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Position: FAV



THE HUMANE SOCIETY OF THE UNITED STATES

February 15, 2023

Education, Energy, and the Environment Committee

SB390

Provision of Veterinary Services – Routine Medical Care and Rabies Vaccines

FAVORABLE

The Humane Society of the United States, on behalf of our members and supporters in Maryland, urges a favorable report and speedy action on SB390. This bill would make two changes to allow our shelter partners to access critical veterinary care – enabling shelters to better serve communities and animals.

The veterinary shortage is impacting pet owners everywhere, but nowhere is the need more critical than for our shelters. Maryland must expand the basic services that vet techs and out of state vets can provide shelters. Essentials such as rabies vaccines, health exams, and diagnostic testing are the most widely needed services that shelters provide animals and communities. The inability to access veterinary care to provide these services causes delays in the ability of shelters to care for, and adopt out, the animals in their care.

Many shelters do not have veterinarians on staff, or do not have full-time veterinarians working for them. This causes meaningful delays in providing care and can delay the shelter's ability to release adoptable animals to partnering rescues or new adoptive homes. Expanding the availability of rabies vaccines and allowing out of state vets to administer basic care procedures would ease these burdens tremendously.

And these are not unprecedented reforms. Of the 40 states that have a statewide requirement for rabies vaccination of companion animals, fifteen states and the District of Columbia allow for rabies vaccines to be administered by non-veterinarians. And fourteen other states, including our neighbors Pennsylvania and Delaware, have enacted some form of reciprocity policy for practicing veterinarians licensed in other states.

The impact of the veterinary shortage on our shelters is real and translates into longer stays for adoptable animals; an inability to provide services such as rabies vaccines to residents in our communities; and allowing the limited veterinary staff shelters can afford to employ to focus on more complex health cases.

We are happy to continue working with stakeholders and the sponsors to refine the legislation and allow for a bill that will be effective and a working solution for all parties. We urge a favorable report on SB390.

*For more information contact Jennifer Bevan-Dangel, Maryland State Director
jbevandangel@humanesociety.org | C 410-303-7954*

SB0390.pdf

Uploaded by: Katherine Flory

Position: FAV



**Maryland's Association of Animal Care and Control
Agencies and Humane Societies**

**PO Box 1143
Easton, Maryland 21601**

**SB 0390 Provision of Veterinary Services - Routine Medical Care and Rabies Vaccines
Maryland Senate Education, Energy, and the Environment Committee**

February 10, 2023

Dear Honorable Chairman Feldman, Vice-Chairman Kagan, and members of the committee:

Professional Animal Workers of Maryland, the state organization comprised of animal control agencies and humane societies has a majority vote to support with amendments SB0390 Provision of Veterinary Services - Routine Medical Care and Rabies Vaccines.

We understand and appreciate the concerns with the original bill and support the amendments striking out of state veterinary access at this time. We strongly support changes allowing expanded access to rabies vaccinations for MD animal shelters. This is not only a public health issue we deal with regularly, but further access to vaccinating animals in our care and custody will move animals out of shelters faster.

We respectfully ask for a favorable report on this bill.

Please feel free to contact me with any questions or concerns.

Sincerely,

Katie Flory

Treasurer: Professional Animal Workers of Maryland

Provision of Veterinary Services - Routine Medical

Uploaded by: Lisa Radov

Position: FAV



MARYLAND VOTES FOR ANIMALS

PO Box 10411
BALTIMORE, MD 21209

February 15, 2023

To: Senate Education, Energy and the Environment Committee
From: Lisa Radov, President and Chairman, Maryland Votes for Animals, Inc.
Re: Provision of Veterinary Services – Routine Medical Care and Rabies Vaccines – SB 390 – Favorable

Chair Feldman, Vice Chair Kagan, members of the Education, Energy, and the Environment Committee, thank you for the opportunity to testify before you today. My name is Lisa Radov. I am the President and Chair of Maryland Votes for Animals. I am here today to ask the Education, Energy, and the Environment Committee to vote favorably for Provision of Veterinary Services – Routine Medical Care and Rabies Vaccines – SB 390.

Trained professionals such as licensed veterinary technicians already provide many wellness services in those specific venues, including shots such as distemper. Therefore, giving them the ability to administer rabies vaccines would be a benefit not just to the animal but to public health and free up veterinarians to do the lifesaving procedures that they were trained as veterinarians to perform.

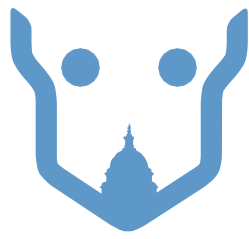
We understand that there has been some concern about extending veterinary services beyond state borders. It was not our intention to diminish anyone's role. Therefore, we would be open to this bill being amended.

I would like to thank Senator Lewis Young for her sponsorship of SB 390 and ask the committee for a favorable report.

SB390 2023 HRA Testimony.pdf

Uploaded by: Megan McAndrew, DVM

Position: FAV



**HUMANE
RESCUE
ALLIANCE**
Animals. People. Community.

February 15, 2023

Education, Energy, and the Environment Committee
Maryland Senate
11 Bladen St
Annapolis, MD 21401

RE: Support for SB 390 Provision of Veterinary Services - Routine Medical Care and Rabies Vaccines

Dear Chairman Feldman, Vice Chair Kagan, and Honorable Members of the Education, Energy, and the Environment Committee:

On behalf of the Humane Rescue Alliance and our supporters in Maryland, thank you for the opportunity to submit testimony in support of SB 390, legislation to proactively address the care gap for Maryland pets caused by the national veterinary shortage, relieve pressure on strained animal sheltering organizations, and promote public health.

The Humane Rescue Alliance honors more than 150 years of commitment to protecting animals, supporting families, and advocating for positive change to create a world where all animals can thrive. We are the largest animal services provider in our region, touching the lives of over 100,000 animals annually through adoption, community veterinary care and other support services, and lost pet reunification. Last year, we helped over 4,000 Maryland families find their new animal companions.

