

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 1828, Page 2, Section 273.450, Line 52,
2 by inserting after all of said section and line the following:

3
4 "340.200. When used in sections 340.200 to 340.330, the following terms mean:

5 (1) "Accredited school of veterinary medicine", any veterinary college or division of a
6 university or college that offers the degree of doctor of veterinary medicine or its equivalent and is
7 accredited by the American Veterinary Medical Association (AVMA);

8 (2) "Animal", any wild, exotic or domestic, living or dead animal or mammal other than
9 man, including birds, fish and reptiles;

10 (3) "Animal chiropractic", the examination and diagnosis of an animal and treatment of the
11 animal through vertebral subluxation complex, spinal, joint, and musculoskeletal manipulation by
12 an animal chiropractic practitioner. The term shall not be construed to allow the performing of
13 surgery, dispensing or administering of medications, or the performance of veterinary medicine;

14 (4) "Animal chiropractic practitioner", a licensed veterinarian certified by the AVCA or
15 IVCA, or an individual who is licensed by the state board of chiropractic examiners to engage in the
16 practice of chiropractic, as defined in section 331.010, who is certified by the AVCA or IVCA;

17 (5) "Applicant", an individual who files an application to be licensed to practice veterinary
18 medicine or to be registered as a veterinary technician;

19 [(4)] (6) "Appointed member of the board", regularly appointed members of the Missouri
20 veterinary medical board, not including the state veterinarian who serves on the board ex officio;

21 [(5)] (7) "AVCA", the American Veterinary Chiropractic Association or its successor
22 organization;

23 (8) "Board", the Missouri veterinary medical board;

24 [(6)] (9) "Consulting veterinarian", a veterinarian licensed in another state, country or
25 territory who gives advice or demonstrates techniques to a licensed Missouri veterinarian or group
26 of licensed Missouri veterinarians;

27 [(7)] (10) "ECFVG certificate", a certificate issued by the American Veterinary Medical
28 Association Educational Commission for Foreign Veterinary Graduates or its successor. The
29 certificate must indicate that the holder of the certificate has demonstrated knowledge and skill
30 equivalent to that possessed by a graduate of an accredited school of veterinary medicine;

31 [(8)] (11) "Emergency", when an animal has been placed in a life-threatening condition and
32 immediate treatment is necessary to sustain life or where death is imminent and action is necessary
33 to relieve pain or suffering;

34 [(9)] (12) "Faculty member", full professors, assistant professors, associate professors,
35 clinical instructors and residents but does not include interns or adjunct appointments;

36 [(10)] (13) "Foreign veterinary graduate", any person, including foreign nationals and

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1 American citizens, who has received a professional veterinary medical degree from an AVMA listed
2 veterinary college located outside the boundaries of the United States, its territories or Canada, that
3 is not accredited by the AVMA;

4 ~~[(11)]~~ (14) "IVCA", the International Veterinary Chiropractic Association or its successor
5 organization;

6 ~~(15)~~ "License", any permit, approval, registration or certificate issued or renewed by the
7 board;

8 ~~[(12)]~~ (16) "Licensed veterinarian", an individual who is validly and currently licensed to
9 practice veterinary medicine in Missouri as determined by the board in accordance with the
10 requirements and provisions of sections 340.200 to 340.330;

11 ~~[(13)]~~ (17) "Minimum standards", standards as set by board rule and which establish the
12 minimum requirements for the practice of veterinary medicine in the state of Missouri as are
13 consistent with the intent and purpose of sections 340.200 to 340.330;

14 ~~[(14)]~~ (18) "Person", any individual, firm, partnership, association, joint venture,
15 cooperative or corporation or any other group or combination acting in concert; whether or not
16 acting as principal, trustee, fiduciary, receiver, or as any kind of legal or personal representative or
17 as the successor in interest, assigning agent, factor, servant, employee, director, officer or any other
18 representative of such person;

