

Proposed Legislation 2012 – Unlicensed Activity:

Amend Section 4826 (Veterinary Medicine) of the Business and Professions Code:

4826.

A person practices veterinary medicine, surgery, and dentistry, and the various branches thereof, when he or she does any one of the following:

- (a) Advertises or represents himself or herself as engaged in the practice of veterinary medicine, veterinary surgery, or veterinary dentistry in any of its branches.
- (b) Diagnoses or prescribes a drug, medicine, appliance, application, or treatment of whatever nature for the prevention, cure or relief of a wound, fracture, bodily injury, or disease of animals.
- (c) Administers a drug, medicine, appliance, application or treatment of whatever nature for the prevention, cure, or relief of a wound, fracture, bodily injury, or disease of animals, except where the medicine, appliance, application, or treatment is administered by a registered veterinary technician or an unregistered assistant at the direction of and under the direct supervision of a licensed veterinarian subject to Article 2.5 (commencing with Section 4832) or where the drug, including, but not limited to, a drug that is a controlled substance, is administered by a registered veterinary technician or an unregistered assistant pursuant to Section 4836.1. However, no person, other than a licensed veterinarian, may induce anesthesia unless authorized by regulation of the board.
- (d) Performs a surgical or dental operation upon an animal.
- (e) Performs any manual procedure for the diagnosis of pregnancy, sterility, or infertility upon livestock or Equidae.
- (f) Uses any words, letters, or titles in such connection or under such circumstances as to induce the belief that the person using them is engaged in the practice of veterinary medicine, veterinary surgery, or veterinary dentistry. This use shall be prima facie evidence of the intention to represent himself or herself as engaged in the practice of veterinary medicine, veterinary surgery, or veterinary dentistry.

Add a new section 4875.7 (Article 4) to the Business and Professions Code (Veterinary Medicine):

4875.7. In order to ensure that its resources are maximized for the protection of the public, the board shall prioritize its investigative and prosecutorial authority over unlicensed persons. The board may utilize any enforcement tool which it is authorized by law to use for effecting the purposes of this provision.