

State Legislative Update

February 2024

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 February. For more information, please contact Madeline Brezin, Policy Analyst, AVMA Division of State Advocacy (mbrezin@avma.org).

Education

<u>CO H.B.24-1231</u> in **Colorado** would require the State Treasurer to execute financing agreements to finance capital costs related to the construction of facilities for four state institutions of higher education, including the construction of a veterinary health education complex by Colorado State University.

In **Connecticut**, <u>CT H.B. 5338</u> would require the University of Connecticut to enter into an agreement with a school of veterinary medicine that is accredited by the American Veterinary Medical Association to reserve spaces each academic year to allow for the continuation of education of not more than five qualified students who are state residents and appropriate \$100,000 for this program.

Georgia introduced <u>GA H.B. 1274</u>, which would amend the state's loan forgiveness program for veterinarian student debt to require three years of service, restrict eligibility to once per lifetime, reduce the maximum award amount from \$80,000 to \$75,000, and increase eligible rural county population from 35,000 to 50,000.

In **Idaho**, <u>ID S.C.R 111</u> would authorize the State Board of Education to commence preliminary conversations with the state of Utah to establish an operating agreement for Idaho students to participate in Utah's veterinary program.

In **Kentucky**, <u>KY H.B. 553</u> would establish a Kentucky Rural Veterinary Medicine Student Loan Repayment Program to provide student loan repayment for a livestock practitioner who engages in veterinary medicine in an underserved rural area or a veterinary shortage area in Kentucky for five consecutive years in accordance with the program's terms and conditions. This bill would require a representative from the **Kentucky Veterinary Medical Association** on the Veterinary Student Loan Repayment Selection Committee and set a maximum award under the program at a total of \$87,500, or the amount of the outstanding eligible student loan balance, whichever is less.

Maryland introduced MD S.B. 0900/MD H.B.1398, which would expand an existing Maryland loan repayment program to include veterinarians who have provided

veterinary services as an employee for a minimum of 20 hours per week or as a volunteer for a minimum of 15 hours per week at certain animal shelters.

In **Utah**, <u>UT H.B. 522</u> would modify the Veterinarian Education Loan Repayment Program by decreasing the repayment amount from \$100,000 to \$20,000 and permitting a qualified veterinarian who practices at least 30% livestock medicine to participate in the program.

Liability

In **Maryland**, MD S.B. 0868 would remove the \$10,000 cap on compensatory damages in cases involving the tortious injury or death of a pet.

Non-Economic Damages | Malpractice

Michigan introduced MI H.B. 5525, which would allow the owner of a service animal to collect non-economic damages, economic damages, punitive damages, and attorney's fees for the intentional, reckless, or negligent injury or death of a service animal.

Pharmaceuticals | Prescription Drug Monitoring Programs

Connecticut introduced <u>CT S.B. 202</u>, which would require practitioners, including veterinarians, that dispense, administer, or prescribe controlled substances to make records of medical evaluations associated with the dispensing, administering, or prescribing of such controlled substances available to the Connecticut Department of Consumer Protection.

In **Maryland**, MD H.B. 1099 would have allowed a veterinarian who has an established relationship with the client and a veterinary technician under the direct supervision of a veterinarian who has an established relationship with the client to compound prescription drugs and outline other restrictions related to drug compounding. However, the measure was withdrawn by the sponsor.

Rhode Island introduced <u>RI H.B. 7446</u>, which would substitute the current lists of controlled substances in the general laws with the current version of Title 21 of the code of federal regulations.

Scope of Practice

Alabama introduced <u>AL S.B. 137</u>, which would require those wishing to perform therapeutic massage on an animal to meet all the massage therapist licensure requirements in the state, graduate from a nationally approved program, and complete at least 100 hours of postgraduate training and education in animal anatomy, pathology,

and physiology for the specific type of animal upon which they will perform therapeutic massage.

Veterinary Technicians

In **California**, there is legislation (<u>CA A.B. 2133</u>) that would authorize a registered veterinary technician to perform neuter surgery on a male domestic cat while under the direct supervision of a California-licensed veterinarian.

