

## Illinois Veterinary Medicine and Surgery Practice Act Renewed for Ten Years

On August 13, 2013 Governor Quinn signed Public Act 98-0339 which extends the repeal of the Veterinary Medicine and Surgery Practice Act of 2004 from January 1, 2014 to January 1, 2024. ([see full text of new law](#))

The Illinois Constitution requires that every practice act be reviewed at least once every ten years and repealed if there is no compelling interest. The "sunset" review provides a great opportunity for complementary and alternative therapy providers to whittle away at the scope of veterinary practice.

The ISVMA wrote and passed a comprehensive amendment to the Practice Act in 2010 (three years before the sunset date) to strengthen the Act and make many needed changes and updates. This strategy gave us the opportunity to withdraw our amendment if it became bogged down in oppositional politics - without a looming sunset date to hold our feet to the fire. Fortunately, the ISVMA proposed amendment was passed and signed into law in 2010. That made the sunset renewal in 2013 much less controversial.

Public Act 98-0339 (the 2013 amendment) amends laws concerning license renewal for veterinarians. It also gives a veterinarian authority to dispense drugs in emergency situations in the absence of a traditional veterinarian-client-patient relationship. Finally, the bill amends laws concerning disciplinary laws and procedures for veterinarians. The full text of the Practice Act can be downloaded from the Illinois General Assembly website. All language that is underlined is new law and all that is struck out has been deleted.

### ***The changes in the law take effect December 31, 2013.***

One substantive change that should be noted is copied below:

(225 ILCS 115/19.1 new)

Sec. 19.1. Authority to dispense drugs in emergency situations.

(a) A veterinarian licensed under this Act, in the absence of a traditional veterinarian-client-patient relationship, may dispense up to 5 days worth of non-controlled substance medication or up to 3 days worth of controlled substance medication in an emergency situation if:

- (1) the pet has a medical condition that has been diagnosed by another licensed veterinarian, who then prescribed medication that, if ceased or skipped, could result in a decline of the pet's condition or could be deleterious to the pet's health;
- (2) the current veterinarian who prescribed the medication is unavailable to issue a refill within a timely manner or the client is not in reasonable proximity to the initial prescriber to obtain a refill within a timely manner; and
- (3) the client has evidence and can produce evidence of the ongoing medical need for the prescription, either in the form of the medical records or most recent prescription vial or a phone number or other means in which to reach the current prescriber.

(b) The second veterinarian must keep a record containing:

- (1) the name, address, and contact or phone number of the owner and initial prescriber;
- (2) the name, age, sex, and breed of the pet in question;
- (3) the name, strength, and quantity of medication

dispensed, along with use instructions; and

(4) the medical condition and reason medication is being dispensed.

(c) A maximum of 5 days of medication may be dispensed per patient per year. All dispensed medication must be properly labeled and dispensed to the owner. Notification of the dispensing shall be communicated to the initial prescriber by the dispensing veterinarian.

(d) A veterinarian shall not be required to dispense medication under this provision.

### **Governor Approves "Pet Lemon Law"**

Public Act 98-0509 provides remedies for purchasers of dogs or cats who are later determined to be unfit for sale. The bill also provides that pet shops must provide those rights in writing prior to the purchase of the animal. Veterinary practices will need to be familiar with this law as it pertains to the examination requirements of the purchased animals and the disease reporting requirements. ([see full text of the law](#))

ISVMA expressed concern and opposition to parts of the underlying legislation (Senate Bill 1639) which resulted in this new law. We provided a [position paper](#) to members of the General Assembly that resulted in some amendatory changes to the bill. However, we have concerns with the final bill that will likely be addressed in 2014:

1. Our concern regarding exemption of animal shelters and animal control facilities from the mandatory disease reporting requirements; and
2. The time period for a veterinarian to state that an animal died from a disease or illness is too long.

### **Governor Signs Bill on Pet Tethering**

Governor Quinn has signed Public Act 98-0101 establishing new requirements for tethering dogs outdoors. The measure requires the leash used to tether a dog to be at least 10 feet long and to not exceed one-eighth of a dog's body weight. It also says people who don't provide sufficient food, water, shelter and veterinary care could be subject to up to six months imprisonment. The law also creates certain exemptions from the requirements. ([see full text of the law](#))

### **Lincoln Park Zoo Simulates Bird Flu Disaster**

(August 21, 2013: Chicago Tribune) - From Tuesday through Thursday, eight zoos and aquariums in Illinois are participating in the Zoo Animal Health Network exercise on communication during emergencies, along with the U.S. Department of Agriculture and state and other agencies.

Emergency responders use a standardized protocol that zoos need to be fluent in, in order to communicate their needs, because the last thing anyone wants is for rare and endangered species to be needlessly put down, said Yvonne Nadler, a zoo employee and lead facilitator of the exercise. ([Read more...](#))

**Please Join Us on September 14 for the 3 Mile "Walk for the Goose" in St. Charles**



OVARIAN CANCER SYMPTOM AWARENESS

Take your feet to the trail for 3 miles  
at the most meaningful ovarian cancer event!

