

MAINE STATE LEGISLATURE

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M
R. of S.

L.D. 1468

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DATE: 5-2-97

(Filing No. H-322)

BUSINESS AND ECONOMIC DEVELOPMENT

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12 the House.

14 **STATE OF MAINE**
16 **HOUSE OF REPRESENTATIVES**
18 **118TH LEGISLATURE**
20 **FIRST SPECIAL SESSION**

22 COMMITTEE AMENDMENT "A" to H.P. 1051, L.D. 1468, Bill, "An
24 Act to Amend the Maine Veterinary Practice Act of 1975"

26 Amend the bill by inserting after section 2 the following:

28 'Sec. 3. 32 MRSA §4853, sub-§4-A, as enacted by PL 1993, c.
30 404, Pt. A, §5, is amended to read:

32 **4-A. Direct supervision.** "Direct supervision" means any
34 time when a supervisor is on the premises and is or quickly and
36 easily available.

38 **Sec. 4. 32 MRSA §4853, sub-§7,** as enacted by PL 1975, c. 477,
40 §4, is repealed and the following enacted in its place:

42 **7. Practice of veterinary medicine.** "Practice of
44 veterinary medicine" means:

A. The diagnosis, treatment, correction, change, relief or
prevention of animal disease, deformity, defect, injury or
other physical or mental condition, including the
prescription or administration of a drug, medicine,
biologic, apparatus, application, anesthetic or other
imaging, therapeutic or diagnostic technique or nutritional
substance or technique on, for or to any animal, including,
but not limited to, acupuncture, dentistry, homeopathic or
chiropractic procedures, physical or massage therapy,

COMMITTEE AMENDMENT

2 surgery including cosmetic surgery, implanting of microchips
3 or similar devices or any manual, mechanical, biological or
4 chemical procedure used for pregnancy testing or correcting
5 sterility or infertility;

6 B. The removal of an embryo from an animal for the purposes
7 of transferring that embryo into another female animal or
8 the processing or cryopreserving of that embryo. The
9 practice of veterinary medicine does not include the removal
10 of an embryo from the person's own animal;

11 C. The representation directly or indirectly of an ability
12 and willingness to perform an act included in paragraph A;
13 and

14 D. The use of any titles, word or abbreviations of letters
15 in a manner or under circumstances that induce the belief
16 that the person using them is legally authorized and
17 qualified to perform any act included in paragraph A. That
18 use is prima facie evidence of the intention to represent
19 oneself as engaged in the practice of veterinary medicine.'

20 Further amend the bill by inserting after section 3 the
21 following:

22 **'Sec. 4. 32 MRSA §4853, sub-§10,** as enacted by PL 1975, c.
23 477, §4, is amended to read:

24 **10. Veterinary medicine.** "Veterinary medicine" includes
25 veterinary surgery, obstetrics, dentistry and all other branches
26 or specialties of veterinary medicine including all aspects of
27 the "practice of veterinary medicine" under subsection 7.'

28 Further amend the bill in section 15 in subsection 5 in
29 paragraph D in the 4th line from the end (page 5, line 28 in
30 L.D.) by striking out the following: "the State" and inserting
31 in its place the following: 'this State'

32 Further amend the bill by inserting after section 22 the
33 following:

34 **'Sec. 23. 32 MRSA §4866, first ¶,** as enacted by PL 1993, c.
35 404, Pt. A, §13, is amended to read:

36 An animal health assistant may, under the direct supervision
37 of a licensed veterinarian or a registered veterinary technician,
38 perform duties of an animal health care nature. The duties do
39 not include diagnosing, making prognoses, performing surgery,
40 reading--or interpreting laboratory tests or prescribing or
41 initiating treatment.'

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Further amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

Further amend the bill by inserting at the end before the summary the following:

FISCAL NOTE

Revision of reciprocity requirements will result in insignificant increases of dedicated revenue to the Board of Veterinary Medicine within the Department of Professional and Financial Regulation from license fees.

The Board of Veterinary Medicine will incur some minor additional costs to revise certain rules. These costs can be absorbed within the board's existing budgeted resources.'

SUMMARY

The bill amends the Maine Veterinary Practice Act of 1975 to modernize and clarify provisions in current law. Qualifications for reciprocal licensure are also amended by the bill.

This amendment further amends the Maine Veterinary Practice Act of 1975 to include as recognized veterinary medicine specialties those alternative medical practices approved by the American Veterinary Medical Association.

This amendment also allows animal health assistants to read certain laboratory tests designated by the Maine State Board of Veterinary Medicine. This amendment also permits animal health assistants to perform animal health care duties when the supervising licensed veterinarian or registered veterinary technician is either on the premises or quickly and easily available.

This amendment also adds a fiscal note to the bill.