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Representatives Fischer, Deeter

Cosponsors: Representatives Newman, Miller, J., Cockley, Hiner, Brennan, Craig, Dovilla, Glassburn, Klopfenstein, Lawson-Rowe, Mathews, A., Russo, Schmidt, Sigrist, Thomas, C., Tims, Williams, Willis, Young

To amend section 4741.19 and to enact section 1
4741.191 of the Revised Code to establish 2
procedures that allow a registered veterinary 3
technician to establish an assess and treat 4
relationship on behalf of a veterinarian to 5
dispense and administer vaccines and 6
antiparasitic medication to a shelter dog or 7
cat. 8

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 4741.19 be amended and section 9
4741.191 of the Revised Code be enacted to read as follows: 10

Sec. 4741.19. (A) Unless exempted under this chapter, no 11
person shall practice veterinary medicine, or any of its 12
branches, without a license or limited license issued by the 13
state veterinary medical licensing board pursuant to sections 14
4741.11 to 4741.13 of the Revised Code, a temporary permit 15
issued pursuant to section 4741.14 of the Revised Code, or a 16
registration certificate issued pursuant to division (C) of this 17
section, or with an inactive, expired, suspended, terminated, or 18

revoked license, temporary permit, or registration. 19

(B) No veterinary student shall: 20

(1) Perform or assist surgery unless under direct 21
veterinary supervision and unless the student has had the 22
minimum education and experience prescribed by rule of the 23
board; 24

(2) Engage in any other work related to the practice of 25
veterinary medicine unless under veterinary supervision; 26

(3) Participate in the operation of a branch office, 27
clinic, or allied establishment unless a licensed veterinarian 28
is present on the establishment premises. 29

(C) No person shall act as a registered veterinary 30
technician unless the person is registered with the board on a 31
biennial basis and pays the biennial registration fee. A 32
registered veterinary technician registration expires biennially 33
on the first day of March in the odd-numbered years and may be 34
renewed in accordance with the standard renewal procedures 35
contained in Chapter 4745. of the Revised Code upon payment of 36
the biennial registration fee and fulfillment of ten continuing 37
education hours during the two years immediately preceding 38
renewal for registration. Each registered veterinary technician 39
shall notify in writing the executive director of the board of 40
any change in the registered veterinary technician's office 41
address or employment within ninety days after the change has 42
taken place. 43

(1) A registered veterinary technician operating under 44
veterinary supervision may perform the following duties: 45

(a) Prepare or supervise the preparation of patients, 46
instruments, equipment, and medications for surgery; 47

(b) Collect or supervise the collection of specimens and perform laboratory procedures as required by the supervising veterinarian;	48 49 50
(c) Apply wound dressings, casts, or splints as required by the supervising veterinarian;	51 52
(d) Assist a veterinarian in immunologic, diagnostic, medical, and surgical procedures;	53 54
(e) Suture skin incisions;	55
(f) Administer or supervise the administration of topical, oral, or parenteral medication under the direction of the supervising veterinarian;	56 57 58
(g) <u>Dispense and administer, in accordance with a care coordination agreement, a vaccine, including a rabies vaccine, to a covered animal as provided under section 4741.191 of the Revised Code;</u>	59 60 61 62
<u>(h)</u> Other ancillary veterinary technician functions that are performed pursuant to the order and control and under the full responsibility of a licensed veterinarian.	63 64 65
(h) <u>(i)</u> Any additional duties as established by the board in rule.	66 67
(2) A registered veterinary technician operating under direct veterinary supervision may perform all of the following:	68 69
(a) Induce and monitor general anesthesia according to medically recognized and appropriate methods;	70 71
(b) Dental prophylaxis, periodontal care, and extraction not involving sectioning of teeth or resection of bone or both of these;	72 73 74

(c) Equine dental procedures, including the floating of 75
molars, premolars, and canine teeth; removal of deciduous teeth; 76
and the extraction of first premolars or wolf teeth. 77

The degree of supervision by a licensed veterinarian over 78
the functions performed by the registered veterinary technician 79
shall be consistent with the standards of generally accepted 80
veterinary medical practices. 81

(3) The board shall issue a registration to be a 82
veterinary technician in accordance with Chapter 4796. of the 83
Revised Code to an applicant if either of the following applies: 84

(a) The applicant holds a similar registration or license 85
in another state. 86

(b) The applicant has satisfactory work experience, a 87
government certification, or a private certification as 88
described in that chapter as a veterinary technician in a state 89
that does not issue that registration or license. 90

