

REFERENCE TITLE: veterinarian board; complaints; records; specialists

State of Arizona  
Senate  
Fifty-sixth Legislature  
Second Regular Session  
2024

# **SB 1201**

Introduced by  
Senator Kavanagh: Representative Shah

AN ACT

AMENDING SECTIONS 32-2202 AND 32-2235, ARIZONA REVISED STATUTES; RELATING TO VETERINARIANS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 32-2202, Arizona Revised Statutes, is amended to  
3 read:

4 32-2202. Board; members; appointment; terms; qualifications;  
5 officers; compensation

6 A. ~~There shall be an~~ THE Arizona state veterinary medical examining  
7 board IS ESTABLISHED consisting of nine members WHO ARE appointed by the  
8 governor pursuant to section 38-211.

9 B. Each member shall serve for a term of four years. A member  
10 shall not serve more than two full terms. After notice and a hearing  
11 before the governor, a member of the board may be removed on a finding by  
12 the governor of continued neglect of duty, incompetence or unprofessional  
13 or dishonorable conduct. The term of any member automatically ends on THE  
14 MEMBER'S written resignation submitted to the board or to the governor.

15 C. Five members shall be licensed veterinarians who have an  
16 established practice location in this state or are employed by a  
17 university or a political subdivision of ~~the~~ THIS state and who have  
18 resided and practiced in ~~the~~ THIS state for at least five years  
19 immediately preceding appointment, ~~no~~ NOT more than three of whom shall be  
20 from the same veterinary college. ~~Three~~ FOUR members shall not be  
21 veterinarians, ~~two~~ THREE representing the general public and one  
22 representing the livestock industry. ~~One member shall be a certified~~  
23 ~~veterinary technician who has held the designation for at least five~~  
24 ~~years, is currently employed in the veterinary field in this state and has~~  
25 ~~practiced and resided in this state for at least five years immediately~~  
26 ~~preceding appointment.~~ Except as provided in subsection F of this  
27 section, a person who has been convicted of a violation of any provision  
28 of this chapter is ineligible for appointment.

29 D. The board shall elect a ~~chairman~~ CHAIRPERSON and ~~such~~ other  
30 officers as it deems necessary. The term of each officer shall be one  
31 year ending June 30, ~~or~~ until the officer's successor is elected and  
32 qualifies.

33 E. Each member of the board shall receive compensation at a rate OF  
34 not ~~exceeding one hundred dollars~~ MORE THAN \$100 for each day engaged in  
35 the service of the board.

36 F. The governor may appoint a person to the board who has  
37 previously been sanctioned pursuant to section 32-2233, subsection B.

38 Sec. 2. Section 32-2235, Arizona Revised Statutes, is amended to  
39 read:

40 32-2235. Complaints; consultant lists

41 A. Any person may file a complaint against a licensee for a  
42 violation of this chapter. Except as provided in subsection C OF THIS  
43 SECTION, complaints shall be submitted in proper form and signed by the  
44 complainant. Each complaint shall be turned over to an appointed staff  
45 investigator who shall compile the written complaint and the written

1 response and may verify statements and any evidence submitted by the  
2 complainant and the respondent.

3 B. If after completion of this preliminary investigation the staff  
4 investigator believes that there would not be a violation of this chapter  
5 if the allegations were proven to be true or if the complaint does not  
6 fall under the jurisdiction of the board, the board shall review the  
7 written information and investigative report at a scheduled board meeting,  
8 at which time the board may dismiss the complaint or proceed as otherwise  
9 authorized.

10 C. A complaint may be anonymous if it is regarding either of the  
11 following:

12 1. Substance abuse by a veterinarian or certified veterinary  
13 technician.

14 2. A person committing the unlicensed practice of veterinary  
15 medicine.

16 D. The board **AND INVESTIGATIVE COMMITTEE**, on ~~its~~ **THEIR** own  
17 initiative and based on information from any source, may investigate any  
18 alleged violation of this chapter.

19 E. EXCEPT AS PROVIDED IN SUBSECTION F OF THIS SECTION, FOR A  
20 COMPLAINT IN WHICH THE DISCIPLINE IS NOT REPRESENTED ON THE BOARD, THE  
21 BOARD SHALL COMPILE A LIST OF SPECIALISTS AND A LIST OF CERTIFIED  
22 VETERINARY TECHNICIANS TO VOLUNTARILY ADVISE THE BOARD PURSUANT TO THIS  
23 SECTION. IF A COMPLAINT IS AGAINST:

24 1. A SPECIALIST FOR THE TREATMENT OF AN ANIMAL, THE BOARD SHALL  
25 REQUEST CONSULTATION FROM A SPECIALIST ON THE LIST FOR THE CONSIDERATION  
26 OF THE MATTER OF THE COMPLAINT. THE CONSULTING SPECIALIST SHALL HAVE THE  
27 SAME DISCIPLINE AS THE SPECIALIST THAT IS THE SUBJECT OF THE COMPLAINT, IF  
28 AVAILABLE.

29 2. A CERTIFIED VETERINARY TECHNICIAN, THE BOARD SHALL REQUEST  
30 CONSULTATION FROM A CERTIFIED VETERINARY TECHNICIAN ON THE LIST FOR THE  
31 CONSIDERATION OF THE MATTER OF THE COMPLAINT, IF AVAILABLE.

32 F. SUBSECTION E OF THIS SECTION DOES NOT APPLY IF IT WOULD  
33 UNREASONABLY DELAY A BOARD OR INVESTIGATIVE COMMITTEE ACTION.

34 G. THE SPECIALIST OR CERTIFIED VETERINARY TECHNICIAN, AS  
35 APPLICABLE, WHO ADVISES THE BOARD PURSUANT TO SUBSECTION E OF THIS SECTION  
36 SHALL:

37 1. APPEAR EITHER IN PERSON OR ELECTRONICALLY AT AN INVESTIGATIVE  
38 HEARING OR A MEETING BEFORE THE BOARD ON THE MATTER OF THE COMPLAINT.

39 2. SUBMIT A FORMAL RECOMMENDATION ON THE MATTER OF THE COMPLAINT TO  
40 THE BOARD.

41 H. THE BOARD SHALL NOTIFY A COMPLAINANT IN ITS INITIAL CONTACT WITH  
42 THE COMPLAINANT THAT DURING AN INVESTIGATIVE HEARING OR MEETING BEFORE THE  
43 BOARD THE VETERINARIAN MAY BE REPRESENTED BY AN ATTORNEY AND THE  
44 COMPLAINANT MAY BRING AN ATTORNEY TO THE HEARING OR MEETING.

1 I. THE BOARD SHALL RELEASE TO THE OWNER OF AN ANIMAL ALL OF THE  
2 ANIMAL'S MEDICAL RECORDS THAT THE BOARD RECEIVES FROM THE PERSON WHO IS  
3 THE SUBJECT OF THE COMPLAINT.

4 Sec. 3. Retention of members

5 Notwithstanding section 32-2202, Arizona Revised Statutes, as  
6 amended by this act, all persons serving as members of the Arizona state  
7 veterinary medical examining board on the effective date of this act may  
8 continue to serve until the expiration of their normal terms. The  
9 governor shall make all subsequent appointments as prescribed by statute.