

6990--B

2015-2016 Regular Sessions

I N A S S E M B L Y

April 16, 2015

Introduced by M. of A. GLICK, DINOWITZ, RODRIGUEZ, WEPRIN, FAHY, STECK, SCHIMEL, TITONE, BUCHWALD, CAHILL -- Multi-Sponsored by -- M. of A. LUPARDO, McLAUGHLIN, SEAWRIGHT, SIMON -- read once and referred to the Committee on Higher Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported and referred to the Committee on Codes -- reported and referred to the Committee on Rules -- Rules Committee discharged, bill amended, ordered reprinted as amended and recommitted to the Committee on Rules

AN ACT to amend the education law, in relation to enacting the "veterinary emergency response and mobility act of 2015"

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

1 Section 1. This act shall be known and may be cited as the "veterinary
2 emergency response and mobility act of 2015".
3 S 2. Section 6705 of the education law is amended by adding two new
4 subdivisions 14 and 15 to read as follows:
5 14. A VETERINARIAN WHO IS LICENSED IN ANOTHER STATE, AND WHO IS IN
6 GOOD STANDING IN SUCH STATE, PROVIDING SERVICES DIRECTLY IN CONNECTION
7 WITH AN INVESTIGATION BY LAW ENFORCEMENT OF AN ALLEGED VIOLATION OF
8 FEDERAL OR STATE ANIMAL FIGHTING OR ANIMAL CRUELTY LAWS, WITHIN THE
9 SCOPE OF THE INVESTIGATION AND/OR ANY RELATED JUDICIAL PROCEEDINGS,
10 SUBJECT TO THE FOLLOWING REQUIREMENTS: (A) AN OFFICIAL INVITATION HAS
11 BEEN EXTENDED TO THE VETERINARIAN FOR A SPECIFIED PERIOD OF TIME BY THE
12 LAW ENFORCEMENT AUTHORITY WITH JURISDICTION OVER THE INVESTIGATION; AND
13 (B) SUCH LAW ENFORCEMENT AUTHORITY DETERMINES THAT THE VETERINARIAN
14 POSSESSES SKILLS, TRAINING, OR EXPERIENCE NECESSARY AND RELEVANT TO SUCH
15 INVESTIGATION OF ALLEGED INCIDENTS OF ANIMAL FIGHTING OR ANIMAL CRUELTY.
16 SUCH EXEMPTION SHALL NOT EXTEND BEYOND THE TIME PERIOD SPECIFIED BY THE
17 LAW ENFORCEMENT AUTHORITY WITH JURISDICTION OVER SUCH INVESTIGATION. THE
18 LAW ENFORCEMENT AUTHORITY SHALL NOTIFY THE STATE VETERINARIAN OF ANY

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

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1 INVESTIGATION CONDUCTED PURSUANT TO THIS SUBDIVISION FOR THE PURPOSES OF
2 FACILITATING APPROPRIATE ANIMAL DISEASE CONTROL MEASURES, IF NECESSARY,
3 PURSUANT TO ARTICLES FIVE AND TWENTY-SIX OF THE AGRICULTURE AND MARKETS
4 LAW. ANY PERSON PRACTICING AS A VETERINARIAN IN NEW YORK STATE PURSUANT
5 TO THIS SUBDIVISION SHALL BE SUBJECT TO THE PERSONAL AND SUBJECT MATTER
6 JURISDICTION AND DISCIPLINARY AND REGULATORY AUTHORITY OF THE BOARD OF
7 REGENTS AS IF HE OR SHE IS A LICENSEE AND AS IF THE EXEMPTION PURSUANT
8 TO THIS SUBDIVISION IS A LICENSE. SUCH INDIVIDUAL SHALL COMPLY WITH
9 APPLICABLE PROVISIONS OF THE RULES OF THE BOARD OF REGENTS, AND THE
10 REGULATIONS OF THE COMMISSIONER, RELATING TO PROFESSIONAL MISCONDUCT,
11 DISCIPLINARY PROCEEDINGS AND PENALTIES FOR PROFESSIONAL MISCONDUCT.

