

By: Representative Powell

To: Public Health and Human Services

HOUSE BILL NO. 1466

1 AN ACT TO BRING FORWARD SECTIONS 73-39-63, 73-39-59,
2 73-39-91, 73-39-77, 73-39-51, 73-39-53, 73-39-55, 73-39-57,
3 73-39-61, 73-39-65, 73-39-67, 73-39-69, 73-39-71, 73-39-73,
4 73-39-75, 73-39-79, 73-39-81, 73-39-83, 73-39-85, 73-39-87,
5 73-39-89 AND 73-39-93, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR
6 THE CERTIFICATION OF VETERINARIAN TECHNICIANS AND THE LICENSING OF
7 VETERINARIANS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING
8 FORWARD SECTIONS 69-15-11, 69-15-201 AND 69-15-203, MISSISSIPPI
9 CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR
10 RELATED PURPOSES.

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

12 **SECTION 1.** Section 73-39-63, Mississippi Code of 1972, is
13 brought forward as follows:

14 73-39-63. (1) The practice of veterinary technology is a
15 privilege granted by legislative authority to maintain public
16 health, safety and welfare and to protect the public from being
17 misled by unauthorized individuals.

18 (2) An individual who has graduated from a veterinary
19 technology or technician program that is accredited according to
20 the standards adopted by the American Veterinary Medical
21 Association's Committee on Veterinary Technician/Technology
22 Education and Activities, and who has filed the application and



23 the requisite fees shall be eligible to take the examination for
24 certification as an animal technician.

25 (3) Veterinary technicians and technologists applying for
26 certification shall be required to pass the Veterinary Technician
27 National Examination, with scores as set by the board, before
28 receiving certification.

29 (4) All certified veterinary technicians and technologists
30 shall be required to complete continuing professional education as
31 prescribed by rule to renew their credentials.

32 (5) After a hearing, the board may suspend, revoke or deny
33 the issuance or renewal of certification of any veterinary
34 technician or technologist who is found guilty of any of the
35 following:

36 (a) Fraud or misrepresentation in applying for
37 certification.

38 (b) Criminal offense relating to veterinary medicine.

39 (c) Any violation of the Uniform Controlled Substances
40 Law.

41 (d) Convicted of cruelty to animals.

42 (e) Violation of any of the rules or regulations of the
43 board.

44 **SECTION 2.** Section 73-39-59, Mississippi Code of 1972, is
45 brought forward as follows:

46 73-39-59. (1) No person may practice veterinary medicine in
47 the state who is not a licensed veterinarian or the holder of a



48 valid temporary permit issued by the board unless otherwise exempt
49 under this chapter.

50 (2) No person may practice veterinary medicine in the state
51 except within the context of a veterinarian-client-patient
52 relationship.

53 (3) A veterinarian-client-patient relationship cannot be
54 established solely by telephonic or other electronic means.

55 **SECTION 3.** Section 73-39-91, Mississippi Code of 1972, is
56 brought forward as follows:

57 73-39-91. (1) Any person who practices veterinary medicine
58 without a valid license or temporary permit issued by the board is
59 guilty of a misdemeanor and, upon conviction, shall be fined an
60 amount of not more than Five Hundred Dollars (\$500.00) nor less
61 than One Hundred Dollars (\$100.00) per violation if each act of
62 such unlawful practice constitutes a distinct and separate
63 offense.

64 (2) Any person not licensed under this chapter is considered
65 to have violated this chapter and may be subject to all the
66 penalties provided for such violations if he:

67 (a) Performs any of the functions described as the
68 practice of veterinary medicine as defined in this chapter;

69 (b) Represents, directly or indirectly, publicly or
70 privately, an ability and willingness to perform any of the
71 functions described as the practice of veterinary medicine as
72 defined in this chapter; or



73 (c) Uses any title, words, abbreviation or letters in a
74 manner or under circumstances that induces the belief that the
75 person using them is qualified to perform any of the functions
76 described as the practice of veterinary medicine as defined in
77 this chapter.



97 (\$500.00) for each violation and shall be assessed by the board in
98 accordance with the provisions set forth in Section 73-39-81.

99 (6) The success or failure of an action based on any one (1)
100 of the remedies set forth in this section shall in no way
101 prejudice the prosecution of an action based on any other of the
102 remedies.

103 **SECTION 4.** Section 73-39-77, Mississippi Code of 1972, is
104 brought forward as follows:

105 73-39-77. (1) Upon a written complaint sworn to by any
106 person, the board, in its sole discretion, may, after a hearing,
107 revoke, suspend or limit for a certain time a license, impose an
108 administrative fine not to exceed One Thousand Dollars (\$1,000.00)
109 for each separate offense, or otherwise discipline any licensed
110 veterinarian for any of the following reasons:

111 (a) The employment of fraud, misrepresentation or
112 deception in obtaining a license.

