



State Legislative Update

June 2023

This issue of the State Legislative Update includes select summaries of bills and regulations tracked by the AVMA Division of State Advocacy and introduced in June. For more information, please contact Madeline Brezin, Policy Analyst, AVMA Division of State Advocacy (mbrezin@avma.org).

Licensure

Florida enacted FL H.B. 719/FL S.B. 722, which allows out-of-state veterinarians to perform dog or cat sterilization services or routine preventative health services at the time of sterilization as an unpaid volunteer under the supervision of a state-licensed veterinarian.

In **Wisconsin**, WI A.B. 332 would allow for reciprocal credentials, including a license to practice veterinary medicine, for individuals with a license, certification, or permit issued by another state.

Pharmaceuticals

In **Delaware**, DE S.B. 189 was introduced and passed both chambers of the legislature. The bill would add xylazine to Schedule III of the Delaware Uniform Controlled Substances Act with no exemptions for veterinary use. However, the Delaware Department of State Division of Professional Regulation Controlled Substance Advisory Committee issued DE Emergency Rule Xylazine. Starting June 2, 2023 for 120 days, the emergency order will make illicit xylazine a Schedule III substance, protecting licit veterinary use, manufacturing, importation, and production.

Rhode Island's RI S.B. 738/RI H.B. 5922 was enacted. The bill designates xylazine as a Schedule V controlled substance with no veterinary use exception.

New York's NY S. 7459/NY A. 6996 was enacted. It amends the requirement that dispensing information be provided by veterinarians to apply only to an initial prescription; apply only to cats, dogs, and rabbits for use outside the office instead of animals in or out of the office; and allow the information to be given in writing or orally, provided the method is noted in the patient's record. This bill would take effect eighteen months after it becomes law.

North Carolina's NC H 190 was enacted. This piece of legislation adds gabapentin to the state's controlled substance reporting system.

Small Business

Maine enacted ME L.D. 688 which prohibits non-compete agreements when the employee is a veterinarian without an ownership stake in the practice.

North Carolina enacted NC S 582, which requires the Veterinary Medical Board to send a notice one week prior to a veterinary facility inspection with a checklist of standards the inspector may issue a violation for failing to meet.

Veterinarian-Client-Patient Relationship (VCPR)

Legislation in **Delaware** DE S.B. 168 includes a provision that would create statutory language for a VCPR and require the veterinarian to be personally acquainted with the keeping and care of the patient by a timely examination of the patient or medically appropriate and timely visits to the operation where the patient is managed. For operations where there are several animals, such as shelters, farms, laboratories, or zoos, the bill would allow for the VCPR to be established and maintained by examination of health, laboratory, or production records, consultation with owners, managers, directors, caretakers, or other supervisory staff who oversee the health care management of the operation, or maintenance of information regarding the local epidemiology of diseases for the appropriate species.

In **Illinois**, IL S.B. 2059 was sent to Governor J. B. Pritzker for his signature. This update to the state's practice act would add telemedicine to the definition of the practice of veterinary medicine; clarify that an examination must be conducted in person to establish a VCPR; and require an existing VCPR for the practice of telemedicine when a physical examination of the patient has been conducted within one year and if it is possible to make a diagnosis and create a treatment plan without a recent physical examination based on professional standards of care.

Veterinary Technicians

Enacted in **Iowa**, IA H.F. 670 establishes procedures to become a registered veterinary technician (RVT), as well as permits those RVTs to perform equine teeth floating. The legislation also allows the veterinary board to issue temporary permits to members of Iowa State University's College of Veterinary Medicine while they are waiting for a permanent license and excludes the practice of animal massage from veterinary medicine.

Animal Abuse Cruelty			
State	Link	Summary of Proposed Bill or Regulation	Status
Connecticut	<u>CT H.B. 6714</u>	<ol style="list-style-type: none"> 1. Requires a veterinarian, in the course of employment, who has reasonable cause to suspect an animal has been harmed, neglected, or treated cruelly due to participation in an exhibition of animal fighting for amusement or gain, to make a report to law enforcement or the local animal control officer no later than 48 hours after gaining said belief; 2. Creates immunity from civil liability for the reporting veterinarian for the act of reporting; and, 3. Prohibits those convicted of animal cruelty from working or volunteering for any entity that involves care or contact with animals for five years. 	Enacted 6/27/2023
Delaware	<u>DE S.B. 71</u>	Creates immunity for anyone who, in good faith, reports suspected animal cruelty to the Office of Animal Welfare.	Enacted 6/27/2023
Pennsylvania	<u>PA S.B. 785</u>	Would create an animal welfare board, with one member from the University of Pennsylvania School of Veterinary Medicine and two members from the Pennsylvania Veterinary Medical Association.	Introduced 6/14/2023

