

Michigan Office of Administrative Hearings and Rules

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**AGENCY REPORT TO THE
JOINT COMMITTEE ON ADMINISTRATIVE RULES (JCAR)**

1. Agency Information

Agency name:

Licensing and Regulatory Affairs

Division/Bureau/Office:

Bureau of Professional Licensing

Name of person completing this form:

Andria Ditschman

Phone number of person completing this form:

517-241-9255

E-mail of person completing this form:

DitschmanA@michigan.gov

Name of Department Regulatory Affairs Officer reviewing this form:

Elizabeth Arasim

2. Rule Set Information

MOAHR assigned rule set number:

2019-86 LR

Title of proposed rule set:

Board of Pharmacy - Animal Euthanasia and Sedation Rules

3. Purpose for the proposed rules and background:

The purpose of the Board of Pharmacy – Animal Euthanasia and Sedation Rules is to: Regulate the permitting, training, purchase, storage, possession, handling, and administration of a class B dealer and its employees regarding a commercially prepared, premixed solution of sodium pentobarbital used to perform euthanasia on injured, sick, homeless or unwanted domestic pets, and other animals. Regulate the permitting, training, purchase, storage, possession, handling, and administration of an animal control shelter or animal protection shelter registered with the Department of Agriculture and Rural Development and its employees regarding a commercially prepared, premixed solution of sodium pentobarbital or an animal tranquilizer used to perform euthanasia on injured, sick, homeless or unwanted domestic pets, and other animals. Regulate the permitting, training, purchase, storage, possession, handling, and administration of an animal control shelter registered with the Department of Agriculture and Rural Development and its employees to use an animal tranquilizer to sedate or immobilize an animal running at large that is dangerous or difficult to capture.

4. Summary of proposed rules:

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The proposed rules will modify the regulatory mechanism for animal control shelters, animal protection shelters, and Class B dealers who administer tranquilizers and euthanize animals with the goal of more humanely handling animals to minimize pain and distress. The proposed rules will require managers and employees of animal control shelters, animal protection shelters, and Class B dealers who acquire, store, and administer tranquilizing or euthanizing drugs to receive additional training in administering tranquilizers and euthanizing animals. The proposed rules will require that the training be approved by the state veterinarian who has determined that the training must comply with the American Veterinary Medical Association's guidelines for euthanasia of animals. The proposed rules will require record keeping as the drugs used in these procedures are controlled substances.

5. List names of newspapers in which the notice of public hearing was published and publication dates:

Marquette Mining Journal – June 16, 2021; Flint Journal – June 17, 2021; Grand Rapids Press – June 17, 2021

6. Date of publication of rules and notice of public hearing in Michigan Register:

7/1/2021

7. Date, time, and location of public hearing:

7/2/2021 09:00 AM at The public hearing will be held virtually via Zoom to receive public comments while complying with measures designed to help prevent the spread of COVID-19 and the City of Lansing Resolution #2021-081. All members of the public may attend and participate in this meeting by visiting the following web link or dialing the number below at the time of the meeting. Web Link: [https://us02web.zoom.us/j/81212334683?pwd=VGxZTjRCaUQ1clg4OXZnS0V1WklLUT09](https://us02web.zoom.us/j/81212334683?pwd=VGxZTjRCaUQ1clg4OXZnS0V1WklLUT09;); Password for video connection: 910708; Phone number: 877-336-1831; Conference code for audio connection: 486917 , Web Link: <https://us02web.zoom.us/j/81212334683?pwd=VGxZTjRCaUQ1clg4OXZnS0V1WklLUT09>

8. Provide the link the agency used to post the regulatory impact statement and cost-benefit analysis on its website:

<https://ARS.apps.lara.state.mi.us/Transaction/RFRTransaction?TransactionID=83>

9. List of the name and title of agency representative(s) attending public hearing:

Kerry Przybylo, Manager; Andria Ditschman, Senior Policy Analyst; Dena Marks, Senior Policy Analyst; and LeAnn Payne, Board Support.

10. Persons submitting comments of support:

The following persons commented in support at the public hearing:
Nancy Frank – Michigan Veterinary Medical Association
Ann Griffin - Michigan Humane Society

11. Persons submitting comments of opposition:

No persons submitted comments in opposition.

12. Identify any changes made to the proposed rules based on comments received during the public comment period:

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	Name & Organization	Comments made at public hearing	Written Comments	Agency Rationale for change	Rule number & citation changed
1	None.	None.		None.	None.

13.Date report completed:

7/22/2021