

HOUSE BILL 1097

M4

(4lr1340)

ENROLLED BILL

— *Environment and Transportation/Education, Energy, and the Environment* —

Introduced by ~~Delegate Guyton~~ Delegates Guyton, Allen, Boyce, Foley, Healey, Lehman, J. Long, T. Morgan, and Ruth

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **State Board of Veterinary Medical Examiners – Veterinary Technicians and**
3 **Veterinary Assistants**

4 FOR the purpose of authorizing a veterinary assistant to perform certain tasks under the
5 immediate or direct supervision of a veterinary practitioner or veterinary technician;
6 authorizing a veterinary technician to perform certain procedures, including certain
7 emergency procedures and euthanasia, under certain circumstances; ~~requiring the~~
8 ~~State Board of Veterinary Medical Examiners to develop by regulation a certain~~
9 ~~alternative pathway for employed veterinary assistants to become veterinary~~
10 ~~technicians;~~ and generally relating to the State Board of Veterinary Medical
11 Examiners and veterinary technicians and veterinary assistants.

12 BY repealing and reenacting, without amendments,
13 Article – Agriculture

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 Section 2–301(a), (b), and (i)
2 Annotated Code of Maryland
3 (2016 Replacement Volume and 2023 Supplement)

4 BY repealing and reenacting, with amendments,
5 Article – Agriculture
6 Section 2–301(c), (g), and (j)
7 Annotated Code of Maryland
8 (2016 Replacement Volume and 2023 Supplement)

9 BY adding to
10 Article – Agriculture
11 Section 2–301(c–1), (c–2), and (h–1) and 2–309.1
12 Annotated Code of Maryland
13 (2016 Replacement Volume and 2023 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
15 That the Laws of Maryland read as follows:

16 **Article – Agriculture**

17 2–301.

18 (a) In this subtitle the following words have the meanings indicated.

19 (b) “Board” means the State Board of Veterinary Medical Examiners.

20 (c) “Direct supervision” means that [a] **THE SUPERVISING** veterinarian **WHO IS**
21 licensed and registered in the State [is in the immediate vicinity where veterinary medicine
22 is being performed and is actively engaged in the supervision of the practice of veterinary
23 medicine]:

24 **(1) IS ON THE PREMISES OF THE ANIMAL TREATMENT FACILITY;**

25 **(2) IS AVAILABLE ON AN IMMEDIATE BASIS; AND**

26 **(3) HAS GIVEN WRITTEN OR ORAL INSTRUCTIONS FOR TREATMENT**
27 **OF THE ANIMAL PATIENTS INVOLVED.**

28 **(C–1) “IMMEDIATE SUPERVISION” MEANS THE SUPERVISING VETERINARIAN**
29 **WHO IS LICENSED AND REGISTERED IN THE STATE IS IN THE IMMEDIATE AREA AND**
30 **WITHIN AUDIBLE AND VISUAL RANGE OF THE ANIMAL PATIENT AND THE PERSON**
31 **TREATING THE PATIENT.**

32 **(C–2) “INDIRECT SUPERVISION” MEANS THE SUPERVISING VETERINARIAN**
33 **WHO IS LICENSED AND REGISTERED IN THE STATE:**

1 **(1) IS NOT REQUIRED TO BE IN THE SAME FACILITY OR IN CLOSE**
2 **PROXIMITY TO THE INDIVIDUAL BEING SUPERVISED; AND**

3 **(2) (I) HAS GIVEN WRITTEN OR ORAL INSTRUCTIONS FOR**
4 **TREATMENT OF THE ANIMAL ~~PATIENTS~~ PATIENT INVOLVED;**

5 **(II) IS AVAILABLE TO PROVIDE SUPERVISION BY ELECTRONIC**
6 **OR TELEPHONIC MEANS; AND**

7 **(III) HAS ARRANGED FOR TELEPHONIC CONSULTATION WITH A**
8 **LICENSED VETERINARIAN, IF NECESSARY.**

9 (g) [The term “practice” **“PRACTICE** of veterinary medicine” does not include or
10 apply to:

11 (1) Any person practicing veterinary medicine in the performance of civil
12 or military official duties in the service of the United States or of the State;

13 (2) Experimentation and scientific research of biological chemists or
14 technicians engaged in the study and development of methods and techniques, directly or
15 indirectly related or applicable to the problems of the practice of veterinary medicine;

16 (3) A person who advises with respect to or performs acts which the Board,
17 by rule or regulation, has prescribed as accepted management practices in connection with
18 livestock production;

19 (4) A physician licensed to practice medicine in the State or to his assistant
20 while engaged in educational research;

