

BILL ANALYSIS

Senate Research Center

S.B. 721
By: Perry
Agriculture, Water & Rural Affairs
6/7/2017
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In Texas, there are currently 16 zoos and other facilities accredited by the national Association of Zoos and Aquariums (AZA). To be accredited, a zoo either must have a full-time licensed veterinarian on staff or must contract with a licensed veterinarian who inspects the animals at least twice a month.

Zoo veterinarians frequently enlist help from specialist veterinarians in private practice or at Texas A&M University when they identify a problem beyond their diagnostic or therapeutic skills or equipment. However, there are some cases in which veterinary specialists are unable to help, and zoo veterinarians must turn to physicians and other "human" health care professionals for help.

Examples include:

- A team of veterinarians, physicians, and virologists developed a rapid diagnostic test and advised on a treatment protocol that now is used worldwide to treat baby elephants and prevent their death from a herpes virus unique to their species.
- Zoo veterinarians have worked with cardiologists to diagnose and treat heart disease in gorillas, orangutans, chimpanzees, and other zoo animals.
- An obstetrics-gynecologist developed a treatment plan for chimpanzee with adenomyosis, a painful condition involving the lining of the uterus. Thanks to the treatment, the veterinarians were able to avoid performing a hysterectomy on the chimp and retain her potential to produce offspring.

The Texas Veterinary Licensing Act (Section 801.004, Occupations Code) currently states that a person is not required to have a veterinary license to treat an animal if the treatment is given "by the owner of the animal, an employee of the owner, or a designated caretaker of the animal." However, the law is not clear as to whether a physician or other human healthcare professional providing assistance to a zoo veterinarian qualifies as "designated caretaker" under Texas law as currently written, and thus may be in a violation of the Veterinary Licensing Act. There is a need to clarify the Veterinary Licensing Act to state that it does not apply to a health care professional who provides treatment or care, without compensation and under the direct supervision of a licensed veterinarian, to an animal owned or under the care of an entity accredited by AZA.

S.B. 721 amends current law relating to treatment and care provided by licensed medical professionals to animals in certain facilities.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 801.004, Occupations Code, as follows:

Sec. 801.004. APPLICATION OF CHAPTER. Provides that this chapter (Veterinarians) does not apply to:

(1) through (7) makes no changes to these subdivisions;

(8) and (9) makes nonsubstantive changes; or

(10) a licensed health care professional who, without expectation of compensation and under the direct supervision of a veterinarian on staff, provides treatment or care to an animal owned by or in the possession, control, or custody of an entity accredited by the Association of Zoos and Aquariums or one of the following organizations that has a veterinarian on staff:

(A) the Global Federation of Animal Sanctuaries; or

(B) the Zoological Association of America.

SECTION 2. Effective date: upon passage or September 1, 2017.