

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

As Engrossed: H3/10/11

A Bill

HOUSE BILL 1763

5 By: Representatives Collins, Gillam, *G. Smith*
6

For An Act To Be Entitled

8 AN ACT TO EXEMPT HORSESHOEING, TRAINING, THE SELLING
9 OF MEDICINES FOR THE PREVENTION OR TREATMENT OF
10 ANIMAL DISEASES, SEMEN SERVICES, AND NONSURGICAL
11 ARTIFICIAL INSEMINATION FROM THE ARKANSAS VETERINARY
12 MEDICAL PRACTICE ACT; AND FOR OTHER PURPOSES.
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Subtitle

15 TO EXEMPT HORSESHOEING, TRAINING, SEMEN
16 SERVICES, SELLING MEDICINES FOR TREATMENT
17 OF ANIMAL DISEASES, AND NONSURGICAL
18 ARTIFICIAL INSEMINATION FROM THE ARKANSAS
19 VETERINARY MEDICAL PRACTICE ACT.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. Arkansas Code § 17-101-307(b), concerning the practices
26 that are excluded from the practice of veterinary medicine, is amended to
27 read as follows:

28 (b) This chapter shall not be construed to prohibit:

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

32 (2) Regular students in a veterinary school or college from
33 performing duties or actions assigned by the school or college or working
34 under the direct personal supervision of a veterinarian licensed in the State
35 of Arkansas;

36 (3) Reciprocal aid of neighbors in performing routine accepted



1 livestock management practices without compensation;

2 (4) Any veterinarian licensed in any foreign jurisdiction from
3 consulting with a licensed veterinarian;

4 (5) The owner of an animal, his or her consignees, and their
5 employees from performing routine accepted livestock management practices in
6 the care of animals belonging to the owner;

7 (6) A member of the faculty of a veterinary school from
8 performing his or her regular functions or a person from lecturing or giving
9 instruction or demonstration at a veterinary school or in connection with a
10 continuing education course or seminar for licensed veterinarians or
11 registered technicians;

12 (7) A person from engaging in bona fide scientific research
13 which reasonably requires experimentation involving animals;

14 (8) Any person:

15 (A) Engaging in the art or profession of horseshoeing;

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

18 (C) Selling medicines, feed, appliances, or other products
19 used in the prevention or treatment of animal diseases as permitted by law,
20 by any pharmacist, merchant, or manufacturer at his or her regular place of
21 business;

22 (C) Collecting, preparing, or freezing semen; and

23 (D) Performing nonsurgical artificial insemination;

24 ~~(8)(A)~~(9)(A) Any act, task, or function performed by a
25 veterinary technician at the direction of and under the supervision of a
26 licensed veterinarian, when:

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

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

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

36 (B) Subdivision (b)(8)(A) of this section shall not limit

1 or prevent any veterinarian from delegating to a qualified person any acts,
2 tasks, or functions which are otherwise permitted by law but which do not
3 include diagnosis, prescribing medication, or surgery; or

4 ~~(9)~~(10) Any chiropractor licensed in this state and certified by
5 the American Veterinary Chiropractic Association from performing chiropractic
6 upon animals so long as the chiropractic is performed under the immediate
7 supervision of an Arkansas-licensed veterinarian.

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9 *SECTION 2. Arkansas Code Title 17, Chapter 101, Subchapter 3 is*
10 *amended to add an additional section to read as follows:*

11 *17-101-315. Equine teeth floating and massage.*

12 *(a)(1) As used in this section, "teeth floating" means a procedure*
13 *performed by an individual who uses without the administration, dispensing,*
14 *use, or the prescribing of drugs the following:*

15 *(A) Non-motorized or non-air-driven hand floats on an*
16 *animal to remove the sharp enamel points from the buccal edges of the*
17 *maxillary cheek teeth and the lingual edges of the mandibular cheek teeth by*
18 *rasping; and*

19 *(B) Cotton swabs, gauze, dental floss, dentifrice,*
20 *toothbrushes, or similar items to clean an animal's teeth.*

21 *(2) "Teeth floating" excludes the rasping of the occlusal or*
22 *chewing surface, extraction of teeth, oral surgery, or any other veterinary*
23 *medical or surgical procedure in the oral cavity of an animal, including*
24 *periodontics, endodontics, and orthodontics.*

25 *(b) The Veterinary Medical Examining Board is prohibited from*
26 *enforcing board policy regarding equine teeth floating and equine massage*
27 *therapy by either investigating or prosecuting an individual practitioner*
28 *engaged in equine teeth floating or an individual practitioner practicing*
29 *equine massage therapy until July 1, 2013.*

30 *(c)(1) Prior to engaging in the practice of equine teeth floating or*
31 *equine massage therapy in the state, an individual practitioner shall present*
32 *to the board signed letters of recommendation from two (2) clients who have*
33 *previously employed the individual practitioner and who bear witness to the*
34 *individual practitioner's ability to perform equine teeth floating or equine*
35 *massage therapy or both.*

36 *(2) The letters of recommendation shall be presented to the board*

1 prior to providing service to a client or performing any procedure on any
2 animal.

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/s/Collins