

Drake
Fink
King

SSB-1203
State Government

SENATE FILE CE/LIE 419
BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON RITTMER)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act applying certain veterinary practice requirements to
2 persons providing veterinary medical services, owning a
3 veterinary clinic, or practicing veterinary medicine.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 169.5, Code 1999, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 10. A person who, pursuant to section
4 169.4A, provides veterinary medical services, owns a
5 veterinary clinic, or practices in this state, shall obtain a
6 certificate from the board and be subject to the same
7 standards of conduct, as provided in this chapter and rules
8 adopted by the board, as apply to a licensed veterinarian,
9 unless the board determines that the same standards of conduct
10 are inapplicable. The board may issue, renew, or deny a
11 certificate; adopt rules relating to the standards of conduct;
12 and take disciplinary action against the person, including
13 suspension or revocation of a certificate, in accordance with
14 the procedures established in section 169.14.

15 EXPLANATION

16 This bill provides that individuals who, pursuant to Code
17 section 169.4A, provide veterinary medical services, own a
18 veterinary clinic, or practice in this state must obtain a
19 certificate from the board of veterinary medicine and be
20 subject to the same standards of conduct as are applicable to
21 a licensed veterinarian, unless the board determines that the
22 standards of conduct are inapplicable. The bill also provides
23 that the board may issue, renew, or deny a certificate; adopt
24 rules relating to the standards of conduct; and take
25 disciplinary action against the person, including suspension
26 or revocation of a certificate, in accordance with section
27 169.14.

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FILED MAR 11 1999

REPRINTED

SENATE FILE 419
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO SSB 1203)

Passed Senate, ^(p. 846) Date 3/30/99 Passed House, ^(p. 1330) Date 4/6/00
Vote: Ayes 43 Nays 5 Vote: Ayes 96 Nays 0
Approved May 15, 2000

A BILL FOR

1 An Act applying certain veterinary practice requirements to
2 persons providing veterinary medical services, owning a
3 veterinary clinic, or practicing veterinary medicine.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SENATE FILE 419

S-3171

1 Amend Senate File 419 as follows:
2 1. Page 1, line 14, by inserting after the figure
3 "169.14." the following: "This subsection shall not
4 apply to an animal shelter, as defined in section
5 162.2, that provides veterinary medical services to
6 animals in the custody of the shelter."

By RICHARD F. DRAKE

S-3171 FILED MARCH 29, 1999

ADOPTED ^(p. 837)

SF 419

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1 Section 1. Section 169.5, Code 1999, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 10. A person who, pursuant to section
4 169.4A, provides veterinary medical services, owns a
5 veterinary clinic, or practices in this state, shall obtain a
6 certificate from the board and be subject to the same
7 standards of conduct, as provided in this chapter and rules
8 adopted by the board, as apply to a licensed veterinarian,
9 unless the board determines that the same standards of conduct
10 are inapplicable. The board may issue, renew, or deny a
11 certificate; adopt rules relating to the standards of conduct;
12 and take disciplinary action against the person, including
13 suspension or revocation of a certificate, in accordance with
14 the procedures established in section 169.14.

15 EXPLANATION

16 This bill provides that individuals who, pursuant to Code
17 section 169.4A, provide veterinary medical services, own a
18 veterinary clinic, or practice in this state must obtain a
19 certificate from the board of veterinary medicine and be
20 subject to the same standards of conduct as are applicable to
21 a licensed veterinarian, unless the board determines that the
22 standards of conduct are inapplicable. The bill also provides
23 that the board may issue, renew, or deny a certificate; adopt
24 rules relating to the standards of conduct; and take
25 disciplinary action against the person, including suspension
26 or revocation of a certificate, in accordance with section
27 169.14.

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**SENATE FILE 419
FISCAL NOTE**

A fiscal note for **Senate File 419** is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

BACKGROUND

Senate File 419 amends Section 169.5, Code of Iowa, by requiring a professional corporation that provides veterinary medical services to obtain a certification from the Board of Veterinary Medicine and be subject to the same standards of conduct as apply to licensed veterinarians. The Bill also states the Board may issue, renew, or deny a certificate, adopt rules, and take disciplinary action against persons in accordance with procedures in Section 169.14.

