

NOTE: The governor signed this measure on 3/20/2014.

An Act

SENATE BILL 14-039

BY SENATOR(S) Balmer, Guzman, Aguilar, Crowder, Grantham, Heath, Herpin, Jahn, Johnston, Jones, Kefalas, Kerr, Lundberg, Marble, Newell, Nicholson, Steadman, Tochtrop, Todd, Zenzinger;
also REPRESENTATIVE(S) McCann and Court, Conti, Fischer, Garcia, Ginal, Hullinghorst, Lebsock, Melton, Pabon, Pettersen, Primavera, Rosenthal, Ryden, Salazar, Singer, Tyler, Williams, Young.

CONCERNING A GRANT OF LIMITED AUTHORITY TO EMERGENCY MEDICAL SERVICE PROVIDERS TO VOLUNTARILY PROVIDE PREVETERINARY EMERGENCY CARE TO CERTAIN DOMESTICATED ANIMALS.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Legislative declaration. (1) The general assembly finds, determines, and declares that:

(a) As with persons throughout the nation, Colorado residents are fortunate to receive comfort and unconditional love on a daily basis from their household pets, particularly dogs and cats;

(b) In addition to the advantages of maintaining household pets, Colorado residents benefit from all forms of assistance that pets perform for their owners, especially the special comfort, support, and guidance

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

uniquely provided by the many therapy and companion dogs and cats around the state;

(c) In addition to the assistance these pets provide for their owners in or around households and while navigating daily life, military dogs, drug-sniffing dogs, bomb-sniffing dogs, and other service animals provide critical assistance to persons with disabilities and to aid the performance of official duties by military personnel, peace officers, law enforcement agencies, fire departments, fire protection districts, or search-and-rescue agencies; and

(d) The personnel of some fire districts currently provide stabilizing, life-saving emergency care to dogs and cats, which violates the "Colorado Veterinary Practice Act", article 64 of title 12, Colorado Revised Statutes.

(2) By enacting this legislation, the general assembly intends to authorize emergency medical service providers to provide, on a voluntary basis, emergency medical care for dogs and cats in accordance with policies and procedures designed and implemented by the employers of the emergency medical service providers.

SECTION 2. In Colorado Revised Statutes, 25-3.5-203, **add** (4.5) as follows:

25-3.5-203. Emergency medical service providers - certification - renewal of certificate - duties of department - rules - criminal history record checks - definitions. (4.5) (a) AS USED IN THIS SUBSECTION (4.5), UNLESS THE CONTEXT OTHERWISE REQUIRES:

(I) "CAT" MEANS A SMALL, DOMESTICATED FELINE ANIMAL THAT IS KEPT AS A PET. "CAT" DOES NOT INCLUDE A NONDOMESTICATED WILD ANIMAL.

(II) "DOG" MEANS ANY CANINE ANIMAL OWNED FOR DOMESTIC, COMPANIONSHIP, SERVICE, THERAPEUTIC, OR ASSISTANCE PURPOSES.

(III) "EMERGENCY MEDICAL SERVICE PROVIDER" MEANS AN EMERGENCY MEDICAL SERVICE PROVIDER THAT IS CERTIFIED OR LICENSED BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, CREATED

UNDER SECTION 25-1-102.

(IV) "EMPLOYER" MEANS AN ENTITY OR ORGANIZATION THAT EMPLOYS OR ENLISTS THE SERVICES OF AN EMERGENCY MEDICAL SERVICE PROVIDER, REGARDLESS OF WHETHER THE PROVIDER IS PAID OR IS A VOLUNTEER. THE EMPLOYER MAY BE A PUBLIC, PRIVATE, FOR-PROFIT, OR NONPROFIT ORGANIZATION OR ENTITY; OR A SPECIAL DISTRICT.

(V) "PREVETERINARY EMERGENCY CARE" MEANS THE IMMEDIATE MEDICAL STABILIZATION OF A DOG OR CAT BY AN EMERGENCY MEDICAL SERVICE PROVIDER, IN AN EMERGENCY TO WHICH THE EMERGENCY MEDICAL SERVICE PROVIDER IS RESPONDING, THROUGH MEANS INCLUDING OXYGEN, FLUIDS, MEDICATIONS, OR BANDAGING, WITH THE INTENT OF ENABLING THE DOG OR CAT TO BE TREATED BY A VETERINARIAN. "PREVETERINARY EMERGENCY CARE" DOES NOT INCLUDE CARE PROVIDED IN RESPONSE TO AN EMERGENCY CALL MADE SOLELY FOR THE PURPOSE OF TENDING TO AN INJURED DOG OR CAT, UNLESS A PERSON'S LIFE COULD BE IN DANGER ATTEMPTING TO SAVE THE LIFE OF A DOG OR CAT.

