

ASSEMBLY BILL

No. 1953

Introduced by Assembly Member Bloom

January 17, 2020

An act to amend Section 4826 of the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

AB 1953, as introduced, Bloom. Veterinary medicine.

Existing law, the Veterinary Medicine Practice Act, provides for the licensure and registration of veterinarians and the regulation of the practice of veterinary medicine by the Veterinary Medical Board in the Department of Consumer Affairs. Under the act, prescribed actions constitute the practice of veterinary medicine. The act makes a violation of its provisions a crime.

This bill would include in the actions that constitute the practice of veterinary medicine the collection of blood from a dog for the purpose of transferring or selling that blood, or blood products derived from the blood, to a licensed veterinarian for use at a registered premise. By expanding the scope of an existing crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

SECTION 1. Section 4826 of the Business and Professions Code is amended to read:

4826. A person practices veterinary medicine, surgery, and dentistry, and the various branches thereof, when ~~he or she~~ *the person* does any one of the following:

(a) Represents ~~himself or herself~~ *themselves* as engaged in the practice of veterinary medicine, veterinary surgery, or veterinary dentistry in any of its branches.

(b) Diagnoses or prescribes a drug, medicine, appliance, application, or treatment of whatever nature for the prevention, cure, or relief of a wound, fracture, bodily injury, or disease of animals.

(c) Administers a drug, medicine, appliance, application, or treatment of whatever nature for the prevention, cure, or relief of a wound, fracture, bodily injury, or disease of animals, except where the medicine, appliance, application, or treatment is administered by a registered veterinary technician or a veterinary assistant at the direction of and under the direct supervision of a licensed veterinarian subject to Article 2.5 (commencing with Section ~~4832~~) 4836) or where the drug, including, but not limited to, a drug that is a controlled substance, is administered by a registered veterinary technician or a veterinary assistant pursuant to Section 4836.1. However, no person, other than a licensed veterinarian, may induce anesthesia unless authorized by regulation of the board.

(d) Performs a surgical or dental operation upon an animal.

(e) Performs any manual procedure for the diagnosis of pregnancy, sterility, or infertility upon livestock or Equidae.

(f) *Collects blood from a dog for the purpose of transferring or selling that blood, or blood products derived from the blood, to a licensed veterinarian for use at a registered premise.*

~~(f)~~

(g) Uses any words, letters, or titles in such connection or under such circumstances as to induce the belief that the person using them is engaged in the practice of veterinary medicine, veterinary surgery, or veterinary dentistry. This use shall be prima facie evidence of the intention to represent ~~himself or herself~~ *themselves*

1 as engaged in the practice of veterinary medicine, veterinary
2 surgery, or veterinary dentistry.

3 SEC. 2. No reimbursement is required by this act pursuant to
4 Section 6 of Article XIII B of the California Constitution because
5 the only costs that may be incurred by a local agency or school
6 district will be incurred because this act creates a new crime or
7 infraction, eliminates a crime or infraction, or changes the penalty
8 for a crime or infraction, within the meaning of Section 17556 of
9 the Government Code, or changes the definition of a crime within
10 the meaning of Section 6 of Article XIII B of the California
11 Constitution.

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