



Reprinted  
February 1, 2000

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## SENATE BILL No. 158

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DIGEST OF SB 158 (Updated January 31, 2000 4:53 PM - DI 88)

**Citations Affected:** IC 15-5; IC 25-1; noncode.

**Synopsis:** Veterinarians. Allows a person in the person's last term of study at an accredited veterinary school to substitute a letter from the dean of the school for a transcript when submitting an application for a license. Provides for an inactive status of a veterinary license or registration certificate under certain conditions. Provides a procedure for placing a license or registration certificate on inactive status. Requires the Indiana board of veterinary medical examiners (board) to waive continuing education requirements and renewal fees during a period the board places a license or registration on inactive status. Provides due process procedures the consumer protection division of the attorney general's office must follow before the board summarily suspends a practitioner's license. Provides the board with authority to determine the deadlines for applying to take licensing examinations. Allows the board to renew and place on inactive status a license or registration that expired in 1999 if the former licensee or registrant requests renewal and inactive status not later than July 1, 2001.

**Effective:** July 1, 2000.

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### Jackman

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January 10, 2000, read first time and referred to Committee on Health and Provider Services.  
January 27, 2000, amended, reported favorably — Do Pass.  
January 31, 2000, read second time, amended, ordered engrossed.

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SB 158—LS 6462/DI 101+



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Reprinted  
February 1, 2000

Second Regular Session 111th General Assembly (2000)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1999 General Assembly.

## SENATE BILL No. 158

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 15-5-1.1-2 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 2. As used in this  
3 chapter:  
4 "Accredited college of veterinary medicine" means a veterinary  
5 college or division of a university or college that:  
6 (1) offers the degree doctor of veterinary medicine or its  
7 equivalent;  
8 (2) conforms to the standards required for accreditation by the  
9 American Veterinary Medical Association; and  
10 (3) is accredited by the American Veterinary Medical Association  
11 or an accrediting agency that has been approved by the United  
12 States ~~Office~~ **Department** of Education or its successor.  
13 "Animal" means any animal other than man and includes birds, fish,  
14 mammals, and reptiles, wild or domestic.  
15 "Approved program" means a program in veterinary technology  
16 that:  
17 (1) conforms to the standards required for accreditation by the

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1 American Veterinary Medical Association; and  
 2 (2) is accredited by the American Veterinary Medical Association  
 3 or an accrediting agency that has been approved by the United  
 4 States ~~Office~~ **Department** of Education or its successor.

5 "Board" means the Indiana board of veterinary medical examiners  
 6 created by this chapter.

7 "Bureau" refers to the health professions bureau established by  
 8 IC 25-1-5-3.

9 "ECFVG certificate" means a certificate issued by the American  
 10 Veterinary Medical Association Educational Commission for Foreign  
 11 Veterinary Graduates, indicating that the holder has demonstrated  
 12 knowledge and skill equivalent to that possessed by a graduate of an  
 13 accredited college of veterinary medicine.

14 "Extern" means a senior veterinary student enrolled in an accredited  
 15 college of veterinary medicine, or a second year student enrolled in an  
 16 approved program in veterinary technology, employed by or working  
 17 with a licensed veterinarian and under his direct supervision.

18 "Licensed veterinarian" means an individual who is licensed  
 19 pursuant to this chapter to practice veterinary medicine in this state.

20 "Person" means an individual, an incorporated or unincorporated  
 21 organization or association or a group of such persons acting in concert.

22 "Practice of veterinary medicine" means:

23 (1) representing oneself as engaged in the practice of veterinary  
 24 medicine, veterinary surgery, or veterinary dentistry in any of its  
 25 branches or using words, letters, or titles in a connection or under  
 26 circumstances that **may** induce another person to believe that the  
 27 person using them is engaged in the practice of veterinary  
 28 medicine, veterinary surgery, or veterinary dentistry;

29 (2) accepting remuneration for doing any of the things described  
 30 in subdivisions (3) through (6);

31 (3) diagnosing a specific disease or injury, or identifying and  
 32 describing a disease process of animals, or performing any  
 33 procedure for the diagnosis of pregnancy, sterility, or infertility  
 34 upon animals;

35 (4) prescribing a drug, medicine, appliance or application, or  
 36 treatment of whatever nature for the prevention, cure, or relief of  
 37 bodily injury or disease of animals;

38 (5) performing a surgical or dental operation upon an animal; or

39 (6) administering a drug, medicine, appliance, application, or  
 40 treatment of whatever nature for the prevention, cure, or relief of  
 41 a wound, fracture, or bodily injury or disease of animals, except  
 42 where such drug, medicine, appliance, application, or treatment

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1 is administered at the direction and under the direct supervision  
2 of a veterinarian licensed under this chapter.

