

_____ BILL NO. _____

1
2 INTRODUCED BY _____
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE PRACTICE OF VETERINARY MEDICINE TO
5 ALLOW PREGNANCY TESTING OF BEEF AND DAIRY CATTLE BY A PERSON OTHER THAN A
6 VETERINARIAN; AMENDING SECTION 37-18-102, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE
7 DATE."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10
11 **Section 1.** Section 37-18-102, MCA, is amended to read:

12 **"37-18-102. Veterinary medicine defined.** (1) A person is considered practicing veterinary medicine
13 when the person does any of the following:

14 (a) represents to the public that the person is a veterinarian or is engaged in the practice of veterinary
15 medicine in any of its branches, either directly or indirectly;

16 (b) uses words, titles, or letters in this connection or on a display or advertisement or under
17 circumstances so as to induce the belief the person using them is engaged in the practice of veterinary medicine.
18 This use is prima facie evidence of the intention to represent oneself as engaged in the practice of veterinary
19 medicine in any of its branches.

20 (c) diagnoses, prescribes, or administers a drug, medicine, appliance, application, or treatment of
21 whatever nature or performs a surgical operation or manipulation for the prevention, cure, or relief of a pain,
22 deformity, wound, fracture, bodily injury, physical condition, or disease of animals;

23 (d) instructs, demonstrates, or solicits by a notice, sign, or other indication, with contract either express
24 or implied, or otherwise, with or without the necessary instruments, for the administration of biologics or medicines
25 or animal disease cures for the prevention and treatment of disease of animals and remedies for the treatment
26 of internal parasites in animals;

27 (e) performs a manual or laboratory procedure on livestock other than beef and dairy cattle for the
28 diagnosis of pregnancy, ~~sterility, or infertility~~ for remuneration or hire;

29 (f) performs a manual or laboratory procedure on livestock for the diagnosis of sterility or infertility for
30 remuneration or hire;



- 1 ~~(f)~~(g) performs acupuncture, ova or embryo transfer, or dentistry on animals;
- 2 ~~(g)~~(h) instructs others, except those covered under the provisions of 37-18-104(4), for compensation,
- 3 in any manner how to perform any acts that constitute the practice of veterinary medicine.
- 4 (2) Subsection (1)(e) may not ~~in any way~~ be construed to prohibit the pregnancy testing by any person
- 5 of the person's own farm animals or by the person's employees regularly employed in the conduct of the person's
- 6 business or by other persons whose services are rendered ~~gratuitously~~ without remuneration.
- 7 (3) This section may not be construed as modifying, amending, altering, or repealing any part of
- 8 37-18-104."

9

10 NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

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