

HOUSE No. 3989

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, February 4, 2016.

The committee on Public Health to whom was referred the petition (accompanied by bill, House, No. 2061) of John W. Scibak relative to the dispensing of certain drugs by veterinarians, reports recommending that the accompanying bill (House, No. 3989) ought to pass.

For the committee,

KATE HOGAN.

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**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act relative to expanding veterinary treatment practices.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 54A of chapter 112 of the General Laws, as appearing in the 2014
2 Official Edition, is hereby amended by adding after the definition of “Board” the following new
3 definition:-

4 “Companion animal”, any domesticated animal other than man including fowl, birds, fish
5 or reptiles, except those animals intended for consumption or whose products are intended for
6 consumption by humans or any other animals.

7 SECTION 2. Chapter 112, as so appearing, is hereby further amended by adding, after
8 section 39J, the following section:-

9 Section 39K. (a) A veterinarian shall be authorized to dispense a compounded drug,
10 distributed from a pharmacy, when the animal is his own patient within a valid veterinarian-
11 client-patient relationship, or VCPR, as defined in the Principles of Veterinary Medical Ethics of
12 the American Veterinary Medical Association; the animal is an animal companion; the quantity
13 dispensed is no more than a 120 hour supply; the compounded drug is for the treatment of an

14 emergency condition; and timely access to a compounding pharmacy is not available, as
15 determined by the prescribing veterinarian.

16 (b) A veterinarian may compound for individual patients within a valid VPCR and upon
17 meeting the requirements of subsection (a); provided, that the veterinarian does not compound
18 from bulk supplies; does not duplicate proprietary products: does not wholesale clinic-
19 compounded medications; and does not compound federally controlled substances for
20 dispensing.

21 (c) No manufacturing license shall be required for compounding materials when these
22 conditions are met. A veterinarian shall ensure the safety and efficacy of any compounded
23 medication.

24 (d) Pharmacists shall label all compounded products for companion animals and
25 distributed to a veterinarian for either further distribution or sale to his own patient or
26 administration to his own patient with the name and strength of the compounded medication or
27 list of the active ingredients and strengths; the facility's control number; an appropriate beyond-
28 use date as determined by the pharmacist in compliance with USP-NF standards for pharmacy
29 compounding; the name and address of the pharmacy; and the quantity.