



**MARYLAND DEPARTMENT OF AGRICULTURE
LEGISLATIVE COMMENT**

DATE: 2/17/16

BILL NO.: SB 614

**SUBJECT: VETERINARIANS, PHARMACIES, AND PHARMACISTS – DISPENSING
COMPOUNDED PREPARATIONS FOR USE BY COMPANION ANIMALS**

COMMITTEE: EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS

MDA POSITION: LETTER OF CONCERN

EXPLANATION:

SB 614 provides a definition for, and exemptions from, the term “companion animal”; defines compounded non-sterile preparations and compounded sterile preparation; expands the scope of the practice of veterinary medicine to include dispensing compounded preparations; and permits a pharmacist to provide a licensed veterinarian with a compounded preparation without a patient-specific prescription if certain criteria are met.

COMMENT:

This bill includes a list of animals that are considered “companion animals” and a list of animals that are not considered “companion animals.” The State Board of Veterinary Medical Examiners (SBVME) has a couple of concerns with these lists. The first concern is that a nonhuman primate is listed under the proposed definition for “companion animal.” Nonhuman primates are not legally permitted to be kept in Maryland unless an exhibitor/breeder license is obtained from the USDA for zoological or educational purposes. Further, an additional license may be needed from the Department of Natural Resources because they are considered wildlife. The second concern is that a growing number of animals, such as goats, swine, or poultry, are not included in the companion animal definition. An increasing number of these types of animals, however, are being kept for pleasure, rather than utility. The proposed definition does not clearly delineate what species are kept for pleasure. Further, the companion animal definition is potentially inconsistent with federal and state definitions.

The SBVME notes that its current regulations for medications sold or dispensed require information on the label, such as name and strength of the medication and dates of dispensing and expiration; however, §2-313(6)(I) does not. This information is important to have for all medications. In the case of compounded medications, it can be particularly critical because the shelf-life of these medications can be quite short. The benefits of administering a medication that is expired may be reduced, thus requiring longer periods of treatment at an increased cost to the client.

If SB 614 were to move forward, we would request that the definition of “companion animal”—all of §2-301(b-1)—be struck from the bill and all references to the word “companion” be struck because of inconsistency with other laws. Further, we request that the date of dispensing and expiration be included on the container in which medication is sold or dispensed.