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VETERINARY AMENDMENTS
2024 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Stephanie Gricius
Senate Sponsor: Curtis S. Bramble

LONG TITLE

General Description:

This bill modifies provisions related to veterinary practice.

Highlighted Provisions:

This bill:

- allows a veterinary technician to carry out delegated tasks from a veterinarian under direct or indirect supervision; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

58-28-102, as last amended by Laws of Utah 2020, Chapter 435

58-28-502, as last amended by Laws of Utah 2023, Chapter 329

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

Section 1. Section **58-28-102** is amended to read:

58-28-102 . Definitions.

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

- (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.
- (2) "Administer" means:
 - (a) the direct application by [~~a person~~] an individual of a prescription drug or device by injection, inhalation, ingestion, or by any other means, to the body of an animal that

- 29 is a patient or is a research subject; or
- 30 (b) a veterinarian providing to the owner or caretaker of an animal a prescription drug
31 for application by injection, inhalation, ingestion, or any other means to the body of
32 the animal by the owner or caretaker in accordance with the veterinarian's written
33 directions.
- 34 (3) "Animal" means any animal other than a human.
- 35 (4) "AVMA" means American Veterinary Medical Association.
- 36 (5) "Board" means the Veterinary Board established in Section 58-28-201.
- 37 (6) "Client" means the patient's owner, the owner's agent, or other person responsible for
38 the patient.
- 39 (7) "Direct supervision" means a veterinarian [~~licensed under this chapter~~] is present and
40 available for face-to-face contact with the patient and [~~person~~] individual being
41 supervised, at the time the patient is receiving veterinary care.
- 42 (8) "Extra-label use" means actual use or intended use of a drug in an animal in a manner
43 that is not in accordance with approved labeling.
- 44 (9) "Immediate supervision" means the veterinarian [~~licensed under this chapter~~] is present
45 with the individual being supervised, while the individual is performing the delegated
46 tasks.
- 47 (10) "Indirect supervision" means a veterinarian [~~licensed under this chapter~~]:
- 48 (a) has given either written or verbal instructions for veterinary care of a patient to the [~~person~~] individual being supervised; and
- 49 (b) is available to the [~~person~~] individual being supervised by telephone or other
50 electronic means of communication during the period of time in which the veterinary
51 care is given to the patient.
- 52
- 53 (11) "Practice of veterinary medicine, surgery, and dentistry" means to:
- 54 (a) diagnose, prognose, or treat any disease, defect, deformity, wound, injury, or
55 physical condition of any animal;
- 56 (b) administer, prescribe or dispense any drug, medicine, treatment, method, or practice,
57 perform any operation or manipulation, apply any apparatus or appliance for the cure,
58 relief, or correction of any animal disease, deformity, defect, wound, or injury, or
59 otherwise practice any veterinary medicine, dentistry, or surgery on any animal;
- 60 (c) represent by verbal or written claim, sign, word, title, letterhead, card, or any other
61 manner that one is a licensed veterinarian or qualified to practice veterinary
62 medicine, surgery, or dentistry;

- 63 (d) hold oneself out as able to practice veterinary medicine, surgery, or dentistry;
- 64 (e) solicit, sell, or furnish any parenterally administered animal disease cures,
- 65 preventions, or treatments, with or without the necessary instruments for the
- 66 administration of them, or any and all worm and other internal parasitic remedies,
- 67 upon any agreement, express or implied, to administer these cures, preventions,
- 68 treatments, or remedies; or
- 69 (f) assume or use the title or designation, "veterinary," "veterinarian," "animal doctor,"
- 70 "animal surgeon," or any other title, designation, words, letters, abbreviations, sign,
- 71 card, or device tending to indicate that such ~~[person]~~ individual is qualified to practice
- 72 veterinary medicine, surgery, or dentistry.
- 73 (12) "Practice of veterinary technology" means to perform tasks that are:
- 74 (a) related to the care and treatment of animals;
- 75 (b) delegated by a veterinarian~~[licensed under this chapter]~~;
- 76 (c) performed under the direct or indirect supervision of a veterinarian~~[licensed under~~
- 77 ~~this chapter]~~; and
- 78 (d) permitted by administrative rule and performed in accordance with the standards of
- 79 the profession.
- 80 (13) (a) "State certification" means a designation granted by the division on behalf of the
- 81 state to an individual who has met the requirements for state certification as a
- 82 veterinary technician related to the practice of veterinary technology.
- 83 (b) "State certification" does not grant a state certified veterinary technician the
- 84 exclusive right to practice veterinary technology.
- 85 (14) "State certified" means, when used in conjunction with the occupation of veterinary
- 86 technician, a title that:
- 87 (a) may be used by ~~[a person]~~ an individual who has met state certification requirements
- 88 related to the occupation of veterinary technician as described in this chapter; and
- 89 (b) may not be used by ~~[a person]~~ an individual who has not met the state certification
- 90 requirements related to the occupation of veterinary technician as described in this
- 91 chapter.
- 92 (15) (a) "Teeth floating" means the removal of enamel points and the smoothing,
- 93 contouring, and leveling of dental arcades and incisors of equine and other farm
- 94 animals.
- 95 (b) "Teeth floating" does not include a dental procedure on a canine or feline.
- 96 (16) "Unlawful conduct" is defined in Sections 58-1-501 and 58-28-501.

