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## HOUSE BILL NO. 2363

## AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Health, Welfare and Institutions  
on January 23, 2007)

(Patron Prior to Substitute—Delegate Scott, E.T.)

A BILL to amend and reenact § 54.1-3807 of the Code of Virginia, and to amend the Code of Virginia by adding in Chapter 38 of Title 54.1 a section numbered 54.1-3813, relating to registration of equine dental technicians.

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-3807 of the Code of Virginia is amended and reenacted, and that the Code of Virginia is amended by adding in Chapter 38 of Title 54.1 a section numbered 54.1-3813 as follows:

§ 54.1-3807. Refusal to grant and to renew; revocation and suspension of licenses and registrations.

The Board may refuse to grant or to renew, may suspend or revoke any license to practice veterinary medicine or to practice as a veterinary technician or registration to practice as an equine dental technician if such applicant or holder:

1. Is convicted of any felony or of any misdemeanor involving moral turpitude;

2. Employs or permits any person who does not hold a license to practice veterinary medicine or to practice as a licensed veterinary technician or registration to practice as an equine dental technician to perform work which can lawfully be performed only by a person holding the appropriate license or registration;

3. Willfully violates any provision of this chapter or any regulation of the Board;

4. Has violated any federal or state law relating to controlled substances as defined in Chapter 34 (§ 54.1-3400 et seq.) of this title;

5. Is guilty of unprofessional conduct as defined by regulations of the Board;

6. Uses alcohol or drugs to the extent such use renders him unsafe to practice or suffers from any mental or physical condition rendering him unsafe to practice; or

7. Has had his license to practice veterinary medicine or as a veterinary technician or his registration to practice as an equine dental technician in any other state revoked or suspended.

§ 54.1-3813. Registration of equine dental technicians.

A. As used in this section, "equine dental technician" means an individual who satisfies the criteria established by the Board for registration to perform duties relating to the care and maintenance of equine teeth in accordance with this section and regulations promulgated by the Board. A licensed veterinary technician shall practice in accordance with the requirements of §54.1-3806 and regulations of the Board governing the practice of licensed veterinary technicians.

B. The Board may register a person as an equine dental technician who meets the following criteria: (i) satisfactory evidence that he is of good moral character, (ii) recommendations from at least two licensed veterinarians with practice bases that are at least fifty percent equine, and (iii) evidence that he holds current certification from the International Association of Equine Dentistry or a Board-approved certification program or has satisfactorily completed a Board-approved training program. The Board may register individuals who have not completed a Board-approved training program or do not hold a current certification from the International Association of Equine Dentistry or a Board-approved certification program if they have engaged in acts considered to be those of an equine dental technician as set forth in subsections C and D of this section for at least 5 years and provide the following: (i) satisfactory evidence of length of time of practice, (ii) recommendations from at least two licensed veterinarians with practice bases that are at least fifty percent equine, and (iii) proof of continued competency satisfactory to the Board.

C. It shall be unlawful for any person not holding a current and valid registration as an equine dental technician or a current and valid license as a veterinarian to perform the following duties:

1. The planing or leveling of equine teeth using nonmotorized hand tools for routine dental maintenance;

2. The planing or leveling of equine teeth using motorized tools performed for routine dental maintenance, or the extraction of wolf teeth premolars including premolars 105, 205, 305 and 405, performed under the direct supervision of a licensed veterinarian where (a) there exists an established client-patient relationship between the veterinarian and the owner, (b) the veterinarian is present, and (c) the veterinarian remains responsible for the sedation of the animal; and

3. Any other task restricted pursuant to regulations promulgated by the Board.

Notwithstanding the foregoing, no equine dental technician shall administer any sedative, tranquilizer, analgesic, prescription medication, or other drug under any circumstances.

60 *D. The Board shall promulgate regulations in order to carry out the provisions of this section, which*  
61 *shall include (i) criteria and fees for application and renewal; (ii) requirements for evidence of*  
62 *continued competency for equine dental technicians; and (ii) standards to ensure the health, safety, and*  
63 *welfare of animals treated by equine dental technicians.*

64 **2. That, notwithstanding the provisions of § 54.1-3805, the practice as an equine dental technician**  
65 **in Virginia prior to the effective date of this act shall not constitute grounds for disciplinary action**  
66 **by the Board of Veterinary Medicine. The Board may register a person who has practiced as an**  
67 **equine dental technician in the Commonwealth upon application and compliance with the**  
68 **provisions of this act.**

69 **3. Practice as an equine dental technician in Virginia prior to the effective date of regulations**  
70 **promulgated to implement § 54.1-3813 shall not constitute grounds for disciplinary action by the**  
71 **Board of Veterinary Medicine. The Board may register a person who has practiced as an equine**  
72 **dental technician in the Commonwealth upon application and compliance with the provisions of**  
73 **this act.**