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SENATE BILL 5367

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State of Washington

53rd Legislature

1993 Regular Session

By Senators Hargrove, L. Smith, M. Rasmussen, Bauer, Newhouse, Loveland and Anderson

Read first time 01/26/93. Referred to Committee on Agriculture.

1 AN ACT Relating to veterinary medicine; amending RCW 18.92.015,  
2 18.92.030, 18.92.060, 18.92.125, 18.92.140, and 18.92.145; and adding  
3 a new section to chapter 18.92 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 18.92.015 and 1991 c 332 s 40 are each amended to read  
6 as follows:

7 Unless the context clearly requires otherwise, the definitions in  
8 this section apply throughout this chapter.

9 "Animal technician" means a person who has successfully completed  
10 an examination administered by the board and who has either  
11 successfully completed a post high school course approved by the board  
12 in the care and treatment of animals or had five years' practical  
13 experience, acceptable to the board, with a licensed veterinarian.

14 "Board" means the Washington state veterinary board of governors.

15 "Department" means the department of health.

16 "Secretary" means the secretary of the department of health.

17 "Veterinary medication clerk" means a person who has satisfactorily  
18 completed a board-approved training program developed in consultation  
19 with the board of pharmacy and designed to prepare persons to perform

1 certain nondiscretionary functions defined by the board and used in the  
2 dispensing of legend and nonlegend drugs (except class I, II, III, IV,  
3 and V controlled substances) associated with the practice of veterinary  
4 medicine.

5 NEW SECTION. **Sec. 2.** A new section is added to chapter 18.92 RCW  
6 to read as follows:

7 (1) A veterinarian legally prescribing drugs may delegate to a  
8 registered veterinary medication clerk or a registered animal  
9 technician, while under the veterinarian's direct supervision, certain  
10 nondiscretionary functions defined by the board and used in the  
11 dispensing of legend and nonlegend drugs (except class I, II, III, IV,  
12 and V controlled substances) associated with the practice of veterinary  
13 medicine. Upon final approval of the packaged prescription following  
14 a direct physical inspection of the packaged prescription for proper  
15 formulation, packaging, and labeling by the veterinarian, the  
16 veterinarian may delegate the delivery of the prescription to a  
17 registered veterinary medication clerk or registered animal technician,  
18 while under the veterinarian's indirect supervision. Dispensing of  
19 drugs by veterinarians, registered animal technicians, and registered  
20 veterinary medication clerks shall meet the applicable requirements of  
21 chapters 18.64, 60.04, 69.41, and 69.50 RCW and is subject to  
22 inspection by the board of pharmacy investigators.

23 (2) For the purposes of this section:

24 (a) "Direct supervision" means the veterinarian is on the premises  
25 and is quickly and easily available; and

26 (b) "Indirect supervision" means the veterinarian is not on the  
27 premises but has given written or oral instructions for the delegated  
28 task.

29 **Sec. 3.** RCW 18.92.030 and 1986 c 259 s 140 are each amended to  
30 read as follows:

31 ~~((It shall be the duty of))~~ The board ~~((to))~~ shall prepare  
32 examination questions, conduct examinations, and grade the answers of  
33 applicants. The board, ~~((pursuant to))~~ under chapter 34.05 RCW,  
34 ~~((shall have the power to))~~ may adopt ~~((such))~~ rules ~~((and regulations~~  
35 ~~as may be))~~ necessary to ~~((effectuate))~~ carry out the purposes of this  
36 chapter, including the performance of the duties and responsibilities  
37 of animal technicians ~~((: PROVIDED, HOWEVER, That such))~~ and veterinary

1 medication clerks. The rules ~~((are))~~ shall be adopted in the interest  
2 of good veterinary health care delivery to the consuming public~~((7))~~  
3 and ~~((do))~~ shall not prevent animal technicians from inoculating an  
4 animal. The board ~~((shall further have))~~ also has the power to  
5 adopt~~((7))~~ by ~~((reasonable))~~ rule~~((s and regulations7))~~ standards  
6 prescribing requirements for veterinary medical facilities and ~~((to~~  
7 ~~fix))~~ fixing minimum standards of continuing veterinary medical  
8 education.

