

CHAPTER 92.

[S. B. 165.]

VETERINARIANS.

AN ACT relating to veterinary medicine, surgery and dentistry; providing penalties; amending section 1, chapter 71, Laws of 1941 and RCW 18.92.010; amending section 21, chapter 71, Laws of 1941 and RCW 18.92.015; amending section 4, chapter 71, Laws of 1941 and RCW 18.92.030; amending section 5, chapter 71, Laws of 1941 and RCW 18.92.040; amending section 7, chapter 71, Laws of 1941 and RCW 18.92.100; amending section 10, chapter 71, Laws of 1941 and RCW 18.92.115; amending section 11, chapter 71, Laws of 1941 and RCW 18.92.120; amending section 12, chapter 71, Laws of 1941 and RCW 18.92.130; amending section 14, chapter 71, Laws of 1941 and RCW 18.92.180; amending section 19, chapter 71, Laws of 1941 and RCW 18.92.145; amending section 20, chapter 71, Laws of 1941 and RCW 18.92.060; repealing section 3, chapter 71, Laws of 1941 and RCW 18.92.020; and adding three new sections to chapter 71, Laws of 1941 and to chapter 18.92 RCW.

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

RCW 18.92.010 amended.

SECTION 1. Section 1, chapter 71, Laws of 1941 and RCW 18.92.010 are each amended to read as follows:

Veterinary practice defined.

Any person shall be regarded as practicing veterinary medicine, surgery and dentistry within the meaning of this chapter who shall, within this state, (1) 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; (2) 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 appli-

ance 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; (3) 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; (4) 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; (5) or who performs any manual procedure for the diagnosis of pregnancy, sterility, or infertility upon livestock.

The opening of an office or place of business for the practice of veterinary medicine, the use of a sign, card, device or advertisement as a practitioner of veterinary medicine or as a person skilled in such practice shall be prima facie evidence of engaging in the practice of veterinary medicine, surgery and dentistry.

Veterinary
practice,
evidence of.

SEC. 2. Section 21, chapter 71, Laws of 1941 and RCW 18.92.015 are each amended to read as follows:

RCW 18.92.015
amended.

The term "board" used in this chapter shall mean the Washington state veterinary board of governors; the term "committee" shall mean a committee selected in the manner provided in section 3 of this amendatory act of 1959; and the term "director" shall mean the director of licenses of the state of Washington.

Definitions.

"Board."

"Committee."

"Director."

New section.

SEC. 3. There is added to chapter 71, Laws of 1941 and to chapter 18.92 RCW a new section to read as follows:

Board of governors created.

There is created a Washington state veterinary board of governors consisting of five members.

Appointment.

The members shall be appointed by the governor from a list of three or more names approved and submitted by the Washington State Veterinary Medical Association for each position to be filled. At the time of their appointment the members of the

Qualifications.

board must be actual residents of the state in active practice as licensed practitioners of veterinary medicine, surgery and dentistry and must be citizens of the United States. Not more than one member shall be from the same congressional district.

Terms.

The first members of the board shall be as follows: One member for five, four, three, two and one years respectively. Thereafter the terms shall be for five years and until their successors are appointed and qualified.

Vacancies.

A member may be appointed to serve a second term, if that term does not run consecutively. Vacancies in the board shall be filled by the governor, the appointee to hold office for the remainder of the unexpired term.

Officers.

Officers of the board shall be a chairman, who shall be the senior member, and a secretary-treasurer to be chosen by the members of the board.

The three senior members of the board shall serve as an examining board and the remaining two members shall serve as alternates from time to time.

RCW 18.92.030 amended.

SEC. 4. Section 4, chapter 71, Laws of 1941 and RCW 18.92.030 are each amended to read as follows:

General duties of board.

It shall be the duty of the board to prepare examination questions, conduct examinations, and grade the answers of applicants. The board shall supervise the conduct of those practicing veterinary medicine, surgery and dentistry and shall make such

recommendations as it deems necessary to the director of licenses in regard to the granting, suspension or revocation of licenses.

SEC. 5. Section 5, chapter 71, Laws of 1941 and RCW 18.92.040 are each amended to read as follows:

RCW 18.92.040 amended.

Each member of the board shall receive twenty-five dollars per day for each day spent upon official business of the board, including the conducting of examinations and in going to and returning from the place of examination, and his actual and necessary traveling expenses.

Compensation, expenses, of board.

SEC. 6. There is added to chapter 71, Laws of 1941 and to chapter 18.92 RCW a new section to read as follows:

New section.