3 "Registered veterinary technician" means a veterinary technician  
4 registered pursuant to this chapter to work under the direct supervision  
5 of a licensed veterinarian.

6 "Veterinarian" means an individual who was a licensed veterinarian  
7 on August 31, 1979, or who has received a professional degree from an  
8 accredited college of veterinary medicine.

9 "Veterinary medicine" includes veterinary surgery, obstetrics,  
10 dentistry, acupuncture, and all other branches or specialties of  
11 veterinary medicine.

12 "Veterinary technician" means an individual who has successfully  
13 completed a program in veterinary technology of at least two (2) years  
14 in a school that conforms to the standards required for accreditation by  
15 the American Veterinary Medical Association and that is accredited by  
16 the American Veterinary Medical Association.

17 SECTION 2. IC 15-5-1.1-8 IS AMENDED TO READ AS  
18 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 8. (a) The powers  
19 enumerated in this section are granted for the purpose of enabling the  
20 board to effectively supervise the practice of veterinary medicine and  
21 are to be construed liberally to accomplish this objective.

22 (b) The board is vested with the sole authority to determine the  
23 qualifications of applicants for:

- 24 (1) a license to practice veterinary medicine in this state; and
- 25 (2) registration to practice as a veterinary technician in this state.

26 (c) The board is vested with the sole authority to issue, renew, deny,  
27 suspend, or revoke:

- 28 (1) licenses and special permits to practice veterinary medicine in  
29 this state; and
- 30 (2) registrations or special permits to practice as a veterinary  
31 technician in this state.

32 (d) The board is vested with sole authority to discipline licensed  
33 veterinarians and registered veterinary technicians consistent with the  
34 provisions of this chapter and the rules adopted thereunder.

35 (e) The board is vested with the sole authority to determine the  
36 **following:**

- 37 (1) **The examinations applicants are required to take.**
- 38 (2) **The subjects to be covered. ~~and~~**
- 39 (3) **The places where and the dates on which examinations will be**  
40 **given.**
- 41 (4) **The deadlines for applying to take the examinations.**

42 (f) The board may establish by rule minimum standards of

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1 continuing education for the renewal of licenses to practice veterinary  
2 medicine and for the renewal of registrations as a veterinary technician.

3 (g) The board shall adopt by rule standards of professional conduct  
4 for the competent practice of veterinary medicine and the competent  
5 practice of a veterinary technician.

6 (h) Subject to IC 25-1-7, the board may conduct investigations for  
7 the purpose of discovering violations of this chapter:

8 (1) by licensed veterinarians or registered veterinary technicians;

9 or

10 (2) by persons practicing veterinary medicine without a license or  
11 persons practicing as a registered veterinary technician without  
12 being registered.

13 (i) The board may inspect, without notice and during normal  
14 working hours, veterinary hospitals, clinics, or other establishments to  
15 determine if such places meet the board's standards of cleanliness and  
16 sanitation as defined by the board's rules.

17 (j) The board may hold hearings on all matters properly brought  
18 before it and in connection thereto may administer oaths, receive  
19 evidence, make findings, and enter orders consistent with the findings.  
20 The board may require by subpoena the attendance and testimony of  
21 witnesses and the production of papers, records, or other documentary  
22 evidence and commission depositions. The board may designate one  
23 (1) or more of its members to serve as its hearing officer.

24 (k) The board may bring proceedings in the courts for the  
25 enforcement of this chapter or any rules made pursuant thereto.

26 (l) The board shall have fees collected for examining and licensing  
27 veterinarians and for examining and registering veterinary technicians.

28 (m) The board may enter into reciprocal agreements with its  
29 counterpart boards in other states and may effect such agreements by  
30 rule.

31 (n) The board may appoint from its own membership one (1) or  
32 more members to act as representatives of the board at any meeting  
33 within or without the state where such representation is deemed  
34 desirable.

35 (o) The bureau shall provide the board with full or part-time  
36 professional and clerical personnel and supplies including printed  
37 matter and equipment necessary to effectuate the provisions of this  
38 chapter.

39 (p) The board may, in the manner prescribed by IC 4-22-2, adopt  
40 such reasonable rules as it deems necessary for the performance of its  
41 duties, consistent with this chapter and other applicable laws of this  
42 state. Any rule adopted under, and applicable to, the prior veterinarian



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1 and veterinary technician licensing and registration laws (IC 15-5-1 and  
2 IC 15-5-1.5) continues in effect under this chapter until rescinded or  
3 amended by the board.

