

Chapter 487

(House Bill 1097)

AN ACT concerning

State Board of Veterinary Medical Examiners – Veterinary Technicians and Veterinary Assistants

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

BY repealing and reenacting, without amendments,

Article – Agriculture

Section 2–301(a), (b), and (i)

Annotated Code of Maryland

(2016 Replacement Volume and 2023 Supplement)

BY repealing and reenacting, with amendments,

Article – Agriculture

Section 2–301(c), (g), and (j)

Annotated Code of Maryland

(2016 Replacement Volume and 2023 Supplement)

BY adding to

Article – Agriculture

Section 2–301(c–1), (c–2), and (h–1) and 2–309.1

Annotated Code of Maryland

(2016 Replacement Volume and 2023 Supplement)

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

Article – Agriculture

2–301.

- (a) In this subtitle the following words have the meanings indicated.
- (b) “Board” means the State Board of Veterinary Medical Examiners.

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

- (1) IS ON THE PREMISES OF THE ANIMAL TREATMENT FACILITY;**
- (2) IS AVAILABLE ON AN IMMEDIATE BASIS; AND**
- (3) HAS GIVEN WRITTEN OR ORAL INSTRUCTIONS FOR TREATMENT OF THE ANIMAL PATIENTS INVOLVED.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1. Is approved by the Board of Acupuncture;

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

3. Consists of at least 135 hours; and

4. Enables the person to:

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

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

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

D. Communicate effectively with a veterinary practitioner;

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

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

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

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

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

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

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

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

~~(H) 1. A. IS A GRADUATE OF AN AMERICAN VETERINARY MEDICAL ASSOCIATION ACCREDITED VETERINARY TECHNOLOGY OR VETERINARY NURSING PROGRAM;~~

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

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

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

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

2-309.1.

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

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

(2) RADIOGRAPHS;

(3) DENTAL PROPHYLAXIS;

- (4) NAIL TRIMS;
- (5) EDUCATING ON BASIC TOPICS;
- (6) ADMINISTERING MEDICATIONS;
- (7) HUSBANDRY;
- ~~(8) ANESTHESIA MONITORING;~~
- ~~(9)~~ (8) COLLECTING ~~URINE~~ BLOOD, URINE, AND FECAL SAMPLES;
- ~~(10)~~ (9) ASEPTIC TECHNIQUES;
- ~~(11)~~ (10) SETUP FOR SURGERY AND OTHER PROCEDURES;
- ~~(12)~~ (11) LOW-STRESS HANDLING AND RESTRAINT;
- ~~(13)~~ (12) MICROCHIP INSERTION; AND
- ~~(14)~~ (13) ANY OTHER SKILL THAT IS NONINVASIVE, AS DEFINED BY THE BOARD, AND WITHIN THE VETERINARY ASSISTANT'S SKILLS AS DETERMINED BY THE SUPERVISING VETERINARY PRACTITIONER.

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

- (1) SET UP OF ANESTHESIA; AND
- (2) ANESTHESIA MONITORING.

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

- (1) INDUCING ANESTHESIA BY INTRAMUSCULAR INJECTION, INHALATION, OR INTRAVENOUS INJECTION;
- (2) SIMPLE DENTAL EXTRACTIONS OF LOOSE TEETH THAT DO NOT INVOLVE FLAPS OR TOOTH SECTIONING;
- (3) BASIC SUTURING SKILLS, INCLUDING:

- (I) SUTURING OF EXISTING SURGICAL SKIN OR GINGIVAL INCISIONS; AND
- (II) SUTURE AND STAPLE REMOVAL;
- (4) ACCESSING A SMALL WORKING STOCK OF SCHEDULE II DRUGS UNDER SEPARATE LOCK AND FILLING PRESCRIPTIONS;
- (5) CYTOLOGY;
- (6) ADMINISTERING VACCINES, EXCLUDING RABIES VACCINES UNLESS OTHERWISE AUTHORIZED BY LAW;
- (7) PHLEBOTOMY, BLOOD TYPING, AND MONITORING BLOOD PRODUCT TRANSFUSION;
- (8) URINARY AND INTRAVENOUS CATHETER CARE;
- (9) CYSTOCENTESIS;
- (10) GASTRIC AND TRACHEAL INTUBATION;
- (11) MEDICATION AND FLUID THERAPY CALCULATIONS;
- (12) BASIC LIFE SUPPORT IN CARDIOPULMONARY RESUSCITATION;
- (13) OPHTHALMOLOGICAL TESTING;
- (14) FINE NEEDLE ASPIRATES; AND
- (15) ANY OTHER PROCEDURE AUTHORIZED BY REGULATIONS ADOPTED BY THE BOARD.

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

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

- (1) MAKE ANY DIAGNOSIS OR PROGNOSIS;

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

(3) PERFORM SURGERY.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Approved by the Governor, May 9, 2024.