ACT No. 2010-536

1 SB104

2 115783-2

3 By Senators Butler, Orr, Little (Z), and Little (T)

4 RFD: Governmental Affairs

5 First Read: 12-JAN-10

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GOVERNOR'S
OFFICE

1 SB104

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4 ENROLLED, An Act,

5 To amend Sections 34-29-61, 34-29-76, 34-29-77, and
6 34-29-94 of the Code of Alabama 1975, relating to the practice
7 of veterinary medicine; to revise and add certain definitions;
8 to provide further for certain prohibited acts; and to revise
9 and add authorized tasks for veterinary technicians and
10 unlicensed assistants.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

15 "§34-29-61.

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

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

1 "(2) ANIMAL. Any animal or mammal other than man,
2 including birds, fish, reptiles, wild or domestic, living or dead.
3 "(3) APPLICANT. A person who files an application to
4 be licensed to practice veterinary medicine or licensed as a
5 veterinary technician.
6 "(4) BOARD. Alabama State Board of Veterinary
7 Medical Examiners.
8 "(5) CONSULTING VETERINARIAN. A veterinarian
9 licensed in another state who gives advice or demonstrates
10 techniques to a licensed Alabama veterinarian or group of
11 licensed Alabama veterinarians. A consulting veterinarian
12 shall not utilize this privilege to circumvent the law.
13 "(6) DIRECT SUPERVISION. The supervising
14 veterinarian has initially examined the animal and will
15 examine at other times as acceptable veterinary medical
16 practice requires, consistent with the particular delegated
17 animal health care task. The supervising veterinarian is on
18 the premises and is quickly and easily available .
19 "(7) EMERGENCY. The animal has been placed in a life
20 threatening condition and immediate treatment is necessary to
21 sustain life.
22 "(8) FOREIGN VETERINARY GRADUATE, EXCLUDING CANADA.
23 Any person, including a foreign national or an American
24 citizen, who has received a professional veterinarian medical
25 degree from an American Veterinary Medical Association listed

1 veterinary college that is not accredited by the American
2 Veterinary Medical Association.
3 "(9) IMMEDIATE SUPERVISION. The supervising
4 veterinarian is on the premises and in audible or visual range
5 of the animal patient and the person treating the patient.
6 "(10) INDIRECT SUPERVISION. The supervising
7 veterinarian has examined the animal and has given written or
8 oral instructions for the treatment of the animal while the
9 supervising veterinarian is away from the premises.
10 "(11) LICENSE. Any permit, approval, registration,
11 or certificate of qualification issued by the board.
12 "(12) LICENSED VETERINARIAN. A person who is validly
13 and currently licensed to practice veterinary medicine in
14 Alabama.
15 "(13) LICENSED VETERINARY TECHNICIAN. A person who
16 is validly and currently licensed to practice as a veterinary
17 technician in Alabama.
18 " (14) PERSON. Any individual, firm, partnership,
19 association, joint venture, cooperative, or corporation or any
20 other group or combination acting in concert; and whether or
21 not acting as a principal, trustee, fiduciary, receiver, or as
22 any kind of legal or personal representative, or as the
23 successor in interest, assigning agent, factor, servant,
24 employee, director, officer, or any other representative of
25 such person.

1 " (15) PRACTICE OF VETERINARY MEDICINE:

2 "a. To diagnose, treat, correct, change, relieve, or
3 prevent animal disease, deformity, defect, injury, or other
4 physical or mental condition; including the prescription or
5 administration of any drug, medicine, biologic, apparatus,
6 application, anesthesia, or other therapeutic or diagnostic
7 substance or technique on any animal including but not limited
8 to acupuncture, dentistry, animal psychology, animal
9 chiropractic, theriogenology, surgery, including cosmetic
10 surgery, any manual, mechanical, biological, or chemical
11 procedure for testing for pregnancy or for correcting
12 sterility or infertility, or to render service or
13 recommendations with regard to any of the above.

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

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

23 "d. Collects blood or other samples for the purpose
24 of diagnosing disease or other conditions. This paragraph
25 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.

