

REFERENCE TITLE: state veterinarian; certified rabies vaccinator

State of Arizona
Senate
Fifty-sixth Legislature
First Regular Session
2023

SB 1194

Introduced by
Senators Borrelli: Shamp, Wadsack

AN ACT

AMENDING SECTIONS 11-1001, 11-1002, 11-1010, 32-2211 AND 32-2231, ARIZONA REVISED STATUTES; AMENDING TITLE 32, CHAPTER 21, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTION 32-2240.02; AMENDING SECTION 32-2271, ARIZONA REVISED STATUTES; RELATING TO ANIMAL CONTROL.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 11-1001, Arizona Revised Statutes, is amended to
3 read:

4 11-1001. Definitions

5 In section 13-1208 and in this article, unless the context otherwise
6 requires:

7 1. "Animal" means any animal of a species that is susceptible to
8 rabies, except man.

9 2. "At large" means being neither confined by an enclosure nor
10 physically restrained by a leash.

11 3. "County board of health" means the duly constituted board of
12 health of each county.

13 4. "County enforcement agent" means that person in each county who
14 is responsible for ~~the enforcement of~~ ENFORCING this article and the rules
15 adopted under this article.

16 5. "County pound" means any establishment THAT IS authorized by the
17 county board of supervisors ~~for the confinement, maintenance, safekeeping~~
18 TO CONFINE, MAINTAIN, SAFEKEEP and control of dogs and other animals that
19 come into the custody of the county enforcement agent in the performance
20 of ~~his~~ THE COUNTY ENFORCEMENT AGENT'S official duties.

21 6. "Department" means the department of health services.

22 7. "Impound" means the act of taking or receiving into custody by
23 the county enforcement agent any dog or other animal for the purpose of
24 confinement in a county pound in accordance with ~~the provisions of~~ this
25 article.

26 8. "Kennel" means an enclosed, controlled area, inaccessible to
27 other animals, in which a person keeps, harbors or maintains five or more
28 dogs under controlled conditions.

29 9. "Livestock" means neat animals, horses, sheep, goats, swine,
30 mules and asses.

31 10. "Owner" means any person ~~keeping~~ WHO KEEPS an animal other than
32 livestock for more than six consecutive days.

33 11. "Rabies quarantine area" means any area in which a state of
34 emergency has been declared to exist due to the occurrence of rabies in
35 animals in or adjacent to this area.

36 12. "Stray dog" means any dog three months of age or older running
37 at large that is not wearing a valid license tag.

38 13. "Vaccination" means the administration of an ~~anti-rabies~~
39 ANTIRABIES vaccine to animals by a veterinarian OR BY A RABIES VACCINATOR
40 WHO IS CERTIFIED PURSUANT TO SECTION 32-2240.02.

41 14. "Veterinarian", unless otherwise indicated, means any
42 veterinarian WHO IS licensed to practice in this state or any veterinarian
43 WHO IS employed in this state by a governmental agency.

44 15. "Veterinary hospital" means any establishment THAT IS operated
45 by a veterinarian licensed to practice in this state AND that provides

1 clinical facilities and houses animals or birds for dental, medical or
2 surgical treatment. A veterinary hospital may have adjacent to it or in
3 conjunction with it or as an integral part of it pens, stalls, cages or
4 kennels for quarantine, observation or boarding.

5 16. "Vicious animal" means any animal of the order carnivora that
6 has a propensity to attack, to cause injury to or to otherwise endanger
7 the safety of human beings without provocation, ~~or~~ or that has been so
8 declared after a hearing before a justice of the peace or a city
9 magistrate.

10 Sec. 2. Section 11-1002, Arizona Revised Statutes, is amended to
11 read:

12 11-1002. Powers and duties; state veterinarian; Arizona
13 department of agriculture

14 A. The state veterinarian, employed pursuant to section 3-1211,
15 shall designate the type or types of ~~anti-rabies~~ ANTIRABIES vaccines that
16 may be used for vaccination of animals, the period of time between
17 vaccination and revaccination and the dosage and method of administration
18 of the vaccine.

