

House Bill 1408 (AS PASSED HOUSE AND SENATE)

By: Representatives Camp of the 135<sup>th</sup>, Hagan of the 156<sup>th</sup>, Cooper of the 45<sup>th</sup>, Cox of the 28<sup>th</sup>, Jasperse of the 11<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 19 of Title 31 and Chapter 50 of Title 43 of the Official Code of Georgia  
2 Annotated, relating to control of rabies and veterinarians and veterinary technicians,  
3 respectively, so as to authorize licensed veterinary technicians under the direct supervision  
4 of a licensed veterinarian to administer antirabies vaccinations to animals required by this  
5 state to be inoculated against rabies; to update terminology and make conforming changes;  
6 to provide for related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 19 of Title 31 of the Official Code of Georgia Annotated, relating to control of  
10 rabies, is amended by revising Code Section 31-19-5, relating to inoculation of canines and  
11 felines against rabies, as follows:

12 "31-19-5.

13 The county boards of health are empowered and required to adopt and promulgate rules  
14 and regulations requiring canines and felines to be inoculated against rabies and to  
15 prescribe the intervals and means of inoculation, the fees to be paid in county sponsored  
16 clinics, that procedures be in compliance with the recommendations of the National

17 Association of State Public Health Veterinarians for identifying inoculated canines and  
 18 felines, and all other procedures applicable thereto. As used in this chapter, the term  
 19 'inoculation against rabies' means the administering ~~by a licensed veterinarian~~ of an  
 20 antirabies vaccine approved by the department by a licensed veterinarian or a licensed  
 21 veterinary technician in accordance with Code Section 43-50-54.1."

22 **SECTION 2.**

23 Said chapter is further amended by revising subsection (b) of Code Section 31-19-7, relating  
 24 to county rabies control officer, as follows:

25 "(b) The county governing authority of each county is authorized to levy a fee not to  
 26 exceed 50¢ for each dog, such fee to be collected by the veterinarian administering or  
 27 directly supervising the administration of the antirabies vaccine required by this chapter.  
 28 This fee shall be in addition to that provided for in Code Section 31-19-5. If any county  
 29 has no resident veterinarian, the out-of-county veterinarian administering or directly  
 30 supervising the administration of the antirabies vaccine and collecting the fee provided for  
 31 by this Code section shall forward to the treasurer of the county of the dog owner's  
 32 residence the fee prescribed by that county's governing authority."

33 **SECTION 3.**

34 Chapter 50 of Title 43 of the Official Code of Georgia Annotated, relating to veterinarians  
 35 and veterinary technicians, is amended in Article 1, relating to general provisions, by revising  
 36 paragraphs (25) and (26) of Code Section 43-50-3, relating to definitions, as follows:

37 "(25) 'Practice veterinary medicine' or 'practice of veterinary medicine' means:

38 (A) To diagnose, treat, correct, change, relieve, or prevent animal disease, deformity,  
 39 defect, injury, or other physical or mental conditions, including the prescribing,  
 40 administration, or dispensing of any prescription drug, medicine, biologic, apparatus,  
 41 application, anesthetic, or other therapeutic or diagnostic substance or technique on, for,

42 or to any animal, including, but not limited to, the use of complementary, alternative,  
43 and integrative therapies, animal dentistry, manual or mechanical adjustment  
44 procedures, physical therapy, rehabilitation, surgery, diagnostic veterinary pathology,  
45 any manual, mechanical, biological, or chemical procedure used for pregnancy testing  
46 or for correcting sterility or infertility, or to render advice or recommendations with  
47 regard to any of the above; but not including such administration or dispensing pursuant  
48 to prescription or direction of a licensed veterinarian;

49 (B)(i) To apply or use any instrument or device on any portion of an animal's tooth,  
50 gum, or any related tissue for the prevention, cure, or relief of any wound, fracture,  
51 injury, disease, or other condition of an animal's tooth, gum, or related tissue.

52 (ii) To engage in preventive dental procedures on animals, including, but not limited  
53 to, the removal of calculus, soft deposits, plaque, or stains or the smoothing, filing,  
54 or polishing of tooth surfaces.

55 (iii) Nothing in this subparagraph shall prohibit any person from utilizing cotton  
56 swabs, gauze, dental floss, dentifrice, toothbrushes, or similar items to clean an  
57 animal's teeth;

58 (C) To represent, directly or indirectly, publicly or privately, an ability and willingness  
59 to do any act described in subparagraphs (A) and (B) of this paragraph;

60 (D) To use any title, words, abbreviation, or letters in a manner or under circumstances  
61 which induce the belief that the person using them is legally authorized or qualified to  
62 perform an act included in this paragraph. Such use shall be evidence of the intention  
63 to represent oneself as engaged in the practice of veterinary medicine;

64 (E) To apply principles of environmental sanitation, food inspection, environmental  
65 pollution control, zoonotic disease control, and disaster medicine in the promotion and  
66 protection of public health as it specifically relates to animals. This subparagraph shall  
67 apply only to licensed veterinarians and not to other qualified persons;

68 (F) To collect blood or other samples for the purpose of diagnosing diseases or related  
 69 conditions. This subparagraph shall not apply to unlicensed professionals employed by  
 70 or under contract with the United States Department of Agriculture or the Georgia  
 71 Department of Agriculture who are engaged in their official duties; or

72 (G) To administer ~~a rabies~~ an antirabies vaccination to any animal that the state  
 73 requires to be vaccinated, but shall not include the administration of an antirabies  
 74 vaccination by a licensed veterinary technician pursuant to Code Section 43-50-54.1.

75 (26) 'Practice veterinary technology' means:

76 (A) To perform animal patient care or other services that require a technical  
 77 understanding of veterinary medicine by a licensed veterinary technician on the basis  
 78 of written or oral instruction of a licensed veterinarian, excluding diagnosing,  
 79 prognosing, performing surgery, prescribing, or dispensing;

80 (B) To represent, directly or indirectly, publicly or privately, an ability and willingness  
 81 to engage in any act described in subparagraph (A) of this paragraph; ~~or~~

82 (C) To use any title, words, abbreviation, or letters, while engaged in the practice of  
 83 licensed veterinary technology, in a manner or under circumstances that induce the  
 84 belief that the person using them is qualified to engage in an act included in  
 85 subparagraph (A) of this paragraph; or

86 (D) To administer an antirabies vaccination in accordance with Code  
 87 Section 43-50-54.1."

88 **SECTION 4.**

89 Said chapter is further amended in Article 3, relating to licensing, by adding a new Code  
 90 section to read as follows:

91 "43-50-54.1.  
92 A licensed veterinary technician working under a licensed veterinarian's direct supervision,  
93 as defined by the board pursuant to Code Section 43-50-54, may administer an antirabies  
94 vaccination to any animal that the state requires to be vaccinated."

95 **SECTION 5.**

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