

"AN ACT TO EMPOWER THE VETERINARY MEDICAL EXAMINING BOARD TO IMPOSE CIVIL PENALTIES ON LICENSED VETERINARIANS FOR VIOLATIONS OF THE VETERINARY MEDICAL PRACTICE ACT, ACT 650 OF 1975, AND BOARD REGULATION ISSUED THEREUNDER; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Definitions. As used in this Act:

(A) "Board" means the Veterinary Medical Examining Board created by Section 3 of Act 650 of 1975 (Ark. Stat. Ann. 72-1134).

(B) "Administrative Procedure Act" means Act 434 of 1967 as it now exists or is hereafter amended (Ark. Stat. Ann. 5-701 et seq.)

(C) "Veterinary Medical Practice Act" means Act 650 of 1975 as it exists now or is hereafter amended (Ark. Stat. Ann. 72-1132--72-1147).

SECTION 2. Whenever the Board, after a hearing conducted in accordance with the Administrative Procedure Act, determines that a licensed veterinarian has violated any provision of the Veterinary Medical Practice Act or any regulations promulgated by the Board pursuant thereto, the Board may impose a civil penalty on such licensed veterinarian not to exceed five thousand dollars (\$5,000.00). If a licensed veterinarian against whom a civil penalty has been imposed by the Board fails to pay such penalty, the Board may file an action in the circuit court of Pulaski County to collect such civil penalty. If the Board prevails in such action, the defendant shall be directed to pay, in addition to the civil penalty, reasonable attorneys fees and costs incurred by the Board in prosecuting the action.

SECTION 3. Any licensed veterinarian aggrieved by the action of the Board imposing civil penalties may appeal such decision in the manner under the procedure prescribed in the Administrative Procedure Act for appeals from administrative decision.

SECTION 4. All funds derived from civil penalties imposed by the Board shall be deposited in one or more depositories qualifying for the deposit of public funds, and such funds shall be used by the Board for administering the provisions of the Veterinary Medical Practice Act.

APPROVED: April 7, 1987

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