

SB85 ENGROSSED



1 SB85
2 2JE9HIK-2
3 By Senators Stutts, Sessions, Butler
4 RFD: Healthcare
5 First Read: 13-Jan-26



SB85 Engrossed

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A BILL
TO BE ENTITLED
AN ACT

Relating to veterinary medicine; to amend Section 34-29-61, Code of Alabama 1975, to define the veterinarian-client-patient relationship and other terms; to add Section 34-29-77.1 to the Code of Alabama 1975, to prohibit veterinarians from dispensing medication without a veterinarian-client-patient relationship; to provide the amount of time within which a prescription may be refilled; to provide the veterinarian-client-patient relationship is shared among all veterinarians at a location; to require a veterinarian-client-patient relationship be reestablished annually; and to make nonsubstantive, technical revisions to update the existing code language to current style.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

"§34-29-61

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

(1) ACCREDITED SCHOOL OF VETERINARY MEDICINE. Any veterinary college or division of a university or college that



SB85 Engrossed

29 offers the degree of doctor of veterinary medicine or its
30 equivalent and is accredited by the American Veterinary
31 Medical Association (AVMA).

32 (2) ANIMAL. ~~Any animal or mammal other than man,~~
33 ~~including birds, fish, reptiles, wild or domestic~~ member of
34 the Kingdom Animalia other than humans, living or dead.

35 (3) APPLICANT. ~~A person~~ An individual who files an
36 application to be licensed to practice veterinary medicine or
37 licensed as a veterinary technician.

38 (4) BOARD. Alabama State Board of Veterinary Medical
39 Examiners.

40 (5) CLIENT. A person who has entered into an agreement
41 with a licensed veterinarian in person for the purpose of
42 obtaining veterinary medicine services.

43 ~~(5)~~ (6) CONSULTING VETERINARIAN. A veterinarian licensed
44 in another state who gives advice or demonstrates techniques
45 to a licensed Alabama veterinarian or group of licensed
46 Alabama veterinarians. A consulting veterinarian ~~shall~~ may not
47 ~~utilize~~ use this privilege to circumvent the law.

48 ~~(6)~~ (7) DIRECT SUPERVISION. ~~The~~ A supervising
49 veterinarian has initially examined the animal and will
50 examine at other times as acceptable veterinary medical
51 practice requires, consistent with the particular delegated
52 animal health care task. The supervising veterinarian is on
53 the premises and is quickly and easily available.

54 ~~(7)~~ (8) EMERGENCY. ~~The animal has been placed in a life~~
55 ~~threatening condition and immediate treatment is necessary to~~
56 ~~sustain life~~ A medical condition as determined by a licensed



SB85 Engrossed

57 veterinarian to warrant immediate medical intervention. The
58 term includes life-threatening or life-altering conditions and
59 potential loss of or permanent damage to major bodily
60 functions.

61 ~~(8)~~ (9) FOREIGN VETERINARY GRADUATE, EXCLUDING CANADA.
62 Any ~~person~~ individual, including a foreign national or an
63 American citizen, who has received a professional veterinarian
64 medical degree from an American Veterinary Medical Association
65 listed veterinary college that is not accredited by the
66 American Veterinary Medical Association.

67 ~~(9)~~ (10) IMMEDIATE SUPERVISION. ~~The~~ A supervising
68 veterinarian is on the premises and in audible or visual range
69 of the animal patient and the ~~person~~ individual treating the
70 patient.

71 ~~(10)~~ (11) INDIRECT SUPERVISION. ~~The~~ A supervising
72 veterinarian has examined the animal and has given written or
73 oral instructions for the treatment of the animal while the
74 supervising veterinarian is away from the premises.

75 ~~(11)~~ (12) LICENSE. Any permit, approval, registration,
76 or certificate of qualification issued by the board.

77 ~~(12)~~ (13) LICENSED VETERINARIAN. ~~A person~~ An individual
78 who is validly and currently licensed to practice veterinary
79 medicine in Alabama.

80 ~~(13)~~ (14) LICENSED VETERINARY TECHNICIAN. ~~A person~~ An
81 individual who is validly and currently licensed to practice
82 as a veterinary technician in Alabama.

83 (15) LIVESTOCK. Food-producing animals, including
84 cattle, elk, reindeer, bison, horses, deer, sheep, goats,



SB85 Engrossed

85 swine, egg- and meat-producing poultry, llamas, alpacas,
86 honeybees, rabbits, live fish, crawfish, and other animals
87 that are a part of a herd.

88 (16) PATIENT. Any single animal or representative
89 segment of a consignment, herd, or flock.

