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FIRST REPRINT

A.B. 200

ASSEMBLY BILL NO. 200—ASSEMBLYWOMAN BILBRAY-AXELROD

MARCH 4, 2021

JOINT SPONSOR: SENATOR SCHEIBLE

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions governing veterinary medicine.
(BDR 54-168)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to veterinary medicine; prohibiting the practice of veterinary medicine except within the context of a veterinarian-client-patient relationship except in certain circumstances; authorizing a veterinarian to supervise a veterinary technician via veterinary telemedicine under certain circumstances; revising which acts constitute the practice of veterinary medicine; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law governs the practice of veterinary medicine. (Chapter 638 of NRS)
2 **Section 3** of this bill prohibits, with certain exceptions, the practice of veterinary
3 medicine in this State except within the context of a veterinarian-client-patient
4 relationship. **Section 3** also sets forth: (1) the requirements to establish a
5 veterinarian-client-patient relationship; and (2) certain activities that may be
6 conducted in the absence of such a relationship. **Section 6** of this bill revises the
7 definition of the “practice of veterinary medicine” to include the rendering of
8 advice or recommendation by any means, including, without limitation, veterinary
9 telemedicine. **Section 6** also excludes certain activities conducted by certain
10 persons from that definition.
11 **Section 2** of this bill defines the term “veterinary telemedicine.” **Section 4** of
12 this bill authorizes a veterinarian to supervise a veterinary technician via veterinary
13 telemedicine under certain circumstances. **Section 5** of this bill makes a
14 conforming change to indicate the placement of **section 2** within the Nevada
15 Revised Statutes.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 638 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2, 3 and 4 of this act.

3 **Sec. 2.** *“Veterinary telemedicine” means the use of medical*
4 *information exchanged from one site to another via electronic*
5 *communications regarding the health status of an animal or a*
6 *group of animals and includes, without limitation, communication*
7 *via telephone, video, a mobile application or an online platform on*
8 *an Internet website.*

9 **Sec. 3. 1.** *Except as otherwise provided in subsection 2, a*
10 *person may not practice veterinary medicine in this State except*
11 *within the context of a veterinarian-client-patient relationship.*

12 **2.** *A licensed veterinarian may, in good faith and without the*
13 *establishment of a veterinarian-client-patient relationship, provide*
14 *emergency or urgent care to an animal when a client cannot be*
15 *identified.*

16 **3.** *A veterinarian has a veterinarian-client-patient*
17 *relationship concerning an animal if the veterinarian:*

18 **(a)** *Assumes responsibility for making medical judgments*
19 *concerning the health of the animal and the need for medical*
20 *treatment of the animal;*

21 **(b)** *Has knowledge of the present care and health of the*
22 *animal sufficient to provide at least a general or preliminary*
23 *diagnosis of the medical condition of the animal, which knowledge*
24 *must have been acquired by:*

25 **(1)** *Conducting a physical examination of the animal; or*

26 **(2)** *Visiting, within a period of time that is appropriate for*
27 *the medical issue in question, the premises where the animal is*
28 *kept;*

29 **(c)** *Obtains an agreement with the client to follow the*
30 *instructions provided by the veterinarian for the care and medical*
31 *treatment of the animal;*

32 **(d)** *Is readily available for follow-up evaluation or has*
33 *arranged for:*

34 **(1)** *Emergency or urgent care coverage; or*

35 **(2)** *Continuing medical care and treatment which has been*
36 *designated by the veterinarian to be provided by another licensed*
37 *veterinarian who:*

38 **(I)** *Has access to the medical records of the animal; or*

39 **(II)** *Can provide reasonable and appropriate medical*
40 *care; and*

41 **(e)** *Provides oversight of treatment.*



1 **4. A veterinarian-client-patient relationship is not established**
2 **solely through veterinary telemedicine. However, once established,**
3 **a veterinarian-client-patient relationship may be maintained via**
4 **veterinary telemedicine between:**

5 (a) **Medically necessary examinations; or**

6 (b) **Visits, within periods of time that are appropriate for the**
7 **medical issue in question, to the premises where the animal is**
8 **kept.**

