

1 H.347
2 Introduced by Representative Bartholomew of Hartland
3 Referred to Committee on
4 Date:
5 Subject: Professions and occupations; veterinary medicine; veterinary
6 dentistry
7 Statement of purpose of bill as introduced: This bill proposes to amend
8 requirements for the practice of veterinary dentistry.

9 An act relating to veterinary dentistry

10 It is hereby enacted by the General Assembly of the State of Vermont:

11 Sec. 1. 26 V.S.A. § 2401 is amended to read:

12 § 2401. DEFINITIONS

13 As used in this chapter:

14 (1) “Animal” means any animal other than ~~man~~ a human and includes
15 fowl, birds, fish, and reptiles.

16 (2) “Board” means the ~~Vermont board of veterinary medicine~~ Vermont
17 Board of Veterinary Medicine created under this chapter.

18 (3) “E.C.F.V.G.” means American Veterinary Medical Association
19 Education Commission for Foreign Veterinary Graduates.

1 (4) “Licensed veterinarian” means a person who is validly and currently
2 licensed by the ~~board~~ Board to practice veterinary medicine in Vermont.

3 (5) “Practice of veterinary medicine” means:

4 (A) For a consideration, to diagnose, treat, correct, change, relieve, or
5 prevent animal disease, deformity, defect, injury, or other physical or mental
6 conditions; including the prescription or administration of any drugs, biologic,
7 apparatus, application, anesthetic, or other therapeutic or diagnostic substance
8 or technique and the use of any manual or mechanical procedure for testing for
9 pregnancy or for correcting sterility, or infertility, or to render advice or
10 recommendation with regard to any of the above;

11 (B) To represent, directly or indirectly, publicly or privately, an
12 ability and willingness to do any act described in subdivision (5)(A) of this
13 section;

14 (C) To use any title, words, abbreviation, or letters in a manner or
15 under circumstances which induce the belief that the person using them is
16 qualified to do any act described in subdivision (5)(A) of this section, except
17 where such a person is a veterinarian.

18 (D) To perform a dental operation on an animal.

19 (6) “School of veterinary medicine” means a college of veterinary
20 medicine approved or accredited by the American Veterinary Medical
21 Association.

1 (7) “Disciplinary action” or “disciplinary cases” includes any action
2 taken by a board against a licensee or applicant premised upon a finding of
3 wrongdoing or unprofessional conduct by the licensee or applicant. It includes
4 all sanctions of any kind, including obtaining injunctions, issuing warnings,
5 and other similar sanctions and ordering restitution.

6 (8) “Financial interest” means being:

7 (A) a licensed veterinarian;

8 (B) a person who deals in goods and services which are uniquely
9 related to the practice of veterinary medicine; or

10 (C) a person who has invested anything of value in a business which
11 provides veterinary services.

12 (9)(A) “Dental operation” means:

13 (i) The application or use of any instrument or device to any
14 portion of an animal’s tooth, gum, or any related tissue for the prevention,
15 cure, or relief of any wound, fracture, injury, or disease of an animal’s tooth,
16 gum, or related tissue; and

17 (ii) Preventive dental procedures, including the removal of
18 calculus, soft deposits, plaque, or stains or the smoothing, filing, or polishing
19 of tooth surfaces.

1 (B) “Dental operation” does not mean the use by any person of cotton
2 swabs, gauze, dental floss, dentifrice, toothbrushes, or similar items to clean an
3 animal’s teeth.

4 Sec. 2. 26 V.S.A. § 2403 is amended to read:

5 § 2403. EXEMPTIONS FROM LICENSURE

6 Regardless of whether acts performed are within the definition of the
7 practice of veterinary medicine as defined in subdivision 2401(5) of this title, a
8 license to practice veterinary medicine shall not be required under section 2402
9 of this title by the following:

10 (1) the owner of an animal and the owner’s full-time regular employee
11 caring for and treating the animal belonging to the owner, except where the
12 ownership of the animal was transferred for purposes of circumventing this
13 chapter;

14 (2) a person advising with respect to or performing acts which are
15 accepted livestock management practices and animal husbandry practices such
16 as the use of procedures for artificial insemination, dehorning, clipping and
17 shoeing animals, trimming feet, and use of handheld files, rasps, or other
18 devices to remove overgrowth from the teeth of horses (floating), but not to
19 include power-assisted filing or power-assisted floating, extraction of teeth, or
20 other procedures that invade the ~~skin~~ soft tissue of the mouth. Prescription

1 drugs shall not be used except by or on the order of a licensed veterinarian, as
2 provided by state and federal law;

3 (3) an employee of the federal, state, or local government performing his
4 or her official duties;

5 (4) a person who is a regular student in a school of veterinary medicine
6 performing duties or actions assigned by his or her instructors, or working
7 under the direct on-premise supervision of a licensed veterinarian during a
8 school vacation period, or in a preceptorship program;

9 (5) a veterinarian regularly licensed in another state consulting with a
10 licensed veterinarian in this ~~state~~ State;

11 (6) any merchant or manufacturer selling at his or her regular place of
12 business medicines, feed, appliances, or other products used in the prevention
13 or treatment of animal diseases;

14 (7) a member of the faculty of a school of veterinary medicine
15 performing his or her regular functions or a person lecturing or giving
16 instructions or demonstrations at a school of veterinary medicine or in
17 connection with a continuing education course or seminar;

18 (8) any person selling or applying any pesticide, insecticide, or
19 herbicide;

20 (9) any person engaging in bona fide scientific research which
21 reasonably requires experimentation involving animals;

1 (10) any employee ~~or agent~~ of a licensed veterinarian performing duties
2 other than diagnosis, prescription, or surgery under the direct on-premise
3 supervision of the veterinarian who is responsible for his or her performance;

4 (11) a graduate of a foreign college of veterinary medicine who is in the
5 process of obtaining an ~~ECFVG~~ E.C.F.V.G. certificate performing duties or
6 actions under the direct on-premise supervision of a licensed veterinarian.

7 Sec. 3. EFFECTIVE DATE

8 This act shall take effect on July 1, ~~2013~~ 2014.