12 15. A VETERINARIAN WHO IS LICENSED IN ANOTHER STATE, AND WHO IS IN
13 GOOD STANDING IN SUCH STATE, PROVIDING SERVICES DURING AN EMERGENCY OR
14 NATURAL DISASTER WITHIN THE SCOPE AND LOCATION OF ASSIGNED VETERINARY
15 MEDICAL DUTIES OF THE RESPONSE EFFORTS IF: (A) AN OFFICIAL DECLARATION
16 OF THE DISASTER OR EMERGENCY HAS BEEN MADE BY THE GOVERNOR OR THE DELEG-
17 ATED STATE OFFICIAL; AND (B) AN OFFICIAL INVITATION HAS BEEN EXTENDED TO
18 THE VETERINARIAN FOR A SPECIFIED TIME BY THE AUTHORITY THAT HAS JURIS-
19 DICTION FOR COORDINATING THE ANIMAL/AGRICULTURAL ISSUES IN THE STATE
20 DURING EMERGENCIES EITHER WITHIN OR OUTSIDE THE EMERGENCY MANAGEMENT
21 ASSISTANCE COMPACT (EMAC). ANY PERSON PRACTICING AS A VETERINARIAN IN
22 NEW YORK STATE PURSUANT TO THIS SUBDIVISION SHALL BE SUBJECT TO THE
23 PERSONAL AND SUBJECT MATTER JURISDICTION AND DISCIPLINARY AND REGULATORY
24 AUTHORITY OF THE BOARD OF REGENTS AS IF HE OR SHE IS A LICENSEE AND AS
25 IF THE EXEMPTION PURSUANT TO THIS SUBDIVISION IS A LICENSE. SUCH INDI-
26 VIDUAL SHALL COMPLY WITH APPLICABLE PROVISIONS OF THE RULES OF THE BOARD
27 OF REGENTS, AND THE REGULATIONS OF THE COMMISSIONER, RELATING TO PROFES-
28 SIONAL MISCONDUCT, DISCIPLINARY PROCEEDINGS AND PENALTIES FOR PROFES-
29 SIONAL MISCONDUCT.

30 S 3. Subdivision 3 of section 6712 of the education law, as amended by
31 chapter 333 of the laws of 1990, is amended and two new subdivisions 4
32 and 5 are added to read as follows:

33 3. Any student engaging in clinical practice under the supervision of
34 a licensed veterinarian in pursuance of an approved program for the
35 training of veterinary technology[.];

36 4. A TECHNICIAN WHO IS LICENSED IN ANOTHER STATE, AND WHO IS IN GOOD
37 STANDING IN SUCH STATE, PROVIDING VETERINARY TECHNOLOGY SERVICES OTHER-
38 WISE PERMISSIBLE PURSUANT TO THIS ARTICLE DIRECTLY IN CONNECTION WITH AN
39 INVESTIGATION BY LAW ENFORCEMENT OF AN ALLEGED VIOLATION OF FEDERAL OR
40 STATE ANIMAL FIGHTING OR ANIMAL CRUELTY LAWS, WITHIN THE SCOPE OF THE
41 INVESTIGATION AND/OR ANY RELATED JUDICIAL PROCEEDINGS, SUBJECT TO THE
42 FOLLOWING REQUIREMENTS: (A) AN OFFICIAL INVITATION HAS BEEN EXTENDED TO
43 THE TECHNICIAN FOR A SPECIFIED PERIOD OF TIME BY THE LAW ENFORCEMENT
44 AUTHORITY WITH JURISDICTION OVER THE INVESTIGATION; AND (B) SUCH LAW
45 ENFORCEMENT AUTHORITY DETERMINES THAT THE TECHNICIAN POSSESSES SKILLS,
46 TRAINING, OR EXPERIENCE NECESSARY AND RELEVANT TO SUCH INVESTIGATION OF
47 ALLEGED INCIDENTS OF ANIMAL FIGHTING OR ANIMAL CRUELTY. SUCH EXEMPTION
48 SHALL NOT EXTEND BEYOND THE TIME PERIOD SPECIFIED BY THE LAW ENFORCEMENT
49 AUTHORITY WITH JURISDICTION OVER SUCH INVESTIGATION. THE LAW ENFORCEMENT
50 AUTHORITY SHALL NOTIFY THE STATE VETERINARIAN OF ANY INVESTIGATION
51 CONDUCTED PURSUANT TO THIS SECTION FOR THE PURPOSES OF FACILITATING
52 APPROPRIATE ANIMAL DISEASE CONTROL MEASURES, IF NECESSARY, PURSUANT TO
53 ARTICLES FIVE AND TWENTY-SIX OF THE AGRICULTURE AND MARKETS LAW. ANY
54 PERSON PRACTICING AS A VETERINARY TECHNICIAN IN NEW YORK STATE PURSUANT
55 TO THIS SUBDIVISION SHALL BE SUBJECT TO THE PERSONAL AND SUBJECT MATTER
56 JURISDICTION AND DISCIPLINARY AND REGULATORY AUTHORITY OF THE BOARD OF

