

July 2021 Monthly Report

Monthly reports share short summary highlights of tracked legislative bills and rules & regulations that have seen recent activity, as well as available board and state VMA updates.



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1. Legislative Activity

Note: Filtered into sections by bill status, then listed by bill topic in alphabetical order.

There are 5 new bills, 4 cross-overs, 6 hearings, 13 passed bills, and 24 dead bills.

1.1 Passed

▲ Companion Animals (1)

Illinois passed [SB154](#) banning any IL Housing Authority property from restricting tenants from owning pets. Also, families under the IL Affordable Housing Trust Fund will be allowed to own up to 4 cats or 3 dogs, regardless of breed, weight, size, etc.

▲ PMP (3)

[CO HB1276](#) November 1, 2021, the applicable board for each prescriber shall, by rule, limit the supply of a benzodiazepine that a prescriber may prescribe to a patient who has not obtained a benzodiazepine prescription from a prescriber within the last twelve months;

[CO SB098](#) continues the prescription drug monitoring program until September 1, 2028; authorizing the state board of pharmacy to promulgate rules that identify a list of prescription drugs that are not currently listed as controlled substances and require such drugs to be tracked through the program.

[CT SB694](#) exempts veterinarians from the requirement to report certain dispensed diabetes drugs/devices from the PDMP.

▲ State Appropriations (3)

[CA AB161](#) appropriates \$3,000,000 shall be provided to support the California Veterinary Emergency Team at the University of California, Davis, School of Veterinary Medicine established pursuant to Section 32101 of the Food and Agricultural Code.

MN HF33 appropriates to the Board of Veterinary Medicine \$363,000

NV AB494 appropriates to Veterinary Medical Services \$982,314 (2021-2022) and \$957,297 (2022-2023)

▲ **Veterinary - Compounding (1)**

ME LD4 requires licensing boards to establish a process to issue a license by endorsement to an applicant who presents proof of licensure by another jurisdiction with equivalent license requirements for the licensed profession or occupation.

▲ **Veterinary (5)**

Oregon passed HB2075 increasing the biennial registration fee for veterinary x-ray tubes from \$140 to \$210.

RI H5599 removes “crimes of moral turpitude” from cause for refusal to issue a license.

Rhode Island passed H6283/S489 establishing a process for the donation and re-administration of donated animal drugs.

RI H6283 allows an owner of an animal may donate a drug that is dispensed for the animal but will not be used by that animal, to a licensed veterinarian or a facility in which veterinary medicine is practiced if the licensed veterinarian or facility chooses to accept the drug.

RI S0489 establishes a process for the donation of unused medications and outlines veterinarian reissuance processes.

RI S1001 removes “moral turpitude” as a reason to deny a license

1.2 Introduced

▲ **Animal Research (1)**

MI SB0582 prohibits conducting research or training activities on dogs in a manner that causes pain or distress.

▲ **Declawing (1)**

PA HB162 adds cats onychectomy, a declawing, partial digital amputation, phalangectomy, or tendonectomy procedure to “animal mutilation and related offenses” unless the procedure is deemed necessary for a therapeutic purpose by a licensed doctor of veterinary medicine.

▲ **Vet-Licensing (1)**

PA HB1992: Current law disqualifies someone for licensure if they commit a felony. The bill would require that felony to be related to the occupation.

▲ **X-Ray/Radiation (1)**

MI HB5116 removes current statute surrounding x-ray fees.

▲ **Veterinary (1)**

NJ A5927 allows equine and livestock veterinary facilities on preserved farmland under certain conditions.

1.3 Crossed Over

Note: Crossed over bills are bills that originate in one chamber (e.g., House or Senate) then *cross over* to the other chamber to be considered before the end of the session.

▲ **Animal Welfare (1)**

Companion bills CA AB132 and CA SB132 would require the University of California, Davis, school of veterinary medicine to develop a program called the California veterinary emergency team, and would require the program to assist in the support and training of a network of government agencies, non-governmental organizations, and individuals to assist in the evacuation and care of household and domestic

animals and livestock in emergencies statewide, including disaster preparedness, response, recovery, and mitigation.

▲ **Electronic Prescriptions (1)**

OH HB193 requires e-prescribing with exemptions. VMA has been contacted to confirm veterinarians are exempt.

▲ **Veterinary (1)**

NJ A317 requires animal and veterinary facilities to register with the State Board of Veterinary Medical Examiners and to be inspected by the board on an annual basis.

1.4 Hearings

▲ **Pet Groomers (1)**

MA H378 requiring pet groomers to be licensed. (07/12)

▲ **Boarding/Kennels (1)**

MA H305 establishing daycare facility standards and licensing. (07/12)

▲ **Declawing (1)**

MA S222 banning declawing. (07/12)

▲ **Veterinary (1)**

MA S1246 Voids/Renders unenforceable any contract or agreement concerning a professional relationship with a veterinarian registered to practice veterinary medicine that includes any restriction on the veterinarian to practice veterinary medicine in any geographic area for any period of time after the termination of the professional relationship. (07/13)

▲ **Veterinary Tech (2)**

MA H406 and MA S219 establish a Subsidiary Board for Veterinary Technology (Board), subject to the Board of Registration in Veterinary Medicine. (07/12)

1.4 Dead

Note: There are 24 dead bills. Some of the significant ones include:

▲ Miscellaneous (1)

TX HB4173 prohibits state licensing authority, and a person in the course of the person's employment as a pharmacist, from using a practitioner's Federal DEA number for a purpose other than a purpose described by federal law or by this chapter.

▲ Reciprocity (1)

NV SB402 would have granted reciprocity.

▲ Reportable/Zoonotic Diseases (1)

TX HB652 would have implemented a notice system for communicable diseases in animal shelters.

▲ Veterinary – Cannabis (3)

CT SB01118 stated any person who provides cannabis, as defined in section 1 of this act, to a domesticated animal, shall be guilty of a class c misdemeanor. No cannabis establishment shall produce, manufacture or sell cannabis that is intended for use or consumption by animals. HB06377 mirrored this bill but provided an exemption for veterinarians.

OK HB2179 required the State Board of Veterinary Medical Examiners shall adopt guidelines for veterinarians to follow when recommending medical marijuana products within the VCPR.

▲ Veterinary – Chiro/Massage (1)

ID H0404: Indirect supervision of a chiropractic allied health professional who meets the conditions in subsection (41)(b) of this section does not require written or oral instructions for treatment or an examination by a supervising veterinarian prior to treatment by the professional.

▲ **Veterinary- Immunity (1)**

MO HB643 would have provided immunity for veterinarians who report animal abuse.

▲ **Tax Issues (2)**

LA HB605 and TX SB1711 would have added veterinary services to sales tax.

▲ **Telemedicine (2)**

CT HB05395 allowed veterinarians to provide telehealth services and to establish certain standards with regard to a veterinarian-client-patient relationship.

OK HB2685 defined telemedicine and telehealth and outlined appropriate protocol.

▲ **Veterinary (3)**

TX HB685 requiring the utility commission to develop a protection plan for veterinarians with electric-powered devices.

TX HB4181 making it a felony to practice without a license.

TX HB4327 prohibits the governing body of a municipality may not adopt or enforce any ordinance, rule, or regulation that prohibits a veterinarian from performing a medical procedure on an animal that is not prohibited by this chapter or other state law.

2. Rules & Regulations Activity

Rules and Regulation changes that have taken effect.

▲ Alaska

At their June meeting, The Alaska Board of Veterinary Examiners resolved to adopt:

12 AAC 68.010(b) requiring applications for licensure and all supporting documents to be received by the department at least 15 days before the deadline to register for the ICVA exam. Previous statute allowed 120 days.

12 AAC 68.215 Veterinarian-Client-patient-relationship to clarify that all requirements to establish a VCPR are still applicable. The proposed definition for a VCPR allows for the establishment through electronic means in remote regions where there are no locally available veterinarians. To clarify the meaning of “associate” as a veterinarian in the same practice with access to medical records.

12 AAC 68.315(b) requiring applications for examination/reexamination to be received by the department at least 15 days before the deadline to register for the next exam as set by AAVSB. Previous statute allowed 45 days.

