



# Examiner

Alabama State Board of Veterinary Medical Examiners  
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AUGUST 2010

## MEMBERS, COUNSEL & STAFF

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A. David Hayes, DVM  
Premise Evaluator

Ralph W. Womer, DVM  
Premise Evaluator

C. Eddie Frederick  
Board Investigator

## From the President:

This spring and summer have brought several major changes in the Alabama State Board of Veterinary Medical Examiners. The most significant change is that Ms. Theresa Chandler announced her retirement as of September 1st. Theresa began her career with the Board in 1986 as a full time Board Clerk, hired by Dr. Ashwander. Theresa worked for the Board several years before being named Executive Secretary upon Dr. Ashwander's retirement in 1995, ending 42 years of service to the board. During this time, he served as Board Member and as Executive Secretary.

Theresa joins a very short list of leaders who have served as Executive Secretary. The list includes Dr. Carey, Dr. McAdory and Dr. Ashwander. As did those who served before her, she has devoted her life to the purpose of the Board and her profession. She is largely responsible for the ASBVME being held in high esteem nationwide. She has led the Board from the days of "snail mail" to the innovative online renewal of annual licenses. Like her predecessors, she was a dedicated, visionary and represented our Board with honor and integrity. Our profession wishes Theresa a very long and happy retirement.

The Board Office has been relocated to Montgomery as of July 1, 2010. The address and phone numbers appear in prominent places in this issue of the Examiner. This is only the second permanent home the Board has known. The first was in Decatur. When directed by the Board, Dr. Ashwander moved the board equipment and records to his home in 1953.

We are excited to welcome our new Executive Director, Mrs. Tammy Wallace, as of September 1st. Tammy has been in training for almost a year and brings to the Board several years of experience serving our profession.

Tammy worked in Pharmaceutical sales for several years and most recently was the Office Manager for the Alabama Veterinary Medical Association. Tammy becomes only the 5th Executive Director the board has ever had. Welcome aboard Tammy!

The office staff remains intact for the most part. Patti Christman relocated to Montgomery, bringing with her 14 years of experience and will be a tremendous asset to the Board, consumers and veterinarians in Alabama. Doctors David Hayes and Ralph Womer continue as Premise Evaluators and Eddie Frederick is in place as the Board Investigator. Todd Hughes remains as our Board Counsel.

Three words come to mind that reflect the mood of the Board at this time, reflection, appreciation and anticipation. They describe the spirit of the Board as we enter a new era of service to our profession. We reflect upon the commitment of those who served before us and pray that we uphold that commitment. We appreciate the outstanding reputation that our profession enjoys in every community, due in large part to the commitment that each individual veterinarian exhibits with every client visit and transaction daily. We eagerly anticipate, as Board Members and stewards of our great profession, the opportunity to uphold and exceed the traditions and expectations of those who have brought us this far.

In closing, thank you Dr. Hayes for the exhaustive review and research from which the historical data for this article was taken.

Robert E. Pitman, DVM

NEW OFFICE

HOURS

8:00 a.m.—4:00 p.m.

# Practice Act 2010-536

Effective: July 1, 2010

Now available at [ASBVME.alabama.gov](http://ASBVME.alabama.gov)

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 34-29-61, 34-29-76, 34-29-77, and 34-29-94 of the Code of Alabama 1975, are amended to read as follows:

§34-29-61.

For the purposes of this article, the following terms shall have the following meanings ascribed by this section:

(1) ACCREDITED SCHOOL OF VETERINARY MEDICINE. Any veterinary college or division of a university or college that offers the degree of doctor of veterinary medicine or its equivalent and is accredited by the American Veterinary Medical Association (AVMA).

(2) ANIMAL. Any animal or mammal other than man, including birds, fish, reptiles, wild or domestic, living or dead.

(3) APPLICANT. A person who files an application to be licensed to practice veterinary medicine or licensed as a veterinary technician.

(4) BOARD. Alabama State Board of Veterinary Medical Examiners.

(5) CONSULTING VETERINARIAN. A veterinarian licensed in another state who gives advice or demonstrates techniques to a licensed Alabama veterinarian or group of licensed Alabama veterinarians. A consulting veterinarian shall not utilize this privilege to circumvent the law.

