

HOUSE No. 3589

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act To Provide For The Safe Care And Treatment Of Animals..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 112 of the General Laws is hereby amended by striking out section
2 54A, as appearing in the 2006 Official Edition, the section and inserting in place thereof the
3 following section:-

4 Section 54A. As used in sections 54 to 60, inclusive, the following words shall have
5 the following meanings:-

6 “Animal”, any animal other than man including wild or domestic fowl, birds, fish or
7 reptiles, living or dead.

8 “Approved veterinary school”, any veterinary college or division of a university or
9 college that offers the degree of doctor of veterinary medicine or its equivalent and which
10 conforms to the standards required for accreditation by the American veterinary medical
11 association, the board of veterinary medicine of the commonwealth, or the approving authority.

12 “Approved veterinary technology school”, any veterinary technology college or division
13 of a university or college that offers a program that is accredited according to the standards

adopted by the American veterinary medical association's committee on veterinary technician education and activities

"Approving authority", 3 members from the board of registration in veterinary medicine; 1 veterinary officer from the division of animal health; 1 member representing the Massachusetts Veterinary Association, and 5 members representing the Massachusetts Veterinary Technician Association.

"Board", the board of registration in veterinary medicine of the commonwealth.

"Emergency", when an animal is placed in a life-threatening condition and immediate treatment is necessary to sustain life.

"Veterinarian", a person who has received a doctors' degree in veterinary medicine from a school of veterinary medicine.

"Veterinary medicine", shall include veterinary surgery, obstetrics, dentistry, and all other branches or specialties of veterinary medicine.

"Veterinary technician", a person who has graduated from an American Veterinary Medical Association-accredited veterinary technology program, with an Associate Degree and who has passed the Veterinary Technician National Exam (VTNE).

"Veterinary technologist", a person who has graduated from an American Veterinary Medical Association-accredited veterinary technology program, with a Bachelor Degree and who has passed the Veterinary Technician National Exam (VTNE).

“Veterinary technology”, the science and art of providing all aspects of professional medical care and treatment for animals with the exception of diagnosis, prognosis, surgery and prescription.

“Veterinary assistant”, a person who is not a veterinarian or veterinary technician.

SECTION 2. Said chapter 112 is hereby further amended by inserting after section 56E the following section:-

Section 56F. Veterinary technicians and veterinary technologists shall be licensed and shall be required to pass the Veterinary Technician National Examination (VTNE), with scores as set by the board prior to licensure. Examinations for licensure as a veterinary technician and veterinary technologist shall be held at least annually at a time, place, and date set by the board no later than 90 days prior to the scheduled examination.

Veterinary technicians and veterinary technologists shall be required to continue their professional education as a condition of maintaining their license of veterinary technology in the commonwealth with 12 hours of continuing education annually.

By a majority vote of the entire board may, for any cause set forth in this section, deny, suspend or revoke for a certain time the license of any person as a veterinary technician or veterinary technologist after notice and a hearing. Causes for which the board may deny, revoke or suspend a license are as follows:-

- a. the employment of fraud, misrepresentation or deception in obtaining such license;
- conviction of a felony, in which case the record of such conviction shall be
- conclusive evidence;

conviction of a violation of any state or federal law, regulating narcotics;
having professional connection with or lending the use of his name to any illegal
practitioner of veterinary medicine and the various branches thereof;
conduct reflecting unfavorably on the profession of veterinary technicians and
veterinary medicine.
conviction on a charge of cruelty to animals; or

It shall be a class B misdemeanor for any person to use, in connection with the person's
name, any designation intending to imply that the person is a veterinary technician or a licensed
veterinary technician unless said person meets the requirements contained in this chapter. In
addition is shall be a class B misdemeanor for any veterinary facility employee or veterinarian to
knowingly employ a non-licensed person to perform the duties of a licensed
technician/technologist.

The board may, on its own motion, cause to be investigated any report indicating that a
licensed veterinary technician is or may be in violation of the provisions of this chapter. Any
person who in good faith reports to the board any information that a licensed veterinary
technician is or may be in violation of any provisions of this chapter is not subject to suit for civil
damages as a result thereof.

All licenses issued to veterinary technicians and veterinary technologists shall expire
annually on December 31st unless renewed.

All license holders shall submit renewal fees and a current mailing address by dates determined by the board on a renewal form that shall be provided by the board and mailed to all license holders.

All license holders will be required to submit evidence satisfactory to the board of the successful completion of continuing education as the board shall require by regulation.

Failure to submit the appropriate license renewal fee by the dates determined by the board shall result in forfeiture of all privileges and rights extended by the license, and the license holder must immediately cease and desist in engaging further in the performance of veterinary technician or veterinary technologist activities under said chapter until payment of a delinquency fee in addition to the license renewal fee had been received by the board.

