

By: Representative Holden

To: Judiciary B

HOUSE BILL NO. 1434

1 AN ACT TO CODIFY SECTION 73-39-43, MISSISSIPPI CODE OF 1972,
2 TO AUTHORIZE THE MISSISSIPPI BOARD OF VETERINARY MEDICINE TO
3 CERTIFY ANIMAL CONTROL AGENCIES TO UTILIZE CERTAIN CONTROLLED
4 SUBSTANCES FOR THE HUMANE DESTRUCTION OF ANIMALS AND TO CERTIFY
5 AND PRESCRIBE QUALIFICATIONS FOR CERTIFIED ANIMAL EUTHANASIA
6 TECHNICIANS (CAET) TO PERFORM EUTHANASIA OF ANIMALS; TO AMEND
7 SECTION 73-39-9, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE
8 MISSISSIPPI BOARD OF VETERINARY MEDICINE TO ADOPT RULES IN
9 CONFORMITY THERETO; AND FOR RELATED PURPOSES.

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

11 SECTION 1. The following provision shall be codified as

12 Section 73-39-43, Mississippi Code of 1972:

13 73-39-43. (1) For purposes of this section, the following
14 terms shall have the meaning ascribed herein, unless the context
15 shall indicate otherwise:

16 (a) "Certified animal control agency" means a county or
17 municipal animal shelter, dog pound, or animal control agency,
18 private humane society, state, county or municipal law enforcement
19 agency, or any combination thereof, which temporarily houses
20 stray, unwanted or injured animals and which is certified pursuant
21 to the provisions of this section.

22 (b) "Certified animal euthanasia technician (CAET)"
23 means a person employed by a certified animal control agency who
24 is authorized by the Mississippi Board of Veterinary Medicine for
25 such use.

26 (c) "Board" means the Mississippi Board of Veterinary
27 Medicine.

28 (2) The Mississippi Board of Veterinary Medicine, upon
29 submission of a complete application and payment of a fee

30 established by the board, shall issue to any animal control agency
31 which it determines to be qualified, a certificate authorizing the
32 agency to apply to the Federal Drug Enforcement Agency, including
33 any successor entity, for a restricted controlled substance
34 registration certificate for the purchase, possession and use of
35 sodium pentobarbital or other drugs as authorized by the board for
36 administration by a certified animal euthanasia technician to
37 euthanize injured, sick or abandoned animals.

38 (3) The Mississippi Board of Veterinary Medicine, upon
39 submission of a complete application and payment of a fee
40 established by the board, shall issue to any person who it
41 determines to be qualified, a certificate for such person to
42 function as a certified animal euthanasia technician.

43 (4) Euthanasia of animals in a certified animal control
44 agency may only be performed by a licensed veterinarian, including
45 a licensed animal technician employed by and functioning under the
46 direct supervision of a licensed veterinarian, or a certified
47 animal euthanasia technician as provided by this section. A
48 certified animal control agency which employs a certified animal
49 euthanasia technician may purchase, possess and administer sodium
50 pentobarbital or such other drug which the board may approve for
51 the euthanasia of animals. Sodium pentobarbital and such other
52 drugs approved by the board shall be the only drugs used for the
53 euthanasia of animals in a certified animal control agency.

54 (5) Certified animal control agencies and certified animal
55 euthanasia technicians shall be required to renew their
56 certificates at such intervals, upon such conditions and upon the
57 payment of such fees as may be established by the board.

58 SECTION 2. Section 73-39-9, Mississippi Code of 1972, is
59 amended as follows:

60 73-39-9. The board shall elect from their members a
61 president, vice president and secretary-treasurer. The board is
62 authorized:

63 (a) To adopt reasonable rules governing the practice of
64 veterinary medicine as are necessary to enable it to carry out and
65 make effective the purpose and intent of this chapter. Such rules
66 shall be adopted and promulgated in accordance with the provisions

67 of this chapter.

68 (b) To adopt rules of professional conduct appropriate
69 to establish and maintain a high standard of integrity, skills and
70 practice in the profession of veterinary medicine. In prescribing
71 such rules of professional conduct, the board may be guided by the
72 principles of veterinary medical ethics adopted by the American
73 Veterinary Medical Association and the Mississippi Veterinary
74 Medical Association.

75 (c) To have its rules printed which shall be
76 distributed to all licensed veterinarians.

77 (d) To bring proceedings in courts for the enforcement
78 of this chapter or any rules made pursuant thereto.

79 (e) To hold at least one (1) regular meeting on the
80 third Tuesday in June each year in the City of Jackson at such
81 time and location as fixed by the board, for the purpose of
82 conducting examinations of applicants for license to practice
83 veterinary medicine, the election of officers and to consider any
84 other business that may properly come before the board. Other
85 meetings may be held upon the call of the president and secretary
86 of the board.

87 (f) To pass upon the qualifications of applicants for a
88 license to practice veterinary medicine in this state, or for a
89 certificate as an animal technician.

90 (g) To prescribe the subjects, character, manner, time
91 and place of holding examinations and the filing of applications
92 for examinations and to conduct the examinations.

93 (h) To issue temporary permits to practice to duly
94 qualified applicants which shall be signed by the secretary.

95 (i) To provide for, regulate and require all persons
96 licensed in accordance with the provisions of this chapter to
97 renew their license annually; to require as a condition precedent
98 to such annual renewal the payment of the annual renewal fee as
99 provided herein; to issue annual renewal licenses to such persons

100 and to suspend or revoke the license of such persons who fail,
101 refuse or neglect to renew same or pay such fees.

102 (j) To conduct investigations and hearings upon
103 complaints calling for discipline of a licensee or applicant for
104 license.

105 (k) To take testimony on any matter under its
106 jurisdiction and any member thereof may administer oaths.

107 (l) To issue summons and subpoenas, including subpoenas
108 duces tecum, for any witness in connection with any matter within
109 the jurisdiction of the board, which shall be signed by either the
110 president or the secretary-treasurer of the board.

111 (m) To adopt such forms as it may deem necessary.

112 (n) To adopt rules and regulate the certification of
113 animal control agencies and animal euthanasia technicians pursuant
114 to Section 73-39-43, Mississippi Code of 1972.

115 SECTION 3. This act shall take effect and be in force from
116 and after July 1, 1999.