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**CHAPTER 285—H.F.No.2217**

[Coded in Part]

*An act relating to veterinary medicine; proscribing certain practices by unlicensed persons; authorizing practice by students in certain circumstances; changing the licensing fee; setting licensing standards; providing a penalty; defining terms; amending Minnesota Statutes 1974, Sections 156.001, by adding a subdivision; 156.02, Subdivisions 1 and 2; 156.03; 156.04; 156.07; 156.072, Subdivision 1, and by adding subdivisions; 156.10; and 156.12.*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1974, Section 156.001, is amended by adding a subdivision to read:

Subd. 8. VETERINARY MEDICINE; AUTHORIZED PRACTICE. "Veterinary medicine" includes veterinary surgery, obstetrics, pathology, radiology, dentistry, ophthalmology, cardiology, dermatology, laboratory animal medicine, and all other branches or specialties of veterinary medicine.

Sec. 2. Minnesota Statutes 1974, Section 156.02, Subdivision 1, is amended to read:

156.02 **APPLICANTS FOR LICENSE; QUALIFICATIONS.** Subdivision 1. Application for a license to practice veterinary medicine in this state shall be made in writing to the veterinary examining board upon a form furnished by the board, accompanied by satisfactory evidence that the applicant is at least 18 years of age, is of good moral character, and has received a diploma conferring the degree of doctor of veterinary medicine, or ~~its an~~ equivalent degree, from ~~some a reputable~~ veterinary school approved by the board, or a certificate from the dean of an approved college of veterinary medicine stating that the applicant is a student in good standing expecting to be graduated at the completion of the next academic term of the college in which he is enrolled. The application shall contain the information and material required by subdivision 2 and any other information that the board may, in its sound judgment, require. The application shall be filed with the secretary of the board at least 30 days before the date of the examination. If the board deems it advisable, it may require that such application be verified by the oath of the applicant.

Sec. 3. Minnesota Statutes 1974, Section 156.02, Subdivision 2, is amended to read:

Subd. 2. Every application shall contain the following information and material: (1) A fee ~~of \$50 as set by the board~~ in the form of a check or money order payable to the state treasurer, which fee shall

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not be returnable in the event permission to take the examination is denied upon good cause; (2) A certificate from the dean or secretary of an approved college of veterinary medicine showing the time spent in ~~such the~~ school, and the date when the applicant was duly and regularly graduated ~~therefrom or will duly and regularly graduate~~. If the applicant attended more than one college of veterinary medicine, he shall furnish transcripts from each as to work done in each; (3) Affidavits of at least two veterinarians and three adults who are not related to the applicant setting forth how long a time, when, and under what circumstances ~~such persons they~~ have known the applicant, ~~details respecting the applicant's habits and general reputation;~~ and ~~such~~ any other facts as may be proper to enable the board to determine the ~~moral qualifications character~~ of the applicant; (4) If the applicant has served in the armed forces, he shall furnish a copy of his discharge papers.

Sec. 4. Minnesota Statutes 1974, Section 156.03, is amended to read:

156.03 **FEE; EXAMINATION.** Upon filing ~~such the~~ application and any other papers, affidavits, or proof that the veterinary examining board may require, together with the payment to the board of a fee of ~~\$50 as set by the board~~, the board, if satisfied, shall issue to the applicant for license an order for examination. Every applicant for a license shall submit to a theoretical or practical examination, or both, as designated by the board. The examination may be oral, or written, or both.

Sec. 5. Minnesota Statutes 1974, Section 156.04, is amended to read:

156.04 **BOARD TO ISSUE LICENSE.** The veterinary examining board shall issue to every applicant who has successfully passed the required examination, who has received a diploma conferring the degree of doctor of veterinary medicine or an equivalent degree from a veterinary school approved by the board, and who shall have been adjudged to be duly qualified to practice veterinary medicine a license to practice.

Sec. 6. Minnesota Statutes 1974, Section 156.07, is amended to read:

156.07 **ANNUAL REGISTRATION.** Every person licensed under Minnesota Statutes, Chapter 156, shall conspicuously display his license in his principal place of business.

