

HOUSE BILL 1097

M4

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By: **Delegate Guyton**

Introduced and read first time: February 7, 2024

Assigned to: Environment and Transportation

A BILL ENTITLED

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

12 BY repealing and reenacting, without amendments,
13 Article – Agriculture
14 Section 2–301(a), (b), and (i)
15 Annotated Code of Maryland
16 (2016 Replacement Volume and 2023 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article – Agriculture
19 Section 2–301(c), (g), and (j)
20 Annotated Code of Maryland
21 (2016 Replacement Volume and 2023 Supplement)

22 BY adding to
23 Article – Agriculture
24 Section 2–301(c–1), (c–2), and (h–1) and 2–309.1
25 Annotated Code of Maryland
26 (2016 Replacement Volume and 2023 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Agriculture**

4 2–301.

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

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

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

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

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

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

15 **(C-1) “IMMEDIATE SUPERVISION” MEANS THE SUPERVISING VETERINARIAN**
16 **WHO IS LICENSED AND REGISTERED IN THE STATE IS IN THE IMMEDIATE AREA AND**
17 **WITHIN AUDIBLE AND VISUAL RANGE OF THE ANIMAL PATIENT AND THE PERSON**
18 **TREATING THE PATIENT.**

19 **(C-2) “INDIRECT SUPERVISION” MEANS THE SUPERVISING VETERINARIAN**
20 **WHO IS LICENSED AND REGISTERED IN THE STATE:**

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

23 **(2) (I) HAS GIVEN WRITTEN OR ORAL INSTRUCTIONS FOR**
24 **TREATMENT OF THE ANIMAL PATIENTS INVOLVED;**

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

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

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

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

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

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

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

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

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

19 (7) Any nurse, attendant, technician, intern, or other employee of a
20 licensed and registered veterinarian when administering medication or rendering auxiliary
21 or supporting assistance under the responsible direct supervision of a licensed and
22 registered veterinarian;

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

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

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

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

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

31 (ii) Is certified as an animal acupuncturist by the Board of
32 Acupuncture;

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

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

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

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

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

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

12 (v) Has successfully completed a specialty training program in
13 animal acupuncture that:

14 1. Is approved by the Board of Acupuncture;

15 2. Is offered by a school holding nationally recognized
16 accreditation;

17 3. Consists of at least 135 hours; and

18 4. Enables the person to:

19 A. Design effective treatments of animals based on
20 traditional acupuncture theories and principles, including appropriate knowledge of
21 functional animal anatomy and physiology;

22 B. Handle and restrain animals to the extent appropriate in
23 the practice of acupuncture;

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

26 D. Communicate effectively with a veterinary practitioner;

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

29 (13) A student of veterinary medicine practicing veterinary medicine who
30 has successfully completed 3 years of veterinary education at an institution approved by

1 the Board and who works under the responsible direct supervision, as defined by the Board,
2 of a veterinary practitioner.

3 **(H-1) “VETERINARY ASSISTANT” MEANS A PERSON WHO:**

4 **(1) AIDS A VETERINARIAN OR VETERINARY TECHNICIAN IN PATIENT**
5 **CARE; AND**

6 **(2) IS NOT QUALIFIED AS A CREDENTIALLED VETERINARY**
7 **TECHNICIAN.**

8 (i) “Veterinary practitioner” means a licensed and registered veterinarian
9 engaged in the practice of veterinary medicine.

10 (j) **(1) “Veterinary technician” means a person who [is registered with the**
11 **Board as a veterinary technician]:**

12 **(I) IS TRAINED THROUGH AN AMERICAN VETERINARY**
13 **MEDICAL ASSOCIATION ACCREDITED PROGRAM AND ASSISTS A VETERINARIAN**
14 **WITH DIVERSE MEDICAL TASKS; AND**

15 **(II) 1. A. IS A GRADUATE OF AN AMERICAN VETERINARY**
16 **MEDICAL ASSOCIATION ACCREDITED VETERINARY TECHNOLOGY OR VETERINARY**
17 **NURSING PROGRAM;**

18 **B. HAS PASSED THE VETERINARY TECHNICIAN**
19 **NATIONAL EXAM; AND**

20 **C. IS CREDENTIALLED AS HAVING THE APPROPRIATE**
21 **TRAINING AND EXPERIENCE BY A STATE GOVERNMENT OR AN ORGANIZATION**
22 **RECOGNIZED BY THE NATIONAL ASSOCIATION OF VETERINARY TECHNICIANS IN**
23 **AMERICA TO ISSUE THE CREDENTIAL; OR**

24 **2. BEFORE OCTOBER 1, 2027, MEETS THE**
25 **REQUIREMENTS UNDER AN ALTERNATIVE PATHWAY IN ACCORDANCE WITH**
26 **REGULATIONS ADOPTED BY THE BOARD.**

27 **(2) “VETERINARY TECHNICIAN” INCLUDES A VETERINARY NURSE.**

28 **2-309.1.**

29 **(A) A VETERINARY ASSISTANT MAY PERFORM THE FOLLOWING TASKS**
30 **UNDER THE DIRECT SUPERVISION OF A VETERINARY PRACTITIONER OR**
31 **VETERINARY TECHNICIAN:**

