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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 1817

02/15/2023 Authored by Huot and Hemmingsen-Jaeger The bill was read for the first time and referred to the Committee on Health Finance and Policy

1.1 A bill for an act
1.2 relating to agriculture; amending veterinary medicine licensing for University of
1.3 Minnesota employees; amending Minnesota Statutes 2022, section 156.12,
1.4 subdivisions 2, 4; proposing coding for new law in Minnesota Statutes, chapter
1.5 156; repealing Minnesota Statutes 2022, section 156.12, subdivision 6.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. 156.0721 INSTITUTIONAL LICENSURE.

1.8 Subdivision 1. Application and eligibility. (a) Any person who seeks to practice
1.9 veterinary medicine while employed by the University of Minnesota and who is not a
1.10 licensed veterinarian shall make a written application to the board for an institutional license
1.11 using forms provided for that purpose or in a format accepted by the board. The board shall
1.12 issue an institutional license to practice veterinary medicine to an applicant who:

1.13 (1) has obtained the degree of doctor of veterinary medicine or its equivalent from a
1.14 nonaccredited college of veterinary medicine. A graduate from an accredited college and
1.15 an applicant who has earned ECFVG or PAVE certificates should apply for a license to
1.16 practice veterinary medicine;

1.17 (2) has passed the Minnesota Veterinary Jurisprudence Examination;

1.18 (3) is a person of good moral character, as attested by five notarized reference letters
1.19 from adults not related to the applicant, at least two of whom are licensed veterinarians;

1.20 (4) has paid the license application fee;

1.21 (5) provides proof of employment by the University of Minnesota;

2.1 (6) certifies that the applicant understands and agrees that the institutional license is
2.2 valid only for the practice of veterinary medicine associated with the applicant's employment
2.3 as a faculty member, intern, resident, or locum of the University of Minnesota College of
2.4 Veterinary Medicine or other unit of the University of Minnesota; and

2.5 (7) provides other information and proof as the board may require by rules and
2.6 regulations.

2.7 (b) The University of Minnesota may submit the applications of its employees who seek
2.8 an institutional license in a compiled format acceptable to the board, with any license
2.9 application fees in a single form of payment.

2.10 (c) The fee for a license issued under this subdivision is the same as for a regular license
2.11 to practice veterinary medicine in the state. License payment deadlines, late payment fees,
2.12 and other license requirements are also the same as for a regular license to practice veterinary
2.13 medicine.

2.14 Subd. 2. **Scope of practice.** (a) An institutional license holder may practice veterinary
2.15 medicine only as related to the license holder's regular function at the University of
2.16 Minnesota. A person holding only an institutional license in this state must be remunerated
2.17 for the practice of veterinary medicine in the state solely from state, federal, or institutional
2.18 funds and not from the patient-owner beneficiary of the license holder's practice efforts.

2.19 (b) A license issued under this section must be canceled by the board upon receipt of
2.20 information that the holder of the license has left or is otherwise no longer employed at the
2.21 University of Minnesota in this state.

2.22 (c) An institutional license holder must abide by all laws governing the practice of
2.23 veterinary medicine in the state and are subject to the same disciplinary action as any other
2.24 veterinarian licensed in the state.

2.25 Sec. 2. Minnesota Statutes 2022, section 156.12, subdivision 2, is amended to read:

2.26 Subd. 2. **Authorized activities.** No provision of this chapter shall be construed to prohibit:

2.27 (a) a person from rendering necessary gratuitous assistance in the treatment of any animal
2.28 when the assistance does not amount to prescribing, testing for, or diagnosing, operating,
2.29 or vaccinating and when the attendance of a licensed veterinarian cannot be procured;

2.30 (b) a person who is a regular student in an accredited or approved college of veterinary
2.31 medicine from performing duties or actions assigned by instructors or preceptors or working
2.32 under the direct supervision of a licensed veterinarian;

3.1 (c) a veterinarian regularly licensed in another jurisdiction from consulting with a licensed
3.2 veterinarian in this state;

3.3 (d) the owner of an animal and the owner's regular employee from caring for and
3.4 administering to the animal belonging to the owner, except where the ownership of the
3.5 animal was transferred for purposes of circumventing this chapter;

3.6 (e) veterinarians who are in compliance with ~~subdivision 6~~ section 156.0721 and who
3.7 are employed by the University of Minnesota from performing their duties with the College
3.8 of Veterinary Medicine, ~~College of Agriculture~~; Veterinary Diagnostic Laboratory;
3.9 Agricultural Experiment Station; Agricultural Extension Service; Medical School; School
3.10 of Public Health; School of Nursing; or other unit within the university; or a person from
3.11 lecturing or giving instructions or demonstrations at the university or in connection with a
3.12 continuing education course or seminar to veterinarians ~~or pathologists at the University of~~
3.13 ~~Minnesota Veterinary Diagnostic Laboratory~~;

