

State Legislative Update

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

Education

Championed by the **Kentucky Veterinary Medical Association** (KVMA), <u>KY H.B. 553</u> became law this month. It establishes the 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 terms and conditions and requires a representative from KVMA on the Veterinary Student Loan Repayment Selection Committee. The program sets the maximum possible award at a total of \$87,500, or the amount of the outstanding eligible student loan balance, whichever is less.

After the advocacy efforts of the **Mississippi Veterinary Medical Association**, <u>MS H.B. 1210</u> was enacted and established the "Dr. Elton Mac Huddleston Rural Veterinarians Scholarship Program" at Mississippi State University for qualifying students who commit to practicing veterinary medicine in rural areas of the state for four years after graduation.

Emergency | First Responders

Maine enacted ME L.D. 2156 (H.P. 1380), which allows emergency medical services (EMS) personnel to provide emergency medical treatment to law enforcement dogs and search and rescue dogs in accordance with protocols adopted by the Maine Medical Direction and Practices Board. In addition, it requires the Maine Medical Direction and Practices Board to consult with an individual designated by the Maine Board of Veterinary Medicine with expertise in emergency veterinary medicine, when adopting or amending protocols for providing emergency medical treatment to law enforcement dogs or search and rescue dogs.

In the same vein, **Virginia** enacted <u>VA H.B. 1309</u>, which requires the Virginia Emergency Medical Services Advisory Board, in consultation with the Virginia Board of Veterinary Medicine, to develop guidelines for emergency treatment of fire, police, and search and rescue dogs injured in the line of duty and for the transportation of such dogs by an EMS vehicle to a veterinary care facility equipped to provide emergency treatment to such dogs.

Licensure

Following dedicated advocacy by the **Georgia Veterinary Medical Association**, <u>GA S.B. 410</u> was enacted and directs the Georgia State Board of Veterinary Medicine to adopt rules by December 31, 2024, for a one-time, six-month temporary license, license by endorsement, or combination for veterinarians and veterinary technicians licensed in another state where the training, experience, and testing substantially meets or exceeds the requirement to obtain a license in Georgia and is in good standing with their state of licensure. It limits these new temporary licenses to practice in government or nonprofit shelter medicine, nonprofit sterilization clinics, or nonprofit mobile sterilization programs registered in Georgia and makes veterinary technicians and veterinarians with temporary licenses under this program ineligible for the state's other temporary license.

Scope of Practice

Pennsylvania introduced <u>PA S.B. 1178</u>, which would prohibit the performance of a declawing procedure that is not deemed necessary for a therapeutic purpose by a licensed veterinarian. Meanwhile, **Virginia** enacted <u>VA H.B. 1354</u>, which prohibits declawing procedures except for therapeutic purposes.

Small Business

Maryland enacted MD H.B. 1388, which prohibits 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.

The Federal Trade Commission issued a <u>final rule</u> to prohibit employers from enforcing existing noncompetes against workers other than senior executives, and from entering into new noncompetes with workers after the effective date. The rule includes an exception that allows noncompetes between the seller and buyer of a business. The AVMA is following these events closely.

<u>Veterinarian-Client-Patient Relationship (VCPR) | Telemedicine</u>

In **Colorado**, <u>CO H.B. 24-1048</u> was signed by Governor Jared Polis after being supported by the **Colorado Veterinary Medical Association** and championed by legislator and veterinarian, Representative Karen McCormick. <u>CO H.B. 24-1048</u> allows a veterinarian to provide telehealth services after establishing a VCPR with an in-person examination.

Xylazine

In **Arizona**, <u>AZ H.B. 2045</u> was signed by Governor Katie Hobbs. After efforts by the **Arizona Veterinary Medical Association** and the AVMA, this new law classifies xylazine as a "dangerous drug," but exempts licensed veterinarians who lawfully

acquire, use, prescribe, dispense, or administer any dangerous drug in their professional practice, in good faith, and accordance with generally accepted medical standards.

As introduced, <u>IL H.B. 4450</u> would have made xylazine a Schedule III controlled substance without a veterinary use exemption. Thanks to the advocacy of the **Illinois State Veterinary Medical Association** the bill was amended to create an exemption.

This month, **Virginia** enacted <u>VA S.B. 614/VA H.B. 1187</u>, which criminalizes the manufacturing, selling, giving, distributing, or possessing of xylazine while providing a veterinary medicine exemption.

