

HOUSE No. 5581

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, July 14, 2026.

The committee on Ways and Means, to whom was referred the Senate Bill promoting pet equity, treatment and safety (Senate, No. 3028), reports recommending that the same ought to pass with amendments striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 5581; and by inserting before the enacting clause the following emergency preamble:

“Whereas, the deferred operation of this act would tend to defeat its purpose, which is to promote pet equity, treatment and safety, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.

For the committee,

AARON MICHLEWITZ.

HOUSE No. 5581

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

By striking out all after the enacting clause and inserting in place thereof the following:—

1 SECTION 1. Section 35WW of chapter 10 of the General Laws, as appearing in the 2024
2 Official Edition, is hereby amended by inserting after the figure “140”, in line 9, the following
3 words:- or other measures to improve animal health and welfare as the commissioner of
4 agricultural resources may deem necessary and with majority support from the advisory
5 committee established in section 53 of chapter 193 of the acts of 2012.

6 SECTION 2. Said section 35WW of said chapter 10, as so appearing, is hereby further
7 amended by inserting after the figure “62”, in line 17, the following words:- , fines collected
8 pursuant to section 37 of chapter 129.

9 SECTION 3. Chapter 13 of the General Laws is hereby amended by striking out section
10 26 and inserting in place thereof the following section:-

11 Section 26. There shall be a board of registration in veterinary medicine, in sections 27
12 and 28 called the board, consisting of 4 veterinarians, 3 licensed veterinary technicians, as
13 defined in section 54A of chapter 112, and 2 representatives of the public, subject to section 9B.
14 Each member shall be appointed by the governor; provided, that for the appointment of the 3
15 licensed veterinary technicians, the governor shall consider nominees from a list provided by the

Massachusetts Veterinary Technician Association. Each member of the board shall be a legal resident of the commonwealth. Each veterinarian member of the board shall be licensed to practice veterinary medicine in the commonwealth, a graduate of a school or college teaching veterinary medicine and approved by the approving authority and shall have had at least 5 years of experience in the active practice of veterinary medicine prior to their appointment. Each licensed veterinary technician member shall be licensed in accordance with section 56F of chapter 112 and shall have had at least 5 years of experience in the active practice of veterinary technology prior to their appointment. No member shall be a member of any faculty in any institution having the power to confer degrees in veterinary medicine. One member thereof shall annually before December 1st be appointed by the governor, for 5 years from January 1st following. No member appointed to a full 5-year term shall be reappointed to succeed themselves.

SECTION 4. Chapter 23B of the General Laws is hereby amended by inserting after section 5B the following section:-

Section 5C. (a) For purposes of this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:

“Executive office”, the executive office of housing and livable communities.

“Older adult”, an individual who is 60 years of age or older.

“Pet”, any domesticated animal that is commonly kept in a household.

“Public housing”, as defined in section 38D of chapter 121B.

(b) The executive office shall establish and maintain a program of pet ownership for older adults residing in public housing who are able to reasonably care for a pet, in accordance with all

37 applicable public health, animal control and animal-cruelty laws and regulations and the
38 reasonable requirements of the public housing facility; provided, however, that reasonable
39 requirements may include, but shall not be limited to: (A) requiring a pet deposit that shall be no
40 greater than the lesser of \$160 or 1 month's rent; (B) limitations on the number of pets in a unit,
41 based on unit size; (C) restrictions or prohibitions based on the size and type of building, project
42 or unit; (D) requiring pet owners to have their pets spayed or neutered; (E) requiring pet owners
43 to have an adequate care plan for the pet, including veterinarian care and emergency contacts that
44 can care for the pet in the event that the tenant experiences a medical emergency; (F) registering
45 the pet with the public housing facility; and (G) other requirements set forth by the executive
46 office in regulations.

47 (c) No public housing facility shall: (i) impose an outright prohibition on the keeping of
48 pets; (ii) discriminate solely based on a pet's breed, size, weight or appearance; (iii) require pet
49 declawing as a condition of allowing a pet on the premises; or (iv) evict a tenant based solely on
50 the presence of a pet; provided, that such tenant has otherwise adhered to the requirements and
51 policies set forth by the public housing facility.

52 (d) Nothing in this section shall require a public housing facility to allow for the
53 ownership of a dog that has been declared dangerous by a municipality pursuant to section 157
54 of chapter 140.

55 (e) The executive office shall promulgate regulations relating to pet ownership in public
56 housing facilities. The regulations shall include, but shall not be limited to:

(i) a standard process for a resident to apply for and register an animal in the pet program, which shall include a standard process for individual review of such registrations, and a process for denial and appeal of any such denial;

(ii) the development of pet policies suitable for various types of public housing facilities catering to various residents, such as an apartment complex, single-family and multi-family home and congregate living;

(iii) emergency veterinary and temporary care contacts for the pet;

(iv) minimum health, safety and sanitation standards relating to flea and tick control, pet waste removal and noxious odor management;

(v) the procedure for enforcement and due process, including the establishment of a pet committee and pet grievance panel; and

(vi) any other regulation the executive office deems necessary for the implementation of pet policies.

