

**HOUSE . . . . . No. 355**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Mark J. Cusack***

*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 animal telehealth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Mark J. Cusack</i>	<i>5th Norfolk</i>	<i>1/17/2025</i>

**HOUSE . . . . . No. 355**

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By Representative Cusack of Braintree, a petition (accompanied by bill, House, No. 355) of Mark J. Cusack relative to animal telehealth. Consumer Protection and Professional Licensure.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Fourth General Court  
(2025-2026)**  
\_\_\_\_\_

An Act relative to animal telehealth.

*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 most  
2 recent edition, is hereby amended by inserting at the end thereof the following:-

3           “Veterinarian-client Patient Relationship (VCPR)”, (a) the veterinarian has assumed the  
4 responsibility for making clinical judgments regarding the health of the patient and the client has  
5 agreed to follow the veterinarian's instructions; (b) the veterinarian has sufficient knowledge of  
6 the patient to initiate at least a general or preliminary diagnosis of the medical condition of the  
7 patient. This means that the veterinarian and/or his or her veterinary practice has recently seen,  
8 or is personally acquainted with, the care of the animal patient by doing any of the following: (1)  
9 examining the animal patient in person, or (2) examining the animal patient by use of  
10 synchronous audio-video communication, or (3) making medically appropriate and timely visits  
11 to the premises on which the animal patient is kept; (c) the veterinarian is readily available for  
12 follow-up evaluation or has arranged for the following: veterinary emergency coverage and

13 continuing care and treatment; (d) the VCPR shall extend to associate veterinarians within the  
14 same practice.

15 SECTION 2. Section 58A1/2 of the General Laws, as appearing in the most recent  
16 edition, is hereby amended by striking subsection (b) and inserting place thereof the following:-

17 (b) A veterinarian may dispense a compounded drug to a companion animal if: (i) the  
18 companion animal is a patient within a valid veterinarian-client-patient relationship; (ii) the  
19 quantity dispensed does not exceed a 120 hour supply; (iii) the compounded drug is for the  
20 treatment of an emergency condition; and (iv) timely access to a compounding pharmacy is not  
21 available, as determined by the prescribing veterinarian.

22 SECTION 3. Chapter 112 of the General Laws, as appearing in the most recent edition, is  
23 hereby amended by inserting the following new section:-

24 Section 55C. (a) A veterinarian shall not prescribe, dispense, or administer a drug,  
25 medicine, application, or treatment of whatever nature for the prevention, cure, or relief of a  
26 wound, fracture, bodily injury, or disease of animals unless a veterinarian-client-patient  
27 relationship exists or as otherwise permitted by law, except when the animal patient is a wild  
28 animal or the owner of the animal patient is unknown. A veterinarian-client-patient relationship  
29 exists if all of the following conditions are met:

30 (1) The client has authorized the veterinarian to assume responsibility for medical  
31 judgments regarding the health of the animal patient; and

32 (2) The veterinarian possesses sufficient knowledge of the animal patient to initiate at  
33 least a general or preliminary diagnosis of the animal patient's medical condition; and

34 (3) The veterinarian has assumed responsibility for making medical judgments regarding  
35 the health of the animal patient and has communicated with the client a medical, treatment,  
36 diagnostic, or therapeutic plan appropriate to the circumstances.

37 (b) A veterinarian possesses sufficient knowledge of the animal patient for if the  
38 veterinarian has recently seen, or is personally acquainted with, the care of the animal patient by  
39 doing any of the following:

40 (1) Examining the animal patient in person; or

41 (2) Examining the animal patient by use of synchronous audio-video communication; or

42 (3) Making medically appropriate and timely visits to the premises on which the animal  
43 patient is kept.

44 (c) For purposes of paragraphs (1) and (3) of subsection (a), the client may authorize an  
45 agent to act on the client's behalf.

46 (d) Synchronous audio-video communication is not required for the delivery of veterinary  
47 medicine via telehealth after a veterinarian-client-patient relationship has been established unless  
48 the veterinarian determines that it is necessary in order to provide care consistent with prevailing  
49 veterinary medical practice.

50 (e) A veterinarian-client-patient relationship shall not be established solely by audio-only  
51 communication or by means of a questionnaire.

