

SENATE No. 207

The Commonwealth of Massachusetts

PRESENTED BY:

Jacob R. Oliveira

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>Jacob R. Oliveira</i> | <i>Hampden, Hampshire and Worcester</i> | |
| <i>Anne M. Gobi</i> | <i>Worcester and Hampshire</i> | <i>1/19/2023</i> |
| <i>Steven S. Howitt</i> | <i>4th Bristol</i> | <i>2/21/2023</i> |
| <i>Steven George Xiarhos</i> | <i>5th Barnstable</i> | <i>6/13/2023</i> |

SENATE No. 207

By Mr. Oliveira, a petition (accompanied by bill, Senate, No. 207) of Jacob R. Oliveira, Anne M. Gobi and Steven S. Howitt for legislation to regulate the practice and licensure of veterinary technicians. Consumer Protection and Professional Licensure.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 2571 OF 2021-2022.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

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 SECTION 1. Chapter 13 of the General Laws, as appearing in the 2018 Official Edition,
2 is hereby amended by inserting after section 26 the following section:-

3 Section 26A. There shall be a subsidiary board for veterinary technology within and
4 subject to the control of the board of registration in veterinary medicine. Recommendations and
5 decisions of the subsidiary board shall be subject to approval by the board of registration in
6 veterinary medicine.

7 The subsidiary board shall be comprised of five members appointed by the governor. One
8 member shall be a veterinarian member of the board of registration in veterinary medicine. Three
9 members shall be licensed veterinary technicians selected from a list of nominees provided to the

10 governor by the Massachusetts Veterinary Technician Association. One member shall be
11 appointed as the public member of the subsidiary board. Each member of the subsidiary board
12 shall be a legal resident of the commonwealth.

13 Members of the subsidiary board shall be appointed for two-year terms, except that the
14 initial veterinarian appointee and one of the initial veterinary technician appointees shall be
15 appointed for three-year terms.

16 The members of the subsidiary board shall serve without compensation but shall be
17 reimbursed for actual and necessary expenses incurred in performance of their duties as members
18 or on behalf of the subsidiary board.

19 SECTION 2. Section 54A of chapter 112 of the General Laws, as so appearing, is hereby
20 amended by adding, after the sixth paragraph, the following:-

21 “Subsidiary board”, the subsidiary board for veterinary technology, as established in
22 Section 26A of Chapter 13.

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

28 “Veterinary technician”, a graduate of an American Veterinary Medical Association
29 accredited program in veterinary technology or veterinary nursing who has achieved a passing

30 score on an approved licensing exam as determined by the board of registration in veterinary
31 medicine and has successfully applied for a license in the commonwealth.

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

34 SECTION 3. Chapter 112 of the General Laws, as so appearing, is hereby amended by
35 inserting after Section 54A the following new sections:-

36 Section 54B. The subsidiary board shall promulgate rules and regulations by which
37 veterinary technicians shall be licensed and registered in the commonwealth, subject to approval
38 by the board. The subsidiary board may recommend the suspension or revocation of a veterinary
39 technician’s license for failure to abide by the general laws or regulations promulgated by the
40 board. The subsidiary board shall provide education regarding differences in the duties and
41 actions allowed for by veterinary technicians and veterinary assistants. The subsidiary board
42 shall, subject to the approval of the board, change or alter the duties and rights granted to
43 veterinary technicians and veterinary assistants to reflect changes in the practice of veterinary
44 technology over time.

45 Such regulations, as promulgated by the subsidiary board and approved by the board,
46 shall: delineate the duties which supervising, licensed veterinarians may assign to licensed
47 veterinary technicians and to non-licensed veterinary assistants, consistent with good veterinary
48 medical practice in the best interests of consumers; address the maintenance, suspension, and
49 revocation of licenses; and provide for continuing education requirements for licensed veterinary
50 technicians.

51 Veterinary technician students, or other individuals deemed appropriate by the subsidiary
52 board, working under the supervision of a licensed veterinarian or a licensed veterinary
53 technician may engage in activities necessary to learn and practice supervised techniques on
54 patients.

55 The subsidiary board shall promulgate the criteria by which an individual is deemed a
56 licensed veterinary technician or a non-licensed assistant. Any rules that allow individuals to
57 become licensed without a formal degree in veterinary technology shall have an end date to be
58 determined by the subsidiary board subject to approval by the board. Any such rule shall include
59 consideration of experience, education, and examination.

60 Section 54C. (a) The rules created by the subsidiary board and approved by the board
61 shall not apply to individual veterinary technicians or veterinary assistants who are working:

62 (1) as a research institution as defined in section 136A of chapter 140; or

63 (2) with special cases, including veterinary technicians or veterinary assistants working
64 with zoos and aquaria, diagnostic facilities, licensed wildlife rehabilitation facilities and other
65 such special cases as the subsidiary board shall identify.

66 Section 54D. Only those individuals who are licensed may utilize the title of veterinary
67 technician. Regardless of job description and duties, anyone who does not hold a valid license to
68 practice veterinary technology in the commonwealth, yet who functions in a similar capacity of
69 supporting the overall care of veterinary patients, shall be referred to as a veterinary assistant.

70 Any individual or veterinary practice who is found to be inappropriately using the title veterinary
71 technician may be subject to fines as established by the board.

72 SECTION 4. Notwithstanding the provisions of section 26A of chapter 13 to the
73 contrary, until the effective date of regulations establishing the criteria for licensed veterinary
74 technicians, the veterinary technicians appointed to the subsidiary board for veterinary
75 technology shall be Massachusetts Veterinary Technician Association Certified Veterinary
76 Technicians.

77 SECTION 5. During the initial two years, rules and procedures for veterinary technician
78 licensure will be established by the subsidiary board subject to approval by the board of
79 registration of veterinary medicine. After those rules are established, each veterinary technician
80 member shall be a Massachusetts licensed veterinary technician.

81 SECTION 6. This Act shall take effect upon its passage.