While our physical sheltering facilities are in Washington, DC and New Jersey, my work as our National Alliance Medical Advisor focuses on national and regional partnerships and animal transports. This work includes supporting our partners throughout Maryland, from Frederick County down to St. Mary's, and helping move pets when facilities are crowded into new markets for adoption.

I became licensed in Maryland, in addition to my existing DC veterinary licensure, in large part because I was constantly seeing the animals in our partner facilities bottleneck in the journey to their new homes waiting for routine veterinary care, forcing animals to stay in shelters for longer and putting additional strain on Maryland's public animal shelters.

There is a well-documented veterinary shortage across the United States. A recent national study from the largest veterinary provider in the country, estimates that by 2030 there will be 15,000 fewer veterinarians than are needed to care for the nation's pets, leaving as many as 75 million people without veterinary care. When many of the animal shelters in our state already do not have a veterinarian on staff and have to wait for volunteer visiting veterinarians to perform routine care, the issue of ensuring medical care for our community's homeless pets can only become more challenging.

This is why proactively addressing the need for routine veterinary care is of essential interest to the community and to public health. We must not allow unnecessary delays in vaccination to hold animals hostage in our state's animal shelters when there are viable and proven solutions to free up veterinarian and sheltering resources. Unfortunately, animals held at shelters waiting to go to the veterinarian quickly becomes an unsustainable issue as shelters run out of kennel space, leading to issues of shelter overcrowding. Ultimately, lack of access to veterinary care means shelters have no choice but to limit community safety net services, intake prevention, adoptions, and foster programs.

I come from a career of working in animal shelters in North Carolina and Washington, DC where care staff are permitted to administer rabies vaccinations. It is heartbreaking to me to hear from our partners in Maryland about having to wait two weeks for a volunteer visiting veterinarian to come and administer vaccines so that an animal can move out of the shelter when there are other options. I have personally taught staff how to administer vaccinations without issue, as is allowed in 15 states and the District of Columbia, where rabies vaccines may be administered by non-veterinarians (Of the 40 states that require rabies vaccinations, the following states allow for non-veterinarians to administer rabies vaccination: Alabama, Alaska, DC, Georgia, Mississippi, New Mexico, New York, North Carolina, Oklahoma, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin).

We must not allow unnecessary delays in vaccination to put in jeopardy all of the good work that has been done to improve our shelter outcomes when there are viable and proven solutions to proactively provide services to the community. For these reasons, I respectfully urge a favorable report for SB 390.

Megan McAndrew, DVM
National Alliance Medical Advisor

SB390 Nichols Favorable with Amendments.pdf

Uploaded by: Ashley Nichols, DVM

Position: FWA

Ashley Nichols, DVM SB390 Favorable with Amendments

I am writing about Senate Bill 390; Provision of Veterinary Services – Routine Medical Care and Rabies Vaccines. Changing regulations to allow Registered Veterinary Technicians to administer rabies vaccines under direct supervision of a licensed veterinarian could be acceptable to effectively manage the state's rabies prevention programs but amendments should be made to remove all other provisions in the bill as written.

I am a practicing corporate small animal veterinarian, who also happens to be the president elect of the Maryland Veterinary Medical Association (MDVMA). In my role with the MDVMA, on January 24th a few of my colleagues and I took time away from our families, and patients to come and speak directly to many of you. Unlike other organizations, our meetings with you were not to push or lobby for any legislation, but rather to introduce to you the state's veterinarians as the experts on animal welfare, health, and animal agriculture. We simply want a place at the table, to inform of the larger impacts' legislation like SB 390 can have on the state. This bill is not only a huge detriment to the Maryland veterinary community, but to shelters and ultimately the pets of the state of Maryland. To back up this, I have my factual argument with all the citations at the end of this document.

My first concern is with proposed amendments to Md. Code Ann. Agriculture (COMAR) § 2-305.1A. I find the inclusion of this language in the bill perplexing and concerning. §2-301 (g)11 deals with the authorization by the board for a person licensed under Title 1A or Health Occupations, an acupuncturist, to practice on an animal. They are only permitted to practice if they follow the other provisions outlined in this subsection. However, even in those out lined in those provisions, an authorized acupuncturist cannot perform the routine medical care, proposed in the amended §2-305.1. Also note §2-305 is not the subsection of Powers and duties of the Board generally {State Board of Veterinary Medical Examiners (SBVME)}, rather the subsection of License to administer drugs by animal control facility. However, aside from what is outlined in §2-301, a non-veterinary practitioner should not be practicing on animals – as they do not have the training, knowledge, or rights necessary to safely perform veterinary medicine.

It is reasonable to understand that SB 390 is likely a response to the state's veterinary shortage^{4,5,6,7}. MDVMA has met with delegate Lehman multiple times to discuss possible solutions to help with this. As discussed with her, there unfortunately is no “quick” solution, as the shortage is a nationwide complex issue. However, as my sources show^{4,5,6,7} the shortage is nationwide, and there are several organizations, companies and the profession as a whole working to resolve this. Licensing is a vital component to ensuring the high standards set and controlled by the SBVME. By forcing (As stated “FOR the purpose of requiring.”) SBVME, SB 390 undermines and ignores the provisions already outlined in the Veterinary Practice Act¹. COMAR 15.14.18 specifically outlines the requirements that allows for the licensing and certification of veterinarians from other states or jurisdictions. This includes requiring the payment of an annual registration fee. Per §2-308 annual paid registration is important to enforce and aid in prosecution of any violations, and every veterinarian licensed by the SBVME pays the annual registration fee. SB 390 does not include this requirement.

When it comes to the forced authorization of a veterinarian from another state/Jurisdiction to practice veterinary medicine in Maryland even for the routine services described, just being authorized would not legally permit them to perform those services. Being licensed – not just authorized, is required to perform aspect of the routine services described. When it comes to performing a spay/neuter - it is important to understand these are surgical procedures with require anesthesia and in accordance with Veterinary Practice Act and Association of Shelter Veterinarian's Guidelines for Standards of Care in Animal Shelters (ASV 2022 shelter guidelines)². The ASV 2022 guidelines reference The Association of Shelter Veterinarians' 2016 Veterinary Medical Care Guidelines for Spay-Neuter Programs³. These are all designed to ensure to safe, quality care of animals regardless of their current situation. A vital aspect of quality care is adequate pain management as well as appropriate anesthesia.

