

SENATE AMENDMENTS

2nd Printing

By: Aycock

H.B. No. 414

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the conducting of licensing examinations by the State
3 Board of Veterinary Medical Examiners.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 801.253(a), Occupations Code, is amended
6 to read as follows:

7 (a) The board shall [~~hold a regular meeting at least twice~~
8 ~~each year to~~] conduct licensing examinations as provided by board
9 rule. The board shall conduct the examination at a time and place
10 the board determines is convenient for applicants.

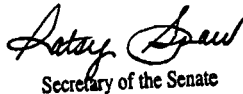
11 SECTION 2. This Act takes effect September 1, 2011.

ADOPTED

FLOOR AMENDMENT NO. 1

MAY 20 2011

BY:



Secretary of the Senate

1 Amend HB 414 (senate committee printing) by adding the
2 following appropriately numbered SECTIONS to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. Section 801.002, Occupations Code, is
5 amended by adding Subdivisions (3-a) and (4-a) to read as
6 follows:

7 (3-a) "Equine dentistry" means any diagnosis, treatment,
8 or surgical procedure performed on the head or oral cavity of an
9 equine animal. The term includes:

10 (A) any procedure that invades the tissues of the oral
11 cavity, including a procedure to:

12 (i) remove sharp enamel projections;

13 (ii) treat malocclusions of the teeth;

14 (iii) reshape teeth; and

15 (iv) extract one or more teeth;

16 (B) the treatment or extraction of damaged or diseased
17 teeth;

18 (C) the treatment of diseased teeth through restoration
19 and endodontic procedures;

20 (D) periodontal treatments, including:

21 (i) the removal of calculus, soft deposits, plaque, and
22 stains above the gum line; and

23 (ii) the smoothing, filing, and polishing of tooth
24 surfaces; and

25 (E) dental radiography.

26 (4-a) "Licensed equine dental provider" means a person who
27 holds a license to practice equine dentistry issued under this
28 chapter.

29 SECTION _____. Section 801.151, Occupations Code, is

1 amended by amending Subsection (c) and adding Subsections (e)
2 and (f) to read as follows:

3 (c) The board shall adopt rules to:

4 (1) protect the public; [and]

5 (2) ensure that alternate therapies, including ultrasound
6 diagnosis and therapy, magnetic field therapy, holistic
7 medicine, homeopathy, chiropractic treatment, acupuncture, and
8 laser therapy, are performed only by a veterinarian or under the
9 supervision of a veterinarian; and

10 (3) ensure that equine dentistry is performed only by a
11 veterinarian who is active and in good standing or by a licensed
12 equine dental provider who is active and in good standing under
13 the appropriate level of supervision of a veterinarian who is
14 active and in good standing and who has established a
15 veterinarian-client-patient relationship with the owner or other
16 caretaker of an animal and the animal in accordance with Section
17 801.351.

18 (e) The board shall adopt rules to implement a
19 jurisprudence examination for licensed equine dental providers,
20 including rules relating to the development and administration
21 of the examination, examination fees, guidelines for
22 reexamination, examination grading, and provision of notice of
23 examination results.

24 (f) The board may not adopt rules that unreasonably
25 restrict the selection by the owner or other caretaker of an
26 animal of a licensed equine dental provider who is in good
27 standing to provide equine dental services.

28 SECTION _____. Subsections (b) and (d), Section 801.154,
29 Occupations Code, are amended to read as follows:

30 (b) The veterinarian license renewal fee set by the board
31 under this chapter is the amount set by the board under

1 Subsection (a) and an additional fee of \$200.

2 (d) The additional fee under Subsection (b) does not apply
3 to a veterinarian [license holder] who is:

4 (1) exempt from paying the renewal fee under Section
5 801.304; or

6 (2) placed on inactive status as provided by Section
7 801.306.

8 SECTION _____. Section 801.156, Occupations Code, is
9 amended to read as follows:

10 Sec. 801.156. REGISTRY. (a) The board shall maintain a
11 record of each license holder's [veterinarian's]:

12 (1) name;

13 (2) residence address; and

14 (3) business address.

