

CHAPTER 71.

[H. B. 288.]

LICENSING AND REGULATION OF VETERINARIANS.

AN ACT defining and regulating the practice of veterinary medicine, surgery and dentistry; providing for the creation of a board of examiners and defining the duties thereof, providing for the examination and licensing of veterinarians, providing for the suspension and revocation of licenses, providing for an annual renewal of licenses and the payment of annual license renewal fees, extending the right to practice to practitioners of other states, fixing fees, prescribing penalties and repealing chapter 124 of the Laws of 1907 as amended by chapter 79, Laws of 1913, (sections 10040-10055, Remington's Revised Statutes).

Be it enacted by the Legislature of the State of Washington:

Definition
of veterin-
arians.

SECTION 1. Any person shall be regarded as practicing veterinary medicine, surgery and dentistry within the meaning of this chapter who shall, within this state, (a) by advertisement, or by any notice, sign, or other indication, or by a statement written, printed or oral, in public or private, made, done, or procured by himself or herself, or any other, at his or her request, for him or her, represent, claim, announce, make known or pretend his or her ability or willingness to diagnose or prognose or treat diseases, deformities, defects, wounds, or injuries of animals; (b) or who shall so advertise, make known, represent or claim his or her ability and willingness to prescribe or administer any drug, medicine, treatment, method or practice, or to perform any operation, manipulation, or apply any apparatus or appliance for cure, amelioration, correction or reduction or modification of any animal disease, deformity, defect, wound, or injury, for hire, fee, compensation, or reward, promised, offered, expected, received, or accepted directly or indirectly; (c) or who shall within this state diagnose or prognose any animal diseases, deformities, defects,

wounds or injuries, for hire, fee, reward, or compensation promised, offered, expected, received, or accepted directly or indirectly; (d) or who shall within this state prescribe or administer any drug, medicine, treatment, method or practice, or perform any operation, or manipulation, or apply any apparatus or appliance for the cure, amelioration, alleviation, correction, or modification of any animal disease, deformity, defect, wound, or injury, for hire, fee, compensation, or reward, promised, offered, expected, received or accepted directly or indirectly.

Definitions.

SEC. 2. It shall be unlawful for any person to practice the profession of veterinary medicine, surgery, or dentistry in this state, who shall not have complied with the provisions of this chapter.

Unlawful not to comply with act.

SEC. 3. A board of examiners to consist of three (3) practicing veterinarians, to be known as the Washington State Board of Veterinary Examiners, shall be appointed from time to time by the Governor, upon the request of the Director of Licenses. The Governor shall certify to the Director of Licenses the names of those appointed to said board. No person shall be eligible for such appointment unless he is an actual resident of the state in active practice of veterinary medicine, surgery and dentistry, has been for a period of five (5) years or more legally licensed to practice veterinary medicine, surgery and dentistry in this state.

Veterinary examiners.

Appointment by Governor.

Qualifications of examiners.

SEC. 4. It shall be the duty of the board to prepare examination questions, conduct examinations, and grade the answers of applicants.

Duties of board.

SEC. 5. Each member of the board shall receive ten dollars (\$10) per day for each day spent in conducting the examination and in going to and returning from the place of examination, and his actual and necessary traveling expenses.

Compensation of members.

Veterinarian
must be
licensed.

SEC. 6. No person, unless registered or licensed to practice veterinary medicine, surgery and dentistry in this state at the time this act shall become operative, shall begin the practice of veterinary medicine, surgery and dentistry without first applying for and obtaining a license for such purpose from the Director. In order to procure a license to practice veterinary medicine, surgery and dentistry in the State of Washington, the applicant for such license shall file his application at least fifteen (15) days prior to date of examination upon a form furnished by the Director of Licenses, which, in addition to the fee provided by this act, shall be accompanied by satisfactory evidence that he is at least twenty-one (21) years of age and of good moral character, and by a diploma from some legally chartered veterinary college or veterinary department of any university or agricultural college, recognized by the American Veterinary Medical Association, evidencing the fact that the applicant has been in actual attendance at the lectures, instruction and examinations for a period of at least four (4) academic years of thirty-two (32) to thirty-six (36) weeks each. Said application shall be signed by the applicant and sworn to by him before some person authorized to administer oaths. When such application and the accompanying evidence are found satisfactory, the Director shall notify the applicant to appear before the board for the next examination: *Provided, however,* That the Director of Licenses must deny the application of every applicant who has been guilty of unprofessional conduct within the two (2) years immediately preceding date of application for license.

Procedure.

Application.

