



Rep. Robert Rita

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LRB097 10531 CEL 60025 a

1 AMENDMENT TO HOUSE BILL 1697

2 AMENDMENT NO. _____. Amend House Bill 1697, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

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

7 (225 ILCS 115/4) (from Ch. 111, par. 7004)

8 (Section scheduled to be repealed on January 1, 2014)

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

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

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

16 (3) Veterinarians employed by colleges or universities

1 while engaged in the performance of their official duties,
2 or faculty engaged in animal husbandry or animal management
3 programs of colleges or universities.

4 (3.5) A veterinarian or veterinary technician from
5 another state or country who (A) is not licensed under this
6 Act; (B) is currently licensed as a veterinarian or
7 veterinary technician in another state or country, or
8 otherwise exempt from licensure in the other state; (C) is
9 an invited guest of a professional veterinary association,
10 veterinary training program, or continuing education
11 provider approved by the Department; and (D) engages in
12 professional education through lectures, clinics, or
13 demonstrations.

14 (4) A veterinarian employed by an accredited college of
15 veterinary medicine providing assistance requested by a
16 veterinarian licensed in Illinois, acting with informed
17 consent from the client and acting under the direct or
18 indirect supervision and control of the licensed
19 veterinarian. Providing assistance involves hands-on
20 active participation in the treatment and care of the
21 patient. The licensed veterinarian shall maintain
22 responsibility for the veterinarian-client-patient
23 relationship.

24 (5) Veterinary students in an accredited college of
25 veterinary medicine, university, department of a
26 university, or other institution of veterinary medicine

1 and surgery engaged in duties assigned by their instructors
2 or working under the immediate or direct supervision of a
3 licensed veterinarian.

4 (5.5) Students of an accredited program in veterinary
5 technology performing veterinary technology duties or
6 actions assigned by instructors or working under the
7 immediate or direct supervision of a licensed
8 veterinarian.

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

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

24 (A) Notwithstanding this subsection, any of the
25 services shall comply with the Humane Care for Animals
26 Act and the Horse Mutilation Act.

1 (B) Notwithstanding this subsection, no person
2 shall dock the tail of any living member of the bovine
3 species except as in accordance with Section 3.03-5 of
4 the Humane Care for Animals Act.

5 (8) An owner of an animal, or an agent of the owner
6 acting with the owner's approval, in caring for, training,
7 or treating an animal belonging to the owner, so long as
8 that individual or agent does not represent himself or
9 herself as a veterinarian or use any title associated with
10 the practice of veterinary medicine or surgery or diagnose,
11 prescribe drugs, or perform surgery. The agent shall
12 provide the owner with a written statement summarizing the
13 nature of the services provided and obtain a signed
14 acknowledgment from the owner that they accept the services
15 provided. The services shall comply with the Humane Care
16 for Animals Act. The provisions of this item (8) do not
17 apply to a person who is exempt under item (7).

18 (9) A member in good standing of another licensed or
19 regulated profession within any state or a member of an
20 organization or group approved by the Department by rule
21 providing assistance that is requested in writing by a
22 veterinarian licensed in this State acting within a
23 veterinarian-client-patient relationship and with informed
24 consent from the client and the member is acting under the
25 immediate, direct, or indirect supervision and control of
26 the licensed veterinarian. Providing assistance involves

1 hands-on active participation in the treatment and care of
2 the patient, as defined by rule. The licensed veterinarian
3 shall maintain responsibility for the
4 veterinarian-client-patient relationship, but shall be
5 immune from liability, except for willful and wanton
6 conduct, in any civil or criminal action if a member
7 providing assistance does not meet the requirements of this
8 item (9).

9 (10) A graduate of a non-accredited college of
10 veterinary medicine who is in the process of obtaining a
11 certificate of educational equivalence and is performing
12 duties or actions assigned by instructors in an approved
13 college of veterinary medicine.