19 ~~[(15)]~~ (19) "Practice of veterinary medicine", to represent directly, indirectly, publicly or
20 privately an ability and willingness to do any act described in subdivision ~~[(28)]~~ (32) of this section;

21 ~~[(16)]~~ (20) "Provisional license", a license issued to a person while that person is engaged in
22 a veterinary candidacy program;

23 ~~[(17)]~~ (21) "Registered veterinary technician", a person who is formally trained for the
24 specific purpose of assisting a licensed veterinarian with technical services under the appropriate
25 level of supervision as is consistent with the particular delegated animal health care task;

26 ~~[(18)]~~ (22) "Supervision":

27 (a) "Immediate supervision", the licensed veterinarian is in the immediate area and within
28 audible and visual range of the animal patient and the person treating the patient;

29 (b) "Direct supervision", the licensed veterinarian is on the premises where the animal is
30 being treated and is quickly and easily available and the animal has been examined by a licensed
31 veterinarian at such times as acceptable veterinary medical practice requires consistent with the
32 particular delegated animal health care task;

33 (c) "Indirect supervision", the licensed veterinarian need not be on the premises but has
34 given either written or oral instructions for the treatment of the animal patient or treatment protocol
35 has been established and the animal has been examined by a licensed veterinarian at such times as
36 acceptable veterinary medical practice requires consistent with the particular delegated health care
37 task; provided that the patient is not in a surgical plane of anesthesia and the licensed veterinarian is
38 available for consultation on at least a daily basis;

39 ~~[(19)]~~ (23) "Supervisor", a licensed veterinarian employing or utilizing the services of a
40 registered veterinary technician, veterinary intern, temporary provisional licensee, veterinary
41 medical student, unregistered assistant or any other individual working under that veterinarian's
42 supervision;

43 ~~[(20)]~~ (24) "Temporary license", any temporary permission to practice veterinary medicine
44 issued by the board pursuant to section 340.248;

45 ~~[(21)]~~ (25) "Unregistered assistant", any individual who is not a registered veterinary
46 technician or licensed veterinarian and is employed by a licensed veterinarian;

47 ~~[(22)]~~ (26) "Veterinarian", "doctor of veterinary medicine", "DVM", "VMD", or equivalent
48 title, a person who has received a doctor's degree in veterinary medicine from an accredited school

1 of veterinary medicine or holds a ECFVG certificate issued by the AVMA;

2 ~~[(23)]~~ (27) "Veterinarian-client-patient relationship", the veterinarian has assumed the
3 responsibility for making medical judgments regarding the health of the animal and the need for
4 medical treatment, and the client, owner or owner's agent has agreed to follow the instructions of the
5 veterinarian. There is sufficient knowledge of the animal by the veterinarian to initiate at least a
6 general or preliminary diagnosis of the medical condition of the animal. Veterinarian-client-patient
7 relationship means that the veterinarian has recently seen and is personally acquainted with the
8 keeping and care of the animal by virtue of an examination or by medically appropriate and timely
9 visits to the premises where the animal is kept. The practicing veterinarian is readily available for
10 follow-up care in case of adverse reactions or failure of the prescribed course of therapy;

11 ~~[(24)]~~ (28) "Veterinary candidacy program", a program by which a person who has received
12 a doctor of veterinary medicine or equivalent degree from an accredited school of veterinary
13 medicine can obtain the practical experience required for licensing in Missouri pursuant to sections
14 340.200 to 340.330;

15 ~~[(25)]~~ (29) "Veterinary facility", any place or unit from which the practice of veterinary
16 medicine is conducted, including but not limited to the following:

17 (a) "Veterinary or animal hospital or clinic", a facility that meets or exceeds all physical
18 requirements and minimum standards as established by board rule for veterinary facilities; provides
19 quality examination, diagnostic and health maintenance services for medical and surgical treatment
20 of animals and is equipped to provide housing and nursing care for animals during illness or
21 convalescence;