15 (b) A license holder [veterinarian] shall notify the board
16 of a change of business address or employer not later than the
17 60th day after the date the change takes effect.

18 SECTION _____. Subsection (b), Section 801.203, Occupations
19 Code, is amended to read as follows:

20 (b) The board shall list with its regular telephone number
21 any toll-free telephone number established under other state law
22 for presenting a complaint about a license holder
23 [veterinarian].

24 SECTION _____. Subsection (b), Section 801.2056,
25 Occupations Code, is amended to read as follows:

26 (b) A complaint delegated under this section shall be
27 referred for informal proceedings under Section 801.408 if:

28 (1) the committee determines that the complaint should not
29 be dismissed or settled;

30 (2) the committee is unable to reach an agreed settlement;
31 or

1 (3) the license holder [veterinarian] who is the subject
2 of the complaint requests that the complaint be referred for
3 informal proceedings.

4 SECTION _____. Sections 801.251 and 801.252, Occupations
5 Code, are amended to read as follows:

6 Sec. 801.251. LICENSE REQUIRED FOR PRACTICE OF VETERINARY
7 MEDICINE. Except as provided by Section 801.004, a person may
8 not practice, or offer or attempt to practice, veterinary
9 medicine unless the person holds a license to practice
10 veterinary medicine issued under this chapter.

11 Sec. 801.252. ELIGIBILITY REQUIREMENTS FOR LICENSE TO
12 PRACTICE VETERINARY MEDICINE. The board shall issue a license
13 to practice veterinary medicine to a person who is qualified to
14 be licensed to practice veterinary medicine under this chapter.
15 A person is qualified to be licensed to practice veterinary
16 medicine if:

- 17 (1) the person has attained the age of majority;
- 18 (2) the person is a graduate of a board-approved school or
19 college of veterinary medicine;
- 20 (3) the person successfully completes the licensing
21 examination for veterinarians conducted by the board; and
- 22 (4) the board does not refuse to issue a license to the
23 person under Section 801.401.

24 SECTION _____. The heading to Section 801.253, Occupations
25 Code, is amended to read as follows:

26 Sec. 801.253. LICENSING EXAMINATIONS FOR VETERINARIANS.

27 SECTION _____. Subsection (a), Section 801.253, Occupations
28 Code, is amended to read as follows:

- 29 (a) The board shall hold a regular meeting at least twice
30 each year to conduct licensing examinations for veterinarians as
31 provided by board rule. The board shall conduct the examination

1 at a time and place the board determines is convenient for
2 applicants.

3 SECTION _____. The heading to Section 801.256, Occupations
4 Code, is amended to read as follows:

5 Sec. 801.256. SPECIAL LICENSE TO PRACTICE VETERINARY
6 MEDICINE.

7 SECTION _____. Subsection (a), Section 801.256, Occupations
8 Code, is amended to read as follows:

9 (a) The board may issue a special license to practice
10 veterinary medicine to an applicant who is:

11 (1) a member of the faculty or staff of a board-approved
12 veterinary program at an institution of higher education;

13 (2) a veterinarian employee of the Texas Animal Health
14 Commission;

15 (3) a veterinarian employee of the Texas Veterinary
16 Medical Diagnostic Laboratory; or

17 (4) a person licensed to practice veterinary medicine in
18 another jurisdiction, if the board determines that the person's
19 specialty practice is unrepresented or underrepresented in this
20 state.

21 SECTION _____. The heading to Section 801.257, Occupations
22 Code, is amended to read as follows:

23 Sec. 801.257. PROVISIONAL LICENSE TO PRACTICE VETERINARY
24 MEDICINE.

25 SECTION _____. Subsection (a), Section 801.257, Occupations
26 Code, is amended to read as follows:

27 (a) The board may grant a provisional license to practice
28 veterinary medicine to an applicant who presents proof that the
29 applicant:

30 (1) is licensed in good standing as a veterinarian in
31 another state that:

1 (A) has licensing requirements substantially equivalent to
2 the requirements of this chapter; and

3 (B) maintains professional standards the board considers
4 equivalent to the professional standards of this chapter; and

5 (2) has passed a national or other examination recognized
6 by the board relating to veterinary medicine.

