

UT
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Practice Act

West's Utah Code Annotated

Title 58. Occupations and Professions

Chapter 28. Veterinary Practice Act (Refs & Annos)

Part 3. Licensing

U.C.A. 1953 § 58-28-307

§ 58-28-307. Exemptions from chapter

Currentness

In addition to the exemptions from licensure in Section 58-1-307 this chapter does not apply to:

(1) any person who practices veterinary medicine, surgery, or dentistry upon any animal owned by him, and the employee of that person when the practice is upon an animal owned by his employer, and incidental to his employment, except:

(a) this exemption does not apply to any person, or his employee, when the ownership of an animal was acquired for the purpose of circumventing this chapter; and

(b) this exemption does not apply to the administration, dispensing, or prescribing of a prescription drug, or nonprescription drug intended for off label use, unless the administration, dispensing, or prescribing of the drug is obtained through an existing veterinarian-patient relationship;

(2) any person who as a student at a veterinary college approved by the board engages in the practice of veterinary medicine, surgery, and dentistry as part of his academic training and under the direct supervision and control of a licensed veterinarian, if that practice is during the last two years of the college course of instruction and does not exceed an 18-month duration;

(3) a veterinarian who is an officer or employee of the government of the United States, or the state, or its political subdivisions, and technicians under his supervision, while engaged in the practice of veterinary medicine, surgery, or dentistry for that government;

(4) any person while engaged in the vaccination of poultry, pullorum testing, typhoid testing of poultry, and related poultry disease control activity;

(5) any person who is engaged in bona fide and legitimate medical, dental, pharmaceutical, or other scientific research, if that practice of veterinary medicine, surgery, or dentistry is directly related to, and a necessary part of, that research;

(6) veterinarians licensed under the laws of another state rendering professional services in association with licensed veterinarians of this state for a period not to exceed 90 days;

(7) registered pharmacists of this state engaged in the sale of veterinary supplies, instruments, and medicines, if the sale is at his regular place of business;

(8) any person in this state engaged in the sale of veterinary supplies, instruments, and medicines, except prescription drugs which must be sold in compliance with state and federal regulations, if the supplies, instruments, and medicines are sold in original packages bearing adequate identification and directions for application and administration and the sale is made in the regular course of, and at the regular place of business;

(9) any person rendering emergency first aid to animals in those areas where a licensed veterinarian is not available, and if suspicious reportable diseases are reported immediately to the state veterinarian;

(10) any person performing or teaching nonsurgical bovine artificial insemination;

(11) any person affiliated with an institution of higher education who teaches nonsurgical bovine embryo transfer or any technician trained by or approved by an institution of higher education who performs nonsurgical bovine embryo transfer, but only if any prescription drug used in the procedure is prescribed and administered under the direction of a veterinarian licensed to practice in Utah;

(12)(a) upon written referral by a licensed veterinarian, the practice of animal chiropractic by a chiropractic physician licensed under Chapter 73, Chiropractic Physician Practice Act, who has completed an animal chiropractic course approved by the American Veterinary Chiropractic Association or the division;

(b) upon written referral by a licensed veterinarian, the practice of animal physical therapy by a physical therapist licensed under Chapter 24b, Physical Therapy Practice Act, who has completed at least 100 hours of animal physical therapy training, including quadruped anatomy and hands-on training, approved by the division;

(c) upon written referral by a licensed veterinarian, the practice of animal massage therapy by a massage therapist licensed under Chapter 47b, Massage Therapy Practice Act, who has completed at least 60 hours of animal massage therapy training, including quadruped anatomy and hands-on training, approved by the division; and

(d) upon written referral by a licensed veterinarian, the practice of acupuncture by an acupuncturist licensed under Chapter

72, Acupuncture Licensing Act, who has completed a course of study on animal acupuncture approved by the division;

(13) unlicensed assistive personnel performing duties appropriately delegated to the unlicensed assistive personnel in accordance with Section 58-28-502;

(14) an animal shelter employee who is:

(a)(i) acting under the indirect supervision of a licensed veterinarian; and

(ii) performing animal euthanasia in the course and scope of employment; and

(b) acting under the indirect supervision of a veterinarian who is under contract with the animal shelter, administering a rabies vaccine to a shelter animal in accordance with the Compendium of Animal Rabies Prevention and Control; and

(15) an individual providing appropriate training for animals; however, this exception does not include diagnosing any medical condition, or prescribing or dispensing any prescription drugs or therapeutics.

