

1 HB156
2 134145-6
3 By Representative Todd
4 RFD: Boards, Agencies and Commissions
5 First Read: 07-FEB-12
6 PFD: 02/06/2012

1 ENGROSSED

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4 A BILL
5 TO BE ENTITLED
6 AN ACT
7

8 To amend Section 34-29-87, Code of Alabama 1975,
9 relating to the practice of veterinary medicine; to exempt
10 veterinarians employed by certain 501(c)(3) entities from
11 certain employment and ownership restrictions; and to specify
12 the procedure for application to the Alabama Board of
13 Veterinary Medical Examiners for a premises permit.

14 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

15 Section 1. Section 34-29-87 of the Code of Alabama
16 1975, is amended to read as follows:

17 "§34-29-87.

18 "(a) Whenever the practice of veterinary medicine is
19 carried on by a partnership, all partners shall be either
20 licensed or holders of temporary licenses to practice
21 veterinary medicine in the State of Alabama.

22 "(b) It shall be unlawful for any licensed
23 veterinarian to practice veterinary medicine as an employee of
24 any person or other entity not engaged primarily in the
25 practice of veterinary medicine or for any person that is the
26 owner or owners of an active veterinary practice to be other

1 than a veterinarian or veterinarians duly licensed in the
2 State of Alabama.

3 "(c) The following shall be exempt from this
4 section:

5 "(1) A veterinarian employed by a person treating
6 his or her employer's animals.

7 "(2) A veterinarian employed by an official agency
8 of the federal or state government or any subdivision thereof.

9 "(3) A veterinarian employed by any licensed
10 research facility.

11 "(4) An heir or heirs inheriting under the terms of
12 a will or by intestate succession for a period of two years
13 following the death of the licensee.

14 "(5) A veterinarian employed by a 501(c) (3) entity,
15 as defined under Section 501(c) (3) of the Internal Revenue
16 Code, that is a limited services facility that specializes
17 only in providing spay/neuter surgeries and vaccinations given
18 only at the time of surgery, that is a limited services
19 facility that performs only spay/neuter surgeries and
20 vaccinations given only at the time of surgery. A 501(c) (3)
21 entity that desires to own and operate a veterinary medical
22 establishment or limited service clinic shall apply to the
23 board for a premises permit. If the board certifies that the
24 applicant complies with the applicable laws and rules of the
25 board, the board shall issue a premises permit. No permit
26 shall be issued unless a licensed veterinarian is designated
27 to undertake the professional supervision of the veterinary

1 medical practice, a veterinarian shall perform all spay/neuter
2 procedures, and the minimum standards set by rule of the board
3 for premises where veterinary medicine is practiced. The
4 permittee shall notify the board within 10 days after any
5 designation of a new licensed veterinarian responsible for
6 such duties."

7 Section 2. This act shall become effective on the
8 first day of the third month following its passage and
9 approval by the Governor, or its otherwise becoming law.

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Boards, Agencies
and Commissions..... 07-FEB-12

Read for the second time and placed
on the calendar 1 amendment 16-FEB-12

Read for the third time and passed
as amended..... 28-FEB-12

Yeas 73, Nays 26, Abstains 2

Greg Pappas
Clerk