

Senate File 541

S-3163

1 Amend Senate File 541 as follows:

2 1. By striking everything after the enacting clause and  
3 inserting:

4 <Section 1. Section 169.3, subsection 3, Code 2023, is  
5 amended to read as follows:

6 3. a. "*Animal*" means any nonhuman primate, dog, cat,  
7 rabbit, rodent, fish, reptile, and livestock as defined in  
8 section 717.1, or other vertebrate or nonvertebrate life forms  
9 form, living or dead, except domestic poultry.

10 b. "*Livestock*" includes a group of livestock such as a herd  
11 or flock.

12 Sec. 2. Section 169.3, Code 2023, is amended by adding the  
13 following new subsection:

14 NEW SUBSECTION. 3A. a. "*Animal massage*" means a method  
15 of treating the body of an animal for relaxation or hygienic  
16 purposes through techniques, with or without the aid of a  
17 massage device, that include rubbing, stroking, or kneading the  
18 body of the animal.

19 b. "*Animal massage*" does not include acupuncture,  
20 chiropractic care, diagnosis, diagnostic treatment,  
21 prescription, or surgery.

22 Sec. 3. Section 169.3, subsection 10, Code 2023, is amended  
23 to read as follows:

24 10. a. "*Practice of veterinary medicine*" means any of the  
25 following:

26 ~~a.~~ (1) To diagnose, treat, correct, change, relieve or  
27 prevent, for a fee, any animal disease, deformity, defect,  
28 injury or other physical or mental conditions or cosmetic  
29 surgery; including the prescription or administration of any  
30 drug, medicine, biologic, apparatus, application, anesthetic,  
31 or other therapeutic or diagnostic substance or technique, for  
32 a fee; or to evaluate or correct sterility or infertility, for  
33 a fee; or to render, advise or recommend with regard to any of  
34 the above for a fee.

35 ~~b.~~ (2) To represent, directly or indirectly, publicly or

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1 privately, an ability or willingness to do an act described in  
2 ~~paragraph "a"~~ subparagraph (1).

3 ~~e.~~ (3) To use any title, words, abbreviation, or letters in  
4 a manner or under circumstances which induce the belief that  
5 the person using them is qualified to do any act described in  
6 ~~paragraph "a"~~ subparagraph (1).

7 (4) The performance or use of complementary, alternative,  
8 or integrative therapies including veterinary acupuncture,  
9 acupuncture, acupressure, manipulative therapy based on  
10 techniques practiced in osteopathy and chiropractic medicine,  
11 or other similar therapies as specified by rule adopted by the  
12 board.

13 b. "Practice of veterinary medicine" does not include  
14 providing authorized veterinary medical services to an animal  
15 patient by veterinary auxiliary personnel when performing  
16 a delegated task under the supervision of a supervising  
17 veterinarian as provided in subchapter II.

18 Sec. 4. Section 169.3, subsection 12, Code 2023, is amended  
19 by striking the subsection.

20 Sec. 5. Section 169.4, unnumbered paragraph 1, Code 2023,  
21 is amended to read as follows:

22 A person ~~may~~ shall not practice veterinary medicine in the  
23 state who is not a licensed veterinarian or the holder of a  
24 valid temporary permit issued by the board. This chapter shall  
25 not be construed to prohibit any of the following:

26 Sec. 6. Section 169.4, subsections 2, 9, and 10, Code 2023,  
27 are amended to read as follows:

28 2. A person who is a veterinary student in an accredited  
29 or approved college of veterinary medicine from performing  
30 duties or actions assigned by ~~instructors~~ an instructor of the  
31 college, or working acting under the direct supervision of a  
32 licensed supervising veterinarian as provided in subchapter II.  
33 The board shall issue to ~~any~~ a veterinary medicine student who  
34 attends an accredited veterinary medicine college or school  
35 and who has been certified as being competent by an instructor

1 of such college or school to perform veterinary duties under  
2 the direction of an instructor of veterinary medicine or under  
3 the ~~direct~~ supervision of a ~~licensed~~ supervising veterinarian,  
4 a certificate authorizing the veterinary medicine student to  
5 perform such functions.

