

**HOUSE . . . . . No. 246**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***John J. Mahoney***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to establish a subsidiary board for veterinary technology.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>John J. Mahoney</i>	<i>13th Worcester</i>	<i>1/16/2013</i>

**HOUSE . . . . . No. 246**

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By Mr. Mahoney of Worcester, a petition (accompanied by bill, House, No. 246) of John J. Mahoney for legislation to establish a subsidiary board for veterinary technology under the Board of Registration in Veterinary Medicine. Consumer Protection and Professional Licensure.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1895 OF 2011-2012.]

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Thirteen**  
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An Act to establish a subsidiary board for veterinary technology.

*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. Findings. The General Court finds:

2 (1) That veterinary technicians are integral members of a veterinary team; and

3 (2) That veterinary technicians provide consumer protection, public health and safety in  
4 veterinary offices and in other areas of animal medical care and welfare; and

5 (3) That it is in the best interest of the Commonwealth to promote the advancement of  
6 veterinary technicians, their management and professionalism so far as possible making use of  
7 existing private and public training already in use in the Commonwealth or elsewhere for their  
8 oversight.

9 SECTION 2. Chapter 13 of the General Laws, as appearing in the 2010 Official Edition,  
10 is hereby amended by inserting after section 26 of chapter 13 the following new section:-

11 SECTION 26A.

12 Subsidiary Board for Veterinary Technology under the Board of registration in  
13 Veterinary Medicine.

14 Section 1. When used in this act these words and phrases shall be defined as follows: 1.  
15 Veterinary Technology, the science and art of providing professional support to veterinarians. 2.  
16 Veterinary technician, a graduate of a two- or three-year AVMA-accredited program in  
17 veterinary technology. 3. Veterinary technologist, a graduate of a four-year baccalaureate  
18 AVMA-accredited program in veterinary technology 4. Veterinary Assistant, is the title  
19 sometimes used for individuals where training, knowledge, and skills are less than that required  
20 for identification as a veterinary technician or technologist.

21 Section 2. There shall be a subsidiary board for veterinary technology under the Board of  
22 Registration in Veterinary Medicine, in sections twenty-seven and twenty-eight called the  
23 subsidiary board. In said subsidiary board four members will be appointed by the Executive  
24 board of the Massachusetts Veterinary Technician Association. The subsidiary technician board  
25 should consist of 2 veterinarian members of the Board of Registration in Veterinary Medicine, 4  
26 technician members appointed by the MVTA and one public member.

27 The subsidiary technician board is subject to the Board of Registration, its  
28 recommendations or decisions are subject to approval by the full Board.

29 Each member of said board shall be a legal resident of the commonwealth. Each  
30 veterinary technician member shall be licensed to practice veterinary technology in the  
31 commonwealth. The technicians initially appointed to the technician board by the MVTA should  
32 be MVTA-accredited technicians and the initial appointments should be for no more than two  
33 years. During the initial two years, rules and procedures for technician licensure will be  
34 established by the technician board: after those rules are established, each veterinary technician  
35 member shall be a Massachusetts licensed veterinary technician.

36 The subsidiary technician board shall determine and establish the criteria and regulations  
37 by which veterinary technicians shall be licensed and registered in the Commonwealth of  
38 Massachusetts subject to approval by the Board of Registration.

39 The subsidiary board of veterinary technology under the Board of Registration of  
40 Veterinary Medicine shall establish the duties which supervising, Massachusetts-licensed  
41 veterinarians may assign to licensed veterinary technicians, and to non-licensed veterinary  
42 assistants, consistent with good veterinary medical practice in the best interests of Massachusetts  
43 consumers. The subsidiary board shall be entitled to change or alter the duties and rights granted  
44 to licensed veterinary technicians and veterinary assistants as deemed necessary or appropriate  
45 by the subsidiary board to reflect changes in the practice of veterinary technology over time. The  
46 board shall also stipulate explicit differences in the duties and actions allowed for by licensed  
47 veterinary technicians and unlicensed veterinary assistants.

48 Section 3. Board Rule Promulgation

49           The subsidiary board is hereby directed to craft appropriate regulations to govern the  
50 practice of veterinary technicians and assistants. The board will establish criteria for licensure of  
51 technicians, and for the maintenance, suspension or revocation of licenses. Any grandfather  
52 clause that allows currently working or credentialed technicians to become licensed  
53 automatically or via a tiered system that allows for licensure without a formal degree in  
54 veterinary technology shall have an end date to be determined by the subsidiary board.

55           This section shall not apply to veterinary technicians employed by USDA and AALAC-  
56 accredited research institutions. The activities of employed veterinarians and veterinary  
57 technicians in those institutions shall uphold the rules governing those institutions.

58           Veterinary students and veterinary technician students working under the supervision of a  
59 Massachusetts licensed veterinarian or Massachusetts licensed veterinary technician may engage  
60 in those necessary activities to learn and practice supervised techniques on living patients. The  
61 subsidiary board may add additional categories of individuals who may engage in those  
62 necessary activities to learn and practice supervised techniques of living patients

63           Section 4. The subsidiary board may promulgate regulations requiring veterinary  
64 technicians to have professional malpractice liability insurance or a suitable bond or other  
65 indemnity against liability for professional malpractice in such amounts as may be determined by  
66 the board.

67           Section 5. The regulation promulgated under section fifty-nine of chapter one hundred  
68 and twelve shall not apply to individual veterinary technicians or assistants who are (a) governed  
69 or regulated by United States Department of Agriculture and the Association for Assessment and  
70 Accreditation of Laboratory Animal Care accredited research institutions. And, (b) special cases,  
71 including veterinary technicians or assistants working with zoos and aquaria, shelters, diagnostic  
72 facilities, licensed wildlife rehabilitation facilities and other such special cases as the subsidiary  
73 board shall identify. In general, these regulations shall consider the special circumstances of  
74 these types of practice.

75           Section 6. The board shall establish the criteria by which a veterinary technician is  
76 deemed licensed or non-licensed. Licensed veterinary technicians shall be required to have an  
77 associate or bachelor degree in veterinary technology from an institution that has been accredited  
78 or provisionally accredited by the American Veterinary Medical Association. Veterinary  
79 technicians who currently are licensed as veterinary technicians shall be required to obtain  
80 formal training and or education for proper veterinary technology work at the sole discretion of  
81 the board.

82           All non-licensed veterinary technicians must receive a formal degree in veterinary  
83 technology from an institution accredited or provisionally accredited by the American Veterinary  
84 Medical Association. All employed, non-licensed veterinary technicians who have not received  
85 or enrolled to obtain a formal degree in veterinary technology, in accordance with the regulations

86 set by the board, by the first of January in the year of 2018 shall be prohibited from the duties  
87 specifically restricted to licensed veterinary technicians, but can perform the duties allowed to  
88 veterinary assistants. The subsidiary board shall establish a requirement for continuing education  
89 for licensed veterinary technicians, commencing in the year 2018.

90           The subsidiary board shall also be authorized to suspend or revoke a veterinary  
91 technicians license at the boards unanimous discretion for failure to abide by the Massachusetts  
92 General Laws, Massachusetts regulations, or any ordinance imposed by the Board of  
93 Registration in Veterinary Medicine.