12 AAC 68.910(e) allowing for electronic disposal of medical records

12 AAC 68.930 amending the requirements for the prescription drug monitoring program (PDMP), including registration and delegates. The new language allows for a veterinarian to delegate PDMP responsibilities to another veterinarian or veterinary technician within their practice.

12 AAC 68.935 is a new section outlining the compliance requirements for use of the PDMP

12 AAC 68.990 adds the definitions o for “veterinary facility” or “veterinary medical facility”.

[Full language](#) as adopted begins on pg. 5

▲ Colorado

- Through this emergency rulemaking, the Executive Director of the Department of Regulatory Agencies, through the Director of the Division of Profession and Occupations (Division Director), is addressing temporary licensure for new graduates in order to expand the available healthcare workforce while the graduates await examination; and expanded scope of practice for veterinarians in order to provide hospitals and inpatient facilities with the flexibility to fill healthcare service gaps with readily available personnel through expanded delegation of services. [Link](#)
 - The purpose of these emergency rules is to effectuate Executive Order D 2021 096 directing the Executive Director of the Department of Regulatory Agencies, through the Director of the Division of Professions and Occupations (Division Director), to effectuate Executive Order D 2021 096 directing the immediate expansion of the workforce of trained medical personnel available to administer the coronavirus disease 2019 (COVID-19) vaccinations within inpatient facilities and outpatient settings due to the coronavirus disease 2019 (COVID-19) pandemic in Colorado.
 - Through this emergency rulemaking, the Executive Director of the Department of Regulatory Agencies, through the Director of the Division of Profession and Occupations (Division Director), is addressing expanded scope of practice for veterinarians in order to provide hospitals and inpatient facilities with the flexibility to fill healthcare service gaps with readily available personnel through expanded delegation of services. [Link](#)
 - Ballot initiative 16, making animal husbandry illegal and requiring livestock to live 25% of its life, has been ruled invalid by the Colorado Supreme Court. [Link](#)
 - Colorado – [The Board of Regulatory Agencies Legislative Watch](#) states that [SB21-122: Opiate Antagonist Bulk Purchase and Standing Orders](#) affects veterinarians. Current law allows certain entities to purchase opiate antagonists through the Opiate Antagonist Bulk Purchase Fund, and allows other entities to receive opiate antagonists pursuant to standing orders and protocols. The bill aligns eligibility, so all of these entities are eligible for both the bulk purchase fund and for standing orders.
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▲ Iowa

ADOPTED AND FILED:

- **ARC 5713C**

The purpose of [this rulemaking](#) is to accomplish the following:

- Allow for larger dog playgroups, of up to 30 dogs, while maintaining the same ratio of 15 dogs to one person.
- Decrease allowable play area size from 75 square feet per dog to 50 square feet per dog.
- Allow overnight group housing of dogs within dog daycares
- Update euthanasia guidelines to the most current version of the American Veterinary Medical

[Filed 5/28/21, effective 7/21/21] [Published 6/16/21]

- **ARC 5726C**

Purpose and Summary: New rule 811—8.12(272C) implements 2020 Iowa Acts, House File 2627, by providing the Board with the ability to register a veterinary technician who is moving to Iowa from another jurisdiction that does not license or register these types of positions. An individual who holds at least three years of work experience in another state is eligible to register in Iowa more easily under this rule. This rule establishes application procedures including documentation of the individual's prior work experience, proof of passing the national and state veterinary technician examinations, verification that the work in another state was similar in scope to what Iowa requires in order to register an individual, and proof of Iowa residency.

[Filed 6/2/21, effective 8/9/21] [Published 6/30/21]

▲ Nevada

Proposed Regulations Of The State Board Of Veterinary Medical Examiners

The State of Nevada Board of Veterinary Medical Examiners is proposing amendments

of regulations pertaining to chapter 638 of Nevada Administrative Code.

The purpose of the workshops is to solicit comments from interested persons on the following general topics that may be addressed in the proposed regulations:

- Elimination of notary requirement
 - Revision of renewals from annual to a biannual schedule
 - Revision of the definition of veterinarian-client-patient-relationship to conform with AB 200
 - Revision to language related to notice of hearings to conform with AB200.
 - Addition of definition for “physical examination” related to AB200.
 - Additions or changes to language related to AB200.
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▲ **New Mexico**

Facility inspections will resume on June 14, 2021. A facility refusing the Facility Inspector access to conduct the biennial inspection will be in violation of Board rule and subject to disciplinary action by the Board.

16.25.7.10 FACILITY INSPECTIONS:

1. Regular facility inspections. Each licensed veterinary facility is inspected by the facility inspector every other calendar year or at a frequency determined by the board. The board conducts regular facility inspections to:

(1) ensure that every licensed veterinary facility in New Mexico is operating according to the minimum standards promulgated by the board of veterinary medicine;

(2) assist facilities in achieving and maintaining minimum standards and to encourage the continuous improvement of quality of services.

▲ **North Carolina**

The proposed rule for 21 NCAC 66.0211, Veterinary Telemedicine (See language below) was submitted to the Rules Review Commission on 3/16/2021 and published

below) was submitted to the Rules Review Commission on 5/10/2021 and published on 4/15/2021 in the NC Register Volume 35 Issue 20. The comment period ended on 6/14/2021. A motion was made to accept the Veterinary Telemedicine rule as the public comment period has ended, seconded, and unanimously approved.

SECTION .0200 PRACTICE OF VETERINARY MEDICINE

(a) "Veterinary telemedicine" or "telemedicine" means the use of electronic or telecommunication technologies to remotely provide medical information regarding a patient's clinical health status and to deliver veterinary medical services to a patient that resides in or is located in the State. The delivery of veterinary medical services through telemedicine is the practice of veterinary medicine. The practice of veterinary medicine occurs where the patient(s) is located at the time telemedicine technologies are used.

(b) A veterinarian may provide veterinary medical services via telemedicine to any patient only after establishing a Veterinarian-Client-Patient-Relationship (VCPR). No person shall practice veterinary telemedicine except a veterinarian within the context of a VCPR. A VCPR cannot be established by any electronic means or telecommunication technologies.

(c) "Veterinary telemonitoring" means the use of a medical device, smartphone, monitoring sensor, or other technology, in combination with an internet connection, to collect and store health information for a patient of the veterinarian and to transmit it to a veterinarian, as directed or requested by a veterinarian. Veterinary telemonitoring, by that act alone, is not the practice of veterinary medicine.

(d) "Veterinary Teleconsulting" occurs when any person, whose expertise the veterinarian believes would benefit the veterinarian's patient, provides advice or other information by any method of communication to a veterinarian at the veterinarian's direction or request. Veterinary teleconsulting, by that act alone, is not the practice of veterinary medicine.

(e) Veterinarians practicing telemedicine shall be held to the same standard of care as veterinarians providing in-person medical care. There is not a separate standard of care applicable to telemedicine. Veterinarians shall determine whether telemedicine is appropriate and in the best interest of the patient. Veterinarians shall maintain a

▲ Oregon

Hearings will be held for 875-040-0000 and 875-040-0010 on 08/20/21

· **875-040-0000 Certified Euthanasia Technicians (CETs):** Amending to clarify existing language; Amending to include only one list of approved euthanasia methods that may be utilized; Amending to clarify that the euthanasia rules apply to all domestic animals; Amending to include Butorehanol as approved euthanasia drug; Alphabetizing list of euthanasia drugs; Amending to ensure that standards of conduct rules for CET’s are consistent with the standards of conduct rules for all other OVMEB licensee

· **875-040-0010 Certification of Technicians:** Amending to ensure that the licensing procedures for CET applicants are consistent with the licensing procedures for all other OVMEB licensee applicants; Amending to include internship requirements prior to full licensure as a CET; Amending to correspond with proposed changes to 875-040-0000. A CET Internship requirement will ensure that euthanasia technicians receive hands-on training and demonstrate proficiency in performing euthanasia of domestic and animals prior to full licensure.

This rule had a hearing on 06/22/21. It adds to the reportable disease statutes, changing 603-011-0212: Diseases Reportable by Veterinarians.

▲ Washington

The Department of Health (department) has adopted amendments to WAC 246-10-109 and WAC 246-11-080, procedural rules applicable to adjudicative proceedings conducted by the department and health professions boards and commissions. Adjudicative proceedings are legal processes used to resolve a dispute.

