

**As Reported by the Senate Agriculture Committee**

**126th General Assembly**

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**Sub. H. B. No. 458**

**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**

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**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, 4741.15, and 4741.40 to 4741.47, 6  
and to repeal sections 4741.13, 4741.27, and 7  
4741.28 of the Revised Code to revise the 8  
veterinary practice law and to create the 9  
Veterinarian Loan Repayment 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, 4741.15, 4741.40, 4741.41, 4741.42, 4741.43, 15  
4741.44, 4741.45, 4741.46, and 4741.47 of the Revised Code be 16

enacted to 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

(O) "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 applicable fee prescribed in section 4741.17 of the 395  
Revised Code, 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. 4741.15.** (A) A person who has done both of the following  
may submit an application to the state veterinary medical  
licensing board for a provisional veterinary graduate license:

(1) Graduated from a veterinary college approved by the  
board;

(2) Applied for and is waiting to take a nationally  
recognized examination approved by the board for a license to  
practice veterinary medicine.

The application shall be on a form that the board prescribes  
and shall contain any information that the board requires together  
with a letter or letters of recommendation from a licensed

veterinarian or veterinarians who will be directly supervising and 443  
responsible for the applicant as provided in division (C) of this 444  
section. The applicant shall include with the application the fee 445  
established in section 4741.17 of the Revised Code. 446

(B) The board may issue a provisional veterinary graduate 447  
license to an applicant who has satisfied the requirements 448  
established in division (A) of this section. A provisional 449  
veterinary graduate license is valid for six months following the 450  
date of its issuance and is not renewable. 451

(C) A person who holds a provisional veterinary graduate 452  
license may perform or assist in medical treatments, diagnosis, 453  
and surgery on a patient only under the direct veterinary 454  
supervision of the veterinarian or veterinarians who provided the 455  
letter or letters of recommendation accompanying the person's 456  
application under division (A) of this section and may engage in 457  
other duties related to the practice of veterinary medicine only 458  
under veterinary supervision. 459

(D) No person who holds a provisional veterinary graduate 460  
license shall be represented, explicitly or implicitly, as being a 461  
licensed veterinarian. 462

(E) The board may revoke a provisional veterinary graduate 463  
license if the person who holds the license violates division (C) 464  
or (D) of this section. 465

**Sec. 4741.16.** (A) A license to practice veterinary medicine 466  
issued by the state veterinary medical licensing board pursuant to 467  
sections 4741.11 to 4741.13 of the Revised Code expires biennially 468  
on the first day of March in even-numbered years, ~~and~~. A limited 469  
license to practice veterinary medicine issued by the board 470  
pursuant to those sections expires biennially on the first day of 471  
July. A license or limited license may be renewed in accordance 472

with the standard renewal procedures contained in Chapter 4745. of 473  
the Revised Code upon payment of the required renewal fee and 474  
fulfillment of the continuing education requirements contained in 475  
division (B) of this section unless otherwise provided by law. The 476  
board shall issue a duplicate certificate to any holder upon 477  
request and upon due proof of loss of the original. 478

(B) As a condition precedent to each renewal of a license or 479  
limited license, a licensed veterinarian shall demonstrate, to the 480  
satisfaction of the board, that ~~he~~ the licensed veterinarian has 481  
completed thirty hours of continuing education during the two 482  
years immediately preceding renewal of ~~his~~ the licensed 483  
veterinarian's license or limited license that meets the 484  
requirements established by rule of the board as to form and 485  
content. 486

(C) The board may waive the requirement of division (B) of 487  
this section if the licensee submits an affidavit evidencing that 488  
the licensee was prevented from attending an approved educational 489  
program during a year because of the occurrence of an unusual and 490  
prolonged emergency, provided the licensee otherwise complies with 491  
such requirements as the board determines. 492

(D) Educational program requirements not completed during the 493  
biennial license period, due to a waiver granted by the board 494  
under division (C) of this section, are cumulative on the 495  
requirements for the succeeding biennial license period. 496

(E) Any license or limited license which is not renewed at 497  
the end of the biennium becomes an inactive license or limited 498  
license. A licensee may reactivate an inactive license or limited 499  
license upon application to the board. The board shall prescribe 500  
continuing education and other requirements as it considers 501  
necessary to reactivate a license or limited license. Any license 502  
or limited license which has been inactive for more than four 503  
years expires if the licensee has not applied for reactivation of 504

the license or limited license. Upon expiration, a license or 505  
limited license becomes void. 506

(F) Division (E) of this section does not apply to any 507  
veterinarian who serves solely in a professional capacity with any 508  
federal, state, or local government agency or with any branch of 509  
the armed forces of the United States. 510

**Sec. 4741.17.** (A) Applicants or registrants shall pay to the 511  
state veterinary medical licensing board: 512

(1) For an initial veterinary license based on examination, 513  
on or after the first day of March in an even-numbered year, three 514  
hundred seventy-five dollars, and on or after the first day of 515  
March in an odd-numbered year, two hundred fifty dollars; 516

(2) For an initial limited license to practice veterinary 517  
medicine for an intern, resident in a veterinary specialty, or 518  
graduate student, thirty-five dollars; 519

(3) For an initial limited license to practice veterinary 520  
medicine for an instructor, researcher, or diagnostician, one 521  
hundred fifty-five dollars; 522

(4) For a veterinary license by reciprocity issued on or 523  
after the first day of March in an even-numbered year, four 524  
hundred twenty-five dollars, and on or after the first day of 525  
March in an odd-numbered year, three hundred dollars; 526