To properly do this, controlled substances are necessary, as such the veterinarian needs to have a DEA license AND Maryland CDS license (COMAR 15.14.01-.12)¹. Which typically only occurs after the physician has been licensed in the state. Meaning there would still be a waiting period before this veterinarian can assist in spays/neuters. Note §2-305b only authorizes license to administer drugs for purposes of sedation, euthanasia or sedate and euthanize. It does not allow a licensed animal control facility to administer drugs for purposes of anesthesia or analgesia. So even in the situation of a licensed animal control facility, a veterinarian without both a DEA AND Maryland CDS license would not legally be able to anesthetize animals undergoing spay or neuter procedures. Note that a registered veterinary technician is not permitted to have a DEA license nor have their own controlled substance stock; they can only have access to a licensed veterinarian's stock under supervision by that veterinarian. Additionally, a registered veterinary technician is not to perform induction of anesthesia under COMAR 15.14.01.17-C&D¹.

Another stopgap in the ability of out of state veterinarians to perform routine medical care is the completion of certificates of veterinary inspection (CVI). According to COMAR 15.12.05.04¹, to legally issue a CVI on a companion animal law states "the signature of the veterinarian, who shall be accredited in Maryland." This is in reference to USDA Accreditation⁷ via the National Veterinary Accreditation Program (NVAP). While an out of state practitioner may have done the orientation NVAP, they must also complete state specific orientation AND be licensed to practice in the individual state they are practicing in order to be accredited^{1, 7}. The state specific orientation in the state of Maryland only occurs 2 times a year, so expediting the licensing of an out of state veterinarian for this purpose is mute.

Health examinations and issuance of CVI's is a vital component especially in shelter populations². These CVI's for companion animals are a vital aspect to ensuring these animals are not only healthy to travel but are not harboring or transmitting diseases out of state. Additionally, COMAR 2-1705.a.1, requires that minimally, shelters must follow the most recent ASV 2022 shelter guidelines. The latest guidelines hold the preservation of public health through the protection of "the health and safety of animals, people, and the environment" 13.1. Part of this is the issuance of CVI's to reduce the transportation of zoonotic diseases especially those that have regional distribution 11.2.

Speaking of zoonotic diseases, the prevention of Rabies is extremely important for public health. Especially among the population in an animal control/shelter situation. This population is at high risk of exposure due to unknown histories, co-mingling of pets, and unfortunately wounds of unknown origin; additionally, their risk of spreading to humans is also high. When considering the administration of the Rabies vaccine, we cannot allow our standards to go below the recommendations outlined in the NASPHV Rabies Compendium 2016. Which states "All animal rabies vaccines should be restricted to use by or under the direct supervision of a veterinarian."¹⁰ Failure to continue this, by having shelter staff

administer, would result in the below standard and compromise the effectiveness of national rabies control and prevention. Not only that, other states in the region (Virginia, Delaware, DC) require administration of Rabies by a veterinarian or by a licensed veterinary technician⁹.

What SB 390 fails to consider is the hard work the states veterinarians do every day. Nor does this bill account for opportunities already written into law or currently in practice that can help shelters in need. First, many of the state veterinarians help area rescues or shelters on their time off – to further help the animals of their community. This includes multiple facilities that are a part of the states Spay and Neuter fund¹², in addition to the veterinary clinics that work with state shelters/rescues to provide medical care to their wards. Continuing or further fostering the partnership between shelters/rescues and local clinics is a far more positive, practical solution to helping the states low-income and homeless pet population than SB 390. Another oversight SB 390 fails to consider is the COMAR 15.14.17 which considers the practical training of veterinary students. MDVMA has a wonderful program where 4th year veterinary students can come and do a clinical rotation at various clinics in the state of Maryland¹³. This could include rotations in Maryland animal shelters. This program facilitates hands on experience for soon-to-be veterinary graduates and can encourage these students to return to practice in the state. While it does require responsible direct supervision, it is possible for a shelter veterinarian to work with a veterinary student to provide the routine medical care described in this legislation. Lastly, a possible solution to increasing access to routine medical care for shelter animals might be to increase the scope of practice for registered veterinary technicians. While they cannot and should not perform Spays/Neuters, nor can they write CVI's, they should be allowed under direct supervision to administer vaccines and conduct health examinations. If necessary, I believe the only other individual to administer a Rabies vaccine other than a licensed veterinarian would be a registered veterinary technician. By being registered, veterinary technicians not only have the proper base knowledge to ensure safe, effective administration of Rabies vaccines, they are also licensed and accountable for their actions. These options are all more reasonable and easier to implement than what is outlined in SB 390.

While well intentioned SB 390 is ill designed and impractical. It provides special privileges to out of state veterinarians, with little incentive to retain these veterinarians to expand to practice in the state. Its design to surpass the standards/requirements already established; undermines the quality of the veterinary practice in the state, which can ultimately put both animal health and public health at risk. So while inconvenient to wait for the approval of out of state veterinarians to be licensed in order to practice in Maryland, it is for the best interest of the animals, up hold the high practice standards, and retain/grow the number of veterinarians practicing in the state.