113 (b) The inability to practice veterinary medicine with
114 reasonable skill and safety because of a physical or mental
115 disability, including deterioration of mental capacity, loss of
116 motor skills or abuse of drugs or alcohol of sufficient degree to
117 diminish the person's ability to deliver competent patient care.

118 (c) The use of advertising or solicitation that is
119 false or misleading.

120 (d) Conviction of the following in any federal court or
121 in the courts of this state or any other jurisdiction, regardless
122 of whether the sentence is deferred:

123 (i) Any felony;

124 (ii) Any crime involving cruelty, abuse or neglect
125 of animals, including bestiality;

126 (iii) Any crime of moral turpitude;

127 (iv) Any crime involving unlawful sexual contact,

128 child abuse, the use or threatened use of a weapon, the infliction
129 of injury, indecent exposure, perjury, false reporting, criminal
130 impersonation, forgery and any other crime involving a lack of
131 truthfulness, veracity or honesty, intimidation of a victim or
132 witness, larceny, or alcohol or drugs.

133 For the purposes of this paragraph, a plea of guilty or a
134 plea of nolo contendere accepted by the court shall be considered
135 as a conviction.

136 (e) Incompetence, gross negligence or other malpractice
137 in the practice of veterinary medicine.

138 (f) Aiding the unlawful practice of veterinary
139 medicine.

140 (g) Fraud or dishonesty in the application or reporting
141 of any test for disease in animals.

142 (h) Failure to report, as required by law, or making
143 false or misleading report of, any contagious or infectious
144 disease.



(i) Failure to keep accurate patient records.

(j) Dishonesty or gross negligence in the performance of safety inspections or in the issuance of any health or certificates.

(k) Failure to keep veterinary premises and equipment, practice vehicles, in a clean and sanitary condition.

(1) Failure to permit the board or its agents to enter
veterinary premises and equipment, including practice
as set by rules promulgated by the board.

(m) Revocation, suspension or limitation of a license to practice veterinary medicine by another state, territory or of the United States.

(n) Loss or suspension of accreditation by any federal agency.

(o) Unprofessional conduct as defined in regulations
by the board.

(p) The dispensing, distribution, prescription or
tion of any veterinary prescription drug, or the
use of any drug in the absence of a
man-client-patient relationship.

(g) Violations of state or federal drug laws.

(r) Violations of any order of the board.

(s) Violations of this chapter or of the rules
and under this chapter.



169 (t) Violation(s) of the provisions of Sections 41-121-1
170 through 41-121-9 relating to deceptive advertisement by health
171 care practitioners. This paragraph shall stand repealed on July
172 1, 2025.

184 **SECTION 5.** Section 73-39-51, Mississippi Code of 1972, is
185 brought forward as follows:

186 73-39-51. This chapter shall be known as the "Mississippi
187 Veterinary Practice Act."

188 **SECTION 6.** Section 73-39-53, Mississippi Code of 1972, is
189 brought forward as follows:

190 73-39-53. When used in this chapter, these words and phrases
191 shall be defined as follows:

192 (a) "Abandoned" means to forsake entirely, to neglect
193 or refuse to provide or perform legal obligations for the care and



194 support of an animal or to refuse to pay for treatment or other
195 services without an assertion of good cause.

196 (b) "Accredited college of veterinary medicine" means
197 any veterinary college, school or division of a university or
198 college that offers the degree of doctor of veterinary medicine or
199 its equivalent and that is accredited by the Council on Education
200 of the American Veterinary Medical Association (AVMA) .

201 (c) "Accredited program in veterinary
202 technology/technician" means any postsecondary educational program
203 that is accredited by the Committee on Veterinary Technician
204 Education and Activities of the AVMA.

205 (d) "Animal" means any animal other than a human.

206 (e) "Board" means the Board of Veterinary Medicine.

207 (f) "Client" means the patient's owner, owner's agent
208 or other person responsible for the patient.

209 (g) "Complementary, alternative and integrative
210 therapies" means a heterogeneous group of preventive, diagnostic,
211 and therapeutic philosophies and practices, which at the time they
212 are performed may differ from current scientific knowledge, or
213 whose theoretical basis and techniques may diverge from veterinary
214 medicine routinely taught in accredited veterinary medical
215 colleges, or both. These therapies include, but are not limited
216 to, veterinary acupuncture, acutherapy and acupressure; veterinary
217 homeopathy; veterinary manual or manipulative therapy (therapies
218 based on techniques practiced in osteopathy, chiropractic medicine



219 or physical medicine and therapy); veterinary nutraceutical
220 therapy; and veterinary phytotherapy.

221 (h) "Consultation" means when a licensed veterinarian
222 receives advice in person, telephonically, electronically or by
223 any other method of communication, from a veterinarian licensed in
224 this or any other state or other person whose expertise, in the
225 opinion of the licensed veterinarian, would benefit a patient.

