

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

A Bill

HOUSE BILL 1712

5 By: Representatives G. Smith, Love, Leding, Benedict, Catlett, Dale, Hall, Hopper, McCrary, Patterson
6 By: Senators G. Jeffress, Madison, Salmon, D. Wyatt
7

For An Act To Be Entitled

9 AN ACT TO EXEMPT EQUINE HUSBANDRY, EQUINE MASSAGE,
10 EQUINE FARRIERY, EQUINE TEETH FLOATING, AND EQUINE
11 TRAINING FROM THE VETERINARY PRACTICE ACT; TO
12 ESTABLISH A CERTIFIED EQUINE DENTAL PRACTITIONER; AND
13 FOR OTHER PURPOSES.
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Subtitle

16 TO EXEMPT EQUINE HUSBANDRY, EQUINE
17 MASSAGE, EQUINE FARRIERY, EQUINE TEETH
18 FLOATING, AND EQUINE TRAINING FROM THE
19 VETERINARY PRACTICE ACT; TO ESTABLISH A
20 CERTIFIED EQUINE DENTAL PRACTITIONER.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code § 17-101-102, concerning the definitions for
27 veterinary medicine, is amended to add an additional definition as follows:

28 (15)(A) "Teeth floating" means a husbandry procedure that is
29 distinct from veterinary dentistry and includes the following procedures
30 performed above the gum line of equine:

31 (i) The removal of enamel points; and

32 (ii) The smoothing, contouring, and leveling of
33 dental arcades and incisors.

34 (B) "Teeth floating" does not include the administration
35 of sedatives.
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1 SECTION 2. Arkansas Code § 17-101-307(b), concerning the
2 practices that are excluded from the practice of veterinary medicine, is
3 amended to read as follows:

4 (b) This chapter ~~shall not be construed to~~ does not prohibit:

5 (1) Employees of the federal or state government or employees of
6 local government who are certified by an agency approved by the board to
7 perform euthanasia from performing their official duties;

8 (2) Regular students in a veterinary school or college from
9 performing duties or actions assigned by the school or college or working
10 under the direct personal supervision of a veterinarian licensed in the State
11 of Arkansas;

12 (3) Reciprocal aid of neighbors in performing routine accepted
13 livestock management practices without compensation;

14 (4) Any veterinarian licensed in any foreign jurisdiction from
15 consulting with a licensed veterinarian;

16 (5) The owner of an animal, his or her consignees, ~~and~~ their
17 employees, and third party contractors from performing routine accepted
18 livestock management practices, including equine teeth floating and equine
19 farriery and hoof care, in the care of animals belonging to the owner;

20 (6) Any person:

21 (A) Engaging in the art or profession of equine farriery
22 and hoof care;

23 (B) Training equine, except that the training shall not
24 include diagnosing or prescribing or dispensing of any therapeutic agent;

25 (C) Collecting, preparing, or freezing semen from equine;

26 (D) Performing non-surgical artificial insemination on
27 equine; and

28 (E) Performing massage on equine;

29 ~~(6)(7)~~ (7) A member of the faculty of a veterinary school from
30 performing his or her regular functions or a person from lecturing or giving
31 instruction or demonstration at a veterinary school or in connection with a
32 continuing education course or seminar for licensed veterinarians or
33 registered technicians;

34 ~~(7)~~ (8) A person from engaging in bona fide scientific research
35 which reasonably requires experimentation involving animals;

36 ~~(8)(A)~~ (9)(A) Any act, task, or function performed by a

1 veterinary technician at the direction of and under the supervision of a
 2 licensed veterinarian, when:

3 (i) The technician is certified by and annually
 4 registered with the board as one qualified by training or experience to
 5 function as an assistant to a veterinarian;

6 (ii) The act, task, or function is performed at the
 7 direction of, and under the supervision of, a licensed veterinarian in
 8 accordance with rules and regulations promulgated by the board; and

9 (iii) The services of the veterinary technician are
 10 limited to assisting the veterinarian in the particular fields for which the
 11 assistant has been trained, certified, and registered.

