



State Legislative Update

July-September 2022

This issue of the State Legislative Update includes select summaries of bills and regulations tracked by the AVMA and introduced in July, August, and September. For more information, please contact [Cody Corcelius](#), policy analyst.

Cannabis

California Veterinary Medical Association supported a recently enacted law ([CA AB 1885](#)) that prohibits the board from disciplining a veterinarian who recommends the use of cannabis on an animal for potential therapeutic effect or health supplementation purposes. The law requires the board to adopt guidelines by January 1, 2024, for veterinarians to follow when recommending cannabis within the veterinarian-client-patient relationship (VCPR). Cannabis products intended for animals must comply with standards adopted by the regulations.

Compounding

Proposed regulations in **Arkansas** ([AR 007.39.22-003](#)) would update language to allow pharmacists in a Class A pharmacy or FDA-registered and Arkansas-permitted 503b outsourcing facility to compound office-use products for veterinarians as allowed under new FDA guidance. Compounded preparations maintained for office use could be dispensed to treat an immediate emergency medical need when timely access to a patient-specific supply of compounded medication is not available, no commercially available product can meet the need of the patient, lack of treatment will likely result in patient harm, and the supply does not exceed seven days.

At the federal level, the Food and Drug Administration [announced](#) it does not plan to begin routine pharmacy inspections to enforce its [final guidance on animal drug compounding](#) (GFI #256) until April 2023. Originally the FDA had said enforcement would begin on October 1, 2022. The final FDA guidance reflects changes made in response to advocacy work by the AVMA, which included engagement and education with the FDA, members of Congress, and other stakeholders on the importance of veterinarians having access to vital medications in a timely manner.

The AVMA has submitted nominations for bulk drug substances to the FDA on the basis of input from AVMA members and allied organizations, and will continue to gather information and make nominations on an ongoing basis.

Continuing education

In **Maryland**, proposed regulations ([MD 15.14.10](#); [MD 15.14.16](#)) would remove the limitation on the number of credit hours that may be obtained through online continuing education programs in a given licensing year to maintain the veterinarian or veterinary technician's registration with the State Board of Veterinary Medical Examiners.

Loan repayment programs

States continue to consider ways to either establish a loan repayment program or expand their program to attract veterinarians into their states and areas of need. In **Maine**, a proposed regulation that coincided with legislation passed earlier this year ([Maine Veterinary Medicine Loan Program, Amendment 2](#)) would increase the number of loans that may be awarded – funding permitting – from two per year to eight per year, with overall aggregate program loans increased from eight to 32. Legislation was introduced in **New Jersey** ([NJ S 3054](#)) to establish loan redemption programs for certain veterinarians practicing in the state.

Veterinarian-client-patient relationship (VCPR)

Iowa finalized a regulation ([IA ARC 6397C](#)) that clarifies and addresses the responsibilities of veterinarians who provide services in an emergency setting, defining "emergency," "physical examination," and "premises". The regulation also clarifies and revises two of the criteria to allow a VCPR for groups of animals and allows a licensed veterinarian with a VCPR to designate another licensed veterinarian to consult or provide back-up care. This rulemaking addresses public comments made as the Iowa Board of Veterinary Medicine adopted rules requiring a VCPR.

Veterinary technicians

Regulations pertaining to veterinary technicians continue to be a focal point for state veterinary medical boards across the country. In **Nevada**, a [proposed regulation](#) would establish college and continuing education coursework requirements for registration as a veterinary technician in training or for a license to practice as a veterinary technician. In **New Hampshire**, a proposed regulation ([NH Veterinary Nurses, Technicians, and Assistants](#)) would establish rules to specify which tasks may be performed by veterinary nurses, veterinary technicians, and veterinary assistants. In **Texas**, a proposed regulation ([TX 22 TAC §571.18](#)) would permit only individuals who have received formal education at an accredited veterinary technician institution and are licensed by the Texas Board of Veterinary Medical Examiners to hold the title of licensed veterinary technician (LVT).

Animal disease Vaccination			
State	Link	Summary of proposed bill or regulation	Status
California	CA SB 1029	Requires the State Department of Public Health and the Department of Food and Agriculture to jointly establish and administer the One Health Program for the purpose of developing a framework for interagency coordination in responding to zoonotic diseases and reducing hazards to human and nonhuman animal health in accordance with the One Health principles set forth by the federal Centers for Disease Control and Prevention	Enacted 9/30/2022

Animal cruelty			
State	Link	Summary of proposed bill or regulation	Status
New Jersey	NJ A 4563	Would establish procedures for seizure, care, and forfeiture of animals involved in animal cruelty violations	Introduced 9/22/2022

