

An Act

ENROLLED SENATE
BILL NO. 270

By: Murdock, Bergstrom and
Stephens of the Senate

and

Hasenbeck of the House

An Act relating to professions and occupations; amending 59 O.S. 2011, Sections 698.2, 698.3, as last amended by Section 3, Chapter 116, O.S.L. 2020, 698.4, 698.7, as amended by Section 14, Chapter 428, O.S.L. 2019, 698.8, 698.30, 698.30a and 698.33 (59 O.S. Supp. 2020, Sections 698.3 and 698.7), which relate to the Oklahoma Veterinary Practice Act; modifying definitions; modifying termination date for certain board; removing obsolete language; modifying powers and duties of the Board; modifying reciprocity of license; modifying certification of nonveterinary equine dental care; removing obsolete language; extending prohibition for program agreements; and providing an effective date.

SUBJECT: Professions and occupations

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 59 O.S. 2011, Section 698.2, is amended to read as follows:

Section 698.2. As used in the Oklahoma Veterinary Practice Act:

1. "Board" means the State Board of Veterinary Medical Examiners;

2. "Animal" means any animal other than humans and includes, but is not limited to, fowl, fish, birds and reptiles, wild or domestic, living or dead;

3. "Veterinarian" means a person who has received a degree in veterinary medicine or its equivalent from a school of veterinary medicine;

4. "Licensed veterinarian" means any veterinarian who holds an active license to practice veterinary medicine in this state;

5. "School of veterinary medicine" means any veterinary college or division of a university or college that offers the degree of doctor of veterinary medicine or its equivalent, which conforms to the standards required for accreditation by the American Veterinary Medical Association (AVMA) and which is recognized and approved by the Board;

6. "Veterinary technician" means a person who has graduated from a program accredited by the American Veterinary Medical Association, or its equivalent which is recognized and approved by the Board, and who has passed the examination requirements set forth by the Board, and is certified to practice under the direct supervision of a licensed veterinarian. For the purpose of the Oklahoma Veterinary Practice Act, "registered veterinary technician (RVT)" will be used interchangeably with veterinary technician who is certified pursuant to Sections 698.21 through 698.26 of this title;

7. "Veterinary technologist" means a person who has successfully graduated from an AVMA-accredited bachelor degree program of veterinary technology, or its AVMA equivalent;

8. "Veterinary assistant" means an individual who may perform the duties of a veterinary technician or veterinary technologist_{7i}; however, has not graduated from an AVMA-accredited technology program or its equivalent, and has not been certified by the Board;

9. "Veterinary technology" means the science and art of providing all aspects of professional medical care, services₇ and treatment for animals with the exception of diagnosis, prognosis, surgery₇ and prescription of any treatments, drugs, medications₇ or

appliances, where a valid veterinarian-client-patient relationship exists;

10. "Direct supervision" means:

- a. directions have been given to a veterinary technician, nurse, laboratory technician, intern, veterinary assistant or other employee for medical care following the examination of an animal by the licensed veterinarian responsible for the professional care of the animal, or
- b. that, under certain circumstances following the examination of an animal by a licensed veterinarian responsible for the professional care of the animal, the presence of the licensed veterinarian on the premises in an animal hospital setting or in the same general area in a range setting is required after directions have been given to a veterinarian who has a certificate issued pursuant to Section 698.8 of this title;

11. "License" means authorization to practice veterinary medicine granted by the Board to an individual found by the Board to meet certain requirements pursuant to the Oklahoma Veterinary Practice Act or any other applicable statutes;

12. "Supervised Doctor of Veterinary Medicine Certificate" means authorization to practice veterinary medicine with certain limitations or restrictions on that practice, set by the Board or authorization to perform certain enumerated functions peripheral to the practice of veterinary medicine as set by the Board and has a certificate issued pursuant to Section 698.8 of this title;

13. "Veterinarian-client-patient relationship" means when:

- a. the licensed veterinarian has assumed the responsibility for making medical judgments regarding the health of an animal or animals and the need for medical treatment, and the client, owner or other caretaker has agreed to follow the instructions of the licensed veterinarian, and

- b. there is sufficient knowledge of the animal or animals by the licensed veterinarian to initiate at least a general or preliminary diagnosis of the medical condition of the animal or animals in that:
 - (1) the licensed veterinarian has recently seen or is personally acquainted with the keeping and care of the animal or animals, or
 - (2) the licensed veterinarian has made medically necessary and timely visits to the premises where the animal or animals are kept or both, and
- c. the licensed veterinarian is readily available for follow-up in case of adverse reactions or failure of the regimen of therapy, or has arranged for emergency medical coverage, and
- d. the licensed veterinarian's actions would conform to applicable federal law and regulations;