6 9. Any veterinary assistant ~~employed by a licensed~~  
7 ~~veterinarian from performing duties other than diagnosis,~~  
8 ~~prescription, or surgery~~ auxiliary personnel when performing  
9 delegated tasks under the ~~direct~~ supervision of such a  
10 supervising veterinarian ~~which assistant has been issued a~~  
11 ~~certificate by the board subject to~~ section 169.20 as provided  
12 in subchapter II.

13 10. A graduate of a foreign college of veterinary medicine,  
14 who has or is in the process of obtaining an ECFVG certificate  
15 ~~for, when performing duties or actions~~ delegated tasks  
16 under the ~~direction or~~ supervision of a ~~licensed~~ supervising  
17 veterinarian as provided in subchapter II.

18 Sec. 7. Section 169.4, Code 2023, is amended by adding the  
19 following new subsection:

20 NEW SUBSECTION. 16. A person performing animal massage.

21 Sec. 8. Section 169.5, subsection 7, paragraph i, Code 2023,  
22 is amended to read as follows:

23 *i.* Adopt, amend, or repeal rules relating to the  
24 qualifications, standards of conduct for, the supervision  
25 of tasks delegated to veterinary auxiliary personnel by a  
26 licensed veterinarian, and disciplinary action of veterinary  
27 auxiliary personnel for whom the board has issued a certificate  
28 or permit. The rules may provide for the testing of, and  
29 ~~revocation or suspension of certificates issued to veterinary~~  
30 ~~assistants~~ individuals who apply to be issued a certificate of  
31 registration as a veterinary technician, apply to be issued  
32 a renewal of a certificate of registration, or apply to be  
33 reissued a certificate of registration; and the suspension  
34 or revocation of a certificate of registration. However, a  
35 ~~certificate shall not be suspended or revoked by less than a~~

1 ~~two-thirds vote of the entire board in a proceeding conducted~~  
2 ~~in compliance with [section 17A.12](#).~~

3 Sec. 9. Section 169.5, subsection 7, Code 2023, is amended  
4 by adding the following new paragraph:

5 NEW PARAGRAPH. *k.* Adopt, amend, or repeal rules requiring  
6 a veterinarian to have a valid veterinarian-client-patient  
7 relationship, except in the case of an emergency, before  
8 practicing veterinary medicine on an animal, including by  
9 acting as a supervising veterinarian.

10 Sec. 10. NEW SECTION. 169.31 Subchapter definitions.

11 As used in this subchapter:

12 1. *"Accredited or approved veterinary technology program"*  
13 means a program in veterinary technology that is accredited by  
14 the American veterinary medical association and an accrediting  
15 agency that has been approved by the United States department  
16 of education or its successor.

17 2. *"Direct supervision"* means supervision by a supervising  
18 veterinarian that occurs when the supervising veterinarian is  
19 readily available and on the premises where an animal patient  
20 is being provided authorized veterinary medical services by  
21 veterinary auxiliary personnel.

22 3. *"Immediate supervision"* means supervision by a  
23 supervising veterinarian that occurs when the supervising  
24 veterinarian is in the immediate area, and within audible and  
25 visual range, of an animal patient and veterinary auxiliary  
26 personnel providing the animal patient with authorized  
27 veterinary medical services.

28 4. *"Indirect supervision"* means supervision by a supervising  
29 veterinarian, other than direct supervision or immediate  
30 supervision, that occurs when all of the following apply:

31 *a.* The supervising veterinarian has given written protocols  
32 or real-time oral instructions to veterinary auxiliary  
33 personnel for the treatment of an animal patient for which a  
34 veterinarian-client-patient relationship exists.

35 *b.* The supervising veterinarian is readily available by

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1 telephone or other means of immediate communication with the  
2 veterinary auxiliary personnel providing the animal patient  
3 with authorized veterinary medical services.

4 5. "*Registered veterinary technician*" means an individual  
5 who has graduated from an accredited or approved veterinary  
6 technology program and who has been issued a valid certificate  
7 of registration by the board pursuant to section 169.34.

8 6. "*Supervising veterinarian*" means a licensed veterinarian  
9 who assumes responsibility for supervising veterinary auxiliary  
10 personnel providing authorized veterinary medical services  
11 to an animal patient under immediate supervision, direct  
12 supervision, or indirect supervision.

13 7. a. "*Veterinary assistant*" means an individual employed  
14 to work in veterinary practice who performs tasks under the  
15 supervision of a supervising veterinarian.

