

**Department of Legislative Services**  
Maryland General Assembly  
2009 Session

**FISCAL AND POLICY NOTE**

Senate Bill 78 (Chair, Education, Health, and Environmental Affairs  
Committee)(By Request - Departmental - Agriculture)  
Education, Health, and Environmental Affairs Environmental Matters

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**Practice of Veterinary Medicine - Students - Immunity**

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This departmental bill allows a veterinary student who has successfully completed three years of veterinary education at an institution approved by the State Board of Veterinary Medical Examiners (SBVME) to practice veterinary medicine under the responsible direct supervision of a licensed veterinarian. In addition, any veterinary student has the same immunity from civil liability afforded to a licensed veterinarian, but only when working under the responsible direct supervision of a licensed veterinarian. This immunity applies in circumstances where, for no fee or compensation, veterinary aid, care, or assistance is rendered in an emergency situation and the owner or custodian of the animal is not available to grant permission.

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**Fiscal Summary**

**State Effect:** None. The bill does not substantively change State activities or operations.

**Local Effect:** None.

**Small Business Effect:** The Maryland Department of Agriculture has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

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**Analysis**

**Current Law:** A person may not practice veterinary medicine in the State unless licensed, registered, and authorized to do so under State law. The practice of veterinary medicine is defined to include, among other things, diagnosing, advising, prescribing, or

administering a drug, medicine, biological product, appliance, application, or treatment of any nature, for the prevention, cure, or relief of a wound, fracture, bodily injury, or disease of an animal. However, various exclusions or exceptions from that definition are specified in State law, including specified actions of an employee of a licensed and registered veterinarian when performed under the responsible direct supervision of the veterinarian, among others.

Among other requirements for licensure as a veterinarian, an applicant must have a diploma from an approved college or institution conferring on an applicant a Doctor of Veterinary Medicine degree.

**Background:** SBVME indicates that, under current State law, a veterinary student is not able to gain clinical, hands-on experience in a veterinary hospital setting while the student is attending veterinary medical school because of the requirement that an individual have a diploma in order to seek licensure to practice veterinary medicine. According to SBVME, this lack of familiarity and lack of skill increases the possibility that an animal will not receive the level of care that one can gain only through practical, hands-on experience.

SBVME advises that Virginia, Pennsylvania, California, and Oregon permit veterinary students to work under the direct supervision of licensed veterinarians; other states may also do so. In addition, the Model Veterinary Practice Act of the American Veterinary Medical Association includes language allowing a student in an accredited college of veterinary medicine to work under the direct supervision of a licensed veterinarian.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Maryland Department of Agriculture, Judiciary (Administrative Office of the Courts), Department of Legislative Services

**Fiscal Note History:** First Reader - January 22, 2009  
ncs/ljm

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ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: Practice of Veterinary Medicine – Students - Immunity

BILL NUMBER: SB 78

PREPARED BY: Maryland Department of Agriculture

PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND  
SMALL BUSINESS

OR

WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND  
SMALL BUSINESSES

PART B. ECONOMIC IMPACT ANALYSIS

The proposed legislation will have no impact on small business in Maryland.