14. "Veterinary premises" means any facility where the practice of veterinary medicine occurs, including, but not limited to, a mobile unit, mobile clinic, outpatient clinic, satellite clinic, public service outreach of a veterinary facility, or veterinary hospital or clinic. The term "veterinary premises" shall not include the premises of a client of a licensed veterinarian or research facility;

15. "Veterinary prescription drugs" means such prescription items as are in the possession of a person regularly and lawfully engaged in the manufacture, transportation, storage, or wholesale or retail distribution of veterinary drugs and the federal Food and Drug Administration-approved human drugs for animals which because of their toxicity or other potential for harmful effects, or method of use, or the collateral measures necessary for use, are labeled by the manufacturer or distributor in compliance with federal law and regulations to be sold only to or on the prescription order or under the supervision of a licensed veterinarian for use in the course of professional practice. Veterinary prescription drugs shall not

include over-the-counter products for which adequate directions for lay use can be written;

16. "ECFVG certificate" means a certificate issued by the American Veterinary Medical Association Education Commission for Foreign Veterinary Graduates, indicating that the holder has demonstrated knowledge and skill equivalent to that possessed by a graduate of an accredited or approved college of veterinary medicine;

17. "Executive Director" means the Executive Director of the State Board of Veterinary Medical Examiners or the authorized representative of such official;

18. ~~"Telemedicine" or "telehealth" shall mean the transmission of diagnostic images such as, but not limited to, radiographs, ultrasound, cytology, endoscopy, photographs and case information over ordinary or cellular phone lines to a licensed veterinarian or board-certified medical specialist for the purpose of consulting regarding case management with the primary care licensed veterinarian who transmits the cases~~ means the practice of veterinary medicine including diagnosis, consultation, evaluation, treatment, transfer of medical data or exchange of information by means of a two-way, real-time interactive communication between a client or patient and a veterinarian with access to and reviewing the patient's relevant information prior to the telemedicine visit. Telemedicine or telehealth shall not include consultations provided by telephone audio-only communication. A veterinarian using telehealth technologies shall take appropriate steps to establish the veterinarian-client-patient relationship and conduct all appropriate evaluations and history of the patient consistent with traditional standards of care for the particular patient presentation. A veterinarian shall be licensed, or under the jurisdiction of, the veterinary board of the jurisdiction where the patient is located. The practice of medicine occurs where the patient is located at the time telehealth technologies are used;

19. "Person" means any individual, firm, partnership, association, joint venture, cooperative, corporation, or any other group or combination acting in concert, and whether or not acting as a principal, trustee, fiduciary, receiver, or as any other kind of legal or personal representative, or as the successor in interest,

assignee, agent, factor, servant, employee, director, officer, fictitious name certificate~~7~~ or any other representative of such person;

20. "Food animal" means any mammalian, poultry, fowl, fish~~7~~ or other animal that is raised primarily for human food consumption;

21. "Surgery" means the branch of veterinary science conducted under elective or emergency circumstances, which treats diseases, injuries and deformities by manual or operative methods including, but not limited to, cosmetic, reconstructive, ophthalmic, orthopedic, vascular, thoracic~~7~~ and obstetric procedures. The provisions in Section 698.12 of this title shall not be construed as surgery;

22. "Abandonment" means to forsake entirely or to neglect or refuse to provide or perform the legal obligations for care and support of an animal by its owner, or the owner's agent. Abandonment shall constitute the relinquishment of all rights and claims by the owner to an animal;

23. "Animal chiropractic diagnosis and treatment" means treatment that includes vertebral subluxation complex ~~(ves)~~ (VSC) and spinal manipulation of nonhuman vertebrates. The term "animal chiropractic diagnosis and treatment" shall not be construed to allow the:

- a. use of x-rays,
- b. performing of surgery,
- c. dispensing or administering of medications, or
- d. performance of traditional veterinary care;

24. "Animal euthanasia technician" means an employee of a law enforcement agency, an animal control agency~~7~~ or animal shelter that is recognized and approved by the Board, who is certified by the Board and trained to administer sodium pentobarbital to euthanize injured, sick, homeless or unwanted domestic pets and other animals;

25. "Teeth floating", as provided by a nonveterinary equine dental care provider, means the removal of enamel points and the smoothing, contouring and leveling of dental arcades and incisors of equine and other farm animals. It shall not include dental procedures on canines and felines;

