



127th MAINE LEGISLATURE

SECOND REGULAR SESSION-2016

Legislative Document

No. 1591

S.P. 640

In Senate, February 16, 2016

An Act To Amend the Maine Veterinary Practice Act

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Labor, Commerce, Research and Economic Development suggested and ordered printed.

A handwritten signature in cursive script, reading "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator DILL of Penobscot.
Cosponsored by Representative BLACK of Wilton and
Senator: SAVIELLO of Franklin, Representative: GOODE of Bangor.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 32 MRSA §4877**, as enacted by PL 2015, c. 209, §21, is amended to read:

3 **§4877. Veterinarian-client-patient relationship required; Good Samaritan**
4 **exception; informed consent exception**

5 In order to practice veterinary medicine, a veterinarian must be engaged in a
6 veterinarian-client-patient relationship. A veterinarian-client-patient relationship exists
7 when a veterinarian:

8 **1. Engaged by client.** Has been engaged by the client;

9 **2. Assumed responsibility.** Has assumed responsibility for making medical
10 judgments regarding the health of the patient;

11 **3. Knowledge of patient.** Has sufficient knowledge of the patient to initiate a
12 preliminary diagnosis of the medical condition of the patient and has personal knowledge
13 of the keeping and care of the patient as a result of:

14 A. A timely examination of the patient by the veterinarian; or

15 B. A medically appropriate and timely visit or visits by the veterinarian to the patient
16 while that patient is under the care of the veterinarian's practice;

17 **4. Follow-up evaluation.** Is readily available for follow-up evaluation or has
18 arranged for veterinary emergency coverage and continuing care and treatment; and

19 **5. Records.** Maintains patient records.

20 A licensed veterinarian who in good faith engages in the practice of veterinary
21 medicine by rendering or attempting to render emergency care to a patient when a client
22 cannot be identified and a veterinarian-client-patient relationship is not established is not
23 subject to any disciplinary sanctions authorized by Title 10, section 8003, subsection 5-A
24 based solely upon the veterinarian's inability to establish a veterinarian-client-patient
25 relationship.

26 A licensed veterinarian may administer a vaccination against rabies, distemper,
27 parvovirus, rhinotracheitis or panleukopenia in a vaccination clinic setting in the absence
28 of a veterinarian-client-patient relationship if the veterinarian obtains a signed informed
29 consent waiver from the pet owner. The informed consent waiver must include
30 information to ensure that the pet owner is aware of the potential adverse events that may
31 result from vaccinations and is aware that a vaccine given at a vaccination clinic is not a
32 substitute for a complete physical examination.

33 **SUMMARY**

34 This bill amends the Maine Veterinary Practice Act to allow an exception to the
35 requirement that a veterinarian must be engaged in a veterinarian-client-patient
36 relationship in order to practice veterinary medicine. This exception allows a veterinarian

1 to administer a vaccination against rabies, distemper, parvovirus, rhinotracheitis or
2 panleukopenia at a vaccination clinic if the pet owner signs an informed consent waiver.