14 (10.5) A veterinarian who is enrolled in a postgraduate
15 instructional program in an accredited college of
16 veterinary medicine performing duties or actions assigned
17 by instructors or working under the immediate or direct
18 supervision of a licensed veterinarian or a faculty member
19 of the College of Veterinary Medicine at the University of
20 Illinois.

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

25 (12) A person who, without expectation of
26 compensation, provides emergency veterinary care in an

1 emergency or disaster situation so long as he or she does
2 not represent himself or herself as a veterinarian or use a
3 title or degree pertaining to the practice of veterinary
4 medicine and surgery.

5 (13) Any certified veterinary technician or other
6 employee of a licensed veterinarian performing permitted
7 duties other than diagnosis, prognosis, prescription, or
8 surgery under the appropriate direction and supervision of
9 the veterinarian, who shall be responsible for the
10 performance of the employee.

11 (13.5) Any pharmacist licensed in the State, merchant,
12 or manufacturer selling at his or her regular place of
13 business medicines, feed, appliances, or other products
14 used in the prevention or treatment of animal diseases as
15 permitted by law and provided that the services he or she
16 provides do not include diagnosing, prognosing, writing
17 prescriptions, or surgery.

18 (14) An approved humane investigator regulated under
19 the Humane Care for Animals Act or employee of a shelter
20 licensed under the Animal Welfare Act, working under the
21 indirect supervision of a licensed veterinarian.

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

1 (15.5) In the event of an emergency or disaster, a
2 veterinarian or veterinary technician not licensed in this
3 State who (A) is responding to a request for assistance
4 from the Illinois Department of Agriculture, the Illinois
5 Department of Public Health, the Illinois Emergency
6 Management Agency, or other State agency as determined by
7 the Department; (B) is licensed and in good standing in
8 another state; and (C) has been granted a temporary waiver
9 from licensure by the Department.

10 (16) Private treaty sale of animals unless otherwise
11 provided by law.

12 (17) Persons or entities practicing the specified
13 occupations set forth in subsection (a) of, and pursuant to
14 a licensing exemption granted in subsection (b) or (d) of,
15 Section 2105-350 of the Department of Professional
16 Regulation Law of the Civil Administrative Code of
17 Illinois, but only for so long as the 2016 Olympic and
18 Paralympic Games Professional Licensure Exemption Law is
19 operable.

20 (Source: P.A. 96-7, eff. 4-3-09; 96-1322, eff. 7-27-10.)

21 Section 10. The Humane Care for Animals Act is amended by
22 adding Section 3.03-5 as follows:

23 (510 ILCS 70/3.03-5 new)

24 Sec. 3.03-5. Bovine tail docking.

1 (a) As used in this Section:

2 "Cattle" means any living member of the bovine species.

3 "Dock" means to cut or remove any portion of the solid
4 part of an animal's tail.

5 "Therapeutic" means for the purpose of treating a sick
6 or injured animal where that treatment is deemed medically
7 necessary by a licensed veterinarian and is not merely
8 prophylactic.

9 (b) Notwithstanding any provision of the law to the
10 contrary, no person shall dock the tail of any cattle or
11 procure the same to be done.

12 (c) Notwithstanding subsection (b) of this Section, cattle
13 tail docking may be performed if:

14 (1) the procedure is performed for a therapeutic
15 purpose;

16 (2) the procedure is performed by a licensed
17 veterinarian using suitable instruments and under hygienic
18 conditions;

19 (3) the cattle has been adequately anesthetized to
20 minimize the animal's pain and suffering during the
21 operation; and

22 (4) the procedure is conducted in a way as to minimize
23 any long-term pain and suffering of the animal.

24 (d) Any person who violates this Section is guilty of a
25 Class C misdemeanor and shall pay a fine not to exceed \$500 for
26 each animal whose tail was docked.

1 Section 97. Severability. The provisions of this Act are
2 severable under Section 1.31 of the Statute on Statutes.

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.".