1 " (16) SUPERVISING VETERINARIAN. A veterinarian who
2 assumes responsibility for the professional care given to an
3 animal by a person working under his or her direction.
4 " (17) TEMPORARY LICENSE. Temporary permission to
5 practice veterinary medicine issued by the board pursuant to
6 this article.
7 " (18) UNLICENSED ASSISTANT. Any individual who is
8 not a licensed veterinary technician or veterinarian and is
9 employed by a licensed veterinarian.
10 " (19) VETERINARIAN, DOCTOR OF VETERINARY MEDICINE,
11 DVM, VMD, OR EQUIVALENT TITLE. A person who has received a
12 doctor's degree in veterinary medicine from an accredited
13 school of veterinary medicine or holds an Educational
14 Commission for Foreign Veterinary Graduates (ECFVG)
15 certificate issued by the American Veterinary Medical
16 Association (AVMA).
17 " (20) VETERINARIAN-CLIENT-PATIENT RELATIONSHIP
18 (VCPR). A relationship when the veterinarian has assumed
19 responsibility for making medical judgments regarding the
20 health of the animal or animals and the need for medical
21 treatment and is created by actual examination by the
22 veterinarian of the animal or a representative segment of a
23 consignment or herd.

1 " (21) VETERINARY FACILITIES. Any place or unit from
2 which the practice of veterinary medicine is conducted. The
3 following are types of veterinary facilities:
4 "a. Veterinary or Animal Hospital or Clinic. Meets
5 or exceeds all mandatory requirements as listed in the
6 administrative code of the board for veterinary facilities. In
7 doing so, it provides quality examination, diagnostic, and
8 health maintenance services for medical and surgical treatment
9 of animals and is equipped to provide housing and nursing care
10 for the animals during illness or convalescence.
11 "b. Specialty Practice or Clinic. Provides complete
12 specialty service by a veterinarian who has advanced training
13 in that specialty and is a diplomat of an approved specialty
14 college. It meets all minimum standards that are applicable to
15 that specialty.
16 "c. Central Hospital. Shall meet all requirements of
17 paragraph a, as well as provide specialized care including
18 24-hour nursing care and specialty consultation on a permanent
19 or on-call basis. It is mainly utilized on referral from area
20 veterinary hospitals or clinics.
21 "d. Satellite, Outpatient, or Mobile Small Animal
22 Clinics. A supportive facility owned by or associated with, or
23 both, and has ready access to, within a reasonable distance, a
24 full-service veterinary hospital or clinic or a central
25 hospital providing all mandatory services and meeting all

1 minimum standards. The public shall be informed of the
2 limitation of services by way of a posted notice in plain view
3 and easily readable or by notice provided to the client by
4 flyer or card which clearly specifies those mandatory
5 veterinary medical services which are not provided. In
6 addition, the main location and telephone number of the
7 veterinary hospital or clinic providing the required service,
8 as well as the signed agreement with the veterinary hospital
9 or clinic shall also be posted in plain view and be easily
10 readable. A veterinarian associated with this veterinary
11 hospital or clinic shall be on call during and after operation
12 of the satellite, outpatient, or mobile clinic to render aid
13 if necessary. The personnel of satellite, outpatient, or
14 mobile clinics shall consist of one or more veterinarians and
15 auxiliary personnel necessary to provide adequate outpatient
16 service. Operation of any satellite, outpatient, or mobile
17 clinic shall be under the direct supervision of a licensed
18 veterinarian who remains on the premises during the entire
19 time of operation.
20 "e. Large Animal Mobile Clinic. Must provide
21 examination, diagnostic, and preventive medicine, and minor
22 surgical services for large animals not requiring confinement
23 or hospitalization. Emergency service and radiology service
24 shall be provided by that veterinarian or by written agreement
25 with another veterinarian or group of veterinarians in

