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HOUSE BILL 88

52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015

INTRODUCED BY

Candy Spence Ezzell

AN ACT

RELATING TO LICENSURE; AMENDING SECTIONS OF THE VETERINARY PRACTICE ACT TO PROVIDE THE BOARD OF VETERINARY MEDICINE WITH OVERSIGHT OF VETERINARIANS EMPLOYED BY LOCAL GOVERNMENTS AND TO ALLOW THE BOARD TO COLLECT ADMINISTRATIVE FEES IN DISCIPLINARY ACTIONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 61-14-14 NMSA 1978 (being Laws 1967, Chapter 62, Section 10, as amended) is amended to read:

"61-14-14. EXEMPTIONS.--Provisions of the Veterinary Practice Act do not apply to:

A. employees of federal or state [~~or local~~] governments performing official duties;

B. regular students in a veterinary school performing duties or actions assigned by an instructor or

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1 working under direct supervision of a licensed veterinarian
2 during a school vacation period;

3 C. reciprocal aid of neighbors in performing
4 routine accepted livestock management practices;

5 D. ~~any~~ a veterinarian licensed in ~~any~~ a foreign
6 jurisdiction consulting with a licensed veterinarian;

7 E. ~~any~~ a merchant or manufacturer selling at
8 ~~his~~ the merchant's or manufacturer's regular place of
9 business any medicine, feed, appliance or other product used in
10 the prevention or treatment of animal disease;

11 F. the owner of an animal ~~his~~ and the owner's
12 consignees and their employees while performing routine
13 accepted livestock management practices in the care of animals
14 belonging to the owner;

15 G. a member of the faculty of a veterinary school
16 performing ~~his~~ the member's regular functions or a person
17 lecturing or giving instruction or demonstration at a
18 veterinary school or in connection with a continuing education
19 course or seminar for licensed veterinarians, veterinary
20 technicians or persons holding or training for valid permits
21 for artificial insemination or diagnosing pregnancy;

22 H. a person selling or applying any pesticide,
23 insecticide or herbicide; or

24 I. a person engaging in bona fide scientific
25 research that reasonably requires experimentation involving

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1 animals."

2 SECTION 2. Section 61-14-18 NMSA 1978 (being Laws 1967,
3 Chapter 62, Section 13, as amended) is amended to read:

4 "61-14-18. PRACTICING WITHOUT LICENSE--PENALTY.--

5 A. It is a misdemeanor for ~~[any]~~ a person to
6 practice veterinary medicine without complying with the
7 provisions of the Veterinary Practice Act and without being the
8 holder of a license entitling ~~[him]~~ the person to practice
9 veterinary medicine in New Mexico.

10 B. If the board finds that a person or entity has
11 practiced veterinary medicine without a license, the board may:

12 (1) impose a fine not to exceed five thousand
13 dollars (\$5,000);

14 (2) assess the person or entity for
15 administrative costs, including investigative costs and the
16 cost of conducting a hearing; and

17 (3) impose any other sanction as provided
18 pursuant to board rules."