



MEMORANDUM

Date	April 2, 2024
To	Multidisciplinary Advisory Committee (MDC)
From	VCPR FAQ Subcommittee Kristi Pawlowski, RVT Cheryl Waterhouse, DVM
Subject	Agenda Item 6. Update, Discussion, and Potential Recommendations on Frequently Asked Questions (FAQs)

A. Senate Bill (SB) 669 (Cortese, Chapter 882, Statutes of 2023) Hypothetical Scenarios

During its January 2024 meeting, the MDC discussed, amended, and approved frequently asked questions (FAQs) for [SB 669](#). For reference, the prior memo and proposed FAQs can be found [here](#). However, due to the MDC and stakeholder feedback regarding the hypotheticals attached to the FAQs, the MDC approved the SB 669 FAQs without hypothetical scenarios.

Since that meeting, the VCPR (veterinarian-client-patient relationship) FAQ Subcommittee worked with Board counsel and staff to revise the hypothetical scenarios (attached) to address the concerns raised.

Action Requested

The MDC is asked to review and provide input on the attached SB 669 Hypothetical Scenarios. If approved, please entertain a motion to recommend the Board approve the SB 669 Hypothetical Scenarios and attach them to the SB 669 FAQs.

Attachment

1. Proposed SB 669 Hypothetical Scenarios

Scenarios for SB 669

Scenario 1: Jane Smith, DVM, has authorized John Doe, RVT, to be Dr. Smith's agent to perform examinations, establish a VCPR, and administer vaccinations under SB 669. Can John perform a Heartworm blood test on Fido, a new patient, and if negative for Heartworm, inject a medication that prevents Heartworm for 12 months?

Yes.

SB 669 says the RVT can examine the animal patient, collect data from the physical examination, diagnose or assess the animal patient, and *administer* vaccines and antiparasitic medications, which means the RVT directly applies, injects, or gives orally the medication to the animal patient. Performing a Heartworm blood test assists the RVT in determining the health of the animal patient for purposes of administering Heartworm preventative medication.

Scenario 2: Fido's last Heartworm blood test was one year ago. Can John do a Heartworm blood test, and if negative, dispense Heartworm preventative medication?

No. John is not authorized under SB 669 to *dispense* medications. Dispensing medication means the medication would not be administered by the RVT; instead, the medication would be given to the client or the client's agent to administer the medication to the animal patient. No medication can be dispensed, prescription or nonprescription, unless the DVM (not the RVT) established the VCPR for the animal patient and prescribed the medication.

Scenario 3: Can John dispense Heartworm preventive medication if Dr. Smith examined Fido six months ago but did not dispense the medication because Fido did not need a refill yet?

No, unless John is dispensing a refill of a medication previously prescribed by Dr. Smith and authorized by Dr. Smith for refill.

Scenario 4: If Dr. Smith in the above scenario did not dispense medication but she made a notation in the medical records that Fido needed a Heartworm test in six months and approved a refill of the medication, can John perform a Heartworm blood test and dispense Heartworm preventative medication?

No. In this scenario, John would be performing a diagnostic test related to Dr. Smith's prior VCPR. For John to perform the test and dispense the medication, *Dr. Smith* would have to:

- (1) Instruct John to perform the diagnostic test;
- (2) Review the test results;
- (3) Diagnose or assess Fido as healthy enough to receive the Heartworm preventative medication; and
- (4) Authorize a refill of the medication.

Scenario 5: If Dr. Smith examined Fido six months ago, dispensed heartworm preventative, and noted in the medical record that Fido needed a Heartworm blood test in six months. Can John do the test and dispense more Heartworm preventative medication?

No. In this scenario, John would be performing a diagnostic test related to Dr. Smith's prior VCPR. For John to perform the test and dispense the medication, *Dr. Smith* would have to:

- (1) Instruct John to perform the diagnostic test;
- (2) Review the test results;
- (3) Diagnose or assess Fido as healthy enough to receive the Heartworm preventative medication; and
- (4) Authorize a refill of the medication.