinary limited liability company or a veterinary partnership may include an individual who is not licensed to practice veterinary medicine, surgery, and dentistry under this chapter.

736 Section 18. Section 18 is enacted to read:

737 **58-28-607. Practice standards for performing tasks regulated by this chapter by non-veterinarians.**

739 (1) A veterinary assistant may perform tasks delegated to the veterinary assistant by a licensed veterinarian if:

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- 741 (a) the veterinary assistant is working under immediate supervision; and
742 (b) the tasks being performed are tasks that are consistent with the standards and ethics for the
profession.
- 744 (2) A veterinary technician, state certified veterinary technician, or veterinary technologist may engage
in the practice of veterinary technology if:
- 746 (a) the task is delegated by a licensed veterinarian;
747 (b) the licensed veterinarian delegating the task provides written or oral instructions; and
748 (c) the task is performed under indirect supervision.
- 749 (3) A teeth floating practitioner:
- 750 (a) may engage in teeth floating; and
751 (b) may not administer a sedative drug for teeth floating unless:
- 752 (i) the task of administering the sedative drug is delegated by a licensed veterinarian; and
754 (ii) the drug is administered under direct supervision.
- 755 (4) Notwithstanding any provision of this section, a licensed veterinarian may not delegate:
- 756 (a) any of the following tasks:
- 757 (i) diagnosing;
758 (ii) prognosing;
759 (iii) surgery; or
760 (iv) prescribing drugs, medicines, or appliances; or
- 761 (b) the administration of anesthesia or sedation:
- 762 (i) to a veterinary assistant unless the delegating veterinarian is providing immediate supervision of the
administration; or
- 764 (ii) to a veterinary technologist, state certified veterinary technician, or a veterinary technician unless
the delegating veterinarian is providing direct supervision of the administration.
- 767 ~~{Section 19. Section 58-47b-304 is amended to read: }~~
- 768 **58-47b-304. Exemptions from licensure -- Individuals.**
- 770 (1) In addition to the exemptions from licensure in Section 58-1-307, the following individuals may
perform massage services, subject to the stated circumstances and limitations, without being a
licensed individual:
- 773 (a) a physician or surgeon licensed under Chapter 67, Utah Medical Practice Act;
774 (b) a physician assistant licensed under Chapter 70a, Utah Physician Assistant Act;

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- 775 (c) a nurse licensed under Chapter 31b, Nurse Practice Act, or under Chapter 44a, Nurse Midwife Practice Act;
- 777 (d) a physical therapist licensed under Chapter 24b, Physical Therapy Practice Act;
- 778 (e) a physical therapist assistant licensed under Chapter 24b, Physical Therapy Practice Act, while under the general supervision of a physical therapist;
- 780 (f) an osteopathic physician or surgeon licensed under Chapter 68, Utah Osteopathic Medical Practice Act;
- 782 (g) a chiropractic physician licensed under Chapter 73, Chiropractic Physician Practice Act;
- 784 (h) a hospital staff member employed by a hospital, who practices massage as part of the staff member's responsibilities;
- 786 (i) an athletic trainer licensed under Chapter 40a, Athletic Trainer Licensing Act;
- 787 (j) a student in training enrolled in a massage therapy school approved by the division;
- 788 (k) a naturopathic physician licensed under Chapter 71, Naturopathic Physician Practice Act;
- 790 (l)
- (i) an occupational therapist licensed under Chapter 42a, Occupational Therapy Practice Act; and
- 792 (ii) an occupational therapy assistant licensed under Chapter 42a, Occupational Therapy Practice Act, while under the general supervision of an occupational therapist;
- 795 (m) an individual performing animal massage therapy under the rules made by the division in accordance with Subsection [~~58-28-307(12)~~] 58-28-307(1)(n);
- 797 (n) an individual performing gratuitous massage;
- 798 (o) an individual:
- 799 (i) certified by or through, and in good standing with, an industry organization that is recognized by the division and that represents a profession with established standards and ethics:
- 802 (A) who is certified to practice reflexology and whose practice is limited to the scope of practice of reflexology;
- 804 (B) who is certified to practice a type of zone therapy, including foot zone therapy, and whose practice is limited to the scope of practice for which the individual is certified;
- 807 (C) who is certified to practice ortho-bionomy and whose practice is limited to the scope of practice of ortho-bionomy;
- 809 (D) who is certified to practice bowerwork and whose practice is limited to the scope of practice of bowerwork; or