(6) DIRECT SUPERVISION. ~~The supervising veterinarian has initially examined the animal and will examine at other times as acceptable veterinary medical practice requires, consistent with the particular delegated animal health care task. and the supervising veterinarian is on the premises and is quickly and easily available. and the animal has been initially examined by a veterinarian and examined by a veterinarian at such other times as acceptable veterinary medical practice requires, consistent with the particular delegated animal health care task.~~

(7) EMERGENCY. The animal has been placed in a life threatening condition and immediate treatment is necessary to sustain life.

(8) FOREIGN VETERINARY GRADUATE, EXCLUDING CANADA. Any person, including a foreign national or an American citizen, who has received a professional veterinarian medical degree from an American Veterinary Medical Association listed veterinary college that is not accredited by the American Veterinary Medical Association.

(9) IMMEDIATE SUPERVISION. The supervising veterinarian is on the on the premises and in audite and or visual range of the animal patient and the person treating the patient.

(10) INDIRECT SUPERVISION. The supervising veterinarian ~~is not on the premises, but has examined the animal and has given either written or oral instructions for the treatment, of the animal patient and the animal~~ has been initially examined by a veterinarian while the supervising veterinarian is away from the premises.

(11) LICENSE. Any permit, approval, registration, or certificate of qualification issued by the board.

(12) LICENSED VETERINARIAN. A person who is validly and currently licensed to practice veterinary medicine in Alabama.

(13) LICENSED VETERINARY TECHNICIAN. A person who is validly and currently licensed to practice as a veterinary technician in Alabama.

~~(14)~~ (14) PERSON. Any individual, firm, partnership, association, joint venture, cooperative, or corporation or any other group or combination acting in concert; and whether or not acting as a principal, trustee, fiduciary, receiver, or as any kind of legal or personal representative, or as the successor in interest, assigning agent, factor, servant, employee, director, officer, or any other representative of such person.

(14) (15) PRACTICE OF VETERINARY MEDICINE:

a. To diagnose, treat, correct, change, relieve, or prevent animal disease, deformity, defect, injury, or other physical or mental condition; including the prescription or administration of any drug, medicine, biologic, apparatus, 24 application, anesthesia, Or other therapeutic or diagnostic 25 substance or technique on any animal including but not limited 26 to acupuncture, dentistry, animal psychology, animal 27 chiropractic, theriogenology, surgery, including cosmetic surgery, any manual, mechanical, biological, or chemical procedure for testing for pregnancy or for correcting sterility or infertility, or to render service of recommendations with regard to any of the above.

b. To represent directly or indirectly, publicly or privately an ability and willingness to do any act described in paragraph a.

c. To use any title, words, abbreviations, or letters in a manner or under circumstances which induce the belief that the person using them is qualified to do any act described in paragraph a. Such use shall be prima facie evidence of the intention to represent oneself as engaged in the practice of veterinary medicine.

d. Collects blood or other samples for the purpose of diagnosing disease or other conditions. This paragraph shall not apply to unlicensed personnel employed by the United States Department of Agriculture or the Alabama Department of Agriculture who are engaged in the Brucellosis eradication program or external parasite control program pursuant to Section 2-15-192.

e. To remove any embryo from a food animal or companion animal for the purpose of transplanting the embryo into another female animal or for the purpose of cryopreserving the embryo, or to implant the embryo into a food or companion animal. It shall not be considered the practice of veterinary medicine for a person or his or her full-time employees to remove an embryo from the food or companion animal of the person for the purpose of transplanting or cryopreserving the embryo, or to implant an embryo into the food or companion animal of the person, provided ownership of the food or companion animal shall not be transferred or employment of the person shall not be changed for the purpose of circumventing this article.

f. To provide veterinary medical services to a client or patient in this state, through telephonic, electronic, or other means, regardless of the location of the veterinarian, shall constitute the practice of veterinary medicine in this state and shall require licensure within this state and a veterinarian-client-patient relationship must be established.

~~(15)~~ (16) SUPERVISING VETERINARIAN. A veterinarian who assumes responsibility for the professional care given to an animal by a person working under his or her direction.

~~(16)~~ (17) TEMPORARY LICENSE. Temporary permission to practice veterinary medicine issued by the board pursuant to this article.

~~(17)~~ (18) ~~UNREGISTERED~~ UNLICENSED ASSISTANT. Any individual who is not a licensed veterinary technician or veterinarian and is employed by a licensed veterinarian.

