

PUBLIC HEALTH CODE (EXCERPT)
Act 368 of 1978

PART 188
VETERINARY MEDICINE

333.18801 Meanings of words and phrases; general definitions and principles of construction.

Sec. 18801. (1) For purposes of this part the words and phrases defined in sections 18802 to 18805 have the meanings ascribed to them in those sections.

(2) In addition, article 1 contains general definitions and principles of construction applicable to all articles in this code and part 161 contains definitions applicable to this part.

History: 1978, Act 368, Eff. Sept. 30, 1978.

Compiler's note: For transfer of powers and duties of certain health-related functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at MCL 338.3501 of the Michigan Compiled Laws.

Popular name: Act 368

333.18802 Definitions; A to S.

Sec. 18802. (1) "Abandoned by its owner" means any of the following:

(a) Failure of an owner to return to regain custody of an animal left in the custody of a veterinarian by its owner for treatment, boarding, or other services at the scheduled time for the animal's return or at completion of the services.

(b) Refusal of an owner to accept custody of an animal left in the custody of a veterinarian by its owner for treatment, boarding, or other services at the scheduled time for the animal's return or at completion of the services.

(c) Failure of an owner to provide payment for treatment, boarding, or other services on an animal left in the custody of a veterinarian by its owner as agreed upon by the owner and the veterinarian.

(2) "Animal" means an animal other than a human being and includes all fowl, birds, fish, and reptiles, wild or domestic, living or dead, which may be carriers of infectious diseases.

(3) "Owner" means the actual owner of an animal, an agent of the owner of the animal, or a person with the apparent authority to act as the owner or as the agent of the owner of an animal.

(4) "Supervision" includes that degree of close physical proximity necessary for the supervising veterinarian to observe and monitor the performance of a veterinary technician.

History: 1978, Act 368, Eff. Sept. 30, 1978;—Am. 1982, Act 353, Imd. Eff. Dec. 21, 1982;—Am. 2000, Act 22, Imd. Eff. Mar. 13, 2000.

Popular name: Act 368

333.18805 Definitions; P to V.

Sec. 18805. (1) "Practice as a veterinary technician" means the practice of veterinary medicine based on less comprehensive knowledge and skill than that required of a veterinarian and performed under supervision of a veterinarian.

(2) "Practice of veterinary medicine" means:

(a) Prescribing or administering a drug, medicine, treatment, or method of procedure; performing an operation or manipulation; applying an apparatus or appliance; or giving an instruction or demonstration designed to alter an animal from its normal condition.

(b) Curing, ameliorating, correcting, reducing, or modifying a disease, deformity, defect, wound, or injury in or to an animal.

(c) Diagnosing or prognosing, or both, a disease, deformity, or defect in an animal by a test, procedure, manipulation, technique, autopsy, biopsy, or other examination.

(3) "Veterinarian" means an individual licensed under this article to engage in the practice of veterinary medicine.

History: 1978, Act 368, Eff. Sept. 30, 1978;—Am. 1982, Act 353, Imd. Eff. Dec. 21, 1982.

Popular name: Act 368

333.18808 Veterinary technician; health profession subfield.

Sec. 18808. Practice as a veterinary technician is a health profession subfield of the practice of veterinary medicine.

History: 1978, Act 368, Eff. Sept. 30, 1978;—Am. 1982, Act 353, Imd. Eff. Dec. 21, 1982.

Popular name: Act 368

333.18811 Veterinarian or veterinary technician; license or authorization required; prohibited conduct; use of words, titles, or letters.

Sec. 18811. (1) A person shall not engage in the practice of veterinary medicine unless licensed or otherwise authorized by this article.

(2) After July 1, 1979, an individual shall not practice as a veterinary technician without a license.

(3) A veterinary technician shall not diagnose animal diseases, prescribe medical or surgical treatment, or perform as a surgeon.