226 (i) "Certified veterinary technician" means a
227 veterinary technician certified by the board.

228 (j) "Direct supervision" means a licensed veterinarian
229 is readily available on the premises where the patient is being
230 treated.

231 (k) "Educational equivalence" means the holder has
232 demonstrated knowledge and skill equivalent to that possessed by a
233 graduate of an accredited college of veterinary medicine.

234 (l) "Extralabel use" means actual use or intended use
235 of a drug in an animal in a manner that is not in accordance with
236 the approved labeling. This includes, but is not limited to, use
237 in species not listed in the labeling, use for indications
238 (disease or other conditions) not listed in the labeling, use at
239 dosage levels, frequencies, or routes of administration other than
240 those stated in the labeling, and deviation from the labeled
241 withdrawal time based on these different uses.

242 (m) "Impaired veterinarian" means a veterinarian who is
243 unable to practice veterinary medicine with reasonable skill and

244 safety because of a physical or mental disability as evidenced by
245 a written determination from a competent authority or written
246 consent based on clinical evidence, including deterioration of
247 mental capacity, loss of motor skills, or abuse of drugs or
248 alcohol of sufficient degree to diminish the person's ability to
249 deliver competent patient care.

250 (n) "Indirect supervision" means a veterinarian has
251 given either written or oral instructions for treatment of the
252 patient and is readily available by telephone or other form of
253 communication.

254 (o) "Informed consent" means the veterinarian has
255 informed the client, in a manner that would be understood by a
256 reasonable person, of the diagnostic and treatment options, risk
257 assessment and prognosis and has provided the client with an
258 estimate of the charges for veterinary services to be rendered and
259 the client has consented to the recommended treatment.

260 (p) "Licensed veterinarian" means a person licensed to
261 practice veterinary medicine in this state.

262 (q) "Patient" means an animal that is examined or
263 treated by a veterinarian.

264 (r) "Person" means any individual, firm, partnership
265 (general, limited or limited liability), association, joint
266 venture, cooperative, corporation, limited liability company or
267 any other group or combination acting in concert and whether or
268 not acting as a principal, partner, member, trustee, fiduciary,



269 receiver or as any other kind of legal or personal representative
270 or as the successor in interest, assignee, agent, factor, servant,
271 employee, director, officer or any other representative of such
272 person.

273 (s) "Practice of veterinary medicine" means:

274 (i) To diagnose, treat, correct, change, alleviate
275 or prevent animal disease, illness, pain, deformity, defect,
276 injury or other physical, dental or mental conditions by any
277 method or mode, including:

278 1. The prescribing, dispensing, administering
279 or applying of any drug, medicine, biologic, apparatus, anesthetic
280 or other therapeutic or diagnostic substance or medical or
281 surgical technique; or

282 2. The using of complementary, alternative
283 and integrative therapies; or

284 3. The rendering of advice or recommendation
285 by any means including telephonic and other electronic
286 communications with regard to any of the above.

287 (ii) To represent, directly or indirectly,
288 publicly or privately, an ability and willingness to do an act
289 described in this paragraph.

290 (iii) To use any title, words, abbreviation or
291 letters in a manner or under circumstances that induce the belief
292 that the person using them is qualified to do any act described in
293 this paragraph.



294 (t) "Practice of veterinary technology" means to
295 perform patient care or other services that require a technical
296 understanding of veterinary medicine on the basis of written or
297 oral instruction of a veterinarian, excluding diagnosing,
298 prognosing, performing surgery or prescribing drugs, medicine or
299 appliances.

300 (u) "Veterinarian" means a person who has received a
301 professional veterinary medical degree from a college of
302 veterinary medicine.

303 (v) "Veterinarian-client-patient relationship" means
304 that all of the following are required:

305 (i) The veterinarian has assumed the
306 responsibility for making clinical judgments regarding the health
307 of the animal and the need for medical treatment, and the client
308 has agreed to follow the veterinarian's instructions.

309 (ii) The veterinarian has sufficient knowledge of
310 the animal to initiate at least a general or preliminary diagnosis
311 of the medical condition of the animal because the veterinarian
312 has recently seen and is personally acquainted with the keeping
313 and care of the animal either by virtue of an examination of the
314 animal or by medically appropriate and timely visits to the
315 premises where the animal is kept.

316 (w) "Veterinary medicine" means all branches and
317 specialties included within the practice of veterinary medicine.



318 (x) "Veterinary premises" means any premises or
319 facility where the practice of veterinary medicine occurs,
320 including, but not limited to, a mobile clinic, outpatient clinic,
321 satellite clinic or veterinary hospital or clinic, but shall not
322 include the premises of a veterinary client, research facility, a
323 federal military base or an accredited college of veterinary
324 medicine.

