

## BILL ANALYSIS

Senate Research Center  
85R4334 KKR-F

S.B. 721  
By: Perry  
Agriculture, Water & Rural Affairs  
3/8/2017  
As Filed

### 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 MD 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.

Key Points:

Current Law:

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."

Problem:

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.

Request:

We ask that the legislature enact legislation that would 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.

As proposed, 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, to provide that this chapter (Veterinarians) does not apply to, among certain other persons and actions, a licensed health care professional who, without expectation of compensation and under the direct supervision of a veterinarian, 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.

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