4 (q) The board may adopt an appropriate seal which may be affixed  
5 to all license and registration certificates and other official documents  
6 of the board.

7 SECTION 3. IC 15-5-1.1-9 IS AMENDED TO READ AS  
8 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 9. ~~License and~~  
9 ~~Registration Requirements and Exceptions:~~ ~~No~~ A person may ~~not~~  
10 practice veterinary medicine in ~~this state~~ **Indiana** unless ~~he the person~~  
11 is a licensed ~~as a~~ veterinarian in **Indiana** or holds a special permit  
12 issued by the board, and ~~no a~~ person may ~~not~~ act as a veterinary  
13 technician in ~~this state~~ **Indiana** unless ~~he the person~~ is a registered ~~as~~  
14 a veterinary technician in **Indiana** or holds a special permit issued by  
15 the board. ~~except:~~ **The following persons are not required to meet**  
16 **the licensing, registration, or special permit requirements under**  
17 **this chapter:**

18 (1) A veterinarian on the faculty of the School of Veterinary  
19 Medicine at Purdue University performing ~~his~~ regular duties, or  
20 a veterinarian employed by the animal disease diagnostic  
21 laboratory performing ~~his~~ regular duties.

22 (2) A veterinarian employed by a federal, state, or local  
23 government agency performing ~~his~~ official duties.

24 (3) An individual who is a regular student in an accredited college  
25 of veterinary medicine or veterinary technology performing duties  
26 or actions assigned by ~~his~~ instructors or working under the direct  
27 supervision of a licensed veterinarian.

28 (4) An extern.

29 (5) A veterinarian licensed and resident in another state or nation  
30 who occasionally consults with a licensed veterinarian.

31 (6) The owner of an animal or ~~his a~~ regular employee **of the**  
32 **owner** caring for and treating that animal, except where the  
33 ownership of the animal was transferred for purposes of  
34 circumventing this chapter.

35 (7) A guest lecturing or giving instructions or demonstrations at  
36 the School of Veterinary Medicine at Purdue University, or  
37 elsewhere, in connection with a continuing education program.

38 (8) An individual while engaged in bona fide scientific research  
39 which reasonably requires experimentation involving animals.

40 (9) A graduate of a foreign college of veterinary medicine who is  
41 in the process of obtaining an ECFVG certificate and who is  
42 under the direct supervision of a licensed veterinarian. ~~and~~



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1 (10) A veterinarian who is enrolled in a postgraduate instructional  
 2 program in an accredited college of veterinary medicine,  
 3 performing duties or actions assigned by his instructors or  
 4 working under the direct supervision of a licensed veterinarian.

5 SECTION 4. IC 15-5-1.1-11 IS AMENDED TO READ AS  
 6 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 11. (a) **As used in this**  
 7 **subsection, "term" refers to an academic semester, trimester, or**  
 8 **quarter.** A person desiring a license to practice veterinary medicine in  
 9 this state shall make written application to the board. The application  
 10 shall state that the applicant is:

- 11 (1) a graduate of an accredited college of veterinary medicine; or  
 12 (2) **enrolled in the last term of the last year of the veterinary**  
 13 **medical curriculum of an accredited school of veterinary**  
 14 **medicine.**

15 **If the applicant is enrolled as a last term student as described in**  
 16 **subdivision (2), a letter from the dean of the student's veterinary**  
 17 **school confirming that the applicant is a last term student, attesting**  
 18 **to the satisfactory academic standing of the student, and stating the**  
 19 **date on which the degree is expected to be conferred upon the**  
 20 **student must accompany the application.** A license to practice  
 21 veterinary medicine in Indiana may not be issued until satisfactory  
 22 proof has been furnished to the board either that the applicant has  
 23 graduated from an accredited college of veterinary medicine or that ~~he~~  
 24 **the applicant** is the holder of an Educational Commission for Foreign  
 25 Veterinary Graduates (ECFVG) certificate. The application must show  
 26 such reasonable information and proof as the board may require by  
 27 rule. The application must be accompanied by the fee in the amount  
 28 required under this chapter.

29 (b) When the board determines that the applicant possesses the  
 30 proper qualifications, the board may grant the applicant a license. If an  
 31 applicant is found not to be qualified to take the examination or for a  
 32 license without examination, the executive secretary of the board shall  
 33 immediately notify the applicant in writing of such finding and the  
 34 grounds therefore. Applicants found unqualified may request a hearing  
 35 on the question of their qualifications.