ASSUMPTIONS

1. There are a limited number of professional corporations in Iowa that provide veterinary medical services that are not owned or operated by a licensed veterinarian.
2. Certification fees will be \$50 every two years and will be deposited in the General Fund.
3. Self-certification will be done through notarization.
4. Investigation of all complaints and random inspections.

FISCAL IMPACT

Senate File 419 is expected to have a minimal impact on the General Fund.

SOURCE

Department of Agriculture and Land Stewardship

(LSB 2943sv, SKW)

FILED MARCH 13, 2000

BY DENNIS PROUTY, FISCAL DIRECTOR

1 Section 1. Section 169.5, Code 1999, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 10. A person who, pursuant to section
4 169.4A, provides veterinary medical services, owns a
5 veterinary clinic, or practices in this state, shall obtain a
6 certificate from the board and be subject to the same
7 standards of conduct, as provided in this chapter and rules
8 adopted by the board, as apply to a licensed veterinarian,
9 unless the board determines that the same standards of conduct
10 are inapplicable. The board may issue, renew, or deny a
11 certificate; adopt rules relating to the standards of conduct;
12 and take disciplinary action against the person, including
13 suspension or revocation of a certificate, in accordance with
14 the procedures established in section 169.14. This subsection
15 shall not apply to an animal shelter, as defined in section
16 162.2, that provides veterinary medical services to animals in
17 the custody of the shelter.

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SENATE FILE 419

H-8342

1 Amend Senate File 419, as amended, passed, and
2 reprinted by the Senate, as follows:

- 3 1. Page 1, lines 3 and 4, by striking the words
- 4 and figure ", pursuant to section 169.4A,".
- 5 2. Page 1, line 5, by striking the word "state,"
- 6 and inserting the following: "state".
- 7 3. Page 1, line 10, by striking the word "may"
- 8 and inserting the following: "shall".
- 9 4. Page 1, line 14, by inserting after the figure
- 10 "169.14." the following: "Certification fees may be
- 11 established by the board pursuant to section 169.5,
- 12 subsection 9, paragraph "j"."

By COMMITTEE ON STATE GOVERNMENT
MARTIN of Scott, Chairperson

H-8342 FILED MARCH 14, 2000

Adopted
4/6/00 (p. 1329)

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SENATE FILE 419

H-8457

1 Amend the amendment, H-8342, to Senate File 419, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, by inserting after line 12 the
5 following:

6 "____. Page 1, line 14, by inserting before the
7 word "This" the following: "Certification fees
8 established by the board shall be collected and
9 retained by the department of agriculture and land
10 stewardship, deposited into a veterinary clinic
11 certification fund created in the state treasury under
12 the authority of the department, and appropriated to
13 the department to implement the provisions of this
14 subsection. Amounts deposited in the fund shall not
15 be transferred, used, obligated, appropriated, or
16 otherwise encumbered except as provided in this
17 section. Notwithstanding section 12C.7, subsection 2,
18 interest or earnings on moneys deposited into the fund
19 shall be credited to the fund. Amounts deposited in
20 the fund that remain unexpended or unencumbered at the
21 close of the fiscal year shall remain in the fund for
22 utilization as provided in this subsection for the
23 following fiscal year."

By THOMAS of Clayton
GREINER of Washington

H-8457 FILED MARCH 21, 2000

W/P
4-6-00 (p. 1329)

SENATE FILE 419

H-8434

1 Amend the amendment, H-8342, to Senate File 419, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, by striking line 12 and inserting the
5 following: "subsection 9, paragraph "j". Fees shall
6 be established in an amount sufficient to fully offset
7 the costs of certification pursuant to this
8 subsection."

By GREINER of Washington

H-8434 FILED MARCH 21, 2000

adapted
3-21-00
(p. 862)

SENATE FILE 419

H-8750

1 Amend Senate File 419, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, line 14, by inserting before the word
4 "This" the following: "For the fiscal year beginning
5 July 1, 2000, and ending June 30, 2001, the department
6 shall retain fees collected to administer the program
7 of certifying veterinary clinics and the fees retained
8 are appropriated to the department for the purposes of
9 this subsection. For the fiscal year beginning July
10 1, 2000, and ending June 30, 2001, notwithstanding
11 section 8.33, fees which remain unexpended at the end
12 of the fiscal year shall not revert to the general
13 fund of the state but shall be available for use for
14 the following fiscal year to administer the program.
15 For the fiscal year beginning July 1, 2001, and
16 succeeding fiscal years, certification fees shall be
17 deposited in the general fund of the state and are
18 appropriated to the department to administer the
19 certification provisions of this subsection."