Animal Abuse Cruelty			
State	Link	Summary of Proposed Bill or Regulation	Status
Kentucky	<u>KY H.B.</u> 258	 Amends the state's companion animal torture statute to: Allow, under the recommendation of a veterinarian, a tortured dog or cat to be euthanized after it's seized if it's still alive but suffering from the intentional torture that would lead to its death; and, Clarify breed-specific alterations such as cropping of ears, docking of tails, or declawing of a cat, when performed by a veterinarian, are not considered torture of an animal. 	Enacted 4/4/2024
Maryland	MD H.B. 0667	 Would: Clarify that customary and normal veterinary and agricultural husbandry practices including dehorning, castration, tail docking, and limit feeding are not acts of animal abuse; and, Clarify aspects of charging and sentencing for animal abuse violations. 	Amended 4/4/2024

Animal Disease Vaccination					
State	Link	Summary of Proposed Bill or Regulation	Status		
Oregon	OR OAR 603-011- 0212	Would clarify the need for veterinarians to immediately notify the Oregon Department of Agriculture of suspected cases of reportable diseases and conditions, regardless of species of livestock.	Proposed 4/16/2024		

Animal Shel	Animal Shelters			
State	Link	Summary of Proposed Bill or Regulation	Status	
New York	NY S. 9081	 Would: Require incorporated animal adoption or animal rescue organizations that offer animals for adoption to implant a microchip in any dog or cat in their possession, unless the animal is already microchipped; and, Require the information associated with each microchip to be updated to identify the organization with possession of the animal and any person who adopts the animal. 	Introduced 4/16/2024	

Kentucky	201 KAR 16:550	 Updates required application materials to apply for Kentucky Board of Veterinary Examiners authorization for an animal shelter to operate as a certified animal control agency and apply for a DEA controlled substance registration to include a verification letter and a list of counties served; and, Clarifies designated on-site managers assume responsibility only for the procurement, management, and disposal of drugs. 	Effective 4/2/2024
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Companion Animals			
State	Link	Summary of Proposed Bill or Regulation	Status
Colorado	CO H.B.24- 1458	Would establish the Division of Animal Welfare within the Department of Agriculture to promote domestic animal welfare by providing education and outreach, creating voluntary programs, and awarding grants.	Introduced 4/15/2024

Education			
State	Link	Summary of Proposed Bill or Regulation	Status
Kentucky	KY S.J.R. 170	Directs the Council on Postsecondary Education to conduct a feasibility study on expanding postbaccalaureate program offerings at comprehensive universities, including a doctoral program for professional practice and licensure in veterinary medicine at Murray State University.	Enacted 4/17/2024
Kentucky	KY H.B. 553	 Establishes 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 terms and conditions; Requires a representative from KVMA on the Veterinary Student Loan Repayment Selection Committee; and, Sets 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. 	Enacted 4/10/2024
Mississippi	MS S.B. 2561/MS H.B. 1210	Establishes the "Dr. Elton Mac Huddleston Rural Veterinarians Scholarship Program" at Mississippi State University for qualifying students who commit to practicing veterinary medicine in rural areas of the state for four years after graduation.	Enacted 4/17/2024

Emergency	First Res	ponders	
State	Link	Summary of Proposed Bill or Regulation	Status
Maine	ME L.D. 2156 (H.P. 1380)	 Allows emergency medical services personnel to provide emergency medical treatment to law enforcement dogs and search and rescue dogs in accordance with protocols adopted by the Maine Medical Direction and Practices Board; and, Requires the Maine Medical Direction and Practices Board to consult with an individual with expertise in emergency veterinary medicine, designated by the Maine Board of Veterinary Medicine, when adopting or amending protocols for providing emergency medical treatment to law enforcement dogs or search and rescue dogs. 	Enacted 4/2/2024
Virginia	<u>VA H.B.</u> <u>1309</u>	Requires the Virginia Emergency Medical Services (EMS) Advisory Board, in consultation with the Virginia Board of Veterinary Medicine, to develop guidelines for emergency treatment of fire, police, and search and rescue dogs injured in	Enacted 4/5/2024

the line of duty and for the transportation of such dogs by an	
EMS vehicle to a veterinary care facility equipped to provide	
emergency treatment to such dogs.	