90 ~~(14)~~ (17) PERSON. Any individual, firm, partnership,
91 association, joint venture, cooperative, or corporation or any
92 other group or combination acting in concert; and whether or
93 not acting as a principal, trustee, fiduciary, receiver, or as
94 any kind of legal or personal representative, or as the
95 successor in interest, assigning agent, factor, servant,
96 employee, director, officer, or any other representative of
97 ~~such~~ the person.

98 ~~(15)~~ (18) PRACTICE OF VETERINARY MEDICINE:

99 a. To diagnose, treat, correct, change, relieve, or
100 prevent animal disease, deformity, defect, injury, or other
101 physical or mental condition; including the prescription or
102 administration of any drug, medicine, biologic, apparatus,
103 application, anesthesia, or other therapeutic or diagnostic
104 substance or technique on any animal including ~~but not limited~~
105 ~~to~~ acupuncture, dentistry, animal psychology, animal
106 chiropractic, theriogenology, surgery, including cosmetic
107 surgery, any manual, mechanical, biological, or chemical
108 procedure for testing for pregnancy or for correcting
109 sterility or infertility, or to render service or
110 recommendations with regard to any of the above.

111 b. To represent directly or indirectly, publicly or
112 privately, an ability and willingness to do any act described



SB85 Engrossed

113 in paragraph a.

114 c. To use any title, words, abbreviations, or letters
115 in a manner or under circumstances which induce the belief
116 that the ~~person~~ individual using them is qualified to do any
117 act described in paragraph a. Such use shall be prima facie
118 evidence of the intention to represent oneself as engaged in
119 the practice of veterinary medicine.

120 d. ~~Collects~~ To collect blood or other samples for the
121 purpose of diagnosing disease or other conditions. This
122 paragraph shall not apply to unlicensed personnel employed by
123 the United States Department of Agriculture or the Alabama
124 Department of Agriculture and Industries ~~who are engaged in~~
125 ~~the Brucellosis eradication program or external parasite~~
126 ~~control program pursuant to Section 2-15-192.~~

127 e. To remove any embryo from a food animal or companion
128 animal for the purpose of transplanting the embryo into
129 another female animal ~~or for the purpose of,~~ cryopreserving
130 the embryo, ~~or to implant~~ implanting the embryo into a food or
131 companion animal. It shall not be considered the practice of
132 veterinary medicine for ~~a person~~ an individual or his or her
133 full-time employees to remove an embryo from the food or
134 companion animal of the ~~person~~ individual for the purpose of
135 transplanting or cryopreserving the embryo, or to implant an
136 embryo into the food or companion animal of the ~~person~~
137 individual, provided ownership of the food or companion animal
138 shall not be transferred or employment of the ~~person~~
139 individual shall not be changed for the purpose of
140 circumventing this article.



SB85 Engrossed

141 f. To provide veterinary medical services to a client
142 or patient in this state, including through ~~telephonic,~~
143 ~~electronic, or other means~~ telemedicine, regardless of the
144 location of the veterinarian, shall constitute the practice of
145 veterinary medicine in this state and shall require licensure
146 within this state and a veterinarian-client-patient
147 relationship ~~must be~~ have been previously established.

148 (19) SMALL ANIMAL. Animals other than livestock. The
149 term includes companion pets, exotic pets, and birds. The term
150 does not include poultry.

151 ~~(16)~~ (20) SUPERVISING VETERINARIAN. A veterinarian who
152 assumes responsibility for the professional care given to an
153 animal by ~~a person~~ an individual working under his or her
154 direction.

155 (21) TELEMEDICINE. In conjunction with a valid VCPR,
156 the use of electronic communication to exchange information
157 between a client and a licensed veterinarian about a patient's
158 health status from one site to another.

159 (22) TELETRIAGE. In the absence of a valid VCPR, the
160 safe, appropriate, and timely assessment and management of a
161 patient by electronic communication to render a good and safe
162 decision regarding a patient's condition based on a client's
163 or responsible party's report of the patient's history,
164 clinical signs, and photos or videos. The term includes the
165 determination of the immediate need of a patient to be
166 presented for an in-person physical examination due to
167 conditions of uncertainty and urgency. The term does not
168 include diagnosis treatment.



SB85 Engrossed

169 ~~(17)~~(23) TEMPORARY LICENSE. Temporary permission to
170 practice veterinary medicine issued by the board pursuant to
171 this article.

172 ~~(18)~~(24) UNLICENSED ASSISTANT. Any individual who is
173 not a licensed veterinary technician or veterinarian and is
174 employed by a licensed veterinarian.

