

Enrolled
House Bill 2033

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor Kate Brown for State Department of Agriculture)

CHAPTER

AN ACT

Relating to deputy state veterinary technicians.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) As used in this section, “veterinary technician” has the meaning given that term in ORS 686.010.

(2) The State Department of Agriculture may deputize certain veterinary technicians throughout this state to assist the department in carrying out its duties. Such veterinary technicians shall be known as deputy state veterinary technicians.

(3) A person desiring an appointment as a deputy state veterinary technician shall apply to the department on forms provided by the department. The department may require on the application all pertinent information the department deems necessary.

(4) Notwithstanding other laws to the contrary, the department is authorized to enter into a contract with a deputy state veterinary technician to obtain and pay for professional services in assisting the department in administering and carrying out its duties. The department may agree to pay deputy state veterinary technicians on a fair and equitable basis, which may include the establishment of a Veterinary Technician Medical Fee Schedule. Such schedule may include, but not be limited to:

- (a) Overtime fees or rates;
- (b) Minimum or maximum fees;
- (c) Amounts to be paid during certain periods of time or for certain types of service;
- (d) Fees based on the number of calls or the number of animals involved; or
- (e) Special fees for certain areas of the state or particular problems. However, as far as practical, fees shall be uniform throughout the state.

(5) Notwithstanding other laws to the contrary, if a deputy state veterinary technician is employed by a veterinarian, or by a firm of veterinarians, or is an employee of the College of Veterinary Medicine or Oregon State University, the department may enter into a contract with the employing entity for the furnishing of professional veterinary technician services to the department. The department may pay the employing entity for professional services furnished in conformity with the contract.

(6) Deputy state veterinary technicians shall assist the department in carrying out the duties imposed upon the department by any law of this state when requested to do so by the State Veterinarian or deputy state veterinarians. Within the scope of the authority delegated to them by the State Veterinarian, deputy state veterinary technicians shall possess the powers and authority conferred upon regularly employed veterinary technicians by any law

of this state. Deputy state veterinary technicians, when carrying out the duties assigned to them, are subject to the direction and control of the State Veterinarian or deputy state veterinarians.

(7) The appointment of a person as a deputy state veterinary technician is effective until the person submits a written resignation to the State Department of Agriculture or until the department revokes or suspends the appointment under section 2 of this 2021 Act.

SECTION 2. (1) The appointment of a person as a deputy state veterinary technician is effective until the person submits a written resignation to the State Department of Agriculture or until the department revokes or suspends the appointment for one of the following causes:

(a) The revocation or suspension of the veterinary technician's license. A deputy state veterinary technician whose license is suspended may apply for reinstatement of the appointment when the license is reinstated. The department may not refuse to reinstate an appointment as a deputy state veterinary technician without good cause.

(b) An unwarranted refusal to carry out reasonable requests by the department to perform specific duties.

(c) In the case of a veterinary technician employed by the United States Department of Agriculture, a termination of the employment of the veterinary technician by that agency or the removal of the veterinary technician from the state.

(d) Failure to use reasonable diligence in the execution of duties imposed upon the deputy state veterinary technician by:

(A) Any law of this state that the deputy state veterinary technician has been directed to administer or carry out by the State Veterinarian; or

(B) An appointment pursuant to the provisions of any law requiring the appointment of a veterinary technician and administered by the department.

(e) The fraudulent use or misuse of any health certificate, shipping certificate or other blank forms used in practice that might lead to the dissemination of disease or the transportation of diseased livestock or the sale of inedible food products of animal origin for human consumption.

(f) Dilatory methods, willful neglect or misrepresentation in the inspection of meat.

(g) Misrepresentation of services rendered.

(h) Failure to report or the negligent handling of any disease of livestock that is required to be reported under ORS 596.321.

(i) Sale or other unauthorized disposal by the veterinary technician of any material, product or medicine furnished to the veterinary technician by the department for use in the performance of duties as employee or officer of the department.

(j) Violation of ORS 596.075.

(2) The department may not revoke an appointment without a hearing, except that in case of revocation for causes specified in subsection (1)(a), (c) or (j) of this section, it is sufficient to give notice in writing of the revocation of appointment.

Passed by House April 9, 2021

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate May 6, 2021

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Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2021

Approved:

.....M,....., 2021

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2021

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Shemia Fagan, Secretary of State