325 (y) "Veterinary prescription drug" means a drug that
326 may not be dispensed without the prescription of a veterinarian
327 and that bears the label statement: "CAUTION: Federal law
328 restricts this drug to use by or on the order of a licensed
329 veterinarian."

330 (z) "Veterinary technician" means a person certified by
331 the board as a veterinary technician.

332 (aa) "Veterinary technologist" means a graduate of a
333 four-year accredited program in veterinary technology.

334 **SECTION 7.** Section 73-39-55, Mississippi Code of 1972, is
335 brought forward as follows:

73-39-55. (1) A Board of Veterinary Medicine shall be appointed by the Governor and shall consist of five (5) licensed veterinarians, with at least one (1) member from each of the Supreme Court districts of the state and not more than two (2) members from the same Supreme Court district. All members of the Board of Veterinary Medicine shall be veterinarians who have practiced in this state for a period of not less than five (5)

343 years and shall be graduates of a school of veterinary medicine
344 recognized by the American Veterinary Medical Association.
345 Appointments shall be for a five-year term or to fill an unexpired
346 term. The Governor shall fill all vacancies on the board as they
347 shall occur by appointment from a list of three (3) eligible
348 veterinarians submitted by the Mississippi Veterinary Medical
349 Association for each vacancy. If the vacancy to be filled is
350 caused by expiration of the term, death, resignation or inability
351 to serve as a board member whose residence is in a Supreme Court
352 district having two (2) members on the board, the Mississippi
353 Veterinary Medical Association shall submit six (6) names: three
354 (3) from the Supreme Court district in which the former board
355 member resided and three (3) from the Supreme Court district which
356 had only one (1) member on the board, and the Governor shall fill
357 the vacancy by appointment of one (1) of the six (6) nominees.
358 All appointments shall be with the advice and consent of the
359 Senate.

360 Members of the board serving on the predecessor board under
361 Section 73-39-5 on July 1, 2005, may continue as members of the
362 board until the expiration of the term for which they were
363 appointed. Vacancies due to death, resignation or removal shall
364 be filled for the remainder of the unexpired term in the same
365 manner as regular appointments.

366 (a) A licensed veterinarian shall be qualified to serve
367 as a member of the board if he has been licensed to practice

368 veterinary medicine in this state for the five (5) years
369 immediately preceding the time of his appointment.

370 (b) Each member of the board shall be paid in
371 accordance with Section 25-3-69 for each day or substantial
372 portion thereof if he is engaged in the work of the board, in
373 addition to such reimbursement for travel and other expenses as is
374 allowed under Section 25-3-41.

375 (2) The board shall meet at least once each year at the time
376 and place fixed by rule of the board. Other necessary meetings
377 may be called by the board by giving notice as may be required by
378 rule. Except as may otherwise be provided, a majority of the
379 board constitutes a quorum. Meetings shall be open and public
380 except that the board may meet in closed session to prepare,
381 approve, administer or grade examinations or to deliberate the
382 qualification of an applicant for license or the disposition of a
383 proceeding to discipline a licensed veterinarian in accordance
384 with Section 25-41-7.

385 (3) The board annually shall elect officers from its
386 membership as may be prescribed by rule. Officers of the board
387 serve for terms of one (1) year and until a successor is elected,
388 without limitation on the number of terms an officer may serve.
389 The duties of officers shall be prescribed by rule.

390 **SECTION 8.** Section 73-39-57, Mississippi Code of 1972, is
391 brought forward as follows:

392 73-39-57. The board may:

393 (a) Adopt, amend or repeal all rules necessary for its
394 government and all regulations necessary to implement this
395 chapter, including the establishment and publication of standards
396 of practice and professional conduct for the practice of
397 veterinary medicine.

398 (b) Adopt, promulgate and enforce rules and regulations
399 relating to specific duties and responsibilities; certification,
400 registration or licensure; and other matters pertaining to
401 veterinary technicians or nonlicensed persons consistent with this
402 chapter.

403 (c) Initiate disciplinary procedures, hold hearings,
404 reprimand, suspend, revoke or refuse to issue or renew credentials
405 and perform any other acts that may be necessary to regulate
406 veterinary technicians and technologists.

407 (d) Examine by established protocol the qualifications
408 and fitness of applicants for a license to practice veterinary
409 medicine in this state.

410 (e) Issue, renew or deny the licenses and temporary
411 permits to practice veterinary medicine.

412 (f) Limit, suspend or revoke the licenses of
413 disciplined veterinarians or otherwise discipline licensed
414 veterinarians consistent with this chapter and applicable rules
415 and regulations.

416 (g) Establish and publish annually a schedule of fees
417 for licensing and certification.



418 (h) Conduct investigations of suspected violations of
419 this chapter to determine whether there are sufficient grounds to
420 initiate disciplinary proceedings.

438 (k) Employ full- or part-time personnel necessary to
439 implement this chapter and purchase or rent necessary office
440 space, equipment and supplies.



