

SENATE BILL NO. 478

INTRODUCED BY E. FRANKLIN

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A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE LICENSURE OF VETERINARY TECHNICIANS; AUTHORIZING THE BOARD OF VETERINARY MEDICINE TO ADOPT RULES FOR LICENSURE RELATING TO VETERINARY TECHNICIANS; REQUIRING THE APPOINTMENT OF A VETERINARY TECHNICIAN TO THE BOARD OF VETERINARY MEDICINE AS AN EX OFFICIO MEMBER; ESTABLISHING TASKS AND TREATMENTS THAT MAY BE PERFORMED AND THAT MAY NOT BE PERFORMED BY VETERINARY TECHNICIANS; PROVIDING THAT A PERSON PERFORMING AS A VETERINARY TECHNICIAN MUST BE LICENSED AFTER OCTOBER 1, 2003; PROVIDING PENALTIES FOR THE UNLICENSED PRACTICE AFTER OCTOBER 1, 2003; AND AMENDING SECTION 37-18-201, MCA."

13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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NEW SECTION. **Section 1. Definitions.** As used in [sections 1 through 5], the following definitions

15
16 apply:

17 (1) "Animal" means any animal other than a human, including mammals, birds, fish, and reptiles.

18 (2) "Emergency condition" means when an animal has been placed in a life-threatening condition
19 and immediate treatment is necessary to sustain the animal's life or when death is imminent and immediate
20 action is necessary to relieve the animal's pain and suffering.

21 (3) "Licensed veterinarian" means a person licensed under the provisions of Title 37, chapter 18,
22 part 3.

23 (4) "Licensed veterinary technician" means a person who has met the qualifications for licensure
24 of [section 2] and who holds a current license under the provisions of [sections 1 through 5].

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NEW SECTION. **Section 2. Qualifications for licensure as veterinary technician.** In order to qualify
27 to be licensed as a veterinary technician under [sections 1 through 5], a person must meet one of the
28 following:

29 (1) must have graduated from an American veterinary medical association accredited program and
30 must have passed the veterinary technician national examination; or



1 (2) must have worked consecutively in the capacity of a veterinary technician for 5 or more years
2 as of October 1, 2001, and must have passed the veterinary technician national examination by October
3 1, 2003.

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5 **NEW SECTION. Section 3. Examinations.** (1) An examination for applicants for licensure as a
6 veterinary technician in this state must be held at least annually at a time and place and on a date set by
7 the board.

8 (2) The board may contract with an examination service to conduct the national veterinary
9 technician examination in this state, and the board may recognize test results for the examination
10 conducted outside this state.

11 (3) A person who has passed the examination outside this state may request to have the
12 examining body forward the applicant's scores on the examination to the board and, upon meeting any
13 other requirements established by the board by rule, is eligible for licensure under [sections 1 through 5].

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15 **NEW SECTION. Section 4. License -- renewal.** (1) An applicant who has qualified for licensure
16 under [sections 1 through 5] must be issued an annual license by the board upon payment of a license fee
17 in an amount established by the board by rule.

18 (2) A license expires on December 31 of each year and may be renewed by the licensee's
19 payment of a renewal fee prior to March 1 of the following year.

20 (3) (a) The board shall establish the renewal fee, renewal form, and other renewal requirements
21 by rule.

22 (b) The board may establish continuing education requirements for licensed veterinary technicians
23 by rule.

24 (4) Failure to timely pay the renewal fee, comply with other renewal requirements, or comply with
25 continuing education requirements is grounds for the board to suspend or revoke a licensed veterinary
26 technician's license.

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28 **NEW SECTION. Section 5. Authorized licensed veterinary technician tasks -- unauthorized**
29 **practices -- penalty.** (1) A licensed veterinary technician may perform the following tasks under the direct
30 supervision and control of a licensed veterinarian if the licensed veterinarian performs a daily examination

1 of the animal being treated:

2 (a) venipuncture that is the drawing of venous blood, including inserting an indwelling catheter
3 if required;

4 (b) catheterization of the urinary bladder;

5 (c) injections, including hypodermic injections and parenteral fluids, except when in conflict with
6 government regulations;

7 (d) induction, monitoring, and maintenance of anesthesia under the direct supervision of a licensed
8 veterinarian;

9 (e) immunization, except when in conflict with governmental regulations;

10 (f) exposing and developing radiographic film;

11 (g) collection of and administration of whole blood or plasma;

12 (h) assisting in surgery;

13 (i) laboratory procedures, including but not limited to hematology, serology, microbiology,
14 cytology, chemistry, urinalysis, fecal analysis, and skin scrapings;

15 (j) providing wound care;

16 (k) preparation of animals for surgery, including clipping, scrubbing, and disinfecting operative
17 sites;

18 (l) dental prophylaxis, including operation of ultrasonic and polishing instruments;

19 (m) preparation of medicants for dispensing to animals on the direct or written word of a
20 supervising licensed veterinarian;

21 (n) maintaining surgery logs, x-ray logs, laboratory logs, and pharmacy records;

22 (o) performance of euthanasia on animals; and

23 (p) other tasks as the board may permit by rule.

24 (2) Under emergency conditions, a licensed veterinary technician may render the following
25 treatment:

26 (a) application of tourniquets or pressure bandages to control hemorrhage;

27 (b) administration of pharmacological agents and parenteral fluids after direct communication with
28 a licensed veterinarian who is either present or en route to the location of the injured animal;

29 (c) resuscitative procedures;

30 (d) application of temporary splints or bandages to prevent further injury to bones or soft tissues;

1 (e) application of appropriate wound dressings and external supportive treatment in severe wound
2 and burn cases; and

3 (f) external supportive treatment in heat prostration cases.

4 (3) Except to the extent allowed by subsection (2), a licensed veterinary technician may not:

5 (a) make a diagnosis;

6 (b) prescribe any treatment or medication;

7 (c) perform surgery; or

8 (d) perform regulatory work.

9 (4) (a) After October 1, 2003, a veterinary technician may not perform any of the tasks or
10 treatments allowed by this section unless licensed as provided for in [sections 1 through 5].

11 (b) After October 1, 2003, a person who is not licensed as a veterinary technician and who
12 performs a task or treatment allowed under this section is subject to the provisions of 37-1-317 and
13 37-1-318.

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15 **Section 6.** Section 37-18-201, MCA, is amended to read:

16 **"37-18-201. Organization -- meetings -- ex officio member.** (1) A board member ~~shall~~ must receive
17 a certificate of appointment from the governor.

18 (2) The board shall annually elect from its members a president, ~~vice-president~~ vice president, and
19 secretary-treasurer and shall hold at least two regular meetings each year. At a meeting, four members
20 of the board constitute a quorum. If a member of the board, without cause, ~~absents himself~~ is
21 consecutively absent from two of its the board's regular meetings, ~~consecutively, his~~ that member's office
22 is vacant.

23 (3) The board shall appoint on an annual basis a licensed veterinary technician as an ex officio
24 member of the board to advise the board on matters pertaining to licensed veterinary technicians. The ex
25 officio member must be compensated as provided in 37-1-133."

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27 **NEW SECTION. Section 7. Codification instruction.** [Sections 1 through 5] are intended to be
28 codified as an integral part of Title 37, chapter 18, and the provisions of Title 37, chapter 18, apply to
29 [sections 1 through 5].

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