1 practice in that locale. These clinics shall provide a degree
2 of veterinary care compatible with the level of standards
3 considered adequate to the practice of veterinary medicine
4 currently available in the area. Complete hospital facilities
5 may be provided by the nearest large animal hospital or
6 veterinary school.
7 "f. Emergency Clinic. A facility established to
8 receive patients and to treat illnesses and injuries of an
9 emergency nature requiring treatment. The clinic shall provide
10 professional diagnostic and emergency treatment during hours
11 when local veterinary hospitals are normally closed. Emergency
12 clinics shall meet all mandatory requirements of a veterinary
13 hospital or clinic.
14 " (22) VETERINARY MEDICINE. Includes veterinary
15 surgery, theriogenology, dentistry, acupuncture, animal
16 psychology, chiropractic, and all other branches or
17 specialties of veterinary practice.
18 " (23) VETERINARY INTERN. A person who is working
19 towards completion of an ECFVG certificate and who is working
20 under the direct or indirect supervision of a board approved
21 licensed veterinarian in any state to complete the practical
22 experience internship required for licensing in Alabama.
23 " (24) VETERINARY STUDENT PRECEPTEE. A person who is
24 pursuing a veterinary degree in an accredited school of
25 veterinary medicine which has a preceptor or extern program

1 and who has completed the academic requirements of the
2 program.
3 "(25) VETERINARY TECHNICIAN STUDENT. Any person
4 enrolled in an AVMA accredited veterinary technology program;
5 gaining clinical experience under the supervision of a
6 licensed veterinarian or licensed veterinary technician in a
7 clinical setting.
8 "(26) VETERINARY TECHNOLOGY. The skills and
9 knowledge accrued in a post-high school course of study
10 accredited by the AVMA Committee on Education (COE) or the
11 Alabama board, in the area of care and treatment of animals.
12 It embodies limited skills, responsibility, and minimal
13 exercise of independent judgment in the treatment of patients
14 of veterinarians while under direct, indirect, or immediate
15 supervision of a veterinarian.
16 " (27) WHOLESALE VETERINARY DRUG DISTRIBUTOR. A
17 person engaged in the business of distributing veterinary
18 drugs and medicines for resale to veterinary practitioners and
19 other veterinary wholesalers and possesses a current permit
20 issued by the Alabama Board of Pharmacy to engage in the
21 selling of veterinary drugs or medicines in the State of
22 Alabama.
23 "§34-29-76.
24 "No person shall practice veterinary medicine or
25 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) No person shall present as his or her own the license of another.

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

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

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

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

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

" (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

1 location of the veterinarian, without a license to practice in
2 this state and without establishing a
3 veterinarian-client-patient relationship.
4 " (10) No person convicted of fraud, deceit, gross
5 negligence, incompetency, violation of the administrative code
6 of the board, or any other misconduct in the practice of
7 veterinary medicine shall be allowed to retain his or her
8 license to practice veterinary medicine and surgery in
9 Alabama.
10 " (11) No person convicted of or pleading nolo
11 contendere to a felony or a crime involving moral turpitude
12 shall be allowed to retain his or her license to practice
13 veterinary medicine and surgery in Alabama.
14 "§34-29-77.
15 "No person shall practice veterinary medicine or
16 veterinary technology in the State of Alabama who is not a
17 currently and validly licensed veterinarian or licensed
18 veterinary technician or the holder of a temporary permit
19 issued by the board. This article shall not be construed to
20 prohibit any of the following:
21 "(1) A student in a school or college of veterinary
22 medicine from the performance of duties assigned by his or her
23 instructor or from working as a veterinary student preceptee
24 under direct or indirect supervision of a licensed
25 veterinarian.

1 "(2) A student in a school or college of veterinary
2 technology accredited by the AVMA from the performance of
3 duties assigned by his or her instructor or from working as a
4 veterinary technician student under direct or indirect
5 supervision of a licensed veterinarian or licensed veterinary
6 technician.
7 " (3) Any doctor of veterinary medicine in the
8 employ of a state or federal agency while actually engaged in
9 the performance of his or her official duties; however, this
10 exemption shall not apply to a person when he or she is not
11 engaged in carrying out his or her official duties or is not
12 working at or for the installations for which his or her
13 services were engaged.
14 " (4) Any person or his or her regular employee,
15 administering to the ills or injuries of his or her own
16 animals, including but not limited to, castration and
17 dehorning of cattle unless title is transferred or employment
18 changed for the purpose of circumventing this article.
19 " (5) State agencies, accredited schools,
20 institutions, foundations, business corporations or
21 associations, physicians licensed to practice medicine and
22 surgery in all its branches, graduate doctors of veterinary
23 medicine, or persons under direct supervision thereof, which
24 or who conduct experiments and scientific research on animals
25 in the development of pharmaceuticals, biologicals, serums, or