441 (1) Appoint from its own membership one or more members
442 to act as representatives of the board at any meeting within or
443 outside the state.

444 (m) Bring proceedings in the courts against any person
445 for the enforcement of this chapter or any regulations made
446 pursuant thereto.

447 The powers enumerated herein are granted for the purpose of
448 enabling the board to supervise effectively the practice of
449 veterinary medicine and veterinary technology and are to be
450 construed liberally to accomplish this objective.

451 **SECTION 9.** Section 73-39-61, Mississippi Code of 1972, is
452 brought forward as follows:

453 73-39-61. This chapter shall not be construed to prohibit:

454 (a) Any employee of the federal, state or local
455 government performing his official duties.

456 (b) Any student in an accredited college of veterinary
457 medicine or an accredited program in veterinary technology
458 performing duties or actions assigned by instructors or working
459 under the direct supervision of a licensed veterinarian.

460 (c) Any person advising or performing acts that the
461 board has designated by rule as accepted livestock management
462 practices.

463 (d) Any person providing consultation to a licensed
464 veterinarian in this state on the care and management of a
465 patient.



466 (e) Any member in good standing of another licensed or
467 regulated profession within any state, or any member of an
468 organization or group approved by the board, providing assistance
469 requested by a veterinarian licensed in the state, acting with
470 informed consent from the client, and acting under the direct or
471 indirect supervision and control of the licensed veterinarian.
472 Providing assistance involves hands-on active participation in the
473 treatment and care of the patient. The licensed veterinarian
474 shall maintain responsibility for the veterinarian-client-patient
475 relationship.

476 (f) Any veterinarian employed by an accredited college
477 of veterinary medicine providing assistance requested by a
478 veterinarian licensed in the state, acting with informed consent
479 from the client, and acting under the direct or indirect
480 supervision and control of the licensed veterinarian. Providing
481 assistance involves hands-on active participation in the treatment
482 and care of the patient. The licensed veterinarian shall maintain
483 responsibility for the veterinarian-client-patient relationship.

484 (g) Any pharmacist, merchant or manufacturer selling at
485 his regular place of business medicines, feed, appliances or other
486 products used in the prevention or treatment of animal diseases as
487 permitted by law.

488 (h) Any person lawfully engaged in horseshoeing.

489 (i) Any person rendering advice without expectation of
490 compensation.



491 (j) Any owner of an animal and any of the owner's
492 regular employees caring for and treating the animal belonging to
493 such owner, except when the ownership of the animal was
494 transferred for purposes of circumventing this chapter. A
495 veterinarian-client-patient relationship must exist when
496 prescription drugs or nonprescription drugs intended for
497 extralabel use are administered, dispensed or prescribed.

498 (k) Any instructor at an accredited college of
499 veterinary medicine or accredited program in veterinary technology
500 performing his regular functions or any person lecturing or giving
501 instructions or demonstrations at an accredited college of
502 veterinary medicine, accredited program in veterinary technology
503 or in a veterinary or veterinary technology continuing education
504 course or seminar.

505 (1) Any person selling or applying pesticides,
506 insecticides or herbicides as permitted by law.

507 (m) Any person engaging in bona fide scientific
508 research that reasonably requires experimentation involving
509 animals.

510 (n) Any certified veterinary technician or other
511 employee of a licensed veterinarian performing duties other than
512 diagnosis, prognosis, prescription or surgery under the direction
513 and supervision of the veterinarian who shall be responsible for
514 the performance of the employee.



515 (o) Any graduate of a nonaccredited college of
516 veterinary medicine who is in the process of obtaining educational
517 equivalence and is performing duties or actions assigned by
518 instructors in an accredited college of veterinary medicine.

519 (p) Any person who, without expectation of
520 compensation, provides emergency veterinary care in an emergency
521 or disaster situation.

522 (q) Any animal shelter employee acting under the
523 supervision of a licensed veterinarian or authorized by the board
524 to perform euthanasia in the course and scope of employment.

525 (r) Any wildlife rehabilitator that is licensed by a
526 federal or state agency performing duties in accordance with its
527 licensure authority.

528 **SECTION 10.** Section 73-39-65, Mississippi Code of 1972, is
529 brought forward as follows:

73-39-65. Any person who holds a valid license to practice veterinary medicine in this state on July 1, 2005, shall be recognized as a licensed veterinarian and shall be entitled to retain this status so long as he complies with this chapter.

534 **SECTION 11.** Section 73-39-67, Mississippi Code of 1972, is
535 brought forward as follows:

536 73-39-67. (1) To obtain a license to practice veterinary
537 medicine, a person shall file a written application and
538 application fee with the board. The application shall show that
539 the applicant is a graduate of an accredited college of veterinary



540 medicine or has the educational equivalence as set by the board.
541 The application shall also show that the applicant is a person of
542 good moral character and any other information and proof as the
543 board may require.

