

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 424

Short Title: Certified Technicians for Animal Euthanasia. (Public)

Sponsors: Representatives Allred and Pierce (Primary Sponsors).

Referred to: Agriculture, if favorable, Health, if favorable, Judiciary II.

March 5, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES
3 TO CERTIFY PERSONS TO ORDER, POSSESS, AND ADMINISTER DRUGS FOR
4 ANIMAL EUTHANASIA AND TO AUTHORIZE ANIMAL SHELTERS THAT
5 CONTRACT WITH THESE PERSONS TO APPLY FOR REGISTRATION UNDER THE
6 FEDERAL CONTROLLED SUBSTANCES ACT.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** Article 5 of Chapter 90 of the General Statutes is amended by adding
9 a new section to read:

10 **"§ 90-102.2. Persons authorized to acquire, store, and dispense drugs for animal**
11 **euthanasia.**

12 (a) Definitions. – The following definitions apply in this section:

13 (1) Animal shelter. – An animal shelter with a valid and current certificate of
14 registration under Article 3 of Chapter 19A of the General Statutes.

15 (2) Certified euthanasia technician. – A person certified as a certified euthanasia
16 technician by the Department of Agriculture and Consumer Protection under
17 rules adopted to implement the provisions of G.S. 19A-24(5).

18 (3) Midlevel practitioner. – The same meaning as in 21 Code of Federal
19 Regulations § 1300.01(b)(28) (December 3, 2007, edition).

20 (b) The Department of Health and Human Services shall adopt rules to provide for
21 determining, based upon training and job descriptions, persons not already qualified under
22 other law who may be authorized under the law of this State to acquire, store, and administer to
23 cats, dogs, and other nonhuman animals those solutions containing sodium pentobarbital and
24 other drugs that have been determined by the Department to be appropriate drugs for use in
25 euthanasia of these animals. The rules shall include application procedures for registration
26 under this Article to acquire, store, and dispense those drugs in this State for that limited
27 purpose and shall authorize the Secretary of Health and Human Services to register those
28 qualified persons as certified euthanasia technicians under this subsection.

29 (c) A person registered under subsection (b) of this section may lawfully store and
30 administer solutions containing sodium pentobarbital and other drugs for use in euthanizing
31 cats, dogs, and other animals to the extent provided by the registration in conformity with this
32 Article and the rules adopted under G.S. 90-100. Persons registered under subsection (b) of this
33 section are also authorized to apply for registration by the federal Drug Enforcement Agency as
34 a midlevel practitioner.

35 (d) An animal shelter in this State that has employed or contracted with a veterinarian
36 licensed in this State or that has employed or contracted with a person certified under
37 subsection (b) of this section to provide euthanasia services as needed for animals at the animal



1 shelter may apply for registration as a clinic under this Article to purchase, possess, and
2 administer sodium pentobarbital and other drugs approved for use in animal euthanasia. An
3 animal shelter that is registered under this section may apply for registration with the federal
4 Drug Enforcement Agency under the federal Controlled Substances Act, as administered by the
5 Drug Enforcement Agency, as a licensee authorized to acquire, store, and dispense sodium
6 pentobarbital and other euthanasia drugs, subject to regulations of the Drug Enforcement
7 Agency. An animal shelter's acquisition of solutions containing sodium pentobarbital and other
8 approved euthanasia drugs shall be made by the shelter's chief operating officer or by a licensed
9 veterinarian."

10 **SECTION 2.** This act is effective when it becomes law.