

45:16-8.3
LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2015 **CHAPTER:** 110

NJSA: 45:16-8.3 (Requires certain veterinarians at for-profit veterinary facilities to provide written notification concerning absence of supervision after normal business hours; designated as "Betsy's Law.")

BILL NO: A1186 (Substituted for S903 (SS))

SPONSOR(S) Wolfe, David W., and others

DATE INTRODUCED: January 16, 2014

COMMITTEE: **ASSEMBLY:** Regulated Professions

SENATE: ---

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** 6/11/2015

SENATE: 7/23/2015

DATE OF APPROVAL: September 15, 2015

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Assembly Committee Substitute enacted) Yes

A1186

INTRODUCED BILL: (Includes sponsor(s) statement) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: No

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

S903 (SS)

INTRODUCED BILL: (Includes sponsor(s) statement) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, **may possibly** be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

end

P.L.2015, CHAPTER 110, *approved September 15, 2015*
Assembly Committee Substitute for
Assembly, No. 1186
(CORRECTED COPY)

1 **AN ACT** concerning after normal business hours supervision of
2 domestic companion animals at for-profit veterinary facilities,
3 designated as Betsy’s Law, and supplementing Title 45 of the
4 Revised Statutes.

5
6 **BE IT ENACTED** by the Senate and General Assembly of the State
7 of New Jersey:

8
9 1. a. Every veterinary facility in the State shall post its normal
10 business hours in a conspicuous location easily visible to the public.

11 b. (1) A veterinarian overseeing the care of a domestic
12 companion animal at a veterinary facility that does not provide
13 domestic companion animals with supervision after normal business
14 hours by a person physically on the premises shall provide written
15 notification to each person bringing a domestic companion animal
16 to the veterinary facility for care or treatment. The written
17 notification may be provided as a sign posted next to the posting
18 required pursuant to subsection a. of this section, as part of a sign
19 used to meet the posting requirement of that subsection, or on an
20 intake form provided to each person bringing a domestic companion
21 animal to the veterinary facility.

22 (2) The written notification provided in accordance with
23 paragraph (1) of this subsection shall include the following specific
24 language:

25
26 “This veterinary facility does NOT
27 provide supervision for animals after
28 normal business hours by a person
29 physically on these premises.”
30

31 This language shall be printed in no less than 12-point font in an
32 intake form and no less than 24-point font on a posted sign.

33 c. As used in this section:
34 “Domestic companion animal” means any animal commonly
35 referred to as a “pet,” which has been bought, bred, raised or
36 otherwise acquired, in accordance with local ordinances and State
37 and federal law, for the primary purpose of providing
38 companionship to the owner, rather than for business or agricultural
39 purposes.

40 “Normal business hours” means the times posted at a veterinary
41 facility indicating the hours that the veterinary facility is open for
42 business with supervising staff available.

1 “Veterinarian” means any person engaged in the licensed
2 practice of veterinary medicine as defined by R.S.45:16-8.1.

3 “Veterinary facility” means any place or establishment, operated
4 on a for-profit basis, where a domestic companion animal, which is
5 not owned by either the proprietor or care-giving veterinarian, is
6 treated, temporarily sheltered, fed, and watered for veterinary care
7 purposes. “Veterinary facility” may include an animal or veterinary
8 facility as defined in section 1 of P.L.1983, c. 98 (C.45:16-1.1).

9 d. A veterinarian who fails or refuses to comply with the
10 provisions of this section shall be subject to a public reprimand by
11 the State Board of Veterinary Medical Examiners and any other
12 penalties the board imposes.

13

14 2. This act shall take effect immediately.

15

16

17

18

19 Requires veterinarians at for-profit veterinary facilities to
20 provide written notification concerning absence of supervision after
21 normal business hours; designated as “Betsy’s Law.”

ASSEMBLY, No. 1186

STATE OF NEW JERSEY 216th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2014 SESSION

Sponsored by:

Assemblyman DAVID W. WOLFE

District 10 (Ocean)

Assemblyman GREGORY P. MCGUCKIN

District 10 (Ocean)

Assemblyman REED GUSCIORA

District 15 (Hunterdon and Mercer)

Assemblyman CARMELO G. GARCIA

District 33 (Hudson)

SYNOPSIS

Requires certain veterinarians to provide written notification to animal owner if boarded animal will not be subject to 24-hour supervision; “Betsy’s Law.”

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



(Sponsorship Updated As Of: 12/16/2014)

1 AN ACT concerning the unsupervised boarding of domestic
2 companion animals and designated as Betsy's Law, and
3 supplementing Title 4 of the Revised Statutes.
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
7

8 1. As used in this act:

9 "Domestic companion animal" or "animal" means any animal
10 commonly referred to as a pet or one that has been bought, bred,
11 raised or otherwise acquired, in accordance with local ordinances
12 and State and federal law, for the primary purpose of providing
13 companionship to the owner, rather than for business or agricultural
14 purposes.

