

ASSEMBLY BILL NO. 119—ASSEMBLYMEN SWANK;
ARAUJO, DIAZ AND OSCARSON

FEBRUARY 5, 2015

JOINT SPONSORS: SENATORS MANENDO; AND WOODHOUSE

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions governing the practice of
veterinary medicine. (BDR 54-247)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to veterinary medicine; authorizing a veterinarian
or veterinary technician who is licensed in another state to
provide professional services in this State during a critical
incident under certain circumstances; authorizing a
qualified organization to establish a temporary veterinary
facility to provide shelter, food, water and veterinary care
to certain animals; and providing other matters properly
relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires any person who practices veterinary medicine in this
2 State to hold a license issued by the Nevada State Board of Veterinary Medical
3 Examiners. (NRS 638.090) Existing law exempts from that requirement certain
4 veterinary specialists who are called into this State by a licensed veterinarian for
5 consultation and certain veterinarians licensed in adjoining states whose practice
6 reasonably extends into portions of this State. (NRS 638.015, 638.125) Existing law
7 also exempts out-of-state health practitioners, including veterinarians, from certain
8 licensing requirements if those health practitioners are registered during a declared
9 emergency. (NRS 415A.210, 415A.220) **Section 1** of this bill authorizes a law
10 enforcement agency, animal control agency or society for the prevention of cruelty
11 to animals to request the assistance of, or to allow, a veterinarian or veterinary
12 technician who is licensed in another state to provide veterinary services during a
13 critical incident. A “critical incident” is defined to mean a situation involving
14 numerous sick or injured animals at a single location where veterinary care is
15 needed or during which licensed veterinarians are overburdened. Furthermore,
16 **section 1** allows those agencies to authorize a qualified organization to establish a



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17 temporary facility to provide shelter and care to animals during a critical incident.
18 Finally, this bill requires that the Board be notified whenever such temporary
19 authorization to practice or set up a facility has been given.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 638 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 1. *Upon request by or with the authorization of a law*
4 *enforcement agency, animal control agency or society for the*
5 *prevention of cruelty to animals which has jurisdiction over a*
6 *critical incident:*

7 (a) *A veterinarian who is licensed to practice veterinary*
8 *medicine in another state may provide veterinary medical,*
9 *surgical, obstetrical or dental services, reasonable in scope and*
10 *duration, during the critical incident.*

11 (b) *A veterinary technician who is licensed as a veterinary*
12 *technician in another state may provide assistance or technical or*
13 *professional services related to veterinary medicine, reasonable in*
14 *scope and duration, during the critical incident.*

15 (c) *A qualified organization may, without obtaining a license*
16 *from the Board, establish a temporary veterinary facility,*
17 *reasonable in scope and duration, to receive animals affected by*
18 *the critical incident to provide shelter, food and water, and a*
19 *location for veterinary care for those animals.*

20 2. *An agency that requests or allows a veterinarian or*
21 *veterinary technician to provide services during a critical incident*
22 *pursuant to subsection 1 must:*

23 (a) *Determine that the veterinarian or veterinary technician is*
24 *licensed as a veterinarian or veterinary technician in another*
25 *state;*

26 (b) *Obtain the name, address, telephone number and state of*
27 *licensure of the veterinarian or veterinary technician; and*

28 (c) *As soon as practicable, forward the information obtained*
29 *pursuant to paragraph (b) and a brief statement describing the*
30 *critical incident to the Board.*

31 3. *An agency that requests or allows a qualified organization*
32 *to establish a temporary veterinary facility pursuant to paragraph*
33 *(c) of subsection 1 must:*

34 (a) *Obtain the name, address and telephone number of the*
35 *qualified organization and the name and telephone number of the*
36 *person in charge of the temporary veterinary facility; and*

37 (b) *As soon as practicable, notify the Board and provide the*
38 *Board with the information obtained pursuant to paragraph (a)*



1 *and a description and location of the temporary veterinary facility*
2 *and the critical incident.*

3 *4. As used in this section:*

4 *(a) "Critical incident" means a situation in which numerous*
5 *animals in a single location are found to be sick or injured and*
6 *require veterinary care because of abuse, cruelty, neglect, criminal*
7 *activity, animal hoarding, accident, disaster, outbreak of disease*
8 *or other occurrence for which licensed veterinarians are*
9 *overburdened or are otherwise not reasonably available.*

10 *(b) "Qualified organization" means a nonprofit organization*
11 *organized under section 501(c)(3) of the Internal Revenue Code,*
12 *26 U.S.C. § 501(c)(3), for the purpose of preventing cruelty to*
13 *animals.*

14 **Sec. 2.** NRS 638.090 is hereby amended to read as follows:

15 638.090 ~~¶¶~~ *Except as otherwise provided in NRS 415A.220*
16 *and 638.125 and section 1 of this act, it is unlawful for any person*
17 *to practice veterinary medicine, surgery, obstetrics or dentistry*
18 *within the State of Nevada without a license issued pursuant to the*
19 *provisions of this chapter.*

20 **Sec. 3.** NRS 638.132 is hereby amended to read as follows:

21 638.132 ~~¶The~~ *1. Except as otherwise provided in subsection*
22 *2, the Board shall adopt regulations which prescribe the*
23 *requirements for the licensure of a facility in which veterinary*
24 *medicine is practiced, including, without limitation, the fee for the*
25 *issuance and renewal of a license.*

26 *2. A temporary veterinary facility established pursuant to*
27 *paragraph (c) of subsection 1 of section 1 of this act in response to*
28 *a critical incident is not subject to any regulation adopted*
29 *pursuant to this section, but remains subject to inspection and*
30 *closure by the Board.*

31 **Sec. 4.** NRS 638.170 is hereby amended to read as follows:

32 638.170 1. Except as otherwise provided in subsections 2 and
33 ~~3 of this section~~ and NRS 638.1525, a person who violates any of
34 the provisions of this chapter is guilty of a misdemeanor.

35 2. ~~¶A~~ *Except as otherwise provided in NRS 415A.220 and*
36 *638.125 and section 1 of this act, a person who practices veterinary*
37 *medicine without a license issued pursuant to the provisions of this*
38 *chapter is guilty of a category D felony and shall be punished as*
39 *provided in NRS 193.130.*

40 3. ~~¶A~~ *Except as otherwise provided in NRS 415A.220 and*
41 *638.125 and section 1 of this act, a person who practices as a*
42 *veterinary technician without a license issued pursuant to the*
43 *provisions of this chapter is guilty of a gross misdemeanor and shall*
44 *be punished by imprisonment in the county jail for not more than*



- 1 364 days, or by a fine of not more than \$2,000, or by both fine and
- 2 imprisonment.

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