7 SECTION _____. Section 801.258, Occupations Code, is
8 amended to read as follows:

9 Sec. 801.258. TEMPORARY LICENSE TO PRACTICE VETERINARY
10 MEDICINE. The board by rule may provide for the issuance of a
11 temporary license to practice veterinary medicine.

12 SECTION _____. Subchapter F, Chapter 801, Occupations Code,
13 is amended by adding Sections 801.259, 801.260, 801.261,
14 801.262, 801.263, and 801.264 to read as follows:

15 Sec. 801.259. LICENSED EQUINE DENTAL PROVIDER
16 DESIGNATIONS. (a) Subject to Subsection (b), a person may not
17 represent to the public that the person is authorized to perform
18 equine dentistry or use the titles "dentist," "certified equine
19 dental provider," "equine dental provider," "CEDP," or "EDP"
20 unless the person is licensed to practice equine dentistry under
21 this chapter.

22 (b) Only a licensed equine dental provider who is
23 certified in accordance with Section 801.261(a)(3) may use the
24 title "certified equine dental provider" or the designation
25 "CEDP." Only a licensed equine dental provider who is licensed
26 before September 1, 2013, and who is not certified in accordance
27 with Section 801.261(a)(3) may use the title "equine dental
28 provider" or the designation "EDP."

29 Sec. 801.260. LICENSE REQUIRED FOR EQUINE DENTISTRY. A
30 person may not perform equine dentistry or offer or attempt to
31 act as an equine dental provider unless the person is:

1 (1) a veterinarian who is active and in good standing; or
2 (2) a licensed equine dental provider who is active and in
3 good standing performing under the supervision of a veterinarian
4 who is active and in good standing.

5 Sec. 801.261. LICENSED EQUINE DENTAL PROVIDER:
6 APPLICATION, QUALIFICATIONS, AND ISSUANCE. (a) The board shall
7 issue an equine dental provider license to a person who is
8 qualified under this section. A person is qualified to be
9 licensed as an equine dental provider if the person:

10 (1) passes a jurisprudence examination conducted by the
11 board in accordance with Section 801.264;

12 (2) is not disqualified under this chapter or board rule;
13 and

14 (3) is certified by the International Association of
15 Equine Dentistry or another board-approved certification entity
16 or organization.

17 (b) An applicant for an equine dental provider license
18 must submit to the board:

19 (1) an application on the form prescribed by the board;

20 (2) information to enable the board to conduct a criminal
21 background check as required by the board; and

22 (3) any other information required by the board.

23 Sec. 801.262. SCOPE OF PRACTICE OF LICENSED EQUINE DENTAL
24 PROVIDER. (a) A licensed equine dental provider may not
25 perform equine dentistry unless the provider is active and in
26 good standing and performs equine dentistry under the general
27 supervision of a veterinarian who is active and in good
28 standing.

29 (b) A licensed equine dental provider may perform only the
30 following equine dental procedures:

31 (1) removing sharp enamel points;

- 1 (2) removing small dental overgrowths;
2 (3) rostral profiling of the first cheek teeth;
3 (4) reducing incisors;
4 (5) extracting loose, deciduous teeth;
5 (6) removing supragingival calculus;
6 (7) extracting loose, mobile, or diseased teeth or dental
7 fragments with minimal periodontal attachments by hand and
8 without the use of an elevator; and
9 (8) removing erupted, non-displaced wolf teeth.

10 (c) Subsection (b) may not be construed to prohibit an
11 employee of a veterinarian who is not a licensed equine dental
12 provider from performing the equine dental procedures described
13 in Subsection (b) if the employee is under the direct
14 supervision of a veterinarian.

15 (d) A copy of the dental chart of an equine animal is to
16 be left with the person who authorizes an equine dental
17 procedure and is to be made available to the supervising
18 veterinarian upon request.

