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April 25, 1985

Kenneth L. Jeffery, D.V.M.
Chairman, Arizona State Veterinary Medical
Examining Board
1645 West Jefferson, Room 312
Phoenix, Arizona 85007

RE: I85-056 (R85-052)

Dear Dr. Jeffery:

In your letter dated March 25, 1985, you requested our opinion on whether the rendering of diagnoses and prognoses, or recommending methods of treatment, based upon laboratory work performed in veterinary pathology laboratories, by persons not licensed as veterinaries constitutes the practice of veterinary medicine.

The practice of veterinary medicine includes the diagnosis and prognosis of any animal condition, disease, deformity, defect, wound or injury and the prescription or administration of any drug, medicine, treatment, method or practice for the cure, amelioration, correction or modification of any animal disease, deformity, defect, wound or injury, "for hire, fee, compensation or reward, promised, offered, expected, received or accepted, directly or indirectly." A.R.S. § 32-2231.A. Therefore, any person not licensed as a veterinarian performing laboratory tests in a veterinary pathology laboratory who renders a diagnosis, prognosis or recommends methods of treatment, based on laboratory findings or otherwise, to a member of the public from whom the person has directly or indirectly received compensation, is engaging in the practice of veterinary medicine. Such conduct is unlawful. A.R.S. § 32-2238.A.4. We further conclude that an unlicensed

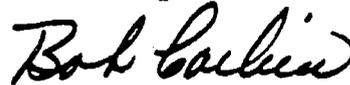
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laboratory operator or technician cannot render a diagnosis, prognosis or recommend a method of treatment even if the animal has been referred to the laboratory by a licensed veterinary.^{1/}

The premises from which veterinary services are offered to the public must also be licensed. A.R.S. § 32-2271.^{2/} Consequently, veterinary pathology laboratories may not offer veterinary services to the public without holding a veterinary premises license.

In summary, persons affiliated with veterinary pathology laboratories who render diagnoses, prognoses or recommend treatments for compensation, are engaging in the practice of veterinary medicine and are required to be licensed veterinarians.

Sincerely,



BOB CORBIN
Attorney General

BC/ML/JD/lfc

1. We note that § 32-2211 sets forth exceptions to the licensing requirements. We have reviewed these exceptions and none are applicable.

2. An exception is made for facilities operated by humane societies or other recognized nonprofit veterinary organizations. A.R.S. § 32-2271.D.