

1                   A bill to be entitled  
2           An act relating to the medical treatment of animals;  
3           amending s. 474.202, F.S.; revising and providing  
4           definitions; creating s. 474.2021, F.S.; authorizing  
5           the use of veterinary telemedicine; authorizing a  
6           veterinarian who establishes a veterinarian/client/  
7           patient relationship without a physical examination or  
8           without making medically appropriate and timely visits  
9           to the premises where the animal is kept to provide  
10          specified services; prohibiting such veterinarian from  
11          prescribing specified drugs or controlled substances  
12          under certain circumstances; providing licensure  
13          requirements to practice veterinary telemedicine;  
14          providing jurisdiction of the Florida Board of  
15          Veterinary Medicine; providing construction; amending  
16          s. 474.203, F.S.; providing an exception to who may  
17          immunize or treat an animal for certain diseases;  
18          amending s. 474.214, F.S.; revising grounds for  
19          disciplinary action against a veterinarian; amending  
20          s. 828.30, F.S.; authorizing employees, agents, or  
21          contractors of animal control authorities to  
22          administer rabies vaccinations under certain  
23          circumstances; defining the term "indirect  
24          supervision"; providing that a supervising  
25          veterinarian assumes responsibility for any person

26 |       working at his or her discretion or under his or her  
 27 |       supervision; authorizing a veterinarian who indirectly  
 28 |       supervises the administration of the rabies  
 29 |       vaccination to affix his or her signature stamp on a  
 30 |       rabies vaccination certificate; providing an effective  
 31 |       date.

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33 | Be It Enacted by the Legislature of the State of Florida:

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35 |       Section 1. Subsection (12) of section 474.202, Florida  
 36 | Statutes, is amended, and subsection (14) is added to that  
 37 | section, to read:

38 |       474.202 Definitions.—As used in this chapter:

39 |       (12) "Veterinarian/client/patient relationship" means a  
 40 | relationship where the veterinarian has assumed the  
 41 | responsibility for making medical judgments regarding the health  
 42 | of the animal and its need for medical treatment. Such  
 43 | relationship may be established in person or by making medically  
 44 | appropriate and timely visits to the premises where the animal  
 45 | is kept or by means of veterinary telemedicine if audio-visual  
 46 | technology is used to establish such relationship.

47 |       (14) "Veterinary telemedicine" means the practice of  
 48 | veterinary medicine in a remote setting, including through the  
 49 | use of telephone or audio-visual technology or by other means  
 50 | consistent with the veterinarian's professional judgment, as

51 long as the veterinarian/client/patient relationship is  
52 established either in person or by making medically appropriate  
53 and timely visits to the premises where the animal is kept or by  
54 audio-visual technology.

55 Section 2. Section 474.2021, Florida Statutes, is created  
56 to read:

57 474.2021 Veterinary telemedicine.—

58 (1) A veterinarian may practice veterinary telemedicine. A  
59 physical examination is not required for the veterinarian to  
60 assume responsibility for making medical judgments or providing  
61 treatment by means of veterinary telemedicine in a manner  
62 consistent with the veterinary standard of care.

63 (2) (a) A veterinarian who establishes a  
64 veterinarian/client/patient relationship without a physical  
65 examination or without making medically appropriate and timely  
66 visits to the premises where the animal is kept may only provide  
67 the following services through veterinary telemedicine:

68 1. Triage of patients in first aid and emergency cases.

69 2. Consultation and prescription of drugs for the  
70 following areas of care: nutrition, training, dermatological  
71 conditions, and anxiety.

72 (b) Notwithstanding paragraph (a), a veterinarian may not  
73 prescribe drugs for extralabel use or veterinary feed directive  
74 drugs without a veterinarian/client/patient relationship that is  
75 established through a physical examination or medically

76 appropriate and timely visits to the premises where the animal  
77 is kept and is otherwise consistent with federal law.

78 (3) A veterinarian may not prescribe controlled substances  
79 if the veterinarian/client/patient relationship has been  
80 established by means of veterinary telemedicine under this  
81 section and the veterinarian has not previously performed a  
82 physical examination or made medically appropriate and timely  
83 visits to the premises where the animal is kept.

84 (4) A veterinarian must hold a current license to practice  
85 veterinary medicine in this state in order to practice  
86 veterinary telemedicine.

87 (5) The board has jurisdiction over a veterinarian  
88 practicing veterinary telemedicine in this state, regardless of  
89 where the veterinarian's physical offices are located. The  
90 practice of veterinary telemedicine in accordance with this  
91 section is not a standard of care violation, and a veterinarian  
92 may not be disciplined solely for practicing veterinary  
93 telemedicine. The same veterinary standard of care applies to  
94 services provided through veterinary telemedicine as applies to  
95 veterinary care provided during an in-person visit.