21 (5) A person administering to the ills and injuries of his own animals if
22 they otherwise comply with all laws, rules and regulations relative to the use of medicines
23 and biologics;

24 (6) A farrier or a person actively engaged in the art or profession of
25 horseshoeing as long as his actions are limited to the art of horseshoeing or trimming and
26 maintaining horse hooves;

27 (7) Any nurse, attendant, technician, intern, or other employee of a
28 licensed and registered veterinarian when administering medication or rendering auxiliary
29 or supporting assistance under the responsible direct supervision of a licensed and
30 registered veterinarian;

31 (8) A person who floats (files) equine teeth or removes caps;

32 (9) A person who scales or cleans animal teeth;

1 (10) A ~~registered~~ veterinary technician when performing a procedure
2 [under the responsible direct supervision of a veterinary practitioner as provided by
3 regulations adopted by the Board] **IN ACCORDANCE WITH § 2-309.1 OF THIS SUBTITLE;**

4 (11) A person practicing acupuncture in accordance with the principles of
5 oriental medical theories if the person:

6 (i) Is licensed under Title 1A of the Health Occupations Article;

7 (ii) Is certified as an animal acupuncturist by the Board of
8 Acupuncture;

9 (iii) Practices only acupuncture, acupressure, and moxibustion;

10 (iv) Cooperates and consults with a veterinary practitioner by:

11 1. Beginning acupuncture treatment on an animal only if the
12 animal has been seen by a veterinary practitioner within the previous 14 days;

13 2. Adhering to the terms and conditions of treatment decided
14 by the veterinary practitioner, including the degree of communication and collaboration
15 between the veterinary practitioner and the person practicing acupuncture;

16 3. Reporting to the veterinary practitioner at the end of
17 treatment or at monthly intervals, at the discretion of the veterinary practitioner; and

18 4. Not working on an animal for which the person has not
19 been appropriately trained, in accordance with regulations adopted by the Board of
20 Acupuncture; and

21 (v) Has successfully completed a specialty training program in
22 animal acupuncture that:

23 1. Is approved by the Board of Acupuncture;

24 2. Is offered by a school holding nationally recognized
25 accreditation;

26 3. Consists of at least 135 hours; and

27 4. Enables the person to:

28 A. Design effective treatments of animals based on
29 traditional acupuncture theories and principles, including appropriate knowledge of
30 functional animal anatomy and physiology;

1 B. Handle and restrain animals to the extent appropriate in
2 the practice of acupuncture;

3 C. Demonstrate sufficient knowledge of animal diseases and
4 zoonoses that would require the immediate attention of a veterinary practitioner; and

5 D. Communicate effectively with a veterinary practitioner;

6 (12) A veterinarian licensed in another jurisdiction while consulting with a
7 veterinary practitioner in this State; or

8 (13) A student of veterinary medicine practicing veterinary medicine who
9 has successfully completed 3 years of veterinary education at an institution approved by
10 the Board and who works under the responsible direct supervision, as defined by the Board,
11 of a veterinary practitioner.

12 **(H-1) "VETERINARY ASSISTANT" MEANS A PERSON WHO:**

13 **(1) AIDS A VETERINARIAN OR VETERINARY TECHNICIAN IN PATIENT**
14 **CARE; AND**

15 **(2) IS NOT ~~QUALIFIED AS A CREDENTIALLED~~ REGISTERED WITH THE**
16 **BOARD AS A VETERINARY TECHNICIAN.**

17 (i) "Veterinary practitioner" means a licensed and registered veterinarian
18 engaged in the practice of veterinary medicine.

19 (j) **(1)** "Veterinary technician" means a person who ~~is~~ registered with the
20 Board as a veterinary technician~~;~~

21 ~~**(i) IS TRAINED THROUGH AN AMERICAN VETERINARY**~~
22 ~~**MEDICAL ASSOCIATION ACCREDITED PROGRAM AND ASSISTS A VETERINARIAN**~~
23 ~~**WITH DIVERSE MEDICAL TASKS; AND**~~

24 ~~**(ii) 1. A. IS A GRADUATE OF AN AMERICAN VETERINARY**~~
25 ~~**MEDICAL ASSOCIATION ACCREDITED VETERINARY TECHNOLOGY OR VETERINARY**~~
26 ~~**NURSING PROGRAM;**~~

27 ~~**B. HAS PASSED THE VETERINARY TECHNICIAN**~~
28 ~~**NATIONAL EXAM; AND**~~

29 ~~**C. IS CREDENTIALLED AS HAVING THE APPROPRIATE**~~
30 ~~**TRAINING AND EXPERIENCE BY A STATE GOVERNMENT OR AN ORGANIZATION**~~

