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**Representatives Core, Webster, McGregor, J., Fessler, Setzer, Reinhard,
Seitz, Hartnett, Reidelbach, Aslanides, Gibbs, Dolan, Schlichter, Distel,
Domenick, Sayre, Widener, Cassell, Barrett, Blessing, Brown, Buehrer,
Calvert, Coley, Collier, Combs, Daniels, DeBose, Evans, C., Faber, Flowers,
Hughes, Law, Otterman, Schaffer, Skindell, Smith, G., Uecker, Wagoner,
Williams, Yates**

—

A B I L L

To amend sections 4741.01, 4741.02, 4741.03, 4741.09, 1
4741.11, 4741.12, 4741.14, 4741.16, 4741.17, 2
4741.171, 4741.19, 4741.20, 4741.21, 4741.22, 3
4741.221, 4741.24, 4741.26, 4741.31, and 4741.99, 4
to enact new sections 4741.13 and 4741.28 and 5
sections 4741.04 and 4741.40 to 4741.47, and to 6
repeal sections 4741.13, 4741.27, and 4741.28 of 7
the Revised Code to revise the veterinary practice 8
law and to create the Veterinarian Loan Repayment 9
Program. 10

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 4741.01, 4741.02, 4741.03, 4741.09, 11
4741.11, 4741.12, 4741.14, 4741.16, 4741.17, 4741.171, 4741.19, 12
4741.20, 4741.21, 4741.22, 4741.221, 4741.24, 4741.26, 4741.31, 13
and 4741.99 be amended and new sections 4741.13 and 4741.28 and 14
sections 4741.04, 4741.40, 4741.41, 4741.42, 4741.43, 4741.44, 15
4741.45, 4741.46, and 4741.47 of the Revised Code be enacted to 16

read as follows: 17

Sec. 4741.01. As used in this chapter: 18

(A) "Animal" means any animal other than ~~man~~ a human being 19
and includes fowl, birds, fish, and reptiles, wild or domestic, 20
living or dead. 21

(B) The "practice of veterinary medicine" means the practice 22
of any person who performs any of the following actions: 23

(1) ~~For hire, fee, compensation, or reward promised, offered,~~ 24
~~expected, received, or accepted, either directly or indirectly,~~ 25
~~diagnoses, prognoses, Diagnoses, prevents, or treats, ~~administers~~~~ 26
~~any disease, illness, pain, deformity, defect, injury, or other~~ 27
~~physical, mental, or dental condition of any animal;~~ 28

~~(2) Administers to, prescribes for, operates on, manipulates~~ 29
~~or performs any medical or surgical technique on any animal that~~ 30
~~has any disease, illness, pain, deformity, defect, injury, or~~ 31
~~other physical, mental, or dental condition or performs a surgical~~ 32
~~procedure on any animal;~~ 33

~~(3) Prescribes, applies, or dispenses any drug, medicine,~~ 34
~~biologic, anesthetic, or other therapeutic or diagnostic~~ 35
~~substance, or applies any apparatus or appliance for any disease,~~ 36
~~illness, pain, deformity, defect, injury, wound, or other~~ 37
~~physical, mental, or dental condition of any animal, or for the~~ 38
~~prevention of or to test for the presence of any disease of any~~ 39
~~animal, or who holds himself out as being able or legally~~ 40
~~authorized to act in such manner, or who holds himself out as~~ 41
~~being a veterinarian involved in environmental health, public~~ 42
~~health, food hygiene, preventive medicine, space medicine, or~~ 43
~~other special areas, or who engages in the practice of embryo~~ 44
~~transfer;~~ 45

~~(2) Practices dentistry or surgery on any animal;~~ 46

~~(3)~~(4) Uses complementary, alternative, and integrative therapies on animals; 47
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(5) Renders professional advice or recommendation by any means, including telephonic or other electronic communication with regard to any activity described in divisions (B)(1) to (4) of this section; 49
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(6) Represents himself the person's self, directly or indirectly, publicly or privately, as engaged in the practice of veterinary medicine as defined having the ability and willingness to perform an act described in divisions (B)(1) and ~~(2)~~ to (4) of this section; 53
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~~(4)~~(7) Uses any words, letters, abbreviations, or titles in such connection and under such circumstances as to induce the belief that the person using them is engaged in the practice of veterinary medicine. 58
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(C) "Specialist" means a person licensed veterinarian who is certified by a veterinary specialty board of a professional veterinary association recognized by rule of the state veterinary medical licensing board. 62
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(D) "~~Direct~~ Veterinary supervision" means instruction and directions ~~requiring the physical presence of~~ by a licensed veterinarian on the premises or, ~~if the veterinarian is absent from the premises, the~~ by a licensed veterinarian who is readily available for contact with a registered veterinary technician or any other to communicate with a person requiring supervision by the veterinarian by telephone or wireless communication. 66
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(E) "Veterinary student ~~extern~~" means a student enrolled in a college of veterinary medicine or a veterinary technology college approved by the board and who is ~~employed by~~ working with a licensed veterinarian. 73
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(F) "Registered veterinary technician" means a person who ~~has~~ 77
~~received a degree in animal health~~ is a graduate of a veterinary 78
~~technology from a school~~ college approved by the state veterinary 79
medical licensing board ~~or a school recognized by the American~~ 80
~~veterinary medical association, and who is employed by and under~~ 81
~~the direct supervision of a licensed veterinarian, has~~ 82
successfully passed an examination approved by the board, and 83
maintains registration eligibility status in accordance with rules 84
adopted by the board. 85

(G) "~~Veterinary~~ Animal aide" means a person who is employed 86
by a licensed veterinarian and supervised by a licensed 87
veterinarian or a registered veterinary technician to perform 88
duties such as record keeping, animal restraint, and such other 89
duties that the board, by rule, establishes. In adopting the 90
rules, the board shall include rules regarding the degree of 91
supervision required for each duty. The rules shall be consistent 92
with generally accepted standards of veterinary medical practice. 93

(H) "Advertising" means any manner, method, means, or 94
activity by which a practicing veterinarian, ~~his~~ a practicing 95
veterinarian's partners, or associates, or any information in 96
reference to veterinary science, is made known to the public 97
through any use of motion pictures, newspapers, magazines, books, 98
radio, television announcements, or any other manner, method, 99
means, or activity which commercially publicizes the professional 100
image of the veterinarian. 101

(I) "Embryo transfer" means the removal of an embryo ovum 102
from the reproductive tract of an animal and its transfer to the 103
reproductive tract of another animal for the purpose of gestation 104
and birth. 105

(J) "~~Consultant~~ Veterinary consultant" means a veterinarian 106
who is not licensed in this state and who provides advice and 107

counsel to a requesting veterinarian licensed in this state in 108
regard to the treatment, diagnosis, or health care of an animal or 109
animals in a specific case. 110

(K) "Direct veterinary supervision" means a licensed 111
veterinarian is in the immediate area and within audible range, 112
visual range, or both, of a patient and the person administering 113
to the patient. 114

(L) "Allied medical support" means a licensed dentist, 115
physician, chiropractor, or physical therapist who is in good 116
standing as determined under Chapter 4715., 4731., 4734., or 4755. 117
of the Revised Code, as applicable. 118

(M) "Veterinary-client-patient-relationship" means a 119
relationship that meets the requirements of section 4741.04 of the 120
Revised Code. 121

(N) "Licensed veterinarian" means a person licensed by the 122
board to practice veterinary medicine. 123

(O) "Client" means the patient's owner, owner's agent, or 124
other person responsible for the patient. 125

(P) "Veterinary technology" means the science and art of 126
providing professional support to veterinarians. 127

(Q) "Patient" means an animal that is examined or treated by 128
a licensed veterinarian. 129