1 methods of treatment or techniques for diagnosis or treatment
2 of human ailments or when engaged in the study and development
3 of methods and techniques directly or indirectly applicable to
4 the problems of the practice of veterinary medicine.
5 "(6) Qualified practitioners of veterinary medicine
6 and surgery from without the State of Alabama consulting with
7 licensed veterinarians in Alabama. No veterinarian of any
8 other state shall actively and actually practice veterinary
9 medicine in Alabama unless and until he or she shall obtain a
10 license to practice veterinary medicine from the Alabama State
11 Board of Veterinary Medical Examiners and shall comply with
12 the other requirements contained in this article.
13 "(7) A member of the faculty of a veterinary school
14 performing his or her regular functions or a person giving
15 board approved lectures, instructions, or demonstrations in
16 connection with continuing education courses or seminars to
17 licensed veterinarians, licensed veterinary technicians,
18 veterinary students, or veterinary technician students.
19 "(8) Persons from gratuitously giving aid,
20 assistance, or relief in emergency cases if they do not
21 represent themselves to be veterinarians or use any title or
22 degree appertaining to the practice thereof.
23 "(9) Fishery biologists actively employed by the
24 State of Alabama, the United States government, or any person

1 in the production or management of commercial food or game
2 fish while in the performance of their official duties.
3 "(10) A person from being or practicing as a
4 "veterinary intern", as that term is defined in subdivision
5 (22) of Section 34-29-61.
6 "§34-29-94.
7 "(a) In order to obtain a license as a veterinary
8 technician, the applicant shall do all of the following:
9 "(1) Submit a complete notarized application on a
10 form prescribed by the board setting forth that the applicant
11 meets all of the following qualifications:
12 "a. At least 18 years of age.
13 "b. Of good character.
14 "c. Has attained a competent school education and
15 has received a diploma in veterinary technology from an
16 American Veterinary Medical Association accredited school, or
17 other school of veterinary technology approved by the board.
18 "(2) Submit an application accompanied by an
19 authenticated copy of the college transcript of the applicant
20 signed by the dean or the registrar of the school, college, or
21 university.
22 "(3) Submit an application accompanied by a
23 photograph of reasonable likeness of the applicant taken
24 within six months of the date of the application.

1 "(4) Submit an application fee as prescribed by the
2 board.
3 "(b) Notification and penalty for nonrenewal of
4 licenses for veterinary technicians shall be applied as
5 provided in this article for veterinarians.
6 "(c) The board may adopt the Veterinary Technician
7 National Examination and passing criteria prepared by the
8 Professional Examination Service (PES), or any other
9 veterinary technician national examination as the sole
10 veterinary technicians examination or in addition to a state
11 examination at its discretion.
12 "(1) Examination of applicants for licensing as
13 veterinary technicians in Alabama shall be held at a time,
14 place, and date set by the board. Appropriate public notice of
15 the time and place of the examination shall be given at least
16 90 days in advance of the date set forth for the examination.
17 "(2) A passing score on the AVMA approved National
18 Licensing Examination shall be determined by the professional
19 examination provider based on a national criteria which
20 reflects a passing score of at least 70 percent. Each
21 applicant who passes the examination and meets all other
22 requirements for licensure prescribed by the board shall be
23 granted a license as a veterinary technician and shall be
24 registered as such and a record kept by the board, and shall
25 receive a license in a form to be prescribed by the board.