Each person now qualified to practice veterinary medicine in this state, or who shall hereafter be licensed by the veterinary examining board to engage in ~~such the~~ practice, shall ~~register with the board before March 1 each year and thereupon the license of such veterinarian shall be renewed for such calendar year.~~

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The annual fee for such registration shall be not more than \$10 as deemed necessary by the board to maintain sufficient funds to carry out its duties. Such fees shall be paid by each licensed veterinarian in this state to the secretary of the board before March 1 each year. Notice of such fee shall be given to all veterinarians licensed in the preceding year by January 1 of the year for which the license fee is due.

Any such veterinarian failing so to register and pay this registration fee before March 1 each year shall pay to the secretary of the board the sum of \$10 plus the regular fee before his license shall be renewed; provided, that in the event any such licensed veterinarian fails to pay the registration fee provided herein within 60 days after March 1 in any year, then and in that event the board shall suspend his license to practice veterinary medicine in this state. periodically renew his license in a manner prescribed by the board. Renewal fees shall be set by the board. The board may assess a charge for delinquent payment of a renewal fee.

Any person who is licensed to practice veterinary medicine in this state pursuant to Minnesota Statutes, Chapter 156, shall be entitled to receive a license to continue ~~such to~~ practice upon making application to the board and complying with the terms of this section ~~for annual registration~~.

Any person who was qualified to practice veterinary medicine on or before March 31, 1937, and who has remained active in the field of veterinary medicine for a period of 25 years but who has failed to register with the state veterinary examining board may receive a license to practice veterinary medicine upon making application to the board and complying with the terms of this section for annual registration.

Sec. 7. Minnesota Statutes 1974, Section 156.072, Subdivision 1, is amended to read:

156.072 **NONRESIDENTS; LICENSES.** Subdivision 1. A doctor of veterinary medicine duly admitted to practice in any of the other states or territories or District of Columbia desiring permission to practice veterinary medicine in this state shall submit his application to the board upon forms prescribed by the board. Upon proof that he has been duly licensed to practice in ~~such any~~ other state or territory or in the District of Columbia and has been actively engaged in practicing veterinary medicine therein, for at least five years next preceding his application, or has been engaged in full time teaching of veterinary medicine in an approved college for at least five years next preceding his application, or any combination thereof, the examination may be waived, upon the recommendation of the board, and the applicant be admitted to practice without examination. However, the board may impose ~~such any~~ other tests as it considers proper.

Sec. 8. Minnesota Statutes 1974, Section 156.072, is amended by adding a subdivision to read:

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Subd. 4. The board may enter into reciprocity agreements with other states that have comparable licensing requirements and may issue a license without requiring an examination.

Sec. 9. Minnesota Statutes 1974, Section 156.072, is amended by adding a subdivision to read:

Subd. 5. The board may issue without examination a temporary permit to practice veterinary medicine in this state to a person who has submitted an application approved by the board for license pending examination, and holds a degree doctor of veterinary medicine or an equivalent degree from a veterinary college approved by the board. The temporary permit shall expire the day after publication of the notice of results of the first examination given after the permit is issued. No temporary permit may be issued to any applicant who has previously failed the examination in this state or in any other state, territory, or district of the United States or a foreign country.

Sec. 10. Minnesota Statutes 1974, Section 156.10, is amended to read:

**156.10 PRACTICE OF VETERINARY MEDICINE WITHOUT LICENSE UNLAWFUL.** It shall be unlawful for any person to practice veterinary medicine, or any branch thereof, in the state without having first secured a license or a temporary permit, as provided in this chapter, and any person violating the provisions of this section shall be guilty of a gross misdemeanor and punished therefor according to the laws of the state.

Sec. 11. Minnesota Statutes 1974, Section 156.12, is amended to read:

**156.12 PRACTICE OF VETERINARY MEDICINE.** Subdivision 1. The practice of veterinary medicine, as used in this chapter, shall include the act or acts of prescribing, or applying, any drug, medicine, biologic, biochemical, anesthetic, or other material agency for the treatment of any animal; or for the testing of any animal for the diagnosis of any disease, condition of pregnancy or sterility; or for the vaccination of any animal for the prevention of transmissible disease or diseases; surgically altering the appearance of an animal; spaying of female animals; or performing any operation for the treatment, relief, or cure of any sick, diseased, or injured animal mean the diagnosis, treatment, correction, relief, or prevention of animal disease, deformity, defect, injury, or other physical or mental conditions; the performance of obstetrical procedures for animals, including determination of pregnancy and correction of sterility or infertility; and the rendering of advice or recommendations with regard to any of the above. The practice of veterinary medicine shall include but not be limited to the prescription or administration of any drug, medicine, biologic, apparatus, application, anesthetic, or other therapeutic or diagnostic substance or technique. ~~Such~~—The practice shall not be construed to include the

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dehorning of cattle and goats or the castration of cattle, swine, goats, and sheep, or the docking of sheep ;

Subd. 2. ~~nor shall any~~ No provision of this chapter shall be construed to prohibit :

(a) A person ~~any one~~ from rendering necessary gratuitous assistance in the treatment of any animal when the ~~same~~ assistance does not amount to prescribing, testing for, or diagnosing, operating, or vaccinating ~~or and~~ when the attendance of a licensed veterinarian cannot be procured ; ~~nor shall it prohibit the employment by a licensed veterinarian of a regularly enrolled student in an approved college of veterinary medicine who has successfully completed his third year therein and who has obtained from the board an undergraduate permit to practice in the office and under the direct supervision of a practicing veterinarian licensed within this state, which permit is valid for a period of one year only. ;~~

(b) A person who is a regular student in an accredited or approved college of veterinary medicine from performing duties or actions assigned by his instructors or preceptors or working under the direct supervision of a licensed veterinarian;

(c) A veterinarian regularly licensed in another jurisdiction from consulting with a licensed veterinarian in this state;

(d) The owner of an animal and the owner's regular employee from caring for and treating the animal belonging to the owner, except where the ownership of the animal was transferred for purposes of circumventing chapter 156;

(e) A member of the faculty of an accredited college of veterinary medicine classified as an intern or resident from performing his regular functions with that college; or a newly appointed faculty member from performing his regular functions with that college, until the next examination; or a person from lecturing or giving instructions or demonstrations at an accredited college of veterinary medicine or in connection with a continuing education course or seminar to veterinarians;

(f) Any person from selling or applying any pesticide, insecticide or herbicide;

(g) Nothing herein contained shall be construed to prevent or prohibit any acts performed by state agencies, accredited schools, institutions, foundations, business corporations or associations, physicians licensed to practice medicine and surgery in all its branches, or their employees or associates, in the conduct of experiments and scientific research on animals in the development of pharmaceuticals, biologicals, serums, or methods of treatment, or techniques, for the diagnosis and treatment of human ailments. Any person from engaging in bona fide scientific research or investigations which reasonably requires ex-

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perimentation involving animals;

(h) Any employee of a licensed veterinarian from performing duties other than diagnosis, prescription or surgical correction under the direction and supervision of the veterinarian, who shall be responsible for his or her performance.

Subd. 3. Any person who makes both a sale of, sells and applies or offers to apply, any drug, medicine, biologic preparation, including sera, vaccines, bacterins, tuberculin, mallein, johnin, or any other material agency for the treatment, vaccination, or testing of any animal belonging to another, shall be engaged in the practice of veterinary medicine.

Subd. 4. It shall be unlawful for a person who does not hold a license or permit to practice veterinary medicine and who assumes or uses any of the following titles or designations is guilty of practicing veterinary medicine without a license—has not received a professional degree from a college of veterinary medicine to use any of the following titles or designations: veterinary, veterinarian, animal doctor, animal surgeon, or any other title, designation, word, letter, abbreviation, sign, card, or device tending to indicate that the person is qualified to practice veterinary medicine.

Subd. 5. The board may, at any time upon written complaint, inspect the premises in which veterinary medicine is being practiced for cleanliness and sanitation and may direct action to insure such—adequate cleanliness and sanitation.

Approved April 13, 1976.

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CHAPTER 286—H.F.No.2218

*An act relating to the department of public welfare; providing for funding for detoxification programs; amending Minnesota Statutes 1974, Section 254A.08, Subdivision 3.*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1974, Section 254A.08, Subdivision 3, is amended to read:

**Subd. 3. PUBLIC WELFARE; DETOXIFICATION CENTERS; FUNDING.** The approved expense of administration, operation and maintenance of detoxification programs throughout the state shall be financed as follows: Services provided and clients served qualifying for federal reimbursement shall be financed totally out of state and federal matching funds; services provided and clients served not qualifying for

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