Sec. 4741.02. There shall be a state veterinary medical 130
licensing board consisting of seven members, who have been legal 131
residents of this state for not less than five years, appointed by 132
the governor with the advice and consent of the senate, as 133
follows: five members who have been licensed to practice 134
veterinary medicine in this state for not less than five 135
consecutive years prior to their appointment; one member who is a 136
registered veterinary technician registered pursuant to this 137

chapter for not less than five consecutive years prior to 138
appointment; and one member who is a representative of the public. 139
Terms of office are for ~~five~~ three years, commencing on the first 140
day of January and ending on the thirty-first day of December, 141
~~except that the initial terms of office of the registered~~ 142
~~veterinary technician and the public member commence on January 1,~~ 143
~~1992, with the registered veterinary technician's initial term of~~ 144
~~office ending on December 31, 1994, and the public member's~~ 145
~~initial term of office ending on December 31, 1996.~~ Each member 146
shall hold office from the date of the member's appointment until 147
the end of the term for which the member was appointed. Any member 148
appointed to fill a vacancy occurring prior to the expiration of 149
the term for which the predecessor was appointed shall hold office 150
for the remainder of such term. Any member shall continue in 151
office subsequent to the expiration date of the member's term 152
until a successor takes office, or until a period of sixty days 153
has elapsed, whichever occurs first. No person who has been 154
appointed a member of the board shall be appointed to serve a 155
~~second term~~ more than three, three-year terms unless a period of 156
~~five~~ three years has elapsed since the termination of the member's 157
~~first~~ third term, provided that ~~members initially appointed for~~ 158
~~less than a five-year term and persons~~ a person appointed to fill 159
an unexpired term may be appointed for ~~one~~ three full ~~term~~ terms 160
of ~~five~~ three years each immediately following such ~~terms~~ term and 161
that the total length of the member's service does not exceed ten 162
years. 163

No member of the board shall be the owner of any interest in, 164
or be employed by any wholesale or jobbing house dealing in 165
supplies, equipment, or instruments used or useful in the practice 166
of veterinary medicine. Neither the public member nor the 167
registered veterinary technician member shall have any vested 168
financial interest in the practice of veterinary medicine. For 169

purposes of this section employment as a veterinary technician for 170
a veterinarian does not constitute a vested financial interest in 171
the practice of veterinary medicine. 172

The governor may remove any member of the board for 173
malfeasance, misfeasance, or nonfeasance after a hearing as 174
provided in Chapter 119. of the Revised Code or if the license of 175
a veterinary member is not renewed or has been revoked or 176
suspended on any ground set forth in section 3123.47 or 4741.22 of 177
the Revised Code or if the registration of the registered 178
veterinary technician member is revoked or suspended or is not 179
renewed under section 3123.47 or 4741.19 of the Revised Code. 180

Each member of the board shall receive an amount fixed 181
pursuant to division (J) of section 124.15 of the Revised Code for 182
each day, or portion thereof, the member is actually engaged in 183
the discharge of official duties, in addition to the member's 184
necessary expenses. 185

Sec. 4741.03. (A) The state veterinary medical licensing 186
board shall meet at least once in each calendar year and may hold 187
additional meetings as often as it considers necessary to conduct 188
the business of the board. The president of the board may call 189
special meetings, and the executive ~~secretary~~ director shall call 190
special meetings upon the written request of three members of the 191
board. The board shall organize by electing a president and 192
vice-president from its veterinarian members and such other 193
officers as the board prescribes by rule. Each officer shall serve 194
for a term specified by board rule or until a successor is elected 195
and qualified. A quorum of the board consists of four members of 196
which at least three are members who are veterinarians. The 197
concurrence of four members is necessary for the board to take any 198
action. 199

(B) The board may appoint a person, not one of its members, 200

to serve as its executive ~~secretary~~ director. The executive
~~secretary~~ director is in the unclassified service and serves at
the pleasure of the board. The executive ~~secretary~~ director shall
serve as the board's secretary-treasurer ex officio. The board may
employ additional employees for professional, technical, clerical,
and special work as it considers necessary. The executive
~~secretary~~ director shall give a surety bond to the state in the
sum the board requires, conditioned upon the faithful performance
of the executive ~~secretary's~~ director's duties. The board shall
pay the cost of the bond. The executive ~~secretary~~ director shall
keep a complete accounting of all funds received and of all
vouchers presented by the board to the director of budget and
management for the disbursement of funds. The president or
executive ~~secretary~~ director shall approve all vouchers of the
board. All money received by the board shall be credited to the
occupational licensing and regulatory fund.

(C) In addition to any other duty required under this
chapter, the board shall do all of the following:

(1) Prescribe a seal;

(2) ~~Hold at least one~~ Accept and review applications for
admission to an examination ~~during each calendar year for~~
~~applicants for a license. The~~ in accordance with section 4741.09
of the Revised Code and review the results of examinations taken
by applicants in accordance with rules adopted by the board ~~shall~~
~~provide public notice of the time and place for the examination.~~
The examination for applicants for a license to practice
veterinary medicine shall be either written or oral, or both, as
determined by the board, and may include a practical
demonstration. The examination may include all subjects relevant
to veterinary medicine the board determines appropriate, including
public health and jurisprudence.

(3) Keep a record of all of its meetings and proceedings;	232
(4) Maintain a register that records all applicants for a certificate of license or a temporary permit, all persons who have been denied a license or permit, all persons who have been granted or reissued a license or permit, and all persons whose license or permit has been revoked or suspended. The register shall also include a record of persons licensed prior to October 17, 1975.	233 234 235 236 237 238
(5) Maintain a register, in such form as the board determines by rule, of all colleges and universities that teach veterinary medicine and <u>veterinary technology</u> that are approved by the board;	239 240 241
(6) Enforce this chapter, and for that purpose, make investigations relative as provided in section 4741.26 of the Revised Code;	242 243 244
(7) Issue licenses and permits to persons who meet the qualifications set forth in this chapter;	245 246
(8) Approve colleges and universities which meet the board's requirements for veterinary medicine and associated fields of study and withdraw or deny, after an adjudication conducted in accordance with Chapter 119. of the Revised Code, approval from colleges and universities which fail to meet those requirements;	247 248 249 250 251
(9) Adopt rules, in accordance with Chapter 119. of the Revised Code, which are necessary for its government and for the administration and enforcement of this chapter.	252 253 254
(D) The board may do all of the following:	255
(1) Subpoena witnesses and require their attendance and testimony, and require the production by witnesses of books, papers, public records, animal patient records, and other documentary evidence and examine them, in relation to any matter that the board has authority to investigate, inquire into, or hear. Except for any officer or employee of the state or any	256 257 258 259 260 261

political subdivision of the state, the treasurer of state shall 262
pay all witnesses in any proceeding before the board, upon 263
certification from the board, witness fees in the same amount as 264
provided in section 2335.06 of the Revised Code. 265

(2) Examine and inspect books, papers, public records, animal 266
patient records, and other documentary evidence at the location 267
where the books, papers, records, and other evidence are normally 268
stored or maintained. 269

(E) All registers, books, and records kept by the board are 270
the property of the board and are open for public examination and 271
inspection at all reasonable times in accordance with section 272
149.43 of the Revised Code. The registers, books, and records are 273
prima-facie evidence of the matters contained in them. 274

Sec. 4741.04. A veterinary-client-patient relationship serves 275
as the basis for interaction between veterinarians, their clients, 276
and their patients. A veterinary-client-patient relationship 277
exists when all of the following conditions have been met: 278

(A) A veterinarian assumes responsibility for making clinical 279
judgments regarding the health of a patient and the need for 280
medical treatment, medical services, or both for the patient, and 281
the client has agreed to follow the veterinarian's instructions 282
regarding the patient. 283

(B) The veterinarian has sufficient knowledge of the patient 284
to initiate at least a general or preliminary diagnosis of the 285
medical condition of the patient. In order to demonstrate that the 286
veterinarian has sufficient knowledge, the veterinarian shall have 287
seen the patient recently and also shall be acquainted personally 288
with the keeping and care of the patient either by examining the 289
patient or by making medically appropriate and timely visits to 290
the premises where the patient is kept. 291

(C) The veterinarian is readily available for a follow-up 292
evaluation, or has arranged for emergency coverage, in the event 293
the patient suffers adverse reactions to the treatment regimen or 294
the treatment regimen fails. 295

Sec. 4741.09. (A) A person desiring to take ~~an~~ a nationally 296
recognized examination approved by the state veterinary medical 297
licensing board in accordance with the rules adopted by the board 298
for a license to practice veterinary medicine shall deliver to the 299
executive ~~secretary~~ director of the ~~state veterinary medical~~ 300
~~licensing board, at least forty five days prior to the date of the~~ 301
~~examination,~~ a written application for admission to the 302
~~examination, together with a current photograph, satisfactory~~ 303
~~proof that the~~ that meets the requirements that the board 304
establishes by rule. An applicant is shall be more than eighteen 305
years of age, ~~is~~ be of good moral character, and ~~has~~ have 306
graduated from a veterinary college or school approved by the 307
~~board, verified by a certified photostatic copy of the applicant's~~ 308
~~college record, including dates in attendance, courses completed,~~ 309
~~grades received, and diplomas issued, and such other reasonable~~ 310
~~information as the board requires.~~ 311