1 ~~RECOGNIZED BY THE NATIONAL ASSOCIATION OF VETERINARY TECHNICIANS IN~~
 2 ~~AMERICA TO ISSUE THE CREDENTIAL; OR~~

3 ~~2. BEFORE OCTOBER 1, 2027, MEETS THE~~
 4 ~~REQUIREMENTS UNDER AN ALTERNATIVE PATHWAY IN ACCORDANCE WITH~~
 5 ~~REGULATIONS ADOPTED BY THE BOARD.~~

6 (2) "VETERINARY TECHNICIAN" INCLUDES A VETERINARY NURSE.

7 2-309.1.

8 (A) A VETERINARY ASSISTANT MAY PERFORM THE FOLLOWING TASKS
 9 UNDER THE DIRECT SUPERVISION OF A VETERINARY PRACTITIONER OR
 10 VETERINARY TECHNICIAN UNDER THE DIRECT SUPERVISION OF A VETERINARY
 11 PRACTITIONER:

12 (1) OBTAINING AND MONITORING VITALS ON A NONANESTHETIZED
 13 PATIENT;

14 (2) RADIOGRAPHS;

15 (3) DENTAL PROPHYLAXIS;

16 (4) NAIL TRIMS;

17 (5) EDUCATING ON BASIC TOPICS;

18 (6) ADMINISTERING MEDICATIONS;

19 (7) HUSBANDRY;

20 ~~(8) ANESTHESIA MONITORING;~~

21 ~~(9)~~ (8) COLLECTING URINE BLOOD, URINE, AND FECAL SAMPLES;

22 ~~(10)~~ (9) ASEPTIC TECHNIQUES;

23 ~~(11)~~ (10) SETUP FOR SURGERY AND OTHER PROCEDURES;

24 ~~(12)~~ (11) LOW-STRESS HANDLING AND RESTRAINT;

25 ~~(13)~~ (12) MICROCHIP INSERTION; AND

1 ~~(14)~~ **(13)** **ANY OTHER SKILL THAT IS NONINVASIVE, AS DEFINED BY**
2 **THE BOARD, AND WITHIN THE VETERINARY ASSISTANT'S SKILLS AS DETERMINED BY**
3 **THE SUPERVISING VETERINARY PRACTITIONER.**

4 **(B) A VETERINARY ASSISTANT MAY PERFORM THE FOLLOWING TASKS**
5 **UNDER THE IMMEDIATE SUPERVISION OF A VETERINARY PRACTITIONER OR**
6 **VETERINARY TECHNICIAN:**

7 **(1) SET UP OF ANESTHESIA; AND**

8 **(2) ANESTHESIA MONITORING.**

9 **(C) SUBJECT TO ~~SUBSECTIONS (C) AND (D)~~ SUBSECTION (E) OF THIS**
10 **SECTION, A VETERINARY TECHNICIAN MAY PERFORM THE FOLLOWING**
11 **PROCEDURES UNDER THE DIRECT SUPERVISION OF A VETERINARY PRACTITIONER:**

12 **(1) INDUCING ANESTHESIA BY INTRAMUSCULAR INJECTION,**
13 **INHALATION, OR INTRAVENOUS INJECTION;**

14 **(2) SIMPLE DENTAL EXTRACTIONS OF LOOSE TEETH THAT DO NOT**
15 **INVOLVE FLAPS OR TOOTH SECTIONING;**

16 **(3) BASIC SUTURING SKILLS, INCLUDING:**

17 **(I) SUTURING OF EXISTING SURGICAL SKIN OR GINGIVAL**
18 **INCISIONS; AND**

19 **(II) SUTURE AND STAPLE REMOVAL;**

20 **(4) ACCESSING A SMALL WORKING STOCK OF SCHEDULE II DRUGS**
21 **UNDER SEPARATE LOCK AND FILLING PRESCRIPTIONS;**

22 **(5) CYTOLOGY;**

23 **(6) ADMINISTERING VACCINES, EXCLUDING RABIES VACCINES**
24 **UNLESS OTHERWISE AUTHORIZED BY LAW;**

25 **(7) PHLEBOTOMY, BLOOD TYPING, AND MONITORING BLOOD**
26 **PRODUCT TRANSFUSION;**

27 **(8) URINARY AND INTRAVENOUS CATHETER CARE;**

28 **(9) CYSTOCENTESIS;**

- 1 **(10) GASTRIC AND TRACHEAL INTUBATION;**
 2 **(11) MEDICATION AND FLUID THERAPY CALCULATIONS;**
 3 **(12) BASIC LIFE SUPPORT IN CARDIOPULMONARY RESUSCITATION;**
 4 **(13) OPHTHALMOLOGICAL TESTING;**
 5 **(14) FINE NEEDLE ASPIRATES; AND**
 6 **(15) ANY OTHER PROCEDURE AUTHORIZED BY REGULATIONS**
 7 **ADOPTED BY THE BOARD.**

