

SENATE, No. 3131

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED OCTOBER 18, 2018

Sponsored by:

Senator BOB ANDRZEJCZAK

District 1 (Atlantic, Cape May and Cumberland)

Senator JEFF VAN DREW

District 1 (Atlantic, Cape May and Cumberland)

SYNOPSIS

Requires licensure for veterinary technicians.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/29/2019)

1 AN ACT concerning veterinary medicine, amending various parts of
2 the statutory law, and supplementing chapter 16 of Title 45 of
3 the Revised Statutes.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. Section 1 of P.L.1983, c.98 (C.45:16-1.1) is amended to read
9 as follows:

10 1. As used in **[this act]** chapter 16 of Title 45 of the Revised
11 Statutes:

12 a. "Animal or veterinary facility" means any fixed or mobile
13 establishment, veterinary hospital, animal hospital or premises
14 wherein or whereon the practice of veterinary medicine or any part
15 thereof is conducted.

16 b. "Person" means any individual, firm, partnership,
17 association, joint venture, cooperative, corporation incorporated
18 under Title 14A of the New Jersey Statutes, or any other group or
19 combination acting in concert; and whether or not acting as a
20 principal, trustee, fiduciary, receiver, or as any other kind of legal
21 or personal representative, or as the successor in interest, assignee,
22 agent, factor, servant, employee, director, officer, or any other
23 representative of any person.

24 c. "Qualified veterinary graduate" means a graduate of a
25 veterinary college or university approved by the board, a graduate
26 of a veterinary college or university which is not approved by the
27 board, but who has received a certificate from an accrediting or
28 qualifying body recognized by the board for the purpose of
29 licensure examination, or a veterinarian who has qualified under
30 the provisions of the American Veterinary Medical Association's
31 Education Commission for the Foreign Veterinary Graduate.

32 d. "Veterinary technician" means a person who has been
33 licensed by the board to practice veterinary technology.

34 e. "Animal care" means tasks performed under the direct
35 supervision of a veterinarian or veterinary technician, but does not
36 include services that require a technical understanding of veterinary
37 medicine by a veterinarian or a veterinary technician.

38 e. "Veterinary assistant" means a person who is employed by
39 an animal or veterinary facility to assist under the direct supervision
40 of a veterinarian or a veterinary technician in tasks related to animal
41 care.

42 f. "Responsible supervision" means that the supervising
43 veterinarian has assumed full responsibility for the actions or
44 omissions of the person being supervised.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 g. “Direct supervision” means acts performed in the office of a
2 veterinarian in the physical presence of the veterinarian pursuant to
3 the order, control and full professional responsibility of the
4 veterinarian.

5 h. “Veterinary technology” means the practice of animal care
6 or other services that require a technical understanding of veterinary
7 medicine by a veterinary technician.

8 (cf: P.L.1983, c. 98)

9
10 2. R.S.45:16-7 is amended to read as follows:

11 45:16-7. A person desiring to commence the practice of
12 veterinary medicine, surgery and dentistry in this State shall deliver
13 to the secretary of the board a fee to be determined by the board for
14 filing the application for examination and a fee to be determined by
15 the board for the examination, together with satisfactory proof that
16 the applicant is a qualified veterinary graduate as defined in this act
17 or who shall provide a certification acceptable to the board that the
18 applicant will be awarded a degree in veterinary medicine at
19 graduation during the academic year from the college or university
20 the applicant attends and has passed a national licensing
21 examination as required by the board. No applicant, however, shall
22 be licensed prior to graduation from a veterinary college or
23 university.

24 A person desiring to commence the practice of veterinary
25 technology in this State shall deliver to the board a fee to be
26 determined by the board for filing the application for examination
27 and a fee to be determined by the board for the examination,
28 together with satisfactory proof that the applicant is qualified to be
29 licensed as veterinary technician.

30 (cf: P.L.2003, c.227, s.2)

31
32 3. R.S.45:16-8.1 is amended to read as follows:

33 45:16-8.1. a. Any person shall be regarded as practicing
34 veterinary medicine within the meaning of this chapter, who, either
35 directly or indirectly, diagnoses, prognoses, treats, administers,
36 prescribes, operates on, manipulates, or applies any apparatus or
37 appliance for any disease, pain, deformity, defect, injury, wound or
38 physical condition of any animal, including poultry and fish, or who
39 prevents or tests for the presence of any disease in animals, or who
40 performs embryo transfers and related reproductive techniques, or
41 who holds himself out as being able or legally authorized to do so.

