

SENATE BILL NO. 103

INTRODUCED BY B. GILLESPIE

A BILL FOR AN ACT ENTITLED: "AN ACT REMOVING THE EXAM REQUIREMENT FOR EMBRYO TRANSFER TECHNICIANS; AMENDING SECTION 37-18-104, MCA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 37-18-104, MCA, is amended to read:

"37-18-104. Exemptions -- rules. (1) This chapter does not apply to:

(a) a veterinarian in the performance of the veterinarian's official duties, either civil or military, in the service of the United States unless the veterinarian is engaged in the practice of veterinary medicine in a private capacity;

(b) laboratory technicians and veterinary research workers, as distinguished from veterinarians, in the employ of this state or the United States and engaged in labors in laboratories under the direct supervision of the board of livestock, Montana state university-Bozeman, or the United States;

(c) a veterinarian practicing in another state or country and authorized under the laws of that state or country to practice veterinary medicine, whose practice in this state is limited to an occasional case as that term is defined in board rule;

(d) the employment of a veterinary medical student who has successfully completed 3 years of the professional curriculum in veterinary medicine at a college having educational standards equal to those approved by the American veterinary medical association, if the student is employed by and works under the immediate supervision of a veterinarian licensed and registered under this chapter; or

(e) a person advising with respect to or performing acts that the board defines by rule as accepted livestock management practices.

(2) The operations known and designated as castrating or dehorning of cattle, sheep, horses, and swine are not the practice of veterinary medicine within the meaning of this chapter.

1 (3) Nonsurgical embryo transfers in bovines may be performed under the supervision of a veterinarian
2 licensed and residing in Montana. At a minimum, board rules regarding nonsurgical embryo transfers in bovines
3 must address:

4 (a) minimum education requirements;

5 (b) minimum requirements of practical experience;

6 (c) continuing education requirements;

7 (d) limitations on practices and procedures that may be performed by certified individuals;

8 (e) the use of specific drugs necessary for safe and proper practice of certified procedures;

9 ~~(f) content and administration of the certification test, including written and practical testing;~~

10 ~~(g)(f)~~ application and reexamination procedures; and

11 ~~(h)(g)~~ conduct of certified individuals, including rules for suspension, revocation, and denial of
12 certification.

13 (4) This chapter does not prohibit a person from caring for and treating the person's own farm animals
14 or being assisted in this treatment by the person's full-time employees, as defined in 2-18-601, employed in the
15 conduct of the person's business or by other persons whose services are rendered gratuitously in case of
16 emergency.

17 (5) This chapter does not prohibit the selling of veterinary remedies and instruments by a registered
18 pharmacist at the pharmacist's regular place of business.

19 (6) This chapter does not prohibit an employee of a licensed veterinarian from performing activities
20 determined by board rule to be acceptable, when performed under the supervision of the employing
21 veterinarian.

22 (7) This chapter does not prohibit an employee of a licensed veterinarian from rendering care for that
23 veterinarian's animal patients in cases of emergency. Permissible emergency employee activities under this
24 subsection include activities determined by board rule to be acceptable but do not include the performance of
25 surgery or the rendering of diagnoses.

26 (8) This chapter does not prohibit a certified agency from possessing, or a certified euthanasia
27 technician from administering, any controlled substance authorized by the board for the purpose of euthanasia
28 pursuant to part 6 of this chapter."

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2 NEW SECTION. **Section 2. Effective date.** [This act] is effective July 1, 2021.

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