SENATE DOCKET, NO. 1897 FILED ON: 2/18/2021

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

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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:

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

Section 26A. Subsidiary board for veterinary technology.

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

"Subsidiary board", the subsidiary board for veterinary technology.

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

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

"Veterinary assistant", an individual working as part of a veterinary healthcare team who is not licensed as a veterinary technician.

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

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

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

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

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

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

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

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

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

(i) The subsidiary board shall delineate the duties that supervising, 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 consumers.

(j) The subsidiary board shall, subject to the approval of the board of registration of veterinary medicine, 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.

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

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

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

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

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

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

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

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

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

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

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

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

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