(B) A student who has completed or is enrolled in good 312
academic standing in the fourth academic year or in the final 313
clinical year at a veterinary college approved by the board may 314
apply to the executive ~~secretary~~ director to take ~~the national~~ 315
~~board examination or the clinical competency examination, or both,~~ 316
a nationally recognized examination the board approves in rule and 317
any other examination the board requires by rule for a license to 318
practice veterinary medicine. ~~A student who has completed or is~~ 319
~~enrolled in good academic standing in the second half of the third~~ 320
~~academic year at a veterinary college approved by the board may~~ 321
~~apply to the executive secretary to take the national board~~ 322

~~portion of the examination for a license to practice veterinary~~ 323
~~medicine.~~ In addition to the information required to be submitted 324
under division (A) of this section, the applicant shall submit a 325
letter from the dean or ~~his~~ the dean's designee of the veterinary 326
college ~~that~~ in which the applicant is a student in good academic 327
standing and that meets the requirements of this division. 328

(C) If the board finds that the applicant possesses the 329
qualifications necessary for admission, meets the requirements of 330
this chapter, the rules of the board, and is not in violation of 331
this chapter or any other applicable provision of the Revised Code 332
which would preclude acceptance by the board, the board shall 333
admit the applicant to the examination. 334

Sec. 4741.11. Whenever an applicant for a license to practice 335
veterinary medicine passes the examination specified in ~~division~~ 336
~~(C)(2) of~~ section ~~4741.03~~ 4741.09 of the Revised Code, and has 337
graduated from a veterinary college approved by the state 338
veterinary medical licensing board or accredited by the American 339
veterinary medical association or has been issued a certificate on 340
or after May 1, 1987, by the education commission for foreign 341
veterinary graduates of the American veterinary medical 342
association, and is not in violation of this chapter, the board 343
shall issue a certificate of license to that effect, signed by the 344
members and bearing the seal of the board. The certificate shall 345
show that the successful applicant has qualified under the laws of 346
this state and the requirements of the board and that the 347
applicant is duly licensed and qualified to practice veterinary 348
medicine. 349

Upon request, the board shall furnish to an applicant for a 350
license who fails to pass the examination a written report showing 351
reasons for ~~his~~ the applicant's failure in the examination. 352

Sec. 4741.12. The state veterinary medical licensing board 353
may issue a license to practice veterinary medicine without the 354
examination ~~specified in division (C)(2) of~~ required pursuant to 355
~~section 4741.03~~ 4741.11 of the Revised Code to an applicant from 356
another state, territory, country, or the District of Columbia who 357
furnishes satisfactory proof to the board that ~~he~~ the applicant 358
meets all of the following criteria: 359

(A) ~~He~~ The applicant is a graduate of a veterinary college 360
accredited by the American veterinary medical association or holds 361
a certificate issued, on or after May 1, 1987, by the education 362
commission for foreign veterinary graduates of the American 363
veterinary medical association or issued by any other nationally 364
recognized certification program the board approves by rule. 365

(B) ~~He~~ The applicant holds a license, which is not under 366
suspension, revocation, or other disciplinary action, issued by an 367
agency similar to this board of another state, territory, country, 368
or the District of Columbia, having requirements equivalent to 369
those of this state, provided the laws of such state, territory, 370
country, or district accord equal rights to the holder of a 371
license to practice in this state who removes to such state, 372
territory, country, or district. 373

(C) ~~He~~ The applicant is of good moral character, as 374
determined by the board. 375

(D) ~~He~~ The applicant is not under investigation for an act 376
which would constitute a violation of this chapter that would 377
require the revocation of or refusal to renew a license. 378

(E) ~~He~~ The applicant has a thorough knowledge of the laws and 379
rules governing the practice of veterinary medicine in this state, 380
as determined by the board. 381

Sec. 4741.13. The state veterinary medical licensing board 382

may issue a limited license to practice veterinary medicine to an 383
individual whose sole professional capacity is with a veterinary 384
academic institution or veterinary technology institution 385
recognized by the board in accordance with rules the board adopts 386
or with a government diagnostic laboratory. A person holding a 387
limited license is authorized to engage in the practice of 388
veterinary medicine only to the extent necessary to fulfill the 389
person's employment or educational obligations as an instructor, 390
researcher, diagnostician, intern, resident in a veterinary 391
specialty, or graduate student. 392

The board may issue a limited license to an applicant who 393
submits a completed application on a form prescribed by the board, 394
pays the fee prescribed in section 4741.17 of the Revised Code, 395
and meets the criteria established by the board. 396

Sec. 4741.14. ~~(A)~~ The state veterinary medical licensing 397
board may issue, without the examination ~~specified in division~~ 398
~~(C)(2) of~~ required pursuant to section 4741.03 4741.11 of the 399
Revised Code, a temporary permit to practice veterinary medicine 400
to ~~either of the following:~~ 401

~~(1) An applicant for admission to the examination, provided~~ 402
~~the applicant meets all conditions and requirements of section~~ 403
~~4741.09 of the Revised Code;~~ 404

~~(2) A~~ a veterinarian holding a license which is not revoked, 405
suspended, expired, or under any restrictions and is otherwise in 406
good standing from another state, territory, or the District of 407
Columbia, provided that a veterinarian who holds a current license 408
in this state applies for the temporary permit for the 409
veterinarian. 410

~~(B) A temporary permit issued pursuant to division (A)(1) of~~ 411
~~this section expires on the day following the announcement of the~~ 412

~~grades of the first examination given after the temporary permit
is issued. No applicant shall receive a second temporary permit
under division (A)(1) of this section after he has failed the
examination.~~

~~(C) A temporary permit issued pursuant to division (A)(2) of
this section only authorizes the permit holder to act as a
veterinary consultant or to provide veterinary medical services in
this state for a specific animal or animals. When using the
services of a veterinary consultant, the responsibility for the
care and treatment of the patient remains with the veterinarian
who holds a current license in this state and who is providing
treatment, or consultation as to treatment, to the patient. The
board shall determine by rule the specific purposes for which it
may issue a temporary permit and the duration of the permit, not
to exceed six months, under rules it adopts pursuant to Chapter
119. of the Revised Code. No more than two temporary permits may
be issued pursuant to ~~division (A)(2) of~~ this section to any one
applicant. Any subsequent applications shall be made pursuant to
section 4741.12 of the Revised Code.~~

Sec. 4741.16. (A) A license or limited license to practice
veterinary medicine issued by the state veterinary medical
licensing board pursuant to sections 4741.11 to 4741.13 of the
Revised Code expires biennially on the first day of March in
even-numbered years, and may be renewed in accordance with the
standard renewal procedures contained in Chapter 4745. of the
Revised Code upon payment of the required renewal fee and
fulfillment of the continuing education requirements contained in
division (B) of this section unless otherwise provided by law. The
board shall issue a duplicate certificate to any holder upon
request and upon due proof of loss of the original.