8 ~~(C)~~ **(D)** **A VETERINARY TECHNICIAN MAY PERFORM A PROCEDURE LISTED**
 9 **UNDER SUBSECTION ~~(B)(1) THROUGH (15)~~ (A)(1) THROUGH (13) OF THIS SECTION**
 10 **UNDER THE INDIRECT SUPERVISION OF A VETERINARY PRACTITIONER IF THE**
 11 **VETERINARY PRACTITIONER DETERMINES THE VETERINARY TECHNICIAN IS**
 12 **QUALIFIED TO PERFORM THE PROCEDURE.**

13 ~~(D)~~ **(E)** **A VETERINARY TECHNICIAN MAY NOT:**

- 14 **(1) MAKE ANY DIAGNOSIS OR PROGNOSIS;**
 15 **(2) PRESCRIBE ANY TREATMENTS, DRUGS, MEDICATIONS, OR**
 16 **APPLIANCES; OR**
 17 **(3) PERFORM SURGERY.**

18 ~~(E)~~ **(F)** **UNDER EMERGENCY CONDITIONS ONLY, A VETERINARY**
 19 **TECHNICIAN MAY PERFORM THE FOLLOWING PROCEDURES BEFORE A VETERINARY**
 20 **PRACTITIONER'S INITIAL EXAMINATION OF AN ANIMAL:**

- 21 **(1) LIFE SUPPORT CARE, INCLUDING BASIC AND ADVANCED**
 22 **CARDIOPULMONARY RESUSCITATION; AND**
 23 **(2) ANY OTHER PROCEDURE AUTHORIZED BY REGULATIONS**
 24 **ADOPTED BY THE BOARD.**

25 ~~(F)~~ **(G)** **(1) AT THE DISCRETION OF THE VETERINARY PRACTITIONER, A**
 26 **VETERINARY TECHNICIAN EMPLOYED AT AN ANIMAL EMERGENCY HOSPITAL, AS**
 27 **~~DESIGNATED BY THE BOARD~~ DEFINED IN REGULATIONS ADOPTED BY THE BOARD,**
 28 **MAY PERFORM EUTHANASIA ON AN ANIMAL IF THE ANIMAL IS UNABLE TO BE SAVED**
 29 **BY SUPPORTIVE CARE, FIRST AID, OR LIFE SUPPORT MEASURES.**

1 (2) A VETERINARY TECHNICIAN WHO WORKS IN OR FOR AN ANIMAL
2 SHELTER, AS DEFINED IN § 2-1701 OF THIS TITLE, MAY PERFORM EUTHANASIA ON
3 AN ANIMAL AT THE ANIMAL SHELTER.

4 SECTION 2. ~~AND BE IT FURTHER ENACTED, That:~~

5 ~~(a) In this section, "veterinary technician" has the meaning stated under § 2-301~~
6 ~~of the Agriculture Article, as enacted under Section 1 of this Act.~~

7 ~~(b) Subject to subsections (c) and (d) of this section, the State Board of Veterinary~~
8 ~~Medical Examiners shall develop by regulation an alternative pathway for currently~~
9 ~~employed veterinary assistants to become veterinary technicians.~~

10 ~~(c) (1) The regulations adopted under subsection (b) of this section shall~~
11 ~~require:~~

12 ~~(i) a recommendation from a practicing veterinary practitioner in~~
13 ~~the State who has employed the veterinary assistant for at least 2 years;~~

14 ~~(ii) appropriate assessment, including a passing score on the~~
15 ~~Veterinary Technician National Exam; and~~

16 ~~(iii) appropriate training and experience, as indicated by a credential~~
17 ~~from a state government or an organization recognized by the National Association of~~
18 ~~Veterinary Technicians in America to issue the credential.~~

19 ~~(2) The regulations may not require a full veterinary technician program~~
20 ~~but may require a limited number of credits as determined necessary by the Board.~~

21 ~~(d) The alternative pathway established under this section shall be available for~~
22 ~~employed veterinary assistants only until September 30, 2027, inclusive.~~

23 ~~SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect~~
24 ~~October 1, 2024.~~

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.