36 SECTION 5. IC 15-5-1.1-12 IS AMENDED TO READ AS  
 37 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 12. (a) The board shall  
 38 hold at least one (1) examination for licensing veterinarians and one (1)  
 39 examination for registering veterinary technicians each year but it may  
 40 hold more. The bureau shall give notice of the time and place for each  
 41 examination at least ninety (90) days in advance of the date set for the  
 42 examination. A person desiring to take an examination must make



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1 application at least forty-five (45) days before the date of the  
 2 examination: **not later than the time the board may prescribe under**  
 3 **section 8(e) of this chapter.**

4 (b) The preparation, administration, and grading of examinations  
 5 shall be approved by the board. Examinations shall be designed to test  
 6 the examinee's knowledge of and proficiency in the subjects and  
 7 techniques commonly taught in veterinary schools. To pass the  
 8 examination, the examinee must demonstrate scientific and practical  
 9 knowledge sufficient to prove to the board that the examinee is  
 10 competent to practice veterinary medicine or to act as a veterinary  
 11 technician, as the case may be. The board may adopt and use  
 12 examinations approved by the National Board Examination Committee.

13 (c) To qualify for a license as a veterinarian or to be registered as a  
 14 veterinary technician, the applicant must attain a passing score in the  
 15 examinations.

16 (d) After the examinations, the bureau shall notify each examinee  
 17 of the result of ~~his~~ **the examinee's** examinations and the board shall  
 18 issue a license or registration certificate, as appropriate, to each  
 19 individual who successfully completes the examinations and is  
 20 otherwise qualified. The bureau shall keep a permanent record of the  
 21 issuance of each license or registration certificate.

22 (e) An individual who fails to pass the required examinations may  
 23 apply to take a subsequent examination. However, payment of the  
 24 examination fee shall not be waived.

25 (f) A license or registration certificate issued under this article is  
 26 valid for the remainder of the renewal period in effect on the date of  
 27 issuance.

28 SECTION 6. IC 15-5-1.1-19 IS AMENDED TO READ AS  
 29 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 19. (a) An individual  
 30 who practices veterinary medicine after ~~his~~ **the individual's** license has  
 31 expired, **been revoked, or been placed on inactive status** or an  
 32 individual who acts as a registered veterinary technician after ~~his~~ **the**  
 33 **individual's** registration has expired, **been revoked, or been placed**  
 34 **on inactive status** is in violation of this chapter.

35 (b) A veterinarian may renew an expired license or a veterinary  
 36 technician may renew an expired registration certificate within five (5)  
 37 years of the date of expiration by making written application for  
 38 renewal and paying the fee ~~prescribed in section 20 or 21~~ **established**  
 39 **by rules as provided in section 20.2** of this chapter. After five (5)  
 40 years have elapsed since the date of the expiration of a license or a  
 41 registration certificate it may not be renewed, but the person may make  
 42 application for a new license or registration certificate and take the



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1 appropriate examinations.

2 ~~(b)~~ (c) **To have a license or registration placed on inactive status,**  
 3 **a licensed veterinarian or registered veterinarian technician must**  
 4 **notify the board in writing of the veterinarian's or technician's**  
 5 **desire to have the license or registration placed on inactive status.**  
 6 The board ~~may~~ **shall** waive the **continuing education requirements,**  
 7 **if any, and** payment of the renewal fee ~~of a licensed veterinarian or~~  
 8 ~~registered veterinary technician during the period he is on~~ **during the**  
 9 **period the board places the license or registration of a veterinarian**  
 10 **or technician on inactive status. A license or registration may be**  
 11 **placed on inactive status during the period:**

12 (1) **the veterinarian or technician is on** active duty with any  
 13 branch of the armed services of the United States;

14 (2) **the veterinarian or technician is** in the Peace Corps; ~~or~~

15 (3) **the veterinarian or technician is in an** ~~doing~~ alternative  
 16 service. ~~However, the board may not waive the fee for a period~~  
 17 ~~that exceeds three (3) years or the duration of a national~~  
 18 ~~emergency, whichever is longer.~~ **during a time of national**  
 19 **emergency;**

20 (4) **the veterinarian or technician is suffering from a severe**  
 21 **medical condition that would prevent the veterinarian or**  
 22 **technician from meeting the requirements of the board; or**