26. "Nonveterinary reproductive services" means nonveterinary services provided by an individual certified by the Board as a nonveterinary reproductive services technician, and involves and shall be limited to nonsurgical embryo transfer in ruminating animals including cattle, sheep, goats, farmed deer and other ruminating exotic animals such as those found in zoos, and may include basic ultrasonography of their ovaries to evaluate the response to embryo-transfer-associated procedures and of the uterus to determine pregnancy by the detection of a heartbeat within the transferred embryo at or greater than twenty-eight (28) days of gestation of such ruminating animals;

27. "Embryo transfer" means the biosecure process of inducing increased ovulations within a donor female for the in vivo production of embryos, the flushing of those embryos, collecting, grading and transferring of those embryos to recipient females, or the cryopreservation of those embryos for storage and later transfer to recipient females;

28. "Animal Technology Advisory Committee" means the advisory committee established by the Board pursuant to ~~Section 4 of this act~~ 698.30b of this title to advise and make recommendations to the Board regarding any new and evolving technology, procedure, method or practice that may be considered or otherwise designated as an act of animal husbandry that should be included as an act not prohibited in paragraph 1 of Section 698.12 of the Oklahoma Veterinary Practice Act. Reference to the advisory committee in this act shall mean the Animal Technology Advisory Committee; ~~and~~

29. "Examination Committee" means the committee established and described in subsection ~~E~~ D of Section ~~3 of this act~~ 698.30a of this title related to nonveterinary reproductive services; and

30. "Probable Cause Committee" means the committee consisting of the Board's secretary or treasurer, investigator and attorney to

negotiate and settle disputes in accordance with the Oklahoma Veterinary Practice Act.

SECTION 2. AMENDATORY 59 O.S. 2011, Section 698.3, as last amended by Section 3, Chapter 116, O.S.L. 2020 (59 O.S. Supp. 2020, Section 698.3), is amended to read as follows:

Section 698.3. A. The State Board of Veterinary Medical Examiners is hereby re-created, to continue until July 1, ~~2023~~ 2025, in accordance with the provisions of the Oklahoma Sunset Law, to regulate and enforce the practice of veterinary medicine in this state in accordance with the Oklahoma Veterinary Practice Act.

B. 1. The duty of determining a person's initial and continuing qualification and fitness for the practice of veterinary medicine, of proceeding against the unlawful and unlicensed practice of veterinary medicine and of enforcing the Oklahoma Veterinary Practice Act is hereby delegated to the Board. That duty shall be discharged in accordance with the Oklahoma Veterinary Practice Act and other applicable statutes.

2. a. It is necessary that the powers conferred on the Board by the Oklahoma Veterinary Practice Act be construed to protect the health, safety and welfare of the people of this state.
- b. No member of the Board, acting in that capacity or as a member of any Board committee, shall participate in the making of any decision or the taking of any action affecting such member's own personal, professional or pecuniary interest, or that of a person related to the member within the third degree by consanguinity, marriage or adoption or of a business or professional associate.
- c. With advice of legal counsel, the Board shall adopt and annually review a conflict of interest policy to enforce the provisions of the Oklahoma Veterinary Practice Act.

C. The practice of veterinary medicine is a privilege granted by the people of this state acting through their elected

representatives. It is not a natural right of individuals. In the interest of the public, and to protect the public, it is necessary to provide laws and rules to govern the granting and subsequent use of the privilege to practice veterinary medicine. The primary responsibility and obligation of the Board is to protect the public from the unprofessional, improper, incompetent and unlawful practice of veterinary medicine.

D. The liability of any member or employee of the Board acting within the scope of Board duties or employment shall be governed by The Governmental Tort Claims Act.

SECTION 3. AMENDATORY 59 O.S. 2011, Section 698.4, is amended to read as follows:

Section 698.4. A. 1. The State Board of Veterinary Medical Examiners shall consist of six (6) members, appointed by the Governor with the advice and consent of the Senate. The Board shall consist of five licensed veterinarian members, and one lay person representing the general public.

2. Each veterinary member shall be a graduate of an approved school of veterinary medicine, shall be a currently licensed veterinarian and shall have held an active license for the three (3) years preceding appointment to the Board. One member shall be appointed from each congressional district and any remaining members shall be appointed from the state at large. However, when congressional districts are redrawn each member appointed prior to July 1 of the year in which such modification becomes effective shall complete the current term of office and appointments made after July 1 of the year in which such modification becomes effective shall be based on the redrawn districts. Appointments made after July 1 of the year in which such modification becomes effective shall be from any redrawn districts which are not represented by a board member until such time as each of the modified congressional districts are represented by a board member. No appointments may be made after July 1 of the year in which such modification becomes effective if such appointment would result in more than two members serving from the same modified district.

3. Of the five licensed veterinarian members, one must be an equine practitioner and one must be a large animal practitioner.