~~(3)~~(5) For a veterinary temporary permit, one hundred 527  
dollars; 528

~~(4)~~(6) For a duplicate license, thirty-five dollars; 529

~~(5)~~(7) For the veterinary license biennial renewal fee, where 530  
the application is postmarked no later than the first day of 531  
March, one hundred fifty-five dollars; where the application is 532  
postmarked after the first day of March, but no later than the 533  
first day of April, two hundred twenty-five dollars; and where the 534

application is postmarked after the first day of April, four 535  
hundred fifty dollars~~+~~. Notwithstanding section 4741.25 of the 536  
Revised Code, the board shall deposit ten dollars of each 537  
veterinary license biennial renewal fee that it collects into the 538  
state treasury to the credit of the veterinarian loan repayment 539  
fund created in section 4741.46 of the Revised Code. 540

~~(6)~~(8) For the limited license to practice veterinary 541  
medicine biennial renewal fee, where the application is postmarked 542  
not later than the first day of July, one hundred fifty-five 543  
dollars; where the application is postmarked after the first day 544  
of July, but not later than the first day of August, two hundred 545  
twenty-five dollars; and where the application is postmarked after 546  
the first day of August, four hundred fifty dollars. 547  
Notwithstanding section 4741.25 of the Revised Code, the board 548  
shall deposit ten dollars of each limited license biennial renewal 549  
fee that it collects from instructors, researchers, and 550  
diagnosticians into the state treasury to the credit of the 551  
veterinarian loan repayment fund. 552

(9) For an initial registered veterinary technician 553  
registration fee on or after the first day of March in an 554  
odd-numbered year, thirty-five dollars, and on or after the first 555  
day of March in an even-numbered year, twenty-five dollars; 556

~~(7)~~(10) For the biennial renewal registration fee of a 557  
registered veterinary technician, where the application is 558  
postmarked no later than the first day of March, thirty-five 559  
dollars; where the application is postmarked after the first day 560  
of March, but no later than the first day of April, forty-five 561  
dollars; and where the application is postmarked after the first 562  
day of April, sixty dollars; 563

~~(8)~~(11) For a specialist certificate, fifty dollars. The 564  
certificate is not subject to renewal. 565

~~(9)~~(12) For the reinstatement of a suspended license, or for 566  
reinstatement of a license that has lapsed more than one year, an 567  
additional fee of seventy-five dollars; 568

~~(10)~~(13) For examinations offered by the board, a fee, which 569  
shall be established by the board, in an amount adequate to cover 570  
the expense of procuring, administering, and scoring examinations; 571

(14) For a provisional veterinary graduate license, one 572  
hundred dollars. 573

~~(B) The board, subject to the approval of the controlling~~ 574  
~~board, may establish fees in excess of the amounts provided in~~ 575  
~~this section, provided that the fees do not exceed the amounts~~ 576  
~~permitted by this section by more than fifty per cent.~~ 577

~~(C)~~ For the purposes of divisions (A)~~(5)~~(7), (8), and ~~(7)~~(10) 578  
of this section, a date stamp of the office of the board may serve 579  
in lieu of a postmark. 580

**Sec. 4741.171.** Any licensed veterinarian who desires to 581  
temporarily or permanently retire from practice and who has given 582  
the state veterinary medical licensing board notice in writing to 583  
that effect may be certified by the board as being retired, 584  
provided ~~his~~ the licensed veterinarian's license is in good 585  
standing. The board may by rule waive the payment of the 586  
registration fee of a licensed veterinarian or registered 587  
veterinary technician during the period when ~~he~~ the licensed 588  
veterinarian or registered veterinary technician is on active duty 589  
in connection with any branch of the armed forces of the United 590  
States. 591

Each veterinarian licensed by the board, whether a resident 592  
or not, shall notify, in writing, the ~~secretary~~ executive director 593  
of the board of any change in ~~his~~ the licensed veterinarian's 594  
office address or employment within ninety days after the change 595

has taken place. 596

**Sec. 4741.19.** (A) Unless exempted under this chapter, no 597  
person shall practice veterinary medicine, or any of its branches, 598  
without a license or limited license issued by the state 599  
veterinary medical licensing board pursuant to sections 4741.11 to 600  
4741.13 of the Revised Code, a temporary permit issued pursuant to 601  
section 4741.14 of the Revised Code, or a registration certificate 602  
issued pursuant to division (C) of this section, or with an 603  
inactive, expired, suspended, terminated, or revoked license, 604  
temporary permit, or registration. 605

(B) No veterinary student ~~extern~~ shall: 606

(1) Perform or assist surgery unless under ~~the~~ direct 607  
veterinary supervision ~~of a licensed veterinarian~~ and unless the 608  
~~extern~~ student has had the minimum education and experience 609  
prescribed by rule of the board; 610

(2) Engage in any other work related to the practice of 611  
veterinary medicine unless under ~~the direct~~ veterinary supervision 612  
~~of a licensed veterinarian~~; 613

(3) Participate in the operation of a branch office, clinic, 614  
or allied establishment unless a licensed veterinarian is present 615  
on the establishment premises. 616

(C) No person shall act as a registered veterinary technician 617  
unless the person is registered with the board on a biennial basis 618  
and pays the biennial registration fee. A registered veterinary 619  
technician registration expires biennially on the first day of 620  
March in the odd-numbered years and may be renewed in accordance 621  
with the standard renewal procedures contained in Chapter 4745. of 622  
the Revised Code upon payment of the biennial registration fee and 623  
fulfillment of ten continuing education hours during the two years 624  
immediately preceding renewal for registration. Each registered 625

veterinary technician shall notify in writing the ~~secretary~~ 626  
executive director of the board of any change in the registered 627  
veterinary technician's office address or employment within ninety 628  
days after the change has taken place. 629

(1) A registered veterinary technician operating under ~~the~~ 630  
veterinary supervision of a licensed veterinarian may perform the 631  
following duties: 632