12 (B) Subdivision ~~(b)(8)(A)~~(b)(9)(A) of this section shall
 13 not limit or prevent any veterinarian from delegating to a qualified person
 14 any acts, tasks, or functions which are otherwise permitted by law but which
 15 do not include diagnosis, prescribing medication, or surgery; or

16 ~~(9)~~(10) Any chiropractor licensed in this state and certified by
 17 the American Veterinary Chiropractic Association from performing chiropractic
 18 upon animals so long as the chiropractic is performed under the immediate
 19 supervision of an Arkansas-licensed veterinarian.

20
 21 SECTION 3. Arkansas Code Title 2 is amended to add a new chapter to
 22 read as follows:

23 Chapter 41 – Certified Equine Dental Practitioners

24
 25 2-41-101. Definitions.

26 As used in this chapter:

27 (1) "Certified equine dental practitioner" means a person who:

28 (A) Has met the requirements of this chapter;

29 (B) Has received certification from the Arkansas Livestock
 30 and Poultry Commission; and

31 (C) Provides teeth floating to horses and other equidae;
 32 and

33 (2) "Teeth floating" means:

34 (A) A husbandry procedure that is distinct from veterinary
 35 dentistry and includes the following procedures performed above the gum line
 36 of equine:

1 (i) The removal of enamel points; and
2 (ii) The smoothing, contouring, and leveling of
3 dental arcades and incisors.

4 (B) "Teeth floating" does not include the administration of
5 sedatives.

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7 2-41-102. Certified equine dental practitioner.

8 (a) No person may use the title, "certified equine dental
9 practitioner", unless that person has been certified as a "certified equine
10 dental practitioner" by the Arkansas Livestock and Poultry Commission.

11 (b) The commission will certify a person as a "certified equine dental
12 practitioner" upon receiving evidence that the person:

13 (1) Has been certified by a private equine dental certification
14 organization recognized by the commission including the International
15 Association of Equine Dentistry;

16 (2) Has completed 80 hours of training in teeth floating and
17 related safety at a college, vocational school, technical school, community
18 college, or specialty school recognized by the commission, including:

19 (A) Arkansas State University at Beebe;

20 (B) The Texas Institute of Equine Dentistry, Weatherford,
21 Texas;

22 (C) Equine Gnathological Training Institute Inc., King
23 Hill, Idaho;

24 (D) Academy of Equine Dentistry, Glenns Ferry, Idaho;

25 (E) Midwest Equine Dental Academy, Mt. Pleasant, Michigan;

26 (F) The American School of Equine Dentistry, Purcellville,
27 Virginia; or

28 (G) Pacific Equine Dental Institute, El Dorado Hills, Ca.;

29 or

30 (3) Has performed teeth floating on more than two hundred (200)
31 horses or other equidae any time before July 1, 2012.

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33 2-41-103. Unauthorized practice and disciplinary action.

34 (a) If the Arkansas Livestock and Poultry Commission has received a
35 written complaint and has probable cause to believe that a non-certified
36 person has used the title of "certified equine dental practitioner", the

1 commission may proceed as described in subsections (b) and (c) of this
2 section.

3 (b)(1) The commission, at the discretion of the agency director, may
4 investigate, mediate, or initiate administrative proceedings with respect to
5 a complaint alleging the unauthorized use of the title, "certified equine
6 dental practitioner".

7 (2) All proceedings shall be conducted in accordance with the
8 Arkansas Administrative Procedure Act, § 25-15-201 et. seq.

9 (c) The commission may impose a civil penalty not to exceed one
10 thousand dollars (\$1,000) per violation upon a person who commits an act
11 constituting the unauthorized use of the title, "certified equine dental
12 practitioner".

13
14 2-41-104. Fees.

15 (a)(1) An application fee of one hundred dollars (\$100) for
16 certification as an equine dental practitioner shall be paid by the applicant
17 to the Arkansas Livestock and Poultry Commission for each application of
18 certification.

19 (2) The application fee shall be refunded by the commission if
20 the application is rejected.

21 (b)(1) A certified equine dental practitioner must renew his or her
22 certification annually.

23 (2) The annual recertification fee is one hundred dollars (\$100)
24 and shall be paid by the certified equine dental practitioner to the
25 commission.

26 (3) The recertification fee must be paid on or before July 31st
27 each year.

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