

2 State of Arkansas

3 93rd General Assembly

4 Third Extraordinary Session, 2022

# A Bill

JMB/JMB

HOUSE BILL

5  
6 By: Representative Vaught

7 Filed with: House Committee on Public Health, Welfare, and Labor

8 pursuant to A.C.A. §10-3-217.

## 9 For An Act To Be Entitled

10 AN ACT TO PROVIDE CLARITY REGARDING THE CERTIFICATION  
11 OF A VETERINARY TECHNICIAN SPECIALIST; TO AUTHORIZE  
12 PRESCRIPTIVE AUTHORITY FOR A VETERINARY TECHNICIAN  
13 SPECIALIST IN A COLLABORATIVE PRACTICE AGREEMENT WITH  
14 A VETERINARIAN; AND FOR OTHER PURPOSES.

## 16 Subtitle

17  
18 TO PROVIDE CLARITY REGARDING THE  
19 CERTIFICATION OF A VETERINARY TECHNICIAN  
20 SPECIALIST; AND TO AUTHORIZE PRESCRIPTIVE  
21 AUTHORITY FOR A VETERINARY TECHNICIAN  
22 SPECIALIST IN A COLLABORATIVE PRACTICE  
23 AGREEMENT WITH A VETERINARIAN.

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26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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28 SECTION 1. Arkansas Code § 17-101-102, concerning definitions within  
29 the Arkansas Veterinary Medical Practice Act, is amended to add additional  
30 subdivisions to read as follows:

31 (18) "Collaborative practice agreement" means a written plan  
32 that identifies a veterinarian who agrees to collaborate with a veterinary  
33 technician specialist in the joint management of the health care of the  
34 veterinary technician specialist's animal patients and that outlines  
35 procedures for consultation with or referral to the collaborating

1 veterinarian or other healthcare professionals as indicated by an animal  
2 patient's healthcare needs; and

3 (19) "Collaborating veterinarian" means a veterinarian licensed  
4 under this chapter who has agreed to practice with a veterinary technician  
5 specialist under a collaborative practice agreement and who resides and  
6 practices in this state.

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8 SECTION 2. Arkansas Code § 17-101-306(i)-(j), concerning the  
9 certification of veterinary technicians, veterinary technologists, and  
10 veterinary technician specialists, are amended to read as follows:

11 (i) A veterinary technician, or veterinary technologist, ~~or veterinary~~  
12 ~~technician specialist~~ shall not receive a fee or other compensation for  
13 veterinary services or veterinary technology services other than the salary  
14 or other compensation paid to the veterinary technician, or veterinary  
15 technologist, ~~or veterinary technician specialist~~ by the veterinary clinic,  
16 veterinary practice, or veterinarian by which he or she is employed.

17 ~~(j)(1) The Veterinary Medical Examining Board may issue additional~~  
18 ~~certifications for a veterinary technician specialist.~~

19 ~~(2) For an applicant seeking certification as a veterinary~~  
20 ~~technician specialist, the Veterinary Medical Examining Board may require an~~  
21 ~~initial application, application fee as determined by the Veterinary Medical~~  
22 ~~Examining Board, renewal application, renewal application fee as determined~~  
23 ~~by the Veterinary Medical Examining Board, and any other relevant information~~  
24 ~~determined by the Veterinary Medical Examining Board.~~

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26 SECTION 3. Arkansas Code § 17-101-310, concerning required continuing  
27 education under the Arkansas Veterinary Medical Practice Act, is amended to  
28 add an additional subsection to read as follows:

29 (d)(1) A veterinary technician specialist shall complete an additional  
30 four (4) hours of advanced continuing education in his or her area of  
31 specialty each year before veterinary technician specialist certification  
32 renewal.

33 (2) A veterinary technician specialist shall maintain an active  
34 veterinary technician certification in this state and fulfill all continuing  
35 education hours required for the veterinary technician certification.

1 SECTION 4. Arkansas Code Title 17, Chapter 101, Subchapter 3, is  
2 amended to add additional sections to read as follows:

3 17-101-319. Veterinary technician specialist – Certification.

4 (a)(1) The Veterinary Medical Examining Board shall issue additional  
5 certifications for a veterinary technician specialist.

6 (2) For an applicant seeking certification as a veterinary  
7 technician specialist, the board may require:

8 (A) An initial application and an initial application fee  
9 as determined by the board;

10 (B) A renewal application and a renewal application fee as  
11 determined by the board; and

12 (C) Any other relevant information determined by the  
13 board.

14 (b)(1) A veterinary technician specialist shall perform veterinary  
15 technology under the direction, supervision, and responsibility of the:

16 (A) Licensed veterinarian with whom he or she is employed;  
17 or

18 (B) Collaborating veterinarian pursuant to a collaborative  
19 practice agreement.

20 (2) Supervision of a veterinary technician specialist may be  
21 direct supervision, indirect supervision, or immediate supervision.

22 (3) A veterinarian who utilizes indirect supervision of a  
23 veterinary technician specialist shall:

24 (A) Retain control of and authority over the care of the  
25 animal patient; and

26 (B) Review all record keeping and notes documented by the  
27 veterinary technician specialist on the charts regarding the care of the  
28 animal patient.

29 (c)(1) A licensed veterinarian using, supervising, or employing a  
30 veterinary technician specialist is individually responsible and liable for  
31 the performance of the acts and omissions delegated to the veterinary  
32 technician specialist.

