

VETERINARIAN REGULATIONS AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Michael K. McKell

House Sponsor: Joel Ferry

LONG TITLE

General Description:

This bill clarifies that a licensed veterinarian is not prohibited from discussing the effect of cannabis on an animal with the animal's owner.

Highlighted Provisions:

This bill:

- ▶ clarifies that a licensed veterinarian is not prohibited from discussing the effect of cannabis on an animal with the animal's owner; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

58-28-502, as last amended by Laws of Utah 2020, Chapter 435

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

Section 1. Section **58-28-502** is amended to read:

58-28-502. Unprofessional conduct.

(1) "Unprofessional conduct" includes, in addition to the definitions in Section



28 58-1-501:

29 (a) applying unsanitary methods or procedures in the treatment of any animal, contrary
30 to rules adopted by the board and approved by the division;

31 (b) procuring any fee or recompense on the assurance that a manifestly incurable
32 diseased condition of the body of an animal can be permanently cured;

33 (c) selling any biologics containing living or dead organisms or products or such
34 organisms, except in a manner which will prevent indiscriminate use of such biologics;

35 (d) swearing falsely in any testimony or affidavit, relating to, or in the course of, the
36 practice of veterinary medicine, surgery, or dentistry;

37 (e) willful failure to report any dangerous, infectious, or contagious disease, as required
38 by law;

39 (f) willful failure to report the results of any medical tests, as required by law, or rule
40 adopted pursuant to law;

41 (g) violating Chapter 37, Utah Controlled Substances Act;

42 (h) delegating tasks to unlicensed assistive personnel in violation of standards of the
43 profession and in violation of Subsection (2); and

44 (i) making any unsubstantiated claim of superiority in training or skill as a veterinarian
45 in the performance of professional services.

46 (2) (a) "Unprofessional conduct" does not include the following:

47 (i) delegating to a veterinary technologist, while under the indirect supervision of a
48 veterinarian licensed under this chapter, patient care and treatment that requires a technical
49 understanding of veterinary medicine if written or oral instructions are provided to the
50 technologist by the veterinarian;

51 (ii) delegating to a state certified veterinary technician, while under the direct or
52 indirect supervision of a veterinarian licensed under this chapter, patient care and treatment that
53 requires a technical understanding of veterinary medicine if the veterinarian provides written or
54 oral instructions to the state certified veterinary technician;

55 (iii) delegating to a veterinary technician, while under the direct supervision of a
56 veterinarian licensed under this chapter, patient care and treatment that requires a technical
57 understanding of veterinary medicine if written or oral instructions are provided to the
58 technician by the veterinarian;

59 (iv) delegating to a veterinary assistant, under the immediate supervision of a licensed
60 veterinarian, tasks that are consistent with the standards and ethics of the profession; ~~and~~

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

63 or

64 (vi) discussing the effects of the following on an animal with the owner of an animal:

65 (A) a cannabinoid or industrial hemp product, as those terms are defined in Section

66 4-41-102; or

67 (B) THC or medical cannabis, as those terms are defined in Section 26-61a-102.

68 (b) The delegation of tasks permitted under [~~Subsection (2)(a)~~] Subsections (2)(a)(i)

69 through (v) does not include:

70 (i) diagnosing;

71 (ii) prognosing;

72 (iii) surgery; or

73 (iv) prescribing drugs, medicines, or appliances.

74 (3) Notwithstanding any provision of this section, a veterinarian licensed under this

75 chapter is not prohibited from engaging in a discussion described in Subsection (2)(a)(vi).