



## State Legislative Update

August 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 August. For more information, please contact Madeline Brezin, Policy Analyst, AVMA Division of State Advocacy ([mbrezin@avma.org](mailto:mbrezin@avma.org)).

### Practice Acts

Supported by the **Illinois State Veterinary Medical Association**, IL S.B. 2059/IL H.B. 2473 was enacted in late July. This new law updates the state’s practice act, clarifying that an examination must be conducted in person to establish a veterinarian-client-patient relationship (VCPR). Provisions allow for the use 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. The new law also allows a supervising veterinarian to delegate telehealth services to a certified veterinary technician who is acting under direct or indirect supervision.

### Xylazine

Enacted in **Delaware**, DE S.B. 189 adds xylazine and its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers to Schedule III of the Delaware Uniform Controlled Substances Act.

In **Oregon**, the **Board of Pharmacy** considered regulations that would include xylazine as a Schedule I drug. Efforts by the **Oregon Veterinary Medical Association** led to the Board of Pharmacy voting against adopting the regulations.

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Animal Shelters			
State	Link	Summary of Proposed Bill or Regulation	Status
Delaware	<u><a href="#">DE S.B. 129</a></u>	<ol style="list-style-type: none"> <li>1. Updates standards of care for animal shelters;</li> <li>2. Requires animals to be vaccinated against rabies before adoption or release;</li> <li>3. Requires animals who are received overnight to receive their vaccines by noon the following day;</li> <li>4. Requires animals to be evaluated for infectious disease or illness/injury requiring emergency care on intake and a full exam to be performed within 48 hours of intake and prior to adoption; and,</li> <li>5. Requires animals who have been in the shelter for a year or longer to receive a veterinary exam every 12 months.</li> </ol>	Enacted 8/17/2023

<b>Pet Insurance</b>			
State	Link	Summary of Proposed Bill or Regulation	Status
Delaware	<a href="#">DE H.B. 156</a>	Establishes a comprehensive framework for the regulation of pet insurance in the state.	<b>Enacted 8/31/2023</b>

<b>Pharmaceuticals   Prescription Drug Monitoring Program</b>			
State	Link	Summary of Proposed Bill or Regulation	Status
Delaware	<a href="#">DE S.B. 189</a>	Adds xylazine and its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers to Schedule III of the Delaware Uniform Controlled Substances Act.	<b>Enacted 08/17/2023</b>
Oregon	<a href="#">OR OAR 855-080-0021</a>	Would include xylazine as a Schedule I drug.	Proposed 6/16/2023  Closed for Comment 7/26/2023  <b>Board of Pharmacy Voted Not to Adopt 8/9/2023</b>

<b>Scope of Practice</b>			
State	Link	Summary of Proposed Bill or Regulation	Status
New Hampshire	<a href="#">VET 900</a>	<p>Would:</p> <ol style="list-style-type: none"> <li>1. Clarify veterinary dentistry is a discipline of veterinary medicine and surgery;</li> <li>2. List types of procedures that qualify as surgical procedures of the head or oral cavity:               <ol style="list-style-type: none"> <li>a. The administration of prescription of sedatives, tranquilizers, analgesics, or anesthetics;</li> <li>b. Invasive procedures of the tissues of the oral cavity such as removal of sharp enamel points, treatment of malocclusions of premolars, molars, canine teeth, and incisors, odontoplasty, extraction of first premolars and deciduous premolars and incisors, extraction of damaged or diseased teeth, treatment of diseased teeth via restorations or endodontic procedures, and periodontal and orthodontic treatments;</li> <li>c. Interpretation of dental radiography;</li> </ol> </li> <li>3. Outline anesthesia and sedation standards for veterinary dental care; and,</li> <li>4. Require medical records for veterinary dental procedures to include a complete description of all dental, oral, or other diseases present during the examination, a complete description of all abnormal findings, and documentation of communication with the client regarding any dental disease or abnormal dental findings.</li> </ol>	<p>Adopted 6/14/2023</p> <p><b>Effective 8/13/2023</b></p>

<b>Spaying   Neutering</b>			
<b>State</b>	<b>Link</b>	<b>Summary of Proposed Bill or Regulation</b>	<b>Status</b>
<b>Maine</b>	<a href="#"><u>ME L.D. 595 (S.P. 263)</u></a>	Would create a companion animal sterilization program and allow veterinarians to enter into an agreement with the State to provide sterilizations and be paid by the fund.	<b>Enacted 7/31/2023</b>

<b>State Programs   Board of Veterinary Medicine</b>			
<b>State</b>	<b>Link</b>	<b>Summary of Proposed Bill or Regulation</b>	<b>Status</b>
<b>Ohio</b>	<a href="#"><u>OH 4741-1-25</u></a>	<ol style="list-style-type: none"> <li>1. Allows the state Veterinary Medical Licensing Board (OVMLB) to establish a confidential, non-disciplinary program for the evaluation and treatment of veterinarians and veterinary technicians who need assistance with a potential or existing mental health/ substance use disorder; and,</li> <li>2. Allows the OVMLB to refer professionals to that program.</li> </ol>	<b>Effective 7/1/2023</b>

<b>Veterinarian-Client-Patient Relationship   Telemedicine</b>			
<b>State</b>	<b>Link</b>	<b>Summary of Proposed Bill or Regulation</b>	<b>Status</b>
<b>Illinois</b>	<a href="#"><u>IL S.B. 2059/IL H.B. 2473</u></a>	<p>Makes changes to the Illinois Veterinary Practice Act, including:</p> <ol style="list-style-type: none"> <li>1. Clarifying that an examination must be conducted in person to establish a VCPR;</li> <li>2. 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,</li> <li>3. Allowing a supervising veterinarian to delegate telehealth services to a certified veterinary technician who is acting under direct or indirect supervision.</li> </ol>	<b>Enacted 7/28/2023</b>

<b>Wildlife   Zoo Animals</b>			
<b>State</b>	<b>Link</b>	<b>Summary of Proposed Bill or Regulation</b>	<b>Status</b>
<b>Kentucky</b>	<a href="#"><u>301 KAR 4:110</u></a>	<p>Allows administration of drugs:</p> <ol style="list-style-type: none"> <li>1. To captive wildlife under the direction of a veterinarian with a VCPR;</li> <li>2. To non-commercial captive cervids or critically ill or injured wildlife by a veterinarian; or,</li> <li>3. At a wildlife rehabilitation facility by a permitted wildlife rehabilitator under the direction of a veterinarian with a VCPR.</li> </ol>	<b>Effective 6/8/2023</b>