19 B. THE STATE VETERINARIAN SHALL ADOPT RULES TO IMPLEMENT SECTION
20 32-2240.02.

21 ~~B.~~ C. The Arizona department of agriculture shall regulate the
22 handling and disposition of animals classed as livestock that have been
23 bitten by a rabid or suspected rabid animal or are showing symptoms
24 suggestive of rabies.

25 Sec. 3. Section 11-1010, Arizona Revised Statutes, is amended to
26 read:

27 11-1010. Antirabies vaccination; vaccination and license
28 stations

29 A. Before a license is issued for any dog, the owner or a
30 veterinarian must present a paper or electronic copy or telefacsimile of
31 the vaccination certificate signed by a veterinarian stating the owner's
32 name and address, and giving the dog's description, date of vaccination,
33 manufacturer and serial number of the vaccine used and date revaccination
34 is due. A duplicate of each rabies vaccination certificate issued shall
35 be transmitted to the county enforcement agent within two weeks ~~of~~ AFTER
36 the date the dog was vaccinated. ~~No~~ A dog shall NOT be licensed unless it
37 is vaccinated in accordance with ~~the provisions of~~ this article and the
38 ~~regulations promulgated~~ RULES ADOPTED pursuant to this article.

39 B. A dog vaccinated in any other state prior to entry into Arizona
40 may be licensed in Arizona provided that, at the time of licensing, the
41 owner of the dog presents a vaccination certificate, signed by a
42 veterinarian licensed to practice in that state or a veterinarian employed
43 by a governmental agency in that state, stating the owner's name and
44 address, and giving the dog's description, date of vaccination and type,
45 manufacturer and serial number of the vaccine used. The vaccination must

1 ~~be in conformity~~ CONFORM with ~~the provisions of~~ this article and the
2 ~~regulations promulgated~~ RULES ADOPTED pursuant to this article.

3 C. The county enforcement agent shall ~~make provisions~~ PROVIDE for
4 vaccination clinics as deemed necessary. The vaccination shall be
5 performed by a veterinarian OR BY A RABIES VACCINATOR WHO IS CERTIFIED
6 PURSUANT TO SECTION 32-2240.02.

7 Sec. 4. Section 32-2211, Arizona Revised Statutes, is amended to
8 read:

9 32-2211. Exceptions from application of chapter

10 This chapter ~~shall~~ DOES not apply to:

11 1. A commissioned veterinary medical officer of the United States
12 armed services, ~~or~~ employees of the animal disease eradication division
13 of the United States department of agriculture.

14 2. A person ~~treating~~ WHO TREATS an animal belonging to ~~himself~~ THE
15 PERSON or ~~his~~ THE PERSON'S employer while in the regular service of ~~such~~
16 THAT employer, ~~or~~ the animal of another without compensation ~~therefor~~.
17 Animals consigned by their legal owner for feeding or care to consignment
18 livestock operations shall be considered to be the property of the
19 consignee.

20 3. A licensed veterinarian of another state or foreign country
21 ~~consulting~~ WHO CONSULTS with a licensed veterinarian in this state.

22 4. A veterinary student who performs acts of health care or
23 prescribed veterinary procedures as a part of the VETERINARY student's
24 educational experience if both of the following apply:

25 (a) The acts are assigned by a licensed veterinarian or a licensed
26 veterinary faculty member who is responsible for the animal's care.

27 (b) The VETERINARY student works under the direct supervision of a
28 licensed veterinarian or a licensed veterinary faculty member.

29 5. A veterinary assistant WHO IS employed by a licensed
30 veterinarian ~~performing~~ AND WHO PERFORMS duties other than diagnosis,
31 prognosis, prescription or surgery under the direct supervision or
32 indirect supervision of ~~such~~ THE LICENSED veterinarian who ~~shall be~~ IS
33 responsible for ~~such~~ THE VETERINARY assistant's performance.

34 6. A RABIES VACCINATOR WHO IS CERTIFIED PURSUANT TO SECTION
35 32-2240.02.

