

## HB 705 -- Practice of Veterinary Medicine

Sponsor: Brown (149)

Currently, when anyone practices veterinary medicine without a license, certificate, permit, or other authority the Missouri Veterinary Medical Board within the Department of Insurance, Financial Institutions and Professional Registration is authorized to file for an injunction against the person in the county in which the illegal practice occurred. This bill specifies that the person will be guilty of a class A misdemeanor and allows the board to file a complaint against the person with the Administrative Hearing Commission and initiate an investigation.

The board may also issue a civil penalty or an order to cease and desist from the practice. A civil penalty cannot exceed \$5,000 for each offense. Each day of continued violation constitutes a separate offense with a maximum penalty of \$25,000. Certain considerations are specified in the bill for determining the amount of the civil penalty to be imposed.

Payment of the civil penalty must be made within 60 days of the filing of the order or, if the order is stayed pending appeal, within 10 days of the final order. If the penalty is not paid as required, the board must notify the Attorney General who is to commence an action to recover the amount of the penalty, including attorney fees and costs, and a surcharge of 15% of the penalty and 10% per annum on any amounts owed.

Any offer of settlement to resolve a civil penalty or a cease and desist order must be in writing stating that an action for imposition of a civil penalty or to cease and desist may be initiated by the Attorney General on behalf of the board and identifying the dollar amount or activities that the unlicensed person is to cease and desist as an offer of settlement.