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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.



45 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

48 "§34-29-61

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

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



57 ~~including birds, fish, reptiles, wild or domestic member of~~
58 the Kingdom Animalia other than humans, living or dead.

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

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

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

67 (5) (6) CONSULTING VETERINARIAN. A veterinarian licensed
68 in another state who gives advice or demonstrates techniques
69 to a licensed Alabama veterinarian or group of licensed
70 Alabama veterinarians. A consulting veterinarian ~~shall~~ may not
71 utilize use this privilege to circumvent the law.

72 (6) (7) DIRECT SUPERVISION. ~~The~~ A supervising
73 veterinarian has initially examined the animal and will
74 examine at other times as acceptable veterinary medical
75 practice requires, consistent with the particular delegated
76 animal health care task. The supervising veterinarian is on
77 the premises and is quickly and easily available.

78 (7) (8) EMERGENCY. ~~The animal has been placed in a life~~
79 ~~threatening condition and immediate treatment is necessary to~~
80 ~~sustain life~~ A medical condition as determined by a licensed
81 veterinarian to warrant immediate medical intervention. The
82 term includes life-threatening or life-altering conditions and
83 potential loss of or permanent damage to major bodily
84 functions.



85 ~~(8)~~(9) FOREIGN VETERINARY GRADUATE, EXCLUDING CANADA.

86 Any ~~person~~ individual, including a foreign national or an
87 American citizen, who has received a professional veterinarian
88 medical degree from an American Veterinary Medical Association
89 listed veterinary college that is not accredited by the
90 American Veterinary Medical Association.

91 ~~(9)~~(10) IMMEDIATE SUPERVISION. The A supervising
92 veterinarian is on the premises and in audible or visual range
93 of the animal patient and the ~~person~~ individual treating the
94 patient.

95 ~~(10)~~(11) INDIRECT SUPERVISION. The A supervising
96 veterinarian has examined the animal and has given written or
97 oral instructions for the treatment of the animal while the
98 supervising veterinarian is away from the premises.

99 ~~(11)~~(12) LICENSE. Any permit, approval, registration,
100 or certificate of qualification issued by the board.

101 ~~(12)~~(13) LICENSED VETERINARIAN. A person An individual
102 who is validly and currently licensed to practice veterinary
103 medicine in Alabama.

104 ~~(13)~~(14) LICENSED VETERINARY TECHNICIAN. A person An
105 individual who is validly and currently licensed to practice
106 as a veterinary technician in Alabama.

107 (15) LIVESTOCK. Food-producing animals, including
108 cattle, elk, reindeer, bison, horses, deer, sheep, goats,
109 swine, egg- and meat-producing poultry, llamas, alpacas,
110 honeybees, rabbits, live fish, crawfish, and other animals
111 that are a part of a herd.

112 (16) PATIENT. Any single animal or representative



113 segment of a consignment, herd, or flock.

114 ~~(14)~~ (17) PERSON. Any individual, firm, partnership,
115 association, joint venture, cooperative, or corporation or any
116 other group or combination acting in concert; and whether or
117 not acting as a principal, trustee, fiduciary, receiver, or as
118 any kind of legal or personal representative, or as the
119 successor in interest, assigning agent, factor, servant,
120 employee, director, officer, or any other representative of
121 ~~such~~ the person.

122 ~~(15)~~ (18) PRACTICE OF VETERINARY MEDICINE:

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

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

138 c. To use any title, words, abbreviations, or letters
139 in a manner or under circumstances which induce the belief
140 that the ~~person~~ individual using them is qualified to do any



141 act described in paragraph a. Such use shall be *prima facie*
142 evidence of the intention to represent oneself as engaged in
143 the practice of veterinary medicine.

144 d. ~~Collects~~ To collect blood or other samples for the
145 purpose of diagnosing disease or other conditions. This
146 paragraph shall not apply to unlicensed personnel employed by
147 the United States Department of Agriculture or the Alabama
148 Department of Agriculture and Industries ~~who are engaged in~~
149 ~~the Brucellosis eradication program or external parasite~~
150 ~~control program pursuant to Section 2-15-192.~~

151 e. To remove any embryo from a food animal or companion
152 animal for the purpose of transplanting the embryo into
153 another female animal ~~or for the purpose of~~, cryopreserving
154 the embryo, or ~~to implant~~ implanting the embryo into a food or
155 companion animal. It shall not be considered the practice of
156 veterinary medicine for ~~a person~~ an individual or his or her
157 full-time employees to remove an embryo from the food or
158 companion animal of the ~~person~~ individual for the purpose of
159 transplanting or cryopreserving the embryo, or to implant an
160 embryo into the food or companion animal of the ~~person~~
161 individual, provided ownership of the food or companion animal
162 shall not be transferred or employment of the ~~person~~
163 individual shall not be changed for the purpose of
164 circumventing this article.