SECTION 5. Section 54A of chapter 112 of the General Laws, as appearing in the 2024 Official Edition, is hereby amended by inserting, after the definition of “Board”, the following definition:-

“Licensed veterinary technician” and “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 and is licensed in the commonwealth.

SECTION 6. Said section 54A of said chapter 112, as so appearing, is hereby further amended by inserting, after the definition of “Veterinarian”, the following definition:-

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

SECTION 7. Said section 54A of said chapter 112, as so appearing, is hereby further amended by adding the following definition:-

“Veterinary technology”, the performance of services within the field of veterinary medicine by a licensed veterinary technician who 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.

SECTION 8. Said chapter 112 is hereby further amended by inserting after section 56E the following section:-

Section 56F. (a)(1) An individual shall be licensed as a veterinary technician, by the board, to practice veterinary technology. Only those individuals who are licensed shall utilize the title of veterinary technician. No person shall hold themselves out as a licensed veterinary technician or as being able to practice veterinary technology in the commonwealth unless licensed in accordance with this section; provided, that any individual or veterinary practice in violation of this subsection may be subject to fines as established by the board.

(2) Veterinary technician students, or other individuals deemed appropriate by the board, 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.

(b)(1) The board shall promulgate regulations by which veterinary technicians shall be licensed and registered in the commonwealth. The board may recommend the suspension or revocation of a veterinary technician's license for failure to abide by the laws of the commonwealth or regulations promulgated by the board.

(2) The regulations shall: (i) describe the duties that supervising, licensed veterinarians may assign to licensed veterinary technicians and to non-licensed veterinary assistants; (ii) address the maintenance, suspension and revocation of licenses; (iii) provide for continuing education requirements for licensed veterinary technicians; (iv) determine the criteria by which an individual shall be deemed a licensed veterinary technician or a veterinary assistant; and (v) establish guidance for students working under the supervision of a licensed veterinarian or licensed veterinarian technician pursuant to paragraph (2) of subsection (a).

(c) The board shall promulgate regulations to allow individuals to become licensed without a formal degree in veterinary technology until November 1, 2031; provided, that the regulations shall include consideration of experience, education and examination; and provided further, that the regulations shall include allowing individuals to take the Veterinary Technician National Exam and complete a number of hours, as determined by the board, of on-the-job training.

(d) This section shall not apply to: (i) a research institution as defined in section 136A of chapter 140; or (ii) special cases, including zoos and aquaria, diagnostic facilities, licensed wildlife rehabilitation facilities and any other such special cases as the board shall identify in regulations.

119 SECTION 9. Section 56F of said chapter 112, inserted by section 8, is hereby further
120 amended by striking out subsections (c) and (d) and inserting in place thereof the following
121 subsection:-

122 (c) This section shall not apply to: (i) a research institution as defined in section 136A of
123 chapter 140; or (ii) special cases, including zoos and aquaria, diagnostic facilities, licensed
124 wildlife rehabilitation facilities and any other such special cases as the board shall identify.

125 SECTION 10. Section 37 of chapter 129 of the General Laws, as appearing in the 2024
126 Official Edition, is hereby amended by inserting, after the fourth sentence, the following
127 sentence:- A fine assessed under this section shall be deposited into the Homeless Animal
128 Prevention and Care Fund established in section 35WW of chapter 10.

129 SECTION 11. Section 136A of chapter 140 of the General Laws, as so appearing, is
130 hereby amended by striking out, in lines 2 and 7, each time it appears, the figure “174G”, and
131 inserting in place thereof, in each instance, the following figure:- 174H.

132 SECTION 12. Said section 136A of said chapter 140, as so appearing, is hereby further
133 amended by striking out, in line 51, the word “premise” and inserting in place thereof the
134 following word:- premises.

135 SECTION 13. Section 137 of said chapter 140, as so appearing, is hereby amended by
136 striking out, in line 1, the words “The owner or keeper of” and inserting in place thereof the
137 following words:- Any person who owns or keeps.

138 SECTION 14. Subsection (a) of said section 137 of said chapter 140, as so appearing, is
139 hereby amended by adding the following sentence:- A keeper of a dog shall not include a person

to whom a kennel license has been issued and who temporarily keeps any dog over the age of 6 months; provided, however, that such dog shall be licensed by its owner.

SECTION 15. Subsection (c) of said section 137 of said chapter 140, as so appearing, is hereby amended by striking out the last sentence.

SECTION 16. Said section 137 of said chapter 140, as so appearing, is hereby further amended by striking out subsection (d) and inserting in place thereof the following 2 subsections:-

(d) This section shall not apply to a dog or cat housed in a research institution or to a domestic charitable corporation incorporated exclusively for the purpose of protecting animals from cruelty, neglect or abuse or for the relief of suffering, or to a municipality.