Credits

Laws 2006, c. 109, § 11, eff. May 1, 2006; Laws 2009, c. 220, § 21, eff. July 1, 2009; Laws 2013, c. 278, § 36, eff. May 14, 2013; Laws 2014, c. 191, § 2, eff. May 13, 2014.

Editors' Notes

CROSS REFERENCES

Animal physical **therapy**, see § 58-24b-405.
Practice of massage **therapy**, definitions, see § 58-47b-102.

U.C.A. 1953 § 58-28-307, UT ST § 58-28-307
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West's Utah Code Annotated

Title 58. Occupations and Professions

Chapter 28. Veterinary Practice Act (Refs & Annos)

Part 1. General Provisions

U.C.A. 1953 § 58-28-102

§ 58-28-102. Definitions

Currentness

In addition to the definitions in Section 58-1-102, as used in this chapter:

- (1) "Abandonment" means to forsake entirely or to refuse to provide care and support for an animal placed in the custody of a licensed veterinarian.
- (2) "Administer" means:
 - (a) the direct application by a person of a prescription drug or device by injection, inhalation, ingestion, or by any other means, to the body of an animal that is a patient or is a research subject; or
 - (b) a veterinarian providing to the owner or caretaker of an animal a prescription drug for application by injection, inhalation, ingestion, or any other means to the body of the animal by the owner or caretaker in accordance with the veterinarian's written directions.
- (3) "Animal" means any animal other than a human.
- (4) "AVMA" means American Veterinary Medical Association.
- (5) "Board" means the Veterinary Board established in Section 58-28-201.
- (6) "Client" means the patient's owner, the owner's agent, or other person responsible for the patient.

(7) "Direct supervision" means a veterinarian licensed under this chapter is present and available for face-to-face contact with the patient and person being supervised, at the time the patient is receiving veterinary care.

(8) "Extra-label use" means actual use or intended use of a drug in an animal in a manner that is not in accordance with approved labeling.

(9) "Immediate supervision" means the veterinarian licensed under this chapter is present with the individual being supervised, while the individual is performing the delegated tasks.

(10) "Indirect supervision" means a veterinarian licensed under this chapter:

(a) has given either written or verbal instructions for veterinary care of a patient to the person being supervised; and

(b) is available to the person being supervised by telephone or other electronic means of communication during the period of time in which the veterinary care is given to the patient.

(11) "Practice of veterinary medicine, surgery, and dentistry" means to:

(a) diagnose, prognose, or treat any disease, defect, deformity, wound, injury, or physical condition of any animal;

(b) administer, prescribe or dispense any drug, medicine, treatment, method, or practice, perform any operation or manipulation, apply any apparatus or appliance for the cure, relief, or correction of any animal disease, deformity, defect, wound, or injury, or otherwise practice any veterinary medicine, dentistry, or surgery on any animal;

(c) represent by verbal or written claim, sign, word, title, letterhead, card, or any other manner that one is a licensed veterinarian or qualified to practice veterinary medicine, surgery, or dentistry;

(d) hold oneself out as able to practice veterinary medicine, surgery, or dentistry;

(e) solicit, sell, or furnish any parenterally administered animal disease cures, preventions, or treatments, with or without the necessary instruments for the administration of them, or any and all worm and other internal parasitic remedies, upon any agreement, express or implied, to administer these cures, preventions, treatments, or remedies; or

(f) assume or use the title or designation, “veterinary,” “veterinarian,” “animal doctor,” “animal surgeon,” or any other title, designation, words, letters, abbreviations, sign, card, or device tending to indicate that such person is qualified to practice veterinary medicine, surgery, or dentistry.

(12) “Unlawful conduct” is defined in Sections 58-1-501 and 58-28-501.

(13) “Unlicensed assistive personnel”:

(a) means any unlicensed person, regardless of title, to whom tasks are delegated by a veterinarian licensed under this chapter as permitted by administrative rule and in accordance with the standards of the profession; and

(b) includes:

(i) a veterinary assistant, if working under immediate supervision;

(ii) a veterinary technician who:

(A) has graduated from a program of veterinary technology accredited by the AVMA that is at least a two-year program; and

(B) who is working under direct supervision; and

(iii) a veterinary technologist who:

(A) has graduated from a four-year program of veterinary technology accredited by the AVMA; and

(B) is working under indirect supervision.

(14) “Unprofessional conduct” is as defined in Sections 58-1-501 and 58-28-502 and may be further defined by rule.