23 (5) **after the veterinarian or technician retires.**

24 **A veterinarian or technician who is retired and on inactive status**  
 25 **may not maintain an office or otherwise practice veterinary**  
 26 **medicine. The board may adopt rules under IC 4-22-2 that**  
 27 **establish prerequisites or conditions for the reactivation of an**  
 28 **inactive license or registration.**

29 SECTION 7. IC 15-5-1.1-23 IS AMENDED TO READ AS  
 30 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 23. Upon written  
 31 complaint sworn to by any individual, the board may, by the  
 32 concurrence of four (4) members, after a hearing and based upon  
 33 findings of fact, discipline a registered veterinary technician by  
 34 revoking or suspending ~~his~~ **the technician's** registration for a time  
 35 certain, placing ~~him~~ **the technician** on probation, or by any other  
 36 appropriate means for any of the following reasons:

37 (1) The use of fraud, misrepresentation, or deception in obtaining  
 38 ~~his~~ **a** registration.

39 (2) Chronic inebriety, or the unlawful use of a controlled  
 40 substance.

41 (3) The use of advertising or solicitation which is false or  
 42 misleading or is otherwise deemed unprofessional under rules



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1 promulgated by the board.

2 (4) Conviction of or a plea of guilty to the charge of a felony or  
3 misdemeanor involving moral turpitude.

4 (5) Incompetence, gross negligence, or malpractice in performing  
5 as a registered veterinary technician.

6 (6) Cruelty to animals.

7 (7) Representing ~~himself~~ **the technician** as a veterinarian.

8 (8) Disciplinary action taken against the technician's registration  
9 by the board or by the licensing agency of any other state or  
10 jurisdiction by reason of the technician's inability to practice  
11 safely as a registered veterinary technician, if the reason is valid  
12 in the opinion of the board.

13 SECTION 8. IC 15-5-1.1-25 IS AMENDED TO READ AS  
14 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 25. ~~Identification of~~  
15 ~~Registered Veterinary Technicians~~: (a) During working hours or when  
16 actively performing ~~his~~ **the technician's** duties, a registered veterinary  
17 technician must wear a unique mark of identification on ~~his~~ **the**  
18 ~~technician's~~ clothing approved by the board that identifies ~~him~~ **the**  
19 ~~technician~~ as a registered veterinary technician.

20 (b) A registered veterinary technician may use the title "registered  
21 veterinary technician" or the abbreviation "R.V.T.".

22 (c) No individual, other than a registered veterinary technician may  
23 advertise or offer ~~his~~ **the individual's** services in a manner calculated  
24 to lead others to believe that ~~he~~ **the individual** is a trained veterinary  
25 technician or a registered veterinary technician.

26 SECTION 9. IC 15-5-1.1-26 IS AMENDED TO READ AS  
27 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 26. ~~Restrictions on~~  
28 ~~Registered Veterinary Technicians~~: A registered veterinary technician  
29 may not diagnose, prognose, prescribe medical or surgical treatment,  
30 or perform as a surgeon. However, ~~he~~ **the technician** may perform  
31 routine procedures defined by board rules while under the direct  
32 supervision of a licensed veterinarian who shall be responsible for ~~his~~  
33 ~~the technician's~~ performance.

34 SECTION 10. IC 15-5-1.1-27 IS AMENDED TO READ AS  
35 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 27. ~~Direct Supervision~~  
36 ~~of Veterinary Employees~~: A licensed veterinarian who is required to  
37 directly supervise an employee must be present within ~~his~~ **the**  
38 ~~veterinarian's~~ usual practice area, able to communicate directly with  
39 ~~his~~ **the** employee at all times that the employee is performing animal  
40 health care, and prepared to personally assume treatment, if necessary  
41 for the welfare of the animal. Direct communication may be verbal, by  
42 telephone, or by two-way radio. Such instructions must be recorded by



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1 the employee and repeated by ~~him~~ **the employee** to ~~his~~ **the employee's**  
 2 supervising licensed veterinarian.

3 SECTION 11. IC 15-5-1.1-28 IS AMENDED TO READ AS  
 4 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 28. ~~Display of~~  
 5 ~~Certificates~~. The holder of a license or special permit to practice  
 6 veterinary medicine or of a registration or special permit to act as a  
 7 veterinary technician, must display ~~his~~ **the** certificate of license,  
 8 registration, or special permit in such a manner as to be visible and  
 9 readable by persons in the office of the veterinarian.