The adopted amendments will: (1) Allow for the option of electronically filing of documents with the Adjudicative Clerk’s Office (ACO). Electronic filing may now be done via electronic mail or other secure electronic means as established by the department; (2) Continue to allow for the option of hand delivering documents to ACO, however, the rule excludes hand delivery of documents to the ACO when the office is

closed during normal business hours due to exigent circumstances; (3) No longer require copies of documents being filed or served by fax to be mailed simultaneously with fax transmission of documents; (4) Recognize that the parties may agree to electronic mail for service of documents between or among themselves, and provides that ACO will serve documents on the parties electronically when the parties agree to service via electronic mail or other secure electronic means as established by the department

- [Rule Making Order](#)
- [CES PostAdoptionNotice Efile Court Docs.pdf](#)

This includes veterinarians and pharmacists and staff. [List](#).

3. Board Watch

▲ Arizona

The Board passed a motion to return to pre-COVID procedures for Board approval of premises licenses.

▲ California

On the agenda for the upcoming July meeting [View Agenda](#):

Update, Discussion, and Possible Action on 2021 Legislation

1. Assembly Bill (AB) [1282](#) (Bloom, 2021) Veterinary medicine: blood banks for animals

1. [AB 1535](#) (Committee on Business and Professions, 2021) Veterinary Medical Board: application and examination: discipline and citation

1. Senate Bill (SB) [344](#) (Hertzberg, 2021) Homeless shelters grants: pets and veterinary services

1. [SB 731](#) (Durazo, 2021) Criminal records: relief

Update, Discussion, and Possible Action on Proposed Regulations

1. Status Update on Pending Regulations

1. Section [2006](#), Article 1, Division 20, Title 16 of the CCR Regarding Disciplinary Guidelines

1. Sections [2090-2095](#), Article 11, Division 20, Title 16 of the CCR Regarding Drug Compounding

1. Recess until July 23, 2021, at 9:00 a.m.

Discussion and Potential Recommendations Regarding Legislative Proposal to Amend Business and Professions Code (BPC) Section 4825.1 and Add BPC Section 4826.3 (disciplinary), and Regulatory Proposal to Amend Section 2032.1 (cannabis), Article 4, Division 20, Title 16 of the California Code of Regulations (CCR) Regarding Telemedicine

Discussion and Potential Recommendation Regarding Veterinary Premises Inspection Checklist and Inspection Process Improvements

▲ Colorado

The [Colorado Board of Regulatory Agencies Legislative Watch](#) states that the following bills affect veterinarians.

[SB21-122: Opiate Antagonist Bulk Purchase and Standing Orders](#) Current law allows certain entities to purchase opiate antagonists through the Opiate Antagonist Bulk Purchase Fund

entities to purchase opiate antagonists through the Opiate Antagonist Bulk Purchase Fund, and allows other entities to receive opiate antagonists pursuant to standing orders and protocols. The bill aligns eligibility so all of these entities are eligible for both the bulk purchase fund and for standing orders.

HB 21-1123: CAPS Check for Substantiated Cases of Mistreatment of an At-Risk Adult

On May 7, 2021, Governor Jared Polis signed [HB21-1123 CAPS Checks For Substantiated Mistreatment of At-Risk Adults](#). This bill, which takes effect on September 1, 2021, requires information sharing between the Department of Human Services (DHS), county departments of human services, and the Division of Professions and Occupations (DPO) if a regulated professional was found to have a substantiated case of mistreatment of an at-risk adult in the course of their professional duties. The bill also requires licensees, certificate holders, and registrants regulated under Title 12 to provide their credential number to county adult protective services, upon request, in substantiated cases of mistreatment of an at-risk adult. In addition, DHS must share certain appeal information with DPO, upon request, and courts are required to request Colorado Adult Protective Services (CAPS) data system checks from DHS before appointing a conservator or guardian to an at-risk adult.

[Stakeholders meeting concerning the implementation of HB21-1276. \(07/23/21\)](#) A limit of supply of benzodiazepine prescribed shall not exceed 30 days for that a prescriber may prescribe to a patient who has not obtained a benzodiazepine prescription from a prescriber within the last 12 months. This rule shall not limit the supply of benzodiazepine to patients that are prescribed a benzodiazepine to treat any of the following:

- 1) Epilepsy;
- 2) A seizure or seizure disorder
- 3) Spasticity;
- 4) Alcohol withdrawal; or
- 5) A neurological condition, including a posttraumatic brain injury or catatonia.

Nothing in this Rule shall be construed to require a practitioner to abruptly discontinue, limit or furnish taper to a patient on opioid therapy. The standard of care requires effective

or forcibly taper a patient on opioid therapy. The standard of care requires effective and individualized treatment for each patient as deemed appropriate by the prescribing practitioner without an administrative or codified limit on dose or quantity that is more restrictive than approved by the Food and Drug Administration (FDA).

▲ Georgia

During their May meeting, the Board discussed potential amendments concerning **Board Rule 700-7-.03. Continuing Veterinary Education**, which allows all 30 hours of CE to be obtained online. The referral of the Board Rule to the Committee was based on the submission of correspondence regarding live interactive webinars counting towards the in-person CE requirement for renewal of licensure. After further discussion, it was the consensus of the Committee to table further amendments based on the currently pending Board Rule 700-7-0.1- .03. Emergency Rule on Continuing Veterinary Education.

The Emergency Rule has been forwarded to the Attorney General's Office for a Memorandum of Authority and contains much for which the rule amendment would bear legal precedent. Barring any objections from that office, the Board Rule will then be forwarded to the Governor's Committee for review and approval. If the Emergency Rule passes through the Governor's Office, the Rules Committee will reconvene to take into consideration the correspondence submitted for the purpose of amending Board Rule 700-7-.03. Continuing Veterinary Education.

▲ Hawaii

There was extensive oral testimony surrounding out-of-state veterinarians and the recent Board interpretation of [HRS 471\(2\)-5](#). There were requests to the Board to consider amending the current laws that would accept PAVE for licensed veterinarians to practice in Hawaii under locum or reconsider the interpretation of HRS section 471-2(5), for out-of-state veterinary specialists to practice in Hawaii under sponsorship.

The Board will create a Permitted Interaction Group, pending quorum at the next scheduled meeting (July 14, 2021). The Permitted Interaction Group allows discussion to move forward with rule/law changes.

▲ Idaho

The Board has a Telemedicine Policy Review slated on the agenda for their summer meeting.

▲ Iowa

The proposed list of changes by the Board Members regarding **Code Chapter 169 and Administrative Rules 811-8 Auxiliary Personnel** was discussed. Most of the proposed changes for the veterinary technicians is involved changing to clarifying the definition of the Certified Veterinary Technicians and changing the definition.

ARC 5431C – This rule is the proposed rulemaking on prescriptions. The motion was made to approve the changes delineated in ARC5431C. Motion approved unanimously.

ARC 5432C – This rule is the proposed rulemaking on Registration as Veterinary Technician by Verification. This rule is similar to endorsements with a few slight differences. The motion was made to approve the rule as noticed in ARC 5432C. Motion approved unanimously.

ARC 5433C – This rule is the proposed rulemaking on Registration for Veterinary Technicians by Work Experience in jurisdictions without licensure requirements. The legislature enacted the law and is open for public comment. The requirement in Iowa is the veterinary technician has to pass the Veterinary Technician National Examination and Veterinary Technician State Examination to be registered in Iowa. According to the definition, a veterinary technician is a graduate of a two-year veterinary technician program accredited by the American Veterinary Medical Association. The rule is being paused at this time for clarification due to the concerns expressed by the public. The Board Members will review the concerns for discussion at the May Board Meeting.

ARC 5434C – This rule is the proposed rulemaking on Licensure by Verification for Veterinarians. This is similar to licensing by endorsement with a few slight differences. This rule is also required by statute. A motion was made to approve the rule as noticed in ARC 5434C. Motion approved unanimously.

ARC 5474C – This rule is the proposed rulemaking for the application fee for License by Verification and the pathway that you just approved for the veterinarians for those veterinarians that choose this pathway to license. No comments were opposed to this rule. A motion was made to approve the rule as noticed in ARC 5474C. Motion approved

unanimously.