(15) "Veterinarian-client-patient relationship" means:

(a) a veterinarian licensed under this chapter has assumed responsibility for making clinical judgements regarding the health of an animal and the need for medical treatment of an animal, and the client has agreed to follow the veterinarian's instructions;

(b) the veterinarian has sufficient knowledge of the animal to initiate at least a general or preliminary diagnosis of the medical condition of the animal, including knowledge of the keeping and care of the animal as a result of recent personal examination of the animal or by medically appropriate visits to the premises where the animal is housed; and

(c) the veterinarian has arranged for emergency coverage for follow-up evaluation in the event of adverse reaction or the failure of the treatment regimen.

Credits

Laws 2006, c. 109, § 3, eff. May 1, 2006; Laws 2010, c. 189, § 1, eff. May 11, 2010.

U.C.A. 1953 § 58-28-102, UT ST § 58-28-102
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West's Utah Code Annotated

Title 58. Occupations and Professions

Chapter 24B. Physical Therapy Practice Act (Refs & Annos)

Part 1. General Provisions

U.C.A. 1953 § 58-24b-102

§ 58-24b-102. Definitions

Currentness

As used in this chapter:

- (1) "**Animal** physical therapy" means practicing physical therapy or physiotherapy on an **animal**.
- (2) "Board" means the Utah Physical Therapy Licensing Board, created in Section 58-24b-201.
- (3) "Consultation by telecommunication" means the provision of expert or professional advice by a physical therapist who is licensed outside of Utah to a licensed physical therapist or a health care provider by telecommunication or electronic communication.
- (4) "General supervision" means supervision and oversight of a person by a licensed physical therapist when the licensed physical therapist is immediately available in person, by telephone, or by electronic communication to assist the person.
- (5) "Licensed physical therapist" means a person licensed under this chapter to engage in the practice of physical therapy.
- (6) "Licensed physical therapist assistant" means a person licensed under this chapter to engage in the practice of physical therapy, subject to the provisions of Subsection 58-24b-401(2)(a).
- (7) "Licensing examination" means a nationally recognized physical therapy examination that is approved by the division, in consultation with the board.
- (8) "On-site supervision" means supervision and oversight of a person by a licensed physical therapist or a licensed physical therapist assistant when the licensed physical therapist or licensed physical therapist assistant is:

(a) continuously present at the facility where the person is providing services;

(b) immediately available to assist the person; and

(c) regularly involved in the services being provided by the person.

(9) "Physical impairment" means:

(a) a mechanical impairment;

(b) a physiological impairment;

(c) a developmental impairment;

(d) a functional limitation;

(e) a disability;

(f) a mobility impairment; or

(g) a bodily malfunction.

(10)(a) "Physical therapy" or "physiotherapy" means:

(i) examining, evaluating, and testing an individual who has a physical impairment or injury;

(ii) identifying or labeling a physical impairment or injury;

- (iii) formulating a therapeutic intervention plan for the treatment of a physical impairment, injury, or pain;
 - (iv) assessing the ongoing effects of therapeutic intervention for the treatment of a physical impairment or injury;
 - (v) treating or alleviating a physical impairment by designing, modifying, or implementing a therapeutic intervention;
 - (vi) reducing the risk of an injury or physical impairment;
 - (vii) providing instruction on the use of physical measures, activities, or devices for preventative and therapeutic purposes;
 - (viii) promoting and maintaining health and fitness;
 - (ix) the administration of a prescription drug pursuant to Section 58-24b-403;
 - (x) subject to Subsection 58-28-307(12)(b), engaging in the functions described in Subsections (10)(a)(i) through (ix) in relation to an **animal**, in accordance with the requirements of Section 58-24b-405; and
 - (xi) engaging in administration, consultation, education, and research relating to the practices described in this Subsection (10)(a).
- (b) "Physical therapy" or "physiotherapy" does not include:
- (i) diagnosing disease;
 - (ii) performing surgery;
 - (iii) performing acupuncture;

(iv) taking x-rays; or

(v) prescribing or dispensing a drug, as defined in Section 58-37-2.

(11) "Physical therapy aide" means a person who:

(a) is trained, on-the-job, by a licensed physical therapist; and

(b) provides routine assistance to a licensed physical therapist or licensed physical therapist assistant, while the licensed physical therapist or licensed physical therapist assistant practices physical therapy, within the scope of the licensed physical therapist's or licensed physical therapist assistant's license.

(12) "Recognized accreditation agency" means an accreditation agency that:

(a) grants accreditation, nationally, in the United States of America; and

(b) is approved by the division, in consultation with the board.

(13)(a) "Testing" means a standard method or technique used to gather data regarding a patient that is generally and nationally accepted by physical therapists for the practice of physical therapy.