When introduced, <u>UT H.B. 145</u> in **Utah** would have permitted a VCPR to be established through electronic or telephonic means. However, with the strong advocacy of the **Utah Veterinary Medical Association**, the bill was amended and now allows a veterinary technician to carry out delegated tasks from a veterinarian.

Xylazine

Illinois <u>IL S.B. 3640</u> would make xylazine a Schedule III controlled substance with a veterinary exemption for the lawful prescription, dispensing, administration, acquiring, or use of any controlled substance, including xylazine, while acting in the course of their professional practice, in good faith, and accordance with generally accepted medical standards.

In **Missouri**, <u>MO H.B. 2749</u> would classify xylazine as a Schedule III controlled substance, with a veterinary use exemption.

<u>SD H.B. 1028</u> was enacted in **South Dakota** and classifies xylazine as a Schedule III controlled substance with an exemption for dispensing, prescribing, administering, manufacturing, or distributing xylazine when done for an animal.

Vermont introduced <u>VT H. 866</u>, which would add xylazine to the list of regulated drugs and prohibit the possession, dispensing, and sale of the drug outside of allowable veterinary uses.

Animal Abus	Animal Abuse Cruelty				
State	Link	Summary of Proposed Bill or Regulation	Status		
Kansas	KS S.B. 503	Would increase the criminal penalties for knowingly and maliciously abandoning any animal in any place without making provisions for the proper care of the animal.	Introduced 2/12/2024		
Maryland	MD S.B. 0872	Would require two veterinarians to recommend euthanization for companion animals that are the victim of animal abuse and, if the victim is a livestock animal, the second veterinarian must be the State Veterinarian.	Introduced 2/2/2024		

Minnesota	MN S.F. 3542/MN H.F. 3799	 Would establish the Office of Animal Protection with the authority to: Promote the prevention of animal cruelty through investigations, prosecutions, forensic veterinary medicine, animal care, transport, housing, and human welfare; Foster partnerships with criminal justice partners to establish effective enforcement practices through changes to laws or administrative rules; and, Permit the Commissioner to establish and appoint members of an advisory committee made of members with knowledge, skills, or experiences in the prevention, investigation, or prosecution of animal cruelty and care of animals. 	Introduced 2/12/2024
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Animal Disease Vaccination				
State	Link	Summary of Proposed Bill or Regulation	Status	
California	CA S.B.	Would require the State Department of Public Health to collect	Introduced	
California	<u>1358</u>	rabies control program data from each city and county.	2/16/2024	
Minnesota	MN S.F.	Would establish and appropriate funds (of to be determined	Introduced	
wiinnesota	<u>4214</u>	amount) for an avian influenza prevention program.	2/26/2024	
Missouri	MO H.B.	Would establish standards for the handling of animals suffering	Introduced	
	<u> 2686</u>	from parvovirus.	2/13/2024	

Animal Shel	Animal Shelters			
State	Link	Summary of Proposed Bill or Regulation	Status	
Alabama	AL H.B. 112	 Would: Add "animal rescue organization" to the definition of "animal shelter"; Require animal shelters and animal control agencies operated by public entities to ensure sterilization of all dogs and cats, including those being fostered; Require all sexually mature animals to be sterilized by a licensed veterinarian prior to relinquishing custody or obtaining a written agreement to have the animal sterilized by a licensed veterinarian if it is relinquished prior to reaching sexual maturity; Require shelters to provide a prepaid voucher for sterilization by a licensed veterinarian within 30 days for a relinquished, non-sterilized animal; and, Require new animal owners who adopt an unsterilized animal from a public or private shelter or animal control agency to submit (to the adoption facility) a signed statement from a licensed veterinarian confirming the animal has been sterilized within seven days of sterilization. 	Filed 2/6/2024	
Illinois	<u>IL S.B.</u> 3791	Would prohibit animal shelters from euthanizing any dog, cat, or other domesticated animal returned or found on the street.	Introduced 2/9/2024	
Mississippi	MS S.B. 2347	Would prohibit any animal facility from releasing any dog or cat which has not been sterilized to a new owner and permit facilities to charge adoption fees to cover the sterilization.	Introduced 2/8/2024	

Companion Animals				
State	Link	Summary of Proposed Bill or Regulation	Status	
Kentucky	<u>KY H.B.</u> <u>651</u>	 Would: Create a licensing requirement for commercial breeders; Require them to have their breeding dogs certified to be in suitable health for breeding annually by a veterinarian; and, 	Introduced 2/22/2024	

