

BILL ANALYSIS

S.B. 1312
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Agriculture & Livestock
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that veterinary technicians are not currently licensed by the state but are instead registered through the Texas Veterinary Medical Association. The parties contend that the association, as a nonprofit organization, lacks the ability to investigate complaints and prevent misrepresentation of education and credentialing by veterinary technicians. The parties further contend that in other states, veterinary technicians are recognized as licensed professionals and that licensure in Texas will increase the incentive for individuals to take advantage of the many educational opportunities in the state for veterinary technicians while bettering the veterinary profession and increasing the pool of educated employees. S.B. 1312 seeks to address this issue.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the State Board of Veterinary Medical Examiners in SECTIONS 2, 3, 6, and 10 of this bill.

ANALYSIS

S.B. 1312 amends the Occupations Code to require the State Board of Veterinary Medical Examiners to adopt rules to provide for the licensing and regulation of a licensed veterinary technician and to remove a provision authorizing rulemaking regarding the work of a person who fulfills the requirements established by a board-approved organization for registered veterinary technicians. The bill requires the board to issue a veterinary technician license to a qualified person and sets out provisions relating to the qualifications, the application process, certain actions that require a license, use of the title, and the display of the license. The bill requires the board to adopt rules to implement, develop, and administer a jurisprudence examination for a licensed veterinary technician to determine an applicant's knowledge of the Veterinary Licensing Act, board rules, and any other applicable state laws affecting the applicant's employment as a licensed veterinary technician. The bill requires the board by rule to establish a minimum number of hours of required continuing education in order to renew the license.

S.B. 1312 requires decisions relating to the diagnosis, treatment, management, and future disposition of an animal patient to be made by a supervising veterinarian and sets out provisions relating to the delegation and supervision of animal care tasks to a licensed veterinary technician, certified veterinary assistant, or a veterinary assistant. The bill prohibits the operation of a satellite office or mobile facility without a supervising veterinarian. The bill sets out the scope of practice of a licensed veterinary technician, a certified veterinary assistant, and a veterinary assistant.

S.B. 1312 expands the conditions under which a person is subject to denial of a license under the Veterinary Licensing Act or to disciplinary action by the board to include the following: being convicted of cruelty to livestock animals, attacks on assistance animals, or cruelty to nonlivestock animals; representing the person as a veterinarian without a license; practicing veterinary medicine or assisting in the practice of veterinary medicine without a license; or

violating veterinarian-client confidentiality or a board rule related to confidentiality.

S.B. 1312 requires the board, not later than June 1, 2014, to adopt the rules, procedures, fees, and jurisprudence examination necessary to administer the Veterinary Licensing Act, as amended by the bill. The bill requires the board, before September 1, 2014, to issue a veterinary technician license to a person who presents proof of registration in good standing as a registered veterinary technician with the Texas Veterinary Medical Association and who submits an application and required fee. The bill authorizes such a license to be renewed in the same manner as a license issued under the bill's provisions. The bill specifies that a person employed as a licensed veterinary technician is not required to hold a license to practice as a licensed veterinary technician in Texas before September 1, 2014.

S.B. 1312 authorizes the board to appoint advisory committees to perform advisory functions as assigned by the board and to provide independent expertise on board functions and policies. The bill prohibits the advisory committee from being involved in setting board policy and requires the board to adopt rules regarding the purpose, structure, and use of an advisory committee. The bill specifies that its provisions and board rules adopted under its provisions relating to such advisory committees control to the extent of any conflict with Government Code provisions relating to state agency advisory committees.

EFFECTIVE DATE

September 1, 2013.