By BRADLEY of Clinton

H-8750 FILED APRIL 6, 2000

*adopted 4/6/00
(P.1330)*

SENATE FILE 419

H-8735

1 Amend the amendment, H-8342, to Senate File 419, as
2 amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 1, line 10, by striking the word "may"
5 and inserting the following: "shall".

By BRADLEY of Clinton

H-8735 FILED APRIL 5, 2000

*(P.1329) adopted
4-6-00*

SENATE FILE 419

H-8736

1 Amend Senate File 419, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, line 14, by inserting before the word
4 "This" the following: "Certification fees shall be
5 deposited in the general fund of the state and are
6 appropriated to the department to administer the
7 certification provisions of this subsection."

BRADLEY of Clinton

W/D 4/6/00 (P.1330)

H-8736 FILED APRIL 5, 2000

SENATE FILE 419

H-8537

1 Amend Senate File 419, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, line 14, by inserting before the word
4 "This" the following: "Certification fees established
5 by the board shall be collected and retained by the
6 department of agriculture and land stewardship,
7 deposited into a veterinary clinic certification fund
8 created in the state treasury under the authority of
9 the department, and appropriated to the department to
10 implement the provisions of this subsection. Amounts
11 deposited in the fund shall not be transferred, used,
12 obligated, appropriated, or otherwise encumbered
13 except as provided in this subsection.
14 Notwithstanding section 12C.7, subsection 2, interest
15 or earnings on moneys deposited into the fund shall be
16 credited to the fund. Amounts deposited in the fund
17 that remain unexpended or unencumbered at the close of
18 the fiscal year shall remain in the fund for
19 utilization as provided in this subsection for the
20 following fiscal year."

By THOMAS of Clayton
GREINER of Washington

H-8537 FILED MARCH 23, 2000

W/R
4/6/00
(P. 1329)

SENATE AMENDMENT TO HOUSE AMENDMENT TO S. F. 419
H-9047

1 Amend the House amendment, S-5368, to Senate File
2 419, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 1, by striking lines 16 through 32 and
5 inserting the following:

6 "____. Page 1, line 14, by inserting before the
7 word "This" the following: "For the fiscal year
8 beginning July 1, 2001, and ending June 30, 2002, the
9 department shall retain fees collected to administer
10 the program of certifying veterinary clinics and the
11 fees retained are appropriated to the department for
12 the purposes of this subsection. For the fiscal year
13 beginning July 1, 2001, and ending June 30, 2002,
14 notwithstanding section 8.33, fees which remain
15 unexpended at the end of the fiscal year shall not
16 revert to the general fund of the state but shall be
17 available for use for the following fiscal year to
18 administer the program. For the fiscal year beginning
19 July 1, 2002, and succeeding fiscal years,
20 certification fees shall be deposited in the general
21 fund of the state and are appropriated to the
22 department to administer the certification provisions
23 of this subsection.""

24 2. Page 1, by inserting after line 32 the
25 following:

26 "____. Page 1, by inserting after line 17 the
27 following:

28 "Sec. ____ . CERTIFICATION PROGRAM REPORT. The
29 board of veterinary medicine shall, prior to the
30 implementation of the veterinary clinic certification
31 program pursuant to section 1 of this Act, submit a
32 report to the general assembly prior to January 1,
33 2001, regarding the status of the board's development
34 of the certification program. The report shall
35 include the criteria to be used for certification, the
36 methods and procedures to be used in the certification
37 process, the anticipated cost of operating the
38 certification program, the estimated certification fee
39 to be charged each clinic, and the general manner of
40 implementation of the program.

