

E AND R AMENDMENTS TO LB 686

Introduced by Larson, 40, Chairman Enrollment and Review

1           1. Strike the original sections and all amendments  
2 thereto and insert the following new sections:

3           Section 1. Section 38-3321, Revised Statutes Cumulative  
4 Supplement, 2010, is amended to read:

5           38-3321 No person may practice veterinary medicine and  
6 surgery in the state who is not a licensed veterinarian, no  
7 person may perform delegated animal health care tasks in the  
8 state who is not a licensed veterinary technician or an unlicensed  
9 assistant performing such tasks within the limits established under  
10 subdivision (2) of section 38-3326, and no person may perform  
11 health care therapy on animals in the state who is not a licensed  
12 animal therapist. The Veterinary Medicine and Surgery Practice Act  
13 shall not be construed to prohibit:

14           (1) An employee of the federal, state, or local  
15 government from performing his or her official duties;

16           (2) A person who is a student in a veterinary school from  
17 performing duties or actions assigned by his or her instructors  
18 or from working under the direct supervision of a licensed  
19 veterinarian;

20           (3) A person who is a student in an approved veterinary  
21 technician program from performing duties or actions assigned by  
22 his or her instructors or from working under the direct supervision  
23 of a licensed veterinarian or a licensed veterinary technician;

1           (4) Any merchant or manufacturer from selling feed or  
2 feeds whether medicated or nonmedicated;

3           (5) A veterinarian regularly licensed in another state  
4 from consulting with a licensed veterinarian in this state;

5           (6) Any merchant or manufacturer from selling from his or  
6 her established place of business medicines, appliances, or other  
7 products used in the prevention or treatment of animal diseases  
8 or any merchant or manufacturer's representative from conducting  
9 educational meetings to explain the use of his or her products or  
10 from investigating and advising on problems developing from the use  
11 of his or her products;

12           (7) An owner of livestock or a bona fide farm or  
13 ranch employee from performing any act of vaccination, surgery,  
14 pregnancy testing, retrievable transplantation of embryos on  
15 bovine, including recovering, freezing, and transferring embryos on  
16 bovine, or the administration of drugs in the treatment of domestic  
17 animals under his or her custody or ownership nor the exchange of  
18 services between persons or bona fide employees who are principally  
19 farm or ranch operators or employees in the performance of these  
20 acts;

21           (8) A member of the faculty of a veterinary school  
22 or veterinary science department from performing his or her  
23 regular functions, or a person lecturing or giving instructions  
24 or demonstrations at a veterinary school or veterinary science  
25 department or in connection with a continuing competency activity;

26           (9) Any person from selling or applying any pesticide,  
27 insecticide, or herbicide;

1           (10) Any person from engaging in bona fide scientific  
2 research which reasonably requires experimentation involving  
3 animals;

4           (11) Any person from treating or in any manner caring for  
5 domestic chickens, turkeys, or waterfowl, which are specifically  
6 exempted from the Veterinary Medicine and Surgery Practice Act;

7           (12) Any person from performing dehorning or castrating  
8 livestock, not to include equidae.

9           For purposes of the Veterinary Medicine and Surgery  
10 Practice Act, castration shall be limited to the removal or  
11 destruction of male testes; ~~or~~

12           (13) Any person who holds a valid credential in the State  
13 of Nebraska in a health care profession or occupation regulated  
14 under the Uniform Credentialing Act from consulting with a licensed  
15 veterinarian or performing collaborative animal health care tasks  
16 on an animal under the care of such veterinarian if all such tasks  
17 are performed under the immediate supervision of such veterinarian;  
18 or-

19           (14) A person from performing a retrievable  
20 transplantation of embryos on bovine, including recovering,  
21 freezing, and transferring embryos on bovine, if the procedure is  
22 being performed by a person who (a) holds a doctorate degree with  
23 an emphasis in reproductive physiology from an accredited college  
24 or university and (b) has and can show proof of valid professional  
25 liability insurance.

26           Sec. 2. Original section 38-3321, Revised Statutes  
27 Cumulative Supplement, 2010, is repealed.