

SB185 INTRODUCED



1 SB185

2 ACMWSSS-1

3 By Senators Price, Sessions, Williams, Chesteen, Carnley,
4 Singleton, Barfoot, Melson, Stewart, Livingston, Stutts, Jones

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6 RFD: Agriculture, Conservation, and Forestry

7 First Read: 20-Feb-25



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SYNOPSIS:

Under existing law, the Alabama State Board of Veterinary Medical Examiners is authorized to regulate the practice of veterinary medicine in this state.

This bill would prohibit a veterinarian from prescribing or dispensing any medication without a valid veterinarian-client-patient relationship.

This bill would provide that a veterinarian-client-patient relationship created with one veterinarian exists among all other veterinarians practicing at the same location.

This bill would further define what circumstances create a new veterinarian-client-patient relationship and would define the terms "client," "patient," and "animal."

This bill would provide a maximum amount of time within which a veterinarian may refill a prescription.

This bill would also make nonsubstantive, technical revisions to update the existing code language to current style.

A BILL
TO BE ENTITLED
AN ACT



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29
30 Relating to veterinary medicine and the Alabama State
31 Board of Veterinary Medical Examiners; to amend Section
32 34-29-61, Code of Alabama 1975, to define the terms
33 "veterinarian-client-patient relationship," "client,"
34 "patient," and "animal"; to prohibit veterinarians from
35 dispensing medication without a veterinarian-client-patient
36 relationship; to provide the amount of time within which a
37 prescription may be refilled; to provide the
38 veterinarian-client-patient relationship is shared among all
39 veterinarians at a location; and to make nonsubstantive,
40 technical revisions to update the existing code language to
41 current style.

42 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

43 Section 1. Section 34-29-61, Code of Alabama 1975, is
44 amended to read as follows:

45 "§34-29-61

46 For the purposes of this article, the following terms
47 ~~shall~~ have the following meanings~~-ascribed by this section:~~

48 (1) ACCREDITED SCHOOL OF VETERINARY MEDICINE. Any
49 veterinary college or division of a university or college that
50 offers the degree of doctor of veterinary medicine or its
51 equivalent and is accredited by the American Veterinary
52 Medical Association (AVMA).

53 (2) ANIMAL. Any ~~animal or mammal other than man,~~
54 ~~including birds, fish, reptiles, wild or domestic,~~ member of
55 the kingdom animalia other than humans, whether living or
56 dead.



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57 (3) APPLICANT. A person who files an application to be
58 licensed to practice veterinary medicine or licensed as a
59 veterinary technician.

60 (4) BOARD. Alabama State Board of Veterinary Medical
61 Examiners.

62 (5) CLIENT. A person who has entered into an agreement
63 with a veterinarian for the purposes of obtaining veterinary
64 medicine services in-person.

65 ~~(5)~~ (6) CONSULTING VETERINARIAN. A veterinarian licensed
66 in another state who gives advice or demonstrates techniques
67 to a licensed Alabama veterinarian or group of licensed
68 Alabama veterinarians. A consulting veterinarian ~~shall~~ may not
69 utilize this privilege to circumvent the law.

70 ~~(6)~~ (7) DIRECT SUPERVISION. ~~The~~ A supervising
71 veterinarian has initially examined the animal and will
72 examine at other times as acceptable veterinary medical
73 practice requires, consistent with the particular delegated
74 animal health care task. The supervising veterinarian is on
75 the premises and is quickly and easily available.

76 ~~(7)~~ (8) EMERGENCY. ~~The~~ An animal has been placed in a
77 life threatening condition and immediate treatment is
78 necessary to sustain life.

79 ~~(8)~~ (9) FOREIGN VETERINARY GRADUATE, EXCLUDING CANADA.
80 Any person, including a foreign national or an American
81 citizen, who has received a professional veterinarian medical
82 degree from an American Veterinary Medical Association listed
83 veterinary college that is not accredited by the American
84 Veterinary Medical Association.



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85 ~~(9)~~ (10) IMMEDIATE SUPERVISION. ~~The~~ A supervising
86 veterinarian is on the premises and in audible or visual range
87 of the animal patient and the person treating the patient.

