

HOUSE No. 2061

The Commonwealth of Massachusetts

PRESENTED BY:

John W. Scibak

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to expanding veterinary treatment practices.

PETITION OF:

NAME:

John W. Scibak

DISTRICT/ADDRESS:

2nd Hampshire

HOUSE No. 2061

By Mr. Scibak of South Hadley, a petition (accompanied by bill, House, No. 2061) of John W. Scibak relative to the dispensing of certain drugs by veterinarians. Public Health.

The Commonwealth of Massachusetts

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 is hereby amended by adding after the
2 definition of “Board” the following new definition:-

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

6 SECTION 2. Notwithstanding any Massachusetts general law to the contrary, Chapter
7 112 is hereby amended by adding, after Section 39J, the following section:-

8 Section 39K. (a) A veterinarian shall be authorized to dispense a compounded drug,
9 distributed from a pharmacy, when the animal is his own patient within a valid VCPR; the
10 animal is an animal companion; the quantity dispensed is no more than a 120 hour supply; the
11 compounded drug is for the treatment of an emergency condition; and timely access to a
12 compounding pharmacy is not available, as determined by the prescribing veterinarian.

13 (b) A veterinarian shall be able to compound for individual patients within a valid VPCR
14 and upon meeting subsection (a), provided further the veterinarian does not compound from bulk
15 supplies; does not duplicate proprietary products: does not wholesale clinic-compounded
16 medications; and does not compound federally controlled substances for dispensing.

17 (c) No manufacturing license shall be required for compounding materials when these
18 conditions are met. A veterinarian shall be held responsible for the safety and efficacy of the
19 compounded medication.

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