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- 811 (E) who is certified to practice a type of brain integration and whose practice is limited to the scope of
practice for which the individual is certified;
- 813 (ii) whose clients remain fully clothed from the shoulders to the knees; and
- 814 (iii) whose clients do not receive gratuitous massage from the individual; and
- 815 (p)
- (i) an individual performing massage services who:
- 816 (A) holds a valid license, permit, certificate, or registration, for massage services issued by any
other jurisdiction of the United States or by a foreign country; or
- 818 (B) holds a certification from a nationally recognized massage therapy organization if the
nonresident individual is from a jurisdiction of the United States that does not regulate massage
therapy; and
- 821 (ii) is temporarily performing massage services in this state for a period that does not exceed 30 days
for the purpose of:
- 823 (A) presenting educational or clinical programs, lectures, seminars, or workshops;
- 824 (B) providing massage services during an emergency as part of a disaster response team; or
- 826 (C) consulting with a licensed individual regarding massage services.
- 827 (2) An individual described in Subsection (1) may not represent oneself as a massage assistant-in-
training, a massage assistant, a massage apprentice, or a licensed massage therapist.
- 830 (3) This chapter may not be construed to:
- 831 (a) authorize any individual licensed under this chapter to engage in any manner in the practice of
medicine as defined by the laws of this state;
- 833 (b) require insurance coverage or reimbursement for massage services from third party payors; or
- 835 (c) prevent an insurance carrier from offering coverage for massage services.

836 ~~{Section 20. Section 58-72-102 is amended to read: }~~

837 **58-72-102. Acupuncture licensing -- Definitions.**

In addition to the definitions in Section 58-1-102, as used in this chapter:

- 839 (1) "Board" means the Board of Massage Therapy and Acupuncture created in Section 58-47b-201.
- 841 (2)
- (a) "Injection therapy" means the use of a hypodermic needle, by a licensed acupuncturist who has
obtained a clean needle technique certificate from the National Commission for the Certification of

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Acupuncture and Oriental Medicine (NCCAOM), to inject any of the following sterile substances in liquid form into acupuncture points on the body subcutaneously or intramuscularly:

- 846 (i) a nutritional substance;
- 847 (ii) a local anesthetic;
- 848 (iii) autologous blood, if the licensee holds a current phlebotomy certification to draw blood;
- 850 (iv) sterile water;
- 851 (v) dextrose;
- 852 (vi) sodium bicarbonate; and
- 853 (vii) sterile saline.
- 854 (b) "Injection therapy" includes using ultrasound guidance to ensure that an injection is only a subcutaneous injection or an intramuscular injection.
- 856 (c) "Injection therapy" does not include injecting a substance into a vein, joint, artery, blood vessel, nerve, tendon, deep organ, or the spine.
- 858 (d) "Injection therapy" may not be performed on a pregnant woman or a child under the age of eight.
- 860 (3) "Licensed acupuncturist," designated as "L.Ac.," means a person who has been licensed under this chapter to practice acupuncture.
- 862 (4) "Moxibustion" means a heat therapy that uses the herb moxa to heat acupuncture points of the body.
- 864 (5)
- (a) "Practice of acupuncture" means the insertion of acupuncture needles, the use of injection therapy, and the application of moxibustion to specific areas of the body based on traditional oriental medical diagnosis and modern research as a primary mode of therapy.
- 868 (b) Adjunctive therapies within the scope of the practice of acupuncture may include:
- 869 (i) manual, mechanical, thermal, electrical, light, and electromagnetic treatments based on traditional oriental medical diagnosis and modern research;
- 871 (ii) the recommendation, administration, or provision of dietary guidelines, herbs, supplements, homeopathics, and therapeutic exercise based on traditional oriental medical diagnosis and modern research according to practitioner training; and
- 874 (iii) the practice described in Subsections (5)(a) and (b) on an animal to the extent permitted by:
- 876 (A) Subsection [~~58-28-307(12)~~] 58-28-307(1)(o);
- 877 (B) the provisions of this chapter; and
- 878 (C) division rule.

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- 879 (c) "Practice of acupuncture" does not include:
880 (i) the manual manipulation or adjustment of the joints of the body beyond the elastic barrier; or
882 (ii) the "manipulation of the articulation of the spinal column" as defined in Section 58-73-102.
884 (6) "Unprofessional conduct" is as defined in Sections 58-1-501 and 58-72-503, and as may be further defined by division rule.