88 ~~(10)~~ (11) INDIRECT SUPERVISION. ~~The~~ A supervising
89 veterinarian has examined the animal and has given written or
90 oral instructions for the treatment of the animal while the
91 supervising veterinarian is away from the premises.

92 ~~(11)~~ (12) LICENSE. Any permit, approval, registration,
93 or certificate of qualification issued by the board.

94 ~~(12)~~ (13) LICENSED VETERINARIAN. A person who is validly
95 and currently licensed to practice veterinary medicine in
96 Alabama.

97 ~~(13)~~ (14) LICENSED VETERINARY TECHNICIAN. A person who
98 is validly and currently licensed to practice as a veterinary
99 technician in Alabama.

100 (15) PATIENT. Any single animal or representative
101 segment of a consignment or herd.

102 ~~(14)~~ (16) PERSON. Any individual, firm, partnership,
103 association, joint venture, cooperative, or corporation or any
104 other group or combination acting in concert; and whether or
105 not acting as a principal, trustee, fiduciary, receiver, or as
106 any kind of legal or personal representative, or as the
107 successor in interest, assigning agent, factor, servant,
108 employee, director, officer, or any other representative of
109 such person.

110 ~~(15)~~ (17) PRACTICE OF VETERINARY MEDICINE:

111 a. To diagnose, treat, correct, change, relieve, or
112 prevent animal disease, deformity, defect, injury, or other



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113 physical or mental condition; including the prescription or
114 administration of any drug, medicine, biologic, apparatus,
115 application, anesthesia, or other therapeutic or diagnostic
116 substance or technique on any animal, including, but not
117 limited to, acupuncture, dentistry, animal psychology, animal
118 chiropractic, theriogenology, surgery, including cosmetic
119 surgery, any manual, mechanical, biological, or chemical
120 procedure for testing for pregnancy or for correcting
121 sterility or infertility, or to render service or
122 recommendations with regard to any of the above.

123 b. To represent directly or indirectly, publicly or
124 privately, an ability and willingness to do any act described
125 in paragraph a.

126 c. To use any title, words, abbreviations, or letters
127 in a manner or under circumstances which induce the belief
128 that the person using them is qualified to do any act
129 described in paragraph a. Such use shall be prima facie
130 evidence of the intention to represent oneself as engaged in
131 the practice of veterinary medicine.

132 d. ~~Collects~~ To collect blood or other samples for the
133 purpose of diagnosing disease or other conditions. This
134 paragraph shall not apply to unlicensed personnel employed by
135 the United States Department of Agriculture or the Alabama
136 Department of Agriculture who are engaged in the Brucellosis
137 eradication program or external parasite control program
138 pursuant to Section 2-15-192.

139 e. To remove any embryo from a food animal or companion
140 animal for the purpose of transplanting the embryo into



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141 another female animal or for the purpose of cryopreserving the
142 embryo, or to implant the embryo into a food or companion
143 animal. It shall not be considered the practice of veterinary
144 medicine for a person or his or her full-time employees to
145 remove an embryo from the food or companion animal of the
146 person for the purpose of transplanting or cryopreserving the
147 embryo, or to implant an embryo into the food or companion
148 animal of the person, provided ownership of the food or
149 companion animal shall not be transferred or employment of the
150 person shall not be changed for the purpose of circumventing
151 this article.

152 f. To provide veterinary medical services to a client
153 or patient in this state, through telephonic, electronic, or
154 other means, regardless of the location of the veterinarian,
155 shall constitute the practice of veterinary medicine in this
156 state and shall require licensure within this state and a
157 veterinarian-client-patient relationship must be established.

158 ~~(16)~~ (18) SUPERVISING VETERINARIAN. A veterinarian who
159 assumes responsibility for the professional care given to an
160 animal by a person working under his or her direction.

161 ~~(17)~~ (19) TEMPORARY LICENSE. Temporary permission to
162 practice veterinary medicine issued by the board pursuant to
163 this article.

164 ~~(18)~~ (20) UNLICENSED ASSISTANT. Any individual who is
165 not a licensed veterinary technician or veterinarian and is
166 employed by a licensed veterinarian.

