

SB85 INTRODUCED



1 SB85
2 6YCQU31-1
3 By Senators Stutts, Sessions, Butler
4 RFD: Healthcare
5 First Read: 13-Jan-26



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 a maximum amount of time within which a veterinarian may refill a prescription.

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 provide that a veterinarian-client-patient relationship must be reestablished annually to remain valid.

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

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



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

(2) ANIMAL. Any animal or mammal other than man,



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including birds, fish, reptiles, wild or domestic, living or dead.

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

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

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

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

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

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

~~(8)~~ (9) FOREIGN VETERINARY GRADUATE, EXCLUDING CANADA. Any ~~person~~ individual, including a foreign national or an American citizen, who has received a professional veterinarian medical degree from an American Veterinary Medical Association



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listed veterinary college that is not accredited by the American Veterinary Medical Association.

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

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

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

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

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

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

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



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

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

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

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

d. ~~Collects~~ To collect blood or other samples for the purpose of diagnosing disease or other conditions. This paragraph shall not apply to unlicensed personnel employed by the United States Department of Agriculture or the Alabama Department of Agriculture and Industries who are engaged in the Brucellosis eradication program or external parasite



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control program pursuant to Section 2-15-192.

e. To remove any embryo from a food animal or companion animal for the purpose of transplanting the embryo into another female animal ~~or for the purpose of~~, cryopreserving the embryo, or ~~to implant~~ implanting the embryo into a food or companion animal. It shall not be considered the practice of veterinary medicine for ~~a person~~ an individual or his or her full-time employees to remove an embryo from the food or companion animal of the ~~person~~ individual for the purpose of transplanting or cryopreserving the embryo, or to implant an embryo into the food or companion animal of the ~~person~~ individual, provided ownership of the food or companion animal shall not be transferred or employment of the ~~person~~ individual shall not be changed for the purpose of circumventing this article.

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

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

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



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

~~(19)~~ (21) VETERINARIAN-CLIENT-PATIENT RELATIONSHIP (VCPR). A relationship in which a licensed veterinarian satisfies all of the following:

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

b. Has sufficient knowledge of the patient to initiate a general or preliminary diagnosis of the patient's medical condition.

c. Is acquainted with the keeping and care of the patient or the operation where the patient is managed.

d. Is readily available for ongoing or follow-up evaluation and care of the patient or has arranged for emergency veterinary care or continuing care and treatment of the patient by an appropriate veterinary professional.

e. Oversees treatment of the patient, compliance with the treatment, and the outcome.

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



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197 ~~(20)~~ (22) VETERINARIAN, DOCTOR OF VETERINARY MEDICINE,
198 DVM, VMD, or EQUIVALENT TITLE. ~~A person~~ An individual who has
199 received a doctor's degree in veterinary medicine from an
200 accredited school of veterinary medicine or holds an
201 Educational Commission for Foreign Veterinary Graduates
202 (ECFVG) certificate issued by the American Veterinary Medical
203 Association (AVMA).

204 ~~(21)~~ (23) VETERINARY FACILITIES. Any place or unit from
205 which the practice of veterinary medicine is conducted. The
206 following are types of veterinary facilities:

207 a. Veterinary or Animal Hospital or Clinic. Meets or
208 exceeds all mandatory requirements as listed in the
209 administrative code of the board for veterinary facilities. In
210 doing so, it provides quality examination, diagnostic, and
211 health maintenance services for medical and surgical treatment
212 of animals and is equipped to provide housing and nursing care
213 for the animals during illness or convalescence.

214 b. Specialty Practice or Clinic. Provides complete
215 specialty service by a veterinarian who has advanced training
216 in that specialty and is a diplomat of an approved specialty
217 college. It meets all minimum standards that are applicable to
218 that specialty.

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

224 d. Satellite, Outpatient, or Mobile Small Animal



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~~Clinics~~ Clinic. A supportive facility owned by or associated with, or both, and has ready access to, within a reasonable distance, a full-service veterinary hospital or clinic or a central hospital providing all mandatory services and meeting all minimum standards. The public shall be informed of the limitation of services by way of a posted notice in plain view and easily readable or by notice provided to the client by flyer or card which clearly specifies those mandatory veterinary medical services ~~which~~ that are not provided. In addition, the main location and telephone number of the veterinary hospital or clinic providing the required service, as well as the signed agreement with the veterinary hospital or clinic shall also be posted in plain view and be easily readable. A veterinarian associated with this veterinary hospital or clinic shall be on call during and after operation of the satellite, outpatient, or mobile clinic to render aid if necessary. The personnel of satellite, outpatient, or mobile clinics shall consist of one or more veterinarians and auxiliary personnel necessary to provide adequate outpatient service. Operation of any satellite, outpatient, or mobile clinic shall be under the direct supervision of a licensed veterinarian who remains on the premises during the entire time of operation.

e. Large Animal Mobile Clinic. ~~Must provide~~ Provides examination, diagnostic, and preventive medicine, and minor surgical services for large animals not requiring confinement or hospitalization. Emergency service and radiology service shall be provided by that veterinarian or by written agreement



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with another veterinarian or group of veterinarians in practice in that locale. These clinics shall provide a degree of veterinary care compatible with the level of standards considered adequate to the practice of veterinary medicine currently available in the area. Complete hospital facilities may be provided by the nearest large animal hospital or veterinary school.

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

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

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

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



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281 requirements of the program.

282 ~~(25)~~ (27) VETERINARY TECHNICIAN STUDENT. ~~Any person~~ An
283 individual enrolled in an AVMA accredited veterinary
284 technology program ~~+~~ gaining clinical experience under the
285 supervision of a licensed veterinarian or licensed veterinary
286 technician in a clinical setting.

287 ~~(26)~~ (28) VETERINARY TECHNOLOGY. The skills and
288 knowledge accrued in a post-high school course of study,
289 accredited by the AVMA Committee on Education (COE) or the
290 board, in the area of care and treatment of animals. It
291 embodies limited skills, responsibility, and minimal exercise
292 of independent judgment in the treatment of patients of
293 veterinarians while under direct, indirect, or immediate
294 supervision of a veterinarian.

295 ~~(27)~~ (29) WHOLESALE VETERINARY DRUG DISTRIBUTOR. A
296 person engaged in the business of distributing veterinary
297 drugs and medicines for resale to veterinary practitioners and
298 other veterinary wholesalers and possesses a current permit
299 issued by the Alabama State Board of Pharmacy to engage in the
300 selling of veterinary drugs or medicines in the State of
301 Alabama."

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

304 §34-29-77.1

305 (a) A VCPR remains with the licensed veterinarian who
306 established the initial VCPR and remains valid with other
307 licensed veterinarians within the practice premises where the
308 written or electronic medical records of the patient are kept.



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

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

313 (c) With a VCPR, a prescription may be refilled for not
314 more than 365 calendar days from the initial prescription date
315 unless medically prohibited or restricted or prohibited by
316 state or federal law, rule, or regulation.

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

320 Section 3. This act shall become effective on October
321 1, 2026.