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## SENATE BILL NO. 413

Offered January 8, 2014

Prefiled January 7, 2014

*A BILL to amend and reenact § 54.1-3801 of the Code of Virginia, relating to exempting wildlife rehabilitators from the practice of veterinary medicine.*

Patron—Hanger

Referred to Committee on General Laws and Technology

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

**1. That § 54.1-3801 of the Code of Virginia is amended and reenacted 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 or to attend a case in this Commonwealth who do not open an office or appoint a place to practice within this Commonwealth;

3. Veterinarians employed by the United States or by this Commonwealth while actually engaged in the performance of their official duties;

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 this 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 in an animal shelter or pound as defined in § 3.2-6500, provided that such purchase, possession, and administration is in compliance with § 54.1-3423; or

6. Persons permitted or authorized by the Department of Game and Inland Fisheries to provide care to native wildlife, provided that the individual is adequately trained to perform any procedures undertaken in the provision of such care and is in compliance with the regulations and permit conditions established by the Department of Game and Inland Fisheries. This exemption shall apply to (i) persons and organizations who hold a permit for the rehabilitation of wildlife pursuant to § 29.1-417, (ii) persons who hold a permit to possess wildlife for educational or scientific purposes pursuant to § 29.1-417, (iii) persons or organizations who hold a permit to possess or confine wildlife for recreation or commercial activities, and (iv) persons who hold a permit to interact with captive or free-ranging wildlife for purposes authorized by the Department of Game and Inland Fisheries. This exemption applies to the holder of a permit, as well as other individuals acting under the authorization of these permits, including staff, volunteers, students, trainees, or other associates, provided that the actions of these individuals are in compliance with the regulations adopted by the Board of Game and Inland Fisheries and permit conditions established by the Department of Game and Inland Fisheries. In the case of a suspected violation of the terms of this exemption, the Board of Veterinary Medicine may request written proof that activities or procedures performed under this exemption actually meet the conditions set forth herein, including a copy of the permit issued by the Department of Game and Inland Fisheries, verification of the training or qualifications of any individual providing care to wildlife, and copies of records that document the type of care provided, who provided the care, and all medications or treatments used.

INTRODUCED

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