(e) With the owner's permission, a keeper of a dog may, while in a licensed kennel, remove an affixed tag if the dog has another means of identification which shall include, but shall not be limited to, a microchip, tattoo or other means of identification, as approved by the department; provided, that proof of licensure by means of tag, electronic record, certificate or other verifiable method shall be accessible and available onsite at the kennel. The licensed kennel or dog keeper shall maintain access to a microchip reader capable of reading common microchip formats if microchips are being used for identification purposes in lieu of a tag for any dogs onsite.

SECTION 17. Paragraph (2) of subsection (b) of said section 137A of said chapter 140, as so appearing, is hereby amended by adding the following sentence:- Kennels shall not accept or keep dogs that are not licensed pursuant to section 137 or by the jurisdiction in which they are domiciled.

SECTION 18. Said section 137A of said chapter 140, as so appearing, is hereby further amended by striking out, in lines 37 and 38, the words “a list of all kennels and their addresses licensed by the city or town pursuant to this section” and inserting in place thereof the following words:- : (i) a list of all kennels and their addresses licensed by the city or town pursuant to this section; (ii) the status of the license and whether the license is current, suspended or revoked; (iii) the kennel owner name; (iv) the maximum number of dogs permitted under the license; (v) the last date of inspection by the animal control officer; (vi) the last date the kennel has passed the inspection; and (vii) for commercial boarding or training kennels, the number of injuries that resulted in an enforcement action against the kennel in the last calendar year.

SECTION 19. Said section 137A of said chapter 140, as so appearing, is hereby further amended by adding the following subsection:-

(g) The department shall assess a fine against a licensing authority that violates this section of not more than \$500 for a first offense and not more than \$1,000 for a second or subsequent offense.

SECTION 20. Said chapter 140 is hereby further amended by striking out section 137B and inserting in place thereof the following section:-

Section 137B. (a) Every holder of a kennel license, on delivering a dog to a purchaser or to any other person, shall record the name and address of such purchaser, the date of purchase, exchange or gift and a description of the dog that shall include, but shall not be limited to the:

(i) breed or perceived breed, or breeds, if known, and color and distinctive markings;

(ii) sex and reproductive status;

183 (iii) date and name of the veterinarian who performed the spay or neuter surgery, if
184 applicable and if known;

185 (iv) age, if known, or estimate;

186 (v) name, if applicable; and

187 (vi) microchip number, tattoo or other official identification, if applicable.

188 (b) The licensee shall retain such records for a period of 36 months.

189 (c) The licensee shall, within 30 days of the date of purchase, exchange or gift, send a
190 copy of the record pursuant to subsection (a) to the: (i) clerk in the city or town where the kennel
191 license is held; and (ii) licensing authority in the city or town where such purchaser resides.

192 SECTION 21. The first paragraph of subsection (a) of section 137C of said chapter 140,
193 as appearing in the 2024 Official Edition, is hereby amended by adding the following sentence:-
194 If, in the judgment of such person or body, the kennel is not being maintained in a sanitary and
195 humane manner and in compliance with section 174G, if applicable, or if records are not
196 properly kept as required by law, such inspector shall, by order, revoke or suspend the license for
197 the kennel.

198 SECTION 22. Section 137D of said chapter 140, as so appearing, is hereby amended by
199 striking out, in lines 6 and 7, the words “section 174G or”.

200 SECTION 23. Said chapter 140 is hereby further amended by inserting after said section
201 137D the following section:-

Section 137E. Any person who removes from the dog of another its license tag, collar or harness, or who, without the authorization of the owner or keeper, holds or harbors a dog or other domesticated animal of another, or who holds or harbors a lost or strayed dog or other domesticated animal for more than 48 hours after such animal comes into their possession without reporting or taking it to the police station or dog officer nearest to the place where it was found and informing the police officer or dog officer in charge where such dog or other animal was found, the name, color, age, size and pedigree, as fully as possible, of such animal and the person's own name and address, or who shall cause a dog to wear an imitation or counterfeit of the official tag prescribed by sections 137, 137A or 137B, shall be punished by a fine of not more than \$100; provided, however, that with the owner's permission, a keeper of a dog may, while in a licensed kennel, remove a license tag of the dog in accordance with sections 137 or 145B, and such removal shall not constitute a violation of this section. A special police officer appointed by the colonel of the state police at the request of the Massachusetts Society for the Prevention of Cruelty to Animals or the Animal Rescue League of Boston pursuant to section 57 of chapter 22C may enforce this section following the same procedures relating to notice and court procedure pursuant to section 21D of chapter 40 for the non-criminal disposition of a violation.

SECTION 24. Subsection (b) of section 145B of said chapter 140, as appearing in the 2024 Official Edition, is hereby amended by adding the following 2 sentences:- With the owner's permission, a keeper of a dog may choose, while in a licensed kennel, to not affix the tag if the dog has another means of identification, which shall include, but shall not be limited to, a microchip, tattoo or other means of identification, as approved by the department; provided, however, that the certificate of vaccination shall be made accessible onsite. The licensed kennel

or keeper of a dog shall maintain access to a microchip reader capable of reading common microchip formats if microchips are being used for identification purposes in lieu of a tag for any dogs onsite.