Equine			
State	Link	Summary of Proposed Bill or Regulation	Status
Pennsylvania	<u>PA H.B.</u> <u>2327</u>	Would appropriate \$20 million for the construction of the Pennsylvania Equine Toxicology and Research Laboratory on New Bolton Campus of the University of Pennsylvania.	Introduced 4/10/2024

Euthanasia			
State	Link	Summary of Proposed Bill or Regulation	Status
Delaware	<u>DE S.B.</u> <u>269</u>	Would clarify that impounded at-large dogs that are designated for disposal must be humanely euthanized.	Introduced 4/16/2024
Kentucky	201 KAR 16:552	 Requires the Kentucky Board of Veterinary Examiners (KBVE) be notified in writing within 10 days of the termination of employment of a certified euthanasia specialist; Requires a certified animal control agency to report to the KBVE and DEA within 24 hours of any suspected diversion or theft of controlled substances; Restricts animal control agencies to the purchase of sodium pentobarbital for euthanasia; and, Updates safe storage requirements for controlled substances at animal control agencies. 	Effective 4/2/2024

Liability			
State	Link	Summary of Proposed Bill or Regulation	Status
Colorado	<u>CO H.B.</u> <u>24-1074</u>	Provides immunity from criminal liability for a veterinarian providing care or euthanasia to end extreme pain or suffering of a law enforcement animal.	Enacted 4/17/2024

Licensure			
State	Link	Summary of Proposed Bill or Regulation	Status
Georgia	GA S.B. 410	 Directs the Georgia State Board of Veterinary Medicine to adopt rules by December 31, 2024, for a one-time, six-month temporary license, license by endorsement, or combination for veterinarians and veterinary technicians licensed in another state where the training, experience, and testing substantially meets or exceeds the requirement to obtain a license in Georgia and is in good standing with their state of licensure; Limits these new temporary licenses to practice in government or nonprofit shelter medicine, nonprofit sterilization clinics, or nonprofit mobile sterilization programs registered with this state; and, Makes veterinary technicians and veterinarians with temporary licenses under this program ineligible for the state's other temporary license. 	Enacted 4/23/2024
Nebraska	NE L.B. 1214	Requires certain professions, including veterinarians, to be subject to a criminal background check for applicants' initial license.	Enacted 4/18/2024
North Carolina	NC H 938	Would clarify that conviction of a felony or misdemeanor is grounds for disciplinary action by the Board of Veterinary Medicine.	Filed 4/30/3034

Livestock			
State	Link	Summary of Proposed Bill or Regulation	Status
Florida	FL r. 5CER24-4	 Prohibits any cattle exposed to or infected with Bovine Associated Influenza A Syndrome from being imported into Florida; Prohibits any lactating dairy cattle originating from a state that has a suspected or confirmed case of Bovine Associated Influenza A Syndrome from being imported into Florida; and, Requires any non-lactating dairy cattle that has not been exposed to or infected with Bovine Associated Influenza A Syndrome but originates from a state with a suspected or confirmed case to have a lawful official certificate of veterinary inspection that was completed no more than 10 days prior to importation into Florida. 	Effective 4/12/2024
Mississippi	MS Entry Requirements for Cattle	Temporarily prohibits cattle showing signs of low appetite, decreased lactation, and thickened or colostrum-like milk from moving into the state until further notice.	Effective 4/4/2024
Oregon	OR OAR 603-011- 5007	Establishes emergency import requirements for cattle to prevent the spread of Bovine Influenza A syndrome.	Effective 4/16/2024

Pet Insurance				
State	Link	Summary of Proposed Bill or Regulation	Status	
Ohio	OH S.B. 175	Would create a framework for pet insurance in the state.	Amended 4/30/2024	

Pharmaceuticals Prescription Drug Monitoring Programs			
State	Link	Summary of Proposed Bill or Regulation	Status
Arizona	AZ H.B. 2045	Includes xylazine in the definition of "dangerous drug," which criminalizes the use, possession, or administration of the drug but provides a veterinary exemption.	Enacted 4/8/2024
Illinois	<u>IL H.B.</u> 4450	Would make xylazine a Schedule III controlled substance with a veterinary medicine exemption.	Amended 4/2/2024
Virginia	<u>VA S.B.</u> 614/VA H.B. 1187	Criminalizes the manufacturing, selling, giving, distributing, or possessing of xylazine with a veterinary medicine exemption.	Enacted 4/4/2024