9 **5. In the absence of a veterinarian-client-patient relationship:**

10 (a) **Except as otherwise provided in paragraph (b), any advice**
11 **which is provided through electronic means must be general and**
12 **not specific to a particular animal or its diagnosis or treatment.**

13 (b) **Advice and recommendations may be provided via**
14 **veterinary telemedicine in an emergency, but only until the animal**
15 **can be examined in person by a licensed veterinarian.**

16 **Sec. 4. A supervising veterinarian who has established a**
17 **veterinarian-client-patient relationship may provide the**
18 **supervision and control required by this chapter and the**
19 **regulations adopted pursuant to NRS 638.124 over a veterinary**
20 **technician who is not located at the same site as the supervising**
21 **veterinarian via veterinary telemedicine if:**

22 **1. The supervising veterinarian and the veterinary technician**
23 **are both employees of the same veterinary facility; and**

24 **2. The veterinary facility is located in Nevada.**

25 **Sec. 5. NRS 638.001 is hereby amended to read as follows:**

26 638.001 As used in this chapter, unless the context otherwise
27 requires, the words and terms defined in NRS 638.0015 to 638.013,
28 inclusive, **and section 2 of this act** have the meanings ascribed to
29 them in those sections.

30 **Sec. 6. NRS 638.008 is hereby amended to read as follows:**

31 638.008 **1. "Practice of veterinary medicine" means:**

32 ~~H~~ (a) **To diagnose, treat, correct, change, relieve or prevent**
33 **animal disease, deformity, defect, injury or other physical or mental**
34 **conditions, including, but not limited to:**

35 ~~(a)~~ (1) **The prescription or the administration of any drug,**
36 **medicine, biologic, apparatus, application, anesthetic or other**
37 **therapeutic or diagnostic substance or technique;**

38 ~~(b)~~ (2) **The collection of embryos;**

39 ~~(c)~~ (3) **Testing for pregnancy or for correcting sterility or**
40 **infertility;**

41 ~~(d)~~ (4) **Acupuncture;**

42 ~~(e)~~ (5) **Dentistry;**

43 ~~(f)~~ (6) **Chiropractic procedures;**

44 ~~(g)~~ (7) **Surgery, including cosmetic surgery; or**



1 ~~[(h)]~~ (8) Rendering advice or recommendation with regard to
2 any of these ~~[(1)]~~ *by any means, including, without limitation,*
3 *veterinary telemedicine.*

4 ~~[(2)]~~ (b) To represent, directly or indirectly, publicly or
5 privately, an ability and willingness to do any act described in
6 ~~[subsection 1.~~

7 ~~—3.]~~ *paragraph (a).*

8 (c) To use any title, words, abbreviation or letters in a manner or
9 under circumstances which induce the belief that the person using
10 them is qualified to do any act described in ~~[subsection 1.]~~
11 *paragraph (a)*, except if the person is a veterinarian.

12 **2. The term does not include:**

13 (a) *The practice of a veterinarian or veterinary technician*
14 *while he or she lectures, teaches, administers a practical*
15 *examination or conducts a laboratory demonstration in a facility*
16 *in connection with:*

17 (1) *A seminar; or*

18 (2) *A course of continuing education for veterinarians or*
19 *veterinary technicians that has been approved by the Board;*

20 (b) *The practice of a person who is a graduate from a school*
21 *of veterinary medicine that is not accredited by the Council on*
22 *Education of the American Veterinary Medical Association while*
23 *he or she is preparing to take a clinical proficiency examination*
24 *administered by the American Veterinary Medical Association for*
25 *the purpose of acquiring an educational certificate issued by the*
26 *Educational Commission for Foreign Veterinary Graduates of the*
27 *American Veterinary Medical Association or its successor*
28 *organization as described in paragraph (b) of subsection 2 of NRS*
29 *638.100; or*

30 (c) *Emergency advice or recommendations given by a poison*
31 *control center until the animal can be examined in person by a*
32 *licensed veterinarian.*

33 **Sec. 7.** (Deleted by amendment.)