16 b. "*Veterinary assistant*" does not include a person who is a  
17 licensed veterinarian or a registered veterinary technician,  
18 veterinary student, veterinary technician student, or graduate  
19 from a foreign college of veterinary medicine who is not a  
20 licensed veterinarian or the holder of a valid temporary permit  
21 issued by the board.

22 8. "*Veterinary auxiliary personnel*" means a veterinary  
23 assistant, registered veterinary technician, veterinary  
24 student, veterinary technician student, or graduate of a  
25 foreign college of veterinary medicine who is not a licensed  
26 veterinarian or the holder of a valid temporary permit issued  
27 by the board.

28 9. "*Veterinary student*" means an individual currently  
29 admitted to and in good academic standing with an accredited or  
30 approved college of veterinary medicine.

31 10. "*Veterinary technician student*" means an individual  
32 currently admitted to and in good academic standing with an  
33 accredited or approved veterinary technology program.

34 Sec. 11. NEW SECTION. 169.32 **Supervising veterinarian.**

35 1. A licensed veterinarian may provide veterinary medical

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1 services to an animal patient by acting as a supervising  
2 veterinarian as provided in this subchapter and rules adopted  
3 by the board.

4 2. A supervising veterinarian shall determine the  
5 supervision required for tasks delegated to veterinary  
6 auxiliary personnel within the limits provided in this  
7 subchapter and rules adopted by the board. The decision  
8 must be based on factors such as the veterinary auxiliary  
9 personnel's training, experience, and skill. The supervising  
10 veterinarian is responsible for providing the required  
11 supervision and delegating tasks to veterinary auxiliary  
12 personnel. The supervising veterinarian shall not delegate  
13 veterinary medical services of diagnosis, prescription, or  
14 surgery to any veterinary assistant, veterinary technician  
15 student, or registered veterinary technician.

16 3. The board shall adopt rules providing for when a licensed  
17 veterinarian must exercise immediate supervision, direct  
18 supervision, or indirect supervision for each category of  
19 auxiliary veterinary personnel providing authorized veterinary  
20 medical services to an animal patient. Nothing in this  
21 subchapter or the rules adopted by the board shall prohibit the  
22 supervising veterinarian from providing more supervision than  
23 required when the veterinary auxiliary personnel's training,  
24 experience, and skill indicate more supervision is necessary.

25 Sec. 12. NEW SECTION. 169.33 **Veterinary auxiliary personnel**  
26 **— employment.**

27 1. a. A licensed veterinarian may employ any number of  
28 veterinary auxiliary personnel who may be delegated tasks  
29 associated with providing authorized veterinary medical  
30 services to an animal patient within the limits provided in  
31 this subchapter and rules adopted by the board pursuant to this  
32 subchapter.

33 b. A person may employ any number of veterinary auxiliary  
34 personnel to provide authorized veterinary medical services  
35 to animals that are owned or cared for by the person if a

1 supervising veterinarian who practices at the same place of  
2 business as the veterinary auxiliary personnel supervises the  
3 veterinary auxiliary personnel within the limits provided in  
4 this subchapter and rules adopted by the board pursuant to this  
5 subchapter.

6 2. Veterinary auxiliary personnel shall only receive  
7 compensation for authorized veterinary medical services from  
8 their employer as provided in this section except for those  
9 services provided in accordance with section 169.4.

10 Sec. 13. NEW SECTION. 169.34 Registered veterinary  
11 technician — certificate of registration.

12 1. The board shall issue a certificate of registration to an  
13 individual if all of the following apply:

14 a. The individual has graduated from an accredited or  
15 approved veterinary technology program.

16 b. The individual has received a passing score on a national  
17 veterinary technician examination approved by the board.

18 c. The individual has submitted a complete application to  
19 the board that is approved by the board.

20 (1) The application must be in a form prescribed by the  
21 board.

22 (2) To be complete, the application must include all of the  
23 following:

24 (a) Information and material required by the board.

25 (b) A registration fee in an amount established by the  
26 board.

27 d. The individual meets other criteria or qualifications  
28 as specified by rule adopted by the board, including but not  
29 limited to a state veterinary technician examination.

30 e. The board may grant a waiver from any qualification for a  
31 certificate of registration to an individual who was in active  
32 duty military service or the individual's spouse in accordance  
33 with section 272C.4, or to an individual who was previously  
34 a veterinary medical student and who substantially meets the  
35 qualifications to receive a certificate of registration.

