

**Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 26-0173.01 Christopher McMichael x4775

HOUSE BILL 26-1198

HOUSE SPONSORSHIP

McCormick,

SENATE SPONSORSHIP

(None),

House Committees

Agriculture, Water & Natural Resources

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING INCREASING ACCESS TO VETERINARY CARE, AND, IN**
102 **CONNECTION THEREWITH, EXPEDITING THE PROCESS BY WHICH**
103 **A VETERINARIAN IS LICENSED BY ENDORSEMENT, CLARIFYING**
104 **THE USE OF PRESCRIPTION DRUGS AND COMPOUNDED DRUGS BY**
105 **VETERINARIANS, AND ESTABLISHING A PROGRAM FOR THE**
106 **DONATION OF VETERINARY DRUGS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill requires the state board of veterinary medicine (board) to

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

expedite the process by which an individual who has a license to practice veterinary medicine in another state may be licensed by endorsement to practice veterinary medicine in Colorado. The bill directs the board to develop a list of states that have equivalent or substantially equivalent licensing requirements as Colorado and a list of states that have less stringent licensing requirements than Colorado. Where an individual is licensed will determine the process by which the individual may be licensed by endorsement in this state.

The bill also requires the board to expedite the process by which an individual who is registered as a veterinary technician in another state may obtain a registration by endorsement in Colorado. The board is required to develop a list of states that have equivalent or substantially equivalent registration requirements as Colorado and a list of states that have less stringent registration requirements than Colorado. Where an individual is registered will determine the process by which the individual may be registered by endorsement in this state. The board must also require a veterinary technician from another state to receive approval from a veterinary technician credentialing organization in Colorado before applying for a registration by endorsement.

The bill also establishes a veterinary prescription drug donation program. An owner of an animal may donate unused veterinary drugs that have been prescribed to the owner to a licensed veterinarian or an animal shelter. The licensed veterinarian or animal shelter may use any drugs accepted through donation if the veterinarian meets certain conditions.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 12-315-105, **amend**
3 **(3); and add (2)(b)(IV) as follows:**

4 **12-315-105. License requirements and exceptions - practice of**
5 **veterinary medicine - prescriptions - definitions - rules.**

6 **(2)(b)(IV)** A VETERINARIAN WHO ADMINISTERS, DISTRIBUTES,
7 DISPENSES, OR PRESCRIBES A PRESCRIPTION DRUG IN ACCORDANCE WITH
8 THIS SUBSECTION **(2)(b)** IS NOT CONDUCTING THE PRACTICE OF PHARMACY,
9 AS DEFINED IN SECTION 12-280-103 (39), IS NOT ACTING AS A
10 PHARMACIST, AS DEFINED IN SECTION 12-280-103 (35), AND IS NOT
11 SUBJECT TO DISCIPLINE BY THE STATE BOARD OF PHARMACY CREATED IN

1 SECTION 12-280-104 SOLELY FOR ADMINISTERING, DISTRIBUTING,
2 DISPENSING, OR PRESCRIBING A PRESCRIPTION DRUG IN ACCORDANCE WITH
3 THIS SUBSECTION (2)(b).

4 (3) If a veterinarian complies with the requirements of section
5 ~~12-280-121~~ 12-315-128 (2) AND (3), the veterinarian may maintain an
6 office stock of compounded drugs. As used in this subsection (3), "office
7 stock" has the same meaning as set forth in section 12-280-121 (5)(b).

8 SECTION 2. In Colorado Revised Statutes, **amend** 12-315-109
9 as follows:

10 **12-315-109. License by endorsement - rules.**

11 (1) The board may issue a license by endorsement to engage in the
12 practice of veterinary medicine in this state to an applicant who satisfies
13 the requirements of the occupational credential portability program.

14 (2) THE BOARD SHALL REVIEW AND UPDATE EXISTING PROCEDURES
15 RELATED TO THE PROCESS BY WHICH AN INDIVIDUAL IS LICENSED BY
16 ENDORSEMENT IN ACCORDANCE WITH THIS SECTION AND SHALL ADOPT
17 RULES WITH THE INTENT TO EXPEDITE THE LICENSURE BY ENDORSEMENT
18 PROCESS, WHICH MAY INCLUDE ELIMINATING DUPLICATIVE REQUIREMENTS
19 AND STREAMLINING THE PATHWAY TO LICENSURE.