~~(18)~~ (19) VETERINARIAN, DOCTOR OF VETERINARY MEDICINE, DVM, VMD, OR EQUIVALENT TITLE. A person who has received a doctor's degree in veterinary medicine from an accredited school of veterinary medicine or holds an Educational Commission for Veterinary Graduates (ECFVG) certificate issued by the American Veterinary Medical Association (AVMA).

~~(19)~~ (20) VETERINARIAN-CLIENT-PATIENT RELATIONSHIP (VCPR). A relationship when the veterinarian has assumed responsibility for making medical judgments regarding the health of the animal or animals and the need for medical treatment and is created by actual examination by the veterinarian of the animal or a representative segment of a consignment or herd.

~~(20)~~ (21) VETERINARY FACILITIES. Any place or unit from which the practice of veterinary medicine is conducted. The following are types of veterinary facilities:

a. Veterinary or Animal Hospital or Clinic. Meets or exceeds all mandatory requirements as listed in the administrative code of the

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ical treatment of animals and is equipped to provide housing and nursing care for the animals during illness or convalescence.

- b. Specialty Practice or Clinic. Provides complete specialty service by a veterinarian who has advanced training in that specialty and is a diplomate of an approved specialty college. It meets all minimum standards that are applicable to that specialty.
- c. Central Hospital. Shall meet all requirements of paragraph a, as well as provide specialized care including 24-hour nursing care and specialty consultation on a permanent or on-call basis. It is mainly utilized on referral from area veterinary hospitals or clinics.
- d. Satellite, Outpatient, or Mobile Small Animal Clinics. A supportive facility owned by or associated with, or both, and has ready access to, within a reasonable distance, a full-service veterinary hospital or clinic or a central hospital providing all mandatory services and meeting all minimum standards. The public shall be informed of the limitation of services by way of a posted notice in plain view and easily readable or by notice provided to the client by flyer or card which clearly specifies those mandatory veterinary medical services which are not provided. In addition, the main location and telephone number of the veterinary hospital or clinic providing the required service, as well as the signed agreement with the veterinary hospital or clinic shall also be posted in plain view and be easily readable. A veterinarian associated with this veterinary hospital or clinic shall be on call during and after operation of the satellite, outpatient, or mobile clinic to render aid if necessary. The personnel of satellite, outpatient, or mobile clinics shall consist of one or more veterinarians and auxiliary personnel necessary to provide adequate outpatient service. Operation of any satellite, outpatient, or mobile clinic shall be under the direct supervision of a licensed veterinarian who remains on the premises during the entire time of operation.
- E. Large Animal, Mobile Clinic. Must provide examination, diagnostic, and preventive medicine, and minor surgical services for large animals not requiring confinement or hospitalization. Emergency service and radiology service shall be provided by that veterinarian or by written agreement with another veterinarian or group of veterinarians in practice in that locale. These clinics shall provide a degree of veterinary care compatible with the level of standards considered adequate to the practice of veterinary medicine currently available in the area. Complete hospital facilities maybe provided by the nearest large animal hospital or veterinary school.

- f. Emergency Clinic. A facility established to receive patients and to treat illnesses and injuries of an emergency nature requiring
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are normally closed. Emergency clinics shall meet all mandatory requirements of a veterinary hospital or clinic. I

~~(21)~~ (22) VETERINARY MEDICINE. Includes veterinary surgery, theriogenology, dentistry, acupuncture, animal psychology, chiropractic, and all other branches or specialties of veterinary practice.

(22) (23) VETERINARY INTERN. A person who is working towards completion of an ECFVG certificate and who is working under the direct or indirect supervision of a board approved licensed veterinarian in any state to complete the practical experience internship required for licensing in Alabama.

(23) (24) VETERINARY STUDENT PRECEPTEE. A person who is pursuing a veterinary degree in an accredited school of veterinary medicine which has a preceptor or extern program and who has completed the academic requirements of the program.