~~(D)~~ (D) (1) A veterinarian licensed to practice in this 91
state shall not present the person's self as or state a claim 92
that the person is a specialist unless the veterinarian has 93
previously met the requirements for certification by a specialty 94
organization recognized by the American board of veterinary 95
specialties for a specialty or such other requirements set by 96
rule of the board and has paid the fee required by division (A) 97
(10) of section 4741.17 of the Revised Code. 98

The board shall issue a certification as a veterinary 99
specialist in accordance with Chapter 4796. of the Revised Code 100
to an applicant if the applicant holds a certification as a 101
specialist in another state or has satisfactory work experience, 102
a government certification, or a private certification as 103

described in that chapter as a veterinary specialist in a state 104
that does not issue that certification. 105

(2) No person shall use the title "registered veterinary 106
technician" or the title "veterinary technician," the 107
abbreviation "R.V.T.," or any other words, letters, or symbols, 108
with the intent to represent that the person is authorized to 109
act as a registered veterinary technician, unless that person is 110
registered with the board as required by this section and such 111
registration is not suspended or revoked. 112

(E) Notwithstanding division (A) of this section, any 113
animal owner or the owner's designee may engage in the practice 114
of embryo transfer on the owner's animal if a licensed 115
veterinarian directly supervises the owner or the owner's 116
designee and the means used to perform the embryo transfer are 117
nonsurgical. 118

(F) Allied medical support may assist a licensed 119
veterinarian to the extent to which the law that governs the 120
individual providing the support permits, if all of the 121
following apply: 122

(1) A valid ~~veterinary-client-patient-relationship~~ 123
veterinary-client-patient relationship exists. 124

(2) The individual acts under direct veterinary 125
supervision. 126

(3) The allied medical support individual receives 127
informed, written, client consent. 128

(4) The veterinarian maintains responsibility for the 129
patient and keeps the patient's medical records. 130

The board may inspect the facilities of an allied medical 131

support individual in connection with an investigation based on 132
a complaint received in accordance with section 4741.26 of the 133
Revised Code involving that individual. 134

Sec. 4741.191. (A) As used in this section: 135

(1) "Covered animal" means a shelter dog or a shelter cat. 136

(2) "Dog" means any member of the species Canis 137
familiaris. 138

(3) "Cat" means any member of the species Felis catus. 139

(4) "Antiparasitic medication" means medication dispensed 140
and administered, in accordance with a care coordination 141
agreement, to a covered animal for the purpose of controlling 142
apparent or anticipated internal or external parasites. 143

(B) Notwithstanding any other provision of law to the 144
contrary, a licensed veterinarian may, consistent with any 145
federal law requirements or restrictions and subject to the 146
conditions described in this section, authorize a registered 147
veterinary technician to establish an assess and treat 148
relationship in accordance with a care coordination agreement on 149
behalf of the veterinarian for either or both of the following 150
purposes: 151

(1) To allow the registered veterinary technician to 152
dispense and administer, in accordance with a care coordination 153
agreement, vaccines, including the rabies vaccine, to a covered 154
animal; 155

(2) To allow the registered veterinary technician to 156
dispense and administer, in accordance with a care coordination 157
agreement, antiparasitic medication to a covered animal. 158

(C) A registered veterinary technician dispensing and 159

administering, in accordance with a care coordination agreement, 160
such vaccines or antiparasitic medications under division (B) of 161
this section is subject to veterinary supervision, and the 162
requirement for such supervision may be met by a veterinarian 163
who is readily available to communicate with the registered 164
veterinary technician via telephonic means at all times during 165
the dispensation and administration. 166

(D) Prior to authorizing a registered veterinary 167
technician to establish an assess and treat relationship on 168
behalf of a veterinarian as authorized under this section, the 169
veterinarian shall establish a care coordination agreement 170
describing the duties the registered veterinary technician must 171
perform prior to and during the dispensation and administration 172
of any vaccine or antiparasitic medication. The agreement shall 173
include provisions regarding each of the following: 174

(1) Obtaining from the covered animal's owner or caretaker 175
the animal's available medical history; 176

(2) Requirements for examination of the covered animal 177
prior to dispensation and administration of a vaccine or 178
antiparasitic medication; 179

(3) Criteria, including any information in the covered 180
animal's history or physical examination, that would disqualify 181
the covered animal from receiving a vaccine or antiparasitic 182
medication; 183

(4) Vaccination protocols for each covered animal species 184
for which vaccines are dispensed and administered that include, 185
at a minimum, handling, dispensing, and administering of 186
vaccines, when not to dispense or administer such vaccines, and 187
what to do in the event of an adverse reaction or other 188

emergency. Such protocols shall not authorize the registered 189
veterinary technician to prescribe the vaccines, but only to 190
dispense and administer such vaccines. 191