▲ **Indiana**

Veterinarian and CSR license renewals are open. Licenses must be renewed by 11:59 PM EST on 10/15/2021

▲ **Washington**

The veterinary board has posted guidance on the [client communication rule](#) that went into effect last year. [Link to FAQs](#)

4. VMA Updates

▲ **Arizona**

AzVMA news "[Radiation Protection and Safety in Veterinary Medicine](#)" (PDF), is a 181-page entry in the IAEA Safety Reports Series intended for industries and occupations. It provides details on the safe use of radiation in imaging and treatment.

The safety report itself states that, unlike human medicine, veterinary medicine often uses ionizing radiation outside dedicated health care facilities, such as in stables, on farms, and at zoos. Handling animals also often requires the presence of more people than just the veterinary practitioner, and that requires additional protective measures.

▲ **California**

[Extension of DCA Director's Order Waiving Restrictions on Telemedicine and Extending Time to Refill Prescriptions](#)

Published: July 2, 2021

Pursuant to the Governor's Executive Order [N-39-20](#), on June 4, 2020, the Director of the Department of Consumer Affairs (DCA) issued an Order Waiving Restrictions on Telemedicine and Extending Time to Refill Prescriptions ([June 4 Order](#)), which contained two waivers regarding the veterinarian-client-patient relationship (VCPR).

With respect to telemedicine restrictions related to the VCPR, the June 4, 2020 waiver was extended on [July 31, 2020](#), [September 17, 2020](#), [December 15, 2020](#), [February 26, 2021](#), and [April 30, 2021](#), so that the waiver was in effect through June 30, 2021. On July 1, 2021, the Director issued a new Order ([July 1 Order](#)) further extending the [June 4 Order](#) waiving, until August 31, 2021, specified telemedicine restrictions related to the VCPR.

For prescription refills associated with the VCPR, the [June 4 Order](#) authorized prescription refills up to 18 months for refills based on an in-person examination of an animal patient last performed by a veterinarian between June 1, 2019, and August 1, 2019. On November 25, 2020, the Director withdrew and superseded that waiver and issued an [order](#) authorizing prescription refills up to 20 months for refills based on an in-person examination of the animal patient last performed by the veterinarian between June 1, 2019, and August 1, 2019.

The [July 1 Order](#) authorizes prescription refills up to 18 months for prescriptions that may not be refilled between July 1, 2021, and August 31, 2021, due to the one-year time limitation for refilling a prescription from the date the veterinarian last examined the animal patient and prescribed the drug

[New Regulatory Changes Effective July 1, 2021 – Registered Veterinary Technician Emergency Animal Care](#)

Published: July 2, 2021

On March 2, 2021, the Veterinary Medical Board's (Board) [regulatory proposal](#) to amend California Code of Regulations, title 16, section [2069](#), related to Registered Veterinary Technician (RVT) Emergency Animal Care, was [approved](#) by the Office of Administrative Law and filed with the Secretary of State. The regulatory changes became effective July 1, 2021.

The regulatory changes do the following:

- authorize an RVT to provide either lifesaving aid or emergency treatment to an animal;
- strike the terms for administration of pharmacological agents and, instead, authorize an RVT, after direct communication with a veterinarian licensed or otherwise authorized to practice in this state, to perform administration of a drug or controlled substance to: (1) prevent or control shock, including parenteral fluids; (2) manage pain or sedate an animal for examination or to prevent further injury; or (3) prevent suffering of an animal, up to and including euthanasia;

make other minor and technical revisions.

▲ Colorado

CVMA Bill Tracker:

CO HB1012 – Expand Prescription Drug Monitoring Program

Current law requires the prescription drug monitoring program (program) to track all controlled substances prescribed in Colorado. The bill expands the program, effective February 1, 2023, to track all prescription drugs prescribed in this state...

06/17/2021: Sent to the Governor

CO HB1266 – Environmental Justice Disproportionate Impacted Community

Section 3 of the bill defines “disproportionately impacted community”; Section 4 requires the air quality control commission to promote outreach to and engage with disproportionately impacted communities by creating new ways to gather...

07/02/2021: Governor Signed

CO SB271 – Misdemeanor Reform

The bill reforms the sentencing provisions related to misdemeanors and petty offenses. Under current law, there are 3 classifications for misdemeanors and 2 classifications for petty offenses. The bill reduces the misdemeanor classifications...

07/06/2021: Governor Signed

▲ Connecticut

[Important Information About Rabies Vaccinations from the CT State Veterinarian:](#)

Rabies vaccination is mandated by State statute to protect the public and other animals from exposure to rabies. Connecticut is endemic for wildlife rabies. As we progress into Spring and warmer weather, wildlife will become more active increasing the likelihood of interactions with the public and pets. Rabies vaccinations should not be delayed especially in situations where a pet has never been vaccinated or when wildlife exposure has occurred and a booster vaccination is needed as part of the post-exposure treatment. (The first rabies vaccination takes 30 days for the animal to develop full immunity and protection against a challenge. The pet would not be considered currently vaccinated until the 30 days have passed.) Both situations should be treated as priorities for care.

Previously rabies-vaccinated animals should be kept current with a booster given as close to the vaccination expiration date as possible. Booster injections given to previously vaccinated dogs and cats that are overdue, but have documented rabies vaccination will be considered currently vaccinated upon injection of the booster. The rabies vaccination certificate given for that vaccination duration will reflect the rabies vaccine that was used for that injection (1 year or 3 years). The amount of time that lapsed will not determine the certificate duration, but the documentation presented as previous proof of vaccination to the licensed veterinarian. If the previous proof of vaccination is not adequate, the veterinarian may only issue a one-year rabies vaccination certificate.

▲ Maryland

MDVMA Legislative Committee Responds to Dissenting Opinion in Non-economic Damages Case: As reported in the [June NewsBytes](#), Maryland's highest court ruled in favor of pet owners after hearing the case to consider and address the scope of compensatory damages available in the case of the tortious injury or death of a pet. MDVMA was a signatory to the amicus brief filed in the case. While the outcome was

favorable for veterinarians, **a dissenting opinion was published in The Washington Post** following the ruling.

Legislative Committee Chair, Dr. Matthew Weeman, with the assistance of MDVMA's Lobbyist and the Animal Health Institute, followed up with a response reinforcing our main points that not allowing these types of damages for animals helps animals and their owners by keeping care affordable. **Read the response published June 23 in the Capital Gazette.**

▲ Virginia

Virginia-Maryland: College of Veterinary Medicine is currently recruiting participants for a research study examining the wellness of veterinarians During COVID-19. Their survey, the **Potomac Regional Veterinary Coping, Resilience, and Challenges (CRC)** survey, aims to assess the stressors veterinarians are experiencing during COVID-19, understand coping and supports, and to disseminate resource information.

This survey is a collaborative effort being conducted with representatives from the Virginia-Maryland College of Veterinary Medicine, the Virginia Department of Health, D.C. Health, the D.C. Veterinary Medical Association, the Virginia Department of Agriculture and Consumer Services, and the Department of Human Development and Family Science at Virginia Tech. The only people who will see your survey responses are the survey personnel.

To learn more about the survey and the professionals leading this study, please visit our webpage at https://blogs.vetmed.vt.edu/research-and-graduate-studies/potomac_regional_survey.html

Link

▲ Washington

Alleviating veterinary shortages: Efforts reintroduced in Senate

A bill championed by the AVMA has been reintroduced in the Senate that would enable more veterinarians to receive student loan relief, and help increase access to rural veterinary care across the country. The Veterinary Medicine Loan Repayment Program (VMLRP) Enhancement Act would remove the federal withholding tax on

service awards, making more funds available to recruit veterinarians to states in need of essential services to maintain public and animal health.

Veterinarians participating in the VMLRP receive up to \$25,000 a year for student loan repayment in exchange for three years of service in a U.S. Department of Agriculture (USDA)-designated veterinarian shortage area. In 2021, the USDA designated 221 shortage areas in 48 different states.

