

CHAPTER 155

PRACTICE OF VETERINARY MEDICINE — VETERINARY AUXILIARY PERSONNEL

H.F. 670

AN ACT providing for veterinary medicine, including the care of animals under the supervision of a licensed veterinarian, providing penalties, and including effective date provisions.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. [Section 169.3, subsection 3](#), Code 2023, is amended to read as follows:

3. a. “Animal” means any nonhuman primate, dog, cat, rabbit, rodent, fish, reptile, and livestock as defined in [section 717.1](#), or other vertebrate or nonvertebrate life forms form, living or dead, except domestic poultry.

b. “Livestock” includes a group of livestock such as a herd or flock.

Sec. 2. [Section 169.3](#), Code 2023, is amended by adding the following new subsection:

NEW SUBSECTION. 3A. a. “Animal massage” means a method of treating the body of an animal for relaxation or hygienic purposes through techniques, with or without the aid of a massage device, that include rubbing, stroking, or kneading the body of the animal.

b. “Animal massage” does not include acupuncture, chiropractic care, diagnosis, diagnostic treatment, prescription, or surgery.

Sec. 3. [Section 169.3, subsection 10](#), Code 2023, is amended to read as follows:

10. a. “Practice of veterinary medicine” means any of the following:

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

b. (2) To represent, directly or indirectly, publicly or privately, an ability or willingness to do an act described in [paragraph “α” subparagraph \(1\)](#).

e. (3) To use any title, words, abbreviation, or letters in a manner or under circumstances which induce the belief that the person using them is qualified to do any act described in [paragraph “α” subparagraph \(1\)](#).

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

b. “Practice of veterinary medicine” does not include providing authorized veterinary medical services to an animal patient by veterinary auxiliary personnel when performing a delegated task under the supervision of a supervising veterinarian as provided in [subchapter II](#).

Sec. 4. [Section 169.3, subsection 12](#), Code 2023, is amended by striking the subsection.

Sec. 5. [Section 169.4](#), unnumbered paragraph 1, Code 2023, is amended to read as follows:

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

Sec. 6. [Section 169.4, subsections 2, 9, and 10](#), Code 2023, are amended to read as follows:

2. A person who is a veterinary student in an accredited or approved college of veterinary medicine from performing duties or actions assigned by ~~instructors~~ an instructor of the college, or working acting under the direct supervision of a licensed supervising veterinarian as provided in [subchapter II](#). The board shall issue to ~~any~~ a veterinary medicine student

who attends an accredited veterinary medicine college or school and who has been certified as being competent by an instructor of such college or school to perform veterinary duties under the direction of an instructor of veterinary medicine or under the direct supervision of a licensed supervising veterinarian, a certificate authorizing the veterinary medicine student to perform such functions.

9. Any veterinary assistant employed by a licensed veterinarian from performing duties other than diagnosis, prescription, or surgery auxiliary personnel when performing delegated tasks under the direct supervision of such a supervising veterinarian which assistant has been issued a certificate by the board subject to [section 169.20](#) as provided in [subchapter II](#).

10. A graduate of a foreign college of veterinary medicine, who has or is in the process of obtaining an ECFVG certificate for, when performing duties or actions delegated tasks under the direction or supervision of a licensed supervising veterinarian as provided in [subchapter II](#).

Sec. 7. [Section 169.4](#), Code 2023, is amended by adding the following new subsection:
NEW SUBSECTION. 16. A person performing animal massage.

Sec. 8. [Section 169.5, subsection 7](#), paragraph i, Code 2023, is amended to read as follows:

i. Adopt, amend, or repeal rules relating to the qualifications, standards of conduct for, the supervision of tasks delegated to veterinary auxiliary personnel by a licensed veterinarian, and disciplinary action of veterinary auxiliary personnel for whom the board has issued a certificate or permit. The rules may provide for the testing of, and revocation or suspension of certificates issued to veterinary assistants individuals who apply to be issued a certificate of registration as a veterinary technician, apply to be issued a renewal of a certificate of registration, or apply to be reissued a certificate of registration; and the suspension or revocation of a certificate of registration. However, a certificate shall not be suspended or revoked by less than a two-thirds vote of the entire board in a proceeding conducted in compliance with [section 17A.12](#).