(B) As a condition precedent to each renewal of a license or

limited license, a licensed veterinarian shall demonstrate, to the 444
satisfaction of the board, that ~~he~~ the licensed veterinarian has 445
completed thirty hours of continuing education during the two 446
years immediately preceding renewal of ~~his~~ the licensed 447
veterinarian's license or limited license that meets the 448
requirements established by rule of the board as to form and 449
content. 450

(C) The board may waive the requirement of division (B) of 451
this section if the licensee submits an affidavit evidencing that 452
the licensee was prevented from attending an approved educational 453
program during a year because of the occurrence of an unusual and 454
prolonged emergency, provided the licensee otherwise complies with 455
such requirements as the board determines. 456

(D) Educational program requirements not completed during the 457
biennial license period, due to a waiver granted by the board 458
under division (C) of this section, are cumulative on the 459
requirements for the succeeding biennial license period. 460

(E) Any license or limited license which is not renewed at 461
the end of the biennium becomes an inactive license or limited 462
license. A licensee may reactivate an inactive license or limited 463
license upon application to the board. The board shall prescribe 464
continuing education and other requirements as it considers 465
necessary to reactivate a license or limited license. Any license 466
or limited license which has been inactive for more than four 467
years expires if the licensee has not applied for reactivation of 468
the license or limited license. Upon expiration, a license or 469
limited license becomes void. 470

(F) Division (E) of this section does not apply to any 471
veterinarian who serves solely in a professional capacity with any 472
federal, state, or local government agency or with any branch of 473
the armed forces of the United States. 474

Sec. 4741.17. (A) Applicants or registrants shall pay to the 475
state veterinary medical licensing board: 476

(1) For an initial veterinary license based on examination or 477
for an initial limited license, on or after the first day of March 478
in an even-numbered year, three hundred seventy-five dollars, and 479
on or after the first day of March in an odd-numbered year, two 480
hundred fifty dollars; 481

(2) For a veterinary license by reciprocity issued on or 482
after the first day of March in an even-numbered year, four 483
hundred twenty-five dollars, and on or after the first day of 484
March in an odd-numbered year, three hundred dollars; 485

(3) For a veterinary temporary permit, one hundred dollars; 486

(4) For a duplicate license, thirty-five dollars; 487

(5) For the veterinary license or limited license biennial 488
renewal fee, where the application is postmarked no later than the 489
first day of March, one hundred fifty-five dollars; where the 490
application is postmarked after the first day of March, but no 491
later than the first day of April, two hundred twenty-five 492
dollars; and where the application is postmarked after the first 493
day of April, four hundred fifty dollars+. Notwithstanding section 494
4741.25 of the Revised Code, the board shall deposit ten dollars 495
of each veterinary license or limited license biennial renewal fee 496
that it collects into the state treasury to the credit of the 497
veterinarian loan repayment fund created in section 4741.46 of the 498
Revised Code. 499

(6) For an initial registered veterinary technician 500
registration fee on or after the first day of March in an 501
odd-numbered year, thirty-five dollars, and on or after the first 502
day of March in an even-numbered year, twenty-five dollars; 503

(7) For the biennial renewal registration fee of a registered 504

veterinary technician, where the application is postmarked no
later than the first day of March, thirty-five dollars; where the
application is postmarked after the first day of March, but no
later than the first day of April, forty-five dollars; and where
the application is postmarked after the first day of April, sixty
dollars;

(8) For a specialist certificate, fifty dollars. The
certificate is not subject to renewal.

(9) For the reinstatement of a suspended license, or for
reinstatement of a license that has lapsed more than one year, an
additional fee of seventy-five dollars;

(10) For examinations offered by the board, a fee, which
shall be established by the board, in an amount adequate to cover
the expense of procuring, administering, and scoring examinations.

~~(B) The board, subject to the approval of the controlling
board, may establish fees in excess of the amounts provided in
this section, provided that the fees do not exceed the amounts
permitted by this section by more than fifty per cent.~~

~~(C)~~ For the purposes of divisions (A)(5) and (7) of this
section, a date stamp of the office of the board may serve in lieu
of a postmark.

Sec. 4741.171. Any licensed veterinarian who desires to
temporarily or permanently retire from practice and who has given
the state veterinary medical licensing board notice in writing to
that effect may be certified by the board as being retired,
provided ~~his~~ the licensed veterinarian's license is in good
standing. The board may by rule waive the payment of the
registration fee of a licensed veterinarian or registered
veterinary technician during the period when ~~he~~ the licensed
veterinarian or registered veterinary technician is on active duty

in connection with any branch of the armed forces of the United States. 535
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Each veterinarian licensed by the board, whether a resident or not, shall notify, in writing, the ~~secretary~~ executive director of the board of any change in ~~his~~ the licensed veterinarian's office address or employment within ninety days after the change has taken place. 537
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Sec. 4741.19. (A) Unless exempted under this chapter, no person shall practice veterinary medicine, or any of its branches, without a license or limited license issued by the state veterinary medical licensing board pursuant to sections 4741.11 to 4741.13 of the Revised Code, a temporary permit issued pursuant to section 4741.14 of the Revised Code, or a registration certificate issued pursuant to division (C) of this section, or with an inactive, expired, suspended, terminated, or revoked license, temporary permit, or registration. 542
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(B) No veterinary student ~~extern~~ shall: 551

(1) Perform or assist surgery unless under ~~the~~ direct veterinary supervision ~~of a licensed veterinarian~~ and unless the ~~extern~~ student has had the minimum education and experience prescribed by rule of the board; 552
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(2) Engage in any other work related to the practice of veterinary medicine unless under ~~the direct~~ veterinary supervision ~~of a licensed veterinarian~~; 556
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(3) Participate in the operation of a branch office, clinic, or allied establishment unless a licensed veterinarian is present on the establishment premises. 559
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(C) No person shall act as a registered veterinary technician unless the person is registered with the board on a biennial basis and pays the biennial registration fee. A registered veterinary 562
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technician registration expires biennially on the first day of 565
March in the odd-numbered years and may be renewed in accordance 566
with the standard renewal procedures contained in Chapter 4745. of 567
the Revised Code upon payment of the biennial registration fee and 568
fulfillment of ten continuing education hours during the two years 569
immediately preceding renewal for registration. Each registered 570
veterinary technician shall notify in writing the ~~secretary~~ 571
executive director of the board of any change in the registered 572
veterinary technician's office address or employment within ninety 573
days after the change has taken place. 574

(1) A registered veterinary technician operating under ~~the~~ 575
veterinary supervision ~~of a licensed veterinarian~~ may perform the 576
following duties: 577

~~(1)(a)~~ Prepare or supervise the preparation of patients, 578
instruments, equipment, and medications for surgery; 579

~~(2) Induce and monitor general anesthesia according to~~ 580
~~medically recognized and appropriate methods;~~ 581

~~(3)(b)~~ Collect or supervise the collection of specimens and 582
perform laboratory procedures as required by the supervising 583
veterinarian; 584

~~(4)(c)~~ Apply wound dressings, casts, or splints as required 585
by the supervising veterinarian; 586

~~(5)(d)~~ Assist a veterinarian in immunologic, diagnostic, 587
medical, and surgical procedures; 588

~~(6)(e)~~ Suture skin incisions; 589

~~(7) Dental prophylaxis;~~ 590

~~(8)(f)~~ Administer or supervise the administration of topical, 591
oral, or parenteral medication under the direction of the 592
supervising veterinarian; 593

~~(9)(g)~~ Other ancillary veterinary technician functions that 594

are performed pursuant to the order and control and under the full 595
responsibility of a licensed veterinarian. 596

(h) Any additional duties as established by the board in 597
rule. 598

(2) A registered veterinary technician operating under direct 599
veterinary supervision may perform all of the following: 600

(a) Induce and monitor general anesthesia according to 601
medically recognized and appropriate methods; 602

(b) Dental prophylaxis, periodontal care, and extraction not 603
involving sectioning of teeth or resection of bone or both of 604
these; 605

(c) Equine dental procedures, including the floating of 606
molars, premolars, and canine teeth; removal of deciduous teeth; 607
and the extraction of first premolars or wolf teeth. 608

The degree of supervision by a licensed veterinarian over the 609
functions performed by the registered veterinary technician shall 610
be consistent with the standards of generally accepted veterinary 611
medical practices. 612

(D) A veterinarian licensed to practice in this state shall 613
not ~~hold oneself out~~ present the person's self as or state a claim 614
that the person is a specialist unless the veterinarian has 615
previously met the requirements ~~of~~ for certification by a 616
specialty organization recognized by the American board of 617
veterinary ~~medical association~~ specialties for a specialty or such 618
other requirements set by rule of the board and has paid the fee 619
required by division (A)(8) of section 4741.17 of the Revised 620
Code. 621

(E) Notwithstanding division (A) of this section, any animal 622
owner or the owner's designee may engage in the practice of embryo 623
transfer on the owner's animal if a licensed veterinarian directly 624

supervises the owner or the owner's designee and the means used to 625
perform the embryo transfer are nonsurgical. 626

(F) Allied medical support may assist a licensed veterinarian 627
to the extent to which the law that governs the individual 628
providing the support permits, if all of the following apply: 629

(1) A valid veterinary-client-patient-relationship exists. 630

(2) The individual acts under direct veterinary supervision. 631

(3) The allied medical support individual receives informed, 632
written, client consent. 633

(4) The veterinarian maintains responsibility for the patient 634
and keeps the patient's medical records. 635

