

28 for an animal placed in the custody of a licensed veterinarian.

29 (2) "Administer" means:

30 (a) the direct application by a person of a prescription drug or device by injection,
31 inhalation, ingestion, or by any other means, to the body of an animal that is a patient or is a
32 research subject; or

33 (b) a veterinarian providing to the owner or caretaker of an animal a prescription drug
34 for application by injection, inhalation, ingestion, or any other means to the body of the animal
35 by the owner or caretaker in accordance with the veterinarian's written directions.

36 (3) "Animal" means any animal other than a human.

37 (4) "AVMA" means American Veterinary Medical Association.

38 (5) "Board" means the Veterinary Board established in Section 58-28-201.

39 (6) "Client" means the patient's owner, the owner's agent, or other person responsible
40 for the patient.

41 (7) "Direct supervision" means a veterinarian licensed under this chapter is present and
42 available for face-to-face contact with the patient and person being supervised, at the time the
43 patient is receiving veterinary care.

44 (8) "Extra-label use" means actual use or intended use of a drug in an animal in a
45 manner that is not in accordance with approved labeling.

46 (9) "Immediate supervision" means the veterinarian licensed under this chapter is
47 present with the individual being supervised, while the individual is performing the delegated
48 tasks.

49 (10) "Indirect supervision" means a veterinarian licensed under this chapter:

50 (a) has given either written or verbal instructions for veterinary care of a patient to the
51 person being supervised; and

52 (b) is available to the person being supervised by telephone or other electronic means
53 of communication during the period of time in which the veterinary care is given to the patient.

54 (11) "Practice of veterinary medicine, surgery, and dentistry" means to:

55 (a) diagnose, prognose, or treat any disease, defect, deformity, wound, injury, or
56 physical condition of any animal;

57 (b) administer or prescribe any drug, medicine, treatment, method, or practice, [or]
58 perform any operation or manipulation, [or] apply any apparatus or appliance for the cure,

59 relief, or correction of any animal disease, deformity, defect, wound, or injury, or otherwise
60 practice any veterinary medicine, dentistry, or surgery on any animal;

61 (c) represent by verbal or written claim, sign, word, title, letterhead, card, or ~~[in]~~ any
62 other manner that one is a licensed veterinarian~~;~~ or ~~[one]~~ qualified to practice veterinary
63 medicine, surgery, or dentistry~~[-or]~~;

64 (d) hold oneself out as able to practice veterinary medicine, surgery, or dentistry;

65 ~~[(d)]~~ (e) solicit, sell, or furnish ~~[any parenterally administered animal disease cures,~~
66 ~~preventions, or treatments, with or without the necessary instruments for the administration of~~
67 ~~them, or any and all worm and other internal parasitic remedies, upon any agreement, express~~
68 ~~or implied, to administer these cures, preventions, treatments, or remedies; or] a cure,~~
69 prevention, treatment, or remedy for an animal disease, deformity, defect, wound, or injury
70 administered:

71 (i) parenterally;

72 (ii) orally; or

73 (iii) topically; and

74 (iv) with or without the necessary instruments for administration; or

75 ~~[(e)]~~ (f) assume or use the title or designation, "veterinary," "veterinarian," "animal
76 doctor," "animal surgeon," or any other title, designation, words, letters, abbreviations, sign,
77 card, or device tending to indicate that such person is qualified to practice veterinary medicine,
78 surgery, or dentistry.

79 (12) "Unlawful conduct" is defined in Sections 58-1-501 and 58-28-501.

80 (13) "Unlicensed assistive personnel":

81 (a) means any unlicensed person, regardless of title, to whom tasks are delegated by a
82 veterinarian licensed under this chapter as permitted by administrative rule and in accordance
83 with the standards of the profession; and

84 (b) includes:

85 (i) a veterinary assistant, if working under immediate supervision;

86 (ii) a veterinary technician who:

87 (A) has graduated from a program of veterinary technology accredited by the AVMA
88 that is at least a two-year program; and

89 (B) who is working under direct supervision; and

- 90 (iii) a veterinary technologist who:
- 91 (A) has graduated from a four-year program of veterinary technology accredited by the
- 92 AVMA; and
- 93 (B) is working under indirect supervision.
- 94 (14) "Unprofessional conduct" is as defined in Sections 58-1-501 and 58-28-502 and
- 95 may be further defined by rule.
- 96 (15) "Veterinarian-client-patient relationship" means:
- 97 (a) a veterinarian licensed under this chapter has assumed responsibility for making
- 98 clinical judgements regarding the health of an animal and the need for medical treatment of an
- 99 animal, and the client has agreed to follow the veterinarian's instructions;
- 100 (b) the veterinarian has sufficient knowledge of the animal to initiate at least a general
- 101 or preliminary diagnosis of the medical condition of the animal, including knowledge of the
- 102 keeping and care of the animal as a result of recent personal examination of the animal or by
- 103 medically appropriate visits to the premises where the animal is housed; and
- 104 (c) the veterinarian has arranged for emergency coverage for follow-up evaluation in
- 105 the event of adverse reaction or the failure of the treatment regimen.

Legislative Review Note
as of 1-28-10 3:06 PM

Office of Legislative Research and General Counsel

H.B. 285 - Practice of Veterinary Medicine

Fiscal Note

2010 General Session
State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