165 f. To provide veterinary medical services to a client
166 or patient in this state, including through ~~telephonic,~~
167 ~~electronic, or other means~~ telemedicine, regardless of the
168 location of the veterinarian, shall constitute the practice of



169 veterinary medicine in this state and shall require licensure
170 within this state and a veterinarian-client-patient
171 relationship must ~~be~~ have been previously established.

172 (19) SMALL ANIMAL. Animals other than livestock. The
173 term includes companion pets, exotic pets, and birds. The term
174 does not include poultry.

175 ~~(16)~~ (20) SUPERVISING VETERINARIAN. A veterinarian who
176 assumes responsibility for the professional care given to an
177 animal by ~~a person~~ an individual working under his or her
178 direction.

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

183 (22) TELETRIAGE. In the absence of a valid VCPR, the
184 safe, appropriate, and timely assessment and management of a
185 patient by electronic communication to render a good and safe
186 decision regarding a patient's condition based on a client's
187 or responsible party's report of the patient's history,
188 clinical signs, and photos or videos. The term includes the
189 determination of the immediate need of a patient to be
190 presented for an in-person physical examination due to
191 conditions of uncertainty and urgency. The term does not
192 include diagnosis treatment.

193 ~~(17)~~ (23) TEMPORARY LICENSE. Temporary permission to
194 practice veterinary medicine issued by the board pursuant to
195 this article.

196 ~~(18)~~ (24) UNLICENSED ASSISTANT. Any individual who is



197 not a licensed veterinary technician or veterinarian and is
198 employed by a licensed veterinarian.

199 **(19)(25) VETERINARIAN-CLIENT-PATIENT RELATIONSHIP**

200 (VCPR). A relationship in which a licensed veterinarian
201 satisfies all of the following:

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

209 b. Has physically examined a patient within the
210 previous 12 months or more frequently as dictated by the age
211 of the patient, medical condition of the patient, treatment
212 therapy, or use of controlled substances.

213 c. Has sufficient knowledge of the patient to initiate
214 a general or preliminary diagnosis of the patient's medical
215 condition.

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

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

222 f. Oversees treatment of the patient, compliance with
223 the treatment, and the outcome.

224 g. Maintains complete and legible medical records



225 regarding the patient, including an assessment and treatment
226 plan, in a manner that another veterinarian may proceed with
227 continuity of care and treatment of the patient.

228 ~~(20)~~ (26) VETERINARIAN, DOCTOR OF VETERINARY MEDICINE,
229 DVM, VMD, or EQUIVALENT TITLE. ~~A person~~ An individual who has
230 received a doctor's degree in veterinary medicine from an
231 accredited school of veterinary medicine or holds an
232 Educational Commission for Foreign Veterinary Graduates
233 (ECFVG) certificate issued by the American Veterinary Medical
234 Association (AVMA).

235 ~~(21)~~ (27) VETERINARY FACILITIES. Any place or unit from
236 which the practice of veterinary medicine is conducted. The
237 following are types of veterinary facilities:

238 a. Veterinary or Animal Hospital or Clinic. Meets or
239 exceeds all mandatory requirements as listed in the
240 administrative code of the board for veterinary facilities. In
241 doing so, it provides quality examination, diagnostic, and
242 health maintenance services for medical and surgical treatment
243 of animals and is equipped to provide housing and nursing care
244 for the animals during illness or convalescence.

245 b. Specialty Practice or Clinic. Provides complete
246 specialty service by a veterinarian who has advanced training
247 in that specialty and is a diplomat of an approved specialty
248 college. It meets all minimum standards that are applicable to
249 that specialty.

250 c. Central Hospital. ~~Shall meet~~ Meets all requirements
251 of paragraph a., ~~as well as provide and provides~~ specialized
252 care including 24-hour nursing care and specialty consultation



253 on a permanent or on-call basis. It is mainly utilized on
254 referral from area veterinary hospitals or clinics.