		3. Require dogs that are determined necessary to euthanize and in possession of a commercial breeder to be euthanized by a licensed veterinarian using methods specified as acceptable for dogs by the most recent report of the American Veterinary Medical Association Panel on Euthanasia.	
Missouri	MO H.B. 2723	Would establish healthy breeding practices for commercial breeders, including requiring an annual examination by a veterinarian of a male or female animal.	Introduced 2/19/2023

Education			T
State	Link	Summary of Proposed Bill or Regulation	Status
Colorado	CO H.B.24- 1231	Would require the State Treasurer to execute financing agreements to finance capital costs related to the construction of facilities for four state institutions of higher education, including the construction of a veterinary health education complex by Colorado State University.	Introduced 2/12/2024
Connecticut	<u>CT H.B.</u> 5338	Would require the University of Connecticut to enter into an agreement with a school of veterinary medicine that is accredited by the American Veterinary Medical Association to reserve spaces each academic year to allow for the continuation of education of not more than five qualified students who are state residents and appropriate \$100,000 for this program.	Introduced 2/28/2024
Georgia	GA H.B. 1274	Would amend the state's loan forgiveness program for veterinarian student debt to require three years of service, restrict eligibility to once per lifetime, reduce the maximum award amount from \$80,000 to \$75,000, and increase the eligible rural county population from 35,000 to 50,000.	Introduced 2/13/2024
Idaho	ID S.C.R 111	Would authorize the State Board of Education to commence preliminary conversations with the state of Utah to establish an operating agreement for Idaho students to participate in Utah's veterinary program.	Introduced 2/2/2024
Kentucky	<u>KY H.B.</u> <u>553</u>	 Would: Establish a Kentucky Rural Veterinary Medicine Student Loan Repayment Program to provide student loan repayment for a livestock practitioner who engages in veterinary medicine in an underserved rural area or a veterinary shortage area in Kentucky for five consecutive years in accordance with the program's terms and conditions; Require a representative from KVMA on the Veterinary Student Loan Repayment Selection Committee; and, Set a maximum award under the program at a total of \$87,500, or the amount of the outstanding eligible student loan balance, whichever is less. 	Introduced 2/14/2024
Maryland	MD S.B. 0900/MD H.B.1398	Would expand an existing Maryland loan repayment program to include veterinarians who have provided veterinary services as an employee for a minimum of 20 hours per week or as a volunteer for a minimum of 15 hours per week at certain animal shelters.	Introduced 2/2/2024
Utah	<u>UT H.B.</u> <u>522</u>	Would: 1. Modify the Veterinarian Education Loan Repayment Program by decreasing the repayment amount from \$100,000 to \$20,000; and, 2. Permit a qualified veterinarian who practices at least 30% livestock medicine to participate in the program.	Introduced 2/9/2024

Emergency	Emergency First Responders				
State	Link	Summary of Proposed Bill or Regulation	Status		
lowa	<u>IA S.F.</u> 2296	Would permit an emergency care provider to furnish aid, in the form of diagnosis or treatment, to a police dog that has been injured while on duty.	Introduced 2/8/2024		

Equine				
State	Link	Summary of Proposed Bill or Regulation	Status	
California	CA 2024- 0130-01	Would define "endoscopy" and permit a licensed veterinarian or a registered veterinary technician to perform an endoscopy within an enclosure.	Proposed 2/9/2024	
Oregon	OR H.B. 4051	Would require a veterinarian to report to the Oregon Racing Commission if a horse involved in horse racing shows signs of abuse, injury, or inadequate health.	Prefiled 2/2/2024	

Liability			
State	Link	Summary of Proposed Bill or Regulation	Status
Colorado	CO H.B. 24-1074	Would provide immunity from criminal liability for a veterinarian providing care or euthanasia to end extreme pain or suffering of a law enforcement animal.	Amended 2/9/2024
Maryland	MD S.B. 0868	Would remove the \$10,000 cap on compensatory damages in cases involving the tortious injury or death of a pet.	Introduced 2/2/2024