Animal Disease Vaccination			
State	Link	Summary of Proposed Bill or Regulation	Status
Connecticut	<u>CT S.B. 1069</u>	<ol style="list-style-type: none"> 1. Requires dogs and cats imported into the state to have a certificate of health issued by a licensed, graduate veterinarian accredited by the USDA; 2. Allows the Commissioner and their designee to order testing for rabies, quarantine, control, or humane euthanasia of any animal; 3. Allows any local health director to order the humane euthanasia of any unowned animal not vaccinated against rabies; 4. Allows for any quarantined animal that is diagnosed as rabid by a licensed veterinarian or the State Veterinarian to be humanely euthanized; 5. Requires the veterinarian performing the euthanasia of a rabid animal to be responsible for ensuring the remains are delivered to the appropriate laboratory for testing within 48 hours; 6. Requires all suspected or confirmed cases of rabies be reported to the State Veterinarian; and, 7. Requires the Commissioner of Agriculture to establish a rate of reimbursement every two years for payment to veterinarians who participate in sterilization/vaccination voucher programs. 	Enacted 6/7/2023
Illinois	<u>IL Control of Communicable Diseases Code</u>	Would require veterinarians, animal control officials, animal holding facility personnel, retail stores selling animals, and wildlife professionals to report any zoonotic disease outbreak in persons including contact information for the owner of the animals suspected of causing the outbreak, as well as any new or emerging zoonotic disease illness in a single person or any human contacts to the infected animals.	Proposed 6/2/2023 Closed for Comment 7/17/2023
New Hampshire	<u>NH S.B. 162</u>	Makes the initial period for an exemption from rabies vaccination valid for one year and require annual re-certification by a veterinarian.	Enacted 6/21/2023

Animal Shelters			
State	Link	Summary of Proposed Bill or Regulation	Status
Connecticut	<u>CT H.B. 5575</u>	Requires the Department of Agriculture to update municipal animal shelter regulation standards to include: <ol style="list-style-type: none"> 1. An update to the allowable minimum and maximum temperatures in animal shelters to be more aligned with private shelters and neighboring states in an effort to avoid animal suffering from unhealthy temperatures; 2. Providing proper and timely veterinary care of injured or ill animals; and, 3. Prohibiting certain animals from being kept together. 	Enacted 06/26/2023

Companion Animals			
State	Link	Summary of Proposed Bill or Regulation	Status
Michigan	<u>MI H.B. 4838</u>	Would: <ol style="list-style-type: none"> 1. Prohibit pet shops from selling, adopting, exchanging, or transferring a dog, cat, or rabbit after 7/01/2025; 2. Allow pet shop to collaborate with and offer space to an animal control shelter or animal protection shelter to showcase adoptable dogs, cats, or rabbits; 3. Prohibit pet shops from selling, adopting, exchanging, or transferring a dog or cat before 7/01/2025 without providing a valid pet health certification; and, 4. Prohibit pet shops from selling, adopting, exchanging, or transferring a ferret without a valid pet health certification. 	Introduced 6/22/2023
Pennsylvania	<u>PA H.B. 1322/PA S.B. 746</u>	Would: <ol style="list-style-type: none"> 1. Require kennels to have an isolation plan for dogs coming from out of state or out of the country that is approved by a veterinarian; 2. Require all dogs transported into the commonwealth to have a certificate of vaccination and an interstate certificate of veterinary inspection; 3. Require all dogs transported into the state and kept in a non-boarding kennel to receive initial doses of Distemper, Adeno, Parainfluenza, and Parvovirus (DAPP) certified by a veterinarian; and, 4. Create an appeals process for an order of seizure and destruction of a dangerous dog. 	Introduced 5/31/2023
Texas	<u>TX H.B. 2063</u>	Requires a kennel, including those in veterinary clinics, to obtain informed consent before a dog or cat may be boarded and left unattended when employees are not present.	Enacted 6/2/2023

Education			
State	Link	Summary of Proposed Bill or Regulation	Status
Colorado	<u>CO SB23-044</u>	Updates the veterinary education loan repayment program by: <ol style="list-style-type: none"> 1. Increasing the number of qualified applicants per year from four to six; 2. Eliminating the requirement that an applicant must have graduated from an accredited veterinary school in 2017 or later; 3. Increasing the total amount an applicant is eligible for over four years from \$70,000 to \$90,000; and, 4. Requiring the state treasurer to transfer \$540,000 from the general fund to the veterinary education loan repayment fund on September 1, 2023. 	Enacted 6/5/2023

