**A** **BILL**

TO AMEND SECTION 40‑69‑295 OF THE 1976 CODE, RELATING TO MOBILE VETERINARY FACILITIES, TO PROVIDE THAT A MOBILE VETERINARY PRACTICE OR FACILITY MUST IDENTIFY THE CLOSEST LOCAL EMERGENCY SERVICES FACILITY AND POST THE CONTACT INFORMATION OF THAT FACILITY, AND TO DEFINE “MOBILE VETERINARY PRACTICE” AND “PET” FOR PURPOSES OF THAT SECTION; TO AMEND CHAPTER 69, TITLE 40 OF THE 1976 CODE, RELATING TO VETERINARIANS, TO PROVIDE FOR THE DEFINITION OF “ANIMAL SHELTER” AND “VETERINARY SERVICES”, TO PROVIDE THAT ANIMAL SHELTERS SHALL BE SUBJECT TO THE SUPERVISION AND REGULATION OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, TO PROVIDE THAT VETERINARIANS AND ANIMAL SHELTERS SHALL PREPARE MEDICAL RECORDS FOR ANIMALS IN THEIR CARE AND MAINTAIN THOSE RECORDS FOR A MINIMUM OF THREE YEARS, TO PROVIDE THAT ANIMAL SHELTERS SHALL MAINTAIN RECORDS THAT DOCUMENT THE NUMBER OF ANIMALS ADMITTED AND THE METHOD BY WHICH THEY EXIT THE FACILITY, AND TO PROVIDE FOR THE SCOPE OF PRACTICE FOR ANIMAL SHELTERS; TO AMEND CHAPTER 69, TITLE 40 OF THE 1976 CODE, RELATING TO VETERINARIANS, TO PROVIDE THAT THE DISPENSING OF A PRESCRIPTION DRUG TO THE OWNER OF AN END USER FOR THE TREATMENT OF A BODILY INJURY OR DISEASE OF AN ANIMAL SHALL BE UNLAWFUL, UNLESS PROPERLY LABELED AND PRESCRIBED BY A LICENSED VETERINARIAN, AND TO PROVIDE FOR THE PENALTIES FOR VIOLATIONS THEREOF.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 40‑69‑295 of the 1976 Code is amended to read:

“Section 40‑69‑295. (A) Regardless of mode of transportation, a mobile veterinary practice or facility must have a permanent base of operation with a published address and telephone facilities for making appointments or responding to emergency situations. The mobile practice or facility must identify the closest local emergency veterinary services facility to the mobile location. The contact information of the local emergency veterinary services facility must be posted at the mobile location and be included in the paperwork given to the pet owner documenting the services rendered.

(B) Any mobile practice affiliated with, operated by, or supported by a private, non‑profit animal shelter or other animal group shall be prohibited from operating within seven miles of the nearest privately owned veterinarian practice.

(C) As used in this section, ‘mobile veterinary practice’ means any form of clinical veterinary practice that may be transported or moved from one location to another for delivery of services to a pet. ‘Pet’ means a domesticated animal kept as a pet but does not include livestock.”

SECTION 2. Chapter 69, Title 40 of the 1976 Code is amended by adding:

“Section 40‑69‑300. (A) For purposes of this section:

(1) ‘Animal shelter’ means:

(a) a facility operated by or under contract with the State or a county, a municipal corporation, or other political subdivision of the State for the purpose of impounding or harboring seized, stray, homeless, abandoned, or unwanted dogs, cats, and other animals;

(b) a veterinary hospital or clinic operated by a veterinarian or veterinarians which operates for the purpose set forth in subitem (a) in addition to its customary purposes;

(c) a facility operated, owned, or maintained by an incorporated humane society, animal welfare society, or other nonprofit organization for the purpose of providing for and promoting the welfare, protection, and humane treatment of animals, and for the purpose of impounding or harboring seized, stray, homeless, abandoned, or unwanted dogs, cats, and other animals.

(2) ‘Veterinary services’ means the examination, diagnosis, and treatment of animal patients, administration of vaccines, diagnostic, imaging, surgery, laboratory, pharmacology, and provision of hospitalization and emergency treatment.

(B) Notwithstanding any other provision of law, all animal shelters operating in this State that provide veterinary services shall be subject to the supervision and regulation of the Department of Labor, Licensing and Regulation and the Board of Veterinary Medical Examiners.

(C) Veterinarians providing veterinary services in an animal shelter, and all animal shelters, shall prepare, or cause to be prepared, a written or electronic record concerning the animals in its care. The shelter shall maintain records for a minimum of three years after the last entry. A copy of any records relating to an animal being fostered or adopted shall be provided to the owner at the time of adoption or fostering.

(D) Animal shelters shall prepare and maintain records documenting the number of animals admitted to the facility and the method by which they exit the facility, whether by adoption, fostering, natural death, euthanasia, transfer to another state, or other means of discharge. This data shall be compiled in a report and submitted to the Board of Veterinary Medical Examiners by January 31st of each year. The report shall also contain the mailing address, street address of the current place of business, and working telephone number of the animal shelter.

(E)(1) Nothing in this section shall prohibit an animal shelter from providing veterinary services to pets they own and are holding for adoption. All animal shelters, consistent with this chapter and the related regulations, may offer and provide the following services to any member of the public:

(a) Sterilization, pursuant to Section 47‑3‑480 and any procedures deemed necessary by the attending veterinarian at the time of sterilization;

(b) Microchip implantation, pursuant to Section 47‑3‑55(C);

(c) Vaccinations; and

(d) Parasite treatment, including but not limited to, treatments for heartworm, fecals, flea control, and mange.

(2) Other than veterinary services provided pursuant to subitem (1), an animal shelter shall only provide veterinary services to low‑income pet owners. Animal shelters must post these criteria in a conspicuous location inside the facility. An animal shelter must maintain a record of the number of pet owners receiving free or reduced cost veterinary services, excluding services provided pursuant to subitem (1), and that record must be available for review upon request by the Department of Labor, Licensing and Regulation.

(3) To demonstrate low‑income status a pet owner must provide the animal shelter, and the animal shelter must retain a copy of written documentation of low‑income status from one of the following source:

(a) Medicaid;

(b) SNAP/TANF;

(c) Pay stub or proof income demonstrating income below the federal poverty guidelines published by the U.S. Department of Health and Human Services; or

(d) Other documentation, including proof of unemployment.

SECTION 3. Chapter 69, Title 40 of the 1976 Code is amended by adding:

“Section 40‑69‑305. (A) The dispensing of a prescription drug to the owner of an end user for the treatment of a bodily injury or disease of an animal shall be unlawful, unless labeled with all information required by state and federal law and prescribed by a veterinarian licensed under this Chapter.

(B) A person who violates the provisions of subsection (A) is guilty of a misdemeanor and, upon conviction, must be punished by a fine of not more than two hundred dollars or imprisonment for not more than thirty days, or both.”

SECTION 4. This act takes effect upon approval by the Governor.

‑‑‑‑XX‑‑‑‑