The board may inspect the facilities of an allied medical 636
support individual in connection with an investigation based on a 637
complaint received in accordance with section 4741.26 of the 638
Revised Code involving that individual. 639

Sec. 4741.20. This chapter does not apply to: 640

(A) A person who administers to animals, the title to which 641
is vested in ~~himself~~ the person's self, except when the title is 642
so vested for the purpose of circumventing the provisions of this 643
chapter. No person shall vest title of an animal in ~~himself~~ the 644
person's self for the purposes of circumventing this chapter. 645

(B) A person who is a regular student in a legally chartered 646
college of veterinary medicine or a veterinary technology college 647
while in the performance of those duties and actions assigned by 648
~~his~~ the person's instructors; 649

(C) A person who is a member of the armed forces of the 650
United States or an employee of the United States department of 651
agriculture, the United States public health service, or other 652
federal agency, or the Ohio department of agriculture except a 653

licensed veterinarian, and who, while so commissioned or employed,
performs official duties;

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(D) A person who advises with respect to or performs acts
which the state veterinary medical licensing board by rule has
prescribed as accepted management practices in connection with
livestock production;

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(E) A person who conducts routine vaccinations, pullorum
testing, and typhoid testing of poultry and other poultry disease
control activity under supervision of a national poultry
improvement plan as administered by an official state agency or
the United States department of agriculture;

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(F) A physician licensed to practice medicine in this state,
or ~~his~~ the assistant of such a licensed physician, while engaged
in medical research;

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~~(G) A member of the faculty of an American veterinary medical
association accredited college of veterinary medicine, provided
that such member is a veterinarian and only is practicing in
conjunction with teaching duties at the school or college or in
its main teaching hospital;~~

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~~(H) A person who is supervised by a licensed veterinarian and
who is engaged in bona fide medical biomedical research which
requires the application of the principles of a veterinary
practice;~~

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(H) A veterinary consultant when consulting with a licensed
veterinarian, on the condition that the service performed by the
veterinary consultant is limited to the consultation and under all
circumstances, the responsibility for the care and treatment of
the patient remains with the veterinarian who holds a current
license in this state and who is providing treatment, or
consultation as to treatment, to the patient;

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(I) A person who offers gratuitous services in the case of an 684
emergency. 685

Sec. 4741.21. No licensed veterinarian or any person under 686
~~his~~ a licensed veterinarian's control or employ shall do any 687
advertising which: 688

(A) Is false or misleads any person to act to ~~his~~ the 689
person's detriment in the care or treatment of any animal; 690

(B) Is done with a purpose to deceive or defraud, or tends to 691
deceive or defraud, any person; 692

(C) ~~Promotes or tends to promote~~ Directly promotes the 693
business of a veterinarian through second-or third-party 694
solicitation ~~which is contrary to good public policy as determined~~ 695
~~by rule of the board;~~ 696

(D) Violates the rules set forth by the state veterinary 697
medical licensing board ~~in compliance with division (C)(9) of~~ 698
~~section 4741.03 of the Revised Code.~~ 699

Sec. 4741.22. The state veterinary medical licensing board 700
may refuse to issue or renew a license, limited license, 701
registration, or temporary permit to or of any applicant who, and 702
may issue a reprimand to, suspend or revoke the license, limited 703
license, registration, or the temporary permit of, or impose a 704
civil penalty pursuant to this section upon any person ~~licensed~~ 705
holding a license, limited license, or temporary permit to 706
practice veterinary medicine or any person registered as a 707
registered veterinary technician who: 708

(A) In the conduct of the person's practice does not conform 709
to the rules of the board or the standards of the profession 710
governing proper, humane, sanitary, and hygienic methods to be 711
used in the care and treatment of animals; 712

(B) Uses fraud, misrepresentation, or deception in ~~completing~~ 713
~~the any application or examination conducted by the board for~~ 714
~~licensure, or any other documentation created in the course of~~ 715
~~practicing veterinary medicine;~~ 716

(C) Is found to be physically or psychologically addicted to 717
alcohol or an illegal or controlled substance, as defined in 718
section 3719.01 of the Revised Code, to such a degree as to render 719
the person unfit to practice veterinary medicine; 720

(D) Directly or indirectly employs or lends the person's 721
services to a solicitor for the purpose of obtaining patients; 722

(E) Obtains a fee on the assurance that an incurable disease 723
can be cured; 724

(F) Advertises in a manner that violates section 4741.21 of 725
the Revised Code; 726

(G) ~~Has professional association with or lends the person's~~ 727
~~name to any unlicensed person, association, or organization for~~ 728
~~the purpose of obtaining patients;~~ 729

~~(H)~~ Divides fees or charges or has any arrangement to share 730
fees or charges with any other person, except on the basis of 731
services performed; 732

~~(I)~~(H) Sells any biologic containing living, dead, or 733
sensitized organisms or products of those organisms, except in a 734
manner that the board by rule has prescribed; 735

~~(J)~~(I) Is convicted of or pleads guilty to any felony or 736
crime involving ~~moral turpitude~~ illegal or prescription drugs, or 737
fails to report to the board within sixty days of the individual's 738
conviction of, plea of guilty to, or treatment in lieu of 739
conviction involving a felony, misdemeanor of the first degree, or 740
offense involving illegal or prescription drugs; 741

~~(K)~~(J) Is convicted of any violation of section 959.13 of the 742

Revised Code;	743
(L) Is convicted of a felony drug abuse offense, as defined in section 2925.01 of the Revised Code;	744 745
(M) <u>(K)</u> Swears falsely in any affidavit required to be made by the person in the course of the practice of veterinary medicine;	746 747
(N) <u>(L)</u> Fails to report promptly to the proper official any known reportable disease;	748 749
(O) <u>(M)</u> Fails to report promptly vaccinations or the results of tests when required to do so by law or rule;	750 751
(P) <u>(N)</u> Has been adjudicated incompetent for the purpose of holding the license or permit by a court, as provided in section 5122.301 <u>Chapter 2111.</u> of the Revised Code, and has not been restored to legal capacity for that purpose;	752 753 754 755
(Q) <u>(O)</u> Permits a person who is not a licensed veterinarian, a veterinary student extern , or a registered veterinary technician to engage in work or perform duties in violation of this chapter;	756 757 758
(R) <u>(P)</u> Is guilty of gross incompetence <u>or gross negligence</u> ;	759
(S) <u>(Q)</u> Has had a license to practice veterinary medicine or a license, registration, or certificate to engage in activities as a registered veterinary technician revoked, suspended, or acted against by disciplinary action by an agency similar to this board of another state, territory, or country or the District of Columbia;	760 761 762 763 764 765
(T) <u>(R)</u> Is or has practiced with a revoked, suspended, inactive, expired, or terminated license or registration;	766 767
(U) <u>(S)</u> Represents self as a specialist unless certified as a specialist by the board;	768 769
(V) <u>(T)</u> In the person's capacity as a veterinarian or registered veterinary technician makes or files a report, health certificate, vaccination certificate, or other document that the	770 771 772

person knows is false or negligently or intentionally fails to 773
file a report or record required by any applicable state or 774
federal law; 775

~~(W)~~(U) Fails to use reasonable care in the administration of 776
drugs, ~~as defined in section 4729.01 of the Revised Code,~~ or 777
acceptable scientific methods in the selection of those drugs or 778
other modalities for treatment of a disease or in conduct of 779
surgery; 780

~~(X)~~(V) Makes available a dangerous drug, as defined in 781
section 4729.01 of the Revised Code, to any person other than for 782
the specific treatment of an animal patient; 783

~~(Y)~~(W) Refuses to permit a board investigator or the board's 784
designee to inspect the person's business premises during regular 785
business hours, except as provided in division (A) of section 786
4741.26 of the Revised Code; 787

~~(Z)~~(X) Violates any order of the board or fails to comply 788
with a subpoena of the board; 789

~~(AA)~~(Y) Fails to maintain medical records as required by rule 790
of the board; 791

(Z) Engages in cruelty to animals; 792

(AA) Uses, prescribes, or sells any veterinary prescription 793
drug or biologic, or prescribes any extra-label use of any 794
over-the-counter drug or dangerous drug in the absence of a valid 795
veterinary-client-patient relationship. 796