Research Research Animals				
State	Link	Summary of Proposed Bill or Regulation	Status	
Virginia	<u>VA S.B.</u> 411/VA H.B. 580	 Establishes the Task Force on Transparency in Publicly Funded Animal Testing Facilities to identify potential deficiencies in publicly funded animal testing facilities in the Commonwealth and recommend methods and context for making certain information about such animal testing facilities publicly available; Requires one task force member to be a Virginia-licensed, American College of Laboratory Animal Medicine-certified, veterinarian functioning in the role of attending veterinarian at one of the Commonwealth's publicly funded animal testing facilities; and, 	Enacted 4/8/2024	

3.	Requires the task force to create a report on their findings	
	and recommendations on how to improve transparency at	
	publicly funded animal testing facilities in the	
	Commonwealth by November 1, 2024.	

Scope of Practice				
State	Link	Summary of Proposed Bill or Regulation	Status	
Pennsylvania	PA S.B. 1178	Would prohibit the performance of a declawing procedure that is not deemed necessary for a therapeutic purpose by a licensed veterinarian.	Introduced 4/22/2024	
Virginia	<u>VA H.B.</u> <u>1354</u>	Prohibits declawing procedures, except for therapeutic purposes.	Enacted 4/8/2024	
West Virginia	WV Certified Pesticide Applicator Rules	Exempts veterinarians applying restricted use pesticides to patients during the ordinary practice of their profession from pesticide applicator certification testing, competency, and application requirements.	Effective 4/15/2024	

Small Busine	Small Business			
State	Link	Summary of Proposed Bill or Regulation	Status	
lowa	<u>IA H.F.</u> 2688	Would establish a Rural Veterinary Practice Innovation and Revitalization Fund and Rural Veterinary Practice Innovation and Revitalization Program to award financial assistance to eligible veterinary practices and improve veterinary services provided to agricultural animals in counties with a population of 30,000 or less.	Introduced 4/8/2024	
Maryland	MD H.B. 1388	Prohibits 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.	Enacted 4/25/2024	
North Carolina	21 NCAC 66 .1001- .1004, and .1101- .1110 * P. 1260	 Would: Require boarding kennels to have a program of veterinary care (PVC) that includes disease control and prevention, vaccination, euthanasia, disposition of diseased, ill, injured, infirm, or deformed animals, and provision of adequate routine and emergency veterinary care that must be established by the owner and supervising veterinarian; Require the PVC for boarding kennels to be submitted as part of the application and be approved by the Board of Veterinary Medicine and changes to the PVC be submitted for approval to the Board within 10 days of the effective date; Require boarding kennel owners to consult a veterinarian if there is an infectious disease outbreak that persists for more than seven days at the facility and if there is an outbreak that persists for more than 30 days the owner must obtain and follow a veterinarian's written recommendations for correcting the problem (including recommendations for sanitation of primary enclosures, common areas, exercise areas and accessories, and protocols for animal intake, evaluation, isolation, disease recognition and treatment and euthanasia); Require sick or diseased, injured, lame, or blind dogs or cats be provided with adequate veterinary care in a timely manner or be euthanized, provided that the euthanasia shall not affect compliance with any state or local law requiring 	Proposed 4/1/2024 Public Hearing 5/21/2024 Closed for Comment 5/31/2024 Proposed Effective Date 8/1/2024	

		 the holding, for a specified period, of animals suspected of being diseased; Require, if an animal cannot be euthanized due to a required holding period, then adequate veterinary care be provided to the animal; Require full written disclosure of the medical condition of the animal and all veterinary medical treatments provided to the animal be provided to the person or organization receiving, adopting, purchasing, or otherwise acquiring the animal; Require all animals in a boarding kennel be in compliance with state rabies laws; and, Prohibit boarding kennels from administering prescription medication, tranquilizer, sedative, or any pharmaceutical drug designed to calm an animal unless the medication or drug is administered under the direction of or by prescription from the animal's veterinarian, and written permission from 	
		the animal's owner.	
Texas	TX 22 TAC §573.83	 Would: Require a veterinarian to disclose to the owner or caretaker of an animal that the animal requires emergency treatment; Require a veterinarian to update the disclosures if the animal's medical condition changes; and, State that the person presenting the animal for emergency treatment is presumed to be its owner or caretaker. 	Proposed 3/28/2024