20 SECTION 3. In Colorado Revised Statutes, **add with amended**
21 **and relocated provisions** 12-315-128 as follows:

22 **12-315-128. Compounding drugs for veterinary use -**
23 **dispensing of drugs by veterinarian - animal shelters - rules -**
24 **definitions.**

25 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
26 REQUIRES:

27 (a) "OFFICE STOCK" HAS THE MEANING SET FORTH IN SECTION

1 12-280-121 (5)(b).

2 (b) "PRESCRIPTION DRUG OUTLET" HAS THE MEANING SET FORTH
3 IN SECTION 12-280-121 (5)(c).

4 (2) [Formerly 12-280-121 (2)] (a) A veterinarian may dispense
5 a compounded drug maintained as part of the veterinarian's office stock
6 pursuant to subsection (1) of this section only if:

7 (I) The compounded drug is necessary for the treatment of an
8 animal A patient's emergency condition; and

9 (II) As determined by the veterinarian, the veterinarian cannot
10 access, in a timely manner, the compounded drug through a registered
11 prescription drug outlet.

12 (b) A veterinarian shall not dispense a compounded drug pursuant
13 to this section in an amount greater than the amount required to treat an
14 animal patient's emergency condition for five days A PATIENT'S
15 CONDITION.

16 (3) [Formerly 12-280-121 (3)] A licensed veterinarian shall not
17 administer or dispense a compounded drug maintained for office stock
18 pursuant to this section or for office use pursuant to section 12-280-120
19 (6)(b) without a valid veterinarian-client-patient relationship in place at
20 the time of administering the compounded drug to an animal A patient or
21 dispensing the compounded drug to a client.

22 (4) [Formerly 12-280-120 (17)] (a) An animal shelter or animal
23 control agency that is registered with the board STATE BOARD OF
24 PHARMACY pursuant to section 12-280-119 (12) is authorized to:

25 (I) Purchase, possess, and administer sodium pentobarbital, or
26 sodium pentobarbital in combination with other prescription drugs that
27 are medically recognized for euthanasia, to euthanize injured, sick,

1 homeless, or unwanted pets and animals;

2 (II) Purchase, possess, and administer drugs commonly used for
3 the chemical capture of animals for control purposes or to sedate or
4 immobilize pet animals immediately prior to euthanasia; and

5 (III) Purchase and possess vaccines and administer vaccines in
6 accordance with applicable laws.

7 (b) An animal shelter or animal control agency registered pursuant
8 to section 12-280-119 (12) shall not permit a person to administer
9 scheduled controlled substances, sodium pentobarbital, or sodium
10 pentobarbital in combination with other noncontrolled prescription drugs
11 that are medically recognized for euthanasia unless the person has
12 demonstrated adequate knowledge of the potential hazards and proper
13 techniques to be used in administering the drug or combination of drugs.

14 (5) THE BOARD MAY ADOPT ANY RULES NECESSARY TO IMPLEMENT
15 AND ADMINISTER THIS SECTION.

16 **SECTION 4. Repeal of relocated provisions in this act.** In
17 Colorado Revised Statutes, **repeal** 12-280-120 (17) and 12-280-121 (2)
18 and (3).

19 **SECTION 5.** In Colorado Revised Statutes, 12-315-201, **amend**
20 (1)(a)(I) as follows:

21 **12-315-201. Additional board duties - rules - repeal.**

22 (1) In addition to any other duties specified in this part 2 and
23 sections 12-315-105.5 and 12-315-106, the board shall:

24 (a) Approve a nationally recognized veterinary technician
25 credentialing organization for purposes of credentialing veterinary
26 technicians in this state. The credentialing organization approved by the
27 board must:

1 (I) Require the completion of an ~~American Veterinary Medical~~
2 ~~Association-accredited~~ ACCREDITED program for veterinary technicians;

3

4 **SECTION 6.** In Colorado Revised Statutes, **add** 12-315-127 as
5 follows:

6 **12-315-127. Veterinary drug donation program - rules.**

7 (1) AN OWNER OF AN ANIMAL MAY DONATE A PRESCRIPTION DRUG
8 THAT IS DISPENSED FOR BUT NOT USED BY THE ANIMAL TO A LICENSED
9 VETERINARIAN OR ANIMAL SHELTER IN WHICH VETERINARY MEDICINE IS
10 PRACTICED IF THE LICENSED VETERINARIAN OR ANIMAL SHELTER ACCEPTS
11 THE DRUG.

