

REFERENCE TITLE: **cat declawing; prohibition; exceptions**

State of Arizona  
House of Representatives  
Fifty-fifth Legislature  
Second Regular Session  
2022

# **HB 2224**

Introduced by  
Representatives Shah: Kavanagh, Longdon, Nguyen

AN ACT

AMENDING SECTION 32-2201, ARIZONA REVISED STATUTES; AMENDING TITLE 32, CHAPTER 21, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTION 32-2240.02; RELATING TO VETERINARIANS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2 Section 1. Section 32-2201, Arizona Revised Statutes, is amended to  
3 read:  
4 32-2201. Definitions  
5 In this chapter, unless the context otherwise requires:  
6 1. "Animal" means any animal other than human.  
7 2. "Board" means the Arizona state veterinary medical examining  
8 board.  
9 3. "Certified veterinary technician" means either:  
10 (a) A graduate of a minimum two-year American veterinary medical  
11 association accredited program in veterinary technology who has passed a  
12 national and a state veterinary technician examination.  
13 (b) A person who is certified on or before December 31, 2010  
14 pursuant to the rules adopted by the board.  
15 4. "Consulting" means providing professional or expert advice that  
16 is requested by a veterinarian licensed in this state and that is rendered  
17 only on a specific case basis.  
18 5. "Controlled substance" means any substance that is registered  
19 and controlled under the ~~federal~~ controlled substances act (P.L. 91-513).  
20 6. "Cremation" means the heating process that reduces animal  
21 remains to bone fragments by combustion and evaporation.  
22 7. "Crematory" means a building or portion of a building that is  
23 licensed pursuant to article 8 of this chapter and that houses a retort in  
24 which only animal remains are cremated.  
25 8. "DECLAWING" OR "ONYCHECTOMY" MEANS ANY SURGICAL PROCEDURE IN  
26 WHICH A PORTION OF AN ANIMAL'S PAW IS AMPUTATED IN ORDER TO REMOVE THE  
27 ANIMAL'S CLAWS.  
28 ~~8.~~ 9. "Direct supervision" means that a licensed veterinarian is  
29 physically present at the location where animal health care is being  
30 performed.  
31 ~~9.~~ 10. "Gross incompetence" means any professional misconduct or  
32 unreasonable lack of professional skill in ~~the performance of~~ PERFORMING  
33 professional practice.  
34 ~~10.~~ 11. "Gross negligence" means treatment of a patient or  
35 practice of veterinary medicine resulting in injury, unnecessary suffering  
36 or death that was caused by carelessness, negligence or the disregard of  
37 established principles or practices.  
38 ~~11.~~ 12. "Indirect supervision" means that a licensed veterinarian  
39 is not physically present at the location where animal health care is  
40 being performed but has given either written or oral instructions for  
41 ~~treatment of~~ TREATING the animal patient.  
42 ~~12.~~ 13. "Letter of concern" means an advisory letter to notify a  
43 veterinarian that, while there is insufficient evidence to support  
44 disciplinary action, the board believes the veterinarian should modify or  
45 eliminate certain practices and that continuation of the activities that

1 led to the information being submitted to the board may result in action  
2 against the veterinarian's license.

3 ~~13.~~ 14. "Licensed veterinarian" means a person who is currently  
4 licensed to practice veterinary medicine in this state.

5 ~~14.~~ 15. "Licensed veterinary faculty member" means a person who is  
6 currently licensed to practice veterinary medicine as an employee of a  
7 veterinary college in this state.

8 ~~15.~~ 16. "Malpractice" means treatment in a manner contrary to  
9 accepted practices and with injurious results.

10 ~~16.~~ 17. "Medical incompetence" means lacking sufficient medical  
11 knowledge or skills, or both, to a degree likely to endanger the health of  
12 patients or lacking equipment, supplies or medication to properly perform  
13 a procedure.

14 ~~17.~~ 18. "Negligence" means the failure of a licensed veterinarian  
15 to exercise reasonable care in ~~the practice of~~ PRACTICING veterinary  
16 medicine.

17 ~~18.~~ 19. "Regularly" means that veterinary services are offered to  
18 the public once a month or more frequently.

19 ~~19.~~ 20. "Responsible veterinarian" means the veterinarian who is  
20 responsible to the board for compliance by licensed veterinary premises  
21 with the laws and rules of this state and of the federal government  
22 pertaining to the practice of veterinary medicine and responsible for ~~the~~  
23 ~~establishment of~~ ESTABLISHING policy at such premises.

24 ~~20.~~ 21. "Specialist" means a veterinarian who is certified as a  
25 diplomate in a particular discipline by a national specialty board or  
26 college recognized by the American veterinary medical association after  
27 ~~the completion of~~ COMPLETING additional education and training, an  
28 internship or residency, passing required examinations and meeting any  
29 other criteria required by the various individual national specialty  
30 boards or colleges.

31 ~~21.~~ 22. "Supervising veterinarian" means a licensed veterinarian  
32 who is responsible for the care rendered to an animal by a certified  
33 veterinary technician or a veterinary assistant.

34 ~~22.~~ 23. "Temporary sites" means sites where outpatient veterinary  
35 services are performed.

36 24. "TENDONECTOMY" MEANS A PROCEDURE IN WHICH THE TENDONS TO AN  
37 ANIMAL'S LIMBS, PAWS OR TOES ARE CUT OR MODIFIED SO THAT THE CLAWS CANNOT  
38 BE EXTENDED.