167 ~~(19)~~ (21) VETERINARIAN-CLIENT-PATIENT RELATIONSHIP
168 (VCPR). A relationship in which all of the following are



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169 satisfied:

170 a. ~~when the~~ A veterinarian has assumed responsibility
171 for making medical judgments regarding the health of ~~the~~
172 ~~animal or animals~~ a patient and the need for medical treatment
173 and ~~is created by actual examination by the veterinarian of~~
174 ~~the animal or a representative segment of a consignment or~~
175 ~~herd~~ the client has agreed to comply with the veterinarian's
176 instructions.

177 b. A veterinarian has physically examined a
178 patient within the previous 12 months or more frequently as
179 dictated by the age of the patient, medical condition of the
180 patient, treatment therapy, or use of controlled substances.

181 c. A veterinarian has sufficient knowledge of a patient
182 to initiate a general or preliminary diagnosis of its medical
183 condition.

184 d. A veterinarian is personally acquainted with the
185 keeping and care of a patient due to timely examination of the
186 patient and timely visits by the veterinarian to the facility
187 where the patient is managed by a veterinarian.

188 e. A veterinarian is readily available for ongoing or
189 follow-up evaluation and care of a patient or has arranged for
190 emergency or continuing veterinary care and treatment of a
191 patient by an appropriate veterinary professional.

192 f. A veterinarian provides oversight of treatment,
193 compliance, and outcome of a patient.

194 g. A veterinarian maintains complete and legible
195 medical records of a patient, including an assessment and
196 treatment plan, in a manner that another veterinarian may



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197 proceed with continuity of care and treatment of the patient.

198 h. A veterinarian-client-patient relationship is case
199 specific and a new veterinarian-client-patient relationship
200 shall be established for each new medical problem or
201 diagnosis. A prescription may be refilled for 12 months after
202 the initial prescription unless medically prohibited or
203 restricted or prohibited by current law or rule. The
204 veterinarian-client-patient relationship remains with the
205 veterinarian who established the initial
206 veterinarian-client-patient relationship and remains valid
207 with other veterinarians within the practice premises where
208 the medical records of the patient are kept. Another
209 veterinarian in the practice where the initial
210 veterinarian-client-patient relationship was established may
211 refill an original prescription for a period of 12 months
212 after the initial prescription. If the original prescription
213 is altered in drug form, quantity, or dosage by another
214 veterinarian associated with the practice, a new
215 veterinarian-client-patient relationship shall be established.
216 If a patient is hospitalized when changes in diagnosis or
217 treatment are made, the changes shall be communicated to the
218 client.

219 i. A veterinarian is prohibited from prescribing or
220 dispensing medications without a valid
221 veterinarian-client-patient relationship.

222 ~~(20)~~ (22) VETERINARIAN, DOCTOR OF VETERINARY MEDICINE,
223 DVM, VMD, or EQUIVALENT TITLE. A person who has received a
224 doctor's degree in veterinary medicine from an accredited



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225 school of veterinary medicine or holds an Educational
226 Commission for Foreign Veterinary Graduates (ECFVG)
227 certificate issued by the American Veterinary Medical
228 Association (AVMA).

229 ~~(21)~~ (23) VETERINARY FACILITIES. Any place or unit from
230 which the practice of veterinary medicine is conducted. The
231 following are types of veterinary facilities:

232 a. Veterinary or Animal Hospital or Clinic. Meets or
233 exceeds all mandatory requirements as listed in the
234 administrative code of the board for veterinary facilities. In
235 doing so, it provides quality examination, diagnostic, and
236 health maintenance services for medical and surgical treatment
237 of animals and is equipped to provide housing and nursing care
238 for the animals during illness or convalescence.

239 b. Specialty Practice or Clinic. Provides complete
240 specialty service by a veterinarian who has advanced training
241 in that specialty and is a diplomat of an approved specialty
242 college. It meets all minimum standards that are applicable to
243 that specialty.

244 c. Central Hospital. Shall meet all requirements of
245 paragraph a., as well as provide specialized care including
246 24-hour nursing care and specialty consultation on a permanent
247 or on-call basis. It is mainly utilized on referral from area
248 veterinary hospitals or clinics.

