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HOUSE BILL NO. 1107

Offered January 22, 1996

A BILL to amend the Code of Virginia by adding a section numbered 54.1-3806.2, and to repeal § 54.1-3806.1 of the Code of Virginia, relating to animal hospitals and clinics.

Patrons—Keating, Callahan, Christian, Darner, Harris, Van Landingham and Watts

Referred to Committee on Agriculture

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 54.1-3806.2 as follows:

§ 54.1-3806.2. Animal hospitals and animal clinics.

A. Any facility in which veterinary medicine is practiced which (i) identifies itself as an animal hospital, through its registered business name, outside public identification such as an outdoor sign or lettering on windows, listing in the telephone book, stationery, business cards, or brochures and (ii) treats or boards animals overnight or at any time the facility is not open for business to the public, shall employ and have on the premises and on duty at least one licensed veterinary technician from the time the facility closes for business to the public until the time the facility opens for business to the public, including holidays and weekends, if there is an animal in the facility. During the time the hospital is closed for business to the public, the veterinary technician shall periodically inspect the animals in the facility and shall be responsible for the well-being and nontechnical treatment of animals within the facility and shall notify a licensed veterinarian if a medical emergency arises.

B. Until July 1, 1998, the Board shall allow a waiver of the requirements of subsection A if the facility uses a customer disclosure form as described in this subsection. The disclosure form shall contain the facility's name, address, and telephone number, the hours and days of the week that the facility is open for business to the public, the hours and days of week that the facility is not open for business to the public, the holidays that the facility will not be open for business to the public, and the number of hours that the facility will be closed for business to the public each day, including nights, weekends, holidays and any other times that the facility may be closed. The disclosure form shall contain a statement indicating that the customer has fully read and understands the form and agrees to leave an animal with full knowledge that there is no continuous or implied partial medical care during the hours that the facility is not open for business to the public. The form shall not be incorporated into any other form that the facility uses. The form shall be dated, signed by the customer and retained by the facility for two years.

C. Any facility where veterinary medicine is practiced that does not employ a licensed veterinary technician to be on duty whenever the facility is not open for business to the public and there is an animal in the facility shall operate as an animal clinic, and may not identify itself as an animal hospital through its registered business name, outside public identification such as an outdoor sign or lettering on windows, listing in the telephone book, stationery, business cards, or brochures, and shall not house animals for treatment and boarding purposes overnight or at any time the facility is not open for business to the public.

D. Any facility where veterinary medicine is practiced on livestock, as defined in § 3.1-796.66, shall not be required to employ a veterinary technician to be on duty when the facility is closed for business to the public, but shall operate as a clinic and shall not identify itself as an animal hospital, through its registered business name, outside public identification such as an outdoor sign or lettering on windows, listing in the telephone book, stationery, business cards, or brochures, unless it employs a veterinary technician to be on duty whenever the facility is closed for business to the public and there is an animal in the facility. A facility where veterinary medicine is practiced on livestock shall use a disclosure form as described in subsection B when treating or boarding animals other than livestock.

E. The Board shall issue animal hospital permits and animal clinic permits. Each facility in which veterinary medicine is practiced shall obtain from the Board a permit to operate as an animal hospital or animal clinic and shall post its permit in the facility.

F. The Board shall revoke or suspend the permit of any facility that fails to comply with the provisions of this section.

2. That § 54.1-3806.1 of the Code of Virginia is repealed.

INTRODUCED

HB1107