(b) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, AN EMERGENCY MEDICAL SERVICE PROVIDER MAY PROVIDE PREVETERINARY EMERGENCY CARE TO DOGS AND CATS TO THE EXTENT THE PROVIDER HAS RECEIVED COMMENSURATE TRAINING AND IS AUTHORIZED BY THE EMPLOYER TO PROVIDE THE CARE. REQUIREMENTS GOVERNING THE CIRCUMSTANCES UNDER WHICH EMERGENCY MEDICAL SERVICE PROVIDERS MAY PROVIDE PREVETERINARY EMERGENCY CARE TO DOGS AND CATS MAY BE SPECIFIED IN THE EMPLOYER'S POLICIES GOVERNING THE PROVISION OF CARE.

(c) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, NOTHING IN THIS SUBSECTION (4.5) IMPOSES UPON AN EMERGENCY MEDICAL SERVICE PROVIDER ANY OBLIGATION TO PROVIDE CARE TO A DOG OR CAT, OR TO PROVIDE CARE TO A DOG OR CAT BEFORE A PERSON.

SECTION 3. In Colorado Revised Statutes, 12-64-104, **add** (3) as follows:

12-64-104. License requirements and exceptions - definitions - rules. (3) (a) AS USED IN THIS SUBSECTION (3), UNLESS THE CONTEXT OTHERWISE REQUIRES:

(I) "CAT" MEANS A SMALL, DOMESTICATED FELINE ANIMAL THAT IS KEPT AS A PET. "CAT" DOES NOT INCLUDE A NONDOMESTICATED WILD ANIMAL.

(II) "DOG" MEANS ANY CANINE ANIMAL OWNED FOR DOMESTIC, COMPANIONSHIP, SERVICE, THERAPEUTIC, OR ASSISTANCE PURPOSES.

(III) "EMERGENCY MEDICAL SERVICE PROVIDER" MEANS AN EMERGENCY MEDICAL SERVICE PROVIDER WHO IS CERTIFIED OR LICENSED BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, CREATED UNDER SECTION 25-1-102, C.R.S.

(IV) "EMPLOYER" MEANS AN ENTITY OR ORGANIZATION THAT EMPLOYS OR ENLISTS THE SERVICES OF AN EMERGENCY MEDICAL SERVICE PROVIDER, REGARDLESS OF WHETHER THE PROVIDER IS PAID OR IS A VOLUNTEER. THE EMPLOYER MAY BE A PUBLIC, PRIVATE, FOR-PROFIT, OR NONPROFIT ORGANIZATION OR ENTITY; OR A SPECIAL DISTRICT.

(V) "PREVETERINARY EMERGENCY CARE" MEANS THE IMMEDIATE MEDICAL STABILIZATION OF A DOG OR CAT BY AN EMERGENCY MEDICAL SERVICE PROVIDER, IN AN EMERGENCY TO WHICH THE EMERGENCY MEDICAL SERVICE PROVIDER IS RESPONDING, THROUGH MEANS INCLUDING OXYGEN, FLUIDS, MEDICATIONS, OR BANDAGING, WITH THE INTENT OF ENABLING THE DOG OR CAT TO BE TREATED BY A VETERINARIAN. "PREVETERINARY EMERGENCY CARE" DOES NOT INCLUDE CARE PROVIDED IN RESPONSE TO AN EMERGENCY CALL MADE SOLELY FOR THE PURPOSE OF TENDING TO AN INJURED DOG OR CAT UNLESS A PERSON'S LIFE COULD BE IN DANGER ATTEMPTING TO SAVE THE LIFE OF A DOG OR CAT.

(b) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, AN EMERGENCY MEDICAL SERVICE PROVIDER MAY PROVIDE PREVETERINARY EMERGENCY CARE TO DOGS AND CATS TO THE EXTENT THE PROVIDER HAS RECEIVED COMMENSURATE TRAINING AND IS AUTHORIZED BY THE EMPLOYER TO PROVIDE THE CARE. THE PROVISION OF PREVETERINARY EMERGENCY CARE TO DOGS AND CATS BY EMERGENCY MEDICAL SERVICE PROVIDERS IN ACCORDANCE WITH THIS PARAGRAPH (b) IS NOT A VIOLATION OF THIS ARTICLE. REQUIREMENTS GOVERNING THE CIRCUMSTANCES UNDER WHICH EMERGENCY MEDICAL SERVICE PROVIDERS MAY PROVIDE PREVETERINARY EMERGENCY CARE TO DOGS AND CATS MAY BE SPECIFIED IN THE EMPLOYER'S POLICIES GOVERNING THE PROVISION OF CARE.

(c) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, NOTHING IN PARAGRAPH (b) OF THIS SUBSECTION (3) IMPOSES UPON AN EMERGENCY MEDICAL SERVICE PROVIDER ANY OBLIGATION TO PROVIDE CARE TO A DOG OR CAT, OR TO PROVIDE CARE TO A DOG OR CAT BEFORE A PERSON.

SECTION 4. No appropriation. The general assembly has determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state moneys is necessary to carry out the purposes of this act.

SECTION 5. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 6, 2014, if adjournment sine die is on May 7, 2014); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless

approved by the people at the general election to be held in November 2014 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Morgan Carroll
PRESIDENT OF
THE SENATE

Mark Ferrandino
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO