

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 641

BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

1 RELATING TO VETERINARIANS; AMENDING SECTION 54-2103, IDAHO CODE, TO PRO-  
2 VIDE FOR INDIRECT SUPERVISION AND THE OFFERING OF CERTAIN SERVICES TO  
3 THE PUBLIC BY ALLIED HEALTH PROFESSIONALS AND TO MAKE TECHNICAL COR-  
4 RECTIONS; AMENDING SECTION 54-2104, IDAHO CODE, TO PROVIDE FOR THE  
5 OFFERING OF CERTAIN SERVICES TO THE PUBLIC BY ALLIED HEALTH PROFESSION-  
6 ALS AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND  
7 PROVIDING AN EFFECTIVE DATE.  
8

9 Be It Enacted by the Legislature of the State of Idaho:

10 SECTION 1. That Section 54-2103, Idaho Code, be, and the same is hereby  
11 amended to read as follows:

12 54-2103. DEFINITIONS. As used in this chapter:

13 (1) "Accredited continuing education activity" means a provider and  
14 course, seminar, scientific program or any other activity approved by the  
15 board or its designees for continuing education credit.

16 (2) "Accredited or approved school of veterinary medicine" means any  
17 veterinary college or division of a university or college inside or outside  
18 the United States or Canada that offers the degree of doctor of veterinary  
19 medicine, veterinary medicine doctor, or its equivalent and is accredited or  
20 approved by the council on education of the American veterinary medical as-  
21 sociation or other accrediting agency or association approved by the board.

22 (3) "Allied health professional" means a person holding a current ac-  
23 tive license, in good standing, in any state to practice one (1) of the heal-  
24 ing arts including, but not limited to, medicine, dentistry, osteopathy,  
25 chiropractic, acupuncture and podiatry.

26 (4) "Anesthetized" means any condition of general anesthesia, caused  
27 by the administration of a drug or combination of drugs in sufficient quan-  
28 tity to produce a state of unconsciousness or disassociation and blocked re-  
29 sponse to a given pain or alarm stimulus.

30 (5) "Animal" means any animal other than man and includes fowl, birds,  
31 fish and reptiles, wild or domestic, living or dead.

32 (6) "Assistant" means any individual, other than a certified veteri-  
33 nary technician or a licensed veterinarian, who ~~is utilized by~~ assists a li-  
34 censed veterinarian ~~to assist~~ in the performance of acts pertaining to the  
35 practice of veterinary medicine.

36 (7) "Board" means the state board of veterinary medicine.

37 (8) "Certified euthanasia agency" or "CEA" means a law enforcement  
38 agency, an animal control agency or a society for the prevention of cruelty  
39 to animals that has been inspected and certified by the committee on humane  
40 euthanasia or the board.

41 (9) "Certified euthanasia technician" or "CET" means a person employed  
42 by a certified euthanasia agency who is instructed and certified by the com-

1 mittee on humane euthanasia or the board as defined in the rules of the board,  
2 but not to include an individual employed as a technician by animal research  
3 laboratories.

4 (10) "Certified veterinary technician" means a person who has fulfilled  
5 the certification requirements prescribed by board rule and has been certi-  
6 fied by the board to practice veterinary technology in this state.

7 (11) "Consultation" means a deliberation between two (2) or more vet-  
8 erinarians concerning the diagnosis of a disease or the proper management of  
9 the case.

10 (12) "Credit hour" means fifty (50) minutes of participation in an ac-  
11 credited continuing education activity.

12 (13) "Dentistry" is the practice of veterinary medicine and means the  
13 application or use of any instrument or device to any portion of an animal's  
14 tooth, gum or any related tissue for the prevention, cure or relief of any  
15 wound, fracture, injury, disease or other condition of an animal's tooth,  
16 gum or related tissue. Dentistry includes, but is not limited to:

17 (a) "Preventive dental procedures" including, but not limited to, the  
18 removal of calculus, soft deposits, plaque, stains, and floating to  
19 shape the teeth above the gum line or the smoothing, filing or polishing  
20 of tooth surfaces above the gum line; and

21 (b) "Operative dentistry/oral surgery" or any other dental procedure  
22 that invades the hard or soft oral tissue, including a procedure that  
23 alters the structure of one (1) or more teeth or repairs damaged and dis-  
24 eased teeth or the deliberate extraction of one (1) or more teeth.

25 (14) "Direct supervision" means the supervising veterinarian is on the  
26 premises where the animal is being treated, and is quickly and easily avail-  
27 able, and the animal has been examined by the supervising veterinarian as ac-  
28 ceptable veterinary medical practice requires.

29 (15) "Discipline" means board action including, but not limited to:

30 (a) Refusing to issue, renew or reinstate a license, permit or certi-  
31 fication to practice as a licensed veterinarian, a certified veteri-  
32 nary technician, a certified euthanasia agency or a certified euthana-  
33 sia technician;

34 (b) Denial, revocation, suspension, sanction, probation or voluntary  
35 surrender of a license, permit or certification to practice as a li-  
36 censed veterinarian, a certified veterinary technician, a certified  
37 euthanasia agency or a certified euthanasia technician;

38 (c) The ability to enter into consent agreements and negotiated settle-  
39 ments with licensed veterinarians, certified veterinary technicians,  
40 certified euthanasia agencies and certified euthanasia technicians;

41 (d) The ability to bring an administrative or civil action against any  
42 person in or outside of this state who practices veterinary medicine or  
43 veterinary technology or who performs euthanasia within this state.

44 (16) "Emergency" means that the animal has been placed in a life-threat-  
45 ening condition where immediate treatment is necessary to sustain life.

46 (17) "Emergency veterinary facility" means any facility with the pri-  
47 mary function of receiving, treating, and monitoring emergency patients  
48 during its specified hours of operation or that displays to the public any  
49 sign, card, or advertisement that indicates it is an emergency veterinary  
50 clinic or hospital. An emergency veterinary facility may be an independent

1 after-hours service, an independent twenty-four (24) hour service, or part  
2 of a full-service veterinary medical facility.

3 (18) "Committee on humane euthanasia" means a committee established by  
4 the board for the purposes of training, examining, certifying and inspecting  
5 certified euthanasia agencies and certified euthanasia technicians.

6 (19) "Extra label use" means the actual or intended use of a human or  
7 veterinary drug in an animal in a manner that is not in accordance with the  
8 drug's labeling.

9 (20) "Floating" means shaping the posterior (cheek) teeth and the in-  
10 cisors (cutting teeth) in horses, mules and donkeys through the use of hand  
11 floats, rasps, burs, mechanical files or other file-like instruments to re-  
12 store balance, allow more efficient mastication, and reduce pain and trauma  
13 to the periodontal tissues.

14 (21) "Herd," "litter," or "flock" of animals means animals managed as  
15 a group for purposes including, but not limited to, breeding, sale, show or  
16 food production.

17 (22) "In good standing" means, when used in reference to an applicant  
18 for licensure or certification, that an applicant:

19 (a) Has not been the recipient of any administrative penalties regard-  
20 ing the practice of veterinary medicine including, but not limited to,  
21 fines, formal reprimands, license suspensions or revocations (except  
22 for license revocations for nonpayment of license renewal fees) or pro-  
23 bationary limitations, or has not entered into any consent agreement or  
24 negotiated settlement that contains conditions placed by a board on the  
25 applicant's professional conduct and practice, including any voluntary  
26 surrender of a license; and

27 (b) Has never had privileges restricted or revoked by the United States  
28 drug enforcement administration; and

29 (c) Is not currently under investigation by another veterinary licens-  
30 ing authority for acts that would provide a basis for disciplinary ac-  
31 tion in this state, as determined by the board; and

32 (d) Has no physical or mental impairment related to drugs or alcohol or  
33 a finding of mental incompetence by a physician that would limit the ap-  
34 plicant's ability to undertake the practice of veterinary medicine in a  
35 manner consistent with the safety of a patient or the public; and

36 (e) Has no criminal conviction record or pending criminal charge re-  
37 lating to an offense, the circumstances of which substantially relate  
38 to the practice of veterinary medicine or are deemed relevant in accor-  
39 dance with section 67-9411(1), Idaho Code. Applicants who have crim-  
40 inal conviction records or pending criminal charges shall require ap-  
41 propriate authorities to provide information about the record or charge  
42 directly to the board in sufficient detail to enable the board to make a  
43 determination whether the record or charge is substantially related to  
44 the practice of veterinary medicine.

45 (23) "Indirect supervision" means the supervising veterinarian is not  
46 on the premises but is available for immediate contact by telephone, radio or  
47 other means, and has given either written or oral instructions for treatment  
48 of the animal patient; and the animal has been examined by the supervising vet-  
49 erinarian as acceptable veterinary medical practice requires, and the an-  
50 imal, if previously anesthetized, has recovered to the point of being con-

1 scious and sternal. Indirect supervision of a chiropractic allied health  
 2 professional who meets the conditions in subsection (40) (b) of this section  
 3 does not require written or oral instructions for treatment or an examina-  
 4 tion by a supervising veterinarian prior to treatment by the professional.

5 (24) "Legend/prescription drug" means any drug that, under federal law,  
 6 regulation or rule, is required, prior to being distributed or delivered, to  
 7 be labeled with one (1) of the following statements: "Caution: Federal law  
 8 restricts this drug to be used by or on the order of a licensed veterinarian,"  
 9 or "Caution: Federal law prohibits dispensing without a prescription," or  
 10 "Rx Only," or a drug that is required by any applicable state or federal law,  
 11 rule or regulation to be distributed or dispensed pursuant to a prescription  
 12 only or is restricted to use by licensed practitioners only.

13 (25) "Licensed veterinarian" means a person who is validly and cur-  
 14 rently licensed to practice veterinary medicine in this state.

15 (26) "Malpractice" means, but is not limited to:

16 (a) Treatment in a manner contrary to accepted veterinary practices and  
 17 with injurious results; or

18 (b) Any professional misconduct or unreasonable lack of professional  
 19 skill or fidelity in the performance of the professional practice of  
 20 veterinary medicine; or

21 (c) Failure to provide adequate supervision, except in an emergency  
 22 situation; or

23 (d) Allowing an unqualified individual to perform a procedure that is  
 24 part of the practice of veterinary medicine; or

25 (e) The negligent practice of veterinary medicine, as determined by the  
 26 standard of practice for the area, that results in injury, unnecessary  
 27 suffering or death.

28 (27) "Medical incompetence" means lacking in sufficient medical knowl-  
 29 edge or skills or both to a degree likely to endanger the health of patients.

30 (28) "Mobile clinic" means a vehicle including, but not limited to, a  
 31 camper, motor home, trailer or mobile home used as a veterinary medical fa-  
 32 cility. A mobile clinic is not required for house calls or farm calls.

33 (29) "On-call emergency service" means a veterinary medical facility  
 34 that is available to provide emergency veterinary services as requested if  
 35 a veterinarian is available.

36 (30) "Owner/ownership" means ownership as defined by the laws of prop-  
 37 erty and ownership, chapter 1, title 55, Idaho Code.

38 (31) "Person" means any individual, firm, partnership, association,  
 39 joint venture, cooperative and corporation, or any other group or combi-  
 40 nation acting in concert, and whether or not acting as principal, trustee,  
 41 fiduciary, receiver, or as any other kind of legal or personal representa-  
 42 tive, or as the successor in interest, assignee, agent, factor, servant,  
 43 employee, director, officer, or any other representative of such person.

44 (32) "Physical or mental incompetence" means the veterinarian's abil-  
 45 ity to practice veterinary medicine with reasonable skill and safety is  
 46 impaired by reason of illness, excessive use of alcohol, drugs, narcotics,  
 47 chemicals or any other substance, or as a result of any mental or physical  
 48 disability.

49 (33) "Practice of veterinary medicine" in this state, through tele-  
 50 phonic, electronic or other means, regardless of the location of the veteri-

1 narian, includes veterinary surgery, obstetrics, dentistry, and all other  
2 branches or specialties of veterinary medicine and means:

3 (a) To directly or indirectly diagnose, treat, correct, change, re-  
4 lieve or prevent animal disease, deformity, defect, injury or other  
5 physical or mental conditions, including the prescribing, dispensing,  
6 delivering or administering of any drug, medicine, biologic, apparatus  
7 application, anesthetic or other therapeutic or diagnostic substance  
8 or technique, or the use of any obstetrical procedure or any manual or  
9 mechanical procedure for artificial insemination, for testing or exam-  
10 ining for pregnancy, fertility evaluation, embryo transplant, grading  
11 of fresh semen, or to render advice or recommendation with regard to any  
12 act described in this paragraph.

13 (b) To represent, directly or indirectly, publicly or privately, an  
14 ability and willingness to do any act described in paragraph (a) of this  
15 subsection.

16 (c) To use any title, words, abbreviations or letter in a manner or un-  
17 der circumstances that induce the belief that the person using them is  
18 qualified to do any act described in paragraph (a) of this subsection,  
19 except where such person is a licensed veterinarian.

20 (34) "Professional supervision" means the supervising veterinarian is  
21 in daily contact by telephone, radio or other means with the temporary li-  
22 censee.

23 (35) "Referral" means the transfer of responsibility for diagnosis and  
24 treatment from the referring veterinarian to the receiving veterinarian, or  
25 from the referring veterinarian to the board-certified specialist, or from  
26 the referring veterinarian to an allied health professional.

27 (36) "Regular employee" means a person who performs services for the an-  
28 imal's owner other than, or in addition to, feeding, boarding, castrating  
29 and dehorning, but does not include independent contractors or agents.

30 (37) "Supervision" means the action or process of a supervising veteri-  
31 narian in directing activities or a course of action for those individuals to  
32 whom activities or functions have been assigned or delegated.

33 (38) "Supervising veterinarian" means a licensed veterinarian utiliz-  
34 ing the services of a temporary licensee, certified veterinary technician,  
35 veterinary technician, veterinary technician with a temporary certifica-  
36 tion, veterinary assistant, certified euthanasia technician, or as provided  
37 by the rules of the board. A supervising veterinarian shall be individually  
38 responsible and liable, regardless of the supervision provided, for all dam-  
39 ages arising out of the veterinarian's own acts or omissions and for the per-  
40 formance of any acts and omissions pertaining to the practice of veterinary  
41 medicine that are delegated to the temporary licensee, certified veterinary  
42 technician, veterinary technician, veterinary assistant or certified eu-  
43 thanasia technician. Nothing herein shall be construed to deprive the board  
44 of its disciplinary authority with respect to temporary licensees, certi-  
45 fied veterinary technicians, veterinary technicians, veterinary assistants  
46 or certified euthanasia technicians.

47 (39) "Unethical or unprofessional conduct" means to knowingly engage  
48 in conduct of a character likely to deceive or defraud the public, false or  
49 misleading advertising or solicitation, obtaining any fee or compensation  
50 by fraud or misrepresentation, sharing office space and working in conjunc-

1 tion with any person illegally practicing veterinary medicine, employing  
 2 either indirectly or directly an unlicensed or uncertified person to perform  
 3 acts pertaining to the practice of veterinary medicine, except as provided  
 4 by law or rule, or the violation of any law or rules of the board pertaining to  
 5 unethical or unprofessional conduct or that provide a code of professional  
 6 conduct to be followed and carried out by persons licensed or certified by  
 7 the board.