544 (2) If the board determines that the applicant possesses the
545 proper qualifications, it shall admit the applicant to the next
546 examination, or if the applicant is eligible for license by
547 endorsement, the board may grant him a license. If an applicant
548 is found not qualified to take the examination or for a license by
549 endorsement, the board shall notify the applicant in writing
550 within thirty (30) days of its finding and the grounds for its
551 findings. An applicant found unqualified may request a hearing
552 before the board.

553 (3) The board may grant a temporary license to an applicant
554 to practice veterinary medicine until the scheduled state board
555 examination, if the applicant pays the application fee, provides
556 sufficient evidence that he meets the qualifications for
557 licensure, and provides evidence that he resides in the State of
558 Mississippi. The board may grant a second temporary permit, but
559 the board may not grant more than two (2) temporary permits to any
560 one (1) person.

561 (4) A person licensed by the board shall display the license
562 in the facility in which the licensee practices.

563 **SECTION 12.** Section 73-39-69, Mississippi Code of 1972, is
564 brought forward as follows:

565 73-39-69. (1) The board shall provide for at least one (1)
566 examination for licensing, certification or registration during
567 each calendar year and may provide for such additional
568 examinations as are necessary. The board shall give public notice
569 of the time and place of each examination at least one hundred
570 twenty (120) days before the date of the examination.

571 (2) The preparation, administration, grading and criterion
572 for passing examinations shall be governed by rules prescribed by
573 the board. Examinations for veterinary licensure shall be
574 designed to test the examinee's knowledge of and proficiency in
575 the subjects and techniques pertaining to the practice of
576 veterinary medicine commonly taught in an accredited college of
577 veterinary medicine. The passing score shall be determined by the
578 testing entity. The board may adopt and use the results of a
579 nationally recognized testing entity such as the National Board of
580 Veterinary Medical Licensing Examiners.

581 (3) Any person, not licensed to practice veterinary medicine
582 under the laws of Mississippi, shall be required to take the state
583 board examination. This examination shall be designed to test the
584 applicant's knowledge of the Mississippi Veterinary Practice Act
585 and Principles of Veterinary Medical Ethics as set forth by the
586 American Veterinary Medical Association. Notice of this
587 examination shall be given one hundred twenty (120) days in
588 advance, and application must be made at least thirty (30) days
589 before the examination. The examination shall be administered



590 annually on the second Tuesday of June. The application fee and
591 time and location of the examination shall be determined by the
592 board.

593 (4) After examination, each examinee shall be notified of
594 the result of the examination, and the board shall issue a license
595 signed by members of the board. Any person who fails an
596 examination may be admitted to any subsequent examination on
597 payment of the application fee.

598 **SECTION 13.** Section 73-39-71, Mississippi Code of 1972, is
599 brought forward as follows:

600 73-39-71. (1) The board may issue a license by endorsement
601 to an applicant who furnishes satisfactory proof that he is a
602 graduate of an accredited college of veterinary medicine or the
603 educational equivalence. The applicant must also show that he is
604 a person of good moral character and is licensed to practice
605 veterinary medicine in at least one (1) state, territory or
606 district of the United States and has practiced veterinary
607 medicine in one or more of those states without disciplinary
608 action by any state or federal agency for at least the three (3)
609 years immediately before filing the application.

610 (2) The board may examine any person qualifying for
611 licensing under this section.

612 (3) The issuance of a license by endorsement to a
613 military-trained applicant, military spouse or person who

614 establishes residence in this state shall be subject to the
615 provisions of Section 73-50-1 or 73-50-2, as applicable.

616 **SECTION 14.** Section 73-39-73, Mississippi Code of 1972, is
617 brought forward as follows:

618 73-39-73. (1) Faculty members employed at the College of
619 Veterinary Medicine who are eligible for licensure shall obtain a
620 Mississippi veterinary license. Faculty members not eligible for
621 a Mississippi license may qualify for a Mississippi faculty
622 license under one (1) of the following criterion:

623 (a) Graduate veterinarians who have completed an
624 advanced degree at a college of veterinary medicine accredited by
625 the American Veterinary Medical Association Council on Education
626 (AVMA-COE);

627 (b) Graduate veterinarians who have completed a formal
628 residency from an AVMA-COE accredited college of veterinary
629 medicine, or other residency approved by the AVMA;

630 (c) Graduate veterinarians who are board certified in a
631 specialty recognized by the AVMA-COE; or

632 (d) Graduate veterinarians who are board certified by
633 the European Board of Veterinary Specialization.

634 (2) Possession of a Mississippi faculty license shall enable
635 the holder of such license to operate as a veterinarian under the
636 auspices of the institution for which the person is licensed. Any
637 person holding a Mississippi faculty license desiring to practice
638 veterinary medicine outside of the authority given by the



639 institution shall be required to meet the requirements of the
640 board for obtaining a valid Mississippi veterinary license.