3M WALK FOR THE GOOSE  
Friendly dogs are welcome to walk, but are not required

**Saturday, September 14, 2013**

The Windings Club House  
42W346 Retreat Court  
The Great Western Trail  
St. Charles, IL

Registration: 8:30a.m.  
Opening Ceremonies: 9:30a.m.  
3 Mile Walk: 10:00a.m.  
Ticket price: \$35, includes t-shirt & lunch  
and Teal Leashes for the participating pooches!  
Students \$25 Children \$20; Scouts \$10

***Register Today!***

[www.ovariancancersymptomawareness.org](http://www.ovariancancersymptomawareness.org)

**Recent Pet Food/Product Recalls**

- FDA Announces Phibro Animal Health Requests Voluntary Withdraw of Application for Medicated Poultry Feed

August 22, 2013

The U.S. Food and Drug Administration is announcing that Phibro Animal Health Corporation has requested that FDA withdraw approval of New Animal Drug Application (NADA) 098-371 for the use of nicarbazin, penicillin, and roxarsone in three-way, combination drug Type C medicated feeds for broiler chickens, and NADA 098-374 for use of nicarbazin and penicillin in two-way, combination drug Type C medicated feeds for broiler chickens. These drugs have been approved for use in animal feed for over 40 years.

Although Phibro Animal Health Corporation withdrew its approved NADA voluntarily because these products are no longer being manufactured or marketed, the decision to remove these antibiotic-containing feeds from the market for production purposes supports FDA's voluntary strategy for judicious use of antibiotics in food-producing animals.

- Virbac has issued an expanded recall alert for Iverhart Plus Flavored Chewables due to several lots being below Ivermectin potency levels prior to their expiration.

This recall is an expansion of a recall Virbac issued in April for six lots of Iverhart Flavored Chewables.

The recalled lots may not fully protect dogs in the upper third of each weight range against heartworms.

Read the Original Recall Alert: Virbac Recalls Six Lots of Iverhart Plus Flavored Chewables.

The following lot numbers of Iverhart Plus Flavored Chewables are included in the

expanded recall:

Small (up to 25lbs)

120092: Small (up to 25lbs)  
120397: Small (up to 25lbs)  
120398: Small (up to 25lbs)  
120798: Small (up to 25lbs)

Medium (26-50lbs)

120090: Medium (26-50lbs)  
120301: Medium (26-50lbs)  
120378: Medium (26-50lbs)  
120450: Medium (26-50lbs)  
121282: Medium (26-50lbs)

Large (51-100lbs)

120091: Large (51-100lbs)  
120127: Large (51-100lbs)  
120195: Large (51-100lbs)  
120207: Large (51-100lbs)  
120256: Large (51-100lbs)  
120289: Large (51-100lbs)  
120300: Large (51-100lbs)  
120305: Large (51-100lbs)  
120306: Large (51-100lbs)  
120377: Large (51-100lbs)  
120379: Large (51-100lbs)  
120434: Large (51-100lbs)  
120440: Large (51-100lbs)  
120464: Large (51-100lbs)  
120651: Large (51-100lbs)  
120658: Large (51-100lbs)  
120678: Large (51-100lbs)  
120831: Large (51-100lbs)  
121110: Large (51-100lbs)  
121150: Large (51-100lbs)  
121283: Large (51-100lbs)  
121386: Large (51-100lbs)

This recall does not affect Iverhart Max products.

According to a Virbac letter obtained by Pet360, testing revealed that fourteen lots were below Ivermectin potency levels prior to their expiration. The company also notes that the other seventeen lots remain within specification, but are being recalled as a precautionary measure.

At the time of this letter, no heartworm-related adverse reactions or illnesses have been reported.

For questions or concerns about the Iverhart Plus recall, please contact Virbac Technical Services at 1-800-338-3659 ext. 3052.

Please remember, the American Veterinary Medical Association (AVMA) maintains a [list of current pet food and product recalls/alerts](#) on their website.

**Do You Have an Associate and/or CVT That Is Not an ISVMA Member?**

ISVMA membership continues to grow and we set new membership records every year. We want all veterinarians and CVTs to join 3000 of their colleagues and become an ISVMA member today! Please encourage your colleagues to take a moment and fill out the [online membership application](#) and pay your dues with your VISA or MasterCard.

Do you know about ISVMA's tremendous success lobbying state government on your behalf? Have you seen the new Epitome magazine that is mailed to every DVM and CVT member? Have you participated in ISVMA's high quality, affordable and accessible CE programs? Has your practice saved money through one of our sponsored benefit programs?

Your support and participation are greatly appreciated. If you know a colleague or associate that is not a member of ISVMA, please encourage them to join also! Some of the benefits of membership are listed on the [ISVMA website](#).

### Contact Us

Please feel free to forward this issue of the E-SOURCE to veterinarians that are not receiving ISVMA's electronic newsletter. Any ISVMA member may subscribe to the E-SOURCE for free.

If you wish to add your name to the recipient list, send an e-mail to [info@isvma.org](mailto:info@isvma.org) and ask to receive the E-SOURCE newsletter.

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