ASSEMBLY, No. 4075

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED MAY 7, 2020

Sponsored by:
Assemblyman RONALD S. DANCER
District 12 (Burlington, Middlesex, Monmouth and Ocean)

SYNOPSIS

Exempts farriers and horseshoers from licensed practice of veterinary medicine.

CURRENT VERSION OF TEXT

As introduced.

AN ACT concerning farriers and horseshoers and amending R.S.45:16-8.1.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. R.S.45:16-8.1 is amended to read as follows

45:16-8.1 a. Any person shall be regarded as practicing veterinary medicine within the meaning of **[**this**]** chapter 16 of Title 45 of the Revised Statutes, who, either directly or indirectly, diagnoses, prognoses, treats, administers, prescribes, operates on, manipulates, or applies any apparatus or appliance for any disease, pain, deformity, defect, injury, wound or physical condition of any animal, including poultry and fish, or who prevents or tests for the presence of any disease in animals, or who performs embryo transfers and related reproductive techniques, or who holds himself out being able or legally authorized to do so.

b. The term "practice of veterinary medicine, surgery, and dentistry" does not include:

(1) The calling into this State for consultation of a duly licensed veterinarian of any other state with respect to any case under treatment by a veterinarian registered under the provisions of **[**this act**]** chapter 16 of Title 45 of the Revised Statutes;

(2) The practice of veterinary medicine by any veterinarian in the performance of **[**his**]** the veterinarian's official duties in the service of the State of New Jersey or the United States Government, either civil or military;

(3) The experimentation and scientific research activities of physiologists, bacteriologists, biologists, pathologists, biological chemists, chemists, or persons under the direct supervision thereof, when engaged in the study and development of methods and techniques directly or indirectly applicable to the problems of veterinary medical practice;

(4) The administration to the ills and injuries to their own animals by persons owning **[**such**]** those animals; provided, however, that they otherwise comply with all laws, rules and regulations relative to the use of medicines and biologics **[**used in so doing**]** for those purposes;

(5) Persons gratuitously giving aid, assistance or relief in emergency or accident cases, if they do not represent themselves to be veterinarians or use any title or degree appertaining to the practice of veterinary medicine, surgery or dentistry;

(6) Any properly trained animal health technician or other properly trained assistant, who is under the responsible supervision

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

and direction of a licensed veterinarian in ⟦his⟧ the veterinarian's practice of veterinary medicine, if the technician or assistant does not represent himself as a veterinarian or use any title or degree appertaining to the practice of veterinary medicine, surgery or dentistry, and does not diagnose, prescribe, or perform surgery;

(7) Emergency paramedical services rendered during the transportation of an animal to an animal or veterinary facility, when the transportation is provided by any person providing the service for hire as a business;

(8) The care, repair and rehabilitation of wildlife species by wildlife rehabilitators under the responsible supervision of a licensed veterinarian;

(9) The undertaking of duties and actions, in accordance with the provisions of ⟦subparagraph⟧ paragraph (2) of subsection a. of R.S.45:16-9, by a student at an accredited veterinary school, if the student does not represent himself as a veterinarian or use any title or degree appertaining to the practice of veterinary medicine, surgery or dentistry; ⟦and⟧

(10) Artificial insemination; and

(11) The shoeing of horses and the performance of routine procedures attendant to the art of horseshoeing, including trimming and maintaining horse hooves.

(cf: P.L.2013, c.122, s.1)

2. This act shall take effect immediately.

STATEMENT

This bill excludes horseshoeing from being subject to veterinary licensure requirements and considered part of the "practice of veterinary medicine, surgery, and dentistry."

This bill clarifies that a farrier or horseshoer is permitted to perform the shoeing of horses and the performance of routine procedures attendant to the art of horseshoeing, including trimming and maintaining horse hooves. There is a long standing history and tradition of horse owners or their experienced independent contractors performing the art of horseshoeing, including trimming and maintaining horse hooves.

Under current law, a person is prohibited from using any title or degree appertaining to the veterinary profession or the practice of veterinary medicine unless the person is a licensed and registered veterinarian. Under the bill, a farrier or horseshoer would not be subject to licensure as a veterinarian.

Persons engaged in the act or profession of farriery or horseshoeing are excluded from the provisions of the American Veterinary Medical Association Model Veterinary Practice Act.

With this bill, it is the sponsor's intent to make New Jersey's law consistent with the national model act in this respect.

Numerous states have enacted similar exemptions, including New York, Maryland, Connecticut, Florida, Vermont and Oklahoma.