(b) "Testing" includes measurement or evaluation of:

(i) muscle strength, force, endurance, or tone;

(ii) cardiovascular fitness;

(iii) physical work capacity;

(iv) joint motion, mobility, or stability;

(v) reflexes or autonomic reactions;

(vi) movement skill or accuracy;

(vii) sensation;

(viii) perception;

(ix) peripheral nerve integrity;

(x) locomotor skills, stability, and endurance;

(xi) the fit, function, and comfort of prosthetic, orthotic, or other assistive devices;

(xii) posture;

(xiii) body mechanics;

(xiv) limb length, circumference, and volume;

(xv) thoracic excursion and breathing patterns;

(xvi) activities of daily living related to physical movement and mobility;

(xvii) functioning in the physical environment at home or work, as it relates to physical movement and mobility; and

(xviii) neural muscular responses.

(14)(a) "Trigger point dry needling" means the stimulation of a trigger point using a dry needle to treat neuromuscular pain and functional movement deficits.

(b) "Trigger point dry needling" does not include the stimulation of auricular or distal points.

(15) "Therapeutic intervention" includes:

(a) therapeutic exercise, with or without the use of a device;

(b) functional training in self-care, as it relates to physical movement and mobility;

(c) community or work integration, as it relates to physical movement and mobility;

(d) manual therapy, including:

(i) soft tissue mobilization;

(ii) therapeutic massage; or

(iii) joint mobilization, as defined by the division, by rule;

(e) prescribing, applying, or fabricating an assistive, adaptive, orthotic, prosthetic, protective, or supportive device;

(f) airway clearance techniques, including postural drainage;

(g) integumentary protection and repair techniques;

(h) wound debridement, cleansing, and dressing;

(i) the application of a physical agent, including:

(i) light;

(ii) heat;

(iii) cold;

(iv) water;

(v) air;

(vi) sound;

(vii) compression;

(viii) electricity; and

(ix) electromagnetic radiation;

(j) mechanical or electrotherapeutic modalities;

(k) positioning;

(l) instructing or training a patient in locomotion or other functional activities, with or without an assistive device;

(m) manual or mechanical traction;

(n) correction of posture, body mechanics, or gait; and

(o) trigger point dry needling, under the conditions described in Section 58-24b-505.

Credits

Laws 2009, c. 220, § 5, eff. July 1, 2009; Laws 2012, c. 117, § 1, eff. May 8, 2012; Laws 2014, c. 354, § 1, eff. May 13, 2014.

U.C.A. 1953 § 58-24b-102, UT ST § 58-24b-102
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Title 58. Occupations and Professions

Chapter 24B. Physical Therapy Practice Act (Refs & Annos)

Part 4. Practice of Physical Therapy

U.C.A. 1953 § 58-24b-405

§ 58-24b-405. **Animal** physical therapy

Currentness

(1) Subject to Subsection 58-28-307 (12)(b), a licensed physical therapist may practice **animal** physical therapy if the licensed physical therapist completes at least 100 hours of **animal** physical therapy training and education, which shall include:

- (a) 50 hours of on-the-job training under the supervision of a licensed veterinarian;
- (b) completion of a quadruped anatomy course; and
- (c) continuing education for the required hours remaining.

(2) Subject to Subsection 58-28-307(12)(b), a licensed physical therapist assistant may practice **animal** physical therapy, within the scope of the licensed physical therapist assistant's practice, if the licensed physical therapist assistant:

- (a) is under the on-site supervision or general supervision of a physical therapist who has complied with the requirements of Subsection (1); and
- (b) completes at least 100 hours of **animal** physical therapy training and education, which shall include:
 - (i) 50 hours of on-the-job training under the supervision of a licensed veterinarian;
 - (ii) completion of a quadruped anatomy course; and

(iii) continuing education for the required hours remaining.

Credits

Laws 2009, c. 220, § 16, eff. July 1, 2009.