52 (f) Only a person who holds a current license to practice veterinary medicine in this state  
53 is authorized to practice veterinary medicine via telehealth on an animal patient located in this  
54 state.

55 (g) Before delivering veterinary medicine via telehealth, the veterinarian shall inform the  
56 client about the use and potential limitations of telehealth and obtain consent from the client to  
57 use telehealth, including acknowledgment of all of the following:

58 (1) The same standards of care apply to veterinary medicine services via telehealth and  
59 in-person veterinary medical services; and

60 (2) The client has the option to choose an in-person visit from a veterinarian at any time;  
61 and

62 (3) The client has been advised how to receive follow-up care or assistance in the event  
63 of an adverse reaction to the treatment or in the event of an inability to communicate resulting  
64 from technological or equipment failure.

65 (h) A veterinarian who practices veterinary medicine via telehealth shall do all of the  
66 following:

67 (1) Ensure that the technology, method, and equipment used to provide veterinary  
68 medicine services via telehealth comply with all current privacy protection laws.

69 (2) Have historical knowledge of the animal patient by obtaining and reviewing the  
70 animal patient's relevant medical history, and, if available, medical records. If medical records  
71 exist from a previous in-person visit and are available to the client, the client may transmit those  
72 records, including any diagnostic data contained therein, to the veterinarian electronically.

73 (3) Employ sound professional judgment to determine whether using telehealth is an  
74 appropriate method for delivering medical advice or treatment to the animal patient and  
75 providing quality of care consistent with prevailing veterinary medical practice.

76 (4) Be familiar with available medical resources, including emergency resources near the  
77 animal patient's location, be able to provide the client with a list of nearby veterinarians who  
78 may be able to see the animal patient in person upon the request of the client, and keep, maintain,  
79 and make available a summary of the animal patient record.

80 (5) Provide the client with the veterinarian's name, contact information, and license  
81 number.

82 (6) Secure an alternative means of contacting the client if the electronic means is  
83 interrupted.

84 (i)(1) A veterinarian shall not prescribe a drug for a duration of time that is inconsistent  
85 with the medical condition of the animal patient or the type of drug prescribed.

86 (2) A veterinarian who established the required veterinarian-client-patient relationship by  
87 examining the animal patient in person or by making medically appropriate and timely visits to  
88 the premises on which the animal patient is kept shall not prescribe a drug for a duration of time  
89 that is longer than one year from the date that the veterinarian examined the animal patient in  
90 person or visited the premises and prescribed the drug.

91 (3) Except as provided in paragraphs (4) to (7), inclusive, of this subsection, a  
92 veterinarian who practices veterinary medicine via telehealth may order, prescribe, or make  
93 available drugs, as defined in Section 1 of Massachusetts Controlled Substance Act (Title XV  
94 Chapter 94C), in accordance with all relevant state and federal regulations.

95 (4) A veterinarian who established the required veterinarian-client-patient relationship  
96 using synchronous audio-video communication shall not prescribe a drug to the animal patient

97 for use for a period longer than six months from the date upon which the veterinarian examined  
98 the animal patient or prescribed the drug. The veterinarian shall not issue another prescription to  
99 the animal patient for the same drug unless they have conducted another examination of the  
100 animal patient, either in person or using telehealth.

101 (5) A veterinarian who established the required veterinarian-client-patient relationship  
102 using synchronous audio-video communication shall not prescribe an antimicrobial drug to the  
103 animal patient for a period longer than 14 days of treatment. The veterinarian shall not issue any  
104 further antimicrobial drug prescription, including a refill, to treat the condition of the animal  
105 patient unless the veterinarian has conducted an in-person examination of the animal patient.

106 (6) The veterinarian shall not order, prescribe, or make available a controlled substance,  
107 as defined in Section 1 of Massachusetts Controlled Substance Act (Title XV Chapter 94C), or  
108 xylazine, unless the veterinarian has performed an in-person physical examination of the animal  
109 patient or made medically appropriate and timely visits to the premises where the animal patient  
110 is kept.

111 (7) The veterinarian shall notify the client that some prescription drugs or medications  
112 may be available at a pharmacy and, if requested, the veterinarian shall submit a prescription to a  
113 pharmacy that the client chooses.

114 (j) A veterinarian is permitted to use telehealth without establishing a veterinarian-client-  
115 patient relationship in order to provide advice in an emergency.