4. The lay member shall have no financial interest in the profession other than as a consumer or potential consumer of its services.

5. Members must be residents of ~~the State of Oklahoma~~ this state and be persons of integrity and good reputation. No member shall be a registered lobbyist. No member shall be an officer, board member or employee of a statewide or national organization established for the purpose of advocating the interests of or conducting peer review of veterinarians licensed pursuant to the Oklahoma Veterinary Practice Act.

B. Members of the Board shall be appointed for a term of five (5) years. No member shall serve consecutively for more than two (2) terms. Not more than two (2) terms shall expire in each year, and vacancies for the remainder of an unexpired term shall be filled by appointment by the Governor. Members shall serve beyond the expiration of their term until a successor is appointed by the Governor. ~~The initial appointee for the Board position created on November 1, 1999, shall be appointed for less than five (5) years to abide by staggered term requirements.~~ The Governor shall appoint to a vacancy within ninety (90) days of the beginning of the vacancy. Nominees considered by the Governor for appointment to the Board must be free of pending disciplinary action or active investigation by the Board.

C. A member may be removed from the Board by the Governor for cause which shall include, but not be limited to, if a member:

1. Ceases to be qualified;

2. Is found guilty by a court of competent jurisdiction of a felony or unlawful act which involves moral turpitude;

3. Is found guilty of malfeasance, misfeasance or nonfeasance in relation to Board duties;

4. Is found mentally incompetent by a court of competent jurisdiction;

5. Is found in violation of the Oklahoma Veterinary Practice Act; or

6. Fails to attend three successive Board meetings without just cause as determined by the Board.

SECTION 4. AMENDATORY 59 O.S. 2011, Section 698.7, as amended by Section 14, Chapter 428, O.S.L. 2019 (59 O.S. Supp. 2020, Section 698.7), is amended to read as follows:

Section 698.7. The State Board of Veterinary Medical Examiners shall have the powers and it shall also be its duty to regulate the practice of veterinary medicine. In addition to any other powers placed on it by the Oklahoma Veterinary Practice Act or as otherwise provided by law, the Board shall have the power and duty to:

1. a. set standards for licensure or certification by examination and develop such examinations as will provide assurance of competency to practice, and
- b. employ or enter into agreements with organizations or agencies to provide examinations acceptable to the Board or employ or enter into agreements with organizations or agencies to provide administration, preparation or scoring of examinations;
2. Set fees;
3. Prescribe the time, place, method, manner, scope and subjects of examination for licensure;
4. Prepare or select, conduct or direct the conduct of, set minimum requirements for, and assure security of licensing and other required examinations;
5. a. issue or deny licenses and certificates and renewals thereof,
- b. acquire information about and evaluate the professional education and training of applicants for licensure or certification; and accept or deny applications for licensure, certification or renewal

of either licensure or certification based on the evaluation of information relating to applicant fitness, performance or competency to practice,

- c. determine which professional schools, colleges, universities, training institutions and educational programs are acceptable in connection with licensure pursuant to the Oklahoma Veterinary Practice Act, and accept the approval of such facilities and programs by American-Veterinary-Medical-Association-accredited institutions in the United States and Canada,
- d. require supporting documentation or other acceptable verifying evidence for any information provided the Board by an applicant for licensure or certification, and
- e. require information on an applicant's fitness, qualification and previous professional record and performance from recognized data sources including, but not limited to, other licensing and disciplinary authorities of other jurisdictions, professional education and training institutions, liability insurers, animal health care institutions and law enforcement agencies;

6. Develop and use applications and other necessary forms and related procedures for purposes of the Oklahoma Veterinary Practice Act;

- 7. a. review and investigate complaints and adverse information about licensees and certificate holders,
- b. conduct hearings in accordance with the Oklahoma Veterinary Practice Act and the Administrative Procedures Act, and
- c. adjudicate matters that come before the Board for judgment pursuant to the Oklahoma Veterinary Practice Act upon clear and convincing evidence and issue final decisions on such matters to discipline licensees and certificate holders;

