

The first session of the 110th Tennessee General Assembly came to a close on Wednesday, May 10, 2017 and was the latest adjournment date since 2011. The first half of this General Assembly was a busy one for TVMA and a summary of some of the legislation our government affairs team worked on is below:

Animal Massage Therapy

Public Chapter 274 by Senator Kerry Roberts (R-Springfield) and Representative Andy Holt (R-Dresden) addresses the practice of animal massage therapy in Tennessee. Prior to the passage of Public Chapter 274, the law was clear that only a licensed veterinarian or a person under the supervision of a licensed veterinarian could practice animal massage therapy. Two individuals, who are not licensed veterinarians, from the animal massage therapy community argued that the state law restricted their ability to earn a living from practicing animal massage therapy.

During legislative committee testimony, the two individuals acknowledged that they had received cease and desist letters from the Board of Veterinary Medical Examiners informing them that they were in violation of state law regarding the practice of animal massage therapy. In a two-pronged effort seeking redress, the two individuals filed a lawsuit suing the Board of Veterinary Examiners and also filed legislation that ultimately became Public Chapter 274. The two individuals were aided in their legal and legislative efforts by partnering with the Beacon Center, a non-profit public policy organization based in Nashville, TN.

As a result of the aforementioned legislation, TVMA's government affairs team negotiated with members of the animal massage therapy community and ultimately reached a compromise that exempts animal massage therapy from the veterinary practice act until July 1, 2018. TVMA requested the definition for human massage therapy be used instead of the animal massage therapy definition that is contained in the rules of the Board of Veterinary Medical Examiners. Also, TVMA further stipulated during negotiations that language be included stating animal massage therapy is not the practice of veterinary medicine.

TVMA's rationale for including the one year sunset provision in Public Chapter 274 is to bring the members of the animal massage therapy community and the Board of Veterinary Medical Examiners to the table during the intervening months leading up to the sunset date to devise a regulatory scheme for animal massage therapy. It is TVMA's hope that a regulatory scheme for animal massage therapy will be created, but the sunset provision in Public Chapter 274 provides a safeguard that if no regulatory scheme is devised for animal massage therapy before the sunset date of July 1, 2018 the exemption for animal massage therapy will cease to exist.

Professional Privilege Tax Legislation

Several pieces of legislation seeking to phase out the professional privilege tax paid by veterinarians and other professionals in Tennessee were filed during the first session of the 110th Tennessee General Assembly, but none were able to gain any traction in legislative committees. TVMA's government affairs team will continue to monitor this issue closely during the second session of the 110th.

Tennessee Retail Pet Store Consumer Protection Act:

SB 519 / HB 568 by Senator Becky Massey (R-Knoxville) and Representative Pat Marsh (R-Shelbyville) was legislation that sought to provide protections for consumers purchasing companion animals from retail pet stores. The legislation passed in the Senate, but failed in the House. TVMA expects that this issue will be brought up again during the second session of the 110th and will be monitoring it.

Commercial Dog Breeder Act:

SB 283 / HB 120 by Senator Jon Lundberg (R-Bristol) and Representative Susan Lynn (R-Mt. Juliet) was renewed effort to pass commercial dog breeder legislation. The House version of the legislation passed out of committee, but the companion Senate legislation was never taken up for a vote in the Senate committee. TVMA expects that this issue will be brought up again in 2018.