3.14 (f) any person from selling or applying any pesticide, insecticide or herbicide;

3.15 (g) any person from engaging in bona fide scientific research or investigations which
3.16 reasonably requires experimentation involving animals;

3.17 (h) any employee of a licensed veterinarian from performing duties other than diagnosis,
3.18 prescription or surgical correction under the direction and supervision of the veterinarian,
3.19 who shall be responsible for the performance of the employee;

3.20 (i) a graduate of a foreign college of veterinary medicine from working under the direct
3.21 personal instruction, control, or supervision of a veterinarian faculty member of the College
3.22 of Veterinary Medicine, University of Minnesota in order to complete the requirements
3.23 necessary to obtain an ECFVG or PAVE certificate;

3.24 (j) a licensed chiropractor registered under section 148.01, subdivision 1a, from practicing
3.25 animal chiropractic; or

3.26 (k) a person certified by the Emergency Medical Services Regulatory Board under
3.27 chapter 144E from providing emergency medical care to a police dog wounded in the line
3.28 of duty.

3.29 Sec. 3. Minnesota Statutes 2022, section 156.12, subdivision 4, is amended to read:

3.30 Subd. 4. **Titles.** It is unlawful for a person who has not received a professional degree
3.31 from an accredited or approved college of veterinary medicine, ~~or~~ ECFVG or PAVE
3.32 certification, or an institutional license under section 156.0721 to use any of the following

4.1 titles or designations: Veterinary, veterinarian, animal doctor, animal surgeon, animal dentist,
4.2 animal chiropractor, animal acupuncturist, or any other title, designation, word, letter,
4.3 abbreviation, sign, card, or device tending to indicate that the person is qualified to practice
4.4 veterinary medicine.

4.5 Sec. 4. **REPEALER.**

4.6 Minnesota Statutes 2022, section 156.12, subdivision 6, is repealed.

156.12 PRACTICE OF VETERINARY MEDICINE.

Subd. 6. **Faculty licensure.** (a) Veterinary Medical Center clinicians at the College of Veterinary Medicine, University of Minnesota, who are engaged in the practice of veterinary medicine as defined in subdivision 1 and who treat animals owned by clients of the Veterinary Medical Center must possess the same license required by other veterinary practitioners in the state of Minnesota except for persons covered by paragraphs (b) and (c).

(b) A specialty practitioner in a hard-to-fill faculty position who has been employed at the College of Veterinary Medicine, University of Minnesota, for five years or more prior to 2003 or is specialty board certified by the American Veterinary Medical Association or the European Board of Veterinary Specialization may be granted a specialty faculty Veterinary Medical Center clinician license which will allow the licensee to practice veterinary medicine in the state of Minnesota in the specialty area of the licensee's training and only within the scope of employment at the Veterinary Medical Center.

(c) A specialty practitioner in a hard-to-fill faculty position at the College of Veterinary Medicine, University of Minnesota, who has graduated from a board-approved foreign veterinary school may be granted a temporary faculty Veterinary Medical Center clinician license. The temporary faculty Veterinary Medical Center clinician license expires in two years and allows the licensee to practice veterinary medicine as defined in subdivision 1 and treat animals owned by clients of the Veterinary Medical Center. The temporary faculty Veterinary Medical Center clinician license allows the licensee to practice veterinary medicine in the state of Minnesota in the specialty area of the licensee's training and only within the scope of employment at the Veterinary Medical Center while under the direct supervision of a veterinarian currently licensed and actively practicing veterinary medicine in Minnesota, as defined in section 156.04. The direct supervising veterinarian must not have any current or past conditions, restrictions, or probationary status imposed on the veterinarian's license by the board within the past five years. The holder of a temporary faculty Veterinary Medical Center clinician license who is enrolled in a PhD program may apply for up to two additional consecutive two-year extensions of an expiring temporary faculty Veterinary Medical Center clinician license. Any other holder of a temporary faculty Veterinary Medical Center clinician license may apply for one two-year extension of the expiring temporary faculty Veterinary Medical Center clinician license. Temporary faculty Veterinary Medical Center clinician licenses that are allowed to expire may not be renewed. The board shall grant an extension to a licensee who demonstrates suitable progress toward completing the requirements of their academic program, specialty board certification, or full licensure in Minnesota by a graduate of a foreign veterinary college.

(d) Temporary and specialty faculty Veterinary Medical Center clinician licensees must abide by all the laws governing the practice of veterinary medicine in the state of Minnesota and are subject to the same disciplinary action as any other veterinarian licensed in the state of Minnesota.

(e) The fee for a license issued under this subdivision is the same as for a regular license to practice veterinary medicine in Minnesota. License payment deadlines, late payment fees, and other license requirements are also the same as for regular licenses.