8.
 - a. impose sanctions, deny licenses and certificates and renewals thereof, levy reimbursement costs, seek appropriate administrative, civil or criminal penalties or any combination of these against those who violate examination security, who attempt to or who do obtain licensure or certification by fraud, who knowingly assist in illegal activities, or who aid and abet the illegal practice of veterinary medicine,
 - b. review and investigate complaints and adverse information about licensees and certificate holders,
 - c. discipline licensees and certificate holders,
 - d. institute proceedings in courts of competent jurisdiction to enforce Board orders and provisions of the Oklahoma Veterinary Practice Act,
 - e.
 - (1) establish mechanisms for dealing with licensees and certificate holders who abuse or are dependent on or addicted to alcohol or other chemical substances, and enter into agreements, at its discretion, with professional organizations whose relevant procedures and techniques it has evaluated and approved for their cooperation or participation in the rehabilitation of the licensee or certificate holder,
 - (2) establish by rules cooperation with other professional organizations for the identification and monitoring of licensees and certificate holders in treatment who are chemically dependent or addicted, and
 - f. issue conditional, restricted or otherwise circumscribed modifications to licensure or certification as determined to be appropriate by due process procedures and summarily suspend a license if the Board has cause to believe by clear and convincing evidence such action is required to protect public or

animal health and safety or to prevent continuation of incompetent practices;

9. Promulgate rules of professional conduct and require all licensees and certificate holders to practice in accordance therewith;

10. Act to halt the unlicensed or illegal practice of veterinary medicine and seek administrative, criminal and civil penalties against those engaged in such practice;

11. Establish appropriate fees and charges to ensure active and effective pursuit of Board responsibilities;

12. Employ, direct, reimburse, evaluate and dismiss staff in accordance with state procedures;

13. Establish policies for Board operations;

14. Respond to legislative inquiry regarding those changes in, or amendments to, the Oklahoma Veterinary Practice Act;

15. Act on its own motion in disciplinary matters, administer oaths, issue notices, issue subpoenas in the name of the State of Oklahoma, including subpoenas for client and animal records, hold hearings, institute court proceedings for contempt or to compel testimony or obedience to its orders and subpoenas, take evidentiary depositions and perform such other acts as are reasonable and necessary under law to carry out its duties;

16. Use clear and convincing evidence as the standard of proof and issue final decisions when acting as trier of fact in the performance of its adjudicatory duties;

17. Determine and direct Board operating, administrative, personnel and budget policies and procedures in accordance with applicable statutes;

18. Promulgate uniform rules such as may be necessary for carrying out and enforcing the provisions of the Oklahoma Veterinary Practice Act and such as in its discretion may be necessary to protect the health, safety and welfare of the public;

19. Determine continuing education requirements. Such continuing education shall include not less than one (1) hour of education in pain management or one (1) hour of education in opioid use or addiction annually, unless the licensee has demonstrated to the satisfaction of the Board that the licensee does not currently hold a valid federal Drug Enforcement Administration registration number;

20. Establish minimum standards for veterinary premises;

21. Establish standards for veterinary labeling and dispensing of veterinary prescription drugs and federal Food and Drug Administration-approved human drugs for animals which would conform to current applicable state and federal law and regulations;

22. Promulgate rules such as may be necessary for carrying out and enforcing provisions relating to certification of animal euthanasia technicians and approval of drugs to be used for euthanasia of animals in an animal shelter pursuant to the requirements of Section 502 of Title 4 of the Oklahoma Statutes;

23. Shall conduct a national criminal history records search for certified animal euthanasia technicians:

- a. the applicant shall furnish the Board two completed fingerprint cards and a money order or cashier's check made payable to the Oklahoma State Bureau of Investigation,
- b. the Board shall forward the fingerprint cards, along with the applicable fee for a national fingerprint criminal history records search, to the Bureau, and
- c. the Bureau shall retain one set of fingerprints in the Automated Fingerprint Identification System (AFIS) and submit the other set to the Federal Bureau of Investigation (FBI) for a national criminal history records search;

24. Establish standards for animal chiropractic diagnosis and treatment. The standards shall include but not be limited to a

requirement that a veterinarian who holds himself or herself out to the public as certified to engage in animal chiropractic diagnosis and treatment shall:

- a. carry at least One Million Dollars (\$1,000,000.00) of additional malpractice coverage to perform animal chiropractic diagnosis and treatment, and
- b. have appropriate training in animal chiropractic diagnosis and treatment. The Veterinary Examining Board shall have the authority to establish educational criteria for certification standards in animal chiropractic diagnosis and treatment. The Veterinary Examining Board shall work in conjunction with the Board of Chiropractic Examiners to establish comparable standards for the practice of animal chiropractic diagnosis and treatment for both medical professions within thirty (30) days after the effective date of this act. The Board shall certify any licensed veterinarian wishing to engage in animal chiropractic diagnosis and treatment who meets the standards established by the Board pursuant to this paragraph. Upon request, the Board shall make available to the public a list of licensed veterinarians so certified; ~~and~~

25. Give scholarships, as determined by the Board, to an individual advancing toward obtaining a degree in veterinary medicine from an Oklahoma higher education institution and take such other action as may be reasonably necessary or appropriate to effectuate the Oklahoma Veterinary Practice Act. The Board may, at its discretion, contract with other state agencies and nonprofit corporations for the endowment, management and administration of scholarships. The requirements of such scholarships shall be determined by the Board. However, nothing contained herein shall be construed as requiring the Board to endow or award any scholarship; and

26. Perform such other duties and exercise such other powers as the provisions and enforcement of the Oklahoma Veterinary Practice Act may require.