Animal shelters			
State	Link	Summary of proposed bill or regulation	Status

California	CA AB 1648	Requires a city or county that needs a kennel license or permit to operate a kennel within its jurisdiction to require, as a condition for obtaining the kennel license or permit, that the kennel owner create and submit to the city or county an animal natural disaster evacuation plan for any kennel covered by the license or permit	Enacted 9/26/2022
California	CA AB 2723	<ol style="list-style-type: none"> 1. Requires the owner or new owner of the dog or cat to be registered with the microchip registry company as the primary owner of the dog or cat 2. Prohibits the agency, shelter, or group from being listed as the primary owner of the dog or cat beginning 90 days after the dog or cat has been released to the owner or adopted, sold, or given away to a new owner 3. Expands the types of acts that constitute the theft of a dog for the purposes of that provision 	Enacted 9/26/2022
New Jersey	NJ A 4564	Would prohibit fireworks on property adjacent to an animal shelter, pound, or kennel	Introduced 9/15/2022

Continuing education

State	Link	Summary of proposed bill or regulation	Status
Maryland	MD 15.14.10	Would remove the limitation on the number of credit hours that a licensed veterinarian may obtain through online continuing education programs in a given licensing year to maintain the person's registration with the State Board of Veterinary Medical Examiners	Proposed 9/23/2022
Maryland	MD 15.14.16	Would remove the limitation on the number of credit hours that a registered veterinarian technician may obtain through online continuing education programs (annually and over a three-year period) to maintain the person's registration with the State Board of Veterinary Medical Examiners	Proposed 9/23/2022

Loan repayment programs

State	Link	Summary of proposed bill or regulation	Status
Maine	Maine Veterinary Medicine Loan Program, Amendment 2	Would increase the number of loans that may be awarded (funding permitting) from two per year to eight per year	Proposed 8/3/2022
New Jersey	NJ S 3054	Would establish loan redemption programs for certain veterinarians practicing in the state	Introduced 9/22/2022

Marijuana | Cannabis | Hemp

State	Link	Summary of proposed bill or regulation	Status
California	CA AB 1885	<ol style="list-style-type: none"> 1. Prohibits the board from disciplining a veterinarian who recommends the use of cannabis on an animal for potential therapeutic effect or health supplementation purposes, unless the veterinarian is employed by or has an agreement with a cannabis licensee 2. Requires the board to adopt guidelines by 1/1/2024 for veterinarians to follow-up when recommending cannabis within the VCPR 	Enacted 9/18/2022

		3. Requires cannabis products intended for animals to comply with additional concentration and other standards adopted by regulations	
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Pharmaceuticals | Prescription drug monitoring program

State	Link	Summary of proposed bill or regulation	Status
Arkansas	AR 007.39.22-003	Would update language to allow pharmacists in a Class A pharmacy or FDA-registered and Arkansas-permitted 503b outsourcing facility to compound office use products for veterinarians as allowed under new FDA guidance, allowing veterinary compounded preparations sold to a veterinary practitioner for veterinary office use to be dispensed to the owner of a veterinary patient to treat an immediate emergency medical need when timely access to a patient-specific supply of compounded medication is not available, no commercially available product can meet the need of the patient, lack of treatment will likely result in patient harm, and the supply does not exceed seven days	Published 9/7/2022

Scope of practice

State	Link	Summary of proposed bill or regulation	Status
Ohio	OH HB 725	Would prohibit any person, other than a licensed veterinarian, from performing medical and dental procedures on a dog	Introduced 9/27/2022

Veterinarian-client-patient relationship | Telemedicine

State	Link	Summary of proposed bill or regulation	Status
Iowa	IA ARC 6397C	<ol style="list-style-type: none"> Clarifies and addresses the responsibilities of veterinarians who provide services in an emergency setting, defining "emergency," "physical examination," and "premises" Clarifies and revises two of the criteria to allow a VCPR for groups of animals Allows a licensed veterinarian with a VCPR to designate another licensed veterinarian to consult or provide back-up care 	Finalized 7/13/2022

Veterinary technicians | Veterinary assistants

State	Link	Summary of proposed bill or regulation	Status
Colorado	CO 4 CCR 727-1	<p>Would:</p> <ol style="list-style-type: none"> Clarify recordkeeping requirements and address concerns from the Office of Legislative Legal Services (OLLS); Add registration requirements for veterinary technicians; Include veterinary technicians to the State Board of Veterinary Medicine; and, Permit certain unlicensed individuals to administer rabies vaccinations 	Published 8/31/2022
Nevada	NV revises provisions relating to veterinary technicians	Would establish requirements relating to college and continuing education coursework for certain applicants for registration as a veterinary technician in training or for a license to practice as a veterinary technician	Published 8/16/2022
New Hampshire	NH Veterinary Nurses, Technicians,	Would establish rules for veterinary nurses, veterinary technicians, and veterinary assistants that include definitions, testing requirements, and tasks allowed to be performed	Published 7/21/2022

	<u>and Assistants</u>		
Texas	<u>TX 22 TAC §571.18</u>	Would permit only individuals who have received formal education at an accredited veterinary technician institution and are licensed by the TBVME to hold the title of licensed veterinary technician; all other employees of a veterinary medical establishment could hold the title of veterinary assistant	Published 8/1/2022