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HOUSE BILL NO. 1153

Offered January 26, 1998

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—Callahan, Christian, Keating, Plum and Watts; Senators: Ticer and Walker

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 or licensed veterinarian 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 or licensed veterinarian 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 where a licensed veterinary technician is on duty, he shall notify a licensed veterinarian if a medical emergency arises.

B. Any facility where veterinary medicine is practiced that does not employ a licensed veterinary technician or licensed veterinarian to be on duty whenever the facility is not open for business to the public and there is an animal in the facility, 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, but may operate as an animal clinic, 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.

C. Until July 1, 2000, the Board shall waive the requirements of subsections A and B 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, and the days of week that the facility has a licensed veterinary technician or licensed veterinarian on the premises and on duty. 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 a licensed veterinary technician or licensed veterinarian is not on duty and on the premises. The disclosure form shall be independent from any other information not pertaining to continuous care and shall require a separate signature from the customer. The disclosure form shall be retained by the facility for two years or until the records have been requested or forwarded to the customer or another veterinary facility. On or after July 1, 2000, the Board shall waive the requirements of subsection B if the facility uses the disclosure form required by subsection B and discloses that the facility is not licensed as an "animal hospital."

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 or licensed veterinarian to be on duty when the facility is closed for business to the public, provided it does 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. A facility where veterinary medicine is practiced on livestock shall use a disclosure form as specified in subsection C when treating or boarding animals other than livestock.

E. No later than July 1, 2000, the Board shall issue animal hospital permits to facilities that provide continuous care by a licensed veterinary technician or licensed veterinarian, and animal clinic permits to other veterinary facilities. 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

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