S T A T E O F N E W Y O R K

7903--A

2011-2012 Regular Sessions

I N A S S E M B L Y

May 20, 2011

Introduced by M. of A. ROSENTHAL -- read once and referred to the Committee on Higher Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to the provision of certain supportive services to veterinarians by unlicensed persons working at animal shelters; and providing for the repeal of such provisions upon expiration thereof

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision 1 of section 6713 of the education law, as added by chapter 580 of the laws of 1987 and as designated by chapter 542 of the laws of 1995, is amended to read as follows:

1. A. An unlicensed person may provide supportive services to a veterinarian, including but not limited to administering oral or topical medications, incidental to and/or concurrent with such veterinarian personally performing a service or procedure, provided such supportive services do not require a knowledge of veterinary science.

B. AN UNLICENSED PERSON MAY PROVIDE SUPPORTIVE SERVICES, INCLUDING PERFORMING DIAGNOSTIC TESTS, COLLECTING SAMPLES FOR TESTING AND ADMINISTERING INJECTIONS AND TREATMENTS PRESCRIBED OR PROVIDED IN A WRITTEN PROTOCOL BY A LICENSED VETERINARIAN, WHERE (I) SUCH SERVICES ARE PROVIDED UNDER THE GENERAL SUPERVISION OF A LICENSED VETERINARIAN FOR ANIMALS IN THE CUSTODY OF A MUNICIPAL OR NOT-FOR-PROFIT POUND, SHELTER, DULY INCORPORATED SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS, HUMANE SOCIETY OR DOG OR CAT PROTECTIVE ASSOCIATION; (II) SUCH PERSON IS A HIGH SCHOOL GRADUATE WHO HAS RECEIVED TRAINING FROM SUCH POUND, SHELTER, SOCIETY OR ASSOCIATION; (III) SUCH PERSON HAS DEMONSTRATED COMPETENCY AS DETERMINED BY A LICENSED VETERINARIAN TO PROVIDE THE SUPPORTIVE SERVICES; AND (IV) AFTER MAKING REASONABLE EFFORTS TO LOCATE THIS INFORMATION, SUCH POUND, SHELTER, SOCIETY OR ASSOCIATION HAS NOT DETERMINED THAT SUCH PERSON HAS BEEN CONVICTED OF VIOLATING ANY STATUTE, STATE OR

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD11713-02-1

LOCAL REGULATION, OR LOCAL ORDINANCE, THE PRIMARY PURPOSE OF WHICH IS THE PREVENTION OR PUNISHMENT OF ANIMAL NEGLECT, ANIMAL CRUELTY, OR ANIMAL FIGHTING, OR THAT THERE ARE CHARGES OF ANY SUCH VIOLATION PENDING AGAINST SUCH PERSON IN A COURT OF LAW. NOTHING IN THIS SECTION SHALL BE CONSTRUED TO AFFECT ANY REQUIREMENTS RELATED TO EUTHANASIA AS SET FORTH IN ARTICLE TWENTY-SIX OF THE AGRICULTURE AND MARKETS LAW.

S 2. This act shall take effect immediately and shall expire July 1, 2016 when upon such date the provisions of this act shall be deemed repealed.