5. Canadian VMA Updates

▲ Ontario

Since 2016, Council has conducted an annual review of its policy on telemedicine. This year, there are two major areas for Council's discussion and debate. These issues were brought to Council's attention to the debate in September 2020, at which time the Council directed staff to bring the issues back for its consideration in June 2021 with further background information with respect to the outcome of pandemic measures and other information.

The first area of consideration relates to jurisdiction. The College's current *Professional Practice Standard: Telemedicine* states that, in all circumstances, an individual practicing veterinary medicine in Ontario must be licensed with the College. However, a recent *National Policy Statement on Telemedicine* adopted by the Canadian Council of Veterinary Regulators (CCVR) presents the opportunity for Council to revisit its policy.

The second area of consideration relates to prescribing. The College's current *Professional Practice Standard: Telemedicine* permits a veterinarian working from an accredited facility to establish a veterinarian-client-patient relationship (VCPR) via telemedicine alone. However, a veterinarian must have recent and sufficient knowledge of the animal(s) obtained through either an in-person physical examination or premise visit to prescribe a drug. In response to the Covid-19 pandemic, this rule

was temporarily modified in March 2020 to permit prescribing of all non-controlled drugs and substances to a new client/patient via telemedicine within a VCPR but without requiring a physical examination or premise visit to obtain recent and sufficient knowledge. This temporary modification has presented Council with the opportunity to consider whether this allowance, in a circumscribed manner, should become a permanent amendment in cases where there is an immediate need for the welfare of the animal.

The College relaxed its rules related to prescribing via telemedicine alone in March 2020. This allows a veterinarian to prescribe non-controlled drugs and/or substances within a veterinarian-client-patient relationship (“VCPR”) but without performing an in-person physical examination or premise visit in order to obtain recent and sufficient knowledge.

Both of these developments have presented Council with the opportunity to reconsider its current standard.

In August 2020, the College conducted an online survey related to the use of prescribing via telemedicine alone during the Covid-19 pandemic.

In September 2020, Council reviewed a proposed updated Draft *Professional Practice Standard: Telemedicine*, along with a briefing note on Jurisdictional and Prescribing Questions in Telemedicine and the results of the August 2020 telemedicine survey. Council directed that staff conduct a new survey in the Spring of 2021 with more specific questions related to practices with various species.

A new telemedicine survey was sent out by email to all veterinarians who indicated that they are in clinical practice. It was anonymous and operated by surveymonkey. The survey ran from May 3, 2021, to May 17, 2021. There were 838 responses in total. An in-depth analysis, survey data, and legal analyses are contained in **Appendix A**, beginning on page 75 ([link](#)).

The CVO voted to publish professional practice standards on the following topics:
[Euthanasia](#), [Criminal Records Check](#), [Competency Examination and Assessment Pathways](#)

6. Pharmacy Board Updates

▲ Ohio

Slated on their June agenda:

4729:5-3-13 Temporary removal of dangerous drugs from a licensed location – Regarding chemical capture via animal shelter license. There is a provision that requires keeping record of any controlled substances that leave the licensed premises. Reinstatement of this section unanimously approved by Board.

4729:5-5-25 Remote Prescription Entry-Technicians – Regarding non-resident pharmacies being held accountable for unlicensed techs. Change unanimously approved by Board.

▲ Texas

Per Board rule [295.8](#), pharmacists are required to complete at least 2 hours of CE “related to approved procedures of prescribing and monitoring controlled substances” (295.8(d)(1)(C)).

7. Updates by Jurisdiction

Alaska

▲ Rules and Regulation Activity

At their June meeting, The Alaska Board of Veterinary Examiners resolved to adopt:

12 AAC 68.010(b) requiring applications for licensure and all supporting documents to be received by the department at least 15 days before the deadline to register for the ICVA exam. Previous statute allowed 120 days.

12 AAC 68.215 **12 AAC 68.215. Veterinarian-Client-patient-relationship** to clarify that all requirements to establish a VCPR are still applicable. The proposed definition for a VCPR allows for the establishment through electronic means in remote regions where there are no locally available veterinarians. To clarify the meaning of “associate” as a veterinarian in the same practice with access to medical records.

12 AAC 68.315(b) requiring applications for examination/reexamination to be received by the department at least 15 days before the deadline to register for the next exam as set by AAVSB. Previous statute allowed 45 days.

12 AAC 68.910(e) allowing for electronic disposal of medical records

12 AAC 68.930 amending the requirements for the prescription drug monitoring program (PDMP), including registration and delegates. The new language allows for a veterinarian to delegate PDMP responsibilities to another veterinarian or veterinary technician within their practice.

12 AAC 68.935 is a new section outlining the compliance requirements for use of the PDMP

12 AAC 68.990 adds the definitions o for “veterinary facility” or “veterinary medical facility”.

Full language as adopted begins on pg. 5

Arizona

▲ Board Watch

The Board passed a motion to return to pre-COVID procedures for Board approval of premises licenses.

▲ VMA Updates

AzVMA news “**Radiation Protection and Safety in Veterinary Medicine**” (PDF), is a 181-page entry in the IAEA Safety Reports Series intended for industries and occupations. It provides details on the safe use of radiation in imaging and treatment.

The safety report itself states that, unlike human medicine, veterinary medicine often uses ionizing radiation outside dedicated health care facilities, such as in stables, on farms, and at zoos. Handling animals also often requires the presence of more people than just the veterinary practitioner, and that requires additional protective measures.

California

▲ Passed Bill - State Appropriation

CA AB161 appropriates \$3,000,000 shall be provided to support the California Veterinary Emergency Team at the University of California, Davis, School of Veterinary Medicine established pursuant to Section 32101 of the Food and Agricultural Code.

▲ Crossed Over Bill - Animal Welfare

Companion bills CA AB132 and CA SB132 would require the University of California, Davis, school of veterinary medicine to develop a program called the California

veterinary emergency team, and would require the program to assist in the support and training of a network of government agencies, non-governmental organizations, and individuals to assist in the evacuation and care of household and domestic animals and livestock in emergencies statewide, including disaster preparedness, response, recovery, and mitigation.

▲ Board Watch

On the agenda for the upcoming July meeting [View Agenda](#):

Update, Discussion, and Possible Action on 2021 Legislation

1. Assembly Bill (AB) [1282](#) (Bloom, 2021) Veterinary medicine: blood banks for animals
1. AB [1535](#) (Committee on Business and Professions, 2021) Veterinary Medical Board: application and examination: discipline and citation
1. Senate Bill (SB) [344](#) (Hertzberg, 2021) Homeless shelters grants: pets and veterinary services
1. SB [731](#) (Durazo, 2021) Criminal records: relief

Update, Discussion, and Possible Action on Proposed Regulations

1. Status Update on Pending Regulations
1. Section [2006](#), Article 1, Division 20, Title 16 of the CCR Regarding Disciplinary Guidelines
1. Sections [2090-2095](#), Article 11, Division 20, Title 16 of the CCR Regarding Drug Compounding
1. Recess until July 23, 2021, at 9:00 a.m.

Discussion and Potential Recommendations Regarding Legislative Proposal to Amend Business and Professions Code (BPC) Section 4825.1 and Add BPC Section 4826.3 (disciplinary), and Regulatory Proposal to Amend Section 2032.1 (cannabis), Article 4, Division 20, Title 16 of the California Code of Regulations (CCR) Regarding Telemedicine

Discussion and Potential Recommendation Regarding Veterinary Premises Inspection Checklist and Inspection Process Improvements

▲ VMA Update

[Extension of DCA Director's Order Waiving Restrictions on Telemedicine and Extending Time to Refill Prescriptions](#)

Published: July 2, 2021

Pursuant to the Governor's Executive Order [N-39-20](#), on June 4, 2020, the Director of the Department of Consumer Affairs (DCA) issued an Order Waiving Restrictions on Telemedicine and Extending Time to Refill Prescriptions ([June 4 Order](#)), which contained two waivers regarding the veterinarian-client-patient relationship (VCPR).

With respect to telemedicine restrictions related to the VCPR, the June 4, 2020 waiver was extended on [July 31, 2020](#), [September 17, 2020](#), [December 15, 2020](#), [February 26, 2021](#), and [April 30, 2021](#), so that the waiver was in effect through June 30, 2021. On July 1, 2021, the Director issued a new Order ([July 1 Order](#)) further extending the [June 4 Order](#) waiving, until August 31, 2021, specified telemedicine restrictions related to the VCPR.