1 "(d) There shall be an annual renewal of each
2 veterinary technician's license and the renewal fee
3 established and published by the board.
4 "(e) The supervising veterinarian may require a
5 licensed veterinary technician to perform any task for which
6 he or she has been trained as delineated in the American
7 Veterinary Medical Association's essential tasks list for
8 veterinary technician teaching programs. The following tasks
9 may be performed under the level of supervision indicated
10 unless specifically prohibited by regulation and the
11 supervision shall be under a licensed veterinarian currently
12 registered to practice in this state, provided the
13 veterinarian makes examinations in a manner and frequency
14 consistent with the accepted standard of care for the
15 condition of the patient and for the condition being treated:
16 "(1) A licensed veterinary technician may perform
17 the following tasks under the indirect supervision of a
18 veterinarian. If the animal is anesthetized, these tasks shall
19 require the direct supervision of a veterinarian:
20 "a. Dental Prophylaxis.
21 "b. Enemas.
22 "c. Electrocardiography.
23 "d. Application of bandages.
24 "e. Catheterization of the unobstructed bladder and
25 inserting indwelling catheter.

1 "f. Gavage.
2 "g. Ear flush.
3 "h. Surgical site preparation.
4 "i. Diagnostic imaging:
5 "1. Patient preparation and positioning.
6 "2. Operation of X-ray and ultrasound machines.
7 "3. Oral and rectal administration of radio-opaque
8 materials.
9 "j. Injections of medications not otherwise
10 prohibited:
11 "1. Intramuscular.
12 "2. Subcutaneous.
13 "3. Intravenous.
14 "4. Intradermal.
15 "k. Oral medications.
16 "l. Topical medication.
17 "m. Laboratory:
18 "1. Collection of tissue during or after a
19 veterinarian has performed necropsy.
20 "2. Urinalysis.
21 "3. Hematology.
22 "4. Parasitology.
23 "5. Exfoliative cytology.
24 "6. Microbiology.
25 "7. Blood chemistry.

1 "8. Serology.
2 "9. Coprology.
3 "n. Administration of preanesthetic drugs.
4 "o. Oxygen therapy.
5 "p. Removal of partially exposed foreign objects
6 from skin and feet.
7 "q. Removal of sutures.
8 "r. Euthanasia.
9 "s. Administration of immunological agents.
10 "t. Blood collection for diagnostic purposes.
11 "u. Cystocentesis.
12 "v. Placement of a device to allow vascular access.
13 "w. Handling of biohazardous waste materials.
14 "(2) A licensed veterinary technician may perform
15 the following tasks under the direct supervision of a
16 veterinarian:
17 "a. Endotracheal intubation.
18 "b. Blood administration and collection.
19 "c. Fluid aspiration.
20 "d. Intraperitoneal injections.
21 "e. Assist during surgery and diagnostics and
22 treatment procedures.
23 " f. Monitoring of vital signs of anesthetized
24 patient.
25 " g. Application of splints.

1 " h. Induce anesthesia by intravenous,
2 intramuscular, or subcutaneous injection, or by inhalation.
3 " i. When the animal is anesthetized, those tasks
4 listed under subdivision (1).
5 " j. Suturing skin lacerations, the site shall be
6 examined by a veterinarian prior to and following suture.
7 "(3) An unlicensed assistant may perform the
8 following tasks under the indirect supervision of a licensed
9 veterinarian or licensed veterinary technician:
10 "a. Blood collection for diagnostic purposes.
11 "b. Fecal sample collection.
12 "c. Surgical site preparation.
13 "d. Administration of previously prescribed
14 medications: Opthalmic, otic, oral, topical, or parenteral.
15 "e. Handling of biohazardous waste materials.
16 "(4) An unlicensed assistant may perform the
17 following tasks under the immediate supervision of a licensed
18 veterinarian or a licensed veterinary technician :
19 "a. Blood collection and administration.
20 "b. Placement of a device to allow vascular access.
21 "c. Gavage.
22 "d. Diagnostic imaging:
23 "1. Patient preparation and positioning.
24 "2. Film exposure.

1 "3. Oral and rectal administration of radio-opaque
2 materials.
3 "e. Intravenous injections of medications not
4 otherwise prohibited.
5 "f. Exfoliative cytology preparation:
6 "g. Application of bandages.
7 "h. Ear flush.
8 "i. Electrocardiography.
9 "j. Removal of sutures.
10 "k. Euthanasia.
11 "l. Assist during surgery and diagnostics.
12 "m. Place endotracheal tube.
13 "(f) Under the conditions of an emergency, a
14 licensed veterinary technician may render the following
15 lifesaving aid and treatment:
16 "(1) Application of tourniquets or pressure
17 bandages, or both, to control hemorrhage.
18 "(2) Administration of pharmacological agents and
19 parenteral fluids shall only be performed after direct
20 communication with a veterinarian authorized to practice in
21 this state and the veterinarian is either present or in route
22 to the location of the distressed animal.
23 "(3) Resuscitative respiratory procedures.
24 " (4) External cardiac massage.