Qualifica-
tions.

Sufficiency.
Notice to be
examined.

Unprofes-
sional con-
duct bars
applicant.

Time for
examina-
tions.

SEC. 7. Examinations for license to practice veterinary medicine, surgery and dentistry shall be held in June of each year, and at such other times and places as the Director may authorize and direct.

Said examination, which shall be conducted in the English language, shall be, in whole or in part, in writing on the following subjects: Veterinary anatomy, surgery, obstetrics, pathology, chemistry, hygiene, veterinary diagnosis, materia medica, therapeutics, parasitology, physiology, sanitary medicine, and such other subjects which are ordinarily included in the curricula of veterinary colleges, as the board may prescribe.

Examination.

Subjects.

SEC. 8. Examinations on each such subject shall consist of not less than ten (10) questions, answers to which shall be marked upon a scale of zero to ten (10). All applicants must obtain not less than an average grade of seventy-five per cent (75%). All examinations provided for in this act shall be conducted by the board under fair and wholly impartial methods and subject to such rules and regulations as the Director may establish.

Average grade.

SEC. 9. The board shall certify to the Director the names of all applicants who have successfully passed an examination and are entitled to a license to practice veterinary medicine, surgery and dentistry. The Director shall thereupon issue a license to practice veterinary medicine, surgery and dentistry to such applicant.

Board to certify those passing.

Director to issue license.

SEC. 10. Any applicant who shall fail to secure the required grade in his first examination shall be entitled to take a second examination within one (1) year without additional fee. After the expiration of one (1) year, such applicant shall pay the regular fee.

May retake upon failure.

SEC. 11. Any person who shall make application for examination, as provided by section 4 of this act, and whose application is found satisfactory by the Director, may be given a temporary certificate to practice veterinary medicine, surgery and dentistry until the date of the next succeeding examina-

May be granted temporary license.

tion and no longer. Such temporary certificate must be surrendered at time of such examination and no more than one (1) temporary certificate may be issued to any applicant.

Reciprocity.

Qualifications.

Further power of Director.

License may be suspended.

SEC. 12. Any person who has been lawfully licensed to practice veterinary medicine, surgery, and dentistry in another state or territory which has and maintains a standard for the practice of veterinary medicine, surgery and dentistry which is substantially the same as that maintained in this state, and who has been lawfully and continuously engaged in the practice of veterinary medicine, surgery and dentistry for two (2) years or more immediately before filing his application to practice in this state and who shall submit to the Director a duly attested certificate from the examining board of the state or territory in which he is registered, certifying to the fact of his registration and of his being a person of good moral character and of professional attainments, may upon the payment of the fee as provided herein, be granted a license to practice veterinary medicine, surgery and dentistry in this state, without being required to take an examination: *Provided, however,* That no license shall be issued to any applicant, unless the state or territory from which such certificate has been granted to such applicant shall have extended a like privilege to engage in the practice of veterinary medicine, surgery and dentistry within its own borders to veterinarians heretofore and hereafter licensed by this state, and removing to such other state: *And provided further,* That the Director of Licenses shall have power to enter into reciprocal relations with other states whose requirements are substantially the same as those provided herein.

SEC. 13. The license of any person heretofore or hereafter granted to practice veterinary medicine, surgery and dentistry in this state may be suspended

for a certain period of time or revoked, in the manner provided by section 103, chapter 7 of the Laws of 1921, (section 10861, Remington's Revised Statutes) for any of the following causes, which shall be deemed to be unprofessional conduct within the meaning of this act:

Causes.

(a) The employment of fraud, misrepresentation or deception in obtaining such license.

(b) Conviction of a crime involving moral turpitude.

(c) Chronic inebrity or habitual use of drugs.

(d) Fraud in representation as to skill or ability.

(e) Use of untruthful or improbable statements in advertisements, publicity material or interviews.

(f) Distribution of alcohol or drugs for any other than legitimate purposes.

(g) Personation of another licensed practitioner.

(h) Violation or attempting to violate, directly or indirectly, any of the provisions of this act.

SEC. 14. In all proceedings having for their purpose the revocation or suspension of a license to practice veterinary medicine, surgery and dentistry, the holder of such license shall be given twenty (20) days notice in writing by the Director, which said notice shall specify the offense or offenses against this act with which said accused person is charged, and said notice shall also give the day and place where the hearing is to be held, which place of hearing shall be in the city of Olympia unless a different place shall be fixed by the Director of Licenses. The Director shall have the power to issue subpoenas to compel the attendance of witnesses, or the production of books or documents. The accused person shall have opportunity to make his defense, and may have issued such subpoenas as he may desire. Subpoenas shall be served in the same manner as civil cases in the Superior Court. Witnesses shall testify under oath, administered by the Director. Testi-

Notice to holder of license.