15 "Veterinarian" means any person engaged in the licensed
16 practice of veterinary medicine as defined by R.S.45:16-8.1.

17 "Veterinary boarding facility" means any place or establishment
18 where a domestic companion animal not owned by the proprietor is
19 temporarily sheltered, fed, and watered for veterinary purposes.
20

21 2. A veterinarian who does not provide domestic companion
22 animals in a veterinary boarding facility with 24-hour supervision
23 by a person physically on the premises shall, prior to assuming care
24 or custody of an animal, provide written notification to the animal's
25 owner advising the owner of the lack of 24-hour supervision. This
26 notification shall include the following specific language: "This
27 facility does NOT provide 24-hour supervision for any boarded
28 animals. Your signature on this document confirms that you have
29 been notified of the lack of 24-hour animal supervision at this
30 facility, and further signifies your understanding that, in the event
31 that you choose to leave your pet at this facility, your pet may be
32 subjected to injury, illness, or accidental death due to the absence of
33 24-hour animal supervision." This notification shall be signed and
34 dated by the animal owner.
35

36 3. A copy of the signed notification shall be retained by the
37 veterinarian for a period of two years following the release or
38 accidental death of a boarded animal, except that following the
39 election of the humane disposal of an unretrieved animal pursuant
40 to P.L.1979, c.354 (C.45:16-13 et seq.), any signed notification may
41 be immediately destroyed.
42

43 4. This act shall take effect on the first day of the fourth month
44 next following the date of enactment.

STATEMENT

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“Betsy’s Law” requires any veterinarian who boards domestic companion animals in a veterinary boarding facility to provide written notification to an animal owner if the boarded animals will not be subject to 24-hour supervision by a person physically on the premises. Animals left unattended are more likely to be injured, to become ill, or to suffer accidental death than those that are supervised. Accordingly, notification regarding the lack of supervision is necessary to assure that animal owners are made aware of the risks of leaving their animals for an unsupervised stay in a veterinary boarding facility. This bill specifies the language that is to appear in the written notification provided to an animal owner, and it requires that veterinarians obtain the animal owner’s signature on the notification form in order both to verify that notice has been given, and to confirm that the owner fully understands the dangers of leaving their animal for an unsupervised stay in the veterinary boarding facility.

This bill has been drafted in specific response to an incident involving the death of dog, which belonged to a New Jersey resident. Following a minor veterinary procedure, and upon advice from the presiding veterinarian, Betsy, a beloved family pet, was boarded at a veterinary facility for the purposes of overnight veterinary observation. On the following morning, the veterinarian telephoned Betsy’s owner, informed her that Betsy had hung herself as a result of a lack of animal supervision, and requested payment for his services.

By requiring veterinarians to give notice regarding the lack of 24-hour animal supervision at a veterinary boarding facility, and by thereby providing animal owners with the ability to make an informed choice regarding their authorization of an unsupervised veterinary stay for their animal, this bill helps to prevent veterinarians from misleading animal owners about the safety of these boarding conditions, as was done in Betsy’s case.

ASSEMBLY REGULATED PROFESSIONS COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR ASSEMBLY, No. 1186

STATE OF NEW JERSEY

DATED: FEBRUARY 5, 2015

The Assembly Regulated Professions Committee reports favorably an Assembly Committee Substitute for Assembly Bill No. 1185.

This committee substitute, designated as “Betsy’s Law,” requires a veterinarian at a veterinary facility to provide written notification to a pet owner if a pet receiving care or treatment at the veterinary facility will not be supervised after normal business hours by a person physically on the premises.

The bill requires every veterinary facility in the State to post its normal business hours in a conspicuous location that is easily visible to the public. The bill specifies that the required written notification concerning the lack of supervision of a pet after normal business hours may be provided as a sign, part of a sign, or on an intake form, with the following specific language:

“This veterinary facility does NOT provide supervision for animals after normal business hours by a person physically on these premises.”

The bill specifies this language must be printed in no less than 12-point font in an intake form and no less than 24-point font on a posted sign.

In addition, the bill provides that a veterinarian who refuses or fails to comply with the bill’s requirements is subject to a public reprimand by the State Board of Veterinary Medical Examiners, and any other penalties the board imposes.

SENATE, No. 903

STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED JANUARY 16, 2014

Sponsored by:

Senator JAMES W. HOLZAPFEL

District 10 (Ocean)

SYNOPSIS

Requires veterinarians at for-profit veterinary facilities to provide written notification to pet owners concerning absence of animal supervision after normal business hours; designated as “Betsy’s Law.”

