

SESSION OF 2015

**CONFERENCE COMMITTEE REPORT BRIEF
SENATE BILL NO. 189**

As Agreed to April 2, 2015

Brief*

SB 189 would require any person who practices veterinary medicine on client-owned animals as a part of the person's employment at a school of veterinary medicine in Kansas to be a licensed veterinarian or possess an institutional license, beginning July 1, 2016. The fee for an application for an institutional license would be not less than \$50 nor more than \$250. The annual fee for renewal would be not less than \$20 nor more than \$100. Both fees would be established by the Board of Veterinary Examiners (Board). The bill also would require notices of the expiration of institutional licenses to be mailed to those holding institutional licenses and to the school of veterinary medicine not later than 30 days prior to the license expiration.

In addition, the bill would establish the procedure and requirements for obtaining an institutional license to practice veterinary medicine while employed by a school of veterinary medicine in the state from the Board. The bill would require the applicant to:

- Have a degree of doctor of veterinary medicine or its equivalent;
- Have passed the Kansas veterinary legal practice examination;
- Be a person of good moral character;

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- Have paid the license application fee;
- Provide proof of employment with a school of veterinary medicine within Kansas;
- Certify that the person understands and agrees the institutional license is valid only for the practice of veterinary medicine associated with employment with the school of veterinary medicine; and
- Provide additional information or proof as required by the Board in rules and regulations.

Further, on and after July 1, 2016, the Kansas Veterinary Practice Act (Act) would be amended to specifically permit:

- The practice of veterinary medicine at a school of veterinary medicine in Kansas by a person possessing an institutional license;
- Any person, including a member of the faculty, to give lectures, instructions, or demonstrations at the school of veterinary medicine or in connection with continuing education courses, except when it involves the practice of veterinary medicine on client-owned animals; or
- The temporary practice of veterinary medicine at a school of veterinary medicine, for a period of 30 days per calendar year, by a person eligible to obtain a veterinary or institutional license upon examination and application.

Under the bill, the Board, by rules and regulations, would be allowed to waive the payment of a renewal fee for an institutional license during the period when the person is on active military duty during a time of national emergency for a period not to exceed three years.

In addition, the bill would remove the sunset on the veterinary training program for rural Kansas and allow the program to continue. Under current law, the program would sunset on July 1, 2016, and no further program agreements could be entered after that date.

The bill would require the Dean of the College of Veterinary Medicine at Kansas State University to submit an annual report to the Senate Committee on Agriculture and the House Committee on Agriculture and Natural Resources, which would include details on the Veterinary Training Program for Rural Kansas, the Veterinary Diagnostic Laboratory, the National Bio and Agro-Defense Facility (NBAF), and other programs of the college.

Further, the bill would require the Animal Health Commissioner of the Kansas Department of Agriculture (KDA) to promulgate rules and regulations by December 31, 2015, regarding acceptable forms of euthanasia. The rules and regulations could be more strict than euthanasia standards set by the American Veterinary Medical Association.

Conference Committee Action

The Conference Committee agreed to the House Committee of the Whole language on the bill, but added a provision regarding an annual report to the Senate Committee on Agriculture and House Committee on Agriculture and Natural Resources regarding various veterinary programs, the Veterinary Diagnostic Laboratory, and NBAF. The Committee also amended the language regarding a ban on carbon monoxide euthanasia of dogs and cats, by authorizing the Animal Health Commissioner to promulgate rules and regulations by December 31, 2015.

Background

The bill was introduced by the Senate Committee on Agriculture.

At the Senate Committee hearing on the bill, proponents included representatives of the Board, the KDA, and the College of Veterinary Medicine at Kansas State University.

The Senate Committee heard testimony that, while violations of the Act by persons practicing veterinary medicine at a school of veterinary medicine are limited, the bill would give authority to the Board to investigate those matters and to take any appropriate disciplinary action against anyone who violates the Act. Another conferee explained the Board is charged to ensure standards of quality care and competency are maintained as well as to take remedial action against veterinarians who violate provisions of the Act. The Senate Committee learned the Board has jurisdiction only of those it licenses and has no authority over non-licensed veterinarians.

At the hearing on the bill in the House Agriculture and Natural Resources Committee, the only conferee was a proponent representing the KDA. The Committee heard the bill would give authority to the Board to investigate and to take any appropriate disciplinary action against anyone who violates the Act. The Committee also learned the Board is charged to ensure standards of quality care and competency are maintained as well as to take remedial action against veterinarians who violate provisions of the Act. The House Committee learned the Board has jurisdiction only of those it licenses and has no authority over non-licensed veterinarians.

The House Committee on Agriculture and Natural Resources amended the bill to add the provisions of HB 2364 dealing with the elimination of the sunset on the veterinary training program for rural Kansas.

The House Committee of the Whole amended the bill by adding language prohibiting the use of carbon monoxide chambers for the purpose of euthanasia of dogs and cats.

The fiscal note on the original bill states the KDA believes the fiscal effect of the bill on expenditures would be negligible and would increase fee fund revenue by approximately \$4,995 in both FY 2016 and FY 2017. The revenue, based on the number of licenses as estimated by the Board and the Kansas State College of Veterinary Medicine, includes the following:

<u>Number of Licenses</u>	<u>Revenue</u>
Clinicians (41 @ \$95)	\$ 3,895
Interns (7 @ \$50)	350
Residents (8 @ \$50)	400
2nd Year Residents (7 @ \$25)	175
3rd Year Residents (7 @ \$25)	175
Total	\$ 4,995

The fiscal note on HB 2364 (the portion of the bill dealing with the veterinary training program for rural Kansas) indicates \$400,000 from the State General Fund is appropriated and expended annually for the program. Removing the sunset date would extend expenditures for the program indefinitely. The amount of those expenditures would be subject to appropriations.

Kansas Veterinary Practice Act; veterinary licenses; Veterinary Training Program for Rural Kansas; Kansas State University; animal welfare

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