

Senate Engrossed

veterinarian board; complaints; records; specialists

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

SENATE BILL 1201

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 members shall not be
21 veterinarians, two representing the general public and one representing
22 the livestock industry. One member shall be a certified veterinary
23 technician who has held the designation for at least five years, is
24 currently employed in the veterinary field in this state and has practiced
25 and resided in this state for at least five years immediately preceding
26 appointment. Except as provided in subsection F of this section, a person
27 who has been convicted of a violation of any provision of this chapter is
28 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~~ 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; definition

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, on its own initiative and based on information from
17 any source, may investigate any alleged violation of this chapter.

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

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

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

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

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

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

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

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

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

4 J. FOR THE PURPOSES OF THIS SECTION, "DOMESTIC ANIMAL" MEANS A
5 MAMMAL, BIRD, REPTILE OR AMPHIBIAN THAT IS NOT REGULATED BY TITLE 3 AND
6 THAT IS KEPT PRIMARILY AS A PET OR COMPANION OR THAT IS BRED TO BE A PET
7 OR COMPANION.

8 Sec. 3. Retention of members

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