641 **SECTION 15.** Section 73-39-75, Mississippi Code of 1972, is
642 brought forward as follows:

643 73-39-75. (1) All licenses shall expire August 1 of each
644 year but may be renewed by registration with the board and payment
645 of the license renewal fee. At least thirty (30) days in advance,
646 the board shall mail an expiration notice to each licensed
647 veterinarian and include a form for renewal.

648 (2) The board shall establish the continuing education
649 requirements that must be met for license renewal.

650 (3) Any person may renew an expired license within five (5)
651 years of the date of its expiration by making written application
652 for renewal, paying the current renewal fee and a reinstatement
653 fee of Five Hundred Dollars (\$500.00), plus all delinquent renewal
654 fees and complying with continuing education requirements.

655 (4) The board may waive the payment of the registration
656 renewal fee of a licensed veterinarian during the period when he
657 is on active duty with any branch of the armed services of the
658 United States.

659 (5) Any licensed veterinarian who is sixty-five (65) years
660 of age or older and who is employed as a veterinarian on a
661 part-time basis only shall be exempt from payment of such renewal
662 fee.

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687 **SECTION 18.** Section 73-39-83, Mississippi Code of 1972, is
688 brought forward as follows:

689 73-39-83. (1) No licensed veterinarian shall disclose any
690 information concerning the licensed veterinarian's care of a
691 patient except on written authorization or by waiver by the
692 licensed veterinarian's client or by court order, by subpoena, or
693 as otherwise provided in this section.

694 (2) Copies of or information from veterinary records shall
695 be provided without the owner's consent to public, animal health,
696 animal welfare, wildlife or agriculture authorities employed by
697 federal, state or local governmental agencies who have a legal or
698 regulatory interest in the contents of the records for the
699 protection of animal and public health.

700 (3) Any licensed veterinarian releasing information under
701 written authorization or other waiver by the client or under court
702 order, by subpoena, or as otherwise provided by this section shall
703 not be liable to the client or any other person.

704 (4) The privilege provided by this section shall be waived
705 to the extent that the licensed veterinarian's client or the owner
706 of the patient places the licensed veterinarian's care and
707 treatment of the patient or the nature and extent of injuries to
708 the animal at issue in any civil criminal proceeding.

709 **SECTION 19.** Section 73-39-85, Mississippi Code of 1972, is
710 brought forward as follows:

711 73-39-85. Any member of the board, any witness testifying in
712 a proceeding or hearing authorized under this chapter, any person
713 who lodges a complaint pursuant to this chapter and any person
714 reporting an impaired veterinarian shall be immune from liability
715 in any civil or criminal action brought against him for any action
716 occurring while he was acting in his capacity as a board member,
717 witness, complainant or reporting party, if the person was acting
718 in good faith within the scope of his capacity.

719 **SECTION 20.** Section 73-39-87, Mississippi Code of 1972, is
720 brought forward as follows:

721 73-39-87. Any veterinarian licensed in this state who
722 reports, in good faith and in the normal course of business, a
723 suspected incident of animal cruelty to the proper authorities
724 shall be immune from liability in any civil or criminal action
725 brought against the veterinarian for reporting the incident.

726 **SECTION 21.** Section 73-39-89, Mississippi Code of 1972, is
727 brought forward as follows:

728 73-39-89. (1) Any animal placed in the custody of a
729 licensed veterinarian for treatment, boarding or other care which
730 is unclaimed by the client for more than ten (10) days after
731 written notice by certified mail, return receipt requested, or
732 United States priority mail, confirmation of receipt, is sent to
733 the client at the client's last known address shall be deemed to
734 be abandoned. The abandonment shall constitute the relinquishment
735 of all rights and claims by the client to the animal. The



736 abandoned animal may be turned over to the nearest humane society
737 or animal shelter or otherwise disposed of or destroyed by the
738 licensed veterinarian in a humane manner.

739 (2) If a licensed veterinarian follows the procedures of
740 this section, the veterinarian is relieved of any further
741 liability for disposal and shall not be subject to disciplinary
742 action under this chapter.

743 (3) The disposal of an abandoned animal shall not relieve
744 the client of any financial obligation incurred for treatment,
745 boarding or other care provided by the licensed veterinarian.

746 **SECTION 22.** Section 73-39-93, Mississippi Code of 1972, is
747 brought forward as follows:

748 73-39-93. Any person whose license is suspended, revoked or
749 limited may be reinstated at any time, with or without an
750 examination, by approval of the board after written application is
751 made to the board showing cause justifying relicensing or
752 reinstatement.