Emergency First Responders			
State	Link	Summary of Proposed Bill or Regulation	Status
Arizona	<u>AZ S.B. 1068</u>	<ol style="list-style-type: none"> 1. Requires every ambulance service to authorize its EMCTs to provide, if trained, emergency treatment and transportation to a police dog injured in the line of duty, along with a police officer or other police personnel, who are medically trained, to a veterinary clinic or hospital equipped to provide emergency treatment; 2. Stipulates that emergency treatment and transportation are only to be provided to a police dog if there is not a person requiring emergency medical treatment or transport at that time; 3. Permits ambulance services to develop, in consultation with specified entities, policies, and procedures relating to Training EMCTs to provide police dogs with basic level emergency care, safe handling procedures for injured police dogs, identifying local veterinary facilities that will provide emergency treatment on short notice, decontamination of the patient compartment and medical equipment, and sterilization of an ambulance or other emergency vehicle; and, 4. Asserts that EMCTs and other medical personnel who, in the performance of their duties and in good faith, render emergency medical services to an injured police dog are not personally liable as a result of rendering such services. 	Enacted 6/20/2023

Licensure			
State	Link	Summary of Proposed Bill or Regulation	Status
Florida	<u>FL H.B. 719/FL S.B. 722</u>	Allows out-of-state veterinarians to perform dog or cat sterilization services or routine preventative health services at the time of sterilization as an unpaid volunteer under the supervision of a state-licensed veterinarian.	Enacted 6/12/2023
Louisiana	<u>LA LAC 46:LXXXV .301, 801, and 1201</u>	Would remove Letters of Recommendation as a requirement for licensure for DVM, RVT, or CAET applicants.	Published 6/20/2023
Nevada	<u>NV A.B. 503</u>	Requires certain licensing and occupational boards, including the Board of Veterinary Medicine, to submit a complete set of fingerprints of license applicants to the Central Repository for Nevada Records of Criminal History for the Federal Bureau of Investigation to issue a report on the criminal history of the applicant.	Enacted 6/15/2023
Wisconsin	<u>WI A.B. 332</u>	Would allow for reciprocal credentials, including a license to practice veterinary medicine, for individuals with a license, certification, or permit issued by another state.	Introduced 6/22/2023

Livestock			
State	Link	Summary of Proposed Bill or Regulation	Status
Connecticut	<u>CT H.B. 6726</u>	<ol style="list-style-type: none"> 1. Allows the Commissioner of Agriculture to adopt regulations to prevent the spread of contagious and infectious diseases among livestock, including those that may be transmissible to humans directly or through animal products; 2. Restricts official testing for tuberculosis in livestock to veterinarians and USDA veterinarians, but allows surveillance tests to be performed by a trained department employee under the supervision of the State Veterinarian; 	Enacted 6/28/2023

		<ol style="list-style-type: none"> 3. Requires livestock infected with an infectious or contagious disease, including, but not limited to, tuberculosis, anthrax, or foot and mouth disease to be euthanized; 4. Only allows samples for brucellosis tests to be drawn by the State Veterinarian, veterinarians, and trained employees of the Department of Agriculture, veterinarians employed by the federal government, and accredited veterinarians licensed to practice in this state; 5. Requires all livestock and equines entering the state for competition or exhibition to have an exhibition permit and a certificate of veterinary inspection; 6. Requires all breeding swine to be tested for brucellosis and pseudorabies by a veterinarian, USDA veterinarian, or by a trained department employee under the supervision of the State Veterinarian; 7. Requires all livestock brought into this state to be accompanied by a livestock importation permit; and, 8. Require any laboratory or veterinarian that conducts testing of livestock or poultry in this state shall notify the State Veterinarian, on forms or in a manner prescribed by the Commissioner of Agriculture, of any positive test results for any notifiable or reportable disease. 	
Oregon	<u>OR S.B. 57</u>	Removes the prohibition against the sale, offer for sale, maintenance, or control of female cattle of a beef breed that have not been vaccinated against brucellosis.	Enacted 6/6/2023

Pet Insurance

State	Link	Summary of Proposed Bill or Regulation	Status
Louisiana	<u>LA H.B. 579</u>	<ol style="list-style-type: none"> 1. Establishes guidelines for pet insurance providers; and, 2. Prohibits pet insurance providers from marketing wellness programs as pet insurance, nor make it a requirement for receiving insurance. 	Enacted 6/6/2023
Maine	<u>ME L.D. 1266</u>	Allows a person licensed in property, accident and health or sickness, or personal lines of authority to sell, solicit, and negotiate pet insurance.	Enacted 6/18/2023

