

By: Senator(s) Hamilton, Canon

To: Agriculture

## SENATE BILL NO. 2569

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.