12 (2) EXCEPT AS PROVIDED IN SUBSECTION (4)(b) OF THIS SECTION,
13 A LICENSED VETERINARIAN MAY REISSUE A DONATED DRUG ACCEPTED
14 PURSUANT TO THIS SECTION TO FILL OTHER PRESCRIPTIONS DISPENSED BY
15 THE LICENSED VETERINARIAN FREE OF CHARGE FOR AN ANIMAL IF:

16 (a) THE LICENSED VETERINARIAN DETERMINES THAT THE OWNER
17 OF THE ANIMAL IS ELIGIBLE FOR THE REISSUANCE OF THE DRUG;

18 (b) THE LICENSED VETERINARIAN DETERMINES THAT THE DRUG IS
19 SUITABLE FOR REISSUANCE;

20 (c) THE DRUG WAS ORIGINALLY DISPENSED BY A LICENSED
21 VETERINARIAN OR A LICENSED PHARMACIST;

22 (d) THE DRUG IS NOT A CONTROLLED SUBSTANCE;

23 (e) THE DRUG IS NOT A COMPOUNDED DRUG;

24 (f) THE DRUG DOES NOT REQUIRE REFRIGERATION BEFORE
25 OPENING;

26 (g) THE DRUG IS NOT IN A LIQUID FORM OR, IF IN LIQUID FORM, THE
27 DRUG IS PACKAGED IN AN UNOPENED VIAL OR A SINGLE-DOSE UNOPENED

1 AMPULE;

2 (h) THE DRUG IS NOT EXPIRED;

3 (i) THE PACKAGING OR BOTTLE CONTAINS THE EXPIRATION DATE

4 OF THE DRUG; AND

5 (j) THE NAME OF THE ANIMAL, THE NAME OF THE OWNER OF THE

6 ANIMAL FOR WHICH THE DRUG WAS ORIGINALLY DISPENSED, THE

7 PRESCRIPTION NUMBER, AND ANY OTHER IDENTIFYING MARKS OR

8 INFORMATION ARE OBLITERATED FROM THE PACKAGING OR BOTTLE

9 BEFORE THE DRUG IS REISSUED.

10 (3) A LICENSED VETERINARIAN SHALL:

11 (a) IDENTIFY AND MAINTAIN SEPARATELY FROM OTHER STOCK A

12 DONATED DRUG ACCEPTED PURSUANT TO THIS SECTION; AND

13 (b) MAKE A RECORD OF EACH DONATED DRUG ACCEPTED

14 PURSUANT TO THIS SECTION THAT INCLUDES, AT MINIMUM:

15 (I) THE DATE ON WHICH THE DRUG WAS DONATED;

16 (II) THE NAME OF THE PERSON THAT DONATED THE DRUG;

17 (III) THE ANIMAL FOR WHICH THE DRUG WAS ORIGINALLY

18 PRESCRIBED AND THE NAME OF THE OWNER OF THE ANIMAL; AND

19 (IV) THE EXPIRATION DATE OF THE DRUG.

20 (4) A LICENSED VETERINARIAN SHALL NOT:

21 (a) SELL OR RESELL A DONATED DRUG ACCEPTED PURSUANT TO

22 THIS SECTION; OR

23 (b) DISPENSE A DONATED DRUG ACCEPTED PURSUANT TO THIS

24 SECTION TO FILL OTHER PRESCRIPTIONS DISPENSED BY THE LICENSED

25 VETERINARIAN FOR AN ANIMAL IF THE ANIMAL IS RAISED TO PRODUCE

26 FOOD FOR HUMAN CONSUMPTION OR THE ANIMAL IS ORDINARILY

27 CONSUMED BY ANIMALS THAT ARE RAISED TO PRODUCE FOOD FOR HUMAN

1 CONSUMPTION.

2 (5) (a) A LICENSED VETERINARIAN, ANIMAL SHELTER IN WHICH
3 VETERINARY MEDICINE IS PRACTICED, OR OTHER PERSON THAT EXERCISES
4 REASONABLE CARE IN DONATING OR ACCEPTING, DISTRIBUTING, OR
5 DISPENSING A DONATED DRUG IN ACCORDANCE WITH THIS SECTION AND
6 ANY RULES ADOPTED PURSUANT TO THIS SECTION IS NOT SUBJECT TO CIVIL
7 OR CRIMINAL LIABILITY OR DISCIPLINARY ACTION BY A PROFESSIONAL
8 LICENSING BOARD FOR ANY LOSS, INJURY, OR DEATH THAT RESULTS FROM
9 THE DONATION OF A DRUG OR THE ACCEPTANCE, DISTRIBUTION, OR
10 DISPENSATION OF THE DONATED DRUG.

11 (b) A MANUFACTURER OF A DRUG IS NOT SUBJECT TO CIVIL OR
12 CRIMINAL LIABILITY FOR ANY CLAIM OR INJURY ARISING FROM THE
13 DONATION OF THE DRUG OR ACCEPTANCE, DISTRIBUTION, OR
14 DISPENSATION OF THE DONATED DRUG PURSUANT TO THIS SECTION AND
15 ANY RULES ADOPTED PURSUANT TO THIS SECTION.

16 (6) THE BOARD MAY ADOPT RULES AS NECESSARY TO IMPLEMENT
17 THIS SECTION, INCLUDING:

18 (a) REQUIREMENTS FOR ISSUING DONATED DRUGS PURSUANT TO
19 THIS SECTION, INCLUDING REQUIREMENTS THAT PROVIDE APPROPRIATE
20 SAFEGUARDS FOR ENSURING THAT THE DRUGS ARE NOT COMPROMISED OR
21 ILLEGALLY DIVERTED BEFORE BEING REISSUED;

22 (b) REQUIREMENTS FOR A LICENSED VETERINARIAN'S OR ANIMAL
23 SHELTER'S ACCEPTANCE OF DONATED DRUGS; AND

24 (c) REQUIREMENTS FOR MAINTAINING RECORDS RELATED TO THE
25 ACCEPTANCE AND USE OF DONATED DRUGS TO FILL OTHER PRESCRIPTIONS
26 PURSUANT TO THIS SECTION.

27 **SECTION 7. In Colorado Revised Statutes, 12-280-119, amend**

1 (12)(b) and (12)(c) as follows:

2 **12-280-119. Registration of facilities - rules.**

3 (12) (b) The board may issue a limited license to an animal shelter
4 or animal control agency to perform the activities described in section
5 ~~12-280-120 (17)~~ **12-315-128 (4)**.

6 (c) The board shall adopt rules as necessary to ensure strict
7 compliance with this subsection (12) and section ~~12-280-120 (17)~~
8 **12-315-128 (4)** and, in conjunction with the state board of veterinary
9 medicine, shall develop criteria for training individuals in the
10 administration of the drug or combination of drugs.

11 **SECTION 8.** In Colorado Revised Statutes, 12-280-127, **amend**
12 (1)(b) as follows:

13 **12-280-127. Disciplinary actions.**

14 (1) (b) The board may suspend or revoke a registration issued
15 pursuant to section 12-280-119 (12) upon determination that the person
16 administering a drug or combination of drugs to an animal has not
17 demonstrated adequate knowledge required by sections 12-280-119 (12)
18 and ~~12-280-120 (17)~~ **12-315-128 (4)**.

19 **SECTION 9. Act subject to petition - effective date.** This act
20 takes effect January 1, 2027; except that, if a referendum petition is filed
21 pursuant to section 1 (3) of article V of the state constitution against this
22 act or an item, section, or part of this act within the ninety-day period
23 after final adjournment of the general assembly, then the act, item,
24 section, or part will not take effect unless approved by the people at the
25 general election to be held in November 2026 and, in such case, will take
26 effect January 1, 2027, or on the date of the official declaration of the
27 vote thereon by the governor, whichever is later.