19 Sec. 801.263. LICENSED EQUINE DENTAL PROVIDER
20 RESPONSIBILITY. A licensed equine dental provider shall be held
21 to the same standard of care as a veterinarian when the provider
22 performs the equine dental procedures described in Section
23 801.262(b).

24 Sec. 801.264. JURISPRUDENCE EXAMINATION. The board shall
25 develop and administer a jurisprudence examination for licensed
26 equine dental providers to determine an applicant's knowledge of
27 this chapter, board rules, and any other applicable laws of this
28 state affecting the applicant's equine dentistry practice.

29 SECTION _____. Subsections (b) and (c), Section 801.303,
30 Occupations Code, are amended to read as follows:

31 (b) A person whose license has been expired for 90 days or

1 less may renew the license by paying to the board a renewal fee
2 that is equal to the sum of 1-1/2 times the renewal fee set by
3 the board under Section 801.154(a) and the additional fee
4 required by Section 801.154(b), if applicable.

5 (c) A person whose license has been expired for more than
6 90 days but less than one year may renew the license by paying
7 to the board a renewal fee that is equal to the sum of two times
8 the renewal fee set by the board under Section 801.154(a) and
9 the additional fee required by Section 801.154(b), if
10 applicable.

11 SECTION _____. Section 801.304, Occupations Code, is
12 amended to read as follows:

13 Sec. 801.304. FEE EXEMPTION. A veterinarian [license
14 holder] is exempt from the fee requirements imposed under
15 Section 801.303 if the veterinarian [license holder]:

16 (1) is on active duty with the Armed Forces of the United
17 States and does not engage in private or civilian practice; or

18 (2) is permanently and totally retired.

19 SECTION _____. Subsection (a), Section 801.305, Occupations
20 Code, is amended to read as follows:

21 (a) A person who was licensed to practice veterinary
22 medicine in this state, moved to another state, and is currently
23 licensed in good standing and has been in practice in the other
24 state for the two years preceding the date of application may
25 obtain a new license to practice veterinary medicine without
26 reexamination.

27 SECTION _____. Section 801.306, Occupations Code, is
28 amended to read as follows:

29 Sec. 801.306. INACTIVE STATUS. The board by rule may
30 provide for the placement of a license holder [veterinarian] on
31 inactive status. The rules adopted under this section must

1 include a limit on the time a license holder [veterinarian] may
2 remain on inactive status.

3 SECTION _____. Subsections (a) and (b), Section 801.307,
4 Occupations Code, are amended to read as follows:

5 (a) The board by rule shall establish a minimum number of
6 hours of continuing education required to renew a license to
7 practice veterinary medicine. The board shall require eight
8 hours of continuing education annually to renew an equine dental
9 provider license.

10 (b) The board may:

11 (1) establish general categories of continuing education
12 that meet the needs of license holders [veterinarians]; and

13 (2) require a license holder [veterinarian] to
14 successfully complete continuing education courses.

15 SECTION _____. Subsections (b) and (c), Section 801.352,
16 Occupations Code, are amended to read as follows:

17 (b) A veterinarian may not:

18 (1) allow a person who does not hold a license to practice
19 veterinary medicine issued under this chapter to interfere with
20 or intervene in the veterinarian's practice of veterinary
21 medicine; or

22 (2) submit to interference or intervention by a person who
23 does not hold a license to practice veterinary medicine issued
24 under this chapter.

25 (c) A veterinarian shall avoid a relationship that may
26 result in interference with or intervention in the
27 veterinarian's practice of veterinary medicine by a person who
28 does not hold a license to practice veterinary medicine issued
29 under this chapter.

30 SECTION _____. Section 801.3541, Occupations Code, is
31 amended to read as follows:

1 Sec. 801.3541. LOCATION OF VETERINARY PRACTICE. The
2 premises on which a veterinary practice is located may be owned
3 by a person or other legal entity that does not hold a license
4 to practice veterinary medicine issued under this chapter.