10 SECTION 12. IC 15-5-1.1-29 IS AMENDED TO READ AS  
 11 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 29. ~~Prescriptions~~. A  
 12 licensed veterinarian may write prescriptions, and ~~his~~ **the** prescriptions  
 13 shall be given the same recognition by druggists and pharmacists as  
 14 they give the prescriptions of persons holding an unlimited license to  
 15 practice medicine or osteopathic medicine.

16 SECTION 13. IC 15-5-1.1-30 IS AMENDED TO READ AS  
 17 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 30. ~~Emergencies~~.  
 18 Notwithstanding any other provision in this chapter, in an emergency,  
 19 in the absence of ~~his~~ **the** licensed veterinarian employer, an employee  
 20 may perform the duties it is lawful for ~~him~~ **the employee** to perform  
 21 under the direct supervision of a licensed veterinarian in accordance  
 22 with the rules of the board and the written authority of ~~his~~ **the** licensed  
 23 veterinary employer.

24 SECTION 14. IC 15-5-1.1-31 IS AMENDED TO READ AS  
 25 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 31. ~~Good Samaritan~~  
 26 ~~Deeds~~. A licensed veterinarian or a registered veterinary technician  
 27 who on ~~his~~ **the veterinarian's or technician's** own initiative gives  
 28 emergency treatment to a sick or injured animal is not liable in  
 29 damages to the owner of such animal in the absence of gross  
 30 negligence. If a licensed veterinarian performs euthanasia on the  
 31 animal, there is a presumption that such was a humane act, necessary  
 32 to relieve it of pain and suffering.

33 SECTION 15. IC 15-5-1.1-33 IS AMENDED TO READ AS  
 34 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 33. ~~Abandoned~~  
 35 ~~Animals~~. (a) An animal placed in the custody of a veterinarian shall be  
 36 considered to be abandoned five (5) days after the veterinarian has  
 37 given written notice to the individual who delivered the animal to ~~him~~  
 38 **the veterinarian** that the animal should be reclaimed by the individual.  
 39 Such written notice shall be delivered to the place given by the  
 40 individual as ~~his~~ **the individual's** mailing address at the time ~~he~~ **the**  
 41 **individual** delivered the animal to the veterinarian.

42 (b) Abandonment of an animal under this section constitutes the

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1 relinquishment of all rights and claims by the owner of the animal and  
 2 it may be sold or otherwise disposed of as the veterinarian may see fit  
 3 and the purchaser or donee of the animal shall receive full and clear  
 4 title to the animal.

5 (c) The giving of notice as provided in this section relieves the  
 6 veterinarian and all persons who receive such an animal from the  
 7 veterinarian of criminal or civil liability.

8 (d) The individual who delivered an animal abandoned under this  
 9 section is liable for all reasonable and customary expenses incurred for  
 10 diagnosis, treatment, hospitalization, surgery, board, euthanasia, and  
 11 disposal of the abandoned animal.

12 SECTION 16. IC 15-5-1.1-34 IS AMENDED TO READ AS  
 13 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 34. A person who  
 14 knowingly:

15 (1) practices veterinary medicine in this state without a license or  
 16 special permit to practice veterinary medicine issued by the  
 17 board; or

18 (2) supplies false information on **his an** application for a license  
 19 as a veterinarian;

20 commits a Class B misdemeanor.

21 SECTION 17. IC 15-5-1.1-35 IS AMENDED TO READ AS  
 22 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 35. A person who  
 23 knowingly:

24 (1) acts as a registered veterinary technician in this state without  
 25 being registered as a veterinary technician with the board or  
 26 having a special permit issued by the board; or

27 (2) supplies false information on **his an** application for  
 28 registration as a veterinary technician;

29 commits a Class B misdemeanor.

30 SECTION 18. IC 25-1-9-10 IS AMENDED TO READ AS  
 31 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 10. (a) The board may  
 32 summarily suspend a practitioner's license for ninety (90) days before  
 33 a final adjudication or during the appeals process if the board finds that  
 34 a practitioner represents a clear and immediate danger to the public  
 35 health and safety if the practitioner is allowed to continue to practice.  
 36 The summary suspension may be renewed upon a hearing before the  
 37 board, and each renewal may be for ninety (90) days or less.