U.C.A. 1953 § 58-24b-405, UT ST § 58-24b-405
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Title 58. Occupations and Professions

Chapter 24B. Physical Therapy Practice Act (Refs & Annos)

Part 3. Licensing

U.C.A. 1953 § 58-24b-304

§ 58-24b-304. Exemptions from licensure

Currentness

(1) In addition to the exemptions from licensure described in Section 58-1-307, as modified by Subsection 58-24b-302(5), a person may engage in acts that constitute the practice of physical therapy without a license issued under this chapter if:

(a) the person is licensed under another law of the state to engage in acts that constitute the practice of physical therapy if that person does not:

(i) claim to be a physical therapist;

(ii) claim to be a provider of any type of physical therapy that is outside of the scope of practice of the license that is issued to the person; or

(iii) engage in any acts that constitute the practice of physical therapy that are outside of the scope of practice of the license that is issued to the person;

(b) the person practices physical therapy, under federal law, in:

(i) the United States armed services;

(ii) the United States Public Health Service; or

(iii) the Veteran's Administration;

(c) the person is:

(i) licensed as a physical therapist in:

(A) a state, district, or territory of the United States, other than Utah; or

(B) a country other than the United States; and

(ii)(A) teaching, demonstrating, or providing physical therapy in connection with an educational seminar, if the person engages in this conduct in Utah no more than 60 days per calendar year;

(B) practicing physical therapy directly related to the person's employment with, or contract with, an established athletic team, athletic organization, or performing arts company that plays, practices, competes, or performs in Utah no more than 60 days per calendar year; or

(C) providing consultation by telecommunication to a physical therapist;

(d) the person:

(i)(A) is licensed as a physical therapist assistant under federal law; and

(B) practices within the scope of practice authorized by federal law for a physical therapist assistant; or

(ii)(A) is licensed as a physical therapist assistant in:

(I) a state, district, or territory of the United States, other than Utah; or

(II) a country other than the United States; and

(B)(I) practices within the scope of practice authorized for a physical therapist assistant by the jurisdiction described in Subsection (1)(d)(ii)(A); and

(II) within the limitations for the practice of physical therapy described in Subsection (1)(c)(ii); or

(e) the person:

(i) is a physician, licensed under Title 58, Chapter 67, Utah Medical Practice Act;

(ii) is a physician, licensed under Title 58, Chapter 68, Utah Osteopathic Medical Practice Act; or

(iii) is a chiropractic physician, licensed under Title 58, Chapter 73, Chiropractic Physician Practice Act.

(2) A person who is exempted from licensure under Subsection (1)(b) may practice **animal** physical therapy without a license under this section if the person:

(a) is authorized to practice **animal** physical therapy under federal law; and

(b) practices **animal** physical therapy within the scope of practice authorized by federal law.

(3) A person who is exempted from licensure under Subsection (1)(c) may practice **animal** physical therapy without a license under this section if the person:

(a) is authorized to practice **animal** physical therapy in:

(i) a state, district, or territory of the United States, other than Utah; or

(ii) a country other than the United States; and

(b) practices **animal** physical therapy:

(i) within the scope of practice for the jurisdiction described in Subsection (3)(a) where the person is authorized to practice **animal** physical therapy; and

(ii) within the limitations for the practice of physical therapy described in Subsection (1)(c)(ii).

Credits

Laws 2009, c. 220, § 10, eff. July 1, 2009.

U.C.A. 1953 § 58-24b-304, UT ST § 58-24b-304
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Chapter 24B. Physical Therapy Practice Act (Refs & Annos)

Part 5. Unlawful and Unprofessional Conduct

U.C.A. 1953 § 58-24b-501

§ 58-24b-501. Unlawful conduct

Currentness

In addition to the conduct described in Subsection 58-1-501(1), "unlawful conduct" includes:

(1) practicing physical therapy, unless the person:

(a) is licensed under this chapter to practice physical therapy and practices within the scope of that license; or

(b) is exempt from licensure under Section 58-24b-304;

(2) practicing **animal** physical therapy, unless the person is:

(a) authorized to practice **animal** physical therapy under Section 58-24b-405; or

(b) authorized to practice **animal** physical therapy under Subsection 58-24b-304(1)(a), (2), or (3);

(3) representing oneself as, or using the title of, a physical therapist, unless the person is:

(a) a licensed physical therapist; or

(b)(i) licensed as a physical therapist in a jurisdiction other than Utah;

(ii) does not represent oneself as being a physical therapist licensed in Utah; and

(iii) exempt from licensure under Section 58-24b-304;

(4) representing oneself as, or using the title of, a physical therapist assistant, unless the person:

(a) is a licensed physical therapist assistant; or

(b)(i) is licensed as a physical therapist assistant in a jurisdiction other than Utah;

(ii) does not represent oneself as being a physical therapist assistant licensed in Utah; and

(iii) is exempt from licensure under Section 58-24b-304; and

(5) conduct designated as “unlawful conduct” by the division, by rule.

Credits

Laws 2009, c. 220, § 17, eff. July 1, 2009.

U.C.A. 1953 § 58-24b-501, UT ST § 58-24b-501
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