5 SECTION _____. Sections 801.402, 801.403, and 801.404,
6 Occupations Code, are amended to read as follows:

7 Sec. 801.402. GENERAL GROUNDS FOR LICENSE DENIAL OR
8 DISCIPLINARY ACTION. A person is subject to denial of a license
9 or to disciplinary action under Section 801.401 if the person:

10 (1) presents to the board dishonest or fraudulent evidence
11 of the person's qualifications;

12 (2) commits fraud or deception in the examination process
13 or to obtain a license;

14 (3) is chronically or habitually intoxicated, chemically
15 dependent, or addicted to drugs;

16 (4) engages in dishonest or illegal practices in, or
17 connected with, the practice of veterinary medicine or the
18 practice of equine dentistry;

19 (5) is convicted of a felony under the laws of this state,
20 another state, or the United States;

21 (6) engages in practices or conduct that violates the
22 board's rules of professional conduct;

23 (7) permits another to use the person's license to
24 practice veterinary medicine or to practice equine dentistry in
25 this state;

26 (8) fraudulently issues a health certificate, vaccination
27 certificate, test chart, or other form used in the practice of
28 veterinary medicine or the practice of equine dentistry that
29 relates to the presence or absence of animal disease;

30 (9) issues a false certificate relating to the sale for
31 human consumption of inedible animal products;

1 (10) commits fraud in connection with the application or
2 reporting of a test of animal disease;

3 (11) pays or receives a kickback, rebate, bonus, or other
4 remuneration for treating an animal or for referring a client to
5 another provider of veterinary or equine dental services or
6 goods;

7 (12) performs or prescribes unnecessary or unauthorized
8 treatment;

9 (13) orders a prescription drug or controlled substance
10 for the treatment of an animal without first establishing a
11 veterinarian-client-patient relationship;

12 (14) refuses to admit a board representative to inspect
13 the person's client and patient records and business premises
14 during regular business hours;

15 (15) fails to keep the person's equipment and business
16 premises in a sanitary condition;

17 (16) commits gross malpractice or a pattern of acts that
18 indicate consistent malpractice, negligence, or incompetence in
19 the practice of veterinary medicine or the practice of equine
20 dentistry; or

21 (17) is subject to disciplinary action in another
22 jurisdiction, including the suspension, probation, or revocation
23 of a license to practice veterinary medicine or to practice
24 equine dentistry issued by another jurisdiction.

25 Sec. 801.403. FAILURE TO REPORT DISEASE. The board may
26 suspend or revoke a license to practice veterinary medicine,
27 place a veterinarian [license holder] on probation, or reprimand
28 a veterinarian [license holder] if the veterinarian [license
29 holder] knowingly fails to report a disease to the Texas Animal
30 Health Commission as required by Section 161.101, Agriculture
31 Code.

1 Sec. 801.404. FAILURE TO MAINTAIN RECORDS. The board may
2 suspend or revoke a license to practice veterinary medicine
3 issued under this chapter or place on probation a veterinarian
4 [license holder] if the veterinarian [license holder] fails to
5 maintain records as required by Section 801.359.

6 SECTION _____. Subsection (a), Section 801.502, Occupations
7 Code, is amended to read as follows:

8 (a) The board, through the attorney general or a district
9 or county attorney, may bring an action for an injunction, or a
10 proceeding incident to an injunction, to:

11 (1) enforce this chapter; or

12 (2) enjoin a person, including a corporation,
13 organization, business trust, estate, trust, partnership,
14 association, or other legal entity, from practicing veterinary
15 medicine or equine dentistry in violation of this chapter.

16 SECTION _____. Subsections (a) and (b), Section 801.506,
17 Occupations Code, are amended to read as follows:

18 (a) A sole proprietorship, partnership, or corporation may
19 not engage in veterinary medicine unless the owner, each
20 partner, or each shareholder, as appropriate, holds a license to
21 practice veterinary medicine issued under this chapter.

22 (b) A corporation, organization, business trust, estate,
23 trust, partnership, association, or other legal entity not owned
24 exclusively by one or more persons licensed to practice
25 veterinary medicine under this chapter may not engage in
26 veterinary medicine.

