

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

As Engrossed: H1/31/23

A Bill

HOUSE BILL 1182

5 By: Representative Vaught
6

For An Act To Be Entitled

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

15 TO PROVIDE CLARITY REGARDING THE
16 CERTIFICATION OF A VETERINARY TECHNICIAN
17 SPECIALIST; AND TO AUTHORIZE PRESCRIPTIVE
18 AUTHORITY FOR A VETERINARY TECHNICIAN
19 SPECIALIST IN A COLLABORATIVE PRACTICE
20 AGREEMENT WITH A VETERINARIAN.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code § 17-101-102, concerning definitions within
27 the Arkansas Veterinary Medical Practice Act, is amended to add additional
28 subdivisions to read as follows:

29 (18) “Collaborative practice agreement” means a written plan
30 that identifies a veterinarian and a veterinary technician specialist who
31 agree to collaborate together in the joint management of the health care of
32 the veterinarian’s animal patients and that outlines procedures for
33 consultation with or referral to the collaborating veterinarian or other
34 healthcare professionals as indicated by an animal patient’s healthcare
35 needs;

36 (19) “Collaborating veterinarian” means a veterinarian licensed



1 under this chapter who enters into a collaborative practice agreement with a
2 veterinary technician specialist and who resides and practices in this state;
3 and

4 (20) "Specialized veterinary technology" means the performance
5 of all aspects of medical care, services, diagnosis, prognosis, and the
6 administration of appliances and prescribed drugs, medications, and treatment
7 of an animal patient under the direct supervision, indirect supervision, or
8 immediate supervision of a collaborating veterinarian.

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

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

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

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

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

31 (d)(1) A veterinary technician specialist shall complete an additional
32 eight (8) hours of advanced continuing education in his or her area of
33 specialty each year before veterinary technician specialist certification
34 renewal.

35 (2) A veterinary technician specialist shall maintain an active
36 veterinary technician certification in this state and fulfill all continuing

1 education hours required for the veterinary technician certification.

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

5 17-101-319. Veterinary technician specialist – Certification.

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

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

10 (A) An initial application and an initial application fee
11 as determined by the board;

12 (B) A renewal application and a renewal application fee as
13 determined by the board; and

14 (C) Any other relevant information determined by the
15 board.

16 (b)(1) A veterinary technician specialist shall perform specialized
17 veterinary technology under the direction, supervision, and responsibility of
18 the:

19 (A) Licensed veterinarian with whom he or she is employed;
20 or

21 (B) Collaborating veterinarian under a collaborative
22 practice agreement.

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

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

27 (A) Retain control of and authority over the care of the
28 animal patient; and

29 (B) Review all record keeping and notes documented by the
30 veterinary technician specialist on the charts regarding the care of the
31 animal patient.

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

36 (2) This subsection does not relieve a veterinary technician

1 specialist of any responsibility or liability for any of his or her own acts
2 and omissions.

3 (3) A licensed veterinarian shall not establish a separate
4 office or clinic in a location other than his or her regular office and place
5 the separate office or clinic under the control or supervision of a
6 veterinary technician specialist.

7 (d) A veterinary technician specialist may receive compensation for
8 performing the practice of specialized veterinary technology.

9 (e) A person shall not use or assume the title "certified veterinary
10 technician specialist", "veterinary technician specialist", "VTS", or "CVTS"
11 or use any words, letters, abbreviations, or insignia indicating or implying
12 that the person holds a veterinary technician specialist certification unless
13 the person is certified by the board.

14
15 17-101-320. Collaborative practice agreement – Prescriptive authority.

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

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

21 (2) A collaborative practice agreement shall include without
22 limitation provisions addressing:

23 (A) The location and license details of both the
24 veterinary technician specialist and collaborating veterinarian as well as
25 the availability of the collaborating veterinarian for consultation or
26 referral, or both;

27 (B) Methods of management of the collaborative practice,
28 which shall include protocols for technical duties and prescriptive
29 authority;

30 (C) Coverage of the veterinary needs of an animal patient
31 in the emergency absence of the veterinary technician specialist or
32 collaborating veterinarian; and

33 (D) Quality assurance with monthly reviews of the
34 veterinary technician specialist's animal patients' medical records or case
35 discussions with the collaborating veterinarian.

36 (3) If a collaborative practice results in complaints of

1 violations of this chapter, the Veterinary Medical Examining Board may review
2 the role of the collaborating veterinarian or the veterinary technician
3 specialist in the collaborative practice to determine if the collaborating
4 veterinarian or the veterinary technician specialist is unable to manage his
5 or her responsibilities under the collaborative practice agreement without an
6 adverse effect on the quality of care of the animal patient.

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

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

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

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

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

19 (2) A veterinary technician specialist with a certificate of
20 prescriptive authority may receive and prescribe drugs, medicines, or
21 therapeutic devices appropriate to the veterinary technician specialist's
22 area of practice.

23 (3) If the collaborative practice agreement between a veterinary
24 technician specialist and a collaborating veterinarian is terminated, the
25 certificate of prescriptive authority is also terminated, and a new
26 collaborative practice agreement shall be required before reactivating the
27 certificate of prescriptive authority.

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

30 (A)(i) Establish care for new animal patients by forming a
31 preliminary veterinarian-client-patient relationship on behalf of the
32 collaborating veterinarian with the animal patient or client, order
33 diagnostics, provide a diagnosis or a prognosis, and develop treatment plans
34 with a collaborating veterinarian.

35 (ii) The collaborating veterinarian shall complete
36 the veterinarian-client-patient relationship by personally seeing the animal

1 patient within fifteen (15) days;

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

5 (C) Perform minor dental and surgical procedures on animal
6 patients, excluding major abdominal, thoracic, or orthopedic surgery and
7 neurosurgery;

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

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

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

18 (c) A preliminary veterinarian-client-patient relationship shall be
19 established between the veterinary technician specialist and the animal
20 patient or client prior to prescribing under this section, unless a
21 veterinarian-client-patient relationship already exists with the
22 collaborating veterinarian.

23 (d) The veterinary technician specialist shall keep accurate records
24 in accordance with the rules of the board, including without limitation the
25 medical history, physical examination, other evaluations and consultations,
26 treatment plan objective, informed consent noted in the animal patient's
27 record, treatment, prescriptions, and medications given, agreements regarding
28 the animal patient, and periodic reviews.

29 (e) All prescriptions maintained and issued by the veterinary
30 technician specialist under this section shall be in accordance with rules of
31 the board and include without limitation the:

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

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

35 (3) Following prescription information:

36 (A) Medication and strength;