Pharmaceuticals | Prescription Drug Monitoring Program

State	Link	Summary of Proposed Bill or Regulation	Status
Delaware	<u>DE Emergency Rule Xylazine</u>	<ol style="list-style-type: none"> 1. Makes illicit xylazine a Schedule III substance; and, 2. Defines "licit xylazine" as: <ol style="list-style-type: none"> a. Any administration to nonhuman species a drug containing xylazine that has been approved by the Secretary of Health and Human Services under section 512 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b); or that is permissible under section 512(a)(4) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b(a)(4)); b. The manufacturing, importation, or use of xylazine as an active pharmaceutical ingredient for manufacturing an animal drug approved under section 512 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b) or issued an investigation use exemption under subsection (j) of such section 512; 	<p>Ordered 6/02/2023</p> <p>Effective 120 days from the date of execution</p>

		<ul style="list-style-type: none"> c. The manufacturing, importation, or use of a xylazine bulk chemical for pharmaceutical compounding by licensed pharmacists or veterinarians; and, d. Another use approved or permissible under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.). 	
Delaware	<u>DE S.B. 189</u>	Would add xylazine and its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers to Schedule III of the Delaware Uniform Controlled Substances Act.	Passed Both Chambers 6/30/2023
New York	<u>NY S. 7459/NY A. 6996</u>	Amends the requirement that dispensing information be provided by veterinarians to: <ul style="list-style-type: none"> 1. Apply only to an initial prescription; 2. Apply only to cats, dogs, and rabbits for use outside the office instead of animals in or out of the office; and, 3. Allow the information to be provided in writing or orally, as long as the method is noted in the patient's record. 	Enacted 6/30/2023
North Carolina	<u>NC H 190</u>	Adds gabapentin to the controlled substance reporting system.	Enacted 6/29/2023
Rhode Island	<u>RI S.B. 738/RI H.B. 5922</u>	Designates xylazine HCL as a Schedule V controlled substance.	Enacted 6/26/2023

Research| Research Animals

State	Link	Summary of Proposed Bill or Regulation	Status
Illinois	<u>IL S.B. 1882</u>	Prohibits testing facilities from conducting a canine or feline toxicological experiment, with exceptions for medical research, some biologic testing, and some pesticide research.	Enacted 6/30/2023
Michigan	<u>MI S.B. 0149</u>	Would: <ul style="list-style-type: none"> 1. Define "Laboratory animal" as a dog or cat that is used or intended to be used for laboratory research at a research facility; 2. Require research facilities, before euthanizing an animal, offer animal subjects to animal shelters for adoption, unless a veterinarian believes the animal needs to be euthanized for health and safety; 3. Create civil immunity for research facilities and animal shelters resulting from the transfer of the animal; and, 4. Allow research facilities to offer animals to adoption to their employees before transferring them to a shelter. 	Substitute Adopted 6/28/2023
Michigan	<u>MI H.B. 4849</u>	Would: <ul style="list-style-type: none"> 1. Prohibit the use of a dog or cat for experimental purposes causes pain or distress to the dog or cat if: <ul style="list-style-type: none"> a. The experimental purpose would, if conducted, be reportable to the United States Department of Agriculture under 8 CFR 2.36(b)(6) or (7). b. It would cause death, injury, fear, or trauma; c. It involves an invasive procedure; and, 2. Not prohibit the use of a dog or cat for experimental purposes if an owner of a dog or cat consents for veterinary training or veterinary clinical research involving the treatment of an existing disease or ailment or it is the performance of a spay or neuter by a veterinarian or veterinary student or other training or medical procedures commonly performed by a veterinarian or veterinary student for the treatment of a dog or cat. 	Introduced 6/27/2023

Scope of Practice			
State	Link	Summary of Proposed Bill or Regulation	Status
Arizona	<u>AZ S.B. 1401</u>	Permits an acupuncturist to become certified to treat animals if the acupuncturist is nationally certified for acupuncture and oriental medicine to treat animals and if the animal has been under the care of and referred by a licensed veterinarian for the condition being treated by the acupuncturist.	Enacted 6/5/2023
Michigan	<u>MI H.B.4883</u>	Would prohibit performance of an onychectomy, a partial or complete phalangectomy, or tendonectomy procedure, or any other surgical procedure that prevents normal functioning of the claws, toes, or paws, on a cat, unless the procedure is necessary to address a therapeutic purpose.	Introduced 6/28/2023
West Virginia	<u>WV Certified Pesticide Applicator Rules</u>	Would exempt veterinarians applying restricted use pesticides to patients during the course of the ordinary practice of their profession from pesticide applicator certification testing, competency, and application requirements.	Proposed 6/28/2023

