

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Introduced

House Bill 2995

BY DELEGATES OVERINGTON, PAYNTER AND KESSINGER

[Introduced March 14, 2017; Referred
to the Committee on Agriculture and Natural Resources
then Government Organization.]

1 A BILL to amend and reenact §30-10-3 of the Code of West Virginia, 1931, as amended, relating
2 to permitting certain animal euthanasia technicians who have been certified by other
3 states be certified animal euthanasia technicians in West Virginia.

Be it enacted by the Legislature of West Virginia:

1 That §30-10-3 of the Code of West Virginia, 1931, as amended, be amended and
2 reenacted to read as follows:

ARTICLE 10. VETERINARIANS.

§30-10-3. Definitions.

1 As used in this article, the following words and terms have the following meanings:

2 (a) "Animal" means any animal other than human, and the term includes fowl, birds,
3 amphibians, fish, and reptiles, wild or domestic, living or dead.

4 (b) "Animal control facility" means a municipal or county operated humane society or
5 animal shelter incorporated and organized under the laws of this state, or a humane society or an
6 animal shelter classified as 501(c)(3) by the Internal Revenue Service, with at least one certified
7 animal euthanasia technician.

8 (c) "Applicant" means a person making application for a license, certificate, registration or
9 permit, under the provisions of this article.

10 (d) "Board" means the West Virginia Board of Veterinary Medicine.

11 (e) "Business entity" means any firm, partnership, association, company, corporation,
12 limited partnership, limited liability company or other entity performing veterinary medicine,
13 veterinary technology or animal euthanasia.

14 (f) "Certificate" means an animal euthanasia technician certificate issued under the
15 provisions of this article.

16 (g) "Certificate holder" means a person holding a certificate issued under the provisions
17 of this article.

18 (h) "Certified animal euthanasia technician" means a person who is certified by the board

19 to euthanize animals in accordance with the provisions of this article or is certified by any state
20 that abides by the standards of the board.

21 (i) "General supervision" means the supervising veterinarian is in the building where the
22 animal is being treated, has given instructions for treatment and is quickly and easily available.

23 (j) "Indirect supervision" means the performance of procedures on the orders of a
24 supervising veterinarian.

25 (k) "License" means a veterinary medicine license issued under the provisions of this
26 article.

27 (l) "Licensee" means a person holding a license issued under the provisions of this article.

28 (m) "Permit" means a temporary permit to practice veterinary medicine issued by the
29 board.

30 (n) "Permittee" means a person holding a permit issued under the provisions of this article.

31 (o) "Practice of veterinary medicine" means to diagnose, treat, correct, change, relieve or
32 prevent any disease, deformity, defect, injury, or other physical or mental condition, of any animal,
33 or to prescribe for or to administer to any animal any drug, medicine, biologic, apparatus,
34 application, anesthetic or other therapeutic or diagnostic substance or technique, or to render
35 advice or any recommendation with respect to any of the foregoing.

36 (p) "Practice of veterinary technology" means the science and art of providing all aspects
37 of professional medical care, services and treatment for animals with the exceptions of diagnosis,
38 prognosis, surgery, prescription and application of any treatments, drugs, medications or
39 appliances, where a valid veterinarian-client-patient relationship exists.

40 (q) "Registered veterinary technician" means a person who is duly registered to practice
41 veterinary technology under the provisions of this article.

42 (r) "Registrant" means a person holding a registration issued under the provisions of this
43 article.

44 (s) "Registration" means a veterinary technician registration issued under the provisions

45 of this article.

46 (t) "Supervising veterinarian" means a veterinarian, licensed under this article, who
47 assumes responsibility for the professional care given to an animal by a person authorized by this
48 article to work under his or her general or indirect supervision.

49 (u) "Veterinarian" means a person who is licensed to practice veterinary medicine under
50 the provisions of this article.

51 (v) "Veterinary assistant" means a person who has not met the requirements for becoming
52 a registered veterinary technician. The duties and tasks of a veterinary assistant are instructed
53 from and directly supervised by a licensed veterinarian, who is accountable for the veterinary
54 assistant's actions. The supervising veterinarian is responsible for determining the ability and
55 competence of the veterinary assistant to perform the directed task or procedure.

56 (w) "Veterinarian-client-patient relationship" means a relationship between a veterinarian,
57 a client and a patient, and exists when:

58 (1) A veterinarian assumes responsibility for medical judgments regarding the health of an
59 animal and the client who is the owner or other caretaker of the animal agrees to follow the
60 veterinarian's instructions; or

61 (2) A veterinarian, through personal examination of an animal or a representative sample
62 of a herd or flock, obtains sufficient information to make at least a general or preliminary diagnosis
63 of the medical condition of the animal, herd or flock, which diagnosis is expanded through
64 medically appropriate visits to the premises where the animal, herd or flock is kept.

NOTE: The purpose of this bill is to permit certain animal euthanasia technicians who have been certified by other states be certified animal euthanasia technicians in West Virginia.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.