

Proposed Technical Amendments for SB 289
 For Committee on Agriculture
 January 31, 2012
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 Office of Revisor of Statutes

1 director shall perform such duties as may be required by law or authorized
 2 by the board.
 3 ~~(7)~~ (8) Purchase of rent necessary office space, equipment and
 4 supplies.
 5 ~~(8)~~ (9) Appoint from its own membership one or more members to
 6 act as representatives of the board at any meeting within or without the
 7 state where such representation is deemed desirable.
 8 ~~(9)~~ (10) Initiate the bringing of proceedings in the courts for the
 9 enforcement of this act.
 10 ~~(10)~~ (11) Adopt, amend or repeal rules and regulations for licensed
 11 veterinarians regarding the limits of activity for assistants and registered
 12 veterinary technicians who perform prescribed veterinary procedures
 13 under the direct or indirect supervision and responsibility of a licensed
 14 veterinarian.
 15 ~~(11)~~ (12) Adopt, amend or repeal such rules and regulations, not
 16 inconsistent with law, as may be necessary to carry out the purposes of this
 17 act and enforce the provisions thereof.
 18 ~~(12)~~ (13) Have a common seal.
 19 ~~(13)~~ (14) Adopt, amend or repeal rules and regulations to fix
 20 minimum standards for continuing veterinary medical education, which
 21 standards shall be a condition precedent to the renewal of a license under
 22 this act.
 23 ~~(14)~~—Register (15) Examine and determine the qualifications and
 24 fitness of applicants for registration and register veterinary technicians.
 25 (16) Issue, renew, deny, limit, condition, fine, reprimand, restrict,
 26 suspend or revoke veterinary technician registrations in this state with the
 27 provisions of this act and the rules and regulations adopted thereunder.
 28 ~~(15)~~ (17) Establish any committee necessary to implement any
 29 provision of this act including, but not limited to, a continuing education
 30 committee and a peer review committee. Such committees may be formed
 31 in conjunction with professional veterinary associations in the state.
 32 Members of such committees appointed by the board shall receive the
 33 same privileges and immunities and be charged with the same
 34 responsibilities of activity and confidentiality as board members.
 35 ~~(16)~~ (18) Refer complaints to a duly formed peer review committee
 36 of a duly appointed professional association.
 37 ~~(17)~~ (19) Establish, by rules and regulations, minimum standards for
 38 the practice of veterinary medicine.
 39 ~~(18)~~ (20) Contract with a person or entity to perform the inspections
 40 or reinspections as required by K.S.A. 47-840, and amendments thereto.
 41 ~~(19)~~ (21)(A) For the purpose of investigations and proceedings
 42 conducted by the board, the board may issue subpoenas compelling:
 43 (i) The attendance and testimony of veterinarians or veterinary

consistent

1 management of a veterinary premises to keep the veterinary premises in
2 compliance with minimum standards established by rules and regulations
3 as to sanitary conditions and physical plant;

4 (j) failure to report as required by law, or making false report of any
5 contagious or infectious disease;

6 (k) dishonesty or negligence in the inspection of foodstuffs;

7 (l) cruelty or inhumane treatment to animals;

8 (m) disciplinary or administrative action taken by any federal, state or
9 local regulatory agency or any foreign country on grounds other than
10 nonpayment of registration fees;

11 (n) disclosure of any information in violation of K.S.A. 47-839, and
12 amendments thereto;

13 (o) unprofessional conduct as defined in rules and regulations
14 adopted by the board includes, but is not limited to, the following:

15 (1) Conviction of a charge of violating any federal ~~states~~ statute or
16 any statute of this state, regarding substances as defined in K.S.A. 65-
17 4101, and amendments thereto;

controlled

18 (2) using unless lawfully prescribed, prescribing or administering to
19 oneself or another person any of the controlled substances as defined in
20 K.S.A. 65-4101, and amendments thereto, or using, prescribing or
21 administering any of the controlled substances as defined in K.S.A. 65-
22 4101 and amendments thereto or alcoholic beverages or any other drugs,
23 chemicals or substances to the extent, or in such a manner as to be
24 dangerous or injurious to a person licensed under the Kansas veterinary
25 practice act, to oneself or to any other person or to the public, or to the
26 extent that such use impairs the ability of such person so licensed to
27 conduct with safety the practice authorized by the license;

28 (3) the conviction of more than one misdemeanor or any felony
29 involving the use, consumption or self-administration of any of the
30 substances referred to in this section or any combination thereof;

31 (4) violation of or attempting to violate, directly or indirectly, any
32 provision of the Kansas veterinary practice act or any rules and regulations
33 adopted pursuant to such act; and

34 (5) violation of an order of the board;

35 (p) conviction of a crime substantially related to qualifications,
36 functions or duties of veterinary medicine, surgery or dentistry;

37 (q) fraud, deception, negligence or incompetence in the practice of
38 veterinary medicine;

39 (r) the use, prescription, administration, dispensation or sale of any
40 veterinary prescription drug or the prescription of an extra-label use of any
41 over-the-counter drug in the absence of a valid veterinary-client-patient
42 relationship;

43 (s) failing to furnish details or copies of a patient's medical records or