42 The term "practice of veterinary medicine, surgery, and
43 dentistry" does not include:

44 (1) The calling into this State for consultation of a duly licensed
45 veterinarian of any other state with respect to any case under
46 treatment by a veterinarian registered under the provisions of this
47 act;

- 1 (2) The practice of veterinary medicine by any veterinarian in
2 the performance of his official duties in the service of the State of
3 New Jersey or the United States Government, either civil or
4 military;
- 5 (3) The experimentation and scientific research activities of
6 physiologists, bacteriologists, biologists, pathologists, biological
7 chemists, chemists, or persons under the direct supervision thereof,
8 when engaged in the study and development of methods and
9 techniques directly or indirectly applicable to the problems of
10 veterinary medical practice;
- 11 (4) The administration to the ills and injuries to their own
12 animals by persons owning such animals; provided, however, that
13 they otherwise comply with all laws, rules and regulations relative
14 to the use of medicines and biologics used in so doing;
- 15 (5) Persons gratuitously giving aid, assistance or relief in
16 emergency or accident cases, if they do not represent themselves to
17 be veterinarians or use any title or degree appertaining to the
18 practice of veterinary medicine, surgery or dentistry;
- 19 (6) Any **【properly trained animal health】** veterinary technician
20 or other properly trained veterinary assistant, who is under the
21 responsible and direct supervision **【and direction】** of a licensed
22 veterinarian in his practice of veterinary medicine, if the veterinary
23 technician or veterinary assistant does not represent himself as a
24 veterinarian or use any title or degree appertaining to the practice of
25 veterinary medicine, surgery or dentistry, and does not diagnose,
26 prescribe, or perform surgery;
- 27 (7) Emergency paramedical services rendered during the
28 transportation of an animal to an animal or veterinary facility, when
29 the transportation is provided by any person providing the service
30 for hire as a business;
- 31 (8) The care, repair and rehabilitation of wildlife species by
32 wildlife rehabilitators under the responsible supervision of a
33 licensed veterinarian;
- 34 (9) The undertaking of duties and actions, in accordance with
35 the provisions of subparagraph (2) of subsection a. of R.S.45:16-9,
36 by a student at an accredited veterinary school, if the student does
37 not represent himself as a veterinarian or use any title or degree
38 appertaining to the practice of veterinary medicine, surgery or
39 dentistry; and
- 40 (10) Artificial insemination.
- 41 b. A veterinary technician may, under the responsible
42 supervision of a veterinarian, perform any task for which the
43 technician has been trained as delineated in the American
44 Veterinary Medical Association’s essential task list for veterinary
45 technician teaching programs.
46 (cf: P.L.2013, c.122, s.1)

- 1 4. (New section) a. An applicant for a veterinary technician
2 license shall submit to the board:
3 (1) an application on the form prescribed by the board;
4 (2) information to enable the board to conduct a criminal history
5 background check if required by the board; and
6 (3) any other information required by the board.
7 b. The board shall issue a veterinary technician license to an
8 applicant if the applicant:
9 (1) passes the veterinary technician National Examination, or
10 any other examination as required by the board;
11 (2) is at least 18 years of age; and
12 (3) has graduated from a college level program accredited by the
13 American Veterinary Medical Association.
14
15 5. This act shall take effect on the first day of the sixth month
16 next following enactment, except that the board may take such
17 action in advance of the effective date as shall be necessary to
18 implement provisions of this act.
19
20

21 STATEMENT

- 22
23 This bill regulates the practice of veterinary technicians.
24 Under the bill, veterinary technology is the practice of animal
25 care or other services that require a technical understanding of
26 veterinary medicine by a veterinary technician.
27 The bill requires a person desiring to commence the practice of
28 veterinary technology in this State to deliver to the board a fee to be
29 determined by the State Board of Veterinary Medical Examiners for
30 the examination, together with satisfactory proof that the applicant
31 is a qualified veterinary technician.
32 The bill also amends statutory law to allow veterinary
33 technicians, under the responsible supervision of a licensed
34 veterinarian, to perform any task for which the technician has been
35 trained as delineated in the American Veterinary Medical
36 Association's essential tasks list for veterinary technician teaching
37 programs.
38 The bill requires a veterinary technician applying for a license to
39 submit to the board: (1) an application on the form prescribed by
40 the board; (2) information to enable the board to conduct a criminal
41 background check if required by the board; and (3) any other
42 information required by the board. The bill further requires the
43 board to issue a license to a veterinary technician, if the person:
44 passes the veterinary technician National Examination, or any other
45 examination as required by the board; is at least 18 years of age;
46 and has graduated from a college level program accredited by the
47 American Veterinary Medical Association.