1     2. The board may issue an endorsed certificate of  
2 registration to an individual if the individual holds a valid  
3 registration, certificate, license, or other authorization  
4 issued by a jurisdiction recognized by the board, and all of  
5 the following apply:

6     *a.* The individual meets the educational, experience, or  
7 testing requirements as specified by the board in rule.

8     *b.* The individual is not subject to an investigation or  
9 disciplinary action which may result or has resulted in the  
10 suspension or the revocation of a registration, certificate,  
11 license, or other authorization issued by a jurisdiction  
12 recognized by the board.

13     *c.* The individual has submitted a complete application to  
14 the board that is approved by the board.

15     (1) The application must be in a form prescribed by the  
16 board.

17     (2) To be complete, the application must include all of the  
18 following:

19     (i) Information and material required by the board.

20     (ii) A registration fee in an amount established by the  
21 board.

22     *d.* The individual meets other criteria, standard, or  
23 qualification as specified by rule adopted by the board.

24     *e.* The board may grant a waiver from any qualification for  
25 an endorsed certificate of registration to an individual who  
26 was in active duty military service or the individual's spouse  
27 in accordance with section 272C.4, or to an individual who was  
28 previously a veterinary medical student who substantially meets  
29 the qualifications to receive a certificate of registration.

30     3. *a.* All certificates of registration shall be issued  
31 and expire according to a registration period based on a  
32 triennium cycle beginning and ending on dates established by  
33 the board. However, a new certificate of registration issued  
34 during a registration period shall be for the balance of that  
35 registration period.



1     *b.* To renew a certificate of registration, a registered  
2 veterinary technician must apply to the board for approval.  
3 The application must show that the registered veterinary  
4 technician has completed all continuing education credit hours  
5 during the preceding registration period as required by the  
6 board. The board shall determine the number of continuing  
7 education credit hours required and the type of continuing  
8 hours awarded credit. The certificate of registration expires  
9 after the individual has been provided a notice and opportunity  
10 for a hearing by the board under chapter 17A. An individual  
11 whose certificate of registration has expired is no longer  
12 credentialed as provided in section 169.35.

13     *c.* The board shall reissue a certificate of registration to  
14 an individual whose certificate of registration has expired.  
15 To be reissued a certificate of registration, the individual  
16 must apply to the board for approval. The application  
17 must show that the individual has completed the same number  
18 of continuing education credit hours required to renew a  
19 certificate of registration during the prior three years.

20     *d.* A certificate of registration for a registered veterinary  
21 technician that was issued prior to July 1, 2024, remains valid  
22 and does not expire.

23     *e.* The board shall adopt all rules required to administer  
24 and enforce this subsection.

25     4. A registered veterinary technician is subject to  
26 investigation and disciplinary action taken by the board to  
27 suspend or revoke a certificate or registration pursuant  
28 to section 272C.3. However, the board shall utilize the  
29 procedures set forth in section 169.14. A certificate of  
30 registration shall not be suspended or revoked by less than a  
31 two-thirds vote of the entire board in a proceeding conducted  
32 in compliance with section 17A.12.

33     Sec. 14. NEW SECTION. 169.35 Registered veterinary  
34 technician — credentials.

35     1. A person shall not use any recognized title,

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1 abbreviation, or sign to indicate that such person is a  
2 registered veterinary technician unless that person is an  
3 individual who has been issued a certificate of registration  
4 pursuant to section 169.34.

5 2. A person who violates subsection 1 commits a simple  
6 misdemeanor.

7 Sec. 15. NEW SECTION. **169.36 Registered veterinary**  
8 **technician — scope of authority.**

9 1. A registered veterinary technician shall only perform  
10 tasks associated with providing authorized veterinary medical  
11 services to an animal patient under the supervision of a  
12 supervising veterinarian according to this section and rules  
13 adopted by the board under this subchapter.

14 2. A supervising veterinarian shall decide the specific  
15 tasks delegated to a registered veterinary technician and  
16 provide the required supervision pursuant to section 169.32 and  
17 the rules adopted by the board.

18 3. A veterinary technician shall not do any of the  
19 following:

20 a. Perform equine floating teeth services. However, a  
21 registered veterinary technician may perform such services  
22 after submitting to the board all of the following:

23 (1) Proof of current certification from the international  
24 association of equine dentistry or other professional equine  
25 dentistry association as determined by the board.