~~(1)(a)~~ Prepare or supervise the preparation of patients, 633  
instruments, equipment, and medications for surgery; 634

~~(2) Induce and monitor general anesthesia according to~~ 635  
~~medically recognized and appropriate methods;~~ 636

~~(3)(b)~~ Collect or supervise the collection of specimens and 637  
perform laboratory procedures as required by the supervising 638  
veterinarian; 639

~~(4)(c)~~ Apply wound dressings, casts, or splints as required 640  
by the supervising veterinarian; 641

~~(5)(d)~~ Assist a veterinarian in immunologic, diagnostic, 642  
medical, and surgical procedures; 643

~~(6)(e)~~ Suture skin incisions; 644

~~(7) Dental prophylaxis;~~ 645

~~(8)(f)~~ Administer or supervise the administration of topical, 646  
oral, or parenteral medication under the direction of the 647  
supervising veterinarian; 648

~~(9)(g)~~ Other ancillary veterinary technician functions that 649  
are performed pursuant to the order and control and under the full 650  
responsibility of a licensed veterinarian. 651

(h) Any additional duties as established by the board in 652  
rule. 653

(2) A registered veterinary technician operating under direct 654

veterinary supervision may perform all of the following: 655

(a) Induce and monitor general anesthesia according to 656  
medically recognized and appropriate methods; 657

(b) Dental prophylaxis, periodontal care, and extraction not 658  
involving sectioning of teeth or resection of bone or both of 659  
these; 660

(c) Equine dental procedures, including the floating of 661  
molars, premolars, and canine teeth; removal of deciduous teeth; 662  
and the extraction of first premolars or wolf teeth. 663

The degree of supervision by a licensed veterinarian over the 664  
functions performed by the registered veterinary technician shall 665  
be consistent with the standards of generally accepted veterinary 666  
medical practices. 667

(D) A veterinarian licensed to practice in this state shall 668  
not ~~hold oneself out~~ present the person's self as or state a claim 669  
that the person is a specialist unless the veterinarian has 670  
previously met the requirements ~~of~~ for certification by a 671  
specialty organization recognized by the American board of 672  
veterinary ~~medical association~~ specialties for a specialty or such 673  
other requirements set by rule of the board and has paid the fee 674  
required by division (A)~~(8)~~(11) of section 4741.17 of the Revised 675  
Code. 676

(E) Notwithstanding division (A) of this section, any animal 677  
owner or the owner's designee may engage in the practice of embryo 678  
transfer on the owner's animal if a licensed veterinarian directly 679  
supervises the owner or the owner's designee and the means used to 680  
perform the embryo transfer are nonsurgical. 681

(F) Allied medical support may assist a licensed veterinarian 682  
to the extent to which the law that governs the individual 683  
providing the support permits, if all of the following apply: 684

<u>(1) A valid veterinary-client-patient-relationship exists.</u>	685
<u>(2) The individual acts under direct veterinary supervision.</u>	686
<u>(3) The allied medical support individual receives informed, written, client consent.</u>	687 688
<u>(4) The veterinarian maintains responsibility for the patient and keeps the patient's medical records.</u>	689 690
<u>The board may inspect the facilities of an allied medical support individual in connection with an investigation based on a complaint received in accordance with section 4741.26 of the Revised Code involving that individual.</u>	691 692 693 694
<b>Sec. 4741.20.</b> This chapter does not apply to:	695
(A) A person who administers to animals, the title to which is vested in <del>himself</del> <u>the person's self</u> , except when the title is so vested for the purpose of circumventing the provisions of this chapter. No person shall vest title of an animal in <del>himself</del> <u>the person's self</u> for the purposes of circumventing this chapter.	696 697 698 699 700
(B) A person who is a regular student in a legally chartered college of veterinary medicine <u>or a veterinary technology college</u> while in the performance of those duties and actions assigned by <del>his</del> <u>the person's</u> instructors;	701 702 703 704
(C) A person who is a member of the armed forces of the United States or an employee of the United States department of agriculture, the United States public health service, or other federal agency, or the Ohio department of agriculture except a licensed veterinarian, and who, while so commissioned or employed, performs official duties;	705 706 707 708 709 710
(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	711 712 713

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 emergency.

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

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(A) Is false or misleads any person to act to ~~his~~ the  
person's detriment in the care or treatment of any animal; 744  
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(B) Is done with a purpose to deceive or defraud, or tends to 746  
deceive or defraud, any person; 747

(C) ~~Promotes or tends to promote~~ Directly promotes the 748  
business of a veterinarian through second-or third-party 749  
solicitation ~~which is contrary to good public policy as determined~~ 750  
~~by rule of the board;~~ 751

(D) Violates the rules set forth by the state veterinary 752  
medical licensing board ~~in compliance with division (C)(9) of~~ 753  
~~section 4741.03 of the Revised Code.~~ 754

**Sec. 4741.22.** The state veterinary medical licensing board 755  
may refuse to issue or renew a license, limited license, 756  
registration, or temporary permit to or of any applicant who, and 757  
may issue a reprimand to, suspend or revoke the license, limited 758  
license, registration, or the temporary permit of, or impose a 759  
civil penalty pursuant to this section upon any person ~~licensed~~ 760  
holding a license, limited license, or temporary permit to 761  
practice veterinary medicine or any person registered as a 762  
registered veterinary technician who: 763

(A) In the conduct of the person's practice does not conform 764  
to the rules of the board or the standards of the profession 765  
governing proper, humane, sanitary, and hygienic methods to be 766  
used in the care and treatment of animals; 767

(B) Uses fraud, misrepresentation, or deception in ~~completing~~ 768  
the any application or examination conducted by the board for 769  
licensure, or any other documentation created in the course of 770  
practicing veterinary medicine; 771