SECTION 25. Said chapter 140 is hereby further amended by inserting after section 151C the following section:-

Section 151D. (a) For the purposes of this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:

“Animal neglect”, the failure of a person having the charge or custody of an animal kept as a companion or pet to provide the minimum standard of care for the animal, including, but not limited to: (i) failing to provide adequate food, water, shelter or veterinary care; (ii) keeping the animal in an unsanitary environment; or (iii) otherwise permitting the animal’s unnecessary suffering.

“Enforcing authority”, any law enforcement officer, animal control officer appointed under section 151 or special state police officer appointed by the colonel of the state police under section 57 of chapter 22C.

(b) An enforcing authority may petition a district court with jurisdiction over an animal seeking an order: (i) requiring the person having charge or custody of the animal to provide certain care; or (ii) authorizing the removal of the animal to the custody of the enforcing authority.

(c) The court shall, not later than 10 calendar days of receiving a petition pursuant to subsection (b), hold a hearing to determine animal neglect and, if animal neglect is determined to

be present, whether the person charged with the animal's care and custody is able to properly care for the animal. In making its determination of whether the person charged with the animal's care and custody can properly care for an animal, the court may consider evidence of past investigations relating to the person's care and treatment of animals. The petitioning enforcement authority shall serve notice to the person who had custody or control over the animal at least 3 days prior to the hearing.

(d) Upon a judgment of animal neglect, the court may order, if in the animal's best interests: (i) the forfeiture of the animal to the custody of the enforcing authority or other person or entity if appropriate; (ii) the humane euthanasia of the animal; or (iii) the person having charge or custody of the animal, if found able to properly care for the animal, to provide certain care of the neglected animal. The court may further order in written findings the removal of other animals in the person's care or custody and prohibit the person from assuming the care or custody of any animal.

SECTION 26. Subsection (a) of section 174D½ of said chapter 140, as appearing in the 2024 Official Edition, is hereby amended by striking out the definitions of "Animal rescue organization" and "Animal shelter" and inserting in place thereof the following definition:-

"Animal rescue organization", an organization: (i) licensed by the department of agricultural resources under section 39A of chapter 129; or (ii) whose mission and practice includes the placement of abandoned, unwanted, neglected or abused animals that is exempt from taxation under section 501(c)(3) of the Internal Revenue Code or corresponding sections of the code.

SECTION 27. Said subsection (a) of said section 174D½ of said chapter 140, as so appearing, is hereby further amended by striking out the definitions of “Product testing facility” and “Research facility” and inserting in place thereof the following 2 definitions:-

“Product testing facility”, a facility that uses animals for the testing of consumer products including, but not limited to, cosmetics, pesticides, medical devices and food additives, and ingredients for use in such products.

“Research institution”, a facility that uses dogs or cats in scientific investigation, experiment, research or instruction or for the testing of drugs or medicines licensed by the commissioner of public health under section 174D.

SECTION 28. Said section 174D½ of said chapter 140, as so appearing, is hereby further amended by striking out subsections (b) to (d), inclusive, and inserting in place thereof the following 4 subsections:-

(b) A research institution or product testing facility shall, after the completion of any testing or research involving a dog or cat that does not require euthanasia of the dog or cat upon the termination of the study as defined and approved by the research or testing protocol, assess the health of the animal and determine whether the dog or cat is suitable for adoption. Except as otherwise provided in subsection (c), a research institution or product testing facility that intends to euthanize a dog or cat shall, before euthanizing the dog or cat, make a reasonable effort to offer the dog or cat to an animal rescue organization to facilitate the adoption of the dog or cat to a permanent adoptive home. A research institution or product testing facility shall enter into a collaborative agreement with not less than 1 animal rescue organization to carry out this subsection. Prior to entering into a collaborative agreement with an animal rescue organization, a

research institution or product testing facility shall review the animal rescue organization's reputation, history of involvement with animal adoption, criminal history and its mission statement. A collaborative agreement shall provide that the parties shall make reasonable efforts to: (i) facilitate permanent adoptions and discourage post-adoption transfers; and (ii) select adopters who demonstrate a willingness and ability to keep the animal permanently and provide an appropriate living space and to accept lifelong responsibility for the animal's care.

(c) A research institution or product testing facility shall not be required to offer a dog or cat to an animal rescue organization pursuant to subsection (b) if the dog or cat: (i) manifests a behavioral or medical defect that poses a risk to the health and safety of the public; (ii) manifests symptoms of a disease, injury or congenital or hereditary condition that adversely affects, or is likely to adversely affect, the health of the dog or cat; (iii) is provided to an employee of the research institution or product testing facility for purposes of keeping the dog or cat permanently; or (iv) is a newborn and unsuitable for adoption, or otherwise less than 8 weeks in age and in need of maternal care; provided, however, that the mother is present and able to provide such care. The attending veterinarian of the research institution or product testing facility or the attending veterinarian's designee shall assess the suitability of the dog or cat and determine its availability for adoption under this section.