~~(24) VETERINARY TECHNICIAN, LICENSED VETERINARY ASSISTANT, VETERINARY TECHNOLOGIST, ANIMAL TECHNOLOGIST, ANIMAL TECHNICIAN. Persons other than a veterinarian who have successfully completed a post high school course in the care and treatment of animals which is accredited by the AVMA Committee on Activities and Training (CATAT) or is approved by the Alabama board and is licensed in this state to perform acts which require limited skill, responsibility, and minimal exercise of independent judgment in the treatment of patients of veterinarians and under direct, indirect, or immediate supervision of a veterinarian as herein and hereafter provided.~~

(25) VETERINARY TECHNICIAN STUDENT, Any person enrolled in an AVMA accredited veterinary technology program; gaining clinical experience under the supervision of a licensed veterinarian or licensed veterinary technician in a clinical setting.

(26) VETERINARY TECHNOLOGY. The skills and knowledge accrued in a post-high school course of study accredited by the AVMA Committee on Education (COE) or the Alabama board, in the area of care and treatment of animals. It embodies limited skills, responsibility, and minimal exercise of independent judgment in the treatment of patients of veterinarians while under direct, indirect, or immediate supervision of a veterinarian.

(27) WHOLESAL VETERINARY DRUG DISTRIBUTOR, A person engaged in the business of distributing veterinary drugs and medicines for resale to veterinary practitioners and other veterinary wholesalers and possesses a current permit issued by the Alabama Board of Pharmacy to engage in the selling of veterinary drugs or medicines in the State of Alabama.

14 "No person shall practice veterinary medicine or veterinary technology unless the person holds an active license to practice veterinary medicine or veterinary technology in the State of Alabama and in addition:

(1) No person shall use the name or title of licensed veterinarian when the person has not been licensed pursuant to this article.

(2) No person shall use the name Or title of a licensed veterinary technician when the person has not been licensed pursuant to this article.

~~(3)~~ (3) No person shall present as his or her own the license of another.

~~(4)~~ (4) No person shall give false or forged information to the board or a member thereof for the purpose of obtaining a license.

~~(5)~~ (5) No person shall use or attempt to use a 5 veterinarian's license which has been suspended or revoked.

~~(6)~~ (6) No person shall knowingly employ unlicensed persons in the practice of veterinary medicine.

~~(7)~~ (7) No person shall knowingly conceal information relative to violations of this article.

~~(8)~~ (8) No person shall falsely represent himself or herself as being in a supervisory status without providing such supervision.

~~(9)~~ (9) No person shall provide veterinary medical services to a client or patient in this state through telephonic, electronic, or other means, regardless of the location of the veterinarian, without a license to practice in this state and without establishing a veterinarian-client-patient relationship.

~~(10)~~ (10) No person convicted of fraud, deceit, gross negligence, incompetency, violation of the administrative code of the board, or any other misconduct in the practice of veterinary medicine shall be allowed to retain his or her license to practice veterinary medicine and surgery in Alabama.

~~(11)~~ (11) No person convicted of or pleading nolo contendere to a felony or a crime involving moral turpitude shall be allowed to retain his or her license to practice.

"No person shall practice veterinary medicine or veterinary technology in the State of Alabama who is not a currently and validly licensed veterinarian or licensed veterinary technician or the holder of a temporary permit issued by the board. This article shall not be construed to prohibit any of the following:

(1) A student in a school or college of veterinary medicine from the performance of duties assigned by his or her instructor or from working as a veterinary student preceptee under direct or indirect supervision of a licensed veterinarian.

(2) A student in a school or college of veterinary technology accredited by the AVMA from the performance of duties assigned by his or her instructor or from working as a veterinary technician student under direct or indirect supervision of a licensed veterinarian or licensed veterinary technician.

~~(3)~~ (3) Any doctor of veterinary medicine in the employ of a state or federal agency while actually engaged in the performance of his or her official duties; however, this exemption shall not apply to a person when he or she is not engaged in carrying out; his or her official duties or is not working at or for the installations for which his or her services were engaged.

~~(4)~~ (4) Any person or his or her regular employee, administering to the ills or injuries of his or her own animals, including but not limited to, castration and dehorning of cattle unless title is transferred or employment changed for the purpose of circumventing this article.

~~(5)~~ (5) State agencies, accredited schools, institutions, foundations, business corporations or associations, physicians licensed to practice medicine and surgery in all its branches, graduate doctors of veterinary medicine, or persons under direct supervision thereof, which or who conduct experiments and scientific research on animals in the development of pharmaceuticals, biologicals, serums, or methods of treatment or techniques for diagnosis or treatment of human ailments or when engaged in the study and development of methods and techniques directly or indirectly applicable to the problems of the practice of veterinary medicine.

