

**ONE HUNDREDTH LEGISLATURE - SECOND SESSION -
2008**

COMMITTEE STATEMENT

LB1173

Hearing Date: February 27, 2008

Committee On: Health and Human Services

Introducer(s): (Dierks)

Title: Provide for certification of animal therapists

Roll Call Vote - Final Committee Action:

Placed on General File with Amendments

Vote Results:

7 Yes Senators Erdman, Gay, Hansen, Howard, Johnson,
Pankonin, Stuthman

0 No

0 Absent

0 Present, not voting

Proponents:

Senator Dierks
Senator Langemeier
David M. Ylander

Bruce Crabtree
Larry L. Williams
Loran Schmit
Dr. Lee G. Simmons

Representing:

Introducer
Self
Nebraska Board of Veterinary Medicine and
Surgery
Self
Nebraska Veterinary Medical Association
Nebraska Chiropractic Physicians
Henry Doorly Zoo

Opponents:

John Wolcott

BJ Dennis

Mark E. Zink

Cheryl Craddock

Barbara Frank

Representing:

Nebraska American Massage Therapy Association

Self

Self

Nebraska State Massage Board

Self

Neutral:

Kirk Peck

Representing:

Self

Summary of purpose and/or change:

LB 1173 requires and provides for the certification of animal therapists.

The bill defines terms. The bill changes the definition of “unlicensed assistant” under the Veterinary Medicine and Surgery Practice Act (act) to include “a certified animal therapist . . . who is performing particular animal health care tasks delegated and supervised by a licensed veterinarian or a licensed veterinary technician.”

An applicant for certification as an animal therapist must provide: (1) satisfactory evidence that the applicant is 18 years of age; (2) proof that the applicant has a current, valid credential under the Uniform Credentialing Act other than a license under the act; (3) proof that the applicant has completed additional training approved by the board; and (4) any other information and proof that the department, with the recommendation of the Board of Veterinary Medicine and Surgery (board), may require by rule and regulation.

The bill requires the department, with the recommendation of the board, to adopt and promulgate rules and regulations providing for (1) certification of animal therapists meeting the requirements for certification and (2) standards for practice as a certified animal therapist.

Grounds are provided for the denial, refusal to renew, limitation, revocation, or suspension of a certificate as an animal therapist.

The bill prohibits any person from performing animal therapy unless he or she is a certified animal therapist. The bill does not prohibit (1) a licensed veterinarian or a licensed veterinary technician from engaging in veterinary medicine and surgery, (2) an unlicensed assistant from performing delegated animal health care tasks as provided in section 38-3326, or (3) the owner of an animal from performing animal therapy on his or her own animal.

The bill permits a certified animal therapist to perform therapy on an animal only if (a) the therapy is consistent with the therapist’s training required for the credential presented to the department, (b) the owner of the animal presents to the animal therapist a letter of referral for therapy that includes a veterinary medical diagnosis and evaluation completed by a licensed veterinarian who has a veterinarian-client-patient relationship with the owner and animal and has made the diagnosis and evaluation within ninety days immediately preceding the date of the initiation of therapy, and (c) the animal therapist provides treatment reports to the referring veterinarian.

The bill provides immunity from liability for a referring veterinarian for any damages caused to the animal as a result of the therapy performed by the animal therapist.

The bill has an operative date of December 1, 2008.

Explanation of amendments, if any:

The committee amendment (AM 2194) replaces the bill as introduced. The amendment is narrowly drafted to permit health care professionals credentialed under the Uniform Credentialing Act to consult with a licensed veterinarian employed by an accredited zoological park or garden or perform collaborative animal health care tasks on an animal under the care of a zoo veterinarian if all such tasks are performed under the immediate supervision of the zoo veterinarian. The amendment specifically authorizes such conduct under the Uniform Credentialing Act and provides that such conduct is not a part of nor is it a violation of the credentialed person's scope of practice.

Senator Joel Johnson, Chairperson