1 " (5) Application of temporary splints or bandages
2 to prevent further injury to bones or soft tissue.
3 " (6) Application of appropriate wound dressings and
4 external supportive treatment in severe burn cases.
5 "(g) Any persons licensed or certified pursuant to
6 this article who gratuitously and in good faith give emergency
7 treatment to a sick or injured animal at the scene of an
8 accident or emergency shall not be liable for damages to the
9 owner of the animal in the absence of gross negligence.
10 "(h) Any licensed veterinary technician who in good
11 faith renders or attempts to render emergency care at the
12 scene of an accident or emergency to the human victim or
13 victims thereof shall not be liable for any civil damages as a
14 result of any act or omission by the person in rendering or
15 attempting to render the emergency care.
16 "(i) Any veterinary technician shall display his or
17 her license at his or her place of employment as to be easily
18 accessible to the public or his or her clients.
19 "(j) The board shall revoke the license of any
20 veterinary technician convicted of or pleading nolo contendere
21 to a felony, a crime involving moral turpitude, or who is
22 guilty of one or more of the following:
23 "(1) Soliciting patients from any practitioner of
24 the healing arts.

1 "(2) Willfully or negligently divulging a
2 professional confidence or discussing a diagnosis or treatment
3 of a veterinarian without the express permission of the
4 veterinarian.
5 "(3) The habitual or excessive use of intoxicants or
6 drugs.
7 "(4) Fraud or misrepresentation in applying for or
8 procuring a license to perform as a veterinary technician or
9 in applying for or procuring an annual registration.
10 "(5) Impersonating another person licensed as a
11 veterinary technician or allowing any person to use his or her
12 license as a technician.
13 "(6) Abetting or aiding the practice of veterinary
14 medicine by a person not licensed by the board.
15 "(7) Gross negligence in the performance of duties,
16 tasks, or functions assigned to him or her by a licensed
17 veterinarian.
18 "(8) Manifest incapability or incompetence to
19 perform as a veterinary technician.
20 "(k) The board may revoke or suspend any license
21 which they may have issued for violation of this article
22 relating to the practice of veterinary medicine or the conduct
23 of veterinary technicians, or both, for the violation of the
24 administrative code of the board after notice and hearing
25 proceedings, as provided by Section 34-29-79. Appeals from any

1 adverse action of the board under this section shall be made
2 to the Circuit Court of Montgomery County.
3 "(l) Any veterinarian who permits a veterinary
4 technician to work and perform the duties of a licensed
5 technician in his or her office without having been issued a
6 license or any licensed veterinary technician working in a
7 veterinary office without a license shall be guilty of a
8 misdemeanor. Nothing, however, in this article shall be'
9 construed to prevent a student of veterinary technology from
10 performing duties necessary to complete course requirements
11 from an accredited school or college of veterinary technology
12 while under the supervision of a competent instructor of
13 veterinary medicine recognized by the Alabama State Board of
14 Veterinary Medical Examiners.
15 "(m) A minimum number of hours of continuing
16 education shall be required yearly for license renewal as
17 provided by the administrative code of the board.
18 "(n) Graduates of veterinary technology programs not
19 accredited by the AVMA may become eligible for licensure by
20 meeting all of the requirements of the AVMA and successfully
21 passing the AVMA approved veterinary technician licensing
22 examination."
23 Section 2. This act shall become effective on the
24 first day of the third month following its passage and
25 approval by the Governor, or its otherwise becoming law.

President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB104

Senate 17-FEB-10

I hereby certify that the within Act originated in and passed the Senate.

McDowell Lee
Secretary

House of Representatives
Passed: 14-APR-10

By: Senator Butler

APPROVED April 21, 2010
TIME 8:37 a.m.
GOVERNOR

Alabama Secretary Of State

Act Num....: 2010-536
Bill Num...: S-104

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