175 ~~(19)~~(25) VETERINARIAN-CLIENT-PATIENT RELATIONSHIP
176 (VCPR). A relationship in which a licensed veterinarian
177 satisfies all of the following:

178 ~~a. when the veterinarian has~~ Has assumed responsibility
179 for making medical judgments regarding the health of ~~the~~
180 ~~animal or animals~~ a patient and the need for medical
181 treatment, ~~and is created by actual examination by the~~
182 ~~veterinarian of the animal or a representative segment of a~~
183 ~~consignment or herd~~ the client has agreed to comply with the
184 veterinarian's instructions.

185 b. Has physically examined a patient within the
186 previous 12 months or more frequently as dictated by the age
187 of the patient, medical condition of the patient, treatment
188 therapy, or use of controlled substances.

189 c. Has sufficient knowledge of the patient to initiate
190 a general or preliminary diagnosis of the patient's medical
191 condition.

192 d. Is acquainted with the keeping and care of the
193 patient or the operation where the patient is managed.

194 e. Is readily available for ongoing or follow-up
195 evaluation and care of the patient or has arranged for
196 emergency veterinary care or continuing care and treatment of



SB85 Engrossed

197 the patient by an appropriate veterinary professional.

198 f. Oversees treatment of the patient, compliance with
199 the treatment, and the outcome.

200 g. Maintains complete and legible medical records
201 regarding the patient, including an assessment and treatment
202 plan, in a manner that another veterinarian may proceed with
203 continuity of care and treatment of the patient.

204 ~~(20)~~ (26) VETERINARIAN, DOCTOR OF VETERINARY MEDICINE,
205 DVM, VMD, or EQUIVALENT TITLE. ~~A person~~ An individual who has
206 received a doctor's degree in veterinary medicine from an
207 accredited school of veterinary medicine or holds an
208 Educational Commission for Foreign Veterinary Graduates
209 (ECFVG) certificate issued by the American Veterinary Medical
210 Association (AVMA).

211 ~~(21)~~ (27) VETERINARY FACILITIES. Any place or unit from
212 which the practice of veterinary medicine is conducted. The
213 following are types of veterinary facilities:

214 a. Veterinary or Animal Hospital or Clinic. Meets or
215 exceeds all mandatory requirements as listed in the
216 administrative code of the board for veterinary facilities. In
217 doing so, it provides quality examination, diagnostic, and
218 health maintenance services for medical and surgical treatment
219 of animals and is equipped to provide housing and nursing care
220 for the animals during illness or convalescence.

221 b. Specialty Practice or Clinic. Provides complete
222 specialty service by a veterinarian who has advanced training
223 in that specialty and is a diplomat of an approved specialty
224 college. It meets all minimum standards that are applicable to



SB85 Engrossed

225 that specialty.

226 c. Central Hospital. ~~Shall meet~~ Meets all requirements
227 of paragraph a., ~~as well as provide~~ and provides specialized
228 care including 24-hour nursing care and specialty consultation
229 on a permanent or on-call basis. It is mainly utilized on
230 referral from area veterinary hospitals or clinics.

231 d. Satellite, Outpatient, or Mobile Small Animal
232 ~~Clinics~~ Clinic. A supportive facility owned by or associated
233 with, or both, and has ready access to, within a reasonable
234 distance, a full-service veterinary hospital or clinic or a
235 central hospital providing all mandatory services and meeting
236 all minimum standards. The public shall be informed of the
237 limitation of services by way of a posted notice in plain view
238 and easily readable or by notice provided to the client by
239 flyer or card which clearly specifies those mandatory
240 veterinary medical services ~~which~~ that are not provided. In
241 addition, the main location and telephone number of the
242 veterinary hospital or clinic providing the required service,
243 as well as the signed agreement with the veterinary hospital
244 or clinic shall also be posted in plain view and be easily
245 readable. A veterinarian associated with this veterinary
246 hospital or clinic shall be on call during and after operation
247 of the satellite, outpatient, or mobile clinic to render aid
248 if necessary. The personnel of satellite, outpatient, or
249 mobile clinics shall consist of one or more veterinarians and
250 auxiliary personnel necessary to provide adequate outpatient
251 service. Operation of any satellite, outpatient, or mobile
252 clinic shall be under the direct supervision of a licensed



SB85 Engrossed

253 veterinarian who remains on the premises during the entire
254 time of operation.

255 e. Large Animal Mobile Clinic. ~~Must provide~~ Provides
256 examination, diagnostic, and preventive medicine, and minor
257 surgical services for large animals not requiring confinement
258 or hospitalization. Emergency service and radiology service
259 shall be provided by that veterinarian or by written agreement
260 with another veterinarian or group of veterinarians in
261 practice in that locale. These clinics shall provide a degree
262 of veterinary care compatible with the level of standards
263 considered adequate to the practice of veterinary medicine
264 currently available in the area. Complete hospital facilities
265 may be provided by the nearest large animal hospital or
266 veterinary school.