Sincerely,

Ashley I Nichols DVM
President Elect MDVMA
Lead Veterinarian Banfield Pet Hospital 1076 Hanover, MD

Definitions of Note per Maryland State Veterinary Practice Act¹

- “Veterinarian” means any person who is a graduate of a college of veterinary medicine.
- “Veterinary practitioner” means a licensed and registered veterinarian engaged in the practice of veterinary medicine.
- “Veterinary technician” means a person who is registered with the Board as a veterinary technician
- “Direct supervision” means that a veterinarian 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.
- “License” means a license to practice veterinary medicine

Resources/References of Note

1. <https://mda.maryland.gov/vetboard/Documents/Laws-Regs/Veterinary-Practice-Act-COMAR.pdf>
2. <https://ismcah.org/index.php/jasv/article/view/42/19>
3. <https://doi.org/10.2460/javma.249.2.165>
4. <https://www.avma.org/javma-news/2021-09-15/are-we-veterinary-workforce-crisis>
5. <https://www.aavmc.org/wp-content/uploads/2022/07/AAVMC-Statement-on-Workforce-July-2022.pdf>
6. *Pet Healthcare in the US: Are There Enough Veterinarians?* James W. Lloyd, DVM, PhD; Animal Health Economics, LLC; April 14, 2021
7. A Brighter Future for People and Pets: Tackling the Veterinary Shortage
8. <https://www.cdc.gov/onehealth/basics/zoonotic-diseases.html>
9. https://www.aphis.usda.gov/aphis/ourfocus/animalhealth/nvap/CT_become_accred
10. <http://www.nasphv.org/Documents/NASPHVRabiesCompendium.pdf>
11. <https://www.avma.org/sites/default/files/2021-08/State-Rabies-Vaccination-Laws-Chart.pdf>
12. https://mda.maryland.gov/spay_neuter_program/Pages/Free-Spay-and-Neuter-Services.aspx
13. <https://careers.mdvma.org/jobseekers/internships/index.cfm>

MDA - SB390 - Letter of Support.pdf

Uploaded by: Christine Calvert

Position: FWA



Maryland Department of Agriculture

Office of the Secretary

Wes Moore, Governor

Aruna Miller, Lt. Governor

Kevin M. Atticks, Acting Secretary

Steven A. Connelly, Deputy Secretary

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Maryland Department of Agriculture

Legislative Comment

Date: February 15, 2023

BILL NUMBER: SB390

SHORT TITLE: PROVISION OF VETERINARY SERVICES- ROUTINE MEDICAL CARE AND RABIES VACCINES

MDA POSITION: SUPPORT WITH AMENDMENTS

SB 390 would alter the contents of Agriculture Article, § 2–304 and create Agriculture Article § 2–305.1, as well as alter the General Health Article § 18-313. The changes to the Agriculture Article would require the State Board of Veterinary Medical Examiners (SBVME) to allow veterinarians that are not licensed in the State of Maryland to practice veterinary medicine in a limited capacity using their license from another jurisdiction. It would also move a portion of the Agriculture Article §2–304 to the newly created section, §2–305.1. The General Health Article would be altered to allow any individual working for an animal hospital or animal control facility to be able to administer a rabies vaccination.

The SBVME is charged with protecting the public and animal health by administering the Maryland Veterinary Practice Act and adopting regulations that promote the safe and competent practice of veterinary medicine, veterinary technology, and sanitary and safe physical conditions at veterinary facilities. The SBVME licenses and registers veterinarians, registers veterinary technicians (RVTs), and licenses veterinary hospitals and animal facilities to carry out its mission. It conducts inspections of licensed veterinary hospitals, reviews complaints filed by members of the public against licensees, and, where necessary, pursues disciplinary actions when licensed professionals do not meet established standards. Licensure and registration ensure that veterinarians and veterinary technicians are qualified, engage in regular professional development, and are subject to the SBVME's authority to investigate and pursue disciplinary actions.

The SBVME and the Maryland Department of Agriculture (MDA) have coordinated with the Maryland Department of Health (MDH) to review the proposed changes to the Health Article. While the Board generally believes that the safest approach to rabies vaccination would allow only licensed and registered veterinarians to administer rabies vaccines, its members understand

the concerns raised by animal control staff and members of the public about access to care. Accordingly, the SBVME supports MDH's proposed amendment that would allow RVTs, who have the background, training, professionalism, and familiarity with the legal standard for practicing veterinary medicine to administer rabies vaccines under the supervision of a veterinarian.

As to the level of veterinary supervision to be required, the SBVME supports MDH's amendments creating two different standards for RVTs administering rabies vaccines, depending on whether the RVT is working at a veterinary hospital, as defined in § 2-304.1 of the Agriculture Article or for an Animal Control Facility as defined in § 2-305 of the Agriculture Article. The proposed standard for veterinary supervision of RVTs working for Animal Control Facilities is less direct, reducing delays for vaccination of animals at Animal Control Facilities and allowing animals to be placed in homes more quickly.

The SBVME urges that HB 390 be further amended to remove all proposed changes to the Agriculture Article. While the SBVME and MDA understand the calls for increased access to veterinary services for constituents and animal shelters within the state, the SBVME cannot support any measure that would allow veterinarians who do not possess a current Maryland veterinary license to practice in the state. Removing the licensing requirement for certain veterinarians undermines the ability of the SBVME to effectively enforce the standards of veterinary medicine set in place by the Veterinary Practice Act and its associated regulations.

The SBVME appreciates the efforts of the bill sponsors to address complaints about timely access to veterinary care in this state. We are ready and willing to be part of discussions about the current landscape for obtaining and providing veterinary services and the extent to which adjustments are necessary to expand the pool of licensed veterinarians practicing in Maryland and increase access to care. However, we should not lose sight of our shared goal of promoting the welfare of animals in this State. Increasing access to veterinary care should not come with lower standards that compromise patient safety and oversight of the profession. Due to concerns about upholding high standards of professional practice and patient care, the SBVME supports SB 390 with these amendments.

Thank you for your consideration of a favorable request with amendments.

If you have additional questions, please contact Steve Connelly, Deputy Secretary, at steve.connelly@maryland.gov or (410) 841-5881.