1 REGENTS AS IF HE OR SHE IS A LICENSEE AND AS IF THE EXEMPTION PURSUANT
2 TO THIS SUBDIVISION IS A LICENSE. SUCH INDIVIDUAL SHALL COMPLY WITH
3 APPLICABLE PROVISIONS OF THE RULES OF THE BOARD OF REGENTS, AND THE
4 REGULATIONS OF THE COMMISSIONER, RELATING TO PROFESSIONAL MISCONDUCT,
5 DISCIPLINARY PROCEEDINGS AND PENALTIES FOR PROFESSIONAL MISCONDUCT.

6 5. A TECHNICIAN WHO IS LICENSED IN ANOTHER STATE, AND WHO IS IN GOOD
7 STANDING IN SUCH STATE, PROVIDING VETERINARY TECHNOLOGY SERVICES OTHER-
8 WISE PERMISSIBLE PURSUANT TO THIS ARTICLE DURING AN EMERGENCY OR NATURAL
9 DISASTER WITHIN THE SCOPE AND LOCATION OF ASSIGNED VETERINARY TECHNICIAN
10 DUTIES OF THE RESPONSE EFFORTS IF: (A) AN OFFICIAL DECLARATION OF THE
11 DISASTER OR EMERGENCY HAS BEEN MADE BY THE GOVERNOR OR THE DELEGATED
12 STATE OFFICIAL; AND (B) AN OFFICIAL INVITATION HAS BEEN EXTENDED TO THE
13 TECHNICIAN FOR A SPECIFIED TIME BY THE AUTHORITY THAT HAS JURISDICTION
14 FOR COORDINATING THE ANIMAL/AGRICULTURAL ISSUES IN THE STATE DURING
15 EMERGENCIES EITHER WITHIN OR OUTSIDE THE EMERGENCY MANAGEMENT ASSISTANCE
16 COMPACT (EMAC). ANY PERSON PRACTICING AS A VETERINARY TECHNICIAN IN NEW
17 YORK STATE PURSUANT TO THIS SUBDIVISION SHALL BE SUBJECT TO THE PERSONAL
18 AND SUBJECT MATTER JURISDICTION AND DISCIPLINARY AND REGULATORY AUTHORI-
19 TY OF THE BOARD OF REGENTS AS IF HE OR SHE IS A LICENSEE AND AS IF THE
20 EXEMPTION PURSUANT TO THIS SUBDIVISION IS A LICENSE. SUCH INDIVIDUAL
21 SHALL COMPLY WITH APPLICABLE PROVISIONS OF THE RULES OF THE BOARD OF
22 REGENTS, AND THE REGULATIONS OF THE COMMISSIONER, RELATING TO PROFES-
23 SIONAL MISCONDUCT, DISCIPLINARY PROCEEDINGS AND PENALTIES FOR PROFES-
24 SIONAL MISCONDUCT.

25 S 4. This act shall take effect immediately.