22 (b) "Specialty practice or clinic", a facility that provides complete specialty service by a
23 licensed veterinarian who has advanced training in a specialty and is a diplomate of an approved
24 specialty board. A specialty practice or clinic shall meet all minimum standards which are
25 applicable to a specialty as established by board rule;

26 (c) "Central hospital", a facility that meets all requirements of a veterinary or animal
27 hospital or clinic as defined in paragraph (a) of this subdivision and other requirements as
28 established by board rule, and which provides specialized care, including but not limited to twenty-
29 four-hour nursing care and specialty consultation on permanent or on-call basis. A central hospital
30 shall be utilized primarily on referral from area veterinary hospitals or clinics;

31 (d) "Satellite, outpatient or mobile small animal clinic", a supportive facility owned by or
32 associated with and has ready access to a full-service veterinary hospital or clinic or a central
33 hospital providing all mandatory services and meeting all physical requirements and minimum
34 standards as established by sections 340.200 to 340.330 or by board rule;

35 (e) "Large animal mobile clinic", a facility that provides examination, diagnostic and
36 preventive medicine and minor surgical services for large animals not requiring confinement or
37 hospitalization;

38 (f) "Emergency clinic", a facility established to receive patients and to treat illnesses and
39 injuries of an emergency nature;

40 ~~[(26)]~~ (30) "Veterinary candidate", a person who has received a doctor of veterinary
41 medicine or equivalent degree from an accredited school or college of veterinary medicine and who
42 is working under the supervision of a board-approved licensed veterinarian;

43 ~~[(27)]~~ (31) "Veterinary intern", a person who has received a doctor of veterinary medicine
44 or equivalent degree from an accredited school or college of veterinary medicine and who is
45 participating in additional clinical training in veterinary medicine to prepare for AVMA-recognized
46 certification or specialization;

47 ~~[(28)]~~ (32) "Veterinary medicine", the science of diagnosing, treating, changing, alleviating,
48 rectifying, curing or preventing any animal disease, deformity, defect, injury or other physical or

1 mental condition, including, but not limited to, the prescription or administration of any drug,
2 medicine, biologic, apparatus, application, anesthesia or other therapeutic or diagnostic substance or
3 technique on any animal, including, but not limited to, acupuncture, dentistry, animal psychology,
4 ~~[animal chiropractic,]~~ theriogenology, surgery, both general and cosmetic surgery, any manual,
5 mechanical, biological or chemical procedure for testing for pregnancy or for correcting sterility or
6 infertility or to render service or recommendations with regard to any of the procedures in this
7 ~~[paragraph]~~ subdivision;

8 ~~[(29)]~~ (33) "Veterinary student preceptee", a person who is pursuing a veterinary degree in
9 an accredited school of veterinary medicine which has a preceptor program and who has completed
10 the academic requirements of such program.

11 340.216. 1. It is unlawful for any person not licensed as a veterinarian under the provisions
12 of sections 340.200 to 340.330 to practice veterinary medicine or to do any act which requires
13 knowledge of veterinary medicine for valuable consideration, or for any person not so licensed to
14 hold himself or herself out to the public as a practitioner of veterinary medicine by advertisement,
15 the use of any title or abbreviation with the person's name, or otherwise; except that nothing in
16 sections 340.200 to 340.330 shall be construed as prohibiting:

17 (1) Any person from gratuitously providing emergency treatment, aid or assistance to
18 animals where a licensed veterinarian is not available within a reasonable length of time if the
19 person does not represent himself or herself to be a veterinarian or use any title or degree
20 appertaining to the practice thereof;

