

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)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Authorizes State Department of Agriculture to deputize veterinary technicians to assist department in carrying out its duties.

A BILL FOR AN ACT

1
2 Relating to deputy state veterinary technicians.

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

4 **SECTION 1. (1) As used in this section, "veterinary technician" has the meaning given**
5 **that term in ORS 686.010.**

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

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

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

18 **(a) Overtime fees or rates;**

19 **(b) Minimum or maximum fees;**

20 **(c) Amounts to be paid during certain periods of time or for certain types of service;**

21 **(d) Fees based on the number of calls or the number of animals involved; or**

22 **(e) Special fees for certain areas of the state or particular problems. However, as far as**
23 **practical, fees shall be uniform throughout the state.**

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

30 **(6) Deputy state veterinary technicians shall assist the department in carrying out the**
31 **duties imposed upon the department by any law of this state when requested to do so by the**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 State Veterinarian or deputy state veterinarians. Within the scope of the authority delegated
2 to them by the State Veterinarian, deputy state veterinary technicians shall possess the
3 powers and authority conferred upon regularly employed veterinary technicians by any law
4 of this state. Deputy state veterinary technicians, when carrying out the duties assigned to
5 them, are subject to the direction and control of the State Veterinarian or deputy state
6 veterinarians.

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

10 **SECTION 2.** (1) The appointment of a person as a deputy state veterinary technician is
11 effective until the person submits a written resignation to the State Department of Agri-
12 culture or until the department revokes or suspends the appointment for one of the following
13 causes:

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

18 (b) An unwarranted refusal to carry out reasonable requests by the department to per-
19 form specific duties.

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

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

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

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

29 (e) The fraudulent use or misuse of any health certificate, shipping certificate or other
30 blank forms used in practice that might lead to the dissemination of disease or the trans-
31 portation of diseased livestock or the sale of inedible food products of animal origin for hu-
32 man consumption.

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

34 (g) Misrepresentation of services rendered.

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

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

40 (j) Violation of ORS 596.075.

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