(4) The following words, titles, or letters or a combination thereof, with or without qualifying words or phrases, are restricted in use only to those persons authorized under this part to use the terms and in a way prescribed in this part: "veterinary", "veterinarian", "veterinary doctor", "veterinary surgeon", "doctor of veterinary medicine", "v.m.d.", "d.v.m.", "animal technician", or "animal technologist".

History: 1978, Act 368, Eff. Sept. 30, 1978;—Am. 1982, Act 353, Imd. Eff. Dec. 21, 1982;—Am. 2006, Act 406, Imd. Eff. Sept. 29, 2006.

Popular name: Act 368

333.18812 Limited license for practice apart from veterinary education; requirements; graduates of nonapproved veterinary education programs.

Sec. 18812. (1) A limited license for practice apart from veterinary education shall require that the individual be a senior student in an approved school of veterinary medicine and be under the supervision of a veterinarian licensed by this state.

(2) Graduates of nonapproved veterinary education programs may be granted a limited license under section 16182(1).

History: 1978, Act 368, Eff. Sept. 30, 1978;—Am. 1982, Act 337, Imd. Eff. Dec. 16, 1982.

Popular name: Act 368

333.18813 Veterinarian or veterinary technician license renewal; continuing education; evidence; license cycle.

Sec. 18813. (1) Beginning January 1, 2020, a licensee seeking renewal of a veterinarian's license shall, if requested, furnish the department with satisfactory evidence that during the 3 years immediately preceding application for renewal, he or she attended at least 45 hours of continuing education courses or programs approved by the board.

(2) Beginning January 1, 2020, a licensee seeking renewal of a veterinary technician's license shall, if requested, furnish the department with satisfactory evidence that during the 3 years immediately preceding application for renewal, he or she attended at least 15 hours of continuing education courses or programs approved by the board.

(3) The license cycle for a veterinarian's license and a veterinary technician's license is 3 years.

History: Add. 2016, Act 47, Eff. June 13, 2016;—Am. 2016, Act 383, Eff. Mar. 28, 2017.

Popular name: Act 368

333.18814 Conduct not considered practice of veterinary medicine.

Sec. 18814. An individual is not engaging in the practice of veterinary medicine in this state who:

(a) Administers to livestock owned by that individual, except when the title is vested in him or her for the purpose of circumventing this act.

(b) Conducts experimentation and scientific research in the development of methods, techniques, or treatments directly or indirectly applicable to the problems of medicine and who in connection therewith uses animals.

(c) Conducts routine vaccination and pullorum testing of poultry under supervision of the national poultry improvement plan as administered by the official state agency and the United States department of agriculture.

(d) Is a regularly employed veterinarian of the United States department of agriculture or a full-time veterinary food inspector while engaged in the inspection of animals as food for human consumption.

History: 1978, Act 368, Eff. Sept. 30, 1978.

Popular name: Act 368

333.18821 Michigan board of veterinary medicine; creation; membership; waiver; terms.

Sec. 18821. (1) The Michigan board of veterinary medicine is created in the department and shall consist of the following 9 members who shall meet the requirements of part 161: 5 veterinarians, 1 veterinary technician, and 3 public members. The chief of the animal health division of the department of agriculture is an ex officio member without vote.

(2) The requirement of section 16135(d) that a board member shall have practiced that profession for 2 years immediately before appointment is waived until September 30, 1980 for members of the board who are licensed in a health profession subfield created by this part.

(3) The terms of office of individual members of the board created under this section, except those appointed to fill vacancies, expire 4 years after appointment on December 31 of the year in which the term expires.

History: 1978, Act 368, Eff. Sept. 30, 1978;—Am. 1982, Act 353, Imd. Eff. Dec. 21, 1982;—Am. 1993, Act 79, Eff. Apr. 1, 1994;—Am. 2006, Act 406, Imd. Eff. Sept. 29, 2006.

