

# Legislative Analysis



## AMENDMENTS TO PUBLIC HEALTH CODE ON VETERINARIANS AND VET TECHNICIANS

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**House Bill 4408 (H-3 substitute as adopted 10-28-15)**  
**Sponsor: Rep. Kathy Crawford**

Analysis available at  
<http://www.legislature.mi.gov>

**House Bill 4999 (proposed H-1 substitute)**  
**Sponsor: Rep. Edward McBroom**  
**Committee: Agriculture**  
**Complete to 11-3-15**

### SUMMARY:

House Bills 4408 and 4999 would amend several sections of the Public Health Code that relate to the powers and duties of veterinarians and veterinarian technicians. Specifically, HB 4408 would amend continuing education requirements for veterinarians and veterinarian technicians, while HB 4999 relates to veterinary prescribers and the fees paid by veterinarian and veterinarian technicians. The bills would take effect 90 days after the date each is enacted, and are tie-barred to each other, meaning one cannot take effect unless the other is enacted. A more detailed summary follows.

#### **House Bill 4408**

House Bill 4408 would amend the Public Health Code by adding a new section, Section 18813, which would require licensees seeking renewal of a veterinarian license or veterinarian technician license to provide the Department of Licensing and Regulatory Affairs (LARA) with evidence of completion of continuing education courses, if so requested by LARA.

Individuals seeking renewal of a veterinarian license must complete at least 45 hours of continuing education courses, while those seeking renewal of a veterinarian technician license are required to complete at least 15 hours of continuing education courses.

The continuing education courses or programs must be approved by the Michigan Board of Veterinary Medicine and have been completed during the three years immediately preceding the licensee's application for renewal of the veterinarian or veterinarian technician license.

#### **House Bill 4999**

House Bill 4999 would amend several sections of the Public Health Code to:

- Add veterinary prescribers licensed to practice in another state to the existing provisions found within these sections, which generally relate to the ability to prescribe and dispense controlled substances; and
- Increase fees related to licensure for veterinarians and veterinarian technicians.

- Allow certain communications to be sent by electronic mail (email) rather than regular mail if so desired by a licensee or registrant.

### ***Out-of-State Veterinary Prescriber***

Currently, the code prohibits a practitioner (e.g., a pharmacist or prescriber) from dispensing a controlled substance under a prescription by a physician prescriber or dentist practitioner in another state unless that person is authorized under the laws of that state to practice dentistry, medicine, or osteopathic medicine and surgery and to prescribe controlled substances. The bill would add to this provision, a veterinarian prescriber licensed to practice in another state who is authorized under the laws of that state to prescribe controlled substances.

The bill also would add the terms "veterinarian prescriber" and "veterinary medicine" to the existing term "prescription." It would also add "veterinarian prescriber" to additional existing provisions relating to dispensing drugs that require a prescription from a physician prescriber or dentist prescriber.

A prescriber is presently defined as, "a licensed dentist, a licensed doctor of medicine, a licensed doctor of osteopathic medicine and surgery, a licensed doctor of podiatric medicine and surgery, a licensed optometrist certified to administer and prescribe therapeutic pharmaceutical agents, a licensed veterinarian, or another licensed health professional acting under the delegation and using, recording, or otherwise indicating the name of the delegating licensed doctor of medicine or licensed doctor of osteopathic medicine and surgery."

### ***Fees***

The fees cited in statute would increase as follows:

- Veterinarian application processing fee: to \$25, from \$20
- Veterinary technician application processing fee: to \$15, from \$10
- Veterinarian license fee: to \$70, from \$50, annually
- Veterinary technician fee: to \$40, from \$20, annually

However, as noted in the Fiscal Impact statement below, fees in the bill reflect the current fees actually charged for application processing, and represent an increase from \$55 to \$70 for veterinarian licenses and from \$25 to \$40 for technician licenses. This is because the Department of Licensing and Regulatory Affairs can charge fees exceeding the statutory fees to reflect increases in compensation for LARA employees. HB 4999 also states that the fee changes apply to licensing fees required to be paid after December 31, 2018.

The bill also would allow the department to deliver or serve a notice or other communication to a licensee or registrant by email rather than first-class mail if that person has provided an email address to the department, and authorized and agreed in writing to allow the department to deliver or service notices and communications using that email address that would otherwise be sent using first-class mail.

**FISCAL IMPACT:**

House Bill 4408 could have a nominal fiscal impact on the Department of Licensing and Regulatory Affairs (LARA), if the Board of Veterinary Medicine opted to require continuing education, to the extent that the Board, with administrative support from LARA, would necessarily promulgate continuing education standards and approve educational programs. Expenditures made by or on behalf of the Board are supported with regulatory fees paid by licensed health professionals.

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