36 Sec. 5. Section 32-2231, Arizona Revised Statutes, is amended to
37 read:

38 32-2231. Acts constituting the practice of veterinary
39 medicine; exceptions; definitions

40 A. A person shall be regarded as practicing veterinary medicine,
41 surgery and dentistry within the meaning of this chapter who, within this
42 state:

43 1. By advertisement, or by any notice, sign or other indication, or
44 by a statement written, printed or oral, in public or in private, made,
45 done or procured by ~~himself~~ THE PERSON or any other at ~~his~~ THE PERSON'S

1 request claims, announces, makes known or pretends ability or willingness
2 to diagnose any animal condition, disease, deformity, defect, wound or
3 injury or to perform any type of surgical procedure on animals.

4 2. Advertises or makes known or claims ability and willingness to
5 perform the following for hire, fee, compensation or reward that is
6 directly or indirectly promised, offered, expected, received or accepted:

7 (a) Prescribe or administer any drug, medicine, treatment, method
8 or practice for any animal.

9 (b) Perform any operation or manipulation on or apply any apparatus
10 or appliance to any animal.

11 (c) Give any instruction or demonstration for the cure,
12 amelioration, correction or reduction or modification of any animal
13 condition, disease, deformity, defect, wound or injury.

14 3. Diagnoses or prognosticates any animal condition, disease,
15 deformity, defect, wound or injury for hire, fee, reward or compensation
16 that is directly or indirectly promised, offered, expected, received or
17 accepted.

18 4. Prescribes or administers any drug, medicine, treatment, method
19 or practice, performs any operation or manipulation, or applies any
20 apparatus or appliance for the cure, amelioration, correction or
21 modification of any animal condition, disease, deformity, defect, wound or
22 injury for hire, fee, compensation or reward that is directly or
23 indirectly promised, offered, expected, received or accepted.

24 B. This section does not apply to:

25 1. Duly authorized representatives of the United States department
26 of agriculture in the discharge of any duty authorized by the director in
27 charge of the animal disease eradication division.

28 2. A certified veterinary technician performing a task or function
29 authorized by the rules of the board in the employ of and under the
30 direction, supervision and control of a licensed veterinarian or a
31 licensed veterinary faculty member.

32 3. An equine dental practitioner if all of the following apply:

33 (a) The equine dental practitioner is certified by the
34 international association of equine dentistry or the academy of equine
35 dentistry.

36 (b) The equine dental practitioner performs any of the following
37 procedures under the general supervision of a licensed veterinarian:

38 (i) The application of any apparatus used to work on the oral
39 cavity.

40 (ii) The examination of dental conditions.

41 (iii) The removal of overgrowth from the teeth of horses and the
42 removal of sharp enamel points from the teeth of horses, excluding any
43 extractions unless the certified equine dental practitioner is under the
44 direct supervision of a licensed veterinarian.

1 (iv) Any treatment of the oral cavity as authorized by the animal's
2 owner, excluding any extractions unless the certified equine dental
3 practitioner is under the direct supervision of a licensed veterinarian.

4 (c) The equine dental practitioner provides both of the following
5 to the board:

6 (i) Proof of current certification from the international
7 association of equine dentistry or the academy of equine dentistry.

8 (ii) A written statement signed by the supervising veterinarian
9 that the certified equine dental practitioner will be under the general or
10 direct supervision of the licensed veterinarian when performing the
11 procedures prescribed by this paragraph.

12 (d) Both the supervising veterinarian and the certified equine
13 dental practitioner maintain dental charts for procedures done pursuant to
14 this paragraph.

15 4. A veterinary student who performs acts of health care or
16 prescribed veterinary procedures as a part of the student's educational
17 experience if both of the following apply:

18 (a) The acts are assigned by a licensed veterinarian or a licensed
19 veterinary faculty member who is responsible for the animal's care.

20 (b) The student works under the direct supervision of a licensed
21 veterinarian or a licensed veterinary faculty member.