33 (2) This subsection does not relieve a veterinary technician  
34 specialist of any responsibility or liability for any of his or her own acts  
35 and omissions.

1       (d) A veterinary technician specialist may receive compensation for  
2 performing the practice of veterinary medicine.

3       (e) A person shall not use or assume the title “certified veterinary  
4 technician specialist”, “veterinary technician specialist”, “VTS”, or “CVTS”  
5 or use any words, letters, abbreviations, or insignia indicating or implying  
6 that the person holds a veterinary technician specialist certification unless  
7 the person is certified by the board.

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9       17-101-320. Collaborative practice agreement – Prescriptive authority.

10       (a)(1)(A) A veterinary technician specialist and a veterinarian may  
11 enter into a collaborative practice agreement.

12               (B) A veterinarian shall not enter into a collaborative  
13 practice agreement with more than three (3) veterinary technician specialists  
14 at one (1) time.

15               (2) A collaborative practice agreement shall include without  
16 limitation provisions addressing:

17                       (A) The location and license details of both the  
18 veterinary technician specialist and collaborating veterinarian as well as  
19 the availability of the collaborating veterinarian for consultation or  
20 referral, or both;

21                       (B) Methods of management of the collaborative practice,  
22 which shall include protocols for technical duties and prescriptive  
23 authority;

24                       (C) Coverage of the veterinary needs of an animal patient  
25 in the emergency absence of the veterinary technician specialist or  
26 collaborating veterinarian; and

27                       (D) Quality assurance with monthly reviews of the  
28 veterinary technician specialist’s medical records or case discussions with  
29 the collaborating veterinarian.

30               (3) If a collaborative practice results in complaints of  
31 violations of this chapter, the Veterinary Medical Examining Board may review  
32 the role of the collaborating veterinarian or the veterinary technician  
33 specialist in the collaborative practice to determine if the collaborating  
34 veterinarian or the veterinary technician specialist is unable to manage his  
35 or her responsibilities under the collaborative practice agreement without an  
36 adverse effect on the quality of care of the animal patient.

1           (4) A veterinary technician specialist shall notify the board in  
2 writing within seven (7) days following the termination of a collaborative  
3 practice agreement.

4           (b)(1) The board may grant a certificate of prescriptive authority to  
5 a veterinary technician specialist who:

6                   (A) Holds a current and active certification as a  
7 veterinary technician specialist in this state;

8                   (B) Submits proof of having entered into a collaborative  
9 practice agreement with a collaborating veterinarian; and

10                   (C) Acknowledges in writing that he or she is familiar  
11 with all state and federal laws and rules regarding prescribing and agrees to  
12 comply with those state and federal laws and rules.

13           (2) A veterinary technician specialist with a certificate of  
14 prescriptive authority may receive and prescribe drugs, medicines, or  
15 therapeutic devices appropriate to the veterinary technician specialist's  
16 area of practice.

17           (3) If the collaborative practice agreement between a veterinary  
18 technician specialist and a collaborating veterinarian is terminated, the  
19 certificate of prescriptive authority is also terminated, and a new  
20 collaborative practice agreement shall be required before reactivating the  
21 certificate of prescriptive authority.

22           (4) Under the supervision of a collaborating veterinarian, a  
23 veterinary technician specialist may:

24                   (A) Establish care for new animal patients with a  
25 professional relationship between the veterinary technician specialist and  
26 the animal patient or client, order diagnostics, provide a diagnosis or a  
27 prognosis, and develop treatment plans with a collaborating veterinarian;

28                   (B) Perform the induction, maintenance, and monitoring of  
29 anesthesia for an animal patient except when in conflict with state or  
30 federal law;

31                   (C) Perform minor dental and surgical procedures on animal  
32 patients, excluding major abdominal, thoracic, or orthopedic surgery and  
33 neurosurgery;

34                   (D) Administer a drug or controlled substance to prevent  
35 suffering of animal patients, including without limitation euthanasia, under  
36 direct communication with a collaborating veterinarian;

1                   (E) Initiate and perform cardiopulmonary resuscitation on  
2 animal patients, including administration of medication and defibrillation,  
3 and provide immediate post-resuscitation care according to established  
4 protocols except when in conflict with state or federal law; and

5                   (F) Prescribe, dispense, and administer medicines or  
6 therapeutic devices for animal patients except when in conflict with state or  
7 federal law.

8           (c) A professional relationship between the veterinary technician  
9 specialist and the animal patient or client shall exist prior to prescribing  
10 under this section.

11           (d) The veterinary technician specialist shall keep accurate records,  
12 including the medical history, physical examination, other evaluations and  
13 consultations, treatment plan objective, informed consent noted in the animal  
14 patient's record, treatment, prescriptions, and medications given, agreements  
15 regarding the animal patient, and periodic reviews.

16           (e) All prescriptions issued by the veterinary technician specialist  
17 under this section shall contain the:

18                   (1) Name of the animal patient and client;

19                   (2) Veterinary technician specialist's name, title, practice  
20 address, and practice telephone number; and

21                   (3) Following prescription information:

22                           (A) Medication and strength;

23                           (B) Dose;

24                           (C) Amount prescribed;

25                           (D) Directions for use; and

26                           (E) Number of refills.

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29 Referred by Representative Eubanks

30 Prepared by: JMB/JMB

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