For prescription refills associated with the VCPR, the [June 4 Order](#) authorized prescription refills up to 18 months for refills based on an in-person examination of an animal patient last performed by a veterinarian between June 1, 2019, and August 1, 2019. On November 25, 2020, the Director withdrew and superseded that waiver and issued an [order](#) authorizing prescription refills up to 20 months for refills based on an in-person examination of the animal patient last performed by the veterinarian between June 1, 2019, and August 1, 2019.

The [July 1 Order](#) authorizes prescription refills up to 18 months for prescriptions that may not be refilled between July 1, 2021, and August 31, 2021, due to the one-year

time limitation for refilling a prescription from the date the veterinarian last examined the animal patient and prescribed the drug

New Regulatory Changes Effective July 1, 2021 – Registered Veterinary Technician Emergency Animal Care

Published: July 2, 2021

On March 2, 2021, the Veterinary Medical Board's (Board) [regulatory proposal](#) to amend California Code of Regulations, title 16, section 2069, related to Registered Veterinary Technician (RVT) Emergency Animal Care, was [approved](#) by the Office of Administrative Law and filed with the Secretary of State. The regulatory changes became effective July 1, 2021.

The regulatory changes do the following:

- authorize an RVT to provide either lifesaving aid or emergency treatment to an animal;
- strike the terms for administration of pharmacological agents and, instead, authorize an RVT, after direct communication with a veterinarian licensed or otherwise authorized to practice in this state, to perform administration of a drug or controlled substance to: (1) prevent or control shock, including parenteral fluids; (2) manage pain or sedate an animal for examination or to prevent further injury; or (3) prevent suffering of an animal, up to and including euthanasia;

make other minor and technical revisions.

Colorado

▲ Passed Bills - PMP (2)

[CO HB1276](#) November 1, 2021, the applicable board for each prescriber shall, by rule, limit the supply of a benzodiazepine that a prescriber may prescribe to a patient who has not obtained a benzodiazepine prescription from a prescriber within the last twelve months;

CO SB098 continues the prescription drug monitoring program until September 1, 2028; authorizing the state board of pharmacy to promulgate rules that identify a list of prescription drugs that are not currently listed as controlled substances and require such drugs to be tracked through the program.

▲ Rules and Regulation Activity

- Through this emergency rulemaking, the Executive Director of the Department of Regulatory Agencies, through the Director of the Division of Profession and Occupations (Division Director), is addressing temporary licensure for new graduates in order to expand the available healthcare workforce while the graduates await examination; and expanded scope of practice for veterinarians in order to provide hospitals and inpatient facilities with the flexibility to fill healthcare service gaps with readily available personnel through expanded delegation of services. [Link](#)
- The purpose of these emergency rules is to effectuate Executive Order D 2021 096 directing the Executive Director of the Department of Regulatory Agencies, through the Director of the Division of Professions and Occupations (Division Director), to effectuate Executive Order D 2021 096 directing the immediate expansion of the workforce of trained medical personnel available to administer the coronavirus disease 2019 (COVID-19) vaccinations within inpatient facilities and outpatient settings due to the coronavirus disease 2019 (COVID-19) pandemic in Colorado.
- Through this emergency rulemaking, the Executive Director of the Department of Regulatory Agencies, through the Director of the Division of Profession and Occupations (Division Director), is addressing expanded scope of practice for veterinarians in order to provide hospitals and inpatient facilities with the flexibility to fill healthcare service gaps with readily available personnel through expanded delegation of services. [Link](#)
- Ballot initiative 16, making animal husbandry illegal and requiring livestock to live 25% of its life, has been ruled invalid by the Colorado Supreme Court. [Link](#)
- Colorado – [The Board of Regulatory Agencies Legislative Watch](#) states that SB21-122: [Opiate Antagonist Bulk Purchase and Standing Orders](#) affects veterinarians.

Current law allows certain entities to purchase opiate antagonists through the Opiate Antagonist Bulk Purchase Fund, and allows other entities to receive opiate antagonists pursuant to standing orders and protocols. The bill aligns eligibility, so all of these entities are eligible for both the bulk purchase fund and for standing orders.

▲ VMA Update

CVMA Bill Tracker:

CO HB1012 – Expand Prescription Drug Monitoring Program

Current law requires the prescription drug monitoring program (program) to track all controlled substances prescribed in Colorado. The bill expands the program, effective February 1, 2023, to track all prescription drugs prescribed in this state...

06/17/2021: Sent to the Governor

CO HB1266 – Environmental Justice Disproportionate Impacted Community

Section 3 of the bill defines “disproportionately impacted community”; Section 4 requires the air quality control commission to promote outreach to and engage with disproportionately impacted communities by creating new ways to gather...

07/02/2021: Governor Signed

CO SB271 – Misdemeanor Reform

The bill reforms the sentencing provisions related to misdemeanors and petty offenses. Under current law, there are 3 classifications for misdemeanors and 2 classifications for petty offenses. The bill reduces the misdemeanor classifications...

07/06/2021: Governor Signed

▲ Passed Bill - PMP

[CT SB694](#) exempts veterinarians from the requirement to report certain dispensed diabetes drugs/devices from the PDMP.

▲ Dead Bill - Veterinary – Cannabis (2)

[CT SB01118](#) stated any person who provides cannabis, as defined in section 1 of this act, to a domesticated animal, shall be guilty of a class c misdemeanor. No cannabis establishment shall produce, manufacture or sell cannabis that is intended for use or consumption by animals. [HB06377](#) mirrored this bill but provided an exemption for veterinarians.

▲ Dead Bill - Telemedicine

[CT HB05395](#) allowed veterinarians to provide telehealth services and to establish certain standards with regard to a veterinarian-client-patient relationship.

▲ VMA Update

[Important Information About Rabies Vaccinations from the CT State Veterinarian:](#)

Rabies vaccination is mandated by State statute to protect the public and other animals from exposure to rabies. Connecticut is endemic for wildlife rabies. As we progress into Spring and warmer weather, wildlife will become more active increasing the likelihood of interactions with the public and pets. Rabies vaccinations should not be delayed especially in situations where a pet has never been vaccinated or when wildlife exposure has occurred and a booster vaccination is needed as part of the post-exposure treatment. (The first rabies vaccination takes 30 days for the animal to develop full immunity and protection against a challenge. The pet would not be considered currently vaccinated until the 30 days have passed.) Both situations should be treated as priorities for care.

Previously rabies-vaccinated animals should be kept current with a booster given as close to the vaccination expiration date as possible. Booster injections given to previously vaccinated dogs and cats that are overdue, but have documented rabies vaccination will be considered currently vaccinated upon injection of the booster. The rabies vaccination certificate given for that vaccination duration will reflect the rabies vaccine that was used for that injection (1 year or 3 years). The amount of time that

lapsed will not determine the certificate duration, but the documentation presented as previous proof of vaccination to the licensed veterinarian. If the previous proof of vaccination is not adequate, the veterinarian may only issue a one-year rabies vaccination certificate.

Georgia

▲ Board Watch

During their May meeting, the Board discussed potential amendments concerning **Board Rule 700-7-.03. Continuing Veterinary Education**, which allows all 30 hours of CE to be obtained online. The referral of the Board Rule to the Committee was based on the submission of correspondence regarding live interactive webinars counting towards the in-person CE requirement for renewal of licensure. After further discussion, it was the consensus of the Committee to table further amendments based on the currently pending Board Rule 700-7-0.1- .03. Emergency Rule on Continuing Veterinary Education.

The Emergency Rule has been forwarded to the Attorney General's Office for a Memorandum of Authority and contains much for which the rule amendment would bear legal precedent. Barring any objections from that office, the Board Rule will then be forwarded to the Governor's Committee for review and approval. If the Emergency Rule passes through the Governor's Office, the Rules Committee will reconvene to take into consideration the correspondence submitted for the purpose of amending Board Rule 700-7-.03. Continuing Veterinary Education.