22 5. A RABIES VACCINATOR WHO IS CERTIFIED PURSUANT TO SECTION
23 32-2240.02.

24 C. Notwithstanding subsection B, paragraph 3 of this section, only
25 a licensed veterinarian and not an equine dental practitioner may
26 prescribe or administer, or both prescribe and administer, any drug or
27 medicine.

28 D. For the purposes of this section:

29 1. "Direct supervision" means a licensed veterinarian must
30 authorize and be physically present for the procedure.

31 2. "General supervision" means a licensed veterinarian must be
32 available for consultation by telephone or other form of immediate
33 communication.

34 Sec. 6. Title 32, chapter 21, article 3, Arizona Revised Statutes,
35 is amended by adding section 32-2240.02, to read:

36 32-2240.02. Certified rabies vaccinators; training; renewal

37 A. A LICENSED VETERINARIAN MAY APPOINT A PERSON WHO IS NOT A
38 VETERINARIAN LICENSED PURSUANT TO SECTION 32-2212 AS A CERTIFIED RABIES
39 VACCINATOR TO PARTICIPATE IN COUNTY RABIES CONTROL PROGRAMS IN WHICH A
40 LICENSED VETERINARIAN IS NOT AVAILABLE.

41 B. THE STATE VETERINARIAN SHALL PROVIDE IN-PERSON TRAINING TO EACH
42 PERSON APPOINTED TO ADMINISTER RABIES VACCINES PURSUANT TO SUBSECTION A OF
43 THIS SECTION. ON SATISFACTORY COMPLETION OF THIS TRAINING, THE LICENSED
44 VETERINARIAN WHO MADE THE APPOINTMENT SHALL CERTIFY IN WRITING THAT THE

1 PERSON HAS DEMONSTRATED THE KNOWLEDGE AND SKILLS ACCEPTABLE TO ADMINISTER
2 RABIES VACCINES.

3 C. INITIAL CERTIFICATION OF RABIES VACCINATORS UNDER THIS SECTION
4 IS VALID FOR ONE YEAR. SUBSEQUENT CERTIFICATIONS UNDER THIS SECTION ARE
5 VALID FOR TWO YEARS AND MUST BE RENEWED AS PRESCRIBED BY THE STATE
6 VETERINARIAN PURSUANT TO SECTION 11-1002.

7 Sec. 7. Section 32-2271, Arizona Revised Statutes, is amended to
8 read:

9 32-2271. License required; premises; inspections; exemption

10 A. A person shall not provide veterinary services, including
11 diagnosis, treatment, dentistry, surgery or dispensing prescription-only
12 veterinary drugs, to the public without a license issued by the board.

13 B. A premises license shall be for a fixed location where a
14 veterinarian retains the records of a veterinary practice, stores
15 veterinary equipment or offers veterinary services to the public. A
16 responsible veterinarian who holds a premises license may provide
17 veterinary services to the public at the licensed fixed location and any
18 temporary site in this state at which adequate equipment and sanitation
19 are available considering the type of veterinary medical services
20 provided. A veterinarian shall obtain a separate premises license for
21 each fixed location at which veterinary services are regularly offered to
22 the public. The responsible veterinarian may authorize other licensed
23 veterinarians to provide services to the public pursuant to the
24 responsible veterinarian's veterinary premises license. Both the
25 responsible veterinarian and the veterinarian who provides the veterinary
26 services shall maintain records of the veterinary services provided and
27 ensure that adequate equipment and sanitation are available.

28 C. The board shall inspect all fixed locations before issuing a
29 premises license. Adequate equipment and sanitation shall be available
30 for use at any location which is necessary to provide the range of
31 veterinary services which the veterinarian proposes to offer.

32 D. The board may inspect any site at which a veterinarian offers
33 veterinary services to the public.

34 E. This section does not apply to ~~county-sponsored~~ county-sponsored
35 rabies vaccination clinics, ~~veterinarians~~ PERSONS WHO ARE exempt under
36 section 32-2211 and veterinarians licensed under section 32-2217.