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning after normal business hours supervision of
2 domestic companion animals at for-profit veterinary facilities,
3 designated as Betsy’s Law, and supplementing Title 4 of the
4 Revised Statutes.

5
6 **BE IT ENACTED** by the Senate and General Assembly of the State
7 of New Jersey:

8
9 1. As used in this act:

10 “Domestic companion animal” means any animal commonly
11 referred to as a “pet,” which has been bought, bred, raised or
12 otherwise acquired, in accordance with local ordinances and State
13 and federal law, for the primary purpose of providing
14 companionship to the owner, rather than for business or agricultural
15 purposes.

16 “Normal business hours” means the times posted at a veterinary
17 facility indicating the hours that the veterinary facility is open for
18 business with supervising staff available.

19 “Veterinarian” means any person engaged in the licensed
20 practice of veterinary medicine as defined by R.S.45:16-8.1.

21 “Veterinary facility” means any place or establishment, operated
22 on a for-profit basis, where a domestic companion animal, which is
23 not owned by either the proprietor or care-giving veterinarians, is
24 treated, temporarily sheltered, fed, and watered for veterinary care
25 purposes.

26
27 2. a. Every veterinary facility in the State shall post its normal
28 business hours in a conspicuous location easily visible to the public.

29 b. (1) A veterinarian overseeing the care of a domestic
30 companion animal at a veterinary facility that does not provide
31 domestic companion animals with after normal business hours
32 supervision by a person physically on the premises shall, prior to
33 keeping the domestic companion animal at the veterinary facility
34 after normal business hours: (a) notify the owner of the domestic
35 companion animal that there is a need or intention to keep the
36 animal at the facility after normal business hours; (b) in accordance
37 with the provisions of paragraph (2) of this subsection, provide
38 written notification to the owner of the domestic companion animal,
39 advising the owner of the absence of after normal business hours
40 supervision; and (c) give the owner of the domestic companion
41 animal the opportunity to decline leaving the animal at the
42 veterinary facility after normal business hours.

43 (2) The written notification that is provided to the owner of a
44 domestic companion animal in accordance with paragraph (1) of
45 this subsection shall include the following specific language:

46
47 “This veterinary facility does NOT
48 provide after normal business hours

1 supervision by a person physically on
2 these premises for pets that are treated
3 at this veterinary facility. Your
4 signature on this document confirms
5 that you have been notified of the
6 absence of personnel after normal
7 business hours at this veterinary
8 facility.”

9
10 This notification shall be signed and dated by the owner of the
11 domestic companion animal. A copy of the signed notification shall
12 be retained by the veterinarian for a period of two years following
13 the release from custody of a domestic companion animal, except
14 that following the election of the humane disposal of an unretrieved
15 animal pursuant to P.L.1979, c.354 (C.45:16-13 et seq.), any signed
16 notification may be immediately destroyed.

17
18 3. This act shall take effect on the first day of the fourth month
19 next following the date of enactment.

20

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STATEMENT

22

23 This bill, designated as “Betsy’s Law,” would require
24 veterinarians at a veterinary facility to provide notice to a pet owner
25 when a pet at the veterinary facility will not be subject to
26 supervision after normal business hours by a person physically on
27 the premises. Such notification is necessary to assure that a pet
28 owner is made aware when there is no supervision for their pet after
29 normal business hours at a veterinary care facility, and to ensure
30 that the pet owner has the opportunity to make an informed choice
31 as to whether to leave their pet at the facility after normal business
32 hours.

33 The bill would require every veterinary facility in the State to
34 post its normal business hours in a conspicuous location that is
35 easily visible to the public. If a veterinary facility does not provide
36 domestic companion animals with after normal business hours
37 supervision by a person physically on the premises, a veterinarian at
38 the facility would be required, prior to keeping a domestic
39 companion animal at the veterinary facility after normal business
40 hours, to: (1) notify the animal owner of the necessity or intention
41 to keep the animal at the facility after normal business hours; (2)
42 provide written notification to the animal owner, advising the owner
43 of the absence of after normal business hours supervision; and (3)
44 give the owner the opportunity to decline leaving the animal at the
45 veterinary facility after normal business hours.

46 The bill specifies the language that is to appear in the written
47 notification that is provided to a pet owner, and it requires the
48 veterinarian overseeing care of the animal at the veterinary facility

S903 HOLZAPFEL

1 to obtain the pet owner's signature on the notification form, in order
2 to verify that notice has been given, and confirm that the owner
3 fully understands that there will be no supervision of their pet by a
4 person physically on the premises after normal business hours.

5 This bill has been drafted in specific response to an incident
6 involving the death of a dog which belonged to a New Jersey
7 resident. Following a minor veterinary procedure, and upon advice
8 from the presiding veterinarian, Betsy, a beloved family pet, was
9 kept overnight at a veterinary facility for the purposes of overnight
10 veterinary supervision. On the following morning, the veterinarian
11 telephoned Betsy's owner, informed her that Betsy hanged herself
12 as a result of the absence of animal supervision, and requested
13 payment for his services.

