

House File 670 - Reprinted

HOUSE FILE 670

BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 640)

(SUCCESSOR TO HSB 139)

(COMPANION TO SF 541 BY

COMMITTEE ON AGRICULTURE)

(As Amended and Passed by the House April 12, 2023)

A BILL FOR

1 An Act providing for veterinary medicine, including the
2 care of animals under the supervision of a licensed
3 veterinarian, providing penalties, and including effective
4 date provisions.

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

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

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

7 b. *"Livestock"* includes a group of livestock such as a herd
8 or flock.

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

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

16 b. *"Animal massage"* does not include acupuncture,
17 chiropractic care, diagnosis, diagnostic treatment,
18 prescription, or surgery.

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

21 10. a. *"Practice of veterinary medicine"* means any of the
22 following:

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

32 b. (2) To represent, directly or indirectly, publicly or
33 privately, an ability or willingness to do an act described in
34 ~~paragraph "a"~~ subparagraph (1).

35 c. (3) To use any title, words, abbreviation, or letters in

1 a manner or under circumstances which induce the belief that
2 the person using them is qualified to do any act described in
3 ~~paragraph "a"~~ subparagraph (1).

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

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

15 Sec. 4. Section 169.3, subsection 12, Code 2023, is amended
16 by striking the subsection.

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

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

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

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

1 a certificate authorizing the veterinary medicine student to
2 perform such functions.

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

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

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

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

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

20 *i.* Adopt, amend, or repeal rules relating to the
21 qualifications, standards of conduct for, the supervision
22 of tasks delegated to veterinary auxiliary personnel by a
23 licensed veterinarian, and disciplinary action of veterinary
24 auxiliary personnel for whom the board has issued a certificate
25 or permit. The rules may provide for the testing of, and
26 ~~revocation or suspension of certificates issued to veterinary~~
27 ~~assistants~~ individuals who apply to be issued a certificate of
28 registration as a veterinary technician, apply to be issued
29 a renewal of a certificate of registration, or apply to be
30 reissued a certificate of registration; and the suspension
31 or revocation of a certificate of registration. However, a
32 ~~certificate shall not be suspended or revoked by less than a~~
33 ~~two-thirds vote of the entire board in a proceeding conducted~~
34 ~~in compliance with ~~section 17A.12.~~~~

35 Sec. 9. Section 169.5, subsection 7, Code 2023, is amended

1 by adding the following new paragraph:

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

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

8 As used in this subchapter:

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

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

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

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

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

32 *b.* The supervising veterinarian is readily available by
33 telephone or other means of immediate communication with the
34 veterinary auxiliary personnel providing the animal patient
35 with authorized veterinary medical services.

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

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

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

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

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

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

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

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

32 1. A licensed veterinarian may provide veterinary medical
33 services to an animal patient by acting as a supervising
34 veterinarian as provided in this subchapter and rules adopted
35 by the board.

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

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

22 Sec. 12. NEW SECTION. 169.33 **Veterinary auxiliary personnel**
23 **— employment.**

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

30 *b.* A person may employ any number of veterinary auxiliary
31 personnel to provide authorized veterinary medical services
32 to animals that are owned or cared for by the person if a
33 supervising veterinarian who practices at the same place of
34 business as the veterinary auxiliary personnel supervises the
35 veterinary auxiliary personnel within the limits provided in

1 this subchapter and rules adopted by the board pursuant to this
2 subchapter.

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

7 Sec. 13. NEW SECTION. 169.34 **Registered veterinary**
8 **technician — certificate of registration.**

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

11 a. The individual has graduated from an accredited or
12 approved veterinary technology program.

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

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

17 (1) The application must be in a form prescribed by the
18 board.

19 (2) To be complete, the application must include all of the
20 following:

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

22 (b) A registration fee in an amount established by the
23 board.

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

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

33 2. The board may issue an endorsed certificate of
34 registration to an individual if the individual holds a valid
35 registration, certificate, license, or other authorization

1 issued by a jurisdiction recognized by the board, and all of
2 the following apply:

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

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

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

12 (1) The application must be in a form prescribed by the
13 board.

14 (2) To be complete, the application must include all of the
15 following:

16 *(a)* Information and material required by the board.

17 *(b)* A registration fee in an amount established by the
18 board.

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

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

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

33 *b.* To renew a certificate of registration, a registered
34 veterinary technician must apply to the board for approval.
35 The application must show that the registered veterinary

1 technician has completed all continuing education credit hours
2 during the preceding registration period as required by the
3 board. The board shall determine the number of continuing
4 education credit hours required and the type of continuing
5 hours awarded credit. The certificate of registration expires
6 after the individual has been provided a notice and opportunity
7 for a hearing by the board under chapter 17A. An individual
8 whose certificate of registration has expired is no longer
9 credentialed as provided in section 169.35.

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

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

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

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

30 Sec. 14. NEW SECTION. 169.35 Registered veterinary
31 technician — credentials.

32 1. A person shall not use any recognized title,
33 abbreviation, or sign to indicate that such person is a
34 registered veterinary technician unless that person is an
35 individual who has been issued a certificate of registration

1 pursuant to section 169.34.

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

4 Sec. 15. NEW SECTION. **169.36 Registered veterinary**
5 **technician — scope of authority.**

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

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

15 3. A veterinary technician shall not do any of the
16 following:

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

20 (1) Proof of current certification from the international
21 association of equine dentistry or other professional equine
22 dentistry association as determined by the board.

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

28 b. Gingival resection.

29 Sec. 16. NEW SECTION. **169.37 Veterinary assistant — scope**
30 **of authority.**

31 1. A veterinary assistant shall only perform tasks
32 associated with providing authorized veterinary medical
33 services to an animal patient under the direct supervision of
34 a supervising veterinarian according to rules adopted by the
35 board under this subchapter.

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

5 Sec. 17. NEW SECTION. **169.38 Veterinary technician student**
6 **— scope of authority.**

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

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

16 Sec. 18. NEW SECTION. **169.39 Veterinary student — scope**
17 **of authority.**

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

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

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

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

32 2. A supervising veterinarian shall decide the specific
33 tasks delegated to a graduate from a foreign college of
34 veterinary medicine who is not a licensed veterinarian or
35 temporary permit holder and provide the required supervision

1 pursuant to section 169.32 and the rules adopted by the board.

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

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

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

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

11 1. Create a new subchapter in chapter 169 that includes
12 sections 169.1 through 169.30.

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

15 3. Correct internal references in the Code and in any
16 enacted legislation as necessary due to the enactment of this
17 Act.

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

24 Sec. 24. EFFECTIVE DATE.

25 1. Except as provided in subsection 2, this Act takes effect
26 July 1, 2024.

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