SB390 pdf.pdf

Uploaded by: David Luckenbaugh

Position: FWA



FREDERICK COUNTY GOVERNMENT

DIVISION OF ANIMAL CONTROL

Jessica Fitzwater
County Executive

David Luckenbaugh, Director

SENATE BILL 390

Provision of Veterinary Services- Routine Medical Care and Rabies Vaccines

DATE: Wednesday, February 15, 2023

COMMITTEE: Education, Energy, and the Environment (EEE)

POSITION: Support with Amendments

FROM: David Luckenbaugh, Director, Division of Animal Control, Frederick County Government

Thank you for your consideration of Senate Bill 390- Provision of Veterinary Services- Routine Medical Care and Rabies Vaccines. As the Director of the Division of Animal Control in Frederick County, I urge the committee to give Senate Bill 390 a favorable report.

One purpose of SB390 is to control rabies and protect human health, grant authority to the Public Health Veterinarian and the local Health Officer permission to allow individuals who work in or for a veterinary Hospital, as defined in 2-304.1 of the Agriculture Article, or an Animal Control facility, as defined in 2-305 of the Agriculture Article to administer rabies vaccines if:

- (I) The individual is working in or for a Veterinary Hospital, the Veterinary Hospital is licensed under 2-304.1 of the Agriculture Article.
- (II) The individual is working in or for an Animal Control facility and, the Animal Control facility is licensed to administer drugs under 2-305 of the Agriculture Article; and
- (III) The rabies vaccine is administered in accordance with applicable protocols for licensed veterinarians.

Frederick County Animal Control employs one, part-time contractual Veterinarian 15-20 hours per week. When the Veterinarian is off duty, no one in the shelter can administer a rabies vaccine to a dog or cat. This causes a delay in placing adoptable animals for public view, increasing their length of stay. Stray animals, not currently vaccinated, are released to owners with a rabies voucher requiring owners to obtain a rabies vaccination on a later date. Unvaccinated animals occupy kennel space, causing unnecessary overcrowding. Allowing other individuals at Animal Control to administer a rabies vaccine, in accordance with current regulations, would be tremendously beneficial to our division and other animal shelters across the state. Frederick County is consistently at or near the top of all Maryland counties for animals testing positive for the rabies virus. More dogs and cats currently vaccinated against the rabies virus will have a direct impact on public health and safety.

Thank you for your consideration of SB390. On behalf of Frederick County Government, I urge a favorable report.

David Luckenbaugh, Director, Frederick County Division of Animal Control

(301) 600-3740

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SB3090 Testimony Practice Act 02132023.pdf

Uploaded by: Dr. Matthew Weeman

Position: FWA

Matthew Weeman DVM, MS

Position: Favorable with Amendments SB3090

I'm writing today to suggest a position of "favorable with amendments on SB3090. As the food animal representative, board member and legislative committee chair for the Maryland Veterinary Medical Association as well as a concerned veterinarian within the state of Maryland regarding SB3090. My practice area includes all Maryland counties with the exception of Garret, Allegany, Washington. Licensed veterinarians within Maryland are required to take 18 continuing education hours per annum to maintain their license in good standing. There are only 11 states that require more total hours and many don't require those hours to be renewed annually. The Board of Veterinary Medical Examiners within the state of Maryland has complete oversight of licensure. Their only method of recourse to limit the inappropriate practice of medicine or to rein in bad actors/bad veterinarians is to revoke or refuse licensure within the state. The Maryland Board of Veterinary Medical Examiners has no authority to reprimand a veterinarian without a Maryland License.

Allowing veterinarians from any state to practice within Maryland (as this bill would do) will make it effectively impossible to enforce the Maryland practice act. Furthermore, it virtually negates the need for a Maryland veterinary license. I practice in Delaware and in Maryland, I presently maintain both licenses and if this bill became law, in many ways, holding a Maryland veterinary license would present unnecessary liability to me professionally. There would be absolutely no reason for me to continue to maintain professional licensure within the state of Maryland. I would save \$150.00 per year and get to take 6 less continuing education hours per year if I chose to do so. I'd also be subjected to less oversight. It is relatively easy to obtain a Maryland Veterinary license for \$150.00 and if the veterinarian requesting it has adhered to the exemplary standards of the Maryland Board of Veterinary Medical Examiners and has a proven record of safety and professionalism it will not be denied. One requirement to practice safely is to educate oneself continuously to maintain an appropriate standard of care; 18 hours is hardly restrictive. The Maryland Board of Veterinary Medical Examiners reviews applications for licensure in a very timely manner preventing unnecessary delays.

Our Maryland licensing board can safeguard the public by refusing licensure to bad actors that may attempt to move to our state after facing board complaints or censorship against their licensure in another state or jurisdiction. Taking this unprecedented step to effectively neutralize the ability of the Maryland Board of Veterinary Examiners to regulate veterinarians who may be practicing within the state is dangerous and it does nothing to address a perceived veterinary shortage. Shelter animals or those owned by citizens of our state who require financial assistance are still important and worthy of quality veterinary care. They should not be subjected to services rendered by an unchecked, unregulated veterinarian as a matter of convenience. Creating financial incentives to support those services would be a far better legislative initiative.

If someone who desires to practice veterinary medicine within the state of Maryland is restricted from doing so because of a \$150.00 registration fee it would be more prudent of the state legislature to mandate a less restrictive fee. The Maryland Board of Veterinary Medical Examiners has an excellent track record of regulating medicine within our state, punishing bad behavior and it will restrict licensure *only* when an individual applying for it has demonstrated a prior disregard for the safe practice of veterinary medicine. Put simply, if a veterinarian wishes to operate within Maryland and they are unable

to receive a license to practice within Maryland it is for good reason. Removing the regulatory guardrails that prevent poor quality medicine while allowing veterinarians to operate within our state with impunity would be a dire mis-step.

In consultation with the State Board of Veterinary Medical Examiners and Maryland Department of Health changing regulations to allow Registered Veterinary Technicians to administer rabies vaccinations under direct supervision of a licensed veterinarian could be considered to provide for the expeditious and effective management of the state's rabies prevention programs but amendments should be made to remove all other requested provisions in the bill as written.

Matthew Weeman DVM, MS, PAS

A handwritten signature in black ink, appearing to read "Matthew Weeman". The signature is cursive and somewhat stylized, with the first name "Matthew" and last name "Weeman" clearly distinguishable.

