

SENATE No. 219

The Commonwealth of Massachusetts

PRESENTED BY:

Joan B. Lovely

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 regulating the practice and licensure of veterinary technicians.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Joan B. Lovely</i>	<i>Second Essex</i>	
<i>Adam J. Scanlon</i>	<i>14th Bristol</i>	<i>3/19/2021</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>4/14/2021</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>7/26/2021</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>8/2/2021</i>

SENATE No. 219

By Ms. Lovely, a petition (accompanied by bill, Senate, No. 219) of Joan B. Lovely and Adam J. Scanlon for legislation to regulate the practice and licensure of veterinary technicians. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act regulating the practice and licensure of veterinary technicians.

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

1 Chapter 13 of the General Laws is hereby amended by inserting after section 26 the
2 following section:-

3 Section 26A. Subsidiary board for veterinary technology.

4 Section 1. As used in sections one to six, inclusive, the following words shall have the
5 following meanings:-

6 “Subsidiary board”, the subsidiary board for veterinary technology.

7 “Veterinary technology”, the performance of services within the field of veterinary
8 medicine by a person who, for compensation or personal profit, is employed by or under the
9 supervision of a licensed veterinarian to perform such duties as are required in carrying out
10 medical orders as prescribed by a licensed veterinarian requiring an understanding of veterinary
11 science,

12 “Veterinary technician”, a graduate of an American Veterinary Medical Association
13 accredited program in veterinary technology or veterinary nursing who has achieved a passing
14 score on an approved licensing exam as determined by the board of registration in veterinary
15 medicine and has successfully applied for a license in the commonwealth.

16 “Veterinary assistant”, an individual working as part of a veterinary healthcare team who
17 is not licensed as a veterinary technician.

18 Section 2. There shall be a subsidiary board for veterinary technology within and subject
19 to the control of the board of registration in veterinary medicine.

20 (a) The subsidiary board shall be comprised of five members appointed by the governor.
21 One member shall be a veterinarian member of the board of registration in veterinary medicine.
22 Three members shall be veterinary technicians selected from a list of nominees provided to the
23 governor by the Massachusetts Veterinary Technician Association. One member shall be
24 appointed as the public member of the subsidiary board.

25 (b) The subsidiary board is subject to the board of registration in veterinary medicine, and
26 the subsidiary board’s recommendations and decisions are subject to approval by the full board
27 of registration in veterinary medicine.

28 (c) Each member of the subsidiary board shall be a legal resident of the commonwealth.

29 (d) Each veterinary technician member of the subsidiary board shall be licensed to
30 practice veterinary technology in the commonwealth.

31 (e) Until the effective date of regulations establishing the criteria for licensed veterinary
32 technicians, the veterinary technicians appointed to the subsidiary board shall be Massachusetts
33 Veterinary Technician Association Certified Veterinary Technicians.

34 (f) Member of the subsidiary board shall be appointed for two-year terms, except that the
35 initial veterinarian appointee and one of the initial veterinary technician appointees shall be
36 appointed for three-year terms.

37 (g) During the initial two years, rules and procedures for veterinary technician licensure
38 will be established by the subsidiary board subject to approval by the board of registration of
39 veterinary medicine. After those rules are established, each veterinary technician member shall
40 be a Massachusetts licensed veterinary technician.

41 (h) The subsidiary board shall draft and propose criteria and regulations by which
42 veterinary technicians shall be licensed and registered in the commonwealth, subject to approval
43 by the board of registration in veterinary medicine.

44 (i) The subsidiary board shall delineate the duties that supervising, licensed veterinarians
45 may assign to licensed veterinary technicians and to non-licensed veterinary assistants consistent
46 with good veterinary medical practice in the best interests of consumers.

47 (j) The subsidiary board shall, subject to the approval of the board of registration of
48 veterinary medicine, change or alter the duties and rights granted to licensed veterinary
49 technicians and veterinary assistants as deemed necessary or appropriate by the subsidiary board
50 to reflect changes in the practice of veterinary technology over time.

51 (k) The subsidiary board shall also provide education regarding differences in the duties
52 and actions allowed for by licensed veterinary technicians and unlicensed veterinary assistants.

53 Section 3. (a) The subsidiary board shall draft regulations to govern the practice of
54 veterinary technicians and veterinary assistants including criteria for licensure of veterinary
55 technicians and for the maintenance, suspension or revocation of licenses.

56 (b) The regulations established by the subsidiary board shall not apply to veterinary
57 technicians employed by a research institution as defined in section 136A of chapter 140.

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

63 Section 4. The rules created by the subsidiary board and approved by the board of
64 registration in veterinary medicine shall not apply to individual veterinary technicians or
65 veterinary assistants who are working

66 (a) in a research institution as defined in section 136A of chapter 140 and

67 (b) with zoos and aquaria, diagnostic facilities, licensed wildlife rehabilitation facilities
68 and other such special cases as the subsidiary board shall identify.

69 Section 5. (a) The subsidiary board shall propose the criteria by which a veterinary
70 technician is deemed a licensed veterinary technician or a non-licensed assistant. Any rules that
71 allow individuals currently working as non-credentialed technicians to become licensed without

72 a formal degree in veterinary technology shall have an end date to be determined by the
73 subsidiary board subject to approval by the board of registration in veterinary medicine. Any
74 such rule will include consideration of experience, education and examination.

75 (b) The subsidiary board shall propose continuing education requirements for licensed
76 veterinary technicians.

77 (c) The subsidiary board may recommend the suspension or revocation of a veterinary
78 technician's license for failure to abide by the general laws or regulations promulgated by the
79 board of registration in veterinary medicine.

80 Section 6. Only those individuals who are licensed may utilize the title of veterinary
81 technician. Regardless of job description and duties, anyone who does not hold a valid license to
82 practice veterinary technology in the commonwealth, yet who functions in a similar capacity of
83 supporting the overall care of veterinary patients, shall be referred to as a veterinary assistant.

84 Any individual or veterinary practice who is found to be inappropriately using the title
85 veterinary technician may be subject to fines as established by the board of registration in
86 veterinary medicine.