(d) A research institution or product testing facility that is required to offer dogs and cats for adoption under this section shall not owe a duty of care to an animal rescue organization that accepts a dog or cat or to a person or entity that adopts such dog or cat, through such organizations. A research institution or product testing facility shall not be responsible or liable for any injury, property damage or other damage or loss that results from the adoption or placement of a dog or cat pursuant to this section.

(e) Research institutions and product testing facilities shall, annually, report to the department of public health data on the use and disposition of dogs and cats after the completion of any testing or research including, but not limited to, the number of dogs and the number of cats that were: (i) euthanized upon the termination of the study, as defined and approved by the research or testing protocol; (ii) determined to be suitable and unsuitable for adoption and, if determined to be unsuitable for adoption, the reason why and their disposition; (iii) offered for adoption through a collaborative agreement with an animal rescue organization; and (iv) offered for adoption directly without entering into a collaborative agreement with an animal rescue organization. Annually, the department shall publish such reported data on its website.

SECTION 29. Said chapter 140 is hereby further amended by inserting after section 174H, as so appearing, the following section:-

Section 174I. (a) As used in this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:

“Alternative test method”, a process or procedure, implemented to obtain information regarding the biological effects of exposure to a chemical or agent, that does not employ the use of an animal and results in the gathering of information that would otherwise be acquired through the use of a traditional animal test method, including, but not limited to, computational toxicology, bioinformatics, high-throughput screening methods, chemical substances testing, tiered testing methods, in vitro studies and systems biology.

“Animal”, a vertebrate nonhuman animal.

“Commissioner”, the commissioner of public health.

333 “Contract testing facility”, a partnership, corporation, association or other legal entity that
334 tests chemicals, ingredients, product formulations or products.

335 “Manufacturer”, a partnership, corporation, association or other legal relationship that
336 produces products, product formulations, chemicals or ingredients.

337 “Medical research”, investigations, experiments or studies to discover, develop or verify
338 knowledge relating to the causes, diagnosis, treatment, prevention or control of physical or
339 mental diseases and impairments of humans or animals or relating to the development of
340 biomedical products, devices or pharmaceuticals.

341 “Traditional animal test method”, a process or procedure using animals to obtain
342 information regarding the biological effects of exposure to a chemical or agent.

343 (b)(1) No manufacturer or contract testing facility shall use a traditional animal test
344 method if there is a valid alternative test method, as determined by the commissioner, when
345 testing a product, product formulation, chemical or ingredient in the commonwealth.

346 (c) The commissioner shall promulgate regulations and shall establish standards for
347 alternative test methods to ensure safety and comparable validity of results to traditional animal
348 test methods. The commissioner shall consider the OECD Guidelines for the Testing of
349 Chemicals when establishing said standards.

350 (d) Nothing in this section shall be construed to apply to a test method conducted for the
351 purposes of medical research.

SECTION 30. Section 2 of chapter 159A½ of the General Laws, as so appearing, is hereby amended by inserting after the word “needs”, in line 41, the following words:- and shall impose fines in accordance with subsection (e) of section 7.

SECTION 31. Section 7 of said chapter 159A½, as so appearing, is hereby amended by adding the following subsection:-

(e) A driver who violates subsection (g) of section 2 shall be punished by a fine of not more than \$500 for a first offense, by a fine of not more than \$750 for a second offense and by a fine of not more than \$1,000 for a third or subsequent offense.

SECTION 32. Chapter 175 of the General Laws is hereby amended by inserting after section 162Z, as so appearing, the following section:-

Section 162AA. (a) For purposes of this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:

“Chronic condition”, a condition that can be treated or managed, but not cured.

“Congenital anomaly or disorder”, a condition that is present from birth, whether inherited or caused by the environment, which may cause or contribute to illness or disease.

“Hereditary disorder”, an abnormality that is genetically transmitted from parent to offspring and may cause illness or disease.

“Orthopedic”, conditions affecting the bones, skeletal muscle, cartilage, tendons, ligaments and joints. “Orthopedic” shall include, but shall not be limited to, elbow dysplasia, hip dysplasia, intervertebral disc degeneration, patellar luxation and ruptured cranial cruciate

372 ligaments. “Orthopedic” shall not include cancers or metabolic, hemopoietic or autoimmune
373 diseases.

374 “Pet insurance”, a property insurance policy that provides coverage for accidents and
375 illnesses of pets.

376 “Preexisting condition”, any condition for which any of the following are true prior to the
377 effective date of a pet insurance policy or during any waiting period: (i) a veterinarian provided
378 medical advice; (ii) the pet received previous treatment; or (iii) based on information from
379 verifiable sources, the pet had signs or symptoms directly related to the condition for which a
380 claim is being made; provided, that a condition for which coverage is afforded on a policy shall
381 not be considered a preexisting condition on any renewal of the policy.

382 “Renewal”, to issue and deliver at the end of an insurance policy period a policy that
383 supersedes a policy previously issued and delivered by the same pet insurer or affiliated pet
384 insurer and that provides types and limits of coverage substantially similar to those contained in
385 the policy being superseded.