Greensboro, Md

EHepner Written Testimony SB390.pdf

Uploaded by: Elizabeth Hepner, DVM

Position: FWA

SB 390 Provision of Veterinary Services - Routine Medical Care and Rabies Vaccines Favorable with Amendments

Thank you for taking the time to review my written testimony. I am Dr. Elizabeth Hepner and I'm a small animal veterinarian currently practicing in Middle River, Maryland. I feel this bill is unnecessary and worse, may cause unintended negative consequences for the people, pets and wildlife of Maryland. Under these provisions, this bill would allow individuals from other states to practice veterinary medicine in Maryland to provide "routine services". This includes exams, vaccinations, spaying/neutering and health certificates. My concerns include regulation of individuals coming from other states, gaps in continuity of rabies vaccination and appropriate follow up for our patients.

This legislation would allow individuals to come in to practice veterinary medicine in Maryland for an unspecified amount of time. Currently, veterinarians are required to pass national licensing exam (the NAVLE) and then hold a state license where they intend to practice. This state licensure holds all licensed individuals to the standards of their state practice act and this varies from state to state. There is no overlap between states. If a practitioner comes from another state, and then returns, there are no regulatory bodies to hold them accountable for the work they performed in Maryland. If they are not licensed in our state, there is no capacity for oversight or discipline if complications or malpractice occurs. Furthermore, what incentive do Maryland veterinarians have to hold a license in Maryland if they can practice without one and in addition, not be held to any regulations or disciplinary action?

Thorough and appropriate vaccination of our pet populations is an integral part of safe guarding human health. There are many zoonotic diseases that can be passed from people to animal and vice versa but rabies is one that is invariably fatal, meaning once symptoms start, death will occur. Each year, rabies causes about 60,000 deaths worldwide but we see much fewer rabies related illness in the US due to our vaccination efforts. Our efforts are fruitful because we have an effective vaccine that is appropriately administered and properly recorded and monitored. Currently, only licensed veterinarians can administer rabies vaccines and complete rabies vaccination certificates as proof of rabies vaccination. If the ability to administer rabies vaccines is widened to less qualified individuals, this will allow for more chances for the vaccine to be given inappropriately, therefore, rendering it ineffective and leaving pets and humans at risk for infection and make it more difficult to record and track appropriate vaccination status which is integral in prevention of rabies.

Finally, while spays and neuters are considered routine, they are not without risk and potential complications. A spay is still an abdominal surgery and any anesthetic event carries with it some risk. There are no provisions in this bill on duration of work in Maryland or mention of follow up care for their surgical patients. Complications can arise during the procedure but also several days post operation and can include mild events from a suture site reaction to dehiscence of their surgical site or bleeding that can be life threatening. With the surgeon having left to go back out of state, then this would put undue stress and strain on current Maryland veterinarians who are already busy caring for their own patients. Follow up on cases like this makes it difficult to have continuity of care and allows for the quality of medical care received to suffer due to confusion on post op care.

Access to veterinary care should never compromise the standard of care. Taking this unprecedented step to allow unregulated veterinarians to practice in our state is dangerous. Shelter animals deserve more. For these reasons, I urge that SB 390 be amended to remove all provisions related to the Agriculture Article.

Sincerely,
Elizabeth Hepner, DVM, MPH

SB0390-43324-01.pdf

Uploaded by: Karen Lewis Young

Position: FWA



SB0390/433324/1

AMENDMENTS
PREPARED
BY THE
DEPT. OF LEGISLATIVE
SERVICES

14 FEB 23
11:51:04

BY: Senator Lewis Young
(To be offered in the Education, Energy, and the Environment
Committee)

AMENDMENTS TO SENATE BILL 390
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Routine Medical Care and Rabies Vaccines**” and substitute “**Vaccines, Exams, and Certifications of Health**”; in line 5, strike “routine medical care” and substitute “certain services”; in line 6, after “circumstances;” insert “requiring the Board to authorize an individual who has an application for a license to practice veterinary medicine pending before the Board to provide certain services under certain circumstances;”; in the same line, after “allow” insert “certain”; and in line 7, after “facility” insert “or who work under the supervision or direct supervision of a veterinary practitioner”.

AMENDMENT NO. 2

On page 3, in line 1, strike “**(1)**”; in lines 3 and 4, strike “**ROUTINE MEDICAL CARE**” and substitute “**VACCINATIONS AND DIAGNOSTIC EXAMS**”; in lines 5 and 7, strike “**(I)**” and “**(II)**”, respectively, and substitute “**(1)**” and “**(2)**”, respectively; strike in their entirety lines 9 through 15, inclusive; and after line 15, insert:

“(C) THE BOARD SHALL AUTHORIZE AN INDIVIDUAL WHO HAS AN APPLICATION FOR A LICENSE PENDING BEFORE THE BOARD TO PROVIDE HEALTH EXAMINATIONS AND COMPLETE CERTIFICATIONS OF HEALTH IF THE INDIVIDUAL WILL PROVIDE THE SERVICES TO AN ANIMAL SHELTER, AS DEFINED IN § 2-1701 OF THIS TITLE, LOCATED IN THE STATE.”

On page 4, in line 1, after “**ALLOW**” insert “**THE FOLLOWING**”; strike beginning with “**WHO**” in line 1 down through “**ARTICLE,**” in line 3; in line 4, strike “**IF**”; in lines

5 and 8, in each instance, strike “FOR AN INDIVIDUAL” and substitute “A VETERINARY TECHNICIAN, AS DEFINED UNDER § 2-301 OF THE AGRICULTURE ARTICLE, OR OTHER CLINICAL STAFF”; in lines 6 and 9, in each instance, strike the comma and substitute “IF”; in line 10, strike “AND”; and strike beginning with “THE” in line 11 down through “VETERINARIANS” in line 12 and substitute “A VETERINARY TECHNICIAN, AS DEFINED UNDER § 2-301 OF THE AGRICULTURE ARTICLE, WORKING UNDER THE SUPERVISION OF A VETERINARY PRACTITIONER, AS DEFINED UNDER § 2-301 OF THE AGRICULTURE ARTICLE; AND”

(IV) CLINICAL STAFF WORKING UNDER THE DIRECT SUPERVISION OF A VETERINARY PRACTITIONER, AS DEFINED UNDER § 2-301 OF THE AGRICULTURE ARTICLE”.