The board of governors may make recommendations to the director of licenses to suspend or revoke the license of any licensee. The director, within twenty days after receipt of notification from the board, shall provide for a hearing. The director shall notify the licensee of the recommendation of the board and shall give the licensee notice of the specific offense or offenses charged against him by the board and the time and place of the hearing at least twenty days prior to the hearing date.

Recommendations on conduct—Procedure.

SEC. 7. Section 7, chapter 71, Laws of 1941 and RCW 18.92.100 are each amended to read as follows:

RCW 18.92.100 amended.

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 ordi-

Examinations.

—Time of.

—Contents.

narily included in the curricula of veterinary colleges, as the board may prescribe. The manner of examination may conform with teaching techniques used in accredited veterinary colleges recognized and approved by the committee on education of the American Veterinary Medical Association.

RCW 18.92.115
amended.

SEC. 8. Section 10, chapter 71, Laws of 1941 and RCW 18.92.115 are each amended to read as follows:

Reexamina-
tion.

Any applicant who shall fail to secure the required grade in his first examination may take the next regular veterinary examination.

RCW 18.92.120
amended.

SEC. 9. Section 11, chapter 71, Laws of 1941 and RCW 18.92.120 are each amended to read as follows:

Temporary
certificate.

Any person who shall make application for examination, as provided by RCW 18.92.070, and whose application is found satisfactory by the director, may be given a temporary certificate to practice veterinary medicine, surgery and dentistry valid only until the next examination period. Such temporary certificate must be surrendered at time of such examination and no more than one temporary certificate may be issued to any applicant. Such permittee shall be employed by a licensed veterinary practitioner or by the state of Washington.

RCW 18.92.130
amended.

SEC. 10. Section 12, chapter 71, Laws of 1941 and RCW 18.92.130 are each amended to read as follows:

Licenses,
reciprocity
with other
states.

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 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. The board shall make recommendations to the director upon all requests for reciprocity.

SEC. 11. Section 14, chapter 71, Laws of 1941 and RCW 18.92.180 are each amended to read as follows:

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 days notice in writing by the director, which said notice shall specify the offense or offenses against this chapter 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 produc-

RCW 18.92.180
amended.

Licenses, sus-
pension and
revocation of
—Proceedings.

tion 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. Testimony shall be taken in writing, and may be taken by deposition under such rules as the director may prescribe. Any graduate of an approved veterinary school having evidence pertaining to the charge against the accused may be heard by the board. The board shall hear and determine the charges and shall make findings and conclusion 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.

RCW 18.92.145 amended.

SEC. 12. Section 19, chapter 71, Laws of 1941 and RCW 18.92.145 are each amended to read as follows:

Licenses, fees.

The following fees shall be charged by the director of licenses:

(1) For a license to practice veterinary medicine, surgery and dentistry issued upon an examination given by the examining board, thirty-five dollars.

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

Annual renewal fee.

(3) For the annual renewal of a license to practice veterinary medicine, surgery and dentistry, five dollars.

Temporary permit fee.

(4) For a temporary permit to practice veterinary medicine, surgery and dentistry, fifteen dollars. The temporary permit fee shall be accompanied by the full amount of the examination fee of thirty-five dollars.

SEC. 13. Section 20, chapter 71, Laws of 1941 and RCW 18.92.060 are each amended to read as follows: RCW 18.92.060 amended.

Nothing in this chapter shall be construed to apply to commissioned veterinarians in the United States army, to veterinarians employed by the Animal Disease Eradication Division of the United States Agricultural Research Service, or to any owner of livestock from 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. Licensing exemptions.

SEC. 14. There is added to chapter 71, Laws of 1941 and to chapter 18.92 RCW a new section to read as follows: New section.

If any person engages in the practice of veterinary medicine, surgery and dentistry as defined in this chapter without possessing a valid license to do so, the attorney general, any prosecuting attorney, the director of licenses, the Washington State Veterinary Medical Association, or any citizen of the same county in which [such] person engages in such practice may maintain an action to enjoin such person from engaging in such practice. The injunction shall not relieve such person from criminal prosecution and shall be in addition to liability for criminal prosecution. Injunction to restrain practice without license.

SEC. 15. Section 3, chapter 71, Laws of 1941 and RCW 18.92.020 are each repealed. Repeal.

Passed the Senate February 14, 1959.

Passed the House March 4, 1959.

Approved by the Governor March 9, 1959.