

SENATE BILL 390

M4, J1

3lr2354
CF HB 325

By: **Senators Lewis Young and Rosapepe, Rosapepe, and Muse**

Introduced and read first time: February 1, 2023

Assigned to: Education, Energy, and the Environment

Committee Report: Favorable with amendments

Senate action: Adopted with floor amendments

Read second time: March 1, 2023

CHAPTER _____

1 AN ACT concerning

2 **Provision of Veterinary Services – ~~Routine Medical Care~~ Practice of Veterinary**
3 **Medicine and Rabies Vaccines**

4 FOR the purpose of authorizing the State Board of Veterinary Medical Examiners to issue
5 a license to an animal control facility to administer rabies vaccines; requiring the
6 ~~State Board of Veterinary Medical Examiners to establish a certain process to~~
7 authorize a certain veterinary practitioner licensed to practice veterinary medicine
8 in another state or jurisdiction to ~~provide routine medical care~~ become licensed to
9 practice veterinary medicine in the State under certain circumstances; requiring the
10 Secretary of Health to allow ~~individuals who work in or for a certain veterinary~~
11 ~~hospital or a certain animal control facility~~ certain individuals to administer rabies
12 vaccines under certain circumstances; and generally relating to the provision of
13 veterinary services in the State.

14 BY repealing

15 Article – Agriculture

16 Section 2–304(e)

17 Annotated Code of Maryland

18 (2016 Replacement Volume and 2022 Supplement)

19 BY repealing and reenacting, with amendments,

20 Article – Agriculture

21 Section 2–304(f) and 2–305

22 Annotated Code of Maryland

23 (2016 Replacement Volume and 2022 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



BY adding to
Article – Agriculture
Section 2–305.1
Annotated Code of Maryland
(2016 Replacement Volume and 2022 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 18–313
Annotated Code of Maryland
(2019 Replacement Volume and 2022 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Agriculture

2–304.

[(e) (1) The Board may authorize the practice of a health occupation on an animal by a health care practitioner licensed, certified, or otherwise authorized under the Health Occupations Article.

(2) If the Board authorizes the practice of a health occupation on an animal under paragraph (1) of this subsection, the Board may:

(i) Impose requirements for education, training, and supervision by a veterinary practitioner; and

(ii) Require the registration of each health care practitioner authorized to practice a health occupation on an animal in accordance with this subsection.]

[(f)] (E) On or before December 31 each year, the Board shall report to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly on the Board’s disciplinary activities for the previous fiscal year.

2–305.

(a) In this section, “animal control facility” means a humane society, as defined in § 10–601 of the Criminal Law Article, or a county or municipal designated animal shelter.

(b) The Board, on terms and conditions satisfactory to the Board, may issue a license to an animal control facility to allow the animal control facility to administer [drugs]:

(1) DRUGS needed to sedate, euthanize, or sedate and euthanize animals;
AND

(2) RABIES VACCINES IN ACCORDANCE WITH § 18-313 OF THE
HEALTH – GENERAL ARTICLE.

(c) (1) (i) The owner of an animal control facility shall apply for the license.

(ii) The Board shall issue a license in the name of the owner of an
animal control facility.

(2) The application shall designate one individual at the facility
responsible for the drugs AND RABIES VACCINES.

(3) The annual license fee is \$100.

(d) In accordance with procedures set out in § 2-311 of this subtitle, the Board
may:

(1) Reject an application for a license; or

(2) Suspend or revoke a license for failure to comply with the Board's
regulations.

(e) An animal control facility licensed under this section shall comply with the
Board's requirements relating to employee training.

(f) A member of the Board, or the Board's designated inspector, may enter an
animal control facility licensed under this section at any reasonable hour to enforce the
Board's regulations.

(g) In consultation with the Maryland Department of Health, the Board shall
adopt regulations necessary to carry out this section.

2-305.1.

(A) (1) **THE BOARD MAY AUTHORIZE THE PRACTICE OF A HEALTH**
OCCUPATION ON AN ANIMAL BY A HEALTH CARE PRACTITIONER LICENSED,
CERTIFIED, OR OTHERWISE AUTHORIZED UNDER THE HEALTH OCCUPATIONS
ARTICLE.

(2) **IF THE BOARD AUTHORIZES THE PRACTICE OF A HEALTH**
OCCUPATION ON AN ANIMAL UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE
BOARD MAY:

(I) IMPOSE REQUIREMENTS FOR EDUCATION, TRAINING, AND SUPERVISION BY A VETERINARY PRACTITIONER; AND

(II) REQUIRE THE REGISTRATION OF EACH HEALTH CARE PRACTITIONER AUTHORIZED TO PRACTICE A HEALTH OCCUPATION ON AN ANIMAL IN ACCORDANCE WITH THIS SUBSECTION.