386 “Veterinarian”, an individual who holds a valid license to practice veterinary medicine
387 from the appropriate licensing entity in the jurisdiction in which the individual practices.

388 “Veterinary expenses”, the costs associated with medical advice, diagnosis, care or
389 treatment provided by a veterinarian, including, but not limited to, the cost of drugs prescribed
390 by a veterinarian.

391 “Waiting period”, the period of time specified in a pet insurance policy that is required to
392 transpire before some or all of the coverage in the policy can begin; provided, that waiting
393 periods may not be applied to renewals of existing coverage.

394 “Wellness program”, a subscription or reimbursement-based program that is separate
395 from an insurance policy that provides goods and services to promote the general health, safety
396 or wellbeing of the pet. If any wellness program satisfies the requirements for an insurance
397 contract under section 2, it shall be considered to be transacting in the business of insurance and
398 shall be subject to the commonwealth’s insurance laws and regulations; provided, that a contract
399 directly between a service provider and a pet owner that only involves the 2 parties shall not be
400 classified as being in the business of insurance, unless other indications of insurance exist.

401 (b)(1) The requirements of this section shall apply to pet insurance policies that are issued
402 to any resident of the commonwealth and are sold, solicited, negotiated or offered in the
403 commonwealth, and policies or certificates that are delivered or issued for delivery in the
404 commonwealth.

405 (2) All other applicable provisions of the commonwealth’s insurance laws shall continue
406 to apply to pet insurance except that the specific provisions of this section shall supersede any
407 general provisions of law that would otherwise be applicable to pet insurance.

408 (3) If a pet insurer uses any of the terms in this section in a policy of pet insurance, the
409 pet insurer shall use the definition of each of those terms as set forth herein and include the
410 definition of the term in the policy; provided, however, that the pet insurer may, at its option
411 substitute substantially similar wording approved by the commissioner not less favorable in any
412 respect to the policyholder. The pet insurer shall make the definition available through a clear

and conspicuous link on the main page of the pet insurer or pet insurer's program administrator's website. Nothing in this section shall in any way prohibit or limit the types of exclusions pet insurers may use in their policies or require pet insurers to have any of the limitations or exclusions defined herein.

(c)(1) A pet insurer transacting pet insurance shall disclose the following to consumers:

(i) whether the policy excludes coverage due to any of the following: (A) a preexisting condition; (B) a hereditary disorder; (C) a congenital anomaly or disorder; or (D) a chronic condition;

(ii) if the policy includes any other exclusions, the following statement: "Other exclusions may apply. Please refer to the exclusions section of the policy for more information.";

(iii) any policy provision that limits coverage through a waiting or affiliation period, a deductible, copayment, coinsurance or an annual or lifetime policy limit;

(iv) whether the pet insurer reduces coverage or increases premiums based on the insured's claim history, the age of the covered pet or a change in the geographic location of the insured; and

(v) whether the underwriting company differs from the brand name used to market and sell the product.

(2)(A) Unless the insured has filed a claim under the pet insurance policy, pet insurance applicants shall have the right to examine and return the policy, certificate or rider to the pet insurer or an agent or insurance producer of the company within 30 days of its receipt and to

433 have the premium refunded if, after examination of the policy, certificate or rider, the applicant is
434 not satisfied for any reason.

435 (B) Pet insurance policies, certificates and riders shall have a notice prominently printed
436 on the first page or attached thereto including specific instructions to accomplish a return. The
437 following free look statement or language substantially similar shall be included in each policy,
438 certificate and rider:

439 “You have thirty (30) days from the day you receive this policy, certificate, or rider to
440 review it and return it to the company if you decide not to keep it. You do not have to tell the
441 company why you are returning it. If you decide not to keep it, simply return it to the company at
442 its administrative office, or you may return it to the agent/insurance producer that you bought it
443 from as long as you have not filed a claim. You must return it within thirty (30) days of the day
444 you first received it. The company will refund the full amount of any premium paid within thirty
445 (30) days after it receives the returned policy, certificate, or rider. The premium refund will be
446 sent directly to the person who paid it. The policy, certificate, or rider will be void as if it had
447 never been issued.”.

448 (3) A pet insurer shall clearly disclose a summary description of the basis or formula on
449 which the pet insurer determines claim payments under a pet insurance policy within the policy,
450 prior to policy issuance and through a clear and conspicuous link on the main page of the pet
451 insurer’s or pet insurer’s program administrator’s website.

452 (4) A pet insurer that uses a benefit schedule to determine claim payment under a pet
453 insurance policy shall: (i) clearly disclose the applicable benefit schedule in the policy; and (ii)
454 disclose all benefit schedules used by the pet insurer under its pet insurance policies through a

455 clear and conspicuous link on the main page of the pet insurer's or pet insurer's program
456 administrator's website.

