

# HB0337



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB0337

Introduced 1/29/2021, by Rep. Norine K. Hammond

#### SYNOPSIS AS INTRODUCED:

225 ILCS 115/4

from Ch. 111, par. 7004

Amends the Veterinary Medicine and Surgery Practice Act of 2004. Provides that nothing in the Act shall apply to a chiropractic physician licensed in this State and certified by the American Veterinary Chiropractic Association performing chiropractic care on animals.

LRB102 02574 SPS 12576 b

A BILL FOR

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Veterinary Medicine and Surgery Practice  
5 Act of 2004 is amended by changing Section 4 as follows:

6 (225 ILCS 115/4) (from Ch. 111, par. 7004)

7 (Section scheduled to be repealed on January 1, 2024)

8 Sec. 4. Exemptions. Nothing in this Act shall apply to any  
9 of the following:

10 (1) Veterinarians employed by the federal or State  
11 government while engaged in their official duties.

12 (2) Licensed veterinarians from other states who are  
13 invited to Illinois for consultation by a veterinarian  
14 licensed in Illinois.

15 (3) Veterinarians employed by colleges or universities  
16 while engaged in the performance of their official duties,  
17 or faculty engaged in animal husbandry or animal  
18 management programs of colleges or universities.

19 (3.5) A veterinarian or veterinary technician from  
20 another state or country who (A) is not licensed under  
21 this Act; (B) is currently licensed as a veterinarian or  
22 veterinary technician in another state or country, or  
23 otherwise exempt from licensure in the other state; (C) is

1 an invited guest of a professional veterinary association,  
2 veterinary training program, or continuing education  
3 provider approved by the Department; and (D) engages in  
4 professional education through lectures, clinics, or  
5 demonstrations.

6 (4) A veterinarian employed by an accredited college  
7 of veterinary medicine providing assistance requested by a  
8 veterinarian licensed in Illinois, acting with informed  
9 consent from the client and acting under the direct or  
10 indirect supervision and control of the licensed  
11 veterinarian. Providing assistance involves hands-on  
12 active participation in the treatment and care of the  
13 patient. The licensed veterinarian shall maintain  
14 responsibility for the veterinarian-client-patient  
15 relationship.

16 (5) Veterinary students in an accredited college of  
17 veterinary medicine, university, department of a  
18 university, or other institution of veterinary medicine  
19 and surgery engaged in duties assigned by their  
20 instructors or working under the immediate or direct  
21 supervision of a licensed veterinarian.

22 (5.5) Students of an accredited program in veterinary  
23 technology performing veterinary technology duties or  
24 actions assigned by instructors or working under the  
25 immediate or direct supervision of a licensed  
26 veterinarian.

1           (6) Any person engaged in bona fide scientific  
2 research which requires the use of animals.

3           (7) An owner of livestock and any of the owner's  
4 employees or the owner and employees of a service and care  
5 provider of livestock caring for and treating livestock  
6 belonging to the owner or under a provider's care,  
7 including but not limited to, the performance of husbandry  
8 and livestock management practices such as dehorning,  
9 castration, emasculation, or docking of cattle, horses,  
10 sheep, goats, and swine, artificial insemination, and  
11 drawing of semen. Nor shall this Act be construed to  
12 prohibit any person from administering in a humane manner  
13 medicinal or surgical treatment to any livestock in the  
14 care of such person. However, any such services shall  
15 comply with the Humane Care for Animals Act.

16           (8) An owner of an animal, or an agent of the owner  
17 acting with the owner's approval, in caring for, training,  
18 or treating an animal belonging to the owner, so long as  
19 that individual or agent does not represent himself or  
20 herself as a veterinarian or use any title associated with  
21 the practice of veterinary medicine or surgery or  
22 diagnose, prescribe drugs, or perform surgery. The agent  
23 shall provide the owner with a written statement  
24 summarizing the nature of the services provided and obtain  
25 a signed acknowledgment from the owner that they accept  
26 the services provided. The services shall comply with the

1 Humane Care for Animals Act. The provisions of this item  
2 (8) do not apply to a person who is exempt under item (7).