- 97 (17) "Unlicensed assistive personnel":
98 (a) means any unlicensed ~~[person]~~ individual, regardless of title, to whom tasks are
99 delegated by a veterinarian ~~[licensed under this chapter]~~ as permitted by
100 administrative rule and in accordance with the standards of the profession; and
101 (b) includes:
102 (i) a veterinary assistant, if working under immediate supervision;
103 (ii) a state certified veterinary technician;
104 (iii) a veterinary technician who:
105 (A) has graduated from a program of veterinary technology accredited by the
106 AVMA that is at least a two-year program; and
107 (B) is working under direct supervision or indirect supervision; and
108 (iv) a veterinary technologist who:
109 (A) has graduated from a four-year program of veterinary technology accredited
110 by the AVMA; and
111 (B) is working under indirect supervision.
- 112 (18) "Unprofessional conduct" is as defined in Sections 58-1-501 and 58-28-502 and may
113 be further defined by rule.
- 114 (19) "Veterinarian" means an individual licensed under this chapter to engage in the
115 practice of veterinary medicine, surgery, and dentistry.
- 116 ~~[(19)]~~ (20) "Veterinarian-client-patient relationship" means:
117 (a) a veterinarian ~~[licensed under this chapter]~~ has assumed responsibility for making
118 clinical judgements regarding the health of an animal and the need for medical
119 treatment of an animal, and the client has agreed to follow the veterinarian's
120 instructions;
121 (b) the veterinarian has sufficient knowledge of the animal to initiate at least a general or
122 preliminary diagnosis of the medical condition of the animal, including knowledge of
123 the keeping and care of the animal as a result of recent personal examination of the
124 animal or by medically appropriate visits to the premises where the animal is housed;
125 and
126 (c) the veterinarian has arranged for emergency coverage for follow-up evaluation in the
127 event of adverse reaction or the failure of the treatment regimen.
- 128 Section 2. Section **58-28-502** is amended to read:
129 **58-28-502 . Unprofessional conduct.**
130 (1) "Unprofessional conduct" includes, in addition to the definitions in Section 58-1-501:

- 131 (a) applying unsanitary methods or procedures in the treatment of any animal, contrary
132 to rules adopted by the board and approved by the division;
- 133 (b) procuring any fee or recompense on the assurance that a manifestly incurable
134 diseased condition of the body of an animal can be permanently cured;
- 135 (c) selling any biologics containing living or dead organisms or products or such
136 organisms, except in a manner which will prevent indiscriminate use of such
137 biologics;
- 138 (d) swearing falsely in any testimony or affidavit, relating to, or in the course of, the
139 practice of veterinary medicine, surgery, or dentistry;
- 140 (e) willful failure to report any dangerous, infectious, or contagious disease, as required
141 by law;
- 142 (f) willful failure to report the results of any medical tests, as required by law, or rule
143 adopted pursuant to law;
- 144 (g) violating Chapter 37, Utah Controlled Substances Act;
- 145 (h) ~~[delegating tasks to unlicensed assistive personnel in violation of standards of the~~
146 ~~profession and in violation of Subsection (2)] delegating to unlicensed assistive~~
147 ~~personnel:~~
- 148 (i) a task that violates the standards of the profession or Subsection (2); or
149 (ii) the administration of anesthesia or sedation if the delegating veterinarian is not
150 providing direct supervision of the administration; and
- 151 (i) making any unsubstantiated claim of superiority in training or skill as a veterinarian
152 in the performance of professional services.
- 153 (2) (a) "Unprofessional conduct" does not include the following:
- 154 (i) delegating to a veterinary technologist, while under the indirect supervision of a
155 veterinarian ~~[licensed under this chapter]~~, patient care and treatment that requires
156 a technical understanding of veterinary medicine if written or oral instructions are
157 provided to the technologist by the veterinarian;
- 158 (ii) delegating to a state certified veterinary technician or a veterinary technician,
159 while under the direct or indirect supervision of a veterinarian ~~[licensed under this~~
160 ~~chapter]~~, patient care and treatment that requires a technical understanding of
161 veterinary medicine if the veterinarian provides written or oral instructions to the
162 state certified veterinary technician;
- 163 ~~[(iii) delegating to a veterinary technician, while under the direct supervision of a~~
164 ~~veterinarian licensed under this chapter, patient care and treatment that requires a~~

165 ~~technical understanding of veterinary medicine if written or oral instructions are~~
166 ~~provided to the technician by the veterinarian;~~]
167 ~~[(v)]~~ (iii) delegating to a veterinary assistant, under the immediate supervision of a
168 licensed veterinarian, tasks that are consistent with the standards and ethics of the
169 profession;
170 ~~[(v)]~~ (iv) delegating to an individual described in Subsection 58-28-307(16), under the
171 direct supervision of a licensed veterinarian, the administration of a sedative drug
172 for teeth floating; or
173 ~~[(v)]~~ (v) discussing the effects of the following on an animal with the owner of an
174 animal:
175 (A) a cannabinoid or industrial hemp product, as those terms are defined in
176 Section 4-41-102; or
177 (B) THC or medical cannabis, as those terms are defined in Section 26B-4-201.
178 (b) The delegation of tasks permitted under Subsections (2)(a)(i) through ~~[(v)]~~ (iv) does
179 not include:
180 (i) diagnosing;
181 (ii) prognosing;
182 (iii) surgery; or
183 (iv) prescribing drugs, medicines, or appliances.
184 (3) Notwithstanding any provision of this section, a veterinarian ~~[licensed under this~~
185 ~~chapter]~~ is not prohibited from engaging in a discussion described in Subsection [
186 ~~(2)(a)(vi)]~~ (2)(a)(v).
187 Section 3. **Effective date.**
188 This bill takes effect on May 1, 2024.