

**SENATE BILL No. 289**

By Committee on Agriculture

1-17

Proposed Amendments for SB 289  
For Committee on Agriculture  
January 31, 2012  
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Office of Revisor of Statutes

1 AN ACT concerning the veterinary practice act; relating to records  
2 inspection fee; powers of the board of veterinary examiners; grounds to  
3 suspend or revoke a license; amending K.S.A. 47-821 and K.S.A. 2011  
4 Supp. 47-822, 47-830 and 47-842 and repealing the existing sections.

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6 *Be it enacted by the Legislature of the State of Kansas:*

7 Sec. 1. K.S.A. 47-821 is hereby amended to read as follows: 47-821.  
8 (a) In general, but not by way of limitation, the board shall have power to:

9 (1) Examine and determine the qualifications and fitness of applicants  
10 for a license to practice veterinary medicine in this state in accordance  
11 with K.S.A. 47-824 and 47-826, and amendments thereto.

12 (2) Inspect and register any veterinary premises pursuant to K.S.A.  
13 47-840, and amendments thereto, and take any disciplinary action against  
14 the holder of a registration of a premises issued pursuant to K.S.A. 47-840,  
15 and amendments thereto.

16 (3) *Inspect and audit the records and standards of practice of any*  
17 *veterinarian and take any disciplinary action against the licensed*  
18 *veterinarian consistent with the provisions of this act and the rules and*  
19 *regulations adopted thereunder.*

20 ~~(3)~~ (4) Issue, renew, deny, limit, condition, fine, reprimand, restrict,  
21 suspend or revoke licenses to practice veterinary medicine in this state or  
22 otherwise discipline licensed veterinarians consistent with the provisions  
23 of this act and the rules and regulations adopted thereunder.

24 (4) (5) Conduct an investigation upon an allegation by any person  
25 that any licensee or other veterinarian has violated any provision of the  
26 Kansas veterinary practice act or any rules and regulations adopted  
27 pursuant to such act. The board may appoint individuals and committees to  
28 assist in any investigation.

29 (5) (6) Establish and publish annually a schedule of fees authorized  
30 pursuant to and in accordance with the provisions of K.S.A. 47-822, and  
31 amendments thereto.

32 (6) (7) Employ full-time or part-time an executive director and such  
33 professional, clerical and special personnel as shall be necessary to carry  
34 out the provisions of this act. The board shall fix the compensation of  
35 such personnel who shall be in the unclassified service under the Kansas  
36 civil service act. Under the supervision of the board, the executive

compliance with the

1 veterinary technician as provided in K.S.A. 47-821, and amendments  
2 thereto, shall be not less than \$5 nor more than \$25.

3 (f) The fee for an application for registration of a premises required  
4 under K.S.A. 47-840, and amendments thereto, shall be not less than \$50  
5 nor more than \$150.

6 (g) The fee for renewal of registration of a premises required under  
7 K.S.A. 47-840, and amendments thereto, shall be not less than \$10 nor  
8 more than \$50.

9 (h) A late fee of no more than \$50 may be assessed to a person  
10 requesting registration of a premises.

11 (i) The fee for inspection or reinspection of a premises required to be  
12 registered under K.S.A. 47-840, and amendments thereto, shall be not less  
13 than \$50 nor more than \$150.

14 (j) *The fee for inspection and audit of the records and standards of*  
15 *practice of any veterinarian shall be not less than \$50 nor more than*  
16 *\$150.*

17 (k) The board shall determine annually the amount necessary to carry  
18 out and enforce the provisions of this act and shall fix by rules and  
19 regulations the fees established in this section within the limitations  
20 provided in this section.

21 Sec. 3. K.S.A. 2011 Supp. 47-830 is hereby amended to read as  
22 follows: 47-830. The board, in accordance with the provisions of the  
23 Kansas administrative procedure act, may refuse to issue a license, revoke,  
24 suspend, limit, condition, reprimand or restrict a license to practice  
25 veterinary medicine for any of the following reasons:

26 (a) The employment of fraud, misrepresentation or deception in  
27 obtaining a license;

28 (b) an adjudication of incapacity by a court of competent jurisdiction;

29 (c) for having professional connection with or lending one's name to  
30 any illegal practitioner of veterinary medicine and the various branches  
31 thereof;

32 (d) false or misleading advertising;

33 (e) conviction of a felony or entering into a diversion agreement in  
34 lieu of conviction of a felony;

35 (f) failure to provide a written response within the time prescribed by  
36 the board to a written request made by the board pursuant to an  
37 investigation by or on behalf of the board;

38 (g) employing, contracting with or utilizing in any manner any person  
39 in the unlawful practice of veterinary medicine;

40 (h) fraud or dishonest conduct in applying, treating or reporting  
41 diagnostic biological tests of public health significance or in issuing health  
42 certificates;

43 (i) failure of the veterinarian who is responsible for the operation and

compliance with the

criminal prosecution