96 Section 3. Paragraph (a) of subsection (5) of section  
97 474.203, Florida Statutes, is amended to read:

98 474.203 Exemptions.—This chapter does not apply to:

99 (5) (a) Any person, or the person's regular employee,  
100 administering to the ills or injuries of her or his own animals,

101 including, but not limited to, castration, spaying, and  
102 dehorning of herd animals, unless title is transferred or  
103 employment provided for the purpose of circumventing this law.  
104 This exemption does not apply to any person licensed as a  
105 veterinarian in another state or foreign jurisdiction and  
106 practicing temporarily in this state. However, except as  
107 provided in s. 828.30, only a veterinarian may immunize or treat  
108 an animal for diseases that are communicable to humans and that  
109 are of public health significance.

110  
111 For the purposes of chapters 465 and 893, persons exempt  
112 pursuant to subsection (1), subsection (2), or subsection (4)  
113 are deemed to be duly licensed practitioners authorized by the  
114 laws of this state to prescribe drugs or medicinal supplies.

115 Section 4. Paragraph (y) of subsection (1) of section  
116 474.214, Florida Statutes, is amended to read:

117 474.214 Disciplinary proceedings.—

118 (1) The following acts shall constitute grounds for which  
119 the disciplinary actions in subsection (2) may be taken:

120 (y) Using the privilege of ordering, prescribing, or  
121 making available medicinal drugs or drugs as defined in chapter  
122 465, or controlled substances as defined in chapter 893, for use  
123 other than for the specific treatment of animal patients for  
124 which there is a documented veterinarian/client/patient  
125 relationship. ~~Pursuant thereto,~~ The veterinarian shall:

126           1. Have sufficient knowledge of the animal to initiate at  
127           least a general or preliminary diagnosis of the medical  
128           condition of the animal, which means that the veterinarian is  
129           ~~personally~~ acquainted with the keeping and caring of the animal  
130           or ~~and~~ has recently seen the animal or has made medically  
131           appropriate and timely visits to the premises where the animal  
132           is kept.

133           2. Be available or provide for followup care and treatment  
134           in case of adverse reactions or failure of the regimen of  
135           therapy.

136           3. Maintain records which document patient visits,  
137           diagnosis, treatment, and other relevant information required  
138           under this chapter.

139           Section 5. Subsections (1) and (3) of section 828.30,  
140           Florida Statutes, are amended to read:

141           828.30 Rabies vaccination of dogs, cats, and ferrets.—

142           (1) (a) Except as provided in paragraph (b), all dogs,  
143           cats, and ferrets 4 months of age or older must be vaccinated by  
144           a licensed veterinarian against rabies with a vaccine that is  
145           licensed by the United States Department of Agriculture for use  
146           in those species.

147           (b) An employee, agent, or contractor of an animal control  
148           authority acting under the indirect supervision of a  
149           veterinarian may vaccinate impounded animals that will be  
150           transferred, rescued, fostered, adopted, or reclaimed by the

151 owner. As used in this subsection, the term "indirect  
152 supervision," means that the supervising veterinarian is  
153 available for consultation by telecommunications but is not  
154 required to be on the premises during such consultation. The  
155 supervising veterinarian assumes responsibility for the  
156 veterinary care given to the animal by any person working under  
157 or at his or her direction and supervision.

158 (c) The owner of every dog, cat, and ferret shall have the  
159 animal revaccinated 12 months after the initial vaccination.  
160 Thereafter, the interval between vaccinations shall conform to  
161 the vaccine manufacturer's directions. The cost of vaccination  
162 must be borne by the animal's owner. Evidence of circulating  
163 rabies virus neutralizing antibodies may ~~shall~~ not be used as a  
164 substitute for current vaccination in managing rabies exposure  
165 or determining the need for booster vaccinations.

166 (3) Upon vaccination against rabies, the licensed  
167 veterinarian shall provide the animal's owner and the animal  
168 control authority with a rabies vaccination certificate. Each  
169 animal control authority and veterinarian shall use the "Rabies  
170 Vaccination Certificate" of the National Association of State  
171 Public Health Veterinarians (NASPHV) or an equivalent form  
172 approved by the local government that contains all the  
173 information required by the NASPHV Rabies Vaccination  
174 Certificate. The veterinarian who administers the rabies  
175 vaccination, or who supervises an employee, agent, or contractor

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176 | of an animal control authority administering the rabies  
177 | vaccination, ~~vaccine~~ to an animal as required under this section  
178 | may affix his or her signature stamp in lieu of an actual  
179 | signature.

180 |       Section 6. This act shall take effect July 1, 2021.