38 (b) Before the board may summarily suspend a license that has been  
 39 issued under **IC 15-5-1.1**, IC 25-22.5 or IC 25-14, the consumer  
 40 protection division of the attorney general's office shall make a  
 41 reasonable attempt to notify a practitioner of a hearing by the board to  
 42 suspend a practitioner's license and of information regarding the

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1 allegation against the practitioner. The consumer protection division of  
 2 the attorney general's office shall also notify the practitioner that the  
 3 practitioner may provide a written or an oral statement to the board on  
 4 the practitioner's behalf before the board issues an order for summary  
 5 suspension. A reasonable attempt to reach the practitioner is made if  
 6 the consumer protection division of the attorney general's office  
 7 attempts to reach the practitioner by telephone or facsimile at the last  
 8 telephone number of the practitioner on file with the board.

9 (c) After a reasonable attempt is made to notify a practitioner under  
 10 subsection (b):

11 (1) a court may not stay or vacate a summary suspension of a  
 12 practitioner's license for the sole reason that the practitioner was  
 13 not notified; and

14 (2) the practitioner may not petition the board for a delay of the  
 15 summary suspension proceedings.

16 **SECTION 19. [EFFECTIVE JULY 1, 2000] (a) Notwithstanding**  
 17 **IC 15-5-1.1-19, as amended by this act, the Indiana board of**  
 18 **veterinary medical examiners shall renew and place on inactive**  
 19 **status a license or registration that expired in 1999, if the former**  
 20 **licensee or registrant requests renewal and inactive status in**  
 21 **writing not later than July 1, 2001.**

22 (b) This SECTION expires July 1, 2002.

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## COMMITTEE REPORT

Mr. President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 158, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- Page 2, reset in roman lines 7 through 8.
- Page 3, delete lines 3 through 4.
- Page 3, delete lines 19 through 42.
- Delete pages 4 through 12.
- Page 13, delete lines 1 through 3.
- Page 13, line 5, strike "License and".
- Page 13, line 6, strike "Registration Requirements and Exceptions. No" and insert "A".
- Page 13, line 6, after "may" insert "**not**".
- Page 13, line 9, strike "no" and insert "**a**".
- Page 13, line 9, after "may" insert "**not**".
- Page 14, line 37, reset in roman "bureau".
- Page 14, line 37, delete "board".
- Page 14, line 41, delete "and not later than such time as the board may" and insert ".".
- Page 14, delete line 42.
- Page 15, line 13, reset in roman "bureau".
- Page 15, line 13, delete "board".
- Page 15, line 17, reset in roman "bureau".
- Page 15, line 17, delete "board".
- Page 15, delete lines 25 through 42.
- Page 16, delete lines 1 through 37.
- Page 17, line 7, delete "adopted under" and insert "**as provided in**".
- Page 17, line 7, reset in roman "After five (5)".
- Page 17, reset in roman lines 8 through 10.
- Page 17, line 11, reset in roman "appropriate examinations."
- Page 17, line 11, delete "The board may adopt rules under".
- Page 17, delete lines 12 through 16.
- Page 17, line 23, delete "continuing education requirements, if any, and".
- Page 17, line 38, after ";" insert "**or**".
- Page 17, line 39, delete "; or" and insert ".".
- Page 17, delete line 40.
- Page 17, line 41, delete "that" and insert "**who**".
- Page 18, delete lines 4 through 9.
- Page 21, delete lines 11 through 42, begin a new paragraph and

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insert:

"SECTION 20. IC 25-1-9-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 10. (a) The board may summarily suspend a practitioner's license for ninety (90) days before a final adjudication or during the appeals process if the board finds that a practitioner represents a clear and immediate danger to the public health and safety if the practitioner is allowed to continue to practice. The summary suspension may be renewed upon a hearing before the board, and each renewal may be for ninety (90) days or less.

(b) Before the board may summarily suspend a license that has been issued under **IC 15-5-1.1**, IC 25-22.5 or IC 25-14, the consumer protection division of the attorney general's office shall make a reasonable attempt to notify a practitioner of a hearing by the board to suspend a practitioner's license and of information regarding the allegation against the practitioner. The consumer protection division of the attorney general's office shall also notify the practitioner that the practitioner may provide a written or an oral statement to the board on the practitioner's behalf before the board issues an order for summary suspension. A reasonable attempt to reach the practitioner is made if the consumer protection division of the attorney general's office attempts to reach the practitioner by telephone or facsimile at the last telephone number of the practitioner on file with the board.

(c) After a reasonable attempt is made to notify a practitioner under subsection (b):

- (1) a court may not stay or vacate a summary suspension of a practitioner's license for the sole reason that the practitioner was not notified; and
- (2) the practitioner may not petition the board for a delay of the summary suspension proceedings.