Before the board may revoke, deny, refuse to renew, or 797
suspend a license, registration, or temporary permit or otherwise 798
discipline the holder of a license, registration, or temporary 799
permit, the executive ~~secretary~~ director shall file written 800
charges with the board. The board shall conduct a hearing on the 801
charges as provided in Chapter 119. of the Revised Code. 802

If the board, after a hearing conducted pursuant to Chapter 803
119. of the Revised Code, revokes, refuses to renew, or suspends a 804
license, registration, or temporary permit ~~or otherwise~~ 805
~~disciplines the holder of a license, registration, or temporary~~ 806
~~permit~~ for a violation of this section, section 4741.23 ~~or~~ 807
~~4741.28~~, division (C) or (D) of section 4741.19, or division (B), 808
(C), or (D) of section 4741.21 of the Revised Code, the board may 809
impose a civil penalty upon the holder of the license, permit, or 810
registration of not less than ~~twenty~~ one hundred dollars or more 811
than ~~two hundred fifty dollars for a first offense and not less~~ 812
~~than two hundred fifty dollars or more than~~ one thousand dollars 813
~~for each subsequent offense~~. In addition to the civil penalty and 814
any other penalties imposed pursuant to this chapter, the board 815
may assess any holder of a license, permit, or registration the 816
costs of the hearing conducted under this section if the board 817
determines that the holder has violated any provision for which 818
the board may impose a civil penalty under this section. 819

Sec. 4741.221. (A) The state veterinary medical licensing 820
board may, prior to or after a hearing conducted under section 821
4741.22 of the Revised Code, and in lieu of taking or in addition 822
to any action it may take under that section, refer any 823
veterinarian or registered veterinarian technician: 824

(1) Who suffers from alcohol or substance abuse, to the Ohio 825
veterinary medical association special assistance committee, the 826
Ohio physicians health program, or an advocacy group approved by 827
the board, for support and assistance in the coordination of the 828
treatment of that veterinarian or technician; 829

(2) Who has violated any provision of this chapter for any 830
offense for which the board normally would not seek the revocation 831
or suspension of the person's license or registration, to the Ohio 832
veterinary medical association special committee on peer review. 833

(B) To implement this section, the board shall adopt rules, 834
in accordance with Chapter 119. of the Revised Code, ~~which cover~~ 835
~~the method of referral and the manner by which the board may~~ 836
~~recall the referral and a requirement that the committee supply~~ 837
~~the veterinarian or technician and the board with progress reports~~ 838
~~on the support and assistance in the coordination of the~~ 839
~~treatment.~~ 840

Sec. 4741.24. (A) Except as provided in division (B) of this 841
section, any person whose license, registration, or temporary 842
permit is suspended or revoked may, at the discretion of the state 843
veterinary medical licensing board, be relicensed or reregistered 844
to practice at any time without an examination, on application 845
made to the board. The application for reinstatement shall be in 846
writing, in a form prescribed by the board, signed by the 847
applicant, and shall be delivered to the executive ~~secretary~~ 848
director of the board. 849

(B) Any person whose license, registration, or temporary 850
permit has been revoked for a violation of section 4741.18, 851
4741.22, or 4741.23 or division (A), (C), or (D) of section 852
4741.19, division (A) of section 4741.20, or division (B) or (D) 853
of section 4741.21 of the Revised Code, shall be permanently 854
barred from practicing veterinary medicine or holding a license to 855
practice veterinary medicine or holding a registration as a 856
registered veterinary technician in this state for a subsequent 857
violation of any of such provisions. The board shall, by certified 858
mail, notify all other state veterinary licensing boards of 859
permanent revocation actions. 860

(C) Any person whose license or temporary permit to practice 861
veterinary medicine is suspended or revoked is an unlicensed 862
person. 863

Sec. 4741.26. (A) The state veterinary medical licensing 864
board shall enforce this chapter and for that purpose shall make 865
investigations relative thereto. Except as provided in this 866
division, in making any inspection pursuant to this chapter, the 867
board may enter and inspect, upon written notice of not less than 868
five days and during normal business hours, any licensee's, permit 869
holder's, or registrant's place of business. If the board has 870
knowledge or notice, pursuant to a written complaint or any other 871
written knowledge or notice by any person as verified by the 872
signature of that person, of a violation of section 4741.18, 873
4741.19, or 4741.23 of the Revised Code, it shall investigate and, 874
upon probable cause appearing, shall direct the executive 875
~~secretary~~ director to file a complaint and institute the 876
prosecution of the offender. In conducting any investigation for a 877
suspected violation of this chapter, the board or its authorized 878
agent does not have to provide any prior written notice to the 879
licensee, permit holder, or registrant as long as the board 880
provides a written authorization for the investigation and the 881
board or its authorized agent provides the licensee, permit 882
holder, or registrant with a copy of the authorization at the time 883
of the investigation. When requested by the executive ~~secretary~~ 884
director, the prosecuting attorney of a county or the village 885
solicitor or city director of law of a municipal corporation, 886
wherein the violation occurs shall take charge of and conduct the 887
prosecution. The attorney general or ~~his~~ the attorney general's 888
designated assistant shall act as legal adviser to the board and 889
shall render such legal assistance as may be necessary. 890

(B) In addition to any other remedy the board may have 891
pursuant to law, if the board determines that any person is 892
practicing veterinary medicine without a license issued pursuant 893
to this chapter or is otherwise in violation of this chapter, the 894
board may, through its executive ~~secretary~~ director, apply to a 895

court having jurisdiction in the county in which the offense 896
occurred, for an injunction or restraining order to enjoin or 897
restrain the person from further violations of this chapter. The 898
attorney general shall serve as the board's legal agent in the 899
action. 900

Sec. 4741.28. (A) As used in this section: 901

(1) "Veterinary facility" means a structure or business 902
location that is maintained for the purpose of regularly providing 903
veterinary services and that is owned, operated, or controlled by 904
either of the following: 905

(a) A for-profit business entity of which a majority 906
controlling interest is vested in individuals who are not licensed 907
veterinarians; 908

(b) A nonprofit entity of which a majority of the members of 909
the board of directors are not licensed veterinarians. 910

(2) "Disciplinary action" means any of the actions specified 911
in division (F)(1) of this section. 912

(B)(1) Except as otherwise provided in division (B)(2) of 913
this section or rules adopted under this section, no person shall 914
operate a veterinary facility in this state without a valid 915
veterinary facility license. 916

(2) A person who operates an existing veterinary facility on 917
the effective date of this section is not in violation of the 918
licensure requirement during the time period that the initial 919
application for licensure of the veterinary facility is pending. 920

(C) A person who wishes to obtain a veterinary facility 921
license shall file an application with the state veterinary 922
medical licensing board. The application shall include all of the 923
following information: 924

(1) The name and address of the veterinary facility; 925

(2) The name and address of each licensed veterinarian who is a resident of this state and who will be responsible for the management of the provision of veterinary services at the veterinary facility; 926
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(3) The name and address of the entity that owns, operates, or controls the veterinary facility and, if the entity is a subsidiary of another entity, the name of its parent entity. 930
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An application shall be accompanied by a fee of three hundred dollars. 933
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(D) A veterinary facility license expires biennially on June 1 in odd-numbered years and may be renewed. An application for renewal shall contain any information that the board requires, shall be accompanied by a renewal fee of three hundred dollars, and shall be submitted to the board not earlier than the first day of April and not later than the thirtieth day of April in odd-numbered years. 935
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(E) Not later than ninety days following receipt of an application for an initial or renewed veterinary facility license under this section, the board shall issue the license to the applicant unless grounds for denial of licensure exist as established in rules adopted under this section. 942
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(F)(1) The board shall adopt rules in accordance with Chapter 119. of the Revised Code that establish grounds for the following: 947
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(a) Refusal to issue or renew a veterinary facility license; 949

(b) Suspension or revocation of a veterinary facility license; 950
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(c) Imposition of civil penalties of up to ten thousand dollars on a person who owns, operates, or controls a veterinary facility; 952
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(d) Seeking the issuance, by a court having jurisdiction in 955

the county in which a veterinary facility is located, of an 956
injunction that would require the closure of the veterinary 957
facility. 958

(2) The board may adopt rules in accordance with Chapter 119. 959
of the Revised Code that establish both of the following: 960

(a) Circumstances in which a veterinary facility is not 961
considered to be in violation of the licensure requirement during 962
the time period that an application for licensure of the 963
veterinary facility is pending; 964