249 d. Satellite, Outpatient, or Mobile Small Animal
250 Clinics. A supportive facility owned by or associated with, or
251 both, and has ready access to, within a reasonable distance, a
252 full-service veterinary hospital or clinic or a central



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253 hospital providing all mandatory services and meeting all
254 minimum standards. The public shall be informed of the
255 limitation of services by way of a posted notice in plain view
256 and easily readable or by notice provided to the client by
257 flyer or card which clearly specifies those mandatory
258 veterinary medical services which are not provided. In
259 addition, the main location and telephone number of the
260 veterinary hospital or clinic providing the required service,
261 as well as the signed agreement with the veterinary hospital
262 or clinic shall also be posted in plain view and be easily
263 readable. A veterinarian associated with this veterinary
264 hospital or clinic shall be on call during and after operation
265 of the satellite, outpatient, or mobile clinic to render aid
266 if necessary. The personnel of satellite, outpatient, or
267 mobile clinics shall consist of one or more veterinarians and
268 auxiliary personnel necessary to provide adequate outpatient
269 service. Operation of any satellite, outpatient, or mobile
270 clinic shall be under the direct supervision of a licensed
271 veterinarian who remains on the premises during the entire
272 time of operation.

273 e. Large Animal Mobile Clinic. Must provide
274 examination, diagnostic, and preventive medicine, and minor
275 surgical services for large animals not requiring confinement
276 or hospitalization. Emergency service and radiology service
277 shall be provided by that veterinarian or by written agreement
278 with another veterinarian or group of veterinarians in
279 practice in that locale. These clinics shall provide a degree
280 of veterinary care compatible with the level of standards



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281 considered adequate to the practice of veterinary medicine
282 currently available in the area. Complete hospital facilities
283 may be provided by the nearest large animal hospital or
284 veterinary school.

285 f. Emergency Clinic. A facility established to receive
286 patients and to treat illnesses and injuries of an emergency
287 nature requiring treatment. The clinic shall provide
288 professional diagnostic and emergency treatment during hours
289 when local veterinary hospitals are normally closed. Emergency
290 clinics shall meet all mandatory requirements of a veterinary
291 hospital or clinic.

292 ~~(22)~~ (24) VETERINARY INTERN. A person who is working
293 towards completion of an ECFVG certificate and who is working
294 under the direct or indirect supervision of a board approved
295 licensed veterinarian in any state to complete the practical
296 experience internship required for licensing in Alabama.

297 ~~(23)~~ (25) VETERINARY MEDICINE. Includes veterinary
298 surgery, theriogenology, dentistry, acupuncture, animal
299 psychology, chiropractic, and all other branches or
300 specialties of veterinary practice.

301 ~~(24)~~ (26) VETERINARY STUDENT PRECEPTEE. A person who is
302 pursuing a veterinary degree in an accredited school of
303 veterinary medicine which has a preceptor or extern program
304 and who has completed the academic requirements of the
305 program.

306 ~~(25)~~ (27) VETERINARY TECHNICIAN STUDENT. Any person
307 enrolled in an AVMA accredited veterinary technology program;
308 gaining clinical experience under the supervision of a



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309 licensed veterinarian or licensed veterinary technician in a
310 clinical setting.

311 ~~(26)~~ (28) VETERINARY TECHNOLOGY. The skills and
312 knowledge accrued in a post-high school course of study,
313 accredited by the AVMA Committee on Education (COE) or the
314 board, in the area of care and treatment of animals. It
315 embodies limited skills, responsibility, and minimal exercise
316 of independent judgment in the treatment of patients of
317 veterinarians while under direct, indirect, or immediate
318 supervision of a veterinarian.

319 ~~(27)~~ (29) WHOLESALE VETERINARY DRUG DISTRIBUTOR. A
320 person engaged in the business of distributing veterinary
321 drugs and medicines for resale to veterinary practitioners and
322 other veterinary wholesalers and possesses a current permit
323 issued by the Alabama Board of Pharmacy to engage in the
324 selling of veterinary drugs or medicines in the State of
325 Alabama."

326 Section 2. This act shall become effective on October
327 1, 2025.