14 By requiring veterinarians to give notice that there is no
15 supervision of pets at their veterinary facility after normal business
16 hours, and by providing the pet owner with the opportunity to make
17 an informed choice regarding their authorization of an unsupervised
18 veterinary stay for their pet, this bill will help pet owners to better
19 understand the nature and extent of animal supervision taking place
20 at veterinary facilities after normal business hours.

SENATE ECONOMIC GROWTH COMMITTEE

STATEMENT TO

SENATE, No. 903

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 11, 2014

The Senate Economic Growth Committee reports favorably and with committee amendments Senate Bill No. 903.

As amended and reported, this bill, designated as “Betsy’s Law,” requires veterinarians at a veterinary facility to provide notice to a pet owner when a pet at the veterinary facility will not be subject to supervision after normal business hours by a person physically on the premises.

The bill requires every veterinary facility in the State to post its normal business hours in a conspicuous location that is easily visible to the public. If a veterinary facility does not provide supervision of pets with after normal business hours by a person physically on the premises, a veterinarian at the facility is required, prior to keeping a pet at the veterinary facility after normal business hours, to: 1) notify the pet owner of the necessity or intention to keep the pet at the facility after normal business hours; 2) provide written notification to the pet owner, advising the owner of the absence of after normal business hours supervision; and 3) give the owner the opportunity to decline leaving the animal at the veterinary facility after normal business hours.

The bill specifies that the written notification to be provided to a pet owner be printed in at least 12-point font type, that the veterinarian overseeing care of the animal at the veterinary facility obtains the pet owner’s signature on the notification form in order to verify that notice has been given, and that the owner fully understands that there is to be no supervision of the pet by a person physically on the premises after normal business hours.

The bill provides that a veterinarian who violates the provisions of the bill is subject to: 1) a public reprimand by the State Board of Veterinary Medical Examiners (board); 2) and a fine of not less than \$3,000 for the first offense, not less than \$7,500 for the second offense, and not less than \$15,000 for each subsequent offense. In addition, the board, at its own discretion or upon recommendation of the Superior Court, may order the immediate suspension or revocation of the violator’s license to practice veterinary medicine, or impose other disciplinary action deemed appropriate.

The committee amended the bill to: 1) subject veterinarians who violate the provisions of the bill to penalties and board disciplinary action; 2) require the language of the written notification to the pet owner be of at least 12 point font type; and 3) have the bill take effect immediately.

Acting Governor Guadagno Signs Bipartisan "Betsy's Law"

Tuesday, September 15, 2015 Tags: [Bill Action](#)



Trenton, NJ – This afternoon, Acting Governor Kim Guadagno signed the bipartisan "Betsy's Law" (A-1186/S-903), which requires veterinarians at all for-profit veterinary facilities to provide written notification to a pet owner if the veterinary facility does not provide supervision for animals after normal business hours by someone on the premises.

"By enacting 'Betsy's Law,' we have a chance to prevent tragic accidents. This bipartisan legislation will help veterinarians continue to keep faith with pet owners by giving them the information they need to make the best decisions for their pets," said Acting Governor Guadagno. "That information may mean the difference between a simple vet visit and a tragedy."

"Betsy's Law" was named for a 16-month-old Rottweiler who was accidentally strangled during an overnight stay at a veterinary hospital after minor surgery when her collar caught on the cage. Madeleine Kayser, Betsy's owner, was never informed that the animals in the hospital did not have after-hours supervision. Ms. Kayser has worked with the bill's sponsors to support this legislation since Betsy's death in 2007.

"When pet owners leave their pet in the care of a veterinary facility, they assume the animal is being supervised around the clock and receiving the best of care," said Senator James W. Holzapfel, one of the bill's primary sponsors. "The intent of this new law is to prevent similar tragic incidents in the future by better informing pet owners of a facility's operating procedures."

To facilitate the requirements of "Betsy's Law," the bill requires for-profit veterinary facilities to post their normal business hours in a conspicuous location that is easily visible to the public. The bill also allows for the "unsupervised" notification to be provided as a sign, part of a sign, or on an intake form, using particular font sizes and language.

The Acting Governor was joined at the Toms River Animal Facility for the bill signing by Toms River Mayor Thomas Kelaher and three of the bill's primary sponsors: Senator Holzapfel (R-Ocean), Assemblyman Gregory P. McGuckin (R-Ocean), and Assemblyman David W. Wolfe (R-Ocean). The bill was also sponsored by Assemblyman Carmelo G. Garcia (D-Hudson) and Assemblyman Reed Gusciora (D-Hunterdon and Mercer).

###

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