SB390 Provision of Vet Cover Letter - Google Docs.

Uploaded by: Karen Lewis Young

Position: FWA

KAREN LEWIS YOUNG
Legislative District 3
Frederick County

Committee on Education, Energy,
and the Environment



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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

February 15th, 2023

SB 390 Provision of Veterinary Services - Routine Medical Care and Rabies Vaccines

Chairman Brian Feldman
Education, Energy and Environment Committee
11 Bladen Street
Miller Senate Office Building
Annapolis, MD 21401

Dear Chairman Feldman, Vice Chair Kagan, and Members of the Education, Energy, and Environment Committee,

Thank you for the opportunity to present SB390, which expands veterinary services in the State of Maryland in two ways: (1) it would allow for out-of-state veterinarians who are in the process of obtaining a Maryland license to perform rabies vaccinations, diagnostics, testing and wellness exams; and (2) it would allow vet techs to administer rabies vaccines under certain conditions.

There is a well-documented veterinary shortage across the United States. A recent national study from the largest veterinary provider in the country, estimates that by 2030 there will be 15,000 fewer veterinarians than are needed to care for the nation's pets, leaving as many as 75 million people without veterinary care.

The shortage of care is especially true for animal shelters. Most of the municipal and county animal shelters in our state do not have veterinarians on staff and rely on either the complete availability of visiting volunteer veterinarians to perform routine medical care or fight with the general population to be seen at over capacity clinics.

The expansion of who can offer rabies vaccines and routine care will address the length of time that animals have to stay in shelters, and help get rescued animals into their forever homes instead of languishing in the limited space in our shelters.

For example, in Queen Anne's County, at one shelter, the veterinarian is only in twice a week which increases the length of stay in many cases. As a rescue mom, I can attest to the importance of human contact and how a long stay can negatively impact their personality and ability to be adopted.

Note that licensed vet techs in Maryland already administer other vaccinations. In addition, other states do this: 15 out of the 40 states that have a statewide requirement for rabies vaccination of companion animals allow for rabies vaccines to be administered by non-veterinarians. This includes the District of Columbia. Having trained techs giving rabies vaccines would free up time for veterinarians to focus on higher level care.

I have been working closely with stakeholders on the concerns they have raised and I have an amendment which reaches a very reasonable compromise.

SB390 is a vital and necessary step to proactively address the care gap for Maryland pets, relieve pressure on strained animal sheltering organizations, and promote public health.

I respectfully urge a favorable report.

A handwritten signature in blue ink that reads "Karen Lewis Young". The signature is written in a cursive, flowing style.

Senator Karen Lewis Young

MDVMA SB390 favorable with amendments.pdf

Uploaded by: Marisa Francis

Position: FWA



Maryland Veterinary Medical Association
SB 390 Favorable with Amendments

The Maryland Veterinary Medical Association (MDVMA) strongly believes that veterinarians must be licensed to practice veterinary medicine in Maryland and supports the current the law that allows for licensed veterinarians only to administer rabies vaccinations. In cases where prompt and effective management of the state’s rabies prevention program is needed, we are amiable to the amendments proposed by the State Board of Veterinary Medical Examiners (SBVME) and Maryland Department of Health that would change regulations to allow Registered Veterinary Technicians to administer rabies vaccinations under direct supervision of a licensed veterinarian. MDVMA does not support, under any circumstance, other clinical staff administering rabies vaccinations.

In addition, SB 390 as written, takes an unprecedented step to negate the ability of the SBVME to regulate veterinarians. Increasing access to veterinary care should never compromise the standards set forth by the SBVME who has no authority to hold accountable or reprimand a veterinarian that does not hold a current Maryland license. Shelter animals are worthy of the highest quality veterinary care and should not be subjected to an unchecked or unregulated veterinarian.

Due to the commitment to upholding high standards of professional practice and patient care, the MDVMA supports SB 390 with the amendments to the rabies provision, however urges that SB 390 be further amended to remove all other requested provisions in the bill as written.

If you have additional questions, please contact Marisa Francis, Executive Director, at mfrancis@mdvma.org or (410) 305-7083.

MDA - SB390 - Letter of Support.pdf

Uploaded by: Nathaniel Boan

Position: FWA



Maryland Department of Agriculture

Office of the Secretary

Wes Moore, Governor

Aruna Miller, Lt. Governor

Kevin M. Atticks, Acting Secretary

Steven A. Connelly, Deputy Secretary

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Maryland Department of Agriculture

Legislative Comment

Date: February 15, 2023

BILL NUMBER: SB390

SHORT TITLE: PROVISION OF VETERINARY SERVICES- ROUTINE MEDICAL CARE AND RABIES VACCINES

MDA POSITION: SUPPORT WITH AMENDMENTS

SB 390 would alter the contents of Agriculture Article, § 2–304 and create Agriculture Article § 2–305.1, as well as alter the General Health Article § 18-313. The changes to the Agriculture Article would require the State Board of Veterinary Medical Examiners (SBVME) to allow veterinarians that are not licensed in the State of Maryland to practice veterinary medicine in a limited capacity using their license from another jurisdiction. It would also move a portion of the Agriculture Article §2–304 to the newly created section, §2–305.1. The General Health Article would be altered to allow any individual working for an animal hospital or animal control facility to be able to administer a rabies vaccination.