(5) Protocols for parasite treatment and control for each 192
covered animal species for which antiparasitic medications are 193
being dispensed and administered, which shall include, at a 194
minimum, handling, dispensing, and administering of medications, 195
when not to dispense and administer such medications, and what 196
to do in the event of an adverse reaction or other emergency. 197
Such protocols shall not authorize the registered veterinary 198
technician to prescribe the antiparasitic medications, but only 199
to dispense and administer such antiparasitic medications. 200

(6) Requirements that a veterinarian be available to 201
physically respond in the event of an adverse reaction or other 202
emergency and protocols for contacting that veterinarian to 203
obtain such assistance in those events; 204

(7) Documentation of any additional education and training 205
provided by the veterinarian to the registered veterinary 206
technician in order for the registered veterinary technician to 207
perform all of the agreed upon duties within the care 208
coordination agreement; 209

(8) Documentation of all the following information: 210

(a) The name or initials of the registered veterinary 211
technician who establishes an assess and treat relationship on 212
behalf of the veterinarian; 213

(b) The name, address, and telephone number of the client; 214

(c) The name or identity of the covered animal; 215

(d) The age, sex, breed, species, and color of the covered 216

<u>animal;</u>	217
<u>(e) The medical history information as it pertains to each covered animal;</u>	218 219
<u>(f) Any physical examination findings;</u>	220
<u>(g) Any assessment completed before dispensing or administering a vaccine or other medication;</u>	221 222
<u>(h) Client consent for recommended vaccines or antiparasitic medications;</u>	223 224
<u>(i) All medications and treatments, including strength, dosage, and route of administration;</u>	225 226
<u>(j) Record of relevant client communication, including whether an evaluation by a veterinarian or follow-up care was recommended.</u>	227 228 229
<u>(9) Any other information, protocols, and restrictions that the veterinarian determines are necessary and appropriate for the care coordination agreement.</u>	230 231 232
<u>(E) If a veterinarian authorizes a registered veterinary technician to establish an assess and treat relationship on behalf of the veterinarian, the veterinarian and the registered veterinary technician shall sign and date both of the following within the care coordination agreement:</u>	233 234 235 236 237
<u>(1) A statement containing the authorization for the registered veterinary technician to act on behalf of the veterinarian and to establish the assess and treat relationship for the limited purposes of dispensing and administering, in accordance with the care coordination agreement, vaccines and antiparasitic medication when acting in compliance with the protocols, conditions, and procedures specified in this section</u>	238 239 240 241 242 243 244

and within the care coordination agreement. The authorization 245
remains in effect until the date the veterinarian terminates the 246
authorization for the registered veterinary technician to act on 247
behalf of the veterinarian. 248

(2) A statement containing an assumption of risk by the 249
veterinarian for all acts of the registered veterinary 250
technician related to examining the covered animal and 251
dispensing and administering, in accordance with the care 252
coordination agreement, vaccines or antiparasitic medication, 253
except that the assumption of risk by the veterinarian does not 254
apply to willful acts of animal cruelty, gross negligence, or 255
gross unprofessional conduct on behalf of the registered 256
veterinary technician. 257

(F) Before a registered veterinary technician examines or 258
dispenses or administers, in accordance with a care coordination 259
agreement, any vaccines or antiparasitic medication to a covered 260
animal in accordance with this section, the client shall be 261
informed orally or in writing that the registered veterinary 262
technician is acting on behalf of a licensed veterinarian. The 263
client also shall be provided with the veterinarian's name and 264
license number. The registered veterinary technician or a person 265
authorized by the supervising veterinarian shall obtain 266
permission from the client for the registered veterinary 267
technician to proceed with examining the covered animal and 268
dispensing or administering, in accordance with a care 269
coordination agreement, any vaccine or medication after such 270
disclosure. The registered veterinary technician or a person 271
authorized by the supervising veterinarian shall document in the 272
covered animal's medical record the oral or written 273
authorization of the client to proceed with the registered 274
veterinary technician's examination of the animal and 275

<u>dispensation or administration, in accordance with the care</u>	276
<u>coordination agreement, of the specified vaccine or medication.</u>	277
<u>(G) Documentation relating to the satisfaction of the</u>	278
<u>conditions listed in divisions (E) and (F) of this section shall</u>	279
<u>be retained by the veterinarian for a minimum of three years.</u>	280
Section 2. That existing section 4741.19 of the Revised	281
Code is hereby repealed.	282