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## HOUSE BILL NO. 1363

Offered January 8, 2020

Prefiled January 8, 2020

*A BILL to amend and reenact § 54.1-3801 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 54.1-3805.3, relating to licensure exemption for student practice of veterinary medicine and veterinary technology; temporary postgraduate license; regulations.*

Patron—Rush

Referred to Committee on Health, Welfare and Institutions

**Be it enacted by the General Assembly of Virginia:**

**1. That § 54.1-3801 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 54.1-3805.3 as follows:**

**§ 54.1-3801. Exceptions.**

This chapter shall not apply to:

1. The owner of an animal and the owner's full-time, regular employee caring for and treating the animal belonging to such owner, except where the ownership of the animal was transferred for the purpose of circumventing the requirements of this chapter;

2. Veterinarians licensed in other states called in actual consultation with veterinarians licensed in the Commonwealth who do not open an office or appoint a place to practice within the Commonwealth;

3. Veterinarians employed by the United States or by the Commonwealth while actually engaged in the performance of their official duties, with the exception of those engaged in the practice of veterinary medicine, pursuant to § 54.1-3800, as part of a veterinary medical education program accredited by the American Veterinary Medical Association Council on Education and located in the Commonwealth;

4. Veterinarians providing free care in underserved areas of Virginia who (i) do not regularly practice veterinary medicine in Virginia, (ii) hold a current valid license or certificate to practice veterinary medicine in another state, territory, district, or possession of the United States, (iii) volunteer to provide free care in an underserved area of the Commonwealth under the auspices of a publicly supported all volunteer, nonprofit organization that sponsors the provision of health care to populations of underserved people, (iv) file copies of their licenses or certificates issued in such other jurisdiction with the Board, (v) notify the Board at least five business days prior to the voluntary provision of services of the dates and location of such service, and (vi) acknowledge, in writing, that such licensure exemption shall only be valid, in compliance with the Board's regulations, during the limited period that such free health care is made available through the volunteer, nonprofit organization on the dates and at the location filed with the Board. The Board may deny the right to practice in Virginia to any veterinarian whose license has been previously suspended or revoked, who has been convicted of a felony, or who is otherwise found to be in violation of applicable laws or regulations. However, the Board shall allow a veterinarian who meets the above criteria to provide volunteer services without prior notice for a period of up to three days, provided the nonprofit organization verifies that the practitioner has a valid, unrestricted license in another state; or

5. Persons purchasing, possessing, and administering drugs and biological products in a public or private animal shelter as defined in § 3.2-6500, provided that such purchase, possession, and administration is in compliance with § 54.1-3423; or

6. *The practical training and employment of qualified students of veterinary medicine or veterinary technology, which shall be governed and controlled as follows:*

*a. A veterinary student who is enrolled and in good standing in a veterinary college or school accredited or approved by the American Veterinary Medical Association (AVMA) may be engaged in a preceptorship or externship. A veterinary preceptee or extern may perform duties that constitute the practice of veterinary medicine for which he has received adequate instruction by the college or school and only under the on-premises supervision of a licensed veterinarian.*

*b. A veterinary technician student who is enrolled and in good standing in a veterinary technology program accredited or approved by the AVMA may be engaged in a preceptorship or externship. A veterinary technician preceptee or extern may perform duties that constitute the practice of veterinary technology for which he has received adequate instruction by the program and only under the on-premises supervision of a licensed veterinarian or licensed veterinary technician.*

*Whenever a veterinary preceptee or extern is performing surgery on a patient, either assisted or unassisted, the supervising veterinarian shall be in the operatory during the procedure. Prior to allowing a preceptee or extern in veterinary medicine to perform surgery on a patient unassisted by a*

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59 *licensed veterinarian, a licensed veterinarian shall receive written, informed consent from the owner.*

60 **§ 54.1-3805.3. Temporary postgraduate license.**

61 *A. Upon payment of a fee prescribed by the Board and provided that no grounds exist to deny*  
62 *licensure pursuant to § 54.1-3807, the Board may issue a temporary postgraduate license to practice*  
63 *veterinary medicine to a graduate of a program accredited by the American Veterinary Medical*  
64 *Association, or to an individual who meets the requirements of the Educational Commission of Foreign*  
65 *Veterinary Graduates or the Program for the Assessment of Veterinary Education Equivalence of the*  
66 *American Association of Veterinary State Boards, as verified by the veterinary medicine education*  
67 *program. A temporary postgraduate license may be issued to a graduate who is participating in a*  
68 *postgraduate internship or residency affiliated with a veterinary medicine education program. Prior to*  
69 *the issuance of such license, the Board shall require a recommendation for temporary postgraduate*  
70 *licensure from the dean or director of graduate education of the veterinary medicine education program*  
71 *within which the graduate will complete the internship or residency. The application for a temporary*  
72 *postgraduate license shall include the beginning and ending dates of the internship or residency.*

73 *B. A person to whom a license has been issued pursuant to subsection A shall be supervised by a*  
74 *licensed veterinarian or a veterinarian who holds a faculty license issued by the Board and shall*  
75 *practice only within a program-affiliated veterinary establishment that provides diagnostic and clinical*  
76 *services. A temporary postgraduate license shall not authorize the licensee to practice veterinary*  
77 *medicine in nonaffiliated veterinary establishments or in private practice settings.*

78 *C. A temporary postgraduate license shall expire on August 1 of the second year after its issuance*  
79 *and may be renewed upon recommendation by the dean or director of graduate education of the*  
80 *veterinary medicine education program within which the licensee is completing an internship or*  
81 *residency.*

82 *D. The Board shall promulgate regulations consistent with the provisions of this section and may*  
83 *require such reports from any school of veterinary medicine operating an accredited veterinary medicine*  
84 *education program in the Commonwealth as may be necessary to carry out the provisions of this*  
85 *section.*