(b) Any other provisions necessary for the administration of 965
this section. 966

(G) The board may conduct an inspection of a veterinary 967
facility in accordance with section 4721.26 of the Revised Code to 968
determine if grounds exist for disciplinary action. 969

(H) On determining that grounds may exist for disciplinary 970
action against a veterinary facility, other than the refusal to 971
issue a veterinary facility license, the executive director of the 972
board shall file written charges with the board. The board 973
subsequently shall conduct a hearing in accordance with Chapter 974
119. of the Revised Code concerning the charges. If, at the 975
conclusion of the hearing, the board determines that grounds for 976
disciplinary action exist, the board shall take the appropriate 977
disciplinary action. 978

(I) The board shall seek the issuance, by a court having 979
jurisdiction in the county in which is located a veterinary 980
facility that is in violation of the licensure requirement 981
established in this section, of an injunction that would require 982
the unlicensed veterinary facility to be closed until an 983
application for its licensure is filed. The injunction shall be in 984
addition to any other penalties established by law. 985

(J) Any change in the information specified in division 986
(C)(1), (2), or (3) of this section shall be reported in writing 987
to the board not later than ninety days after the change occurs. 988

Sec. 4741.31. The state veterinary medical licensing board 989
shall adopt rules in accordance with Chapter 119. of the Revised 990
Code establishing standards for approving and designating 991
physicians and facilities as treatment providers for veterinarians 992
with substance abuse problems and shall approve and designate 993
treatment providers in accordance with the rules. The rules shall 994
include standards for both inpatient and outpatient treatment. The 995
rules shall provide that to be approved, a treatment provider must 996
be capable of making an initial examination to determine the type 997
of treatment required for a veterinarian with substance abuse 998
problems. Subject to the rules, the board shall review and approve 999
treatment providers on a regular basis and may, at its discretion, 1000
withdraw or deny approval. 1001

An approved treatment provider shall: 1002

(A) Report to the board the name of any veterinarian 1003
suffering or showing evidence of suffering impairment by reason of 1004
alcohol or drug addiction as described in division (C) of section 1005
4741.22 of the Revised Code who fails to comply within one week 1006
with a referral for examination; 1007

(B) Report to the board the name of any impaired veterinarian 1008
who fails to enter treatment within forty-eight hours following 1009
the provider's determination that the veterinarian needs 1010
treatment; 1011

(C) Require every veterinarian who enters treatment to agree 1012
to a treatment contract establishing the terms of treatment and 1013
aftercare, including any required supervision or restrictions of 1014
practice during treatment or aftercare; 1015

(D) Require a veterinarian to suspend practice on entering any required inpatient treatment;	1016 1017
(E) Report to the board any failure by an impaired veterinarian to comply with the terms of the treatment contract during inpatient or outpatient treatment or aftercare;	1018 1019 1020
(F) Report to the board the resumption of practice of any impaired veterinarian before the treatment provider has made a clear determination that the veterinarian is capable of practicing according to acceptable and prevailing standards of care;	1021 1022 1023 1024
(G) Require a veterinarian who resumes practice after completion of treatment to comply with an aftercare contract that meets the requirements of rules adopted by the board for approval of treatment providers;	1025 1026 1027 1028
(H) Report to the board any veterinarian who suffers a relapse at any time during or following aftercare.	1029 1030
Any veterinarian who enters into treatment by an approved treatment provider shall be deemed to have waived any confidentiality requirements that would otherwise prevent the treatment provider from making reports required under this section.	1031 1032 1033 1034 1035
In the absence of fraud or bad faith, no professional association of veterinarians licensed under this chapter that sponsors a committee or program to provide peer assistance to veterinarians with substance abuse problems, no representative or agent of such a committee or program, and no member of the state veterinary medical <u>licensing</u> board shall be liable to any person for damages in a civil action by reason of actions taken to refer a veterinarian to a treatment provider designated by the board or actions or omissions of the provider in treating a veterinarian.	1036 1037 1038 1039 1040 1041 1042 1043 1044
In the absence of fraud or bad faith, no person who reports	1045

to the board a veterinarian with a suspected substance abuse 1046
problem shall be liable to any person for damages in a civil 1047
action as a result of the report. 1048

Sec. 4741.40. As used in sections 4741.40 to 4741.47 of the 1049
Revised Code: 1050

(A) "Large animal veterinary services," "veterinary services 1051
necessary to implement or enforce the law," and "veterinary 1052
services necessary to protect public health" have the meanings 1053
established in rules adopted by the state veterinary medical 1054
licensing board under section 4741.45 of the Revised Code. 1055

(B) "Veterinary resource shortage area" means an area 1056
designated in those rules as having limited access to large animal 1057
veterinary services or to veterinary services necessary to 1058
implement or enforce the law or to protect public health, as 1059
applicable. 1060

Sec. 4741.41. There is hereby created the veterinarian loan 1061
repayment program. Under the program, the Ohio board of regents, 1062
by means of a contract entered into under section 4741.44 of the 1063
Revised Code, may agree to repay all or part of the principal and 1064
interest of a government or other educational loan taken out by a 1065
veterinarian for the following expenses if the expenses were 1066
incurred while the veterinarian was enrolled, for a maximum of 1067
four years, in a veterinary college in the United States that, 1068
during the time of enrollment, was approved by the state 1069
veterinary medical licensing board or accredited by the American 1070
veterinary medical association: 1071

(A) Tuition; 1072

(B) Other educational expenses, such as fees, books, and 1073
laboratory expenses, for specific purposes and in amounts 1074
determined to be reasonable by the state veterinary medical 1075

licensing board; 1076

(C) Room and board, in an amount determined to be reasonable 1077
by the state veterinary medical licensing board. 1078

No repayment shall exceed twenty thousand dollars in any 1079
year. If, however, a repayment results in an increase in the 1080
veterinarian's federal, state, or local income tax liability, the 1081
Ohio board of regents, at the veterinarian's request and with the 1082
approval of the state veterinary medical licensing board, may 1083
reimburse the veterinarian for the increased tax liability 1084
regardless of the amount of the repayment made to the veterinarian 1085
in that year. 1086

Sec. 4741.42. (A) A veterinarian who has not received student 1087
loan repayment assistance pursuant to federal law and who meets 1088
either of the following requirements may apply for participation 1089
in the veterinarian loan repayment program: 1090

(1) The veterinarian is enrolled in the final year of a 1091
veterinary medical program at a veterinary college approved by the 1092
state veterinary medical licensing board or accredited by the 1093
American veterinary medical association. 1094

(2) The veterinarian has been engaged in the practice of 1095
veterinary medicine in this state for not more than three years 1096
prior to submitting the application. 1097

(B) An application for participation in the veterinarian loan 1098
repayment program shall be submitted to the board on a form that 1099
the board shall prescribe. The application shall include the 1100
following: 1101

(1) The applicant's name, permanent address or address at 1102
which the applicant is currently residing if different from the 1103
permanent address, and telephone number; 1104

(2) The veterinary college the applicant has attended, the 1105

dates of attendance, and verification of attendance; 1106

(3) A summary and verification of the educational expenses 1107

for which the applicant seeks reimbursement under the program; 1108

(4) In the case of an applicant who is eligible to apply 1109

because the applicant is a veterinarian who has been engaged in 1110

the practice of veterinary medicine in this state for not more 1111

than three years prior to submitting the application, verification 1112

of the applicant's authorization under this chapter to practice 1113

veterinary medicine; 1114

(5) Verification of the applicant's United States citizenship 1115

or status as a legal alien. 1116

Sec. 4741.43. If the veterinarian loan repayment fund created 1117

in section 4741.46 of the Revised Code contains sufficient money, 1118

the state veterinary medical licensing board shall approve an 1119

applicant for participation in the program if the board finds that 1120

the applicant is eligible for participation in the program and the 1121

applicant's services are needed in a veterinary resource shortage 1122

area. 1123

Upon approval, the board shall notify and enter into 1124

discussions with the applicant to facilitate the recruitment of 1125

the applicant to a veterinary resource shortage area in which the 1126

applicant's services are most needed. If the board and the 1127

applicant agree on the applicant's placement within a veterinary 1128

resource shortage area, the applicant shall prepare, sign, and 1129

deliver to the board a letter of intent agreeing to that 1130

placement. 1131

Sec. 4741.44. (A) A veterinarian who has signed a letter of 1132

intent under section 4741.43 of the Revised Code, the state 1133

veterinary medical licensing board, and the Ohio board of regents 1134

may enter into a contract for the veterinarian's participation in 1135

the veterinarian loan repayment program. A lending institution 1136
also may be a party to the contract. 1137