~~(6)~~ Any unregistered assistant, nurse, lab technician, or other employee of a licensed veterinarian who administers medication or renders auxiliary or supportive assistance under the immediate supervision of a licensed veterinarian.

(6) Qualified practitioners of veterinary medicine and surgery from without the State of Alabama consulting with licensed veterinarians

licensed veterinarians in Alabama. No veterinarian of any other state shall actively and actually practice veterinary medicine in Alabama unless and until he or she shall obtain a license to practice veterinary medicine from the Alabama State Board of Veterinary Medical Examiners and shall comply with the other requirements contained in this article.

(7) A member of the faculty of a veterinary school performing his or her regular functions or a person giving board approved lectures, instructions, or demonstrations in connection with continuing education courses or seminars to licensed veterinarians, licensed veterinary technicians, veterinary students, or veterinary technician students.

(8) Persons from gratuitously giving aid, assistance, or relief in emergency cases if they do not represent themselves to be veterinarians or use any title or degree appertaining to the practice thereof.

(9) Fishery biologists actively employed by the State of Alabama, the United States government, or any person in the production or management of commercial food or game fish while in the performance of their official duties.

(10) A person from being or practicing as a "veterinary intern" as that term is defined in subdivision (22) of Section 34-29-61.

"§34-29-94.

(a) In order to obtain a license as a veterinary technician, the applicant shall do all of the following:

(1) Submit a complete notarized application on a form prescribed by the board setting forth that the applicant meets all of the following qualifications:

- a. At least 18 years of age.
- b. Of good character.
- c. Has attained a competent school education and has received a diploma in animal veterinary technology from an American Veterinary Medical Association accredited school or other school of animal veterinary technology approved by the board.

(2) Submit an application accompanied by an authenticated copy of the college transcript of the applicant signed by the dean or the registrar of the school, college, or university.

(3) Submit an application accompanied by a photograph of

reasonable likeness of the applicant taken within six months of the date of the application.

(4) Submit an application fee as prescribed by the board.

(b) Notification and penalty for nonrenewal of licenses for veterinary technicians shall be applied as provided in this article for veterinarians.

(c) The board may adopt the Veterinary Technician National Examination and passing criteria prepared by the Professional Examination Service (PES), or any other veterinary technician national examination as the sole veterinary technicians examination or in addition to a state examination at its discretion.

(1) Examination of applicants for licensing as veterinary technicians in Alabama shall be held at a time, place, and date set by the board. Appropriate public notice of the time and place of the examination shall be given at least 90 days in advance of the date set for the examination.

(2) A passing score on the AVMA approved National Licensing Examination shall be determined by the professional examination provider based on a national criteria which reflects a passing score of at least 70 percent. Each applicant who passes the examination and meets all other requirements for licensure prescribed by the board shall be granted a license as a veterinary technician and shall be registered as such and a record kept by the board, and shall receive a license in a form to be prescribed by the board.

(d) There shall be an annual renewal of each veterinary technicians license and the renewal fee established and published by the board.

(e) The supervising veterinarian may require a licensed veterinary technician to perform any task for which he or she has been trained as delineated in the American Veterinary Medical Association's essential tasks list for veterinary technician teaching programs. The following tasks may be performed under the level of supervision indicated unless specifically prohibited by regulation and the supervision shall be under a licensed veterinarian currently registered to practice in this state, provided the veterinarian makes

a daily physical examination of the patient treated makes examinations in a manner and frequency consistent with the accepted standard of care for the condition of the patient and for the condition being treated:

(1) A licensed veterinary technician may perform the following tasks under the indirect supervision of a veterinarian,   . If the animal is anesthetized, these tasks shall require the direct supervision of a veterinarian:

- a. Teeth cleaning Dental Prophylaxis.
- b. Enemas.
- c. Electrocardiography.
- d. Application of bandages.
- e. Catheterization of the unobstructed bladder and inserting indwelling catheter.
- f. Gavage.
9. Ear flush.
- h. Surgical site preparation.
- i. Diagnostic imaging:
  1. Patient preparation and positioning.
  2. Operation of X-ray and ultrasound machines.
  3. Oral and rectal administration of radio-opaque materials.
- j. Injections of medications not otherwise prohibited:
  1. Intramuscular,
  2. Subcutaneous.
  3. Intravenous.
  4. Intradermal
- k. Oral medications.
  1. Topical medication.
- m. Laboratory:
  1. Collection of tissue during or after a veterinarian has performed necropsy.
  2. Urinalysis.
  3. Hematology.
  4. Parasitology.
  5. Exfoliative cytology.
  6. Microbiology.