886 ~~{Section 21. Section 58-73-102 is amended to read: }~~

887 **58-73-102. Definitions.**

- 888 (1) "Adjustment of the articulation of the spinal column" means performance by a chiropractic physician by the use of passive movements directed toward the goal of restoring joints to their proper physiological relationship of motion and related function, releasing adhesions, or stimulating joint receptors using one or more of the following techniques:
893 (a) impulse adjusting or the use of sudden, high velocity, short amplitude thrust of a nature that the patient cannot prevent the motion, commencing where the motion encounters the elastic barrier of resistance and ends at the limit of anatomical integrity;
897 (b) instrument adjusting, utilizing instruments specifically designed to deliver sudden, high velocity, short amplitude thrust;
899 (c) light force adjusting utilizing sustained joint traction or applied directional pressure, or both, which may be combined with passive motion to restore joint mobility; and
901 (d) long distance lever adjusting utilizing forces delivered at some distance from the dysfunctional site and aimed at transmission through connected structures to accomplish joint mobility.
904 (2) "Board" means the Chiropractic Physician Licensing Board created in Section 58-73-201.
905 (3) "Chiropractic assistant" means an individual who performs activities related to the practice of chiropractic under the supervision of a licensed chiropractic physician in accordance with division rule established in collaboration with the board.
908 (4) "Chiropractic physician" means an individual who has been licensed under this chapter to practice chiropractic.
910 (5) "Diagnosis of the articulation of the spinal column" means to examine the articulations of the spinal column of another human to determine the source, nature, kind, or extent of a disease, vertebral subluxation, or other physical condition, and to make a determination of the source, nature, kind, or extent of a disease or other physical condition.

915

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- (6) "Elastic barrier" means the point at which the patient cannot move a joint by his own means and through which movement is obtained or caused by a practitioner's skillful treatment using the practitioner's hands in a manipulation of a joint by thrust of sudden, high velocity, short amplitude so the patient cannot prevent the motion.
- 919 (7) "Incisive surgery" means any procedure having the power or quality of cutting of a patient for the purpose of treating disease, injury, or deformity, and includes the use of laser.
- 922 (8) "Manipulate the articulation of the spinal column" means use by a practitioner of a skillful treatment using the practitioner's hands in a manipulation of a joint as follows:
- 924 (a) by thrust of sudden, high velocity, short amplitude so the patient cannot prevent the motion;
- 926 (b) the movement of the joint is by force beyond its active limit of motion;
- 927 (c) the manipulation commences where mobilization ends and specifically begins when the elastic barrier of resistance is encountered and ends at the limit of anatomical integrity; and
- 930 (d) the manipulation is directed to the goal of restoring joints to their proper physiological relationship of motion and related function, releasing adhesions, or stimulating joint receptors.
- 933 (9) "Practice of chiropractic" means a practice of a branch of the healing arts:
- 934 (a) the purpose of which is to restore or maintain human health, in which patient care or first aid, hygienic, nutritional, or rehabilitative procedures are administered;
- 936 (b) which places emphasis upon specific vertebral adjustment, manipulation, and treatment of the articulation and adjacent tissues of the spinal column, musculoskeletal structure of the body, and nervous system;
- 939 (c) that involves examining, diagnosing, treating, correcting, or prescribing treatment for any human disease, ailment, injury, infirmity, deformity, pain, or other condition, or the attempt to do so, in accordance with Section 58-73-601;
- 942 (d) that involves diagnosing, prescribing treatment, or making a determination of treatment necessity for another person's condition by means of:
- 944 (i) a physical examination of the person; or
- 945 (ii) a determination based upon or derived from information supplied directly or indirectly by a third person; and
- 947 (e) that includes the practice described in this Subsection (9) on an animal subject to:
- 948 (i) Subsection [~~58-28-307(12)~~] 58-28-307(1)(l);
- 949 (ii) the provisions of this chapter; and

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- 950 (iii) division rule.
- 951 (10) "Therapeutically position the articulation of the spinal column" means to adjust or manipulate the articulation of the spinal column.

49 Section 2. **Effective date.**

Effective Date.

This bill takes effect on May 6, 2026.

Section 24. **Repealer.**

This Bill Repeals:

955 Section **58-28-101, Short title.**

956 Section **58-28-308, Provisions for current practitioners.**

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