

The Senate Committee on Agriculture and Consumer Affairs offered the following substitute to SB 76:

A BILL TO BE ENTITLED
AN ACT

1 To amend various provisions of the Official Code of Georgia Annotated so as to redesignate
2 veterinary technicians as veterinary nurses; to amend Code Section 43-26-6 of the Official
3 Code of Georgia Annotated, relating to use of certain titles and abbreviations by licensed
4 nurses, so as to exempt registered veterinary nurses from a prohibition on use of the title
5 "nurse"; to amend Chapter 50 of Title 43 of the Official Code of Georgia Annotated, relating
6 to veterinarians and veterinary technicians, so as to reenact the State Board of Veterinary
7 Medicine, subject to appropriations; to provide for related matters; to repeal conflicting laws;
8 and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 The Official Code of Georgia Annotated is amended in Code Section 4-11-17, relating to
12 filing a report regarding animal cruelty and immunity, by replacing "veterinary technician"
13 with "registered veterinary nurse".

14 **SECTION 2.**

15 Code Section 43-26-6 of the Official Code of Georgia Annotated, relating to use of certain
16 titles and abbreviations by licensed nurses, is amended by revising subsection (d) as follows:

17 "(d)(1) ~~No~~ Except as otherwise provided in paragraph (2) of this subsection, no person
18 shall use the title 'nurse' or any other title or abbreviation that would represent to the
19 public that a person is authorized to practice nursing unless the person is licensed or
20 otherwise authorized under this article or Article 2 of this chapter.

21 (2) A registered veterinary nurse licensed pursuant to Chapter 50 of this title may use the
22 title 'nurse' or any other title or abbreviation that would represent to the public that such
23 person is a registered veterinary nurse."

24

SECTION 3.

25 The Official Code of Georgia Annotated is amended by replacing "licensed veterinary
26 technician" with "registered veterinary nurse" and by replacing "licensed veterinary
27 technicians" with "registered veterinary nurses" each time the terms appear in:

28 (1) Code Section 43-50-2, relating to legislative purpose;

29 (2) Code Section 43-50-21, relating to general powers of board and liberal construction of
30 powers;

31 (3) Code Section 43-50-41, relating to disciplinary action, subpoenas, judicial review,
32 reinstatement, investigatory powers, immunity, failure to appear, and voluntary surrender of
33 license;

34 (4) Code Section 43-50-44, relating to exemptions from licensing;

35 (5) Code Section 43-50-45, relating to unlawful acts, penalties, and injunctions;

36 (6) Code Section 43-50-50, relating to purpose of part;

37 (7) Code Section 43-50-51, relating to practice of veterinary technology by licensed
38 veterinary technician;

39 (8) Code Section 43-50-52, relating to application for license as veterinary technician,
40 qualifications, examination, renewal, applicants registered in other states, and board's
41 responsibility;

42 (9) Code Section 43-50-53, relating to administration of examinations, reexamination, and
43 reactivation;

44 (10) Code Section 43-50-54, relating to supervision required of veterinary technician and
45 prohibited activities of technician;

46 (11) Code Section 43-50-55, relating to posting notice of use of licensed veterinary
47 technicians and proper identification;

48 (12) Code Section 43-50-56, relating to veterinarian responsible for licensed veterinary
49 technician's violations of limitations on duties;

50 (13) Code Section 43-50-62, relating to supervision required and prohibited uses of
51 veterinary assistant;

52 (14) Code Section 43-50-63, relating to posting notice of use of veterinary assistant and
53 proper identification required; and

54 (15) Code Section 43-50-90, relating to establishing standards for facilities and equipment
55 and monitoring, investigation, and enforcement actions.

56

SECTION 4.

57 Chapter 50 of Title 43, relating to veterinarians and veterinary technicians, is amended in
58 Code Section 43-50-3, relating to definitions, by revising subparagraph (A) of paragraph (26)
59 and paragraphs (33) and (34) and by adding a new paragraph to read as follows:

60 "(A) To perform animal patient care or other services that require a technical
 61 understanding of veterinary medicine by a ~~licensed veterinary technician~~ registered
 62 veterinary nurse on the basis of written or oral instruction of a licensed veterinarian,
 63 excluding diagnosing, prognosing, performing surgery, prescribing, or dispensing;"

64 "(27.1) 'Registered veterinary nurse' means a licensed person who engages in the practice
 65 of veterinary technology and on the basis of his or her qualifications is validly and
 66 currently licensed by the board for such purpose."