Hawaii

▲ Board Watch

There was extensive oral testimony surrounding out-of-state veterinarians and the recent Board interpretation of [HRS 471\(2\)-5](#). There were requests to the Board to consider amending the current laws that would accept PAVE for licensed veterinarians

to practice in Hawaii under locum or reconsider the interpretation of HRS section 471-2(5), for out-of-state veterinary specialists to practice in Hawaii under sponsorship.

The Board will create a Permitted Interaction Group, pending quorum at the next scheduled meeting (July 14, 2021). The Permitted Interaction Group allows discussion to move forward with rule/law changes.

Idaho

▲ **Dead Bill - Veterinary – Chiro/Massage**

[ID H0404](#): Indirect supervision of a chiropractic allied health professional who meets the conditions in subsection (41)(b) of this section does not require written or oral instructions for treatment or an examination by a supervising veterinarian prior to treatment by the professional.

▲ **Board Watch**

[Toggle Content](#)The Board has a Telemedicine Policy Review slated on the agenda for their summer meeting.

Illinois

▲ **Passed Bill - Companion Animal**

Illinois passed [SB154](#) banning any IL Housing Authority property from restricting tenants from owning pets. Also, families under the IL Affordable Housing Trust Fund will be allowed to own up to 4 cats or 3 dogs, regardless of breed, weight, size, etc.

Indiana

▲ **Board Watch**

Iowa

▲ Rules and Regulation Activity

ADOPTED AND FILED:

- **ARC 5713C**

The purpose of [this rulemaking](#) is to accomplish the following:

- Allow for larger dog playgroups, of up to 30 dogs, while maintaining the same ratio of 15 dogs to one person.
- Decrease allowable play area size from 75 square feet per dog to 50 square feet per dog.
- Allow overnight group housing of dogs within dog daycares
- Update euthanasia guidelines to the most current version of the American Veterinary Medical

[Filed 5/28/21, effective 7/21/21] [Published 6/16/21]

- **ARC 5726C**

Purpose and Summary: New rule 811—8.12(272C) implements 2020 Iowa Acts, House File 2627, by providing the Board with the ability to register a veterinary technician who is moving to Iowa from another jurisdiction that does not license or register these types of positions. An individual who holds at least three years of work experience in another state is eligible to register in Iowa more easily under this rule. This rule establishes application procedures including documentation of the individual's prior work experience, proof of passing the national and state veterinary technician examinations, verification that the work in another state was similar in scope to what

Iowa requires in order to register an individual, and proof of Iowa residency.

[Filed 6/2/21, effective 8/9/21] [Published 6/30/21]

▶ Board Watch

Louisiana

▲ Dead Bill - Tax Issues

[LA HB605](#) would have added veterinary services to sales tax.

Maine

▲ Passed Bill - State Compounding

[ME LD4](#) requires licensing boards to establish a process to issue a license by endorsement to an applicant who presents proof of licensure by another jurisdiction with equivalent license requirements for the licensed profession or occupation.

Maryland

▲ VMA Update

MDVMA Legislative Committee Responds to Dissenting Opinion in Non-economic Damages Case: As reported in the [June NewsBytes](#), Maryland's highest court ruled in favor of pet owners after hearing the case to consider and address the scope of compensatory damages available in the case of the tortious injury or death of a pet. MDVMA was a signatory to the amicus brief filed in the case. While the outcome was favorable for veterinarians, **a dissenting opinion was published in [The Washington Post](#)** following the ruling.

Legislative Committee Chair, Dr. Matthew Weeman, with the assistance of MDVMA's Lobbyist and the Animal Health Institute, followed up with a response reinforcing our

main points that not allowing these types of damages for animals helps animals and their owners by keeping care affordable. **Read the response published June 23 in the Capital Gazette.**

Massachusetts

▲ Hearings - Pet Groomers

[MA H378](#) requiring pet groomers to be licensed. (07/12)

▲ Hearings - Boarding Kennels

[MA H305](#) establishing daycare facility standards and licensing. (07/12)

▲ Hearings - Declawing

[MA S222](#) banning declawing. (07/12)

▲ Hearings - Veterinary

[MA S1246](#) Voids/Renders unenforceable any contract or agreement concerning a professional relationship with a veterinarian registered to practice veterinary medicine that includes any restriction on the veterinarian to practice veterinary medicine in any geographic area for any period of time after the termination of the professional relationship. (07/13)

▲ Hearings - Vet Tech (2)

[MA H406](#) and [MA S219](#) establish a Subsidiary Board for Veterinary Technology (Board), subject to the Board of Registration in Veterinary Medicine. (07/12)

Michigan

▲ Introduced Bill - Animal Research

MI SB0582 prohibits conducting research or training activities on dogs in a manner that causes pain or distress.

▲ **Introduced Bill - X-Ray/Radiation**

MI HB5116 removes current statute surrounding x-ray fees.

Minnesota

▲ **Passed Bill - State Appropriation**

MN HF33 appropriates to the Board of Veterinary Medicine \$363,000

Missouri

▲ **Dead Bill - Veterinary- Immunity**

MO HB643 would have provided immunity for veterinarians who report animal abuse.

Nevada

▲ **Passed Bill - State Appropriation**

NV AB494 appropriates to Veterinary Medical Services \$982,314 (2021-2022) and \$957,297 (2022-2023)

▲ **Dead - Reciprocity**

NV SB402 would have granted reciprocity.

▲ **Rules and Regulation Activity**

Proposed Regulations Of The State Board Of Veterinary Medical Examiners

The State of Nevada Board of Veterinary Medical Examiners is proposing amendments of regulations pertaining to chapter 638 of Nevada Administrative Code.

The purpose of the workshops is to solicit comments from interested persons on the following general topics that may be addressed in the proposed regulations:

- Elimination of notary requirement
 - Revision of renewals from annual to a biannual schedule
 - Revision of the definition of veterinarian-client-patient-relationship to conform with AB 200
 - Revision to language related to notice of hearings to conform with AB200.
 - Addition of definition for “physical examination” related to AB200.
 - Additions or changes to language related to AB200.
-

New Jersey

▲ Passed Bill - Veterinary

[NJ A5927](#) allows equine and livestock veterinary facilities on preserved farmland under certain conditions.

▲ Crossed Over Bill - Veterinary

[NJ A317](#) requires animal and veterinary facilities to register with the State Board of Veterinary Medical Examiners and to be inspected by the board on an annual basis.

New Mexico

▲ Rules and Regulation Activity

Facility inspections will resume on June 14, 2021. A facility refusing the Facility Inspector access to conduct the biennial inspection will be in violation of Board rule and subject to disciplinary action by the Board.

16.25.7.10 FACILITY INSPECTIONS:

1. Regular facility inspections. Each licensed veterinary facility is inspected by the facility inspector every other calendar year or at a frequency determined by the board. The board conducts regular facility inspections to:

(1) ensure that every licensed veterinary facility in New Mexico is operating according to the minimum standards promulgated by the board of veterinary medicine;

(2) assist facilities in achieving and maintaining minimum standards and to encourage the continuous improvement of quality of services.

North Carolina

▲ Rules and Regulation Activity

The proposed rule for 21 NCAC 66.0211, Veterinary Telemedicine (See language below) was submitted to the Rules Review Commission on 3/16/2021 and published on 4/15/2021 in the NC Register Volume 35 Issue 20. The comment period ended on 6/14/2021. A motion was made to accept the Veterinary Telemedicine rule as the public comment period has ended, seconded, and unanimously approved.

SECTION .0200 PRACTICE OF VETERINARY MEDICINE

(a) "Veterinary telemedicine" or "telemedicine" means the use of electronic or telecommunication technologies to remotely provide medical information regarding a patient's clinical health status and to deliver veterinary medical services to a patient that resides in or is located in the State. The delivery of veterinary medical services through telemedicine is the practice of veterinary medicine. The practice of veterinary medicine occurs where the patient(s) is located at the time telemedicine technologies are used.

(b) A veterinarian may provide veterinary medical services via telemedicine to any patient only after establishing a Veterinarian-Client-Patient-Relationship (VCPR). No

person shall practice veterinary telemedicine except a veterinarian within the context of a VCPR. A VCPR cannot be established by any electronic means or telecommunication technologies.