8 (40) "Unlicensed practice" means:

9 (a) The practice of veterinary medicine in this state, through tele-  
 10 phonic, electronic or other means, regardless of the location of the  
 11 veterinarian, without a valid, unexpired, unrevoked, and unsuspended  
 12 active license or certification in this state to do so, except as pro-  
 13 vided by law or rule; or

14 (b) Representing oneself through offerings, advertisements or use of  
 15 professional titles or designations as being qualified to practice vet-  
 16 erinary medicine; however, notwithstanding paragraph (a) of this sub-  
 17 section, a chiropractic allied health professional shall be permitted  
 18 to represent oneself through offerings, advertisements, and use of pro-  
 19 fessional titles and designations if the following conditions are met:

20 (i) The professional is certified by the American veterinary chi-  
 21 ropractic association or the international veterinary chiroprac-  
 22 tic association;

23 (ii) The professional is in good standing with the state board of  
 24 chiropractic physicians and any other board that oversees chiro-  
 25 practic medicine through which the professional is licensed; and

26 (iii) The advertisements and offerings are limited to services the  
 27 professional is permitted to perform under this chapter and within  
 28 the scope of the professional's certification.

29 (41) "Veterinarian" means a person who has received a doctor's degree  
 30 in veterinary medicine from an accredited or approved school of veterinary  
 31 medicine or as otherwise provided by law or rule.

32 (42) "Veterinarian on call" means a veterinarian is not present at the  
 33 veterinary medical facility but is able to respond within a reasonable time  
 34 to requests for emergency veterinary services.

35 (43) "Veterinarian on premises" means a veterinarian is present at the  
 36 veterinary medical facility and is prepared and qualified to render veteri-  
 37 nary services.

38 (44) "Veterinary medical facility" means any premises, office, unit,  
 39 structure, mobile unit, or area utilized for the practice of veterinary  
 40 medicine other than the premises of an owner when used for treatment of the  
 41 owner's animal.

42 (45) "Veterinary technician" means a person who has graduated from a  
 43 veterinary technology program accredited or approved by the committee on  
 44 veterinary technician education and activities of the American veterinary  
 45 medical association or other accrediting agency approved by the board or a  
 46 person who has received equivalent training as set forth in the rules of the  
 47 board.

48 (46) "Veterinary technology" means the performance of services within  
 49 the practice of veterinary medicine by a person working under the direction  
 50 of a supervising veterinarian to perform duties that require an understand-

1 ing of veterinary medicine in order to carry out the orders of the veteri-  
2 narian. Veterinary technology does not include prognosis, diagnosis, oper-  
3 ative dentistry, deliberate tooth extraction procedures, or the prescribing  
4 of treatment or performing surgery of any kind.

5 SECTION 2. That Section 54-2104, Idaho Code, be, and the same is hereby  
6 amended to read as follows:

7 54-2104. LICENSE A PREREQUISITE TO PRACTICE -- EXCEPTIONS. (1) No per-  
8 son may practice veterinary medicine in the state who is not an actively li-  
9 censed veterinarian or the holder of a valid temporary permit issued by the  
10 board.

11 (2) This chapter shall not be construed to prohibit:

12 (a) A veterinarian employed by the federal, state or local government  
13 from performing official duties specifically required under any law-  
14 ful act or statute, except that this exemption shall not apply to such  
15 persons not actively engaged in performing or fulfilling their official  
16 duties and responsibilities.

17 (b) A person who is a regular student currently enrolled and in good  
18 standing in an accredited or approved school of veterinary medicine,  
19 veterinary science department or an educational institution accredited  
20 by a national or regional accrediting agency recognized by the Idaho  
21 state board of education or the United States department of education  
22 from performing duties or actions assigned by the student's instructors  
23 or from working under the direct supervision of an actively licensed  
24 veterinarian during a school vacation period. The unsupervised or  
25 unauthorized practice of veterinary medicine by a student, even though  
26 on the premises of an accredited or approved school of veterinary  
27 medicine, veterinary science department, an educational institution  
28 accredited by a national or regional accrediting agency recognized by  
29 the Idaho state board of education or the United States department of  
30 education, or at a veterinary medical facility, is prohibited.

