

AMENDED IN ASSEMBLY APRIL 23, 2015

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 316

Introduced by Assembly Member Maienschein

February 13, 2015

An act to amend Section 4830 of the Business and Professions Code, relating to veterinarians.

LEGISLATIVE COUNSEL'S DIGEST

AB 316, as amended, Maienschein. Veterinarians.

Under existing law, the Veterinary Medical Board licenses and regulates veterinarians and the practice of veterinary medicine. It is unlawful for any person to practice veterinary medicine in this state unless he or she holds a valid, unexpired, and unrevoked license issued by the board, except under specified circumstances, including when regularly licensed veterinarians are actually called from other states to attend cases in this state and do not open an office or appoint a place to do business within the state.

This bill would specifically exempt from these licensing requirements a regularly licensed veterinarian *in good standing* who is called from another state by a law enforcement agency, animal control department, or a humane officer to attend to cases that are part of an investigation of an alleged violation of federal or state animal fighting or animal cruelty laws within a single geographic location when the law enforcement agency, animal control department, or humane officer determines that it is necessary to call the veterinarian to conduct the investigation in a timely, efficient, and effective manner.

Existing law requires the registration of all premises where veterinary medicine, veterinary dentistry, or veterinary surgery is being practiced. Existing law also requires these premises, and all instruments, apparatus, and apparel used in connection with those practices to be kept clean and sanitary at all times, and to conform to those minimum standards established by the board. Existing law makes it a misdemeanor to violate these provisions regulating the practice of veterinary medicine.

This bill would authorize a regularly licensed veterinarian *in good standing* who is called from another state to attend to cases that are a part of the above described investigation to provide veterinary medical care to animals that are affected by the investigation within a temporary shelter facility and would exempt the temporary shelter facility from the registration requirement if specified conditions are met.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 4830 of the Business and Professions
- 2 Code is amended to read:
- 3 4830. (a) This chapter does not apply to:
- 4 (1) Veterinarians while serving in any armed branch of the
- 5 military service of the United States or the United States
- 6 Department of Agriculture while actually engaged and employed
- 7 in their official capacity.
- 8 (2) Regularly licensed veterinarians in actual consultation from
- 9 other states.
- 10 (3) Regularly licensed veterinarians *in good standing* actually
- 11 called from other states to attend cases in this state, but who do
- 12 not open an office or appoint a place to do business within this
- 13 state.
- 14 (4) Veterinarians employed by the University of California
- 15 while engaged in the performance of duties in connection with the
- 16 College of Agriculture, the Agricultural Experiment Station, the
- 17 School of Veterinary Medicine, or the agricultural extension work
- 18 of the university or employed by the Western University of Health
- 19 Sciences while engaged in the performance of duties in connection
- 20 with the College of Veterinary Medicine or the agricultural
- 21 extension work of the university.

1 (5) Students in the School of Veterinary Medicine of the
2 University of California or the College of Veterinary Medicine of
3 the Western University of Health Sciences who participate in
4 diagnosis and treatment as part of their educational experience,
5 including those in off-campus educational programs under the
6 direct supervision of a licensed veterinarian in good standing, as
7 defined in paragraph (1) of subdivision (b) of Section 4848,
8 appointed by the University of California, Davis, or the Western
9 University of Health Sciences.

10 (6) A veterinarian who is employed by the Meat and Poultry
11 Inspection Branch of the California Department of Food and
12 Agriculture while actually engaged and employed in his or her
13 official capacity. A person exempt under this paragraph shall not
14 otherwise engage in the practice of veterinary medicine unless the
15 person is issued a license by the board.

16 (7) Unlicensed personnel employed by the Department of Food
17 and Agriculture or the United States Department of Agriculture
18 when in the course of their duties they are directed by a veterinarian
19 supervisor to conduct an examination, obtain biological specimens,
20 apply biological tests, or administer medications or biological
21 products as part of government disease or condition monitoring,
22 investigation, control, or eradication activities.

23 (b) (1) For purposes of paragraph (3) of subdivision (a), a
24 regularly licensed veterinarian *in good standing* who is called from
25 another state by a law enforcement agency, animal control
26 department, as defined in Section 31606 of the Food and
27 Agricultural Code, or a humane officer appointed pursuant to
28 Section 14502 of the Corporations Code, to attend to cases that
29 are a part of an investigation of an alleged violation of federal or
30 state animal fighting or animal cruelty laws within a single
31 geographic location shall be exempt from the licensing
32 requirements of this chapter when the law enforcement agency,
33 animal control department, or humane officer determines that it is
34 necessary to call the veterinarian in order for the agency or officer
35 to conduct the investigation in a timely, efficient, and effective
36 manner. In determining whether it is necessary to call a veterinarian
37 from another state, consideration shall be given to the availability
38 of veterinarians in this state to attend to these cases. An agency,
39 department, or officer that calls a veterinarian pursuant to this
40 subdivision shall notify the board of this investigation.

1 (2) Notwithstanding any other provision of this chapter, a
2 regularly licensed veterinarian *in good standing* who is called from
3 another state to attend to cases that are a part of an investigation
4 described in paragraph (1) may provide veterinary medical care
5 for animals that are affected by the investigation within a temporary
6 shelter facility, and the temporary shelter facility shall be exempt
7 from the registration requirement of Section 4853 if all of the
8 following conditions are met:

9 (A) The temporary shelter facility is established only for the
10 purposes of the investigation.

11 (B) The temporary shelter facility provides veterinary medical
12 care, shelter, food, and water only to the animals that are affected
13 by the investigation.

14 (C) The temporary shelter facility complies with Section 4854.

15 (D) A notice is posted in a conspicuous location near the
16 temporary shelter facility to indicate that the facility is in use for
17 the veterinary medical care of animals affected by an investigation
18 into alleged violations of federal or state laws.

19 (E) The temporary shelter facility exists for not more than 60
20 days, unless the law enforcement agency, animal control agency,
21 or humane officer determines a longer period of time is necessary
22 to complete the investigation.