(C) Is found to be physically or psychologically addicted to 772  
alcohol or an illegal or controlled substance, as defined in 773

section 3719.01 of the Revised Code, to such a degree as to render 774  
the person unfit to practice veterinary medicine; 775

(D) Directly or indirectly employs or lends the person's 776  
services to a solicitor for the purpose of obtaining patients; 777

(E) Obtains a fee on the assurance that an incurable disease 778  
can be cured; 779

(F) Advertises in a manner that violates section 4741.21 of 780  
the Revised Code; 781

(G) ~~Has professional association with or lends the person's~~ 782  
~~name to any unlicensed person, association, or organization for~~ 783  
~~the purpose of obtaining patients;~~ 784

~~(H)~~ Divides fees or charges or has any arrangement to share 785  
fees or charges with any other person, except on the basis of 786  
services performed; 787

~~(I)~~(H) Sells any biologic containing living, dead, or 788  
sensitized organisms or products of those organisms, except in a 789  
manner that the board by rule has prescribed; 790

~~(J)~~(I) Is convicted of or pleads guilty to any felony or 791  
crime involving ~~moral turpitude~~ illegal or prescription drugs, or 792  
fails to report to the board within sixty days of the individual's 793  
conviction of, plea of guilty to, or treatment in lieu of 794  
conviction involving a felony, misdemeanor of the first degree, or 795  
offense involving illegal or prescription drugs; 796

~~(K)~~(J) Is convicted of any violation of section 959.13 of the 797  
Revised Code; 798

~~(L)~~ ~~Is convicted of a felony drug abuse offense, as defined~~ 799  
~~in section 2925.01 of the Revised Code;~~ 800

~~(M)~~(K) Swears falsely in any affidavit required to be made by 801  
the person in the course of the practice of veterinary medicine; 802

<del>(N)</del> (L) Fails to report promptly to the proper official any known reportable disease;	803 804
<del>(O)</del> (M) Fails to report promptly vaccinations or the results of tests when required to do so by law or rule;	805 806
<del>(P)</del> (N) Has been adjudicated incompetent for the purpose of holding the license or permit by a court, as provided in <del>section 5122.301</del> <u>Chapter 2111.</u> of the Revised Code, and has not been restored to legal capacity for that purpose;	807 808 809 810
<del>(Q)</del> (O) Permits a person who is not a licensed veterinarian, a veterinary student <del>extern</del> , or a registered veterinary technician to engage in work or perform duties in violation of this chapter;	811 812 813
<del>(R)</del> (P) Is guilty of gross incompetence <u>or gross negligence</u> ;	814
<del>(S)</del> (O) 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;	815 816 817 818 819 820
<del>(T)</del> (R) Is or has practiced with a revoked, suspended, inactive, expired, or terminated license or registration;	821 822
<del>(U)</del> (S) Represents self as a specialist unless certified as a specialist by the board;	823 824
<del>(V)</del> (T) 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 person knows is false or negligently or intentionally fails to file a report or record required by any applicable state or federal law;	825 826 827 828 829 830
<del>(W)</del> (U) Fails to use reasonable care in the administration of drugs, <del>as defined in section 4729.01 of the Revised Code,</del> or	831 832

acceptable scientific methods in the selection of those drugs or 833  
other modalities for treatment of a disease or in conduct of 834  
surgery; 835

~~(X)~~(V) Makes available a dangerous drug, as defined in 836  
section 4729.01 of the Revised Code, to any person other than for 837  
the specific treatment of an animal patient; 838

~~(Y)~~(W) Refuses to permit a board investigator or the board's 839  
designee to inspect the person's business premises during regular 840  
business hours, except as provided in division (A) of section 841  
4741.26 of the Revised Code; 842

~~(Z)~~(X) Violates any order of the board or fails to comply 843  
with a subpoena of the board; 844

~~(AA)~~(Y) Fails to maintain medical records as required by rule 845  
of the board; 846

(Z) Engages in cruelty to animals; 847

(AA) Uses, prescribes, or sells any veterinary prescription 848  
drug or biologic, or prescribes any extra-label use of any 849  
over-the-counter drug or dangerous drug in the absence of a valid 850  
veterinary-client-patient relationship. 851

Before the board may revoke, deny, refuse to renew, or 852  
suspend a license, registration, or temporary permit or otherwise 853  
discipline the holder of a license, registration, or temporary 854  
permit, the executive ~~secretary~~ director shall file written 855  
charges with the board. The board shall conduct a hearing on the 856  
charges as provided in Chapter 119. of the Revised Code. 857

If the board, after a hearing conducted pursuant to Chapter 858  
119. of the Revised Code, revokes, refuses to renew, or suspends a 859  
license, registration, or temporary permit ~~or otherwise~~ 860  
~~disciplines the holder of a license, registration, or temporary~~ 861  
~~permit~~ for a violation of this section, section 4741.23 ~~or~~ 862

, division (C) or (D) of section 4741.19, or division (B), (C), or 863  
(D) of section 4741.21 of the Revised Code, the board may impose a 864  
civil penalty upon the holder of the license, permit, or 865  
registration of not less than ~~fifty~~ one hundred dollars or more 866  
than ~~two hundred fifty dollars for a first offense and not less~~ 867  
~~than two hundred fifty dollars or more than~~ one thousand dollars 868  
~~for each subsequent offense.~~ In addition to the civil penalty and 869  
any other penalties imposed pursuant to this chapter, the board 870  
may assess any holder of a license, permit, or registration the 871  
costs of the hearing conducted under this section if the board 872  
determines that the holder has violated any provision for which 873  
the board may impose a civil penalty under this section. 874