39 25. "THERAPEUTIC PURPOSE" MEANS FOR THE PURPOSE OF ADDRESSING AN  
40 EXISTING OR RECURRING INFECTION, DISEASE, INJURY OR ABNORMAL CONDITION IN  
41 AN ANIMAL'S CLAW THAT JEOPARDIZES THE ANIMAL'S HEALTH AND FOR WHICH  
42 ADDRESSING THE INFECTION, DISEASE, INJURY OR ABNORMAL CONDITION IS A  
43 MEDICAL NECESSITY.

44 ~~23.~~ 26. "Twenty-four hour services" means veterinary services when  
45 a veterinarian is on the premises twenty-four hours a day.

1           ~~24.~~ 27. "Veterinarian" means a person who has received a ~~doctor's~~  
2 DOCTORAL degree in veterinary medicine from a veterinary college.

3           ~~25.~~ 28. "Veterinarian client patient relationship" means all of  
4 the following:

5           (a) The veterinarian has assumed the responsibility for making  
6 medical judgments regarding the animal's health and need for medical  
7 treatment and the client, owner or caretaker has agreed to follow the  
8 veterinarian's instructions.

9           (b) The veterinarian has sufficient knowledge of the animal to  
10 initiate at least a general or preliminary diagnosis of the animal's  
11 medical condition. Sufficient knowledge is obtained when the veterinarian  
12 has recently seen and is personally acquainted with the keeping and caring  
13 of the animal as a result of examining the animal, when the veterinarian  
14 makes medically appropriate and timely visits to the premises where the  
15 animal is kept or when a veterinarian affiliated with the practice has  
16 reviewed the medical record of such examinations or visits.

17           (c) The veterinarian is readily available for a follow-up  
18 evaluation or the veterinarian has arranged for either of the following:

19           (i) Emergency coverage.

20           (ii) Continuing care and treatment by another veterinarian who has  
21 access to the animal's medical records.

22           ~~26.~~ 29. "Veterinary assistant" means an individual who provides  
23 care under the direct SUPERVISION or indirect supervision of a  
24 veterinarian or certified veterinary technician.

25           ~~27.~~ 30. "Veterinary college" means any veterinary college or  
26 division of a university or college that offers the degree of doctor of  
27 veterinary medicine or its equivalent and that conforms to the standards  
28 required for accreditation by the American veterinary medical association.

29           ~~28.~~ 31. "Veterinary faculty member" means a person who has  
30 received a ~~doctor's~~ DOCTORAL degree in veterinary medicine from a  
31 veterinary college and who is an employee of a veterinary college in this  
32 state.

33           ~~29.~~ 32. "Veterinary medicine" includes veterinary surgery,  
34 obstetrics, dentistry, acupuncture, manipulation and all other branches or  
35 specialties of veterinary medicine and ~~the~~ prescribing, administering or  
36 dispensing ~~of~~ drugs and medications for veterinary purposes.

37           ~~30.~~ 33. "Veterinary student" means a student who is regularly  
38 enrolled in a veterinary college.

39           Sec. 2. Title 32, chapter 21, article 3, Arizona Revised Statutes,  
40 is amended by adding section 32-2240.02, to read:

41           32-2240.02. Declawing, onychectomy or tendonectomy;  
42   therapeutic purposes; records; civil penalty;  
43   license suspension or revocation

44           A. A VETERINARIAN MAY PERFORM OR CAUSE TO BE PERFORMED THE  
45 DECLAWING, ONYCHECTOMY OR TENDONECTOMY OF A CAT ONLY IF THE VETERINARIAN

1 IS LICENSED PURSUANT TO THIS CHAPTER AND THE PROCEDURE IS FOR A  
2 THERAPEUTIC PURPOSE.

3 B. A VETERINARIAN WHO PERFORMS A DECLAWING, ONYCHECTOMY OR  
4 TENDONECTOMY ON A CAT SHALL KEEP A RECORD OF THE PROCEDURE FOR AT LEAST  
5 FOUR YEARS AFTER THE VETERINARIAN'S LAST CONTACT WITH THE CAT. THE RECORD  
6 SHALL INCLUDE ALL OF THE FOLLOWING:

- 7 1. THE NAME AND ADDRESS OF THE CAT'S OWNER.
- 8 2. A PHYSICAL DESCRIPTION OF THE CAT.
- 9 3. THE DATE OF THE PROCEDURE.
- 10 4. THE REASON THE PROCEDURE WAS PERFORMED.
- 11 5. ANY DIAGNOSTIC OPINION AND ANY ANALYSIS OR TEST RESULT THAT  
12 SUPPORTS THE DIAGNOSTIC OPINION.

13 C. NOTWITHSTANDING SECTION 32-2233, A VETERINARIAN WHO VIOLATES  
14 SUBSECTION A OF THIS SECTION IS SUBJECT TO THE FOLLOWING:

- 15 1. A CIVIL PENALTY OF \$1,000 FOR A FIRST VIOLATION.
- 16 2. A CIVIL PENALTY OF \$1,500 FOR A SECOND VIOLATION.
- 17 3. A LICENSE SUSPENSION OR REVOCATION FOR A THIRD OR SUBSEQUENT  
18 VIOLATION.