457 (5) A pet insurer that determines claim payments under a pet insurance policy based on
458 usual and customary fees or any other reimbursement limitation based on prevailing veterinary
459 service provider charges, shall: (i) include a usual and customary fee limitation provision in the
460 policy that clearly describes the pet insurer's basis for determining usual and customary fees and
461 how that basis is applied in calculating claim payments; and (ii) disclose the pet insurer's basis
462 for determining usual and customary fees through a clear and conspicuous link on the main page
463 of the pet insurer's or pet insurer's program administrator's website.

464 (6) If any medical examination by a licensed veterinarian pursuant to section 55 of
465 chapter 112 is required to effectuate coverage, the pet insurer shall clearly and conspicuously
466 disclose the required aspects of the examination prior to purchase and shall disclose that
467 examination documentation may result in a preexisting condition exclusion.

468 (7) Waiting periods and the requirements applicable to waiting periods shall be clearly
469 and prominently disclosed to consumers prior to the policy purchase.

470 (8)(A) The pet insurer shall include a summary of all policy provisions required in
471 paragraphs (1) through (7), inclusive, in a separate document titled "Insurer Disclosure of
472 Important Policy Provisions." The pet insurer shall post the "Insurer Disclosure of Important
473 Policy Provisions" document through a clear and conspicuous link on the main page of the pet
474 insurer's or pet insurer's program administrator's website.

(B) In connection with the issuance of a new pet insurance policy, the pet insurer shall provide the consumer with a copy of the “Insurer Disclosure of Important Policy Provisions” document in at least 12-point type when the policy is delivered.

(9) At the time a pet insurance policy is issued or delivered to a policyholder, the pet insurer shall include a written disclosure with the following information, printed in 12-point boldface type: (i) the address and customer service telephone number of the pet insurer or the agent or broker of record; and (ii) if the policy was issued or delivered by an agent or broker, a statement advising the policyholder to contact the broker or agent for assistance.

(10) The disclosures required pursuant to this subsection shall be in addition to any other disclosures required by law or regulation.

(d)(1) A pet insurer may issue policies that exclude coverage on the basis of 1 or more preexisting conditions with appropriate disclosure to the consumer. The pet insurer shall have the burden of proving that the preexisting condition exclusion applies to the condition for which a claim is being made.

(2) A pet insurer may issue policies that impose waiting periods upon effectuation of the policy that shall not exceed 30 days for illnesses or orthopedic conditions not resulting from an accident. Waiting periods for accidents shall be prohibited. A pet insurer utilizing a waiting period shall issue coverage to be effective by 12:01 a.m. on the second calendar day after purchase, subject only to the following exceptions:

(i) if an insurer elects to conduct individualized underwriting on a specific pet, then coverage shall be effective by 12:01 a.m. on the second calendar day after the insurer has determined such pet is eligible for coverage;

(ii) any insurer may delay coverage from becoming effective to establish a method for the consumer or group administrator to pay the premium;

(iii) for pet insurance coverage acquired by an individual through an employer or organization, the coverage requirements of the employer's or organization's benefit plan; and

(iv) if a policy does not include a waiting period for an illness or orthopedic condition, an insurer may set a policy effectuation date that is up to 15 calendar days after purchase, so long as such policy effectuation date is clearly disclosed and no premium is charged before the policy becomes effective.

(3)(A) A pet insurer utilizing a waiting period permitted pursuant to paragraph (2) shall include a provision in its contract that allows the waiting periods to be waived upon completion of a medical examination. Pet insurers may require the examination to be conducted by a licensed veterinarian after the purchase of the policy.

(B) A medical examination under this paragraph shall be paid for by the policyholder, unless the policy specifies that the pet insurer shall pay for the examination.

(C) A pet insurer may specify elements to be included as part of the examination and require documentation thereof; provided, that the specifications shall not unreasonably restrict a consumer's ability to waive the waiting periods in paragraph (2).

(4) Waiting periods, and the requirements applicable to them, shall be clearly and prominently disclosed to consumers prior to the policy purchase.

(5) A pet insurer shall not require a veterinary examination of the covered pet for the insured to have their policy renewed.

(6) If a pet insurer includes any prescriptive, wellness or non-insurance benefits in the policy form, or any form of rider or endorsement attached thereto, then such benefits shall be made part of the policy contract and shall comply with all applicable laws and regulations.

(7) An insured's eligibility to purchase a pet insurance policy shall not be based on participation, or lack of participation, in a separate wellness program.

(e)(1) A pet insurer or a producer shall not market a wellness program as pet insurance.

(2) If a wellness program is sold by a pet insurer or producer:

(i) the purchase of the wellness program shall not be a requirement to the purchase of pet insurance;

(ii) the costs of the wellness program shall be separate and identifiable from any pet insurance policy sold by a pet insurer or producer;

(iii) the terms and conditions for the wellness program shall be separate from any pet insurance policy sold by a pet insurer or producer;

(iv) the products or coverages available through the wellness program shall not duplicate products or coverages available through the pet insurance policy;

(v) the advertising of the wellness program shall not be misleading and shall be in accordance with this paragraph; and

(vi) a pet insurer or producer shall clearly disclose the following to consumers, printed in 12-point boldface type: (A) that wellness programs are not insurance; (B) the address and

customer service telephone number of the pet insurer or producer or broker of record; and (C) the division of insurance's mailing address, toll-free telephone number and website address.