Popular name: Act 368

333.18822 Animal diseases; advising department of agriculture.

Sec. 18822. In addition to the functions set forth in part 161, upon request, the board shall advise the department of agriculture in matters pertaining to animal diseases.

History: 1978, Act 368, Eff. Sept. 30, 1978.

Popular name: Act 368

333.18824 Repealed. 1989, Act 201, Imd. Eff. Oct. 23, 1989.

Compiler's note: The repealed section pertained to task force to advise board.

Popular name: Act 368

333.18826 Veterinarian or veterinary technician; civil liability for acts or omissions; immunity; applicability; notice.

Sec. 18826. (1) A veterinarian or veterinary technician is not liable for civil damages as a result of the acts or omissions described in subsection (2) if both of the following apply:

(a) The animal has been brought to the veterinarian or veterinary technician by a person other than the owner of the animal.

(b) The veterinarian or veterinary technician does not know who owns the animal or is unable to contact the owner of the animal before a decision must be made with respect to emergency treatment or euthanasia.

(2) The immunity granted by this section applies to both of the following:

(a) An injury to an animal or death of an animal that results from acts or omissions by the veterinarian or veterinary technician in providing treatment to the animal.

(b) The euthanasia of a seriously injured or seriously ill animal.

(3) This section does not apply to an act or omission by a veterinarian or veterinary technician amounting to gross negligence or willful and wanton misconduct in providing treatment to an animal.

(4) A veterinarian or veterinary technician shall notify the animal control authority in the county in which the animal is found of the disposition of the treatment rendered to the animal before the end of the first business day following the day treatment is rendered.

History: Add. 2000, Act 23, Imd. Eff. Mar. 13, 2000.

Popular name: Act 368

333.18827 Veterinarian or veterinary technician; reporting animal to be abandoned, neglected, or abused; immunity.

Sec. 18827. A veterinarian or veterinary technician who in good faith reports to a peace officer, an animal control officer, or an officer of a private organization devoted to the humane treatment of animals an animal that the veterinarian or veterinary technician knows or reasonably believes to be abandoned, neglected, or abused is immune from civil or criminal liability for making the report.

History: Add. 2000, Act 23, Imd. Eff. Mar. 13, 2000.

Popular name: Act 368

333.18835 Grounds for fine, reprimand, or probation; grounds for denying, limiting, suspending, or revoking license.

Sec. 18835. In addition to the grounds set forth in part 161, the disciplinary subcommittee may fine, reprimand, or place a licensee on probation, or deny, limit, suspend, or revoke the license of a veterinarian for fraudulent use or misuse of a health certificate, inspection certificate, vaccination certificate, test chart, meat

inspection stamp, or other blank form used in the practice of veterinary medicine that might lead to the dissemination of disease, unlawful transportation of diseased animals, or the sale of inedible products of animal origin for human consumption.

History: 1978, Act 368, Eff. Sept. 30, 1978;—Am. 1993, Act 79, Eff. Apr. 1, 1994.

Popular name: Act 368

333.18838 Disposal of abandoned animal; notices; costs; relinquishment of rights by owner.

Sec. 18838. (1) A veterinarian may dispose of an animal placed in the veterinarian's custody for treatment, boarding, or other care and abandoned by its owner by sending the notices required by this section. The veterinarian shall send a first written notice of an intent to dispose of the animal by certified mail to the owner, at his or her last known address and a second written notice not less than 5 days after sending the first notice. Upon the expiration of 5 days after sending the second written notice to the owner, a veterinarian may dispose of the animal.

(2) The disposal of an animal does not release the owner from payment of costs incurred, including the disposal.

(3) This section does not prevent the owner or agent from mitigating additional costs by removing the animal from custody of the veterinarian.

(4) In the case of an animal abandoned by its owner, the owner is considered to have relinquished all rights to the animal.

History: 1978, Act 368, Eff. Sept. 30, 1978;—Am. 2000, Act 22, Imd. Eff. Mar. 13, 2000.

Popular name: Act 368