



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

Memorandum

VIA E-MAIL

DATE: August 26, 2021

TO: Representative Luke Meerman, Chairperson, JCAR
Senator Jon Bumstead, Alternate Chairperson, JCAR
Jimmy Biehl, House Republican Policy Office
Jonathan Shiflett, Senate Majority Policy Office
Tim Reeves, Counsel, JCAR
Elizabeth Edberg, Counsel, JCAR

FROM: Derek Sova, Director of Policy and Legislative Affairs

SUBJECT: Joint Committee on Administrative Rules (JCAR) Briefing Memo for Rule Set 2019-086 LR (Pharmacy - Animal Euthanasia and Sedation)

Rules Primer

The Pharmacy – Animal Euthanasia and Sedation Rules regulate the permitting, training, purchasing, storing, possession, handling, and administering of drugs by animal control shelters, animal protection shelters, and Class B dealers to perform sedation and euthanasia on animals. The rules are intended to ensure that animals are not treated inhumanely when they are tranquilized or euthanized.

Summary of the Final Proposed Rule

The proposed rule revisions will:

- Ensure that managers and employees of animal control shelters, animal protection shelters, or Class B dealers who acquire, store, and administer tranquilizing or euthanizing drugs receive additional training in the humane use of tranquilizers and euthanizing drugs.
- Require better record keeping of controlled substances.
- Increase the use of sedation in euthanasia of animals.

August 26, 2021

- Reduce the number of animals injuring themselves or people attempting to immobilize an animal by ensuring shelters are sedating and immobilizing animals with appropriate training and drugs.
- Provide for more humane, less painful, treatment of animals.

Stakeholder Engagement

Development of the proposed rules occurred in consultation with, and approval of, the Michigan Board of Pharmacy (Board). The web address for the Board is https://www.michigan.gov/lara/0,4601,7-154-89334_72600_72603_27529_27548---,00.html. The website for the Pharmacy Rules Committee Work Group is https://www.michigan.gov/lara/0,4601,7-154-89334_72600_72603_27529_27548_91202-493894--,00.html.

Public Engagement and Public Hearing/Comment/Information

The public comment period began on June 16, 2021 and ended on July 2, 2021. The notice of public comment period, in addition to being posted in various newspapers as required, was posted on the LARA website, and distributed via email listserv to all interested parties. The public hearing was held virtually at 9:00 a.m. on July 2, 2021.

There were no comments received in opposition and two comments in support were made at the public hearing by the following individuals:

- Nancy Frank - the Michigan Veterinary Medical Association
- Ann Griffin - Michigan Humane Society.

Various Rules Committee Work Group Meetings were held to review and discuss the proposed rules. The Board of Pharmacy Rules Committee, BPL staff, members of the public, and representative of associations attended the meeting.

Modifications Made Due to Public Comment

No modifications were made to the proposed rules due to public comments made during the public comment period or made at the public hearing held on July 2, 2021. Suggestions offered by the public were taken into consideration and changes were incorporated into the proposed rules prior to the public hearing.

Significant Issues Not Incorporated in the Final Proposed Rules

There were no significant issues that were not incorporated into the final proposed rules.

cc/att: Orlene Hawks, Director, LARA
Kim Gaedeke, Chief Deputy Director, LARA

JCAR Briefing Memo for Rule Set 2019-086 LR

Page 3

August 26, 2021

Adam Sandoval, Deputy Director, LARA
Courtney Pendleton, Deputy Director, LARA
Debra Gagliardi, BPL Bureau Director, LARA
Elizabeth Arasim, Regulatory Affairs Officer, LARA