The SBVME is charged with protecting the public and animal health by administering the Maryland Veterinary Practice Act and adopting regulations that promote the safe and competent practice of veterinary medicine, veterinary technology, and sanitary and safe physical conditions at veterinary facilities. The SBVME licenses and registers veterinarians, registers veterinary technicians (RVTs), and licenses veterinary hospitals and animal facilities to carry out its mission. It conducts inspections of licensed veterinary hospitals, reviews complaints filed by members of the public against licensees, and, where necessary, pursues disciplinary actions when licensed professionals do not meet established standards. Licensure and registration ensure that veterinarians and veterinary technicians are qualified, engage in regular professional development, and are subject to the SBVME's authority to investigate and pursue disciplinary actions.

The SBVME and the Maryland Department of Agriculture (MDA) have coordinated with the Maryland Department of Health (MDH) to review the proposed changes to the Health Article. While the Board generally believes that the safest approach to rabies vaccination would allow only licensed and registered veterinarians to administer rabies vaccines, its members understand

the concerns raised by animal control staff and members of the public about access to care. Accordingly, the SBVME supports MDH's proposed amendment that would allow RVTs, who have the background, training, professionalism, and familiarity with the legal standard for practicing veterinary medicine to administer rabies vaccines under the supervision of a veterinarian.

As to the level of veterinary supervision to be required, the SBVME supports MDH's amendments creating two different standards for RVTs administering rabies vaccines, depending on whether the RVT is working at a veterinary hospital, as defined in § 2-304.1 of the Agriculture Article or for an Animal Control Facility as defined in § 2-305 of the Agriculture Article. The proposed standard for veterinary supervision of RVTs working for Animal Control Facilities is less direct, reducing delays for vaccination of animals at Animal Control Facilities and allowing animals to be placed in homes more quickly.

The SBVME urges that HB 390 be further amended to remove all proposed changes to the Agriculture Article. While the SBVME and MDA understand the calls for increased access to veterinary services for constituents and animal shelters within the state, the SBVME cannot support any measure that would allow veterinarians who do not possess a current Maryland veterinary license to practice in the state. Removing the licensing requirement for certain veterinarians undermines the ability of the SBVME to effectively enforce the standards of veterinary medicine set in place by the Veterinary Practice Act and its associated regulations.

The SBVME appreciates the efforts of the bill sponsors to address complaints about timely access to veterinary care in this state. We are ready and willing to be part of discussions about the current landscape for obtaining and providing veterinary services and the extent to which adjustments are necessary to expand the pool of licensed veterinarians practicing in Maryland and increase access to care. However, we should not lose sight of our shared goal of promoting the welfare of animals in this State. Increasing access to veterinary care should not come with lower standards that compromise patient safety and oversight of the profession. Due to concerns about upholding high standards of professional practice and patient care, the SBVME supports SB 390 with these amendments.

Thank you for your consideration of a favorable request with amendments.

If you have additional questions, please contact Steve Connelly, Deputy Secretary, at steve.connelly@maryland.gov or (410) 841-5881.

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Uploaded by: State of Maryland (MD)

Position: FWA



Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

February 15, 2023

The Honorable Brian J. Feldman
Chair, Education, Energy, and the Environment Committee
2 West Miller Senate Office Building
Annapolis, MD 21401-1991

RE: SB 390 - Provision of Veterinary Services - Routine Medical Care and Rabies Vaccines - Letter of Support with Amendments

Dear Chair Feldman and Committee Members:

The Maryland Department of Health (MDH) respectfully submits this Letter of Support with Amendments for Senate Bill (SB) 390 - Provision of Veterinary Services - Routine Medical Care and Rabies Vaccines. SB 390 will require the State Board of Veterinary Medical Examiners to authorize a certain veterinary practitioner licensed to practice veterinary medicine in another state or jurisdiction to provide routine medical care in Maryland under certain circumstances. Additionally, SB 390 will require the Secretary of Health to allow individuals who work in or for a certain veterinary hospital or animal control facility to administer rabies vaccines under certain circumstances.

Procedural guidelines for the administration of rabies vaccine in Maryland follow national standards published in the Compendium of Animal Rabies Prevention and Control by the National Association of State Public Health Veterinarians (the Compendium). The recommendations in the Compendium serve as a basis for animal rabies prevention and control programs throughout the United States and facilitate standardization of procedures among jurisdictions, thereby contributing to an effective national rabies control program.

The Compendium states that in most circumstances, the rabies vaccine should be administered by or under the direct supervision of a licensed veterinarian on premises. The Compendium makes an allowance for administering rabies vaccine to animals in a shelter setting, understanding the importance of vaccinating these animals, while acknowledging shelters may not have a licensed veterinarian on site. To ensure vaccination, the Compendium states the rabies vaccine may be administered under the supervision of a licensed veterinarian to animals held in animal shelters, be it through direct or indirect supervision (i.e., a licensed veterinarian is responsible for ensuring proper administration of the vaccine while not being on-site).

The level of supervision is dependent on the setting in which the rabies vaccine is administered. Indirect supervision is not the preferred method of administration given the importance of appropriate handling and administration of a vaccine. However, the Compendium has agreed that the potential benefit of vaccinating shelter animals prior to release outweighs the potential risk of

having it administered by trained, but non-veterinarian, personnel. Veterinary clinics by their very nature should have a veterinarian on site and are recommended, based on the Compendium, to administer the rabies vaccination by their veterinarian or via direct supervision by the licensed veterinarian on site.

MDH supports SB 390, as it expands the number of individuals who can administer the rabies vaccine to domestic animals. This supports MDH's goal of preventing possible transmission of rabies, a potentially fatal disease, to the human population. MDH respectfully suggests clarifying the level of veterinary supervision, either direct or indirect, required for non-veterinarian personnel to administer a rabies vaccine in specific veterinary settings (e.g. shelter/animal control setting versus private veterinary practice). Further, MDH supports the amendments from the Maryland Department of Agriculture that help address licensing changes. These amendments incorporate critical feedback from Maryland's veterinary community and sharpen the bill's focus on the administration of the rabies vaccine.

If you would like to discuss this further, please do not hesitate to contact Megan Peters, Acting Director of Governmental Affairs at megan.peters@maryland.gov or (410) 260-3190.

Sincerely,



Laura Herrera Scott, M.D., M.P.H.
Secretary