255 d. Satellite, Outpatient, or Mobile Small Animal
256 Clinics Clinic. A supportive facility owned by or associated
257 with, or both, and has ready access to, within a reasonable
258 distance, a full-service veterinary hospital or clinic or a
259 central hospital providing all mandatory services and meeting
260 all minimum standards. The public shall be informed of the
261 limitation of services by way of a posted notice in plain view
262 and easily readable or by notice provided to the client by
263 flyer or card which clearly specifies those mandatory
264 veterinary medical services ~~which~~ that are not provided. In
265 addition, the main location and telephone number of the
266 veterinary hospital or clinic providing the required service,
267 as well as the signed agreement with the veterinary hospital
268 or clinic shall also be posted in plain view and be easily
269 readable. A veterinarian associated with this veterinary
270 hospital or clinic shall be on call during and after operation
271 of the satellite, outpatient, or mobile clinic to render aid
272 if necessary. The personnel of satellite, outpatient, or
273 mobile clinics shall consist of one or more veterinarians and
274 auxiliary personnel necessary to provide adequate outpatient
275 service. Operation of any satellite, outpatient, or mobile
276 clinic shall be under the direct supervision of a licensed
277 veterinarian who remains on the premises during the entire
278 time of operation.

279 e. Large Animal Mobile Clinic. ~~Must provide~~ Provides
280 examination, diagnostic, and preventive medicine, and minor



281 surgical services for large animals not requiring confinement
282 or hospitalization. Emergency service and radiology service
283 shall be provided by that veterinarian or by written agreement
284 with another veterinarian or group of veterinarians in
285 practice in that locale. These clinics shall provide a degree
286 of veterinary care compatible with the level of standards
287 considered adequate to the practice of veterinary medicine
288 currently available in the area. Complete hospital facilities
289 may be provided by the nearest large animal hospital or
290 veterinary school.

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

298 ~~(22)~~ (28) VETERINARY INTERN. ~~A person~~ An individual who
299 is working ~~towards~~ toward completion of an ECFVG certificate
300 and who is working under the direct or indirect supervision of
301 a board approved licensed veterinarian in any state to
302 complete the practical experience internship required for
303 licensing in Alabama.

304 ~~(23)~~ (29) VETERINARY MEDICINE. Includes veterinary
305 surgery, theriogenology, dentistry, acupuncture, animal
306 psychology, chiropractic, and all other branches or
307 specialties of veterinary practice.

308 ~~(24)~~ (30) VETERINARY STUDENT PRECEPTEE. ~~A person~~ An



309 individual who is pursuing a veterinary degree in an
310 accredited school of veterinary medicine which has a preceptor
311 or extern program and who has completed the academic
312 requirements of the program.

313 (25) (31) VETERINARY TECHNICIAN STUDENT. ~~Any person~~ An
314 individual enrolled in an AVMA accredited veterinary
315 technology program~~s~~ gaining clinical experience under the
316 supervision of a licensed veterinarian or licensed veterinary
317 technician in a clinical setting.

318 (26) (32) VETERINARY TECHNOLOGY. The skills and
319 knowledge accrued in a post-high school course of study,
320 accredited by the AVMA Committee on Education (COE) or the
321 board, in the area of care and treatment of animals. It
322 embodies limited skills, responsibility, and minimal exercise
323 of independent judgment in the treatment of patients of
324 veterinarians while under direct, indirect, or immediate
325 supervision of a veterinarian.

326 (27) (33) WHOLESALE VETERINARY DRUG DISTRIBUTOR. A
327 person engaged in the business of distributing veterinary
328 drugs and medicines for resale to veterinary practitioners and
329 other veterinary wholesalers and possesses a current permit
330 issued by the Alabama State Board of Pharmacy to engage in the
331 selling of veterinary drugs or medicines in the State of
332 Alabama."

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

335 §34-29-77.1

336 (a) A VCPR remains with the licensed veterinarian who



337 established the initial VCPR and remains valid with other
338 licensed veterinarians within the practice premises where the
339 written or electronic medical records of the patient are kept.

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

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

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

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

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

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

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

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

357 c. The individual contacting the licensed veterinarian
358 is not a client.

359 (2) In teletriage, a diagnosis or treatment may not be
360 rendered. The individual and licensed veterinarian may arrange
361 an in-person visit or the licensed veterinarian may refer the
362 patient and individual to another licensed veterinarian for
363 assessment and treatment.

364



365 Section 3. This act shall become effective on October
366 1, 2026.