Licenses for veterinary technicians/technologists shall be issued bearing the degree "LVT". Licenses for veterinary technologists shall be issued bearing the degree "LVTG".

Any person who meets the following requirements shall be permitted for a time period of not more than three years from the passage of this act, to sit for the veterinary technician national examination in the commonwealth:-

(a) Degree from a program in veterinary technology which is not accredited by the American Veterinary Medical Association or a bachelors degree in animal or biological sciences and 1 year full time practical experience consisting of at minimum 1500 hours as a veterinary assistant. (b) Associate degree in animal or biological sciences and 3 years full time practical experience consisting of at minimum 4500 hours as a veterinary assistant. (c) Employed 5 years full time as a veterinary assistant, consisting of at minimum 7500 hours in addition to 18 college

credits in animal or biological sciences. (d) Employed eight years full time consisting of at minimum 12000 hours as a veterinary assistant.

The division of professional licensure shall promulgate rules and regulations including the following levels of supervision and safety, provided that the following tasks shall only be performed by a licensed veterinary technician or veterinary technologist, under the direct supervision of a veterinarian licensed to practice in the Commonwealth of Massachusetts, and provided that, the Veterinarian makes a daily physical examination of the patient treated. :-

(a) (1) "Immediate supervision", a licensed veterinarian is within direct eyesight and hearing range. The following procedures shall require immediate supervision:

(i) dental extraction not requiring sectioning of a tooth or the re-sectioning of bone; and

(ii) surgical assistance to a licensed veterinarian within the rules and regulations issued by the board and the laws of the commonwealth.

(2) "Direct supervision", a licensed veterinarian is on the premises and is readily available. The following procedures shall require direct supervision:

(i) euthanasia;

(ii) blood or blood component collection, preparation and administration;

(iii) application of splints and slings;

(iv) dental procedures including, but not limited to the removal of calculus, soft deposits, plaque, and stains: the smoothing, filing and polishing of teeth; or the floatation or dressing of equine teeth; and

(v) induction of anesthesia.

(3) “Indirect supervision” a licensed veterinarian is not on the premises, but is able to perform the duties of a licensed veterinarian by maintaining direct communication. The following procedures shall require in direct supervision:-

(i) administration and application of treatments, drugs, medications and immunological agents by parental and injectable routes, subcutaneous, intramuscular, and intravenous, except when conflict with government regulations;

(ii) initiation of parental fluid administration;

(iii) intravenous catheterizations;

(iv) radiography including settings, positioning, processing and safety procedures

(v) collection of blood; collection of urine by expression, cystocentesis, or catheterization; collection and preparation of tissue, cellular, or microbiological samples by skin scrapings, impressions, or other non-surgical methods except when in conflict with government regulations;

(vi) routine laboratory test procedures; and

(vii) supervision of the handling of biohazardous materials.

(b) Under emergency conditions, a licensed veterinary technician may render the following life-saving aid and treatment:-

(i) applications of tourniquets or pressure bandages to control hemorrhage;

(ii) administration of pharmacological agents and parental fluids shall only be performed after direct communication with a licensed veterinarian in the commonwealth and such veterinarian is either present or in route to the location of the distressed animal;

(iii) Resuscitative procedures;

(iv) application of temporary splints or bandages to prevent further injury to bones or soft tissues; or

(v) external supportive treatment in heat prostration cases.

(c) A licensed veterinary technician shall be prohibited from conducting the following:

(i) Offering any diagnosis or prognosis;

(ii) Prescribing any treatments, drugs, medications, or appliances; or

(ii) Performing surgery.

(d) Veterinary assistants may perform animal husbandry and animal health care tasks under the supervision of a licensed veterinarian or licensed veterinary technician/technologist.

SECTION 3. Notwithstanding the foregoing, all veterinary technicians, so-called, certified by the Massachusetts Veterinary Technicians Association on or before the effective date of this act and in good standing shall be grand fathered in bearing all the rights, privileges, and responsibilities as described in said chapter and shall be known as licensed veterinary technicians or licensed veterinary technologists.

SECTION 4. Any student enrolled in a veterinary technology program in a school or college accredited by the American Veterinary Medical Association, who is engaged in clinical

153 training under the direct supervision and control of a veterinary technician/technologist or
154 veterinarian otherwise licensed to practice in the commonwealth and who is duly registered with
155 an accredited school or college of veterinary technology under its clinical training and externship
156 programs shall be exempt from the veterinary technician licensing provisions of sections one
157 through three, inclusive.