Licensure			
State	Link	Summary of Proposed Bill or Regulation	Status
Kontuoku	KY H.B.	Would remove the good moral character requirement from the	Introduced
Kentucky	<u>765</u>	state's veterinary licensure applicant requirements.	2/26/2024

Livestock			
State	Link	Summary of Proposed Bill or Regulation	Status
New Hampshire	NH S.B. 594	 Would regulate on-farm slaughter of amenable animals by: Requiring a veterinarian or a veterinary technician to conduct an antemortem examination of each amenable animal on the day of slaughter, witness the slaughter, conduct a post-mortem examination of the carcass, and document their examinations in a required report; and, Listing examination report requirements. 	Introduced 2/2/2024

Non-Economic Damages Malpractice				
State	Link	Summary of Proposed Bill or Regulation	Status	
Michigan	MI H.B. 5525	Would allow the owner of a service animal to collect non- economic damages, economic damages, punitive damages, and attorney's fees for the intentional, reckless, or negligent injury or death of a service animal.	Introduced 2/27/2024	

Pet Insurance				
State	Link	Summary of Proposed Bill or Regulation	Status	
lowa	<u>IA H.F.</u>	Would clarify guidelines relating to pet insurance and pet	Introduced	
IOWa	<u>2527</u>	wellness programs.	2/15/2024	

Rhode IslandRI H.B.
7435Would create a framework for pet insurance in the state.Introduced
2/2/2024

Pharmaceuticals Prescription Drug Monitoring Programs			
State	Link	Summary of Proposed Bill or Regulation	Status
California	<u>CA S.B.</u> 1502	Would state the intent of the California Legislature to enact legislation to increase criminal penalties for illicit use of xylazine.	Introduced 2/16/2024
Connecticut	CT S.B. 202	Would require practitioners, including veterinarians, that dispense, administer, or prescribe controlled substances to make records of medical evaluations associated with those acts available to the Connecticut Department of Consumer Protection.	Introduced 2/22/2024
Illinois	<u>IL S.B.</u> <u>3640</u>	Would make xylazine a Schedule III controlled substance with a veterinary exemption for the lawful prescription, dispensing, administration, acquiring, or use of any controlled substance, including xylazine, while acting in the course of their professional practice, in good faith, and accordance with generally accepted medical standards.	Introduced 2/9/2024
Maryland	MD H.B. 1099	 Would: Allow a veterinarian who has an established relationship with the client and a veterinary technician under the direct supervision of a veterinarian who has an established relationship with the client to compound prescription drugs; Require a veterinary clinic or hospital that carries out compounding to establish policies and create a manual on compounding that must include how each compounded drug is created and training for veterinary technicians; Require facilities that carry out compounding to maintain records related to compounding, maintain information related to compounding in the patient's record, and properly store compounded drugs; Allow an office manager or a veterinary assistant, under the supervision of a veterinarian, to maintain records and update the manual; Require a veterinarian to provide training for a veterinary technician compounding drugs under veterinary supervision; Require facilities that compound drugs on-site to create a quality assurance program; document any causes, reactions, and treatments resulting from medication errors; contact clients as soon as possible after an error and next steps; be subject to questions and review from the board of veterinary medicine and the board of pharmacy; Prohibit veterinarians and veterinary technicians from compounding drugs beyond their skill level; Allow veterinary practitioners to purchase compounded drugs for office use as long as the drugs are compounded at a licensed pharmacy in the state or an outsourcing facility; Outline requirements for in-office storage and dispensing of compounded drugs; and, Direct the Maryland Board of Veterinary Medicine to establish guidelines to ensure the safety of compounded drugs. 	Withdrawn 3/4/2024
Missouri	MO H.B. 2749	Would classify xylazine as a Schedule III controlled substance with a veterinary use exemption.	Introduced 2/20/2024
Rhode Island	RI H.B. 7446	Would substitute the current lists of controlled substances in the general laws with the current version of Title 21 of the code of federal regulations.	Introduced 2/2/2024

South Dakota	SD H.B. 1028	Classifies xylazine as a Schedule III controlled substance, but provides an exemption for dispensing, prescribing, administering, manufacturing, or distributing xylazine when done for an animal.	Enacted 2/13/2024
Vermont	<u>VT H. 866</u>	Would add xylazine to the list of regulated drugs and prohibit the possession, dispensing, and sale of the drug outside of allowable veterinary uses.	Introduced 2/27/2024