8. Serology.

9. Coprology.

- n. Administration of preanesthetic drugs.
- o. Oxygen therapy.
- p. Removal of partially exposed foreign objects from skin and feet.
- g. Removal of sutures.18
- r. Euthanasia.
- s. Administration of immunological agents.
- t. Blood collection for diagnostic purposes.
- u. Cystocentesis.
- v. Placement of a device to allow vascular access.
- w. Handling of biohazardous waste materials.

2) A licensed veterinary technician may perform the following tasks under the direct supervision of a 24 veterinarian:

- a. Endotracheal. intubation ..
- b. Blood administration and collection.
- c. Fluid aspiration.
- d. Intraperitoneal injections,
- e. Assist during surgery and diagnostics and treatment procedures.
- ~~e. f.~~ Monitoring of vital signs of anesthetized patient,
- ~~f. g.~~ Application of splints.
- g. h. Induce anesthesia by intravenous, intramuscular, or subcutaneous injection, or by inhalation.
- h. i. When the animal is anesthetized, those tasks listed under subdivision (1).
- i. j. Suturing skin lacerations, the site shall be examined by a veterinarian prior to and following suture.

~~3)A veterinary technician may perform the following tasks under the immediate supervision of a veterinarian.~~

- ~~a. Assist veterinarian during surgery and diagnostics.~~
- ~~b. Perform procedures listed under direct and indirect supervision.~~

(3) An unlicensed assistant may perform the following tasks under the indirect supervision of a licensed veterinarian or licensed veterinary technician:

- a. Blood collection for diagnostic purposes.

- b. Fecal sample collection.
- c. Surgical site preparation.
- d. Administration of previously prescribed medications:
  - Ophthalmic, otic, oral, topical, or parenteral.
- e. Handling of biohazardous waste materials.

(4) Under An unlicensed assistant may perform the following tasks under the immediate supervision of a licensed veterinarian or a licensed veterinary technician an unregistered assistant may perform the following tasks:

- a. Blood administration and collection and administration.
- b. Surgical site preparation Placement of a device to allow vascular access.
- c. Gavage.
- d. Diagnostic imaging:
  - 1. Patient preparation and positioning. I
  - 2. Film exposure.
  - 3. Oral and rectal administration of radio-opaque materials.
- e. Intravenous injections of medications not otherwise prohibited.
- f. Laboratory, specimen collection and preparation Exfoliative cytology preparation:
  - 1. Blood collection.
  - 2. Exfoliative cytology preparation.
  - 3. Fecal parasite sample collection and preparation.
- g. Application of bandages.
- h. Ear flush.
- i. Electrocardiography.
- j. Removal of sutures.
- k. Euthanasia.
- l. Assist during surgery and diagnostic.
- m. Place endotracheal tube.

(f) Under the conditions of an emergency, a ~~certified~~ licensed veterinary technician may render the following lifesaving aid and treatment:

- (1) Application of tourniquets or pressure bandages, or both, to control hemorrhage.
- (2) Administration of pharmacological agents and parenteral

fluids shall only be performed after direct communication with a veterinarian authorized to practice in this state and the veterinarian is either present or in route to the location of the distressed animal.

(3) Resuscitative ~~oxygen~~ respiratory procedures.

~~(4) Establishing open airways including intubation appliances.~~

~~(5)~~ (4) External cardiac massage.

~~(6)~~ (5) Application of temporary splints or bandages to prevent further injury to bones or soft tissue.

~~(7)~~ (6) Application of appropriate wound dressings and external supportive treatment in severe burn cases.

(g) Any persons licensed or certified pursuant to this article who gratuitously and in good faith give emergency treatment to a sick or injured animal at the scene of an accident or emergency shall not be liable for damages to the owner of the animal in the absence of gross negligence.