41 Sec. ____ . EFFECTIVE DATE. Section 1 of this Act,
42 amending section 169.5, takes effect July 1, 2001.""

RECEIVED FROM THE SENATE

H-9047 FILED APRIL 24, 2000

House Concurred

4-24-00

(P. 1711)

HOUSE AMENDMENT TO
SENATE FILE 419

S-5368

1 Amend Senate File 419, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, lines 3 and 4, by striking the words
4 and figure ", pursuant to section 169.4A,".
5 2. Page 1, line 5, by striking the word "state,"
6 and inserting the following: "state".
7 3. Page 1, line 10, by striking the word "may"
8 and inserting the following: "shall".
9 4. Page 1, line 14, by inserting after the figure
10 "169.14." the following: "Certification fees shall be
11 established by the board pursuant to section 169.5,
12 subsection 9, paragraph "j". Fees shall be
13 established in an amount sufficient to fully offset
14 the costs of certification pursuant to this
15 subsection.
16 5. Page 1, line 14, by inserting before the word
17 "This" the following: "For the fiscal year beginning
18 July 1, 2000, and ending June 30, 2001, the department
19 shall retain fees collected to administer the program
20 of certifying veterinary clinics and the fees retained
21 are appropriated to the department for the purposes of
22 this subsection. For the fiscal year beginning July
23 1, 2000, and ending June 30, 2001, notwithstanding
24 section 8.33, fees which remain unexpended at the end
25 of the fiscal year shall not revert to the general
26 fund of the state but shall be available for use for
27 the following fiscal year to administer the program.
28 For the fiscal year beginning July 1, 2001, and
29 succeeding fiscal years, certification fees shall be
30 deposited in the general fund of the state and are
31 appropriated to the department to administer the
32 certification provisions of this subsection."
33 6. By renumbering, relettering, or redesignating
34 and correcting internal references as necessary.

RECEIVED FROM THE HOUSE

S-5368 FILED APRIL 6, 2000

Senate Concurred

4.24-00

(P. 1309)

SENATE FILE 419

S-5480

1 Amend the House amendment, S-5368, to Senate File
2 419, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 1, by striking lines 16 through 32 and
5 inserting the following:

6 "____. Page 1, line 14, by inserting before the
7 word "This" the following: "For the fiscal year
8 beginning July 1, 2001, and ending June 30, 2002, the
9 department shall retain fees collected to administer
10 the program of certifying veterinary clinics and the
11 fees retained are appropriated to the department for
12 the purposes of this subsection. For the fiscal year
13 beginning July 1, 2001, and ending June 30, 2002,
14 notwithstanding section 8.33, fees which remain
15 unexpended at the end of the fiscal year shall not
16 revert to the general fund of the state but shall be
17 available for use for the following fiscal year to
18 administer the program. For the fiscal year beginning
19 July 1, 2002, and succeeding fiscal years,
20 certification fees shall be deposited in the general
21 fund of the state and are appropriated to the
22 department to administer the certification provisions
23 of this subsection.""

24 2. Page 1, by inserting after line 32 the
25 following:

26 "____. Page 1, by inserting after line 17 the
27 following:

28 "Sec. ____ . CERTIFICATION PROGRAM REPORT. The
29 board of veterinary medicine shall, prior to the
30 implementation of the veterinary clinic certification
31 program pursuant to section 1 of this Act, submit a
32 report to the general assembly prior to January 1,
33 2001, regarding the status of the board's development
34 of the certification program. The report shall
35 include the anticipated cost of operating the
36 certification program, the estimated certification fee
37 to be charged each clinic, and the general manner in
38 which the program will be implemented.

39 Sec. ____ . EFFECTIVE DATE. Section 1 of this Act,
40 amending section 169.5, takes effect July 1, 2001.""

By RICHARD F. DRAKE

S-5480 FILED APRIL 18, 2000

W/D
4/24/00
(P. 1308)

S-5530

1 Amend the House amendment, S-5368, to Senate File
2 419, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 1, by striking lines 16 through 32 and
5 inserting the following:

6 "____. Page 1, line 14, by inserting before the
7 word "This" the following: "For the fiscal year
8 beginning July 1, 2001, and ending June 30, 2002, the
9 department shall retain fees collected to administer
10 the program of certifying veterinary clinics and the
11 fees retained are appropriated to the department for
12 the purposes of this subsection. For the fiscal year
13 beginning July 1, 2001, and ending June 30, 2002,
14 notwithstanding section 8.33, fees which remain
15 unexpended at the end of the fiscal year shall not
16 revert to the general fund of the state but shall be
17 available for use for the following fiscal year to
18 administer the program. For the fiscal year beginning
19 July 1, 2002, and succeeding fiscal years,
20 certification fees shall be deposited in the general
21 fund of the state and are appropriated to the
22 department to administer the certification provisions
23 of this subsection.""