31 (c) A person who is a regular student currently enrolled and in good  
32 standing in a nonaccredited or nonapproved educational institution and  
33 who holds a valid certificate of registration issued by the Idaho state  
34 board of education from performing duties or actions assigned by the  
35 student's instructors. This exemption does not include surgery or the  
36 administration of controlled substances or legend/prescription drugs,  
37 unless specifically allowed by state or federal law, rule or regula-  
38 tion. The unsupervised or unauthorized personal practice of veterinary  
39 medicine by a student on the premises of a nonaccredited or nonapproved  
40 educational institution is prohibited.

41 (d) Idaho extension personnel from performing their official duties.

42 (e) A veterinarian holding a current, active license in good standing  
43 in another state from consulting with a licensed veterinarian in this  
44 state.

45 (f) Any merchant or manufacturer from selling nonprescription and non-  
46 controlled medicines, biologics, feed, medicated feed, appliances or  
47 other products for the prevention or treatment of animal and poultry  
48 diseases. Such merchants or manufacturers shall not, either directly

1 or indirectly, attempt to diagnose a symptom or disease in order to ad-  
2 vise treatment, or the use of drugs, medicines, appliances or products.

3 (g) A farmer, rancher or feedlot operator, including custom ranch or  
4 feedlot operators, and their regular employees from caring for and  
5 treating animals within their possession or control when such animals  
6 have been consigned by their legal owner and except where the ownership  
7 or possession of the animal was transferred or the employment changed to  
8 circumvent this chapter.

9 (h) The owner of an animal or the owner's regular employees from caring  
10 for and treating the animals belonging to such owner, or livestock own-  
11 ers or regular employees from pregnancy testing their own or employer's  
12 cattle or the exchange of services for which no monetary compensation  
13 is paid between owners or their regular employees, except where the  
14 ownership or possession of the animal was transferred or the employment  
15 changed to circumvent this chapter, and provided that only an actively  
16 licensed veterinarian may immunize or treat an animal for diseases that  
17 require the use of a vaccine restricted by state or federal law, rules  
18 or regulations, or as otherwise provided by board rule. Notwithstand-  
19 ing the provisions of this paragraph, a veterinarian/client/patient  
20 relationship, as defined by the rules of the board, must exist when  
21 controlled substances or legend/prescription drugs are administered,  
22 distributed, dispensed or prescribed.

23 (i) A member of a faculty of an accredited or approved school of vet-  
24 erinary medicine, a veterinary science department, or an educational  
25 institution accredited by a national or regional accrediting agency  
26 recognized by the Idaho state board of education or the United States  
27 department of education from performing the faculty member's regu-  
28 lar functions. The unsupervised or unauthorized personal practice of  
29 veterinary medicine, by a faculty member on the premises of any such  
30 institutions, is prohibited.

31 (j) Any person from selling or applying any pesticide, insecticide, or  
32 herbicide.

33 (k) A person from lecturing or giving instructions or demonstrations  
34 at an accredited or approved school of veterinary medicine, veteri-  
35 nary science department or an educational institution accredited or  
36 approved by a national or regional accrediting agency recognized by the  
37 Idaho state board of education or the United States department of edu-  
38 cation or in connection with an approved continuing education course or  
39 seminar.

40 (l) A member of a faculty of a nonaccredited or nonapproved educational  
41 institution who holds a valid certificate of registration issued by the  
42 Idaho state board of education from performing the faculty member's  
43 regular functions. This exemption does not include surgery or the ad-  
44 ministration of controlled substances or legend/prescription drugs,  
45 unless specifically allowed by state or federal law, rule or regula-  
46 tion. The unsupervised or unauthorized personal practice of veterinary  
47 medicine by a faculty member on the premises of a nonaccredited or non-  
48 approved educational institution is prohibited.