(c) "Veterinary telemonitoring" means the use of a medical device, smartphone, monitoring sensor, or other technology, in combination with an internet connection, to collect and store health information for a patient of the veterinarian and to transmit it to a veterinarian, as directed or requested by a veterinarian. Veterinary telemonitoring, by that act alone, is not the practice of veterinary medicine.

(d) "Veterinary Teleconsulting" occurs when any person, whose expertise the veterinarian believes would benefit the veterinarian's patient, provides advice or other information by any method of communication to a veterinarian at the veterinarian's direction or request. Veterinary teleconsulting, by that act alone, is not the practice of veterinary medicine.

(e) Veterinarians practicing telemedicine shall be held to the same standard of care as veterinarians providing in-person medical care. There is not a separate standard of care applicable to telemedicine. Veterinarians shall determine whether telemedicine is appropriate and in the best interest of the patient. Veterinarians shall maintain a medical record of the telemedicine patient(s) as required by 21 NCAC 66 .0207(b)(12)."

Ohio

▲ **Crossed Over Bill - Electronic Prescriptions**

OH HB193 requires e-prescribing with exemptions. VMA has been contacted to confirm veterinarians are exempt.

▲ **Pharmacy Board Update**

Slated on their June agenda:

4729:5-3-13 Temporary removal of dangerous drugs from a licensed location – Regarding chemical capture via animal shelter license. There is a provision that

requires keeping record of any controlled substances that leave the licensed premises. Reinstatement of this section unanimously approved by Board.

4729:5-5-25 Remote Prescription Entry-Technicians – Regarding non-resident pharmacies being held accountable for unlicensed techs. Change unanimously approved by Board.

Oklahoma

▲ Dead Bill - Veterinary – Cannabis

OK HB2179 required the State Board of Veterinary Medical Examiners shall adopt guidelines for veterinarians to follow when recommending medical marijuana products within the VCPR.

▲ Dead Bill - Telemedicine

OK HB2685 defined telemedicine and telehealth and outlined appropriate protocol.

Ontario

▲ VMA Update

Since 2016, Council has conducted an annual review of its policy on telemedicine. This year, there are two major areas for Council's discussion and debate. These issues were brought to Council's attention to the debate in September 2020, at which time the Council directed staff to bring the issues back for its consideration in June 2021 with further background information with respect to the outcome of pandemic measures and other information.

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Oregon

▲ Passed Bill - Veterinary

Oregon passed [HB2075](#) increasing the biennial registration fee for veterinary x-ray tubes from \$140 to \$210.

▲ Rules and Regulation Activity

Hearings will be held for 875-040-0000 and 875-040-0010 on 08/20/21

- **875-040-0000 Certified Euthanasia Technicians (CETs):** Amending to clarify existing language; Amending to include only one list of approved euthanasia methods that may be utilized; Amending to clarify that the euthanasia rules apply to all domestic animals; Amending to include Butorehanol as approved euthanasia drug; Alphabetizing list of euthanasia drugs; Amending to ensure that standards of conduct rules for CET's are consistent with the standards of conduct rules for all other OVMEB licensee

- **875-040-0010 Certification of Technicians:** Amending to ensure that the licensing procedures for CET applicants are consistent with the licensing procedures for all other OVMEB licensee applicants; Amending to include internship requirements prior to full licensure as a CET; Amending to correspond with proposed changes to 875-040-0000. A CET Internship requirement will ensure that euthanasia technicians receive hands-on training and demonstrate proficiency in performing euthanasia of domestic and animals prior to full licensure.

This rule had a hearing on 06/22/21. It adds to the reportable disease statutes, changing 603-011-0212: Diseases Reportable by Veterinarians.

Pennsylvania

▲ Introduced Bill - Declawing

PA HB162 adds cats onychectomy, a declawing, partial digital amputation, phalangectomy, or tendonectomy procedure to “animal mutilation and related offenses” unless the procedure is deemed necessary for a therapeutic purpose by a licensed doctor of veterinary medicine.

▲ Introduced Bill - Vet Licensing

PA HB1992: Current law disqualifies someone for licensure if they commit a felony. The bill would require that felony to be related to the occupation.

Rhode Island

▲ Passed Bill - Veterinary

RI H5599 removes “crimes of moral turpitude” from cause for refusal to issue a license.

Rhode Island passed H6283/S489 establishing a process for the donation and re-administration of donated animal drugs.

RI H6283 allows an owner of an animal may donate a drug that is dispensed for the animal but will not be used by that animal, to a licensed veterinarian or a facility in which veterinary medicine is practiced if the licensed veterinarian or facility chooses to accept the drug.

RI S0489 establishes a process for the donation of unused medications and outlines veterinarian reissuance processes.

Texas

▲ Dead Bill - Miscellaneous

TX HB4173 prohibits state licensing authority, and a person in the course of the person’s employment as a pharmacist, from using a practitioner’s Federal DEA number for a purpose other than a purpose described by federal law or by this chapter.

▲ Dead Bill - Reportable/Zoonotic Diseases

TX HB652 would have implemented a notice system for communicable diseases in animal shelters.

▲ Dead Bill - Tax Issues

TX SB1711 would have added veterinary services to sales tax.

▲ Dead Bill - Veterinary (3)

TX HB685 requiring the utility commission to develop a protection plan for veterinarians with electric-powered devices.

TX HB4181 making it a felony to practice without a license.

TX HB4327 prohibits the governing body of a municipality may not adopt or enforce any ordinance, rule, or regulation that prohibits a veterinarian from performing a medical procedure on an animal that is not prohibited by this chapter or other state law.

▲ Pharmacy Board Update

Per Board rule 295.8, pharmacists are required to complete at least 2 hours of CE “related to approved procedures of prescribing and monitoring controlled substances” (295.8(d)(1)(C)).

Virginia

▲ VMA Update

Virginia-Maryland: College of Veterinary Medicine is currently recruiting participants for a research study examining the wellness of veterinarians During COVID-19. Their survey, the **Potomac Regional Veterinary Coping, Resilience, and Challenges (CRC)** survey, aims to assess the stressors veterinarians are experiencing during COVID-19, understand coping and supports, and to disseminate resource information.

This survey is a collaborative effort being conducted with representatives from the Virginia-Maryland College of Veterinary Medicine, the Virginia Department of Health, D.C. Health, the D.C. Veterinary Medical Association, the Virginia Department of Agriculture and Consumer Services, and the Department of Human Development and Family Science at Virginia Tech. The only people who will see your survey responses are the survey personnel.

To learn more about the survey and the professionals leading this study, please visit our webpage at https://blogs.vetmed.vt.edu/research-and-graduate-studies/potomac_regional_survey.html

Link

Washington

▲ Rules and Regulation Activity

The Department of Health (department) has adopted amendments to WAC 246-10-109 and WAC 246-11-080, procedural rules applicable to adjudicative proceedings conducted by the department and health professions boards and commissions. Adjudicative proceedings are legal processes used to resolve a dispute.

The adopted amendments will: (1) Allow for the option of electronically filing of documents with the Adjudicative Clerk's Office (ACO). Electronic filing may now be done via electronic mail or other secure electronic means as established by the

department; (2) Continue to allow for the option of hand delivering documents to ACO, however, the rule excludes hand delivery of documents to the ACO when the office is closed during normal business hours due to exigent circumstances; (3) No longer require copies of documents being filed or served by fax to be mailed simultaneously with fax transmission of documents; (4) Recognize that the parties may agree to electronic mail for service of documents between or among themselves, and provides that ACO will serve documents on the parties electronically when the parties agree to service via electronic mail or other secure electronic means as established by the department

- [Rule Making Order](#)
- [CES PostAdoptionNotice Efile Court Docs.pdf](#)

This includes veterinarians and pharmacists and staff. [List](#).

▲ **Board Watch**

The veterinary board has posted guidance on the [client communication rule](#) that went into effect last year. [Link](#)

▲ **VMA Update**

Alleviating veterinary shortages: Efforts reintroduced in Senate

A bill championed by the AVMA has been reintroduced in the Senate that would enable more veterinarians to receive student loan relief, and help increase access to rural veterinary care across the country. The Veterinary Medicine Loan Repayment Program (VMLRP) Enhancement Act would remove the federal withholding tax on service awards, making more funds available to recruit veterinarians to states in need of essential services to maintain public and animal health.