9 The department ~~((shall be))~~ is the official office of record.

10 **Sec. 4.** RCW 18.92.060 and 1974 ex.s. c 44 s 4 are each amended to  
11 read as follows:

12 Nothing in this chapter ~~((shall be construed to apply))~~ applies to:

13 (1) Commissioned veterinarians in the United States military  
14 services~~((7))~~ or veterinarians employed by Washington state and federal  
15 agencies while performing official duties;

16 (2) A person~~((s))~~ practicing veterinary medicine upon ~~((a~~  
17 ~~person's))~~ his or her own animal~~((s))~~;

18 (3) A person advising with respect to or performing the castrating  
19 and dehorning of cattle, castrating and docking of sheep, castrating of  
20 swine ~~((or))~~, caaponizing of poultry, or artificial insemination of  
21 animals;

22 (4)(a) A person who is a regularly enrolled student in a veterinary  
23 school~~((7))~~ or ~~((regularly enrolled in a))~~ training course approved  
24 under ~~((the provisions of))~~ RCW 18.92.015 and ~~((while))~~ performing  
25 duties or actions assigned by his or her instructors~~((7))~~ or working  
26 under the direct supervision of a licensed veterinarian during a school  
27 vacation period or (b) a person performing assigned duties under the  
28 supervision of a veterinarian within the established framework of an  
29 internship program recognized by the board;

30 (5) A veterinarian regularly licensed in another state consulting  
31 with a licensed veterinarian in this state;

32 (6) An animal technician or veterinary medication clerk acting  
33 under the supervision and control of a licensed veterinarian~~((÷~~  
34 ~~PROVIDED, HOWEVER, That))~~. The practice of an animal technician or  
35 veterinary medication clerk is limited to the performance of ~~((those))~~  
36 services which are authorized by the board;

1 (7) An owner being assisted in (~~such~~) practice by his or her  
2 employees when employed in the conduct of (~~such person's~~) the owner's  
3 business;

4 (8) An owner being assisted in (~~such~~) practice by some other  
5 person gratuitously.

6 **Sec. 5.** RCW 18.92.125 and 1986 c 259 s 143 are each amended to  
7 read as follows:

8 No veterinarian who uses the services of an animal technician or  
9 veterinary medication clerk shall be considered as aiding and abetting  
10 any unlicensed person to practice veterinary medicine. A veterinarian  
11 (~~shall~~) retains professional and personal responsibility for any act  
12 which constitutes the practice of veterinary medicine as defined in  
13 this chapter when performed by an animal technician or veterinary  
14 medication clerk in his or her employ.

15 **Sec. 6.** RCW 18.92.140 and 1991 c 3 s 247 are each amended to read  
16 as follows:

17 Each person now qualified to practice veterinary medicine, surgery,  
18 and dentistry (~~or~~), registered as an animal technician, or registered  
19 as a veterinary medication clerk in this state or who (~~shall hereafter~~  
20 ~~be~~) becomes licensed or registered to engage in (~~such~~) practice(~~(7)~~)  
21 shall register with the secretary of health annually or on the date  
22 prescribed by the secretary and pay the renewal registration fee set by  
23 the secretary as provided in RCW 43.70.250. A person who fails to  
24 renew a license or certificate (~~prior to~~) before its expiration  
25 (~~shall be~~) is subject to a late renewal fee equal to one-third of the  
26 regular renewal fee set by the secretary.

27 **Sec. 7.** RCW 18.92.145 and 1991 c 332 s 42 are each amended to read  
28 as follows:

29 The secretary shall determine the fees, as provided in RCW  
30 43.70.250, for the issuance, renewal, or administration of the  
31 following licenses, certificates of registration, permits, duplicate  
32 licenses, renewals, or examination:

33 (1) For a license to practice veterinary medicine, surgery, and  
34 dentistry issued upon an examination given by the examining board;

35 (2) For a license to practice veterinary medicine, surgery, and  
36 dentistry issued upon the basis of a license issued in another state;

1 (3) For a certificate of registration as an animal technician;  
2 (4) For a certificate of registration as a veterinary medication  
3 clerk;  
4 (5) For a temporary permit to practice veterinary medicine,  
5 surgery, and dentistry. The temporary permit fee shall be accompanied  
6 by the full amount of the examination fee; and  
7 ~~((5))~~ (6) For a license to practice specialized veterinary  
8 medicine.

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