SECTION 5. AMENDATORY 59 O.S. 2011, Section 698.8, is amended to read as follows:

Section 698.8. A. It shall be unlawful to practice veterinary medicine in this state without a license or certificate issued by the State Board of Veterinary Medical Examiners.

B. Requirements for licensure or certification shall be set by the Board and may be changed as the education and training for the practice of veterinary medicine changes. Prior to issuance of a license or certificate to practice veterinary medicine in this state, the applicant shall have been found by the Board to be of good moral character and the Board shall consider but not be limited to the following evidence of suitability to practice:

1. a. Graduation from an approved school of veterinary medicine whose requirements at the time of graduation are acceptable to the Board.
- b. Graduates of schools of veterinary medicine located outside the United States and Canada shall be held to the same standards for evidence of suitability to practice as are graduates of schools of veterinary medicine located within the United States in that applicants shall conform in all respects to the requirements set forth in this section. Where necessary, further examination shall be administered by the Board or its designee to determine competency to practice. In addition, applicants shall demonstrate a command of the English language satisfactory to the Board. Documents and material submitted in support of application for licensure or certification, if in a foreign language, shall be translated and certified as accurate by an organization acceptable to the Board;

2. Satisfactory completion of a minimum number of months of education in veterinary medicine as a requirement for graduation from a school of veterinary medicine as set by the Board;

3. Evidence that the applicant for licensure or certification is of good moral character;

4. a. Except as otherwise provided by this paragraph, evidence that the applicant has passed examinations satisfactory to the Board and that the examination score is acceptable to the Board. The Board may set minimum passing scores for examinations and limit the number of times an applicant may take an examination in this state.
- b. In lieu of national examination requirements, an applicant shall have actively engaged in the clinical practice of veterinary medicine for a period of at least five thousand (5,000) hours during the five (5) consecutive years immediately prior to making application in Oklahoma and hold a license to practice veterinary medicine in another state, territory, district or province of the United States and Canada and successfully passed the Oklahoma State Jurisprudence Examination;

5. Evidence that the applicant has demonstrated familiarity with the statutes and rules set by the Board;

6. Evidence that the applicant is mentally and professionally capable of practicing veterinary medicine in a competent manner as determined by the Board and willing to submit, if deemed appropriate by the Board, to an evaluation of skills and abilities;

7. Evidence that the applicant has not been found guilty by a court of law of any conduct that would constitute grounds for disciplinary action under the Oklahoma Veterinary Practice Act or rules of the Board, and there has been no disciplinary action taken against the applicant by any public agency concerned with the practice of veterinary medicine;

8. If the Board deems it necessary, a personal appearance by the applicant before the Board in support of the applicant's application for licensure or certification. If the Board is not satisfied with the credentials of the applicant, or demonstration of knowledge or skills presented, the Board may require further examination or supervised practice before reconsideration of the application; and

9. Evidence that all required fees have been paid.

C. Practice without the legal possession of an active license or certificate shall be prohibited, and evidence of ~~said~~ the practice shall be reported by the Board to the district attorney of the county in which the practice is found to occur.

D. Certificates may be issued to any veterinarian who has failed to obtain or failed to maintain a regular license to practice veterinary medicine. Such certificates may be issued by the Board at such times as the Board determines that all requirements for possession of such certificate have been met as set by rules and policies of the Board. Certificates may be issued for, but not limited to, the practice of veterinary medicine under the direct supervision of a licensed veterinarian while the application for full licensure is pending.

E. Any active military or their spouse who is licensed in veterinary medicine or is registered or certified as a veterinary technician in another state may submit a completed application for licensure or registration in Oklahoma and if found to be in good standing and has equivalent education, training and experience shall be licensed within thirty (30) days. The application fee and the first period of issuance shall be waived for such active military or their spouse.