**Sec. 4741.221.** (A) The state veterinary medical licensing 875  
board may, prior to or after a hearing conducted under section 876  
4741.22 of the Revised Code, and in lieu of taking or in addition 877  
to any action it may take under that section, refer any 878  
veterinarian or registered veterinarian technician: 879

(1) Who suffers from alcohol or substance abuse, to the Ohio 880  
veterinary medical association special assistance committee, the 881  
Ohio physicians health program, or an advocacy group approved by 882  
the board, for support and assistance in the coordination of the 883  
treatment of that veterinarian or technician; 884

(2) Who has violated any provision of this chapter for any 885  
offense for which the board normally would not seek the revocation 886  
or suspension of the person's license or registration, to the Ohio 887  
veterinary medical association special committee on peer review. 888

(B) To implement this section, the board shall adopt rules, 889  
in accordance with Chapter 119. of the Revised Code, ~~which cover~~ 890  
~~the method of referral and the manner by which the board may~~ 891  
~~recall the referral and a requirement that the committee supply~~ 892  
~~the veterinarian or technician and the board with progress reports~~ 893

on the support and assistance in the coordination of the 894  
treatment. 895

**Sec. 4741.24.** (A) Except as provided in division (B) of this 896  
section, any person whose license, registration, or temporary 897  
permit is suspended or revoked may, at the discretion of the state 898  
veterinary medical licensing board, be relicensed or reregistered 899  
to practice at any time without an examination, on application 900  
made to the board. The application for reinstatement shall be in 901  
writing, in a form prescribed by the board, signed by the 902  
applicant, and shall be delivered to the executive ~~secretary~~ 903  
director of the board. 904

(B) Any person whose license, registration, or temporary 905  
permit has been revoked for a violation of section 4741.18, 906  
4741.22, or 4741.23 or division (A), (C), or (D) of section 907  
4741.19, division (A) of section 4741.20, or division (B) or (D) 908  
of section 4741.21 of the Revised Code, shall be permanently 909  
barred from practicing veterinary medicine or holding a license to 910  
practice veterinary medicine or holding a registration as a 911  
registered veterinary technician in this state for a subsequent 912  
violation of any of such provisions. The board shall, by certified 913  
mail, notify all other state veterinary licensing boards of 914  
permanent revocation actions. 915

(C) Any person whose license or temporary permit to practice 916  
veterinary medicine is suspended or revoked is an unlicensed 917  
person. 918

**Sec. 4741.26.** (A) The state veterinary medical licensing 919  
board shall enforce this chapter and for that purpose shall make 920  
investigations relative thereto. Except as provided in this 921  
division, in making any inspection pursuant to this chapter, the 922  
board may enter and inspect, upon written notice of not less than 923

five days and during normal business hours, any licensee's, permit  
holder's, or registrant's place of business. If the board has  
knowledge or notice, pursuant to a written complaint or any other  
written knowledge or notice by any person as verified by the  
signature of that person, of a violation of section 4741.18,  
4741.19, or 4741.23 of the Revised Code, it shall investigate and,  
upon probable cause appearing, shall direct the executive  
~~secretary~~ director to file a complaint and institute the  
prosecution of the offender. In conducting any investigation for a  
suspected violation of this chapter, the board or its authorized  
agent does not have to provide any prior written notice to the  
licensee, permit holder, or registrant as long as the board  
provides a written authorization for the investigation and the  
board or its authorized agent provides the licensee, permit  
holder, or registrant with a copy of the authorization at the time  
of the investigation. When requested by the executive ~~secretary~~  
director, the prosecuting attorney of a county or the village  
solicitor or city director of law of a municipal corporation,  
wherein the violation occurs shall take charge of and conduct the  
prosecution. The attorney general or ~~his~~ the attorney general's  
designated assistant shall act as legal adviser to the board and  
shall render such legal assistance as may be necessary.

(B) In addition to any other remedy the board may have  
pursuant to law, if the board determines that any person is  
practicing veterinary medicine without a license issued pursuant  
to this chapter or is otherwise in violation of this chapter, the  
board may, through its executive ~~secretary~~ director, apply to a  
court having jurisdiction in the county in which the offense  
occurred, for an injunction or restraining order to enjoin or  
restrain the person from further violations of this chapter. The  
attorney general shall serve as the board's legal agent in the  
action.

<u>Sec. 4741.28. (A) As used in this section:</u>	956
<u>(1) "Veterinary business facility" means a structure or</u>	957
<u>business location that is maintained for the purpose of regularly</u>	958
<u>providing veterinary services and that is owned, operated, or</u>	959
<u>controlled by either of the following:</u>	960
<u>(a) A for-profit business entity of which a majority</u>	961
<u>controlling interest is vested in individuals who are not licensed</u>	962
<u>veterinarians;</u>	963
<u>(b) A nonprofit entity of which a majority of the members of</u>	964
<u>the board of directors are not licensed veterinarians.</u>	965
<u>(2) "Disciplinary action" means any of the actions specified</u>	966
<u>in division (F)(1) of this section.</u>	967
<u>(B)(1) Except as otherwise provided in division (B)(2) of</u>	968
<u>this section or rules adopted under this section, no person shall</u>	969
<u>operate a veterinary business facility in this state without a</u>	970
<u>valid veterinary business facility license.</u>	971
<u>(2) A person who operates an existing veterinary business</u>	972
<u>facility on the effective date of this section is not in violation</u>	973
<u>of the licensure requirement during the time period that the</u>	974
<u>initial application for licensure of the veterinary business</u>	975
<u>facility is pending.</u>	976
<u>(C) A person who wishes to obtain a veterinary business</u>	977
<u>facility license shall file an application with the state</u>	978
<u>veterinary medical licensing board. The application shall include</u>	979
<u>all of the following information:</u>	980
<u>(1) The name and address of the veterinary business facility;</u>	981
<u>(2) The name and address of each licensed veterinarian who is</u>	982
<u>a resident of this state and who will be responsible for the</u>	983
<u>management of the provision of veterinary services at the</u>	984

veterinary business facility; 985

(3) The name and address of the entity that owns, operates, 986  
or controls the veterinary business facility and, if the entity is 987  
a subsidiary of another entity, the name of its parent entity. 988