26 (2) A written statement signed by a supervising  
27 veterinarian experienced in large animal medicine that the  
28 applicant will be under the direct supervision or indirect  
29 supervision of the supervising veterinarian when treating  
30 floating equine teeth.

31 b. Gingival resection.

32 Sec. 16. NEW SECTION. **169.37 Veterinary assistant — scope**  
33 **of authority.**

34 1. A veterinary assistant shall only perform tasks  
35 associated with providing authorized veterinary medical

1 services to an animal patient under the direct supervision of  
2 a supervising veterinarian according to rules adopted by the  
3 board under this subchapter.

4 2. A supervising veterinarian shall decide the specific  
5 tasks delegated to a veterinary assistant and provide the  
6 required supervision pursuant to section 169.32 and rules  
7 adopted by the board.

8 Sec. 17. NEW SECTION. 169.38 **Veterinary technician student**  
9 **— scope of authority.**

10 1. A veterinary technician student shall only perform  
11 tasks associated with providing authorized veterinary medical  
12 services to an animal patient under the supervision of a  
13 supervising veterinarian according to rules adopted by the  
14 board under this subchapter.

15 2. A supervising veterinarian shall decide the specific  
16 tasks delegated to a veterinary technician student and provide  
17 the required supervision pursuant to section 169.32 and rules  
18 adopted by the board.

19 Sec. 18. NEW SECTION. 169.39 **Veterinary student — scope**  
20 **of authority.**

21 1. A veterinary student shall only perform tasks associated  
22 with providing authorized veterinary medical services to  
23 an animal patient under the supervision determined by the  
24 supervising veterinarian.

25 2. A supervising veterinarian shall decide the specific  
26 tasks delegated to a veterinary student and provide the  
27 required supervision pursuant to section 169.32 and the rules  
28 adopted by the board.

29 Sec. 19. NEW SECTION. 169.40 **Graduate from foreign college**  
30 **of veterinary medicine — scope of authority.**

31 1. A graduate from a foreign college of veterinary medicine  
32 shall only perform tasks associated with providing authorized  
33 veterinary medical services to an animal patient under the  
34 supervision determined by the supervising veterinarian.

35 2. A supervising veterinarian shall decide the specific

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1 tasks delegated to a graduate from a foreign college of  
2 veterinary medicine who is not a licensed veterinarian or  
3 temporary permit holder and provide the required supervision  
4 pursuant to section 169.32 and the rules adopted by the board.

5 Sec. 20. Section 714.8, Code 2023, is amended by adding the  
6 following new subsection:

7 NEW SUBSECTION. 22. Practicing veterinary medicine without  
8 a valid license or temporary permit issued by the board of  
9 veterinary medicine pursuant to chapter 169, as described in  
10 section 169.19.

11 Sec. 21. REPEAL. Section 169.20, Code 2023, is repealed.

12 Sec. 22. CODE EDITOR DIRECTIVES. The Code editor shall do  
13 all of the following:

14 1. Create a new subchapter in chapter 169 that includes  
15 sections 169.1 through 169.30.

16 2. Create a new subchapter in chapter 169 that includes  
17 sections 169.31 through 169.40, as enacted in this Act.

18 3. Correct internal references in the Code and in any  
19 enacted legislation as necessary due to the enactment of this  
20 Act.

21 Sec. 23. ADMINISTRATIVE RULES. The board of veterinary  
22 medicine shall submit a notice of intended action to the  
23 administrative rules coordinator and the Iowa administrative  
24 code editor pursuant to section 17A.4, subsection 1, paragraph  
25 "a", not later than January 1, 2024, for the adoption of rules  
26 required to implement this Act.

27 Sec. 24. EFFECTIVE DATE.

28 1. Except as provided in subsection 2, this Act takes effect  
29 July 1, 2024.

30 2. The section of this Act requiring the board of veterinary  
31 medicine to submit a notice of intended action for the adoption  
32 of rules, being deemed of immediate importance, takes effect  
33 upon enactment.>

34 2. Title page, by striking lines 1 through 4 and inserting  
35 <An Act providing for veterinary medicine, including the care

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1 of animals under the supervision of a licensed veterinarian,  
2 providing penalties, and including effective date provisions.>

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DAN ZUMBACH