24 2. Page 1, by inserting after line 32 the
25 following:

26 "____. Page 1, by inserting after line 17 the
27 following:

28 "Sec. ____ . CERTIFICATION PROGRAM REPORT. The
29 board of veterinary medicine shall, prior to the
30 implementation of the veterinary clinic certification
31 program pursuant to section 1 of this Act, submit a
32 report to the general assembly prior to January 1,
33 2001, regarding the status of the board's development
34 of the certification program. The report shall
35 include the criteria to be used for certification, the
36 methods and procedures to be used in the certification
37 process, the anticipated cost of operating the
38 certification program, the estimated certification fee
39 to be charged each clinic, and the general manner of
40 implementation of the program.

41 Sec. ____ . EFFECTIVE DATE. Section 1 of this Act,
42 amending section 169.5, takes effect July 1, 2001.""

By RICHARD F. DRAKE

S-5530 FILED APRIL 19, 2000

adopted

4/24/00

(p. 1309)

SENATE FILE 419

AN ACT

APPLYING CERTAIN VETERINARY PRACTICE REQUIREMENTS TO PERSONS
PROVIDING VETERINARY MEDICAL SERVICES, OWNING A VETERINARY
CLINIC, OR PRACTICING VETERINARY MEDICINE.

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

Section 1. Section 169.5, Code 1999, is amended by adding
the following new subsection:

NEW SUBSECTION. 10. A person who provides veterinary
medical services, owns a veterinary clinic, or practices in
this state shall obtain a certificate from the board and be
subject to the same standards of conduct, as provided in this
chapter and rules adopted by the board, as apply to a licensed
veterinarian, unless the board determines that the same

standards of conduct are inapplicable. The board shall issue,
renew, or deny a certificate; adopt rules relating to the
standards of conduct; and take disciplinary action against the
person, including suspension or revocation of a certificate,
in accordance with the procedures established in section
169.14. Certification fees shall be established by the board
pursuant to section 169.5, subsection 9, paragraph "j". Fees
shall be established in an amount sufficient to fully offset
the costs of certification pursuant to this subsection. For
the fiscal year beginning July 1, 2001, and ending June 30,
2002, the department shall retain fees collected to administer
the program of certifying veterinary clinics and the fees
retained are appropriated to the department for the purposes
of this subsection. For the fiscal year beginning July 1,
2001, and ending June 30, 2002, notwithstanding section 8.33,
fees which remain unexpended at the end of the fiscal year
shall not revert to the general fund of the state but shall be
available for use for the following fiscal year to administer
the program. For the fiscal year beginning July 1, 2002, and
succeeding fiscal years, certification fees shall be deposited
in the general fund of the state and are appropriated to the
department to administer the certification provisions of this
subsection. This subsection shall not apply to an animal
shelter, as defined in section 162.2, that provides veterinary
medical services to animals in the custody of the shelter.

Sec. 2. CERTIFICATION PROGRAM REPORT. The board of
veterinary medicine shall, prior to the implementation of the
veterinary clinic certification program pursuant to section 1
of this Act, submit a report to the general assembly prior to
January 1, 2001, regarding the status of the board's
development of the certification program. The report shall
include the criteria to be used for certification, the methods
and procedures to be used in the certification process, the
anticipated cost of operating the certification program, the
estimated certification fee to be charged each clinic, and the
general manner of implementation of the program.

Sec. 3. EFFECTIVE DATE. Section 1 of this Act, amending section 169.5, takes effect July 1, 2001.

MARY E. KRAMER
President of the Senate

BRENT SIEGRIST
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 419, Seventy-eighth General Assembly.

MICHAEL E. MARSHALL
Secretary of the Senate

Approved May 15, 2000

THOMAS J. VILSACK
Governor