An application shall be accompanied by a fee of three hundred 989  
dollars. 990

(D) A veterinary business facility license expires biennially 991  
on June 1 in odd-numbered years and may be renewed. An application 992  
for renewal shall contain any information that the board requires, 993  
shall be accompanied by a renewal fee of three hundred dollars, 994  
and shall be submitted to the board not earlier than the first day 995  
of April and not later than the thirtieth day of April in 996  
odd-numbered years. 997

(E) Not later than ninety days following receipt of an 998  
application for an initial or renewed veterinary business facility 999  
license under this section, the board shall issue the license to 1000  
the applicant unless grounds for denial of licensure exist as 1001  
established in rules adopted under this section. 1002

(F)(1) The board shall adopt rules in accordance with Chapter 1003  
119. of the Revised Code that establish grounds for the following: 1004

(a) Refusal to issue or renew a veterinary business facility 1005  
license; 1006

(b) Suspension or revocation of a veterinary business 1007  
facility license; 1008

(c) Imposition of civil penalties of up to ten thousand 1009  
dollars on a person who owns, operates, or controls a veterinary 1010  
business facility; 1011

(d) Seeking the issuance, by a court having jurisdiction in 1012  
the county in which a veterinary business facility is located, of 1013  
an injunction that would require the closure of the veterinary 1014

business facility. 1015

(2) The board may adopt rules in accordance with Chapter 119. 1016  
of the Revised Code that establish both of the following: 1017

(a) Circumstances in which a veterinary business facility is 1018  
not considered to be in violation of the licensure requirement 1019  
during the time period that an application for licensure of the 1020  
veterinary business facility is pending; 1021

(b) Any other provisions necessary for the administration of 1022  
this section. 1023

(G) The board may conduct an inspection of a veterinary 1024  
business facility in accordance with section 4721.26 of the 1025  
Revised Code to determine if grounds exist for disciplinary 1026  
action. 1027

(H) On determining that grounds may exist for disciplinary 1028  
action against a veterinary business facility, other than the 1029  
refusal to issue a veterinary business facility license, the 1030  
executive director of the board shall file written charges with 1031  
the board. The board subsequently shall conduct a hearing in 1032  
accordance with Chapter 119. of the Revised Code concerning the 1033  
charges. If, at the conclusion of the hearing, the board 1034  
determines that grounds for disciplinary action exist, the board 1035  
shall take the appropriate disciplinary action. 1036

(I) The board shall seek the issuance, by a court having 1037  
jurisdiction in the county in which is located a veterinary 1038  
business facility that is in violation of the licensure 1039  
requirement established in this section, of an injunction that 1040  
would require the unlicensed veterinary business facility to be 1041  
closed until an application for its licensure is filed. The 1042  
injunction shall be in addition to any other penalties established 1043  
by law. 1044

(J) Any change in the information specified in division 1045  
(C)(1), (2), or (3) of this section shall be reported in writing 1046  
to the board not later than ninety days after the change occurs. 1047

**Sec. 4741.31.** The state veterinary medical licensing board 1048  
shall adopt rules in accordance with Chapter 119. of the Revised 1049  
Code establishing standards for approving and designating 1050  
physicians and facilities as treatment providers for veterinarians 1051  
with substance abuse problems and shall approve and designate 1052  
treatment providers in accordance with the rules. The rules shall 1053  
include standards for both inpatient and outpatient treatment. The 1054  
rules shall provide that to be approved, a treatment provider must 1055  
be capable of making an initial examination to determine the type 1056  
of treatment required for a veterinarian with substance abuse 1057  
problems. Subject to the rules, the board shall review and approve 1058  
treatment providers on a regular basis and may, at its discretion, 1059  
withdraw or deny approval. 1060

An approved treatment provider shall: 1061

(A) Report to the board the name of any veterinarian 1062  
suffering or showing evidence of suffering impairment by reason of 1063  
alcohol or drug addiction as described in division (C) of section 1064  
4741.22 of the Revised Code who fails to comply within one week 1065  
with a referral for examination; 1066

(B) Report to the board the name of any impaired veterinarian 1067  
who fails to enter treatment within forty-eight hours following 1068  
the provider's determination that the veterinarian needs 1069  
treatment; 1070

(C) Require every veterinarian who enters treatment to agree 1071  
to a treatment contract establishing the terms of treatment and 1072  
aftercare, including any required supervision or restrictions of 1073  
practice during treatment or aftercare; 1074

(D) Require a veterinarian to suspend practice on entering any required inpatient treatment;	1075 1076
(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;	1077 1078 1079
(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;	1080 1081 1082 1083
(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;	1084 1085 1086 1087
(H) Report to the board any veterinarian who suffers a relapse at any time during or following aftercare.	1088 1089
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.	1090 1091 1092 1093 1094
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.	1095 1096 1097 1098 1099 1100 1101 1102 1103
In the absence of fraud or bad faith, no person who reports	1104

to the board a veterinarian with a suspected substance abuse 1105  
problem shall be liable to any person for damages in a civil 1106  
action as a result of the report. 1107

Sec. 4741.40. As used in sections 4741.40 to 4741.47 of the 1108  
Revised Code: 1109