Small Business			
State	Link	Summary of Proposed Bill or Regulation	Status
Maine	<u>ME L.D. 688</u>	Prohibits non-compete agreements when the employee is a veterinarian without an ownership stake in the practice.	Enacted 6/01/2023
North Carolina	<u>NC S 582</u>	Requires the Veterinary Medical Board to send a notice one week prior to a veterinary facility inspection with a checklist of standards the inspector may issue a violation for failing to meet.	Enacted 6/27/2023

State Programs Board of Veterinary Medicine			
State	Link	Summary of Proposed Bill or Regulation	Status
District of Columbia	<u>DC B25-0312</u>	Would: <ol style="list-style-type: none"> 1. Require that at least 50% of health professional licensing board positions, including those for the Board of Veterinary Medicine designated for professional members, be filled by District residents at the time of their appointments and while they are members of the board; 2. Require that the professional members of each Board be licensed for the health occupation regulated by the Board on which they sit and engaged in the practice of that health occupation in the District for at least three years preceding their appointment; and, 3. Require that members who are not District residents be engaged in the practice of the health occupation regulated by the Board in the District while they are members of the Board. 	Introduced 6/2/2023

Veterinarian-Client-Patient Relationship Telemedicine			
State	Link	Summary of Proposed Bill or Regulation	Status
Delaware	<u>DE S.B. 168</u>	Would: <ol style="list-style-type: none"> 1. Create statutory language for a VCPR and require the veterinarian to be personally acquainted with the keeping and care of the patient by a timely examination of the patient, or medically appropriate and timely visits to the operation where the patient is managed; 2. Allow for operations where there are several animals, such as shelters, farms, laboratories, or zoos, the veterinarian- 	Passed Both Chambers 6/30/2023

		<p>client-patient requirement may be established and maintained by:</p> <ol style="list-style-type: none"> Examination of health, laboratory, or production records; Consultation with owners, managers, directors, caretakers, or other supervisory staff who oversee the health care management of the operation; or, Maintenance of information regarding the local epidemiology of diseases for the appropriate species; <ol style="list-style-type: none"> Amend the former licensure exemptions statute to only allow in-state licensed veterinarians and create a new exemption section to add exemptions for veterinarians and veterinary technicians licensed in another state practicing during an emergency; Repeal allowance for issuance of a temporary permit to practice to an individual who has not passed the licensing examination and also requires compliance with reciprocity requirements; Repeal the seven-year grandfathering provision and allow veterinary technicians to obtain temporary licenses pending passing the licensure examination. 	
Illinois	<u>IL S.B. 2059</u>	<p>Would make changes to the veterinary practice act, including:</p> <ol style="list-style-type: none"> Clarifying that an examination must be conducted in person to establish a VCPR; Requiring an existing VCPR for the practice of telemedicine when a physical examination of the patient has been conducted within one year and if it is possible to make a diagnosis and create a treatment plan without a recent physical examination based on professional standards of care; and, Allowing a supervising veterinarian to delegate telehealth services to a certified veterinary technician who is acting under direct or indirect supervision. 	Sent to Executive 6/16/2023

Veterinary Technicians | Veterinary Assistants

State	Link	Summary of Proposed Bill or Regulation	Status
Iowa	<u>IA H.F. 670</u>	<ol style="list-style-type: none"> Establishes procedures to become a registered veterinary technician; Permits registered veterinary technicians to perform equine teeth floating; Excludes the practice of animal massage from veterinary medicine; Permits the veterinary board to issue temporary permits to members of Iowa State University's College of Veterinary Medicine while waiting for a permanent license; and, Includes livestock in the definition of "animal." 	Enacted 6/1/2023

Wildlife | Zoo Animals

State	Link	Summary of Proposed Bill or Regulation	Status
Illinois	<u>IL S.B. 1883</u>	<p>Would:</p> <ol style="list-style-type: none"> Make it unlawful for any person to allow any member of the public to come into direct contact with a bear or nonhuman primate; and, Exempt licensed veterinarians, veterinary students accompanying a licensed veterinarian, and registered veterinary technicians under the direct or indirect supervision of a licensed veterinarian. 	Sent to Executive 6/07/2023

Rhode Island	<u>RI S.B.</u> <u>941/RI H.B.</u> <u>5345</u>	<ol style="list-style-type: none">1. Requires a certificate of veterinary inspection accompany the shipment of psittacine birds into the state; and,2. Provides that Rhode Island assents to the provisions of the FDA Food Safety Modernization Act relative to the Preventive Controls for Animal Food Regulation regulations.	Enacted 6/21/2023
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