State Programs Board of Veterinary Medicine			
State	Link	Summary of Proposed Bill or Regulation	Status
Massachusetts	MA S. 2731/MA H. 4564	 Would: Direct the Commissioner of Agriculture to create rules mandating certain standards at kennels such as housing, space, veterinary care, nutrition, and hydration; and, Create a committee to advise the Commissioner of Agriculture on promulgation of rules for kennels which must include one veterinarian or member of a veterinary medical association organized within the Commonwealth. 	Filed 4/16/2024
Virginia	VA S.B. 663	Permits the Virginia Board of Veterinary Medicine to regulate, inspect, and register all satellite offices where veterinary medicine is practiced and directs the Board to promulgate rules to implement this section within 280 days of enactment.	Enacted 4/5/2024
Virginia	<u>VA H.B.</u> <u>848</u>	Allows the Virginia Board of Veterinary Medicine to permit limited practice of veterinary medicine by a veterinary medicine licensure applicant, provided they are enrolled in a traineeship program and under the direct supervision of a licensed veterinarian.	Enacted 4/2/2024

Taxes: Credits Exemptions Sale & Use				
State	Link	Summary of Proposed Bill or Regulation	Status	
Nebraska	NE L.B.	Would exclude veterinary services and specialty services	Amended	
	<u>388</u>	performed on livestock as gross income.	4/10/2024	

Veterinarian-Client-Patient Relationship Telemedicine				
State	Link	Summary of Proposed Bill or Regulation	Status	
Colorado	<u>CO H.B.</u> <u>24-1048</u>	 Clarifies that an examination to establish a VCPR must be an in-person, physical examination by a licensed veterinarian; 	Enacted 4/19/2024	

Extends a VCPR to other licensed veterinarians who share the same physical premises as the veterinarian who established the VCPR if there is access to and have reviewed the patient's medical records, including via telemedicine: 3. Permits a licensed veterinarian who has established a VCPR to use telehealth to provide veterinary services to clients and patients in Colorado with the consent of the client: 4. Permits only a licensed veterinarian with an established VCPR to use telemedicine to administer, distribute, or dispense a prescription drug that has been prescribed by another licensed veterinarian who has an established VCPR: 5. Permits licensed veterinarians to refer a patient to a veterinary specialist who may provide veterinary services via telemedicine under the referring veterinarian's VCPR; 6. Permits a licensed veterinarian to telesupervise an RVT for tasks that do not require direct or immediate supervision pursuant to Board rules; 7. Authorizes the Board of Veterinary Medicine to establish rules for the use of telehealth to provide veterinary services; 8. Clarifies that only a licensed veterinarian with an established VCPR may prescribe medication using telemedicine: 9. Establishes record-keeping, confidentiality, and privacy requirements related to the use of telehealth; and, 10. Establishes definitions for teleadvice, teleconsulting, teleeducation, telehealth, telemedicine, telemonitoring, telereferral, telesupervision, teletriage, and veterinary specialist.

Veterinary To	Veterinary Technicians Veterinary Assistants				
State	Link	Summary of Proposed Bill or Regulation	Status		
Minnesota	MN S.F. 4570	 Would: Establish licensure for veterinary technicians; Define "direct supervision," "remote supervision, "licensed veterinary technician," and "veterinary technology;" Define the scope of practice for unlicensed veterinary employees and individuals with an institutional license; and, Establish a path for institutional licensure for any person who practices veterinary medicine while employed by the University of Minnesota. 	Amended 4/8/2024		
Minnesota	MN H.F. 4247	Would establish licensure for different professions, including for veterinary technicians.	Amended 4/2/2024		

Wildlife Zoo Animals			
State	Link	Summary of Proposed Bill or Regulation	Status
Louisiana	<u>LA H.B.</u> <u>854</u>	Would permit an individual to possess in captivity any sick, injured, or orphaned wildlife if they have satisfied the course requirements of the Wildlife Rehabilitation Program and a licensed veterinarian has determined that the animal is medically non-releasable or exhibits signs of adjusted life in captivity and poses minimum zoonotic potential.	Introduced 4/2/2024