(B) The contract shall include all of the following 1138
obligations: 1139

(1) The veterinarian agrees to provide large animal 1140
veterinary services or to provide veterinary services necessary to 1141
implement or enforce the law or to protect public health, as 1142
applicable, in a veterinary resource shortage area identified in 1143
the letter of intent for at least two years or one year per ten 1144
thousand dollars of repayment agreed to under division (B)(3) of 1145
this section, whichever is greater. 1146

(2) When providing veterinary services in the veterinary 1147
resource shortage area, the veterinarian agrees to do both of the 1148
following: 1149

(a) Provide veterinary services for a minimum of forty hours 1150
per week; 1151

(b) Devote not less than sixty per cent of total monthly 1152
veterinary services to large animal veterinary services or 1153
veterinary services necessary to implement or enforce the law or 1154
to protect public health, as applicable. 1155

(3) The Ohio board of regents agrees, as provided in section 1156
4741.41 of the Revised Code, to repay, so long as the veterinarian 1157
performs the service obligation agreed to under division (B)(1) of 1158
this section, all or part of the principal and interest of a 1159
government or other educational loan taken by the veterinarian for 1160
expenses described in section 4741.41 of the Revised Code. 1161

(4) The veterinarian agrees to pay the Ohio board of regents 1162
the following as damages if the veterinarian fails to complete the 1163
service obligation agreed to under division (B)(1) of this 1164
section: 1165

(a) If the failure occurs during the first two years of the service obligation, two times the total amount the board has agreed to pay under division (B)(3) of this section; 1166
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(b) If the failure occurs after the first two years of the service obligation, two times the total amount the board is still obligated to repay under division (B)(3) of this section. 1169
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(C) The contract may include any other terms agreed upon by the parties, including an assignment to the Ohio board of regents of the veterinarian's duty to pay the principal and interest of a government or other educational loan taken by the veterinarian for expenses described in section 4741.41 of the Revised Code. If the Ohio board of regents assumes the veterinarian's duty to pay a loan, the contract shall set forth the total amount of principal and interest to be paid, an amortization schedule, and the amount of each payment to be made under the schedule. 1172
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(D) Not later than the thirty-first day of January each year, the Ohio board of regents shall mail to each veterinarian to whom or on whose behalf repayment is made under section 4741.41 of the Revised Code a statement showing the amount of principal and interest repaid by the Ohio board of regents in the preceding year pursuant to the contract. The statement shall be sent by ordinary mail with address correction and forwarding requested in the manner prescribed by the United States postal service. 1181
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Sec. 4741.45. The state veterinary medical licensing board, in accordance with Chapter 119. of the Revised Code, shall adopt rules that do all of the following: 1189
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(A) Define "large animal veterinary services," "veterinary services necessary to implement or enforce the law," and "veterinary services necessary to protect public health"; 1192
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(B) Designate veterinary resource shortage areas comprised of 1195

<u>areas in this state that have limited access to each of the</u>	1196
<u>following:</u>	1197
<u>(1) Large animal veterinary services;</u>	1198
<u>(2) Veterinary services necessary to implement or enforce the</u>	1199
<u>law;</u>	1200
<u>(3) Veterinary services necessary to protect public health.</u>	1201
<u>The designations may apply to a geographic area, one or more</u>	1202
<u>facilities within a particular area, or a population group of</u>	1203
<u>animals within a particular area.</u>	1204
<u>(C) Establish priorities among veterinary resource shortage</u>	1205
<u>areas for use in recruiting veterinarians under the veterinarian</u>	1206
<u>loan repayment program;</u>	1207
<u>(D) Establish priorities for use in determining eligibility</u>	1208
<u>among applicants for participation in the veterinarian loan</u>	1209
<u>repayment program;</u>	1210
<u>(E) Establish any other requirement or procedure that is</u>	1211
<u>necessary to implement and administer sections 4741.40 to 4741.47</u>	1212
<u>of the Revised Code.</u>	1213
<u>In adopting the rules, the board shall consult with the state</u>	1214
<u>veterinarian and the Ohio board of regents.</u>	1215
<u>Sec. 4741.46. (A) The state veterinary medical licensing</u>	1216
<u>board may accept gifts of money from any source for the</u>	1217
<u>implementation and administration of sections 4741.40 to 4741.45</u>	1218
<u>of the Revised Code. The board shall deposit all gifts so accepted</u>	1219
<u>into the state treasury to the credit of the veterinary resource</u>	1220
<u>shortage area fund, which is hereby created. The board shall use</u>	1221
<u>the fund for the implementation and administration of sections</u>	1222
<u>4741.40 to 4741.45 of the Revised Code.</u>	1223
<u>(B) The Ohio board of regents may accept gifts of money from</u>	1224

any source for the implementation and administration of sections 1225
4741.41 and 4741.44 of the Revised Code. The board shall deposit 1226
all gifts so accepted together with all damages collected under 1227
division (B)(4) of section 4741.44 of the Revised Code into the 1228
state treasury to the credit of the veterinarian loan repayment 1229
fund, which is hereby created. The fund also shall consist of the 1230
portion of biennial renewal fees that is credited to the fund 1231
under section 4741.17 of the Revised Code. The board shall use the 1232
fund for the implementation and administration of the veterinarian 1233
loan repayment program created in section 4741.41 of the Revised 1234
Code. 1235

Sec. 4741.47. The state veterinary medical licensing board, 1236
annually on or before the first day of March, shall submit a 1237
report to the governor and the general assembly describing the 1238
operations of the veterinarian loan repayment program during the 1239
previous calendar year. The report shall include information on 1240
all of the following: 1241

(A) The number of requests received by the board that a 1242
particular area be designated as a veterinary resource shortage 1243
area; 1244

(B) The areas that have been designated as veterinary 1245
resource shortage areas and the priorities that have been assigned 1246
to them; 1247

(C) The number of applicants for participation in the 1248
veterinarian loan repayment program; 1249

(D) The number of veterinarians assigned to veterinary 1250
resource shortage areas and the payments made on behalf of those 1251
veterinarians under the veterinarian loan repayment program; 1252

(E) The veterinary resource shortage areas that have not been 1253
matched with all of the veterinarians that they need; 1254

(F) The number of veterinarians failing to complete their 1255
service obligations, the amount of damages owed, and the amount of 1256
damages collected. 1257

Sec. 4741.99. (A) Whoever violates section 4741.18, 4741.19, 1258
4741.22, or 4741.23 or division (A) of section 4741.20 or division 1259
(B) or (D) of section 4741.21 of the Revised Code is guilty of a 1260
misdemeanor of the second degree; for each subsequent offense such 1261
person is guilty of a misdemeanor of the first degree. 1262

(B) Whoever violates division (B) of section 4741.28 of the 1263
Revised Code shall be fined not more than two thousand dollars. 1264

Section 2. That existing sections 4741.01, 4741.02, 4741.03, 1265
4741.09, 4741.11, 4741.12, 4741.14, 4741.16, 4741.17, 4741.171, 1266
4741.19, 4741.20, 4741.21, 4741.22, 4741.221, 4741.24, 4741.26, 1267
4741.31, and 4741.99 and sections 4741.13, 4741.27, and 4741.28 of 1268
the Revised Code are hereby repealed. 1269

Section 3. Notwithstanding section 4741.02 of the Revised 1270
Code as amended by this act, terms of office of members serving on 1271
the State Veterinary Medical Licensing Board on the effective date 1272
of this act shall remain five years. If a current Board member has 1273
served for ten years or more at the time the member's term 1274
expires, that member is ineligible for reappointment. If a current 1275
Board member has not served ten years or more at the time the 1276
member's term expires, that member may be reappointed in 1277
accordance with section 4741.02 of the Revised Code as amended by 1278
this act. However, once that member's total term of service equals 1279
ten years or more, that member is ineligible for reappointment. 1280
Any vacancies created by current Board members shall be filled in 1281
accordance with section 4741.02 of the Revised Code as amended by 1282
this act. 1283

As used in this section, "current Board member" means a 1284

member of the State Veterinary Medical Licensing Board who is a
Board member on the effective date of this act.

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