1 (m) Individuals employed as instructors or researchers by, or enrolled  
2 as students in, any bona fide medical research institution from con-  
3 ducting experiments and scientific research on animals:

4 (i) In the development of pharmaceuticals, biologicals, or  
5 serums for treating human or animal ailments; or

6 (ii) In the development of methods of treatment or techniques for  
7 the diagnosis or treatment of human or animal ailments; or

8 (iii) When engaged in the study and development of methods and  
9 techniques directly or indirectly applicable to the practice of  
10 veterinary medicine, as long as such research is conducted in  
11 compliance with applicable state and federal laws, rules and regu-  
12 lations.

13 (n) Any person from performing artificial insemination of domestic an-  
14 imals as governed by chapter 8, title 25, Idaho Code.

15 (o) Any person from horseshoeing or hoof-trimming bovine, equine and  
16 farm animals.

17 (p) An allied health professional actively licensed and in good stand-  
18 ing in any state from participating in a medical procedure involving  
19 an animal, provided that such participation is in the health profes-  
20 sional's licensed field of medicine and under the indirect supervision  
21 of an actively licensed veterinarian, or from representing himself  
22 through offerings, advertisements, and the use of professional titles  
23 and designations in accordance with section 54-2103(40)(b), Idaho  
24 Code.

25 (q) Any person from the gratuitous treatment of animals in an emergency  
26 as a neighborly act.

27 (r) Any state or federal livestock inspector from performing the offi-  
28 cial duties specifically required under any lawful act or statute, pro-  
29 vided that this exemption shall not apply to such persons not actively  
30 engaged in performing or fulfilling their official duties and responsi-  
31 bilities.

32 (s) A certified euthanasia agency from operating as a CEA as defined by  
33 law and rules.

34 (t) A certified euthanasia technician from performing those duties as  
35 defined by law and rules.

36 (u) Any person from utilizing cotton swabs, gauze, dental floss, denti-  
37 frice or toothbrushes to clean an animal's teeth.

38 (v) A certified veterinary technician from practicing veterinary tech-  
39 nology under appropriate supervision, as defined by the rules of the  
40 board.

41 (w) An assistant or veterinary technician from performing acts per-  
42 taining to the practice of veterinary medicine under appropriate super-  
43 vision, as defined by the rules of the board.

44 (x) The personal representative, executor or sole surviving heir of a  
45 licensed veterinarian from continuing to operate the veterinary medi-  
46 cal practice of the deceased for a period of not more than three (3)  
47 years following death. This exception applies only where during such  
48 three (3) year period:

49 (i) Good faith efforts are being made to sell the veterinary medi-  
50 cal practice; and

1 (ii) All the decisions pertaining to the diagnosis, care and  
2 treatment of the patients are made by an actively licensed veteri-  
3 narian.

4 (y) A veterinarian with an active license in good standing from another  
5 state from practicing veterinary medicine on animals in the collection  
6 of a publicly owned zoo that is either licensed by the United States  
7 department of agriculture (USDA) as an exhibitor or is accredited by  
8 the association of zoos and aquariums (AZA), but only when the Idaho  
9 licensed veterinarian who regularly attends to these animals is un-  
10 available or unqualified to render the services required. This exemp-  
11 tion from licensure applies only after the out-of-state veterinarian  
12 notifies the board in writing: (1) of the location of practice in Idaho;  
13 and (2) the expected duration of the practice. After the out-of-state  
14 veterinarian completes the services under this section, the veterinar-  
15 ian must so notify the board in writing of that fact. Unless expressly  
16 extended by the board in its sound discretion, an exemption under this  
17 section is limited to a period of one (1) year from the initial notifi-  
18 cation date.

19 (3) Nothing in this section shall be construed as limiting the board's  
20 authority to provide other exemptions or exceptions to the requirements for  
21 licensing, under its rulemaking authority, as the board may find necessary  
22 or appropriate.

23 SECTION 3. An emergency existing therefor, which emergency is hereby  
24 declared to exist, this act shall be in full force and effect on and after  
25 July 1, 2022.