(h) Any licensed veterinary technician who in good faith renders or attempts to render emergency care at the scene of an accident or emergency to the human victim or victims thereof shall not be liable for any civil damages as a result of any act or omission by the person in rendering or attempting to render the emergency care.

(i) Any veterinary technician shall display his or her license at his or her place of employment as to be easily accessible to the public or his or her clients.

(j) The board shall revoke the license of any veterinary technician convicted of or pleading nolo contendere to a felony, a crime involving moral turpitude, or who is guilty of one or more of the following:

(1) Soliciting patients from any practitioner of the healing arts.

(2) Willfully or negligently divulging a professional confidence or discussing a diagnosis or treatment of a veterinarian without the express permission of the veterinarian.

(3) The habitual or excessive use of intoxicants or drugs.

(4) Fraud or misrepresentation in applying for or procuring a license to perform as a veterinary technician or in applying for or procuring an annual registration.

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- (5) Impersonating another person licensed as a veterinary Technician or allowing any person to use his or her license as a technician.
  - (6) Abetting or aiding the practice of veterinary medicine by a person not licensed by the board.
  - (7) Gross negligence in the performance of duties, tasks, or functions assigned to him or her by a licensed veterinarian.
  - (8) Manifest incapability or incompetence to perform as a veterinary technician.

- (k) The board may revoke or suspend any license which they may have issued for violation of this article relating to the practice of veterinary medicine or the conduct of veterinary technicians, or both, for the violation of the administrative code of the board after notice and hearing proceedings, as provided by Section 34-29-79. Appeals from any adverse action of the board under this section shall be made to the Circuit Court of Montgomery County.

- (1) Any veterinarian who permits a veterinary technician to work and perform the duties of a licensed technician in his or her office without having been issued a license or any licensed veterinary technician working in a veterinary office without a license shall be guilty of a misdemeanor. Nothing, however, in this article shall be construed to prevent a student of veterinary ~~medicine~~ technology from performing ~~operations~~ duties necessary to complete course requirements from an accredited school or college of veterinary technology while under the supervision of a competent instructor of veterinary medicine recognized by the Alabama State Board of Veterinary Medical Examiners.

- m) A minimum number of hours of continuing education shall be required yearly for license renewal as provided by the administrative code of the board.

- (n) Graduates of veterinary technology programs not accredited by the AVMA may become eligible for licensure by meeting all of the requirements of the AVMA and successfully passing the AVMA approved veterinary technician licensing examination."

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# Legal Corner Spotlight

## Rabies Confinement and Bite Reporting

**Section 3-7A-9 Quarantine of dog or cat which bites human being; destruction of animal and examination of head; certain acts of or omissions by owner unlawful; delivery of quarantine instructions to owner; report of results; canine corps and seeing eye dogs.**

(a) Whenever the rabies officer or the health officer shall receive information that a human being has been bitten or exposed by a dog or cat required to be immunized against rabies, the health officer or his authorized agent shall cause said dog or cat to be placed in quarantine under the direct supervision of a duly licensed veterinarian for rabies observation as prescribed in Section 3-7A-1. It shall be unlawful for any person having knowledge that a human being has been bitten or exposed by a dog or cat to fail to notify one or more of the aforementioned officers.

***(If a bite occurs in a veterinary facility to either veterinarian or one of his staff; the bite Must be reported IMMEDIATELY to the Rabies or Health Officer and the owner notified that a bite has occurred and what the quarantine requirements are.)***

(b) When said dog or cat is unowned, as determined by the rabies officer or the health officer after reasonable investigation, or where the owner of a dog or cat agrees in writing, or when ordered by the health officer, the animal shall be humanely destroyed immediately after the exposure and the head shall be submitted for rabies examination to the state health department laboratory.

***(The Rabies or Health Officer is the ONLY one who can call for the destruction of the animal for rabies testing. Destruction of the animal without the proper authorization is a violation of Alabama Rabies Law and the licensee is subject to disciplinary action under the Veterinary Practice Act.)***

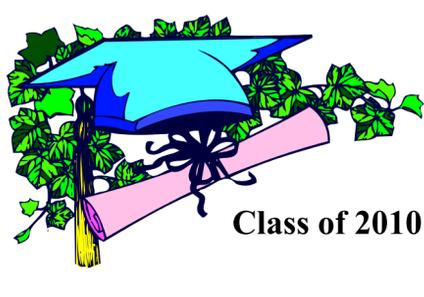
(c) The period of quarantine for animals other than domesticated dogs and cats which have bitten or exposed a human being shall be determined by the Alabama Department of Public Health upon consultation with the U.S. Public Health Service. Provided, however, for those animal species where reliable epidemiologic data are lacking regarding duration of rabies virus secretion from the salivary glands, said animals shall be humanely destroyed and the head submitted for rabies examination to the state health department laboratory.