21 (2) Acts of a person who is a student in good standing in a school or college of veterinary
22 medicine or while working as a student preceptee, in performing duties or functions assigned by the
23 student's instructors, or while working under the appropriate level of supervision of a licensed
24 veterinarian as is consistent with the particular delegated animal health care task as established by
25 board rule, and acts performed by a student in a school or college of veterinary medicine recognized
26 by the board and performed as part of the education and training curriculum of the school under the
27 supervision of the faculty. The unsupervised or unauthorized practice of veterinary medicine, even
28 though on the premises of a school or college of veterinary medicine, is prohibited;

29 (3) Personnel employed by the United States Department of Agriculture or the Missouri
30 department of agriculture from engaging in animal disease, parasite control or eradication programs,
31 or other functions specifically required and authorized to be performed by unlicensed federal or
32 state officials under any lawful act or statute, except that this exemption shall not apply to such
33 persons not actively engaged in performing or fulfilling their official duties and responsibilities;

34 (4) Any merchant or manufacturer from selling drugs, medicine, appliances or other
35 products used in the prevention or treatment of animal diseases if such drug, medicine, appliance or
36 other product is not marked by the appropriate federal label. Such merchants or manufacturers shall
37 not, either directly or indirectly, attempt to diagnose a symptom or disease in order to advise
38 treatment, use of drugs, medicine, appliances or other products;

39 (5) The owner of any animal or animals and the owner's full-time employees from caring
40 for and treating any animals belonging to such owner, with or without the advice and consultation of
41 a licensed veterinarian, provided that the ownership of the animal or animals is not transferred, or
42 employment changed, to avoid the provisions of sections 340.200 to 340.330; however, only a
43 licensed veterinarian may immunize or treat an animal for diseases which are communicable to
44 humans and which are of public health significance, except as otherwise provided for by board rule;

45 (6) Any graduate of any accredited school of veterinary medicine while engaged in a
46 veterinary candidacy program or foreign graduate from a nonaccredited school or college of
47 veterinary medicine while engaged in a veterinary candidacy program or clinical evaluation
48 program, and while under the appropriate level of supervision of a licensed veterinarian performing

1 acts which are consistent with the particular delegated animal health care task;

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

9 (8) Any veterinary technician, duly registered by, and in good standing with, the board from
10 administering medication, appliances or other products for the treatment of animals while under the
11 appropriate level of supervision as is consistent with the delegated animal health care task; ~~[and]~~

12 (9) A consulting veterinarian while working in a consulting capacity in Missouri while
13 under the immediate supervision of a veterinarian licensed and in good standing under sections
14 340.200 to 340.330; and

15 (10) Any animal chiropractic practitioner from engaging in the practice of animal
16 chiropractic.

17 2. Nothing in sections 340.200 to 340.330 shall be construed as limiting the board's
18 authority to provide other exemptions or exceptions to the requirements of licensing as the board
19 may find necessary or appropriate under its rulemaking authority.

20 340.218. The use of any title, words, abbreviations, letters or symbol in a manner or under
21 circumstances which induce the reasonable belief that the person using them is qualified to do any
22 act described in subdivision ~~[(24)]~~ (32) of section 340.200 is prima facie evidence of the intention to
23 represent such person as engaged in the practice of veterinary medicine under sections 340.200 to
24 340.330.

25 340.222. A supervisor, as defined in subdivision ~~[(19)]~~ (23) of section 340.200, is
26 individually and separately responsible and liable for the performance of the acts delegated to and
27 the omissions of the veterinary technician, veterinary medical candidate, temporary licensee,
28 veterinary medical preceptee, unregistered assistant or any other individual working under his or her
29 supervision. Nothing in this section shall be construed to relieve veterinary technicians, veterinary
30 medical candidates, provisional licensees, temporary licensees, veterinary medical preceptees or
31 unregistered assistants of any responsibility or liability for any of their own acts or omissions."; and
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33 Further amend said bill and page, Section B, Line 1 by inserting after the second occurrence of the
34 word "Section" the words "273.450 of section"; and
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36 Further amend said bill by amending the title, enacting clause, and intersectional references
37 accordingly.