267 f. Emergency Clinic. ~~A facility established to receive~~
268 Receives patients and ~~to treat~~ treats illnesses and injuries
269 of an emergency nature requiring treatment. The clinic shall
270 provide professional diagnostic and emergency treatment during
271 hours when local veterinary hospitals are normally closed.
272 Emergency clinics shall meet all mandatory requirements of a
273 veterinary hospital or clinic.

274 ~~(22)~~ (28) VETERINARY INTERN. ~~A person~~ An individual who
275 is working ~~towards~~ toward completion of an ECFVG certificate
276 and who is working under the direct or indirect supervision of
277 a board approved licensed veterinarian in any state to
278 complete the practical experience internship required for
279 licensing in Alabama.

280 ~~(23)~~ (29) VETERINARY MEDICINE. Includes veterinary



SB85 Engrossed

281 surgery, theriogenology, dentistry, acupuncture, animal
282 psychology, chiropractic, and all other branches or
283 specialties of veterinary practice.

284 ~~(24)~~ (30) VETERINARY STUDENT PRECEPTEE. ~~A person~~ An
285 individual who is pursuing a veterinary degree in an
286 accredited school of veterinary medicine which has a preceptor
287 or extern program and who has completed the academic
288 requirements of the program.

289 ~~(25)~~ (31) VETERINARY TECHNICIAN STUDENT. ~~Any person~~ An
290 individual enrolled in an AVMA accredited veterinary
291 technology program, gaining clinical experience under the
292 supervision of a licensed veterinarian or licensed veterinary
293 technician in a clinical setting.

294 ~~(26)~~ (32) VETERINARY TECHNOLOGY. The skills and
295 knowledge accrued in a post-high school course of study,
296 accredited by the AVMA Committee on Education (COE) or the
297 board, in the area of care and treatment of animals. It
298 embodies limited skills, responsibility, and minimal exercise
299 of independent judgment in the treatment of patients of
300 veterinarians while under direct, indirect, or immediate
301 supervision of a veterinarian.

302 ~~(27)~~ (33) WHOLESALE VETERINARY DRUG DISTRIBUTOR. A
303 person engaged in the business of distributing veterinary
304 drugs and medicines for resale to veterinary practitioners and
305 other veterinary wholesalers and possesses a current permit
306 issued by the Alabama State Board of Pharmacy to engage in the
307 selling of veterinary drugs or medicines in the State of
308 Alabama."



SB85 Engrossed

309 Section 2. Section 34-29-77.1 is added to the Code of
310 Alabama 1975, to read as follows:

311 §34-29-77.1

312 (a) A VCPR remains with the licensed veterinarian who
313 established the initial VCPR and remains valid with other
314 licensed veterinarians within the practice premises where the
315 written or electronic medical records of the patient are kept.

316 (b) (1) A licensed veterinarian may not prescribe or
317 dispense drugs without a VCPR.

318 (2) A VCPR may not be established for the sole purpose
319 of drug sales.

320 (3) Telemedicine may not be used to establish a VCPR.

321 (c) With a VCPR, a prescription may be refilled for not
322 more than one year from the initial prescription date unless
323 medically prohibited or restricted or prohibited by state or
324 federal law, rule, or regulation.

325 (d) A new VCPR shall be reestablished annually by the
326 date that the previous VCPR was established. If not
327 reestablished annually, a VCPR is not valid.

328 (f) (1) A licensed veterinarian may communicate by means
329 of teletriage with an individual if:

330 a. An emergency occurs outside of a valid VCPR;

331 b. The individual has not had a valid VCPR established
332 in the previous 12 months; or

333 c. The individual contacting the licensed veterinarian
334 is not a client.

335 (2) In teletriage, a diagnosis or treatment may not be
336 rendered. The individual and licensed veterinarian may arrange



SB85 Engrossed

337 an in-person visit or the licensed veterinarian may refer the
338 patient and individual to another licensed veterinarian for
339 assessment and treatment.

340 (g) If an emergency occurs within a valid VCPR and the
341 veterinarian who established the original VCPR is not
342 available to examine the patient, the veterinarian may
343 communicate the changes in protocol to the client by means of
344 telemedicine and provide consultation, issue recommendations,
345 or refer the client to another licensed veterinarian.

346 Section 3. This act shall become effective on October
347 1, 2026.



SB85 Engrossed

348
349
350 Senate

351 Read for the first time and referred13-Jan-26
352 to the Senate committee on
353 Healthcare
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355 Read for the second time and placed12-Feb-26
356 on the calendar:
357 0 amendments
358
359 Read for the third time and passed25-Feb-26
360 as amended
361 Yeas 33
362 Nays 1
363 Abstains 0
364
365

Patrick Harris,
Secretary.

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