(d) It shall be a violation of this chapter for the owner of such animal to refuse to comply with the lawful order of the health officer in any particular case. It is unlawful for the owner to sell, give away, transfer to another location or otherwise dispose of any such animal that is known to have bitten or exposed a human being until it is released from quarantine by the rabies officer, duly licensed veterinarian or by the appropriate health officer.

(e) Instructions for the quarantine of the offending animal shall be delivered in person or by telephone to the owner by the health officer or his authorized agent. If such instructions cannot be delivered in such manner, they shall be mailed by regular mail, postage prepaid and addressed to the owner of the animal. The affidavit or testimony of the health officer or his authorized agent, who delivers or mails such instructions, shall be prima facie evidence of the receipt of such instructions by the owner of the animal. Any expenses incurred in the quarantine of the offending animal under this section and Section 3-7A-8 shall be borne by the owner.

(f) The veterinarian under whose care the offending animal has been committed for quarantine shall promptly report the results of his observation of said animal to the attending physician of the human being bitten or exposed and the appropriate health officer.

(g) Canine corps dogs and seeing eye dogs shall be exempt from the quarantine period where such exposure occurs in the line of duty and evidence of proper immunization against rabies is presented, but shall be examined immediately at the end of 10 days by a licensed veterinarian, who shall report the results of his examination to the appropriate health officer as previously authorized. *(Acts 1990, No. 90-530, p. 816, §9.)*



**Class of 2010**

**Congratulations and Best Wishes to  
Auburn & Tuskegee University's  
Veterinary Graduates and  
Jefferson State Community College's  
Veterinary Technician Graduates**

**On-Line License Renewal 2011**

Alabama Interactive will provide on-line renewal service for 2011 license renewal.

Active/Inactive DVMs and Veterinary Technicians will be required to renew their licenses on-line. The renewal link will be provided at the Board's website for ease in access.

**No fees will be charged to the individual for on-line renewal processing.**

**The Board will cover the transaction fees.**

Renewal on-line will include all fees and forms needed for annual renewal. The files will be audited automatically and a certain percentage of on-line renewals will be asked to send proof of CE to the board office. Please remember to send copies only as the copies will be shredded.

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**NEW BOARD APPOINTEES**

On March 26, 2010, Governor Bob Riley made three appointments to the Board; one new member, and two returning for a second term. Expiration date for these appointments has been set for March 14, 2014.

Lewis H. McCurdy, D.V.M., a 1974 Auburn graduate, is appointed to his first term on the Board. Dr. McCurdy owns and operates his mixed animal veterinary practice known as McCurdy Animal Hospital, in Huntsville, AL. Dr. McCurdy was key in establishing the Alabama Veterinary Medical Foundation; its mission is to enhance the "Well Being of Animals in the Human-Animal Bond.

Debbie S. Whitten, L.V.T., a 1977 graduate of Snead State Junior College will be serving her second term on the Board. Ms. Whitten was originally appointed as the first LVT Member of the Board on March 25, 2002. Ms. Whitten works in the research arena in the Primate Surgical Anesthesia and Monitoring at UAB Research Facility.

Ms. Nancy Pett continues to serve as the Public Member of the Board and currently resides in Decatur, AL. She has an vast background in canine ownership education, animal therapy visits to nursing homes and is one of the first four people inducted in the Alabama Animal Hall of Fame after receiving the Bowie-Heath Humanitarian Award.

**FAREWELL & THANK YOU**

Albert Corte Jr., DVM began his third term with the Board on and will serve to March 14, 2010. Dr. Corte is a 1966 Auburn graduate. His practice is primarily large animal medicine at his facility, the "Highland Animal Hospital" in Daphne, AL.

Janet R. Duke Shockley, LVT is a 1978 graduate of Abraham Baldwin College in Tifton GA and is currently employed in a small animal facility in Dothan AL.

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