To specify offense.

Hearing.

Power to subpoena.

Testimony
in writing.

Committee
to make
findings.

Order of
revocation
to be in
writing.

Contents.

Suspended
person may
appeal.

Superior
Court to
try de novo.

Further
appeal.

Veterina-
rians to
register
annually.

Failure to
register.

Penalty.

mony shall be taken in writing, and may be taken by deposition under such rules as the director may prescribe. The committee shall hear and determine the charges and shall make findings and conclusions upon the evidence produced, and shall file the same in the Director's office, together with a transcript of all the evidence, a duplicate copy of which shall be served upon the accused. The revocation or suspension of a license to practice shall be in writing signed by the Director, stating the grounds upon which such order is based.

SEC. 15. Any person feeling himself aggrieved by an order of the Director shall have the right to appeal from such order within fifteen (15) days after a copy of such order is served upon him, to the Superior Court of any county, which court shall hear such matter de novo. An appeal shall lie to the Supreme Court of the state from the judgment of said Superior Court in the same manner as provided by law in other civil cases.

SEC. 16. Each person now qualified to practice veterinary medicine, surgery and dentistry in this state or who shall hereafter be licensed to engage in such practice, shall register with the Director of Licenses annually and pay the annual renewal registration fee provided hereinafter on or before the first day of July of each year, and thereafter the license of such person shall be renewed for such calendar year.

SEC. 17. Any failure, neglect or refusal on the part of any person duly licensed to practice veterinary medicine, surgery and dentistry by said Director, to register and pay the annual registration fee to the Director on or before July 1st of each year shall render the license invalid, and it shall not be reinstated except upon written application therefor to the Director and payment of a penalty of ten dol-

lars (\$10), together with all delinquent annual license renewal fees.

SEC. 18. Every person holding a license under the provisions of this act shall conspicuously display it in his principal place of business, together with the annual renewal license certificate. Display license.

SEC. 19. The following fees shall be charged by the Director of Licenses: Fees.

(a) For a license to practice veterinary medicine, surgery and dentistry issued upon an examination given by the examining board, twenty-five dollars (\$25). Examination.

(b) For a license to practice veterinary medicine, surgery and dentistry issued upon the basis of a license issued in another state, fifty dollars (\$50). Reciprocity.

(c) For the annual renewal of a license to practice veterinary medicine, surgery and dentistry, five dollars (\$5). Annual renewal.

SEC. 20. Nothing in this act shall be construed to apply to commissioned veterinarians in the United States Army, to veterinarians employed by the United States Bureau of Animal Industry, to any owner of livestock from personally treating his own animals, to the castrating and dehorning of cattle, to the castrating and docking of sheep, to the castrating of swine or to the caponizing of poultry. Not to apply to U. S. employees.
Person may treat own animals.
Limits.

SEC. 21. The term "board" used in this act shall mean the Washington state board of veterinary examiners; the term "committee" shall mean a committee selected in the manner provided in section 103, chapter 7 of the Laws of 1921, (section 10861, Remington's Revised Statutes) and for the purposes named therein; and the term "Director" shall mean the Director of Licenses of the State of Washington. Definition.

SEC. 22. It shall be unlawful for any person to append any veterinary title to his name, without having been authorized so to do legally, or to assume Unlawful to use title without authority.

or advertise any veterinary title in such manner as to convey the impression that he is a lawful practitioner of veterinary medicine, surgery and dentistry.

False diploma a felony.

SEC. 23. Any person filing or attempting to file, as his own, the diploma or license of another shall be deemed guilty of a felony, and upon conviction thereof, shall be subject to such fine and imprisonment as is made and provided by the statutes of this state for the crime of forgery.

Violation of act, penalty.

SEC. 24. Violation of any of the provisions of this act, or of any rule or regulation made pursuant thereto, shall constitute a misdemeanor and punishable by fine of not less than fifty dollars (\$50).

Partial invalidity.

SEC. 25. Should any section of this act, or any portion of any section be for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act.

Statutes repealed.

SEC. 26. Chapter 124, Laws of 1907, as amended by chapter 79, Laws of 1913, (sections 10040 to 10055, Remington's Revised Statutes), is hereby repealed.

Passed the House February 24, 1941.

Passed the Senate March 5, 1941.

Approved by the Governor March 18, 1941.