~~(B) (1) THE BOARD SHALL ESTABLISH AN EXPEDITED PROCESS TO AUTHORIZE A VETERINARY PRACTITIONER LICENSED, CERTIFIED, OR OTHERWISE AUTHORIZED WHO HOLDS A CURRENT, VALID LICENSE TO PRACTICE VETERINARY MEDICINE IN ANOTHER STATE OR JURISDICTION TO PROVIDE ROUTINE MEDICAL CARE IN THE STATE IF THE VETERINARY PRACTITIONER:~~

~~(I) WILL PROVIDE THE SERVICES TO AN ANIMAL SHELTER, AS DEFINED IN § 2-1701 OF THIS TITLE, LOCATED IN THE STATE; AND~~

~~(II) IS NOT OTHERWISE PROHIBITED FROM PRACTICING VETERINARY MEDICINE DUE TO A KNOWN ETHICS OR CRIMINAL VIOLATION.~~

~~(2) THE ROUTINE MEDICAL CARE PROVIDED BY A VETERINARY PRACTITIONER AUTHORIZED TO PRACTICE VETERINARY MEDICINE UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY INCLUDE:~~

~~(I) SPAYING AND NEUTERING;~~

~~(II) VACCINATIONS;~~

~~(III) HEALTH EXAMINATIONS; AND~~

~~(IV) COMPLETING CERTIFICATIONS OF HEALTH BECOME LICENSED TO PRACTICE VETERINARY MEDICINE IN THE STATE.~~

Article – Health – General

18–313.

The Secretary of Health shall provide a statewide system:

(1) To control rabies;

(2) To grant authority to the public health veterinarian and the local health officer in matters pertaining to the disposition of animals that bite or otherwise expose rabies to an individual;

(3) To assist local political subdivisions regarding the laboratory testing of rabid animals;

(4) To treat each individual who is exposed or suspected of having been exposed to rabies; [and]

(5) To distribute, in accordance with the conditions set by the Secretary of Agriculture, the biological products that are needed to prevent and treat rabies; AND

(6) ~~TO ALLOW INDIVIDUALS WHO WORK IN OR FOR A VETERINARY HOSPITAL, AS DEFINED IN § 2-304.1 OF THE AGRICULTURE ARTICLE~~ A VETERINARY TECHNICIAN, AS DEFINED IN § 2-301 OF THE AGRICULTURE ARTICLE, OR OTHER CLINICAL STAFF WHO WORK IN OR FOR AN ANIMAL SHELTER, AS DEFINED IN § 2-1701 OF THE AGRICULTURE ARTICLE, OR AN ANIMAL CONTROL FACILITY, AS DEFINED IN § 2-305 OF THE AGRICULTURE ARTICLE, TO ADMINISTER RABIES VACCINES IF:

~~(I) FOR AN INDIVIDUAL WORKING IN OR FOR A VETERINARY HOSPITAL, THE VETERINARY HOSPITAL IS LICENSED UNDER § 2-304.1 OF THE AGRICULTURE ARTICLE;~~

~~(H) FOR AN INDIVIDUAL WORKING IN OR FOR AN ANIMAL CONTROL FACILITY, THE~~ THE ANIMAL SHELTER OR ANIMAL CONTROL FACILITY IS LICENSED TO ADMINISTER DRUGS UNDER § 2-305 OF THE AGRICULTURE ARTICLE;
~~AND~~

~~(HH) THE RABIES VACCINE IS ADMINISTERED IN ACCORDANCE WITH APPLICABLE PROTOCOLS FOR LICENSED VETERINARIANS~~

(II) THE ANIMAL BEING VACCINATED IS UNDER THE CUSTODY OR CONTROL OF AN ANIMAL SHELTER OR ANIMAL CONTROL FACILITY;

(III) THE VETERINARY PRACTITIONER WHO SIGNS THE RABIES VACCINATION CERTIFICATE HAS ENSURED THAT THE INDIVIDUAL ADMINISTERING THE RABIES VACCINE WAS APPROPRIATELY TRAINED ON ADMINISTERING RABIES VACCINES, INCLUDING PROPER STORAGE, HANDLING, ADMINISTRATION, AND MANAGEMENT OF ADVERSE REACTIONS; AND

(IV) THE INDIVIDUAL ADMINISTERING THE VACCINE IS IDENTIFIED ON THE RABIES VACCINATION CERTIFICATE.

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1, 2023, the State Board of Veterinary Medical Examiners shall report to the General Assembly, in accordance with § 2-1257 of the State Government Article, on:

(1) the status of establishing an expedited process for a veterinary practitioner who holds a valid, current license to practice veterinary medicine in another state or jurisdiction to become licensed to practice veterinary medicine in the State as authorized under Section 1 of this Act; and

(2) any financial support needed to implement the expedited process.

SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2023.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.