67 ~~"(33) 'Veterinary technician' means a licensed person who engages in the practice of~~
 68 ~~veterinary technology and on the basis of his or her qualifications is validly and currently~~
 69 ~~licensed by the board for such purpose.~~

70 ~~(34)~~(33) 'Veterinary technology' means the science and art of providing certain aspects
 71 of professional medical care and treatment for animals and the practice of veterinary
 72 medicine as may be delegated and supervised by a licensed veterinarian and performed
 73 by a person who is not a licensed veterinarian."

74 SECTION 5.

75 Said chapter is further amended by repealing Code Section 43-50-20, relating to creation of
 76 State Board of Veterinary Medicine, members, qualifications, vacancies, expenses, meetings,
 77 and officers, and enacting a new Code Section 43-50-20 to read as follows:

78 "43-50-20.

79 (a) There shall be a State Board of Veterinary Medicine, the members of which shall be
 80 appointed by the Governor with the approval of the Secretary of State and confirmation by
 81 the Senate. The board shall consist of seven members, each appointed for a term of no
 82 more than five years or until his or her successor is appointed. Five members of the board
 83 shall be duly licensed veterinarians actually engaged in active practice for at least five
 84 years prior to appointment. The sixth member shall be appointed from the public at large
 85 and shall in no way be connected with the practice of veterinary medicine. The seventh
 86 member shall be a registered veterinary nurse who has been registered and actively
 87 engaged in the practice of veterinary technology or veterinary nursing for at least five years
 88 prior to appointment. The initial appointment of the registered veterinary nurse shall expire
 89 on June 30 in the fifth calendar year after this subsection becomes effective; thereafter,
 90 successors shall be appointed for a term of five years. Those members of the State Board
 91 of Veterinary Medicine serving on the effective date of this subsection shall continue to
 92 serve as members of the board until the expiration of the term for which they were
 93 appointed. Thereafter, successors to such board members shall be appointed in accordance
 94 with this Code section. A majority of the board shall constitute a quorum.

- 95 (b) Vacancies due to death, resignation, removal, or otherwise shall be filled for the
 96 remainder of the unexpired term in the same manner as regular appointments. No person
 97 shall serve two consecutive five-year terms, but a person appointed for a term of less than
 98 five years may succeed himself or herself.
- 99 (c) Each member of the board shall be reimbursed as provided for in subsection (f) of
 100 Code Section 43-1-2.
- 101 (d) Any member of the board may be removed by the Governor after a hearing by the
 102 board determines cause for removal.
- 103 (e) The board shall meet at least once each year at the time fixed by the board. Other
 104 necessary meetings may be called by the president of the board by giving such notice as
 105 shall be established by the board. Meetings shall be open and public except that the board
 106 may meet in closed session as set forth in Code Section 50-14-3.
- 107 (f) At its annual meeting, the board shall organize by electing a president and such other
 108 officers as may be required by the board. Officers of the board serve for terms of one year
 109 and until a successor is elected, without limitation on the number of terms an officer may
 110 serve. The president shall chair the board meetings.
- 111 (g) This Code section shall be subject to appropriations by the General Assembly."

112

SECTION 6.

113 Said chapter is further amended in Code Section 43-50-40, relating to renewal of licenses,
 114 reinstatement, waiver of fee, continuing education, and inactive status, by revising subsection
 115 (c) and paragraph (1) of subsection (d) as follows:

116 "(c) The board may, by rule, waive the continuing education requirements and the payment
 117 of the renewal fee of a licensed veterinarian or ~~licensed veterinary technician~~ registered
 118 veterinary nurse during the period when he or she is on active duty with any branch of the
 119 armed forces of the United States.

120 (d)(1) The board shall establish continuing professional veterinary medical education
 121 requirements for the renewal of veterinary licenses. Notwithstanding any other provision
 122 of this article, no license to practice veterinary medicine or veterinary technology shall
 123 be renewed by the board or the division director until the licensee submits to the board
 124 satisfactory proof of his or her participation, during the biennium preceding his or her
 125 application for renewal, in approved programs of continuing education, as defined in this
 126 Code section. The amount of continuing veterinary medical education required of
 127 licensees per biennium by the board under this paragraph shall not be less than 30 hours
 128 for veterinarians and not be less than ten hours for ~~veterinary technicians~~ registered
 129 veterinary nurses and shall be established by board rule."

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SECTION 7.

131 All laws and parts of laws in conflict with this Act are repealed.