Sec. 9. [Section 169.5, subsection 7](#), Code 2023, is amended by adding the following new paragraph:

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

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

As used in [this subchapter](#):

1. “Accredited or approved veterinary technology program” means a program in veterinary technology that is accredited by the American veterinary medical association and an accrediting agency that has been approved by the United States department of education or its successor.

2. “Direct supervision” means supervision by a supervising veterinarian that occurs when the supervising veterinarian is readily available and on the premises where an animal patient is being provided authorized veterinary medical services by veterinary auxiliary personnel.

3. “Immediate supervision” means supervision by a supervising veterinarian that occurs when the supervising veterinarian is in the immediate area, and within audible and visual range, of an animal patient and veterinary auxiliary personnel providing the animal patient with authorized veterinary medical services.

4. “Indirect supervision” means supervision by a supervising veterinarian, other than direct supervision or immediate supervision, that occurs when all of the following apply:

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

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

5. “*Registered veterinary technician*” means an individual who has graduated from an accredited or approved veterinary technology program and who has been issued a valid certificate of registration by the board pursuant to [section 169.34](#).

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

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

b. “*Veterinary assistant*” does not include a person who is a licensed veterinarian or a registered veterinary technician, veterinary student, veterinary technician student, or graduate from a foreign college of veterinary medicine who is not a licensed veterinarian or the holder of a valid temporary permit issued by the board.

8. “*Veterinary auxiliary personnel*” means a veterinary assistant, registered veterinary technician, veterinary student, veterinary technician student, or graduate of a foreign college of veterinary medicine who is not a licensed veterinarian or the holder of a valid temporary permit issued by the board.

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

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

Sec. 11. NEW SECTION. 169.32 Supervising veterinarian.

1. A licensed veterinarian may provide veterinary medical services to an animal patient by acting as a supervising veterinarian as provided in [this subchapter](#) and rules adopted by the board.

2. A supervising veterinarian shall determine the supervision required for tasks delegated to veterinary auxiliary personnel within the limits provided in [this subchapter](#) and rules adopted by the board. The decision must be based on factors such as the veterinary auxiliary personnel’s training, experience, and skill. The supervising veterinarian is responsible for providing the required supervision and delegating tasks to veterinary auxiliary personnel. The supervising veterinarian shall not delegate veterinary medical services of diagnosis, prescription, or surgery to any veterinary assistant, veterinary technician student, or registered veterinary technician.

3. The board shall adopt rules providing for when a licensed veterinarian must exercise immediate supervision, direct supervision, or indirect supervision for each category of auxiliary veterinary personnel providing authorized veterinary medical services to an animal patient. Nothing in [this subchapter](#) or the rules adopted by the board shall prohibit the supervising veterinarian from providing more supervision than required when the veterinary auxiliary personnel’s training, experience, and skill indicate more supervision is necessary.

Sec. 12. NEW SECTION. 169.33 Veterinary auxiliary personnel — employment.

1. *a.* A licensed veterinarian may employ any number of veterinary auxiliary personnel who may be delegated tasks associated with providing authorized veterinary medical services to an animal patient within the limits provided in [this subchapter](#) and rules adopted by the board pursuant to [this subchapter](#).

b. A person may employ any number of veterinary auxiliary personnel to provide authorized veterinary medical services to animals that are owned or cared for by the person if a supervising veterinarian who practices at the same place of business as the veterinary auxiliary personnel supervises the veterinary auxiliary personnel within the limits provided in [this subchapter](#) and rules adopted by the board pursuant to [this subchapter](#).

2. Veterinary auxiliary personnel shall only receive compensation for authorized veterinary medical services from their employer as provided in [this section](#) except for those services provided in accordance with [section 169.4](#).

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

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

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

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

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

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

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

(a) Information and material required by the board.