**SECTION 21. [EFFECTIVE JULY 1, 2000] (a) Notwithstanding IC 15-5-1.1-19, as amended by this act, the Indiana board of veterinary medical examiners shall renew and place on inactive status a license or registration that expired in 1999, if the former licensee or registrant requests renewal and inactive status in writing not later than July 1, 2001.**

**(b) This SECTION expires July 1, 2002."**

Delete pages 22 through 27.

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Renumber all SECTIONS consecutively.  
and when so amended that said bill do pass.

(Reference is to SB 158 as introduced.)

MILLER, Chairperson

Committee Vote: Yeas 7, Nays 0.

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## SENATE MOTION

Mr. President: I move that Senate Bill 158 be amended to read as follows:

Page 3, between lines 16 and 17, begin a new paragraph and insert:  
 "SECTION 2. IC 15-5-1.1-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 8. (a) The powers enumerated in this section are granted for the purpose of enabling the board to effectively supervise the practice of veterinary medicine and are to be construed liberally to accomplish this objective.

(b) The board is vested with the sole authority to determine the qualifications of applicants for:

- (1) a license to practice veterinary medicine in this state; and
- (2) registration to practice as a veterinary technician in this state.

(c) The board is vested with the sole authority to issue, renew, deny, suspend, or revoke:

- (1) licenses and special permits to practice veterinary medicine in this state; and
- (2) registrations or special permits to practice as a veterinary technician in this state.

(d) The board is vested with sole authority to discipline licensed veterinarians and registered veterinary technicians consistent with the provisions of this chapter and the rules adopted thereunder.

(e) The board is vested with the sole authority to determine the following:

- (1) **The examinations applicants are required to take.**
- (2) **The subjects to be covered. and**
- (3) **The places where and the dates on which examinations will be given.**
- (4) **The deadlines for applying to take the examinations.**

(f) The board may establish by rule minimum standards of continuing education for the renewal of licenses to practice veterinary medicine and for the renewal of registrations as a veterinary technician.

(g) The board shall adopt by rule standards of professional conduct for the competent practice of veterinary medicine and the competent practice of a veterinary technician.

(h) Subject to IC 25-1-7, the board may conduct investigations for the purpose of discovering violations of this chapter:

- (1) by licensed veterinarians or registered veterinary technicians; or
- (2) by persons practicing veterinary medicine without a license or persons practicing as a registered veterinary technician without being registered.

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(i) The board may inspect, without notice and during normal working hours, veterinary hospitals, clinics, or other establishments to determine if such places meet the board's standards of cleanliness and sanitation as defined by the board's rules.

(j) The board may hold hearings on all matters properly brought before it and in connection thereto may administer oaths, receive evidence, make findings, and enter orders consistent with the findings. The board may require by subpoena the attendance and testimony of witnesses and the production of papers, records, or other documentary evidence and commission depositions. The board may designate one (1) or more of its members to serve as its hearing officer.

(k) The board may bring proceedings in the courts for the enforcement of this chapter or any rules made pursuant thereto.

(l) The board shall have fees collected for examining and licensing veterinarians and for examining and registering veterinary technicians.

(m) The board may enter into reciprocal agreements with its counterpart boards in other states and may effect such agreements by rule.

(n) The board may appoint from its own membership one (1) or more members to act as representatives of the board at any meeting within or without the state where such representation is deemed desirable.

(o) The bureau shall provide the board with full or part-time professional and clerical personnel and supplies including printed matter and equipment necessary to effectuate the provisions of this chapter.

(p) The board may, in the manner prescribed by IC 4-22-2, adopt such reasonable rules as it deems necessary for the performance of its duties, consistent with this chapter and other applicable laws of this state. Any rule adopted under, and applicable to, the prior veterinarian and veterinary technician licensing and registration laws (IC 15-5-1 and IC 15-5-1.5) continues in effect under this chapter until rescinded or amended by the board.

(q) The board may adopt an appropriate seal which may be affixed to all license and registration certificates and other official documents of the board."

Page 5, line 11, strike "before the date of the".

Page 5, line 12, strike "examination." and insert "**not later than the time the board may prescribe under section 8(e) of this chapter.**".

Page 6, delete line 15.

Page 6, line 16, delete "technician on inactive status,".

Page 6, line 16, delete "the board" and insert "The board".



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Page 6, line 16, after "waive the" insert "**continuing education requirements, if any, and**".

Page 6, line 18, delete "renewal".

Page 6, line 18, after "period" insert "**the board places the license or registration of a veterinarian or technician on inactive status**".

Renumber all SECTIONS consecutively.

(Reference is to SB 158 as printed January 28, 2000.)

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