

**VETERINARY PRACTICE ACT -
EXEMPTIONS**

2005 GENERAL SESSION
STATE OF UTAH

Sponsor: Mike Dmitrich

LONG TITLE

General Description:

This bill modifies the Veterinary Practices Act.

Highlighted Provisions:

This bill:

▶ allows individuals other than veterinarians to perform or teach nonsurgical horse insemination.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

58-28-8, as last amended by Chapter 124, Laws of Utah 2001

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **58-28-8** is amended to read:

58-28-8. Exemptions from chapter.

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

(1) any person who practices veterinary medicine, surgery, or dentistry upon any



28 animal owned by him, and the employee of that person when the practice is upon an animal
29 owned by his employer, and incidental to his employment, except that this exemption does not
30 apply to any person, or his employee, when the ownership of an animal was acquired for the
31 purpose of circumventing this chapter;

32 (2) any person who as a student at a veterinary college approved by the board engages
33 in the practice of veterinary medicine, surgery, and dentistry as part of his academic training
34 and under the supervision and control of a licensed veterinarian, if that practice is during the
35 last two years of the college course of instruction and does not exceed an 18-month duration;

36 (3) a veterinarian who is an officer or employee of the government of the United
37 States, or the state, or its political subdivisions, and technicians under his supervision, while
38 engaged in the practice of veterinary medicine, surgery, or dentistry for that government;

39 (4) any person while engaged in the vaccination of poultry, pullorum testing, typhoid
40 testing of poultry, and related poultry disease control activity;

41 (5) any person who is engaged in bona fide and legitimate medical, dental,
42 pharmaceutical, or other scientific research, if that practice of veterinary medicine, surgery, or
43 dentistry is directly related to, and a necessary part of, that research;

44 (6) veterinarians licensed under the laws of another state rendering professional
45 services in association with licensed veterinarians of this state for a period not to exceed 90
46 days;

47 (7) registered pharmacists of this state engaged in the sale of veterinary supplies,
48 instruments, and medicines, if the sale is at his regular place of business;

49 (8) except as otherwise provided in Subsection 58-28-2(6)(d), any person in this state
50 engaged in the sale of veterinary supplies, instruments, and medicines, except prescription
51 drugs which must be sold in compliance with state and federal regulations, if the supplies,
52 instruments, and medicines are sold in original packages bearing adequate identification and
53 directions for application and administration and the sale is made in the regular course of, and
54 at the regular place of business;

55 (9) any person rendering emergency first aid to animals in those areas where a licensed
56 veterinarian is not available, and if suspicious reportable diseases are reported immediately to
57 the state veterinarian;

58 (10) any person performing or teaching nonsurgical bovine ~~§~~→ [or equine] ←~~§~~ artificial

59 insemination;

60 (11) any person affiliated with an institution of higher education who teaches

61 nonsurgical bovine ~~§~~→ or equine ←~~§~~ embryo transfer or any technician trained by or approved by
61a an institution

62 of higher education who performs nonsurgical bovine ~~§~~→ or equine ←~~§~~ embryo transfer, but only
62a if any

63 prescription drug used in the procedure is prescribed and administered under the direction of a
64 veterinarian licensed to practice in Utah; and

65 (12) (a) upon written referral by a licensed veterinarian, the practice of animal
66 chiropractic by a chiropractic physician licensed under Chapter 73, Chiropractic Physician
67 Practice Act, who has completed an animal chiropractic course approved by the American
68 Veterinary Chiropractic Association or the division;

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

73 (c) the practice of animal massage therapy by a massage therapist licensed under
74 Chapter 47b, Massage Therapy Practice Act, who has completed at least 60 hours of animal
75 massage therapy training, including quadruped anatomy and hands-on training, approved by the
76 division.

Legislative Review Note

as of 1-28-05 3:03 PM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number SB0182

Veterinary Practice Act - Exemptions

03-Feb-05

3:55 PM

State Impact

No fiscal impact.

Individual and Business Impact

Veterinarians may lose some business to individuals.

Office of the Legislative Fiscal Analyst