



North Dakota Board of Veterinary Medical Examiners

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**Testimony of
Dr. Russell Behm
On behalf of the North Dakota Board of Veterinary Medical Examiners
In Support of Senate Bill 2129
Before the Workforce Development Committee
January 16, 2025**

Chairman Wobbema and members of the committee,

Thank you for the opportunity to testify before you today. My name is Dr. Russell Behm and I have served on the North Dakota Board of Veterinary Medical Examiners since 2018. I am here today to present testimony on behalf of the board in support of Senate Bill 2129 relating to the practice of veterinary medicine and veterinary technology.

The primary intent of this bill is to update and modify existing language to reflect changes within the professions of veterinary medicine and veterinary technology. Currently, there are areas of statute that contain cumbersome and outdated language that are confusing and restrictive for licensees and do not serve the needs of the board or the public.

Sections 3-9, 11-14, 16, 19-21, 23 and 25 provide clarification of language for the reasons expressed above and will not be addressed specifically within this testimony. The revised language allows for a more streamlined process for issuing licenses and completion of administrative duties. There is language that the board feels would be more appropriate in Administrative Code and has prepared the necessary revisions to reflect that if this bill is passed.

Section 1 has several new definitions that are used throughout this chapter and help to clarify and define existing terminology. Definitions for impaired veterinarians and veterinary technicians were added to address not only chemical dependency concerns, but also impairment due to physical or mental disabilities.

A definition for the practice of veterinary technology was added to replace the previous list of veterinary technician duties and allow veterinary technicians to be used as deemed appropriate by the veterinarian.

Section 2 was added to provide detailed requirements for the veterinarian-client-patient relationship, or VCPR, which is the cornerstone of veterinary practice. The importance of in-person establishment of the VCPR cannot be stressed enough. Veterinary patients cannot tell us how they are feeling, and video calls do not replace a hands-on examination for assessment of a patient. Therefore, the VCPR should only be established through an in-person examination.

The use of telemedicine is growing within the veterinary field and there is currently no statutory language pertaining to this area. Section 24 provides a framework for the use of telemedicine within the boundaries of a current VCPR. This VCPR must be established by the requirements listed in Section 2, which include an in-person examination. The board feels strongly that allowing establishment of the VCPR through telemedicine may lead to inadequate assessment of a patient and therefore improper diagnosis and treatment.

Sections 17 and 18 pertain to complaints and disciplinary action. Additional guidelines were necessary to allow the board to utilize professional treatment and monitoring programs if such programs become available in the future.

The current statute does not provide adequate guidelines for the regulation of the profession of veterinary technology. Licensing requirements for veterinary technicians have been clarified in Section 10 with the addition of a jurisprudence examination. Currently, only veterinarians must take this examination. There are several benefits to adding this requirement for veterinary technicians including familiarizing those individuals with the laws that govern their profession.

The board does not wish to restrict veterinarians from employing non-licensed individuals but does wish to provide recognition of the importance of licensed veterinary technicians and their contribution to the profession. The goal of Section 22 is to provide title protection for veterinary technicians and a penalty for those who practice veterinary technology without a license. Section 15 was created to allow for exceptions to the unlicensed practice of veterinary technology.

The board appreciates your consideration and urges a do pass recommendation.