(A) "Large animal veterinary services," "veterinary services 1110  
necessary to implement or enforce the law," and "veterinary 1111  
services necessary to protect public health" have the meanings 1112  
established in rules adopted by the state veterinary medical 1113  
licensing board under section 4741.45 of the Revised Code. 1114

(B) "Veterinary resource shortage area" means an area 1115  
designated in those rules as having limited access to large animal 1116  
veterinary services or to veterinary services necessary to 1117  
implement or enforce the law or to protect public health, as 1118  
applicable. 1119

Sec. 4741.41. There is hereby created the veterinarian loan 1120  
repayment program. Under the program, the Ohio board of regents, 1121  
by means of a contract entered into under section 4741.44 of the 1122  
Revised Code, may agree to repay all or part of the principal and 1123  
interest of a government or other educational loan taken out by a 1124  
veterinarian for the following expenses if the expenses were 1125  
incurred while the veterinarian was enrolled, for a maximum of 1126  
four years, in a veterinary college in the United States that, 1127  
during the time of enrollment, was approved by the state 1128  
veterinary medical licensing board or accredited by the American 1129  
veterinary medical association: 1130

(A) Tuition; 1131

(B) Other educational expenses, such as fees, books, and 1132  
laboratory expenses, for specific purposes and in amounts 1133  
determined to be reasonable by the state veterinary medical 1134

licensing board; 1135

(C) Room and board, in an amount determined to be reasonable 1136  
by the state veterinary medical licensing board. 1137

No repayment shall exceed twenty thousand dollars in any 1138  
year. If, however, a repayment results in an increase in the 1139  
veterinarian's federal, state, or local income tax liability, the 1140  
Ohio board of regents, at the veterinarian's request and with the 1141  
approval of the state veterinary medical licensing board, may 1142  
reimburse the veterinarian for the increased tax liability 1143  
regardless of the amount of the repayment made to the veterinarian 1144  
in that year. 1145

**Sec. 4741.42.** (A) A veterinarian who has not received student 1146  
loan repayment assistance pursuant to federal law and who meets 1147  
either of the following requirements may apply for participation 1148  
in the veterinarian loan repayment program: 1149

(1) The veterinarian is enrolled in the final year of a 1150  
veterinary medical program at a veterinary college approved by the 1151  
state veterinary medical licensing board or accredited by the 1152  
American veterinary medical association. 1153

(2) The veterinarian has been engaged in the practice of 1154  
veterinary medicine in this state for not more than three years 1155  
prior to submitting the application. 1156

(B) An application for participation in the veterinarian loan 1157  
repayment program shall be submitted to the board on a form that 1158  
the board shall prescribe. The application shall include the 1159  
following: 1160

(1) The applicant's name, permanent address or address at 1161  
which the applicant is currently residing if different from the 1162  
permanent address, and telephone number; 1163

(2) The veterinary college the applicant has attended, the 1164

dates of attendance, and verification of attendance; 1165

(3) A summary and verification of the educational expenses 1166  
for which the applicant seeks reimbursement under the program; 1167

(4) In the case of an applicant who is eligible to apply 1168  
because the applicant is a veterinarian who has been engaged in 1169  
the practice of veterinary medicine in this state for not more 1170  
than three years prior to submitting the application, verification 1171  
of the applicant's authorization under this chapter to practice 1172  
veterinary medicine; 1173

(5) Verification of the applicant's United States citizenship 1174  
or status as a legal alien. 1175

**Sec. 4741.43.** If the veterinarian loan repayment fund created 1176  
in section 4741.46 of the Revised Code contains sufficient money, 1177  
the state veterinary medical licensing board shall approve an 1178  
applicant for participation in the program if the board finds that 1179  
the applicant is eligible for participation in the program and the 1180  
applicant's services are needed in a veterinary resource shortage 1181  
area. 1182

Upon approval, the board shall notify and enter into 1183  
discussions with the applicant to facilitate the recruitment of 1184  
the applicant to a veterinary resource shortage area in which the 1185  
applicant's services are most needed. If the board and the 1186  
applicant agree on the applicant's placement within a veterinary 1187  
resource shortage area, the applicant shall prepare, sign, and 1188  
deliver to the board a letter of intent agreeing to that 1189  
placement. 1190

**Sec. 4741.44.** (A) A veterinarian who has signed a letter of 1191  
intent under section 4741.43 of the Revised Code, the state 1192  
veterinary medical licensing board, and the Ohio board of regents 1193  
may enter into a contract for the veterinarian's participation in 1194

the veterinarian loan repayment program. A lending institution 1195  
also may be a party to the contract. 1196

(B) The contract shall include all of the following 1197  
obligations: 1198

(1) The veterinarian agrees to provide large animal 1199  
veterinary services or to provide veterinary services necessary to 1200  
implement or enforce the law or to protect public health, as 1201  
applicable, in a veterinary resource shortage area identified in 1202  
the letter of intent for at least two years or one year per ten 1203  
thousand dollars of repayment agreed to under division (B)(3) of 1204  
this section, whichever is greater. 1205

(2) When providing veterinary services in the veterinary 1206  
resource shortage area, the veterinarian agrees to do both of the 1207  
following: 1208

(a) Provide veterinary services for a minimum of forty hours 1209  
per week; 1210

(b) Devote not less than sixty per cent of total monthly 1211  
veterinary services to large animal veterinary services or 1212  
veterinary services necessary to implement or enforce the law or 1213  
to protect public health, as applicable. 1214

(3) The Ohio board of regents agrees, as provided in section 1215  
4741.41 of the Revised Code, to repay, so long as the veterinarian 1216  
performs the service obligation agreed to under division (B)(1) of 1217  
this section, all or part of the principal and interest of a 1218  
government or other educational loan taken by the veterinarian for 1219  
expenses described in section 4741.41 of the Revised Code. 1220