- 1 **(1) OBTAINING AND MONITORING VITALS ON A NONANESTHETIZED**
2 **PATIENT;**
- 3 **(2) RADIOGRAPHS;**
- 4 **(3) DENTAL PROPHYLAXIS;**
- 5 **(4) NAIL TRIMS;**
- 6 **(5) EDUCATING ON BASIC TOPICS;**
- 7 **(6) ADMINISTERING MEDICATIONS;**
- 8 **(7) HUSBANDRY;**
- 9 **(8) ANESTHESIA MONITORING;**
- 10 **(9) COLLECTING URINE AND FECAL SAMPLES;**
- 11 **(10) ASEPTIC TECHNIQUES;**
- 12 **(11) SETUP FOR SURGERY AND OTHER PROCEDURES;**
- 13 **(12) LOW-STRESS HANDLING AND RESTRAINT;**
- 14 **(13) MICROCHIP INSERTION; AND**
- 15 **(14) ANY OTHER SKILL THAT IS NONINVASIVE AND WITHIN THE**
16 **VETERINARY ASSISTANT'S SKILLS AS DETERMINED BY THE SUPERVISING**
17 **VETERINARY PRACTITIONER.**

18 **(B) SUBJECT TO SUBSECTIONS (C) AND (D) OF THIS SECTION, A VETERINARY**
19 **TECHNICIAN MAY PERFORM THE FOLLOWING PROCEDURES UNDER THE DIRECT**
20 **SUPERVISION OF A VETERINARY PRACTITIONER:**

21 **(1) INDUCING ANESTHESIA BY INTRAMUSCULAR INJECTION,**
22 **INHALATION, OR INTRAVENOUS INJECTION;**

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

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

1 (I) **SUTURING OF EXISTING SURGICAL SKIN OR GINGIVAL**
2 **INCISIONS; AND**

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

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

6 (5) **CYTOLOGY;**

7 (6) **ADMINISTERING VACCINES, EXCLUDING RABIES VACCINES**
8 **UNLESS OTHERWISE AUTHORIZED BY LAW;**

9 (7) **PHLEBOTOMY, BLOOD TYPING, AND MONITORING BLOOD**
10 **PRODUCT TRANSFUSION;**

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

12 (9) **CYSTOCENTESIS;**

13 (10) **GASTRIC AND TRACHEAL INTUBATION;**

14 (11) **MEDICATION AND FLUID THERAPY CALCULATIONS;**

15 (12) **BASIC LIFE SUPPORT IN CARDIOPULMONARY RESUSCITATION;**

16 (13) **OPHTHALMOLOGICAL TESTING;**

17 (14) **FINE NEEDLE ASPIRATES; AND**

18 (15) **ANY OTHER PROCEDURE AUTHORIZED BY REGULATIONS**
19 **ADOPTED BY THE BOARD.**

20 (C) **A VETERINARY TECHNICIAN MAY PERFORM A PROCEDURE LISTED**
21 **UNDER SUBSECTION (B)(1) THROUGH (15) OF THIS SECTION UNDER THE INDIRECT**
22 **SUPERVISION OF A VETERINARY PRACTITIONER IF THE VETERINARY PRACTITIONER**
23 **DETERMINES THE VETERINARY TECHNICIAN IS QUALIFIED TO PERFORM THE**
24 **PROCEDURE.**

25 (D) **A VETERINARY TECHNICIAN MAY NOT:**

26 (1) **MAKE ANY DIAGNOSIS OR PROGNOSIS;**

1 **(2) PRESCRIBE ANY TREATMENTS, DRUGS, MEDICATIONS, OR**
2 **APPLIANCES; OR**

3 **(3) PERFORM SURGERY.**

4 **(E) UNDER EMERGENCY CONDITIONS ONLY, A VETERINARY TECHNICIAN**
5 **MAY PERFORM THE FOLLOWING PROCEDURES BEFORE A VETERINARY**
6 **PRACTITIONER'S INITIAL EXAMINATION OF AN ANIMAL:**

7 **(1) LIFE SUPPORT CARE, INCLUDING BASIC AND ADVANCED**
8 **CARDIOPULMONARY RESUSCITATION; AND**

9 **(2) ANY OTHER PROCEDURE AUTHORIZED BY REGULATIONS**
10 **ADOPTED BY THE BOARD.**

11 **(F) (1) AT THE DISCRETION OF THE VETERINARY PRACTITIONER, A**
12 **VETERINARY TECHNICIAN EMPLOYED AT AN ANIMAL EMERGENCY HOSPITAL, AS**
13 **DESIGNATED BY THE BOARD, MAY PERFORM EUTHANASIA ON AN ANIMAL IF THE**
14 **ANIMAL IS UNABLE TO BE SAVED BY SUPPORTIVE CARE, FIRST AID, OR LIFE**
15 **SUPPORT MEASURES.**

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

19 SECTION 2. AND BE IT FURTHER ENACTED, That:

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

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

25 (c) (1) The regulations adopted under subsection (b) of this section shall
26 require:

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

29 (ii) appropriate assessment, including a passing score on the
30 Veterinary Technician National Exam; and

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

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

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

8 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2024.