Research Research Animals			
State	Link	Summary of Proposed Bill or Regulation	Status
Maryland	MD S.B. 0761	 Would: Require each testing facility to be licensed with the Maryland Department of Agriculture to use animals in research, education, or testing and undergo inspections; Establish requirements for the use and treatment of dogs or cats by a research facility or a testing facility; Prohibit a research facility and a testing facility from using certain dogs and cats, including those that have been devocalized for research or testing purposes, and from performing devocalization procedures on dogs or cats; Require only a lethal injection of sodium pentobarbital administered by a licensed veterinarian, or under the supervision of a licensed veterinarian, to be used to euthanize a dog or cat from a research facility; Create a reporting requirement for facilities that use live animals in research, education, or testing; and, Create the Animals in Research Fund to cover the costs associated with the duties of the state inspector for the covered facilities. 	Introduced 2/1/2024

Scope of Pra	Scope of Practice				
State	Link	Summary of Proposed Bill or Regulation	Status		
Alabama	AL S.B. 137	Would require those wishing to perform therapeutic massage on an animal to meet all the massage therapist licensure requirements in the state, graduate from a nationally approved program, and complete at least 100 hours of postgraduate training and education in animal anatomy, pathology, and physiology for the specific type of animal upon which they will perform therapeutic massage.	Introduced 2/20/2024		

Small Business			
State	Link	Summary of Proposed Bill or Regulation	Status
lowa	<u>IA H.F.</u> 2428	Would establish a rural veterinary practice innovation and revitalization program to assist veterinary practices (for livestock) in counties with a population of 30,000 or less.	Introduced 2/12/2024
Maryland	MD S.B. 1182/MD H.B. 1388	Would prohibit a noncompete or conflict of interest provision in an employment contract or a similar document or agreement that restricts the ability of a veterinarian or veterinary technician to enter into employment with a new employer or to become self-employed in the same or similar business or trade.	Introduced 2/9/2024
New Jersey	NJ A. 3821	Would: 1. Allow any person to voluntarily and anonymously deliver a domestic companion animal to a shelter, pound, veterinary hospital, or police station in the State, and leave the animal with an employee, veterinarian, or police officer at the facility, who may not refuse the animal;	Introduced 2/22/2024

Require shelters, pounds, veterinary hospitals, and police stations to post signage stating the hours of operation during which they will receive a companion animal, contact information for where they can take a companion animal when the building is closed, and a warning against abandoning or relinquishing a companion animal in any way other than delivering the animal to a person at a facility who can receive and care for the animal; and,
 Clarify any person leaving an animal would not be liable for the care or disposition of the animal.

Spaying Neutering			
State	Link	Summary of Proposed Bill or Regulation	Status
California	CA S.B. 1233	 Would: Request that the Regents of the University of California jointly develop, with the governing body of the Western University of Health Sciences, standards and guidelines for high-quality, high-volume spay and neuter surgical techniques; Request jointly implementing the developed standards and guidelines in elective coursework for veterinary medicine programs at the University of California, Davis, and the Western University of Health Sciences College of Veterinary Medicine; and, Establish a high-quality, high-volume spay and neuter certification program to be made available to licensed veterinarians and registered veterinary technicians. 	Introduced 2/15/2023
Rhode Island	RI S.B. 2305	 Would: Clarify that trapping for spay and neuter and subsequently releasing feral and free-roaming cats is not considered abandonment; and, Require any medical or surgical procedures performed on the cats to be done by a licensed veterinarian. 	Introduced 2/12/2024

State Programs Board of Veterinary Medicine			
State	Link	Summary of Proposed Bill or Regulation	Status
California	<u>CA 2024-</u> <u>0123-02</u>	 Would: Establish the application requirements for a closed–colony facility license and the circumstances under which the Department of Food and Agriculture would discontinue the closed–colony licensing program; Require a commercial blood bank that is not a closed–colony blood bank or otherwise registered as a community blood bank to be licensed by the Department; Establish the licensing requirement for those establishments; Establish quarterly reporting requirements for closed–colony blood banks licensed with the Department; Require that those with blood or blood-competent products registered with the Department be inspected at least once a year; and, Require that commercial blood banks licensed by the Department be inspected at least once a year. 	Proposed 2/2/2024
lowa	<u>IA S.F.</u> 2385	Would require one of the general public members of the Board of Veterinary Medicine to be a farmer involved in the production of agricultural animals.	Introduced 2/19/2024

New Jersey

NJ A. 3676

Would create a Dog Trainer Board of Examiners, of which two members must be licensed veterinarians.