3 (9) A member in good standing of another licensed or  
4 regulated profession within any state or a member of an  
5 organization or group approved by the Department by rule  
6 providing assistance that is requested in writing by a  
7 veterinarian licensed in this State acting within a  
8 veterinarian-client-patient relationship and with  
9 informed consent from the client and the member is acting  
10 under the immediate, direct, or indirect supervision and  
11 control of the licensed veterinarian. Providing assistance  
12 involves hands-on active participation in the treatment  
13 and care of the patient, as defined by rule. The licensed  
14 veterinarian shall maintain responsibility for the  
15 veterinarian-client-patient relationship, but shall be  
16 immune from liability, except for willful and wanton  
17 conduct, in any civil or criminal action if a member  
18 providing assistance does not meet the requirements of  
19 this item (9).

20 (10) A graduate of a non-accredited college of  
21 veterinary medicine who is in the process of obtaining a  
22 certificate of educational equivalence and is performing  
23 duties or actions assigned by instructors in an approved  
24 college of veterinary medicine.

25 (10.5) A veterinarian who is enrolled in a  
26 postgraduate instructional program in an accredited

1 college of veterinary medicine performing duties or  
2 actions assigned by instructors or working under the  
3 immediate or direct supervision of a licensed veterinarian  
4 or a faculty member of the College of Veterinary Medicine  
5 at the University of Illinois.

6 (11) A certified euthanasia technician who is  
7 authorized to perform euthanasia in the course and scope  
8 of his or her employment only as permitted by the Humane  
9 Euthanasia in Animal Shelters Act.

10 (12) A person who, without expectation of  
11 compensation, provides emergency veterinary care in an  
12 emergency or disaster situation so long as he or she does  
13 not represent himself or herself as a veterinarian or use  
14 a title or degree pertaining to the practice of veterinary  
15 medicine and surgery.

16 (13) Any certified veterinary technician or other  
17 employee of a licensed veterinarian performing permitted  
18 duties other than diagnosis, prognosis, prescription, or  
19 surgery under the appropriate direction and supervision of  
20 the veterinarian, who shall be responsible for the  
21 performance of the employee.

22 (13.5) Any pharmacist licensed in the State, merchant,  
23 or manufacturer selling at his or her regular place of  
24 business medicines, feed, appliances, or other products  
25 used in the prevention or treatment of animal diseases as  
26 permitted by law and provided that the services he or she

1 provides do not include diagnosing, prognosing, writing  
2 prescriptions, or surgery.

3 (14) An approved humane investigator regulated under  
4 the Humane Care for Animals Act or employee of a shelter  
5 licensed under the Animal Welfare Act, working under the  
6 indirect supervision of a licensed veterinarian.

7 (15) An individual providing equine dentistry services  
8 requested by a veterinarian licensed to practice in this  
9 State, an owner, or an owner's agent. For the purposes of  
10 this item (15), "equine dentistry services" means floating  
11 teeth without the use of drugs or extraction.

12 (15.5) In the event of an emergency or disaster, a  
13 veterinarian or veterinary technician not licensed in this  
14 State who (A) is responding to a request for assistance  
15 from the Illinois Department of Agriculture, the Illinois  
16 Department of Public Health, the Illinois Emergency  
17 Management Agency, or other State agency as determined by  
18 the Department; (B) is licensed and in good standing in  
19 another state; and (C) has been granted a temporary waiver  
20 from licensure by the Department.

21 (16) Private treaty sale of animals unless otherwise  
22 provided by law.

23 (17) A chiropractic physician licensed in this State  
24 and certified by the American Veterinary Chiropractic  
25 Association performing chiropractic care on animals.

26 (Source: P.A. 98-339, eff. 12-31-13.)