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*House of Representatives*  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG

August 9, 2002

COMMITTEES

PROFESSIONAL LICENSURE,  
MAJORITY CHAIRMAN  
LIQUOR CONTROL  
FIREFIGHTERS' CAUCUS,  
COCHAIRMAN EMERITUS

Original: 2276

John R. McGinley, Jr., Chairman  
Independent Regulatory Review Commission  
14th Floor, Harristown 2  
333 Market Street  
Harrisburg, PA 17101

Dear Chairman McGinley:

This is to advise you that the House Professional Licensure Committee was unable to convene a quorum in time to take formal action on Regulation 16A-5712. Committee members were forwarded a copy of the regulation and asked that they contact the Chairman with any comments or suggestions, however, none were received. Therefore, the Committee submits no comments.

Please feel free to contact my office if any questions should arise.

Sincerely,

A handwritten signature in cursive script that reads "Mario J. Civera".

Mario J. Civera, Chairman  
House Professional Licensure Committee

MJC/sms  
Enclosure

cc: Brian V. Harpster, V.M.D., Chairperson  
State Board of Veterinary Medicine  
The Honorable C. Michael Weaver  
Secretary of the Commonwealth

RECEIVED  
HOUSE OF REPRESENTATIVES  
HARRISBURG, PA  
AUG 14 2002

2002 JUL 31 11:35

**Regulation 16A-5712**

**State Board of Veterinary Medicine**

**PROPOSAL:** Regulation 16A-5712 amends 49 PA Code, Chapter 31, regulations of the State Board of Veterinary Medicine. The amendment would add a provision to Section 31.21 (relating to professional conduct) regarding the prescribing, dispensing, packaging and labeling of drugs by veterinarians.

The proposed Rulemaking was published in the Pennsylvania Bulletin on June 22, 2002. The Professional Licensure Committee has until August 12, 2002 to submit comments on the regulation.

**ANALYSIS:** The Board currently has no regulations addressing the issues of prescribing, dispensing, packaging and labeling of drugs by veterinarians. Accordingly, the Board proposes adding Principle 8, pertaining to drugs, to its regulations regarding professional conduct.

The definition for "drug" is provided in subsection (a). Subsection (b) provides that a veterinarian shall only prescribe prescription drugs to animals that are under the veterinarian's care, which include animals that the veterinarian or one of the veterinarian's licensed associates has examined. Subsection (c) provides that prescription drugs dispensed by a veterinarian, other than drugs for food animals, shall be dispensed in child resistant packaging or in the manufacturer's original packaging.

Subsection (d) lists 9 items that must be included in the labeling of a prescription drug when dispensed by a veterinarian. Subsection (e) requires that veterinarians dispense or administer only drugs that are within the expiration date specified by the manufacturer and that will not expire during the prescribed treatment period. Subsection (f) requires that upon request a veterinarian shall provide a client with a written prescription for an animal that is under the veterinarian's care, except that a veterinarian may refuse to do so if the veterinarian has a good faith belief that the prescription may be misused.

**RECOMMENDATIONS:** It is recommended that the Professional Licensure Committee take no formal action until final form regulations are promulgated.

House of Representatives  
Professional Licensure Committee  
July 31, 2002