(3) Coverages included in the pet insurance policy contract described as wellness benefits shall be insurance.

(f)(1) An insurance producer shall not sell, solicit or negotiate a pet insurance product until after the producer is appropriately licensed and has completed the required training identified in paragraph (3).

(2) Pet insurers shall ensure that its producers are trained pursuant to paragraph (3) and that its producers have been appropriately trained on the coverages and conditions of its pet insurance products.

(3) The training required under this subsection shall include information on the following topics: (i) preexisting conditions and waiting periods; (ii) the differences between pet insurance and noninsurance wellness programs; (iii) hereditary disorders, congenital anomalies or disorders and chronic conditions and how pet insurance policies interact with those conditions or disorders; and (iv) rating, underwriting, renewal and other related administrative topics.

(4) The satisfaction of the training requirements of another state that are substantially similar to paragraph (3) shall be deemed to satisfy the training requirements in the commonwealth.

(g) Violations of this section shall be subject to this chapter and chapter 176D.

SECTION 33. Section 85A of chapter 272 of the General Laws, as so appearing, is hereby amended by striking out the second sentence.

SECTION 34. Notwithstanding section 26 of chapter 13 of the General Laws or any other general or special law to the contrary, the initial appointments of veterinary technicians to the board of registration in veterinary medicine shall be Massachusetts Veterinary Technician Association-certified veterinary technicians selected from a list of nominees provided to the governor. The initial veterinary technician appointees shall be appointed as follows: 1 shall be appointed for a 3-year term; 1 shall be appointed for a 4-year term; and 1 shall be appointed for a 5-year term.

SECTION 35. (a) There shall be an advisory group to make recommendations and assist the executive office of housing and livable communities to implement the program for pet ownership for residents in public housing pursuant to section 5C of chapter 23B of the General Laws, inserted by section 4.

(b) The advisory group shall consist of the following members: the secretary of housing and livable communities, or a designee; 1 representative of a local housing authority; 2 representatives of a local tenant organization in public housing; 1 representative of the Massachusetts commission against discrimination; 1 representative of a tenants' rights organization; 1 animal control officer; 1 representative of the Massachusetts Society for the Prevention of Cruelty to Animals; and 1 representative of the Animal Rescue League of Boston. The members of the advisory group shall appoint a chair.

(c) Not later than July 1, 2027, the advisory group shall submit to the executive office of housing and livable communities a report with recommendations for:

(i) updating regulations relating to pet ownership in public housing facilities;

(ii) the development of pet policies suitable for various types of housing catering to various residents, including apartment complexes, single-family and multi-family homes and congregate living;

(iii) the creation of guidance for the establishment and operation of a pet committee and a pet grievance panel at housing authorities;

(iv) the determination of any data that should be collected by the executive office of housing and livable communities from housing authorities and participating residents; and

(v) the aggregation of existing pet adoption, ownership and care resources for housing authorities and participating residents.

SECTION 36. The board of registration in veterinary medicine shall promulgate regulations pursuant to section 56F of chapter 112 of the General Laws, inserted by section 8, not later than 180 days after the effective date of this act. Any regulations that allow individuals to become licensed without a formal degree in veterinary technology shall have an end date 5 years after the effective date of this act.

SECTION 37. Not later than 180 days after the effective date of this act, the board of registration in veterinary medicine shall provide information to veterinarians, veterinary practices, veterinary technicians and animal hospitals regarding the descriptions of the duties and actions allowed for by licensed veterinary technicians and veterinary assistants as promulgated under regulations pursuant to section 56F of chapter 112 of the General Laws, inserted by section 8.

599 SECTION 38. The board of registration in veterinary medicine shall issue temporary
600 licenses for all current Massachusetts Veterinary Technician Association-certified individuals
601 practicing veterinary technology and shall promulgate regulations for the temporary licensure of
602 individuals practicing veterinary technology within 180 days of the effective date of this act.

603 SECTION 39. All individuals practicing veterinary medicine technology required to be
604 licensed pursuant to section 56F of chapter 112 of the General Laws, inserted by section 8, shall
605 be licensed not later than July 1, 2031.

606 SECTION 40. The commissioner of public health shall promulgate regulations to
607 implement section 174I of chapter 140 of the General Laws, as inserted by section 29, not later
608 than December 24, 2026.

609 SECTION 41. Section 29 shall take effect 180 days after the effective date of this act.

610 SECTION 42. Sections 30 and 31 shall take effect immediately upon passage.

611 SECTION 43. Section 32 shall take effect 180 days after passage.

612 SECTION 44. Section 9 shall take effect on November 1, 2031. ; and by inserting before
613 the enacting clause the following emergency preamble:

614 “*Whereas*, the deferred operation of this act would tend to defeat its purpose, which is to
615 promote pet equity, treatment and safety, therefore it is hereby declared to be an emergency law,
616 necessary for the immediate preservation of the public convenience.”.