

H.347

An act relating to veterinary dentistry

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

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

§ 2401. DEFINITIONS

As used in this chapter:

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

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

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

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

(5) “Practice of veterinary medicine” means:

(A) For a consideration, to diagnose, treat, correct, change, relieve, or prevent animal disease, deformity, defect, injury, or other physical or mental conditions; including the prescription or administration of any drugs, biologic, apparatus, application, anesthetic, or other therapeutic or diagnostic substance or technique and the use of any manual or mechanical procedure for testing for

pregnancy or for correcting sterility, or infertility, or to render advice or recommendation with regard to any of the above;

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

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

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

(6) "School of veterinary medicine" means a college of veterinary medicine approved or accredited by the American Veterinary Medical Association.

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

(8) "Financial interest" means being:

(A) a licensed veterinarian;

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

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

(9)(A) “Dental operation” means:

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

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

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

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

§ 2403. EXEMPTIONS FROM LICENSURE

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

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

(2) a person advising with respect to or performing acts which are accepted livestock management practices and animal husbandry practices such as the use of procedures for artificial insemination, dehorning, clipping and shoeing animals, trimming feet, and use of handheld files, rasps, or other devices to remove overgrowth from the teeth of horses (floating), but not to include power-assisted filing or power-assisted floating, extraction of teeth, or other procedures that invade the ~~skin~~ soft tissue of the mouth. Prescription drugs shall not be used except by or on the order of a licensed veterinarian, as provided by state and federal law;

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

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

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

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

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

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

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

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

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

### Sec. 3. EFFECTIVE DATE

This act shall take effect on July 1, 2014.