SECTION 6. AMENDATORY 59 O.S. 2011, Section 698.30, is amended to read as follows:

Section 698.30. A. The State Board of Veterinary Medical Examiners shall annually certify any practitioner of teeth floating, known as a nonveterinary equine dental care provider and as defined by paragraph 25 of Section 698.2 of Title 59 of the Oklahoma Statutes. Certification shall be issued within ninety (90) days of application, and to be eligible for this certification, nonveterinary equine dental care providers shall provide proof of qualification to be a nonveterinary equine dental care provider using one of the following methods:

1. Completion of at least eighty (80) hours of training in equine dentistry at the Texas Institute of Equine Dentistry, the

Academy of Equine Dentistry or a similar program approved by the State Board of Veterinary Medical Examiners; or

2. Certification as ~~an~~ a nonveterinary equine dental technician care provider by the International Association of Equine Dentistry or its equivalent by a similar certifying organization approved by the State Board of Veterinary Medical Examiners.

~~B. Prior to July 1, 2011, teeth floaters shall be granted certification upon submission of a signed and notarized affidavit from three persons who are residents of this state, stating that they know this individual and the individual is known by the community to be a nonveterinary equine dental care provider. Of the three residents, one shall be from a veterinarian that is licensed to practice in the state; and one shall be from the current president of any official statewide association representing horses, horse breeds or horsemen, or a horse owner currently residing in the state.~~

~~C.~~ Proof of four (4) hours of continuing education shall be required for annual certification renewal for ~~teeth floaters~~ a nonveterinary equine dental care provider. This continuing education shall be a course approved by the Texas Institute of Equine Dentistry, the Academy of Equine Dentistry, the State Board of Veterinary Medical Examiners, the International Association of Equine Dentistry or a similar organization approved by the State Board of Veterinary Medical Examiners and shall be obtained in the twelve-month period immediately preceding the year for which the certification is to be issued.

~~D.~~ C. If prescription drugs, not to include any controlled dangerous substances as defined in the Uniform Controlled Dangerous Substances Act, are to be used in nonveterinary equine dental care procedures, the equine owner shall contact a veterinarian licensed by the state. If the veterinarian deems that prescription drugs, not to include any controlled dangerous substances as defined in the Uniform Controlled Dangerous Substances Act, are necessary, the veterinarian may assemble those drugs and may allow the owner or the owner's agent, who can be a nonveterinary equine dental care provider, to pick up those drugs and deliver them to the equine owner. No prescription drugs shall be prescribed, dispensed, or administered without the establishment of a valid client-patient

relationship between the equine owner and the veterinarian. Prescription drugs must be used in accordance with United States Food and Drug Administration regulations.

~~E.~~ D. Complaints related to any ~~teeth floater~~ nonveterinary equine dental care provider shall be filed with the State Veterinarian through the Oklahoma Department of Agriculture, Food, and Forestry. The State Veterinarian may investigate complaints, and may forward findings as it deems appropriate to the appropriate law enforcement entity.

SECTION 7. AMENDATORY 59 O.S. 2011, Section 698.30a, is amended to read as follows:

Section 698.30a. A. The State Board of Veterinary Medical Examiners shall certify an individual as a nonveterinary reproductive services technician who qualifies and passes a written certification examination approved by the Board and who holds a Ph.D. from an accredited college or university with emphasis in animal reproductive physiology, or a Master of Science degree from an accredited college or university with emphasis in animal reproductive physiology and Board Certification in animal physiology by the American Registry of Professional Animal Scientists, which certification authorizes them to provide nonveterinary reproductive services as defined in the Oklahoma Veterinary Practice Act.

~~B. Prior to July 1, 2012, an individual with a Bachelor of Science degree from an accredited college or university, which includes completion of at least six (6) semester hours in reproductive physiology and who has practical experience in embryo transfer in ruminating animals as verified in writing by sworn affidavit from at least two client animal owners and from two approved certified members of the American Embryo Transfer Association, shall be allowed to become certified as a nonveterinary reproductive services technician upon passing a written certification examination approved by the Board.~~

~~C.~~ In connection with performing nonveterinary reproductive services, federal legend drugs shall be prescribed and dispensed only on the order of a licensed veterinarian who has an existing veterinarian-client-patient relationship as defined by the Oklahoma Veterinary Practice Act and the rules of the Board and shall only be

administered in accordance with the act. Every nonveterinary reproductive services technician shall keep and maintain medical records that include the source of any prescription drugs used in connection with providing nonveterinary reproductive services, including the name and address of the veterinarian prescribing or dispensing the drugs, the date the drugs are received, the species and description of the animal involved, the animal owner or client name and address, and the medications administered including date and dosage. All medical records pertaining to prescription drugs shall be made available for inspection by the Board or the Board's agent upon request and must be kept and maintained for a period of two (2) years from the date the drug was administered.

~~D.~~ C. Proof of at least eight (8) hours of continuing education from courses and study approved by the Board shall be required for annual certification renewal as a nonveterinarian reproductive services technician.