Introduced 2/12/2024

Taxes: Credits Exemptions Sale & Use			
State	Link	Summary of Proposed Bill or Regulation	Status
Colorado	CO H.B.24- 1271	Would establish a new refundable state income tax credit for a qualified licensed veterinarian and a registered veterinary technician (veterinary professional) working full-time in an underserved area and for a buyer of a veterinary practice in an underserved area.	Introduced 2/13/2024
Florida	<u>FL S.P.B.</u> <u>7074</u>	Would outline pet supplies included in the State's disaster preparedness supplies sales tax holiday, including over-the-counter pet medications with a sales price of \$100 or less per item.	Introduced 2/15/2024
lowa	<u>IA H.S.B.</u> <u>727</u>	Would permit research in animal science, veterinary medicine, and other sciences to be eligible for claiming the research activities tax credit.	Introduced 2/22/2024
Kansas	KS H.B. 2794	Would provide a sales tax exemption for sales of personal property and purchases by contractors for not-for-profit animal shelters and rescue network managers licensed under the Kansas Pet Animal Act.	Introduced 2/9/2024

Veterinary Technicians Veterinary Assistants				
State	Link	Summary of Proposed Bill or Regulation	Status	
California	<u>CA A.B.</u> <u>2133</u>	Would authorize a registered veterinary technician to perform neuter surgery on a male domestic cat under the direct supervision of a California-licensed veterinarian.	Introduced 2/6/2024	
Arkansas	AR 209.01.24- 004	 Would: Establish requirements for initial certification for a veterinary technician specialist (VTS); and, Require a VTS to submit a copy of a collaborative practice agreement to the Arkansas Livestock and Poultry Commission prior to or on the effective date of the agreement. 	Proposed 2/21/2024	
Maryland	MD H.B. 1097	 Would: Redefine "direct supervision" and define "immediate" and "indirect" supervision; Expand the definition of veterinary technician to include veterinary nurses and those who become veterinary technicians through an alternative pathway before October 1, 2027; List tasks that may be performed by a veterinary assistant under the direct supervision of a veterinarian or veterinary technician; List tasks that may be performed by veterinary technicians under direct supervision of a veterinarian and would allow a veterinary technician to perform listed tasks under indirect supervision if the veterinarian determines they are qualified to perform the procedure; Clarify that the veterinary technician may not diagnose, prescribe, or perform surgery; Allow, in an emergency, a veterinary technician to perform life support care and any other procedure permitted by veterinary board regulations; 	Introduced 2/7/2024	

Allow veterinary technicians who work at emergency animal hospitals to perform euthanasia on an animal if the animal is unable to be saved; and, 8. Allow a veterinary technician who works in or for an animal shelter to perform euthanasia on an animal at the animal shelter. Establishes rules for veterinary nurses, veterinary technicians, and veterinary assistants; Outlines tasks allowed to be performed by veterinary **Effective New Hampshire** Vet 802.1 nurses, veterinary technicians, students, and veterinary 2/18/2024 assistants and levels of supervision required; and, 3. Creates a testing requirement for the VTNE. <u>UT H.B.</u> Would permit a licensed veterinarian to delegate tasks to a Amended Utah veterinary technician. 1/26/2024 145

Wildlife Zoo Animals				
State	Link	Summary of Proposed Bill or Regulation	Status	
Kentucky	<u>KY S.B.</u> <u>197</u>	Would require a licensed Kentucky veterinarian to certify in writing that an animal is non-releasable for it to be considered an "ambassador animal" and for it to stay in a rehabilitation facility for more than 180 days.	Introduced 2/12/2024	
Oklahoma	OK H.B. 4148	Would direct the State Department of Fish and Wildlife to expand programs related to wildlife disease.	Introduced 2/5/2024	