

Senate Bill 71

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor Kate Brown for Oregon State Veterinary Medical Examining Board)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Allows use of sedative and analgesic medications when euthanizing animals.

A BILL FOR AN ACT

1
2 Relating to animal euthanasia; amending ORS 475.190 and 686.040.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 475.190 is amended to read:

5 475.190. (1) Notwithstanding the provisions of ORS 475.185, upon registration with the State
6 Board of Pharmacy, a humane society or animal control agency may purchase, possess and, subject
7 to subsection (4) of this section, administer sodium pentobarbital **and sedative and analgesic**
8 **medications** to euthanize injured, sick, homeless or unwanted domestic pets and other animals.

9 (2) The State Board of Pharmacy, after consultation with the Oregon State Veterinary Medical
10 Examining Board, shall adopt rules according to ORS 183.325 to 183.410 establishing requirements
11 for registration, renewal of registration and revocation or suspension of registration under sub-
12 section (1) of this section. Those rules shall include a provision that the State Board of Pharmacy
13 will suspend or revoke the registration of any humane society or animal control agency that allows
14 a person who is not certified under subsection (4) of this section to administer sodium pentobarbital
15 **and sedative and analgesic medications**.

16 (3) Any person who is registered under ORS 475.005 to 475.285 and 475.752 to 475.980 to deliver
17 or dispense controlled substances may deliver or dispense sodium pentobarbital **and sedative and**
18 **analgesic medications** to a humane society or animal control agency registered under subsections
19 (1) and (2) of this section.

20 (4) The Oregon State Veterinary Medical Examining Board, after consultation with the State
21 Board of Pharmacy, shall adopt rules establishing requirements for certification of persons to ad-
22 minister sodium pentobarbital **and sedative and analgesic medications**. Those rules may require
23 that a person complete certain educational or training programs in order to be certified. [*No person*
24 *shall*] **A person may not** administer sodium pentobarbital **or sedative or analgesic medications**
25 unless the person is certified by the Oregon State Veterinary Medical Examining Board.

26 **SECTION 2.** ORS 686.040 is amended to read:

27 686.040. (1) ORS 686.020 (1)(a) does not apply to commissioned veterinary officers of the United
28 States Army, or those in the employ of other United States Government agencies while engaged in
29 their official capacity, unless they enter into a private practice.

30 (2) Nothing in ORS 686.020 (1)(a) shall be so construed as to prevent any person or the agent
31 or employee of the person from practicing veterinary medicine and surgery or dentistry in a humane

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 manner on any animal belonging to the person, agent or employee or for gratuitous services or from
 2 dehorning and vaccinating cattle for the person, agent or employee.

3 (3) Nothing in ORS 686.020 (1)(a) shall be so construed as to prevent the selling of veterinary
 4 remedies and instruments by a licensed pharmacist at the regular place of business of the licensed
 5 pharmacist.

6 (4) A practitioner of allied health methods may practice that method on animals without vio-
 7 lating ORS 686.020 (1)(a), as long as the practice is in conformance with laws and rules governing
 8 the practitioner's practice and the practice is upon referral from a licensed veterinarian for treat-
 9 ment or therapy specified by the veterinarian.

10 (5) ORS 686.020 (1)(a) does not apply to the lay testing of poultry by the whole blood
 11 agglutination test.

12 (6) A certified euthanasia technician holding an active, current certificate may inject sodium
 13 pentobarbital, **sedative and analgesic medications** and any other euthanasia substance approved
 14 by the Oregon State Veterinary Medical Examining Board without violating ORS 686.020 (1)(a).

15 (7) The board by rule may specify circumstances under which unlicensed persons may give
 16 vaccinations, administer an anesthetic or otherwise assist in the practice of veterinary medicine.

17 (8) Any individual licensed as a veterinarian in another state may be used in consultation in this
 18 state with a person licensed to practice veterinary medicine in this state provided the consultation
 19 does not exceed 30 days in any 365 consecutive days.

20 (9) ORS 686.020 (1)(a) does not apply to authorized representatives of the State Department of
 21 Agriculture in the discharge of any duty authorized by the department.

22 (10) ORS 686.020 (1)(a) does not apply to an unlicensed representative of a livestock association,
 23 cow-testing association, or poultry association who, for the benefit of the association, takes blood
 24 samples for laboratory tests for the diagnosis of livestock or poultry diseases, but only if this person
 25 has received authorization from the State Department of Agriculture following a written request to
 26 the department.

27 (11) ORS 686.020 (1)(a) does not apply to persons permitted by the State Department of Fish and
 28 Wildlife to rehabilitate orphaned, sick or injured wildlife, as defined in ORS 496.004, for the purpose
 29 of restoring the animals to the wild.

30 (12) ORS 686.020 (1)(a) does not apply to students, agents or employees of public or private ed-
 31 ucational or medical research institutions involved in educational or research activities under the
 32 auspices of those institutions.

33 (13) ORS 686.020 (1)(a) does not apply to:

34 (a) Veterinarians employed by Oregon State University;

35 (b) Instructors of veterinary courses; or

36 (c) Students of veterinary science who participate in the diagnosis and treatment of animals if
 37 the students:

38 (A) Are participating in the diagnosis and treatment of animals while engaged in an educational
 39 program approved by the board or a college of veterinary medicine accredited by the American
 40 Veterinary Medical Association; and

41 (B) Are under the direct supervision of an Oregon licensed veterinarian or a veterinarian ap-
 42 proved by the board or Oregon State University to supervise students in the educational program.