27 SECTION _____. Subsection (a), Section 801.508, Occupations
28 Code, is amended to read as follows:

29 (a) If it appears to the board that a person is engaging
30 in an act or practice that constitutes the practice of
31 veterinary medicine without a license or the practice of equine

1 dentistry without a license under this chapter, the board, after
2 notice and opportunity for a hearing, may issue a cease and
3 desist order prohibiting the person from engaging in the
4 activity.

5 SECTION _____. Chapter 801, Occupations Code, is amended by
6 adding Subchapter L to read as follows:

7 SUBCHAPTER L. EQUINE DENTAL PROVIDER ADVISORY COMMITTEE

8 Sec. 801.551. EQUINE DENTAL PROVIDER ADVISORY COMMITTEE.

9 (a) The equine dental provider advisory committee is an
10 informal advisory committee to the board and is not subject to
11 Chapter 2110, Government Code.

12 (b) The advisory committee does not have any independent
13 rulemaking authority but shall advise and assist the board in
14 adopting rules relating to licensed equine dental providers.

15 (c) The board shall consult the advisory committee
16 regarding matters relating to a disciplinary action that
17 involves a licensed equine dental provider.

18 Sec. 801.552. APPOINTMENT OF ADVISORY COMMITTEE. (a) The
19 equine dental provider advisory committee is composed of three
20 members appointed by the presiding officer of the board as
21 follows:

22 (1) two members who are licensed equine dental providers,
23 have resided in and engaged in the practice of smoothing or
24 filing teeth by floating in this state for the five years
25 immediately preceding the date of appointment, and are of good
26 repute; and

27 (2) one veterinarian member who is active and in good
28 standing and who supervises a licensed equine dental provider.

29 (b) Notwithstanding Subsection (a)(1), the advisory
30 committee members appointed under Subsection (a)(1) are not
31 required to hold a license to practice equine dentistry issued

1 under this chapter until September 1, 2012. This subsection
2 expires September 1, 2013.

3 (c) Appointments to the advisory committee shall be made
4 without regard to the race, color, disability, sex, religion,
5 age, or national origin of the appointees.

6 Sec. 801.553. TERMS; VACANCY. (a) Members of the equine
7 dental provider advisory committee are appointed for staggered
8 six-year terms. The terms of the members expire on February 1
9 of each odd-numbered year.

10 (b) If a vacancy occurs during a member's term, the
11 presiding officer of the board shall appoint a new member to
12 fill the unexpired term.

13 (c) An advisory committee member may not serve more than
14 two consecutive full terms.

15 Sec. 801.554. GROUNDS FOR REMOVAL. (a) It is a ground
16 for removal from the equine dental provider advisory committee
17 that a member:

18 (1) does not have at the time of appointment the
19 qualifications required by Section 801.552;

20 (2) does not maintain during service on the advisory
21 committee the qualifications required by Section 801.552; and

22 (3) cannot, because of illness or disability, discharge
23 the member's duties for a substantial part of the member's term.

24 (b) The validity of an action of the advisory committee is
25 not affected by the fact that it is taken when a ground for
26 removal of an advisory committee member exists.

27 Sec. 801.555. OFFICERS. The presiding officer of the
28 board shall designate biennially an equine dental provider
29 advisory committee member as the presiding officer of the
30 advisory committee to serve in that capacity at the will of the
31 presiding officer of the board.

1 Sec. 801.556. REIMBURSEMENT; COMPENSATION. An equine
2 dental provider advisory committee member is not entitled to
3 reimbursement for travel expenses or compensation.

4 Sec. 801.557. MEETINGS. (a) The equine dental provider
5 advisory committee shall meet at the call of the presiding
6 officer of the board.

7 (b) A meeting may be held by telephone conference call.