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

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

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

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

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

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

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

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

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

(a) Information and material required by the board.

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

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

e. The board may grant a waiver from any qualification for an endorsed certificate of registration to an individual who was in active duty military service or the individual's spouse in accordance with [section 272C.4](#), or to an individual who was previously a veterinary medical student who substantially meets the qualifications to receive a certificate of registration.

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

b. To renew a certificate of registration, a registered veterinary technician must apply to the board for approval. The application must show that the registered veterinary technician has completed all continuing education credit hours during the preceding registration period as required by the board. The board shall determine the number of continuing education credit hours required and the type of continuing hours awarded credit. The certificate of registration expires after the individual has been provided a notice and opportunity for a hearing by the board under [chapter 17A](#). An individual whose certificate of registration has expired is no longer credentialed as provided in [section 169.35](#).

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

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

e. The board shall adopt all rules required to administer and enforce [this subsection](#).

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

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

1. A person shall not use any recognized title, abbreviation, or sign to indicate that such person is a registered veterinary technician unless that person is an individual who has been issued a certificate of registration pursuant to [section 169.34](#).

2. A person who violates [subsection 1](#) commits a simple misdemeanor.

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

1. A registered veterinary technician shall only perform tasks associated with providing authorized veterinary medical services to an animal patient under the supervision of a supervising veterinarian according to [this section](#) and rules adopted by the board under [this subchapter](#).

2. A supervising veterinarian shall decide the specific tasks delegated to a registered veterinary technician and provide the required supervision pursuant to [section 169.32](#) and the rules adopted by the board.

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

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

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

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

b. Gingival resection.

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

1. A veterinary assistant shall only perform tasks associated with providing authorized veterinary medical services to an animal patient under the direct supervision of a supervising veterinarian according to rules adopted by the board under [this subchapter](#).

2. A supervising veterinarian shall decide the specific tasks delegated to a veterinary assistant and provide the required supervision pursuant to [section 169.32](#) and rules adopted by the board.

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

1. A veterinary technician student shall only perform tasks associated with providing authorized veterinary medical services to an animal patient under the supervision of a supervising veterinarian according to rules adopted by the board under [this subchapter](#).

2. A supervising veterinarian shall decide the specific tasks delegated to a veterinary technician student and provide the required supervision pursuant to [section 169.32](#) and rules adopted by the board.

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

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

2. A supervising veterinarian shall decide the specific tasks delegated to a veterinary student and provide the required supervision pursuant to [section 169.32](#) and the rules adopted by the board.

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

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

2. A supervising veterinarian shall decide the specific tasks delegated to a graduate from a foreign college of veterinary medicine who is not a licensed veterinarian or temporary permit holder and provide the required supervision pursuant to [section 169.32](#) and the rules adopted by the board.

Sec. 20. [Section 714.8](#), Code 2023, is amended by adding the following new subsection:
NEW SUBSECTION. 22. Practicing veterinary medicine without a valid license or temporary permit issued by the board of veterinary medicine pursuant to [chapter 169](#), as described in [section 169.19](#).

Sec. 21. **REPEAL.** [Section 169.20](#), Code 2023, is repealed.

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

1. Create a new subchapter in chapter 169 that includes sections 169.1 through 169.30.
2. Create a new subchapter in chapter 169 that includes sections 169.31 through 169.40, as enacted in this Act.
3. Correct internal references in the Code and in any enacted legislation as necessary due to the enactment of this Act.

Sec. 23. **ADMINISTRATIVE RULES.** The board of veterinary medicine shall submit a notice of intended action to the administrative rules coordinator and the Iowa administrative code editor pursuant to [section 17A.4, subsection 1](#), paragraph “a”, not later than January 1, 2024, for the adoption of rules required to implement this Act.

Sec. 24. **EFFECTIVE DATE.**

1. Except as provided in subsection 2, this Act takes effect July 1, 2024.
2. The section of this Act requiring the board of veterinary medicine to submit a notice of intended action for the adoption of rules, being deemed of immediate importance, takes effect upon enactment.

Approved June 1, 2023