753 **SECTION 23.** Section 69-15-11, Mississippi Code of 1972, is
754 brought forward as follows:

755 69-15-11. (1) The College of Veterinary Medicine at
756 Mississippi State University of Agriculture and Applied Science
757 shall maintain a complete and adequate veterinary diagnostic
758 laboratory in the Jackson vicinity and any person licensed to
759 practice veterinary medicine, veterinary surgery, veterinary
760 dentistry, or any vocational-agriculture teacher, bona fide farmer



761 or county agent in the State of Mississippi or agent of the State
762 Veterinarian shall have made available to him services of the
763 laboratory. The laboratory shall examine and conduct laboratory
764 tests on specimens submitted by any licensed veterinarian, or
765 vocational-agriculture teacher, bona fide farmer or county agent
766 of this state or agent of the State Veterinarian and issue
767 appropriate reports. The College of Veterinary Medicine shall be
768 required to set reasonable fees for such examinations, tests,
769 reports or other diagnostic service.

770 (2) The College of Veterinary Medicine shall select a
771 director of the laboratory who holds a degree of veterinary
772 medicine from a recognized college or university; is board
773 certified in one (1) of the following basic diagnostic
774 disciplines; toxicology, pathology, microbiology, virology or
775 clinical pathology and has engaged in the practice of veterinary
776 clinical diagnosis for at least ten (10) years, five (5) years of
777 which were in a supervisory capacity. The director shall select
778 and recommend for employment such veterinarians, bacteriologists,
779 pathologists, technicians, clerical assistants, and other
780 personnel necessary to carry out the objective of this section.
781 The salaries, compensation and expenses of such employees shall be
782 sufficient to insure the employment of competent persons and shall
783 be paid from funds at the disposal of the Veterinary Diagnostic
784 Laboratory. The director shall be responsible to the College of
785 Veterinary Medicine for the daily operations of the laboratory.



786 (3) There is created an advisory council to advise the
787 College of Veterinary Medicine on matters concerning the
788 Veterinary Diagnostic Laboratory. The council shall be composed
789 of the Chairman of the Senate Agriculture Committee, or his
790 designee; the Chairman of the House Agriculture Committee, or his
791 designee; the Chairman of the Board of Animal Health; the
792 Commissioner of Agriculture and Commerce; a person appointed by
793 the President of Alcorn State University from its land grant staff
794 who is not a member of the Board of Animal Health; a licensed and
795 practicing veterinarian appointed by the President of the
796 Mississippi State Veterinary Medical Association who is not a
797 member of the Board of Animal Health; the State Veterinarian; the
798 State Chemist; and the Dean of the College of Veterinary Medicine.
799 This advisory council shall meet at least twice a year, upon
800 written notification at least fourteen (14) days in advance, to be
801 called by the Dean of the College of Veterinary Medicine. A
802 meeting may also be called by the Commissioner of Agriculture or
803 by a majority of the advisory council with fourteen (14) days'
804 written notice.

805 The members of the advisory council shall serve in an
806 advisory capacity only. For attending meetings of the council,
807 legislators shall receive per diem and expenses which shall be
808 paid from the contingent expense funds of their respective houses
809 in the same amounts provided for committee meetings when the
810 Legislature is not in session; however, no per diem or expenses



811 for attending meetings of the council shall be paid while the
812 Legislature is in session. No per diem and expenses shall be paid
813 except for attending meetings of the council without prior
814 approval of the proper committee in their respective houses.

815 (4) All funds, property and other assets and all current
816 positions of the diagnostic laboratory shall be transferred to the
817 College of Veterinary Medicine on July 1, 2002. The budget of the
818 Veterinary Diagnostic Laboratory shall be funded as a separate
819 line item within the general appropriation bill for the College of
820 Veterinary Medicine.

821 (5) Information and records pertaining to all animal
822 diseases within the state will be kept confidential except for
823 those reports concerning diseases that are specifically regulated
824 for mandatory control and eradication, or when release of such
825 information is deemed necessary by the State Veterinarian to
826 protect the public health, other livestock or wildlife.

827 **SECTION 24.** Section 69-15-201, Mississippi Code of 1972, is
828 brought forward as follows:

829 69-15-201. The State Veterinarian, with the approval and
830 consent of the Board of Animal Health is directed to employ one or
831 more qualified veterinarians to be paid from the funds at the
832 disposal of said board, who shall cooperate with the veterinarians
833 of the U.S. Department of Agriculture, Bureau of Animal Industry,
834 in testing cattle for tuberculosis in this state.

835 **SECTION 25.** Section 69-15-203, Mississippi Code of 1972, is
836 brought forward as follows:

837 69-15-203. The State Veterinarian is directed to detail a
838 veterinarian to assist such counties as desire to undertake the
839 control and eradication of tuberculosis among cattle and such
840 assistance shall be given to the counties in the order in which
841 request is made and to the extent that the funds of the board will
842 permit.

843 **SECTION 26.** This act shall take effect and be in force from
844 and after July 1, 2025.