8 SECTION _____. Subchapter F, Chapter 411, Government Code,
9 is amended by adding Section 411.0995 to read as follows:

10 Sec. 411.0995. ACCESS TO CRIMINAL HISTORY RECORD
11 INFORMATION: STATE BOARD OF VETERINARY MEDICAL EXAMINERS. The
12 State Board of Veterinary Medical Examiners is entitled to
13 obtain from the department criminal history record information
14 maintained by the department that relates to a person who is:

15 (1) an applicant for a license to practice equine
16 dentistry under Chapter 801, Occupations Code; or

17 (2) the holder of a license under that chapter.

18 SECTION _____. (a) Not later than October 1, 2011, the
19 presiding officer of the State Board of Veterinary Medical
20 Examiners shall appoint the initial members of the equine dental
21 provider advisory committee established under Subchapter L,
22 Chapter 801, Occupations Code, as added by this Act, with the
23 term of one member expiring February 1, 2013, the term of one
24 member expiring February 1, 2015, and the term of one member
25 expiring February 1, 2017.

26 (b) Not later than June 1, 2012, the State Board of
27 Veterinary Medical Examiners, in consultation with the equine
28 dental provider advisory committee established under Subchapter
29 L, Chapter 801, Occupations Code, as added by this Act, shall
30 adopt the rules, procedures, and jurisprudence examination
31 required to implement the licensure of equine dental providers

1 under Chapter 801, Occupations Code, as amended by this Act.

2 (c) Notwithstanding Section 801.260, Occupations Code, as
3 added by this Act, a person employed as an equine dental
4 provider is not required to hold a license under Chapter 801,
5 Occupations Code, and is not subject to the imposition of a
6 penalty for not holding a license under that chapter before
7 September 1, 2012.

8 SECTION _____. (a) Before September 1, 2013, the State
9 Board of Veterinary Medical Examiners shall issue a provisional
10 equine dental provider license required by Section 801.260,
11 Occupations Code, as added by this Act, to a person who is not
12 certified by the International Association of Equine Dentistry
13 or another board-approved entity or organization if the person:

14 (1) presents proof of graduation from or completion of 280
15 hours of course work at a dental school; and

16 (2) submits, with the application and other information
17 required under Subsection (b), Section 801.261, Occupations
18 Code, as added by this Act:

19 (A) three notarized affidavits in which equine owners or
20 industry professionals who are residents of this state state
21 that they know the person and that the person is known in the
22 community to be competent in the practice of smoothing or filing
23 teeth by floating; and

24 (B) three letters of recommendation from veterinarians
25 licensed to practice in this state.

26 (b) A license issued under this section may be renewed in
27 the same manner as a license issued to a person under Section
28 801.261, Occupations Code, as added by this Act.

29 (c) This section expires September 1, 2013.

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LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 20, 2011

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: John S O'Brien, Director, Legislative Budget Board

IN RE: HB414 by Aycock (Relating to the conducting of licensing examinations by the State Board of Veterinary Medical Examiners.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend the Occupations Code relating to the licensure and regulation of equine dental providers. The bill would require the Board of Veterinary Medical Examiners to adopt rules to implement the provisions of the bill.

Based on the analysis of the Board of Veterinary Medical Examiners and the Department of Public Safety (DPS), it is assumed that responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 405 Department of Public Safety, 578 Board of Veterinary Medical Examiners

LBB Staff: JOB, RAN, SZ, MW

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 27, 2011

TO: Honorable Craig Estes, Chair, Senate Committee on Agriculture & Rural Affairs

FROM: John S O'Brien, Director, Legislative Budget Board

IN RE: HB414 by Aycock (Relating to the conducting of licensing examinations by the State Board of Veterinary Medical Examiners.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Occupations Code to remove the requirement that the Board of Veterinary Medical Examiners hold a regular meeting at least twice a year to conduct licensing examinations.

Based on the analysis of the Board of Veterinary Medical Examiners, it is assumed that duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 578 Board of Veterinary Medical Examiners

LBB Staff: JOB, SZ, MW, RAN

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

February 28, 2011

TO: Honorable Rick Hardcastle, Chair, House Committee on Agriculture & Livestock

FROM: John S O'Brien, Director, Legislative Budget Board

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