~~E.~~ D. The certification examination and continuing education described in this section shall be approved by the Examination Committee that is overseen by the Board and consists of:

1. A veterinarian designated by the Dean of the Oklahoma State University Center of Veterinary Health Sciences;

2. An animal scientist with a Ph.D. with an emphasis in animal reproductive physiology designated by the head of the Oklahoma State University Department of Animal Science; and

3. An animal embryologist as designated by the American Embryo Transfer Association.

SECTION 8. AMENDATORY 59 O.S. 2011, Section 698.33, is amended to read as follows:

Section 698.33. A. There is hereby established the veterinary training program for rural Oklahoma to be administered by the Oklahoma State University Center for Veterinary Health Sciences. The program shall be developed and implemented in order to provide encouragement, opportunities, and incentives for persons pursuing a veterinary medicine degree at Oklahoma State University to locate their veterinary practice in rural Oklahoma communities, and receive

specialized training targeted to meet the needs of livestock producers in rural Oklahoma communities.

B. Subject to available funds, each year the Veterinary Center may enter into program agreements with up to three first-year veterinary students or currently practicing large animal veterinarians with qualifying school loans, as determined by the Veterinary Center. Preference shall be given to those students and large animal veterinarians who are Oklahoma residents and who agree to serve in a community as described in paragraph 3 of subsection D of this section, which is determined by the Veterinary Center to be an underserved area for the practice of veterinary medicine.

C. Subject to available funds, each student or large animal veterinarian entering into a program agreement under this section shall receive assistance in an amount not to exceed Twenty Thousand Dollars (\$20,000.00) per year for not more than four (4) years for tuition, books, supplies, and other school expenses, and travel and training expenses incurred by the student in pursuing a veterinary medicine degree. Upon satisfaction of all commitments under the provisions of the agreement and the provisions of this section, the financial obligations pursuant to this section shall be deemed satisfied and forgiven.

D. Each program agreement shall require that the person receiving the assistance:

1. Complete the veterinary medicine degree program at the Veterinary Center;

2. Complete all requirements in public health, livestock biosecurity, foreign animal disease diagnosis, regulatory veterinary medicine and zoonotic disease, and an externship and mentoring requirement with a licensed, accredited veterinarian in rural Oklahoma as required by the Veterinary Center;

3. Engage in the full-time practice of veterinary medicine in any community in Oklahoma which has a population not exceeding twenty-five thousand (25,000) as determined by the most recent Federal Decennial Census at the time the person entered into the program agreement for a period of at least twelve (12) continuous months for each separate year a student receives assistance under

the program, unless the obligation is otherwise satisfied as provided in this section. If, after the date a program agreement was entered into by the parties, a community no longer meets the maximum population requirements provided in this paragraph, a person engaging in the full-time practice of veterinary medicine pursuant to the program agreement shall continue to practice in that designated community; and

4. Commence the full-time practice of veterinary medicine in that community within ninety (90) days after completion of the person's degree program, or if the person enters a postdegree training program, such as a graduate school or internship or residency program, within ninety (90) days after completion of the postdegree training program.

E. Upon the failure of a person to satisfy the obligation to engage in the full-time practice of veterinary medicine in accordance with the provisions of this section, that person shall repay to the Veterinary Center, within ninety (90) days of the failure, the amount equal to the assistance provided to the person less a prorated amount based on any periods of practice of veterinary medicine meeting the requirements of this section, plus interest at the prime rate of interest plus two percent (2%) from the date the assistance accrued. The interest shall be compounded annually.

F. An obligation to engage in the practice of veterinary medicine in accordance with the provisions of this section shall be postponed during:

1. Any period of temporary medical disability during which the person obligated is unable to practice veterinary medicine due to the disability; and

2. Any other period of postponement agreed to or determined in accordance with criteria agreed to in the practice agreement.

G. An obligation to engage in the practice of veterinary medicine in accordance with the provisions of the agreement and this section shall be satisfied:

1. If the obligation to engage in the practice of veterinary medicine in accordance with the agreement has been completed;

2. If, because of permanent disability, the person obligated is unable to practice veterinary medicine; or

3. The person who is obligated dies.

H. The Veterinary Center may adopt additional provisions, requirements, or conditions to participate in this program as are practicable and appropriate to accomplish the provisions of the program or may be required for the implementation or administration of the program, and are not inconsistent with the provisions of this section.

I. The Veterinary Center shall not enter into any program agreements pursuant to the provisions of this section after July 1, ~~2018~~ 2025. All agreements entered into prior to such date shall be valid.

SECTION 9. This act shall become effective November 1, 2021.

Passed the Senate the 25th day of May, 2021.

Presiding Officer of the Senate

Passed the House of Representatives the 26th day of May, 2021.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____