(4) The veterinarian agrees to pay the Ohio board of regents 1221  
the following as damages if the veterinarian fails to complete the 1222  
service obligation agreed to under division (B)(1) of this 1223  
section: 1224

(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; 1225  
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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. 1228  
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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. 1231  
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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. 1240  
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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: 1248  
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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"; 1251  
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(B) Designate veterinary resource shortage areas comprised of 1254

<u>areas in this state that have limited access to each of the</u>	1255
<u>following:</u>	1256
<u>(1) Large animal veterinary services;</u>	1257
<u>(2) Veterinary services necessary to implement or enforce the</u>	1258
<u>law;</u>	1259
<u>(3) Veterinary services necessary to protect public health.</u>	1260
<u>The designations may apply to a geographic area, one or more</u>	1261
<u>facilities within a particular area, or a population group of</u>	1262
<u>animals within a particular area.</u>	1263
<u>(C) Establish priorities among veterinary resource shortage</u>	1264
<u>areas for use in recruiting veterinarians under the veterinarian</u>	1265
<u>loan repayment program;</u>	1266
<u>(D) Establish priorities for use in determining eligibility</u>	1267
<u>among applicants for participation in the veterinarian loan</u>	1268
<u>repayment program;</u>	1269
<u>(E) Establish any other requirement or procedure that is</u>	1270
<u>necessary to implement and administer sections 4741.40 to 4741.47</u>	1271
<u>of the Revised Code.</u>	1272
<u>In adopting the rules, the board shall consult with the state</u>	1273
<u>veterinarian and the Ohio board of regents.</u>	1274
<u><b>Sec. 4741.46.</b> (A) The state veterinary medical licensing</u>	1275
<u>board may accept gifts of money from any source for the</u>	1276
<u>implementation and administration of sections 4741.40 to 4741.45</u>	1277
<u>of the Revised Code. The board shall deposit all gifts so accepted</u>	1278
<u>into the state treasury to the credit of the veterinary resource</u>	1279
<u>shortage area fund, which is hereby created. The board shall use</u>	1280
<u>the fund for the implementation and administration of sections</u>	1281
<u>4741.40 to 4741.45 of the Revised Code.</u>	1282
<u>(B) The Ohio board of regents may accept gifts of money from</u>	1283

any source for the implementation and administration of sections 1284  
4741.41 and 4741.44 of the Revised Code. The board shall deposit 1285  
all gifts so accepted together with all damages collected under 1286  
division (B)(4) of section 4741.44 of the Revised Code into the 1287  
state treasury to the credit of the veterinarian loan repayment 1288  
fund, which is hereby created. The fund also shall consist of the 1289  
portion of biennial renewal fees that is credited to the fund 1290  
under section 4741.17 of the Revised Code. The board shall use the 1291  
fund for the implementation and administration of the veterinarian 1292  
loan repayment program created in section 4741.41 of the Revised 1293  
Code. 1294

Sec. 4741.47. The state veterinary medical licensing board, 1295  
annually on or before the first day of March, shall submit a 1296  
report to the governor and the general assembly describing the 1297  
operations of the veterinarian loan repayment program during the 1298  
previous calendar year. The report shall include information on 1299  
all of the following: 1300

(A) The number of requests received by the board that a 1301  
particular area be designated as a veterinary resource shortage 1302  
area; 1303

(B) The areas that have been designated as veterinary 1304  
resource shortage areas and the priorities that have been assigned 1305  
to them; 1306

(C) The number of applicants for participation in the 1307  
veterinarian loan repayment program; 1308

(D) The number of veterinarians assigned to veterinary 1309  
resource shortage areas and the payments made on behalf of those 1310  
veterinarians under the veterinarian loan repayment program; 1311

(E) The veterinary resource shortage areas that have not been 1312  
matched with all of the veterinarians that they need; 1313

(F) The number of veterinarians failing to complete their 1314  
service obligations, the amount of damages owed, and the amount of 1315  
damages collected. 1316

**Sec. 4741.99.** (A) Whoever violates section 4741.18, 4741.19, 1317  
4741.22, or 4741.23 or division (A) of section 4741.20 or division 1318  
(B) or (D) of section 4741.21 of the Revised Code is guilty of a 1319  
misdemeanor of the second degree; for each subsequent offense such 1320  
person is guilty of a misdemeanor of the first degree. 1321

(B) Whoever violates division (B) of section 4741.28 of the 1322  
Revised Code shall be fined not more than two thousand dollars. 1323

**Section 2.** That existing sections 4741.01, 4741.02, 4741.03, 1324  
4741.09, 4741.11, 4741.12, 4741.14, 4741.16, 4741.17, 4741.171, 1325  
4741.19, 4741.20, 4741.21, 4741.22, 4741.221, 4741.24, 4741.26, 1326  
4741.31, and 4741.99 and sections 4741.13, 4741.27, and 4741.28 of 1327  
the Revised Code are hereby repealed. 1328

**Section 3.** Notwithstanding section 4741.02 of the Revised 1329  
Code as amended by this act, terms of office of members serving on 1330  
the State Veterinary Medical Licensing Board on the effective date 1331  
of this act shall remain five years. If a current Board member has 1332  
served for ten years or more at the time the member's term 1333  
expires, that member is ineligible for reappointment. If a current 1334  
Board member has not served ten years or more at the time the 1335  
member's term expires, that member may be reappointed in 1336  
accordance with section 4741.02 of the Revised Code as amended by 1337  
this act. However, once that member's total term of service equals 1338  
ten years or more, that member is ineligible for reappointment. 1339  
Any vacancies created by current Board members shall be filled in 1340  
accordance with section 4741.02 of the Revised Code as amended by 1341  
this act. 1342

As used in this section, "current Board member" means a 1343

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

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