HOUSE DOCKET, NO. 756 FILED ON: 1/14/2015

HOUSE . . . . . No. 224

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:
John J. Mahoney	*13th Worcester*	*1/14/2015*

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HOUSE . . . . . No. 224

By Mr. Mahoney of Worcester, a petition (accompanied by bill, House, No. 224) 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.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *246* OF 2013-2014.]

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

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:

SECTION 1. Findings. The General Court finds:

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

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

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

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

SECTION 26A.

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

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

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

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

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

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

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

Section 3. Board Rule Promulgation

The subsidiary board is hereby directed to craft appropriate regulations to govern the practice of veterinary technicians and assistants. The board will establish criteria for licensure of

technicians, and for the maintenance, suspension or revocation of licenses. Any grandfather clause that allows currently working or credentialed technicians to become licensed automatically or via a tiered system that allows for licensure without a formal degree in veterinary technology shall have an end date to be determined by the subsidiary board.

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

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

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

Section 5. The regulation promulgated under section fifty-nine of chapter one hundred and twelve shall not apply to individual veterinary technicians or assistants who are (a) governed or regulated by United States Department of Agriculture and the Association for Assessment and Accreditation of Laboratory Animal Care accredited research institutions. And, (b) special cases, including veterinary technicians or assistants working with zoos and aquaria, shelters, diagnostic facilities, licensed wildlife rehabilitation facilities and other such special cases as the subsidiary

board shall identify. In general, these regulations shall consider the special circumstances of these types of practice.

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

All non-licensed veterinary technicians must receive a formal degree in veterinary technology from an institution accredited or provisionally accredited by the American Veterinary Medical Association. All employed, non-licensed veterinary technicians who have not received or enrolled to obtain a formal degree in veterinary technology, in accordance with the regulations set by the board, by the first of January in the year of 2018 shall be prohibited from the duties specifically restricted to licensed veterinary technicians, but can perform the duties allowed to veterinary assistants. The subsidiary board shall establish a requirement for continuing education for licensed veterinary technicians, commencing in the year 2018.

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