



**ARIZONA STATE SENATE**  
*Fifty-Sixth Legislature, First Regular Session*

**AMENDED**  
FACT SHEET FOR S.B. 1053

veterinary medicine; electronic means

Purpose

Allows an Arizona-licensed or nonresident-permitted veterinarian to establish a veterinarian client patient relationship (VCPR) through an audio-video based communication medium, except for animals used in commercial food production. Outlines restrictions for a veterinarian to prescribe drugs or medications after establishing a VCPR through an audio-video based communication medium.

Background

The Arizona State Veterinary Medical Examining Board (Board) is charged with protecting the public from unlawful, incompetent, unqualified, impaired or unprofessional practitioners of veterinary medicine through licensure and regulation of the practice of veterinary medicine. Unprofessional or dishonorable conduct includes performing veterinary services and releasing, prescribing or dispensing any prescription drugs in the absence of a valid VCPR (A.R.S. §§ [32-2207](#) and [32-2232](#)).

Current statute defines a VCPR as all of the following: 1) the veterinarian assumes the responsibility for making medical judgements regarding the animal's health and need for medical treatment and the client, owner or caretaker has agreed to follow the veterinarian's instructions; 2) the veterinarian has sufficient knowledge of the animal to initiate at least a general or preliminary diagnosis of the animal's medical condition; and 3) the veterinarian is readily available for a follow-up evaluation or the veterinarian has arranged for either emergency coverage or continuing care and treatment by another veterinarian who has access to the animal's medical records. Sufficient knowledge is obtained when: 1) the veterinarian has recently seen and is personally acquainted with the keeping and caring of the animal as a result of examining the animal; 2) the veterinarian makes medically appropriate and timely visits to the premises where the animal is kept; or 3) a veterinarian affiliated with the practice has reviewed the medical record of such examinations or visits ([A.R.S. § 32-2201](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Allows a veterinarian to establish a VCPR through an audio-video based communication medium, except for an animal that is used in commercial food production and that is regulated under agriculture laws, if all the following apply:
  - a) the veterinarian is issued an Arizona license or a nonresident permit by the Board to practice veterinary medicine in Arizona;

- b) the veterinarian obtains informed consent from the client, including an acknowledgment that the standards of care relating to the practice of veterinary medicine apply to electronic and in-person visits;
  - c) the veterinarian provides the client with the veterinarian's name and contact information and secures an alternate means of contacting the client if the electronic interaction is interrupted;
  - d) before conducting an evaluation of the patient through an audio-video based communication medium, the veterinarian advises the client that:
    - i. the veterinarian may ultimately recommend an in-person visit;
    - ii. the veterinarian is prohibited by federal law from prescribing some drugs or medications based only on an electronic examination; and
    - iii. the appointment through an audio-video based communication medium may be terminated at any time; and
  - e) the veterinarian is able to recommend the client to a local veterinarian who can see the animal in person.
2. Requires the veterinarian to maintain, for at least three years, the consent documentation needed to establish a VCPR through an audio-video based communication medium.
  3. Requires the electronic or written record provided to the client following the telemedicine visit to include the veterinarian's license number.
  4. Asserts that the client has the option to choose an in-person visit.
  5. Allows a veterinarian to prescribe drugs or medications after establishing a VCPR through an audio-video based communication medium, except that:
    - a) prescriptions based on only an electronic examination may be initially issued for up to 14 days and may be renewed one time for up to 14 days with an additional electronic examination;
    - b) prescriptions based only on electronic examinations and that have been renewed once may not be renewed again without an in-person examination;
    - c) the veterinarian must notify the client that some prescription drugs or medications may be available at a pharmacy and, if requested, the veterinarian will submit a prescription to a pharmacy that the client chooses;
    - d) the veterinarian may not order, prescribe or make available a controlled substance unless the veterinarian has performed an in-person physical examination of the patient or made medically appropriate and timely visits to the premises where the patient is kept; and
    - e) the veterinarian must prescribe all drugs and medications in accordance with all federal and state laws.
  6. Subjects veterinarian services provided through an audio-video based communication medium to the rules adopted by the Board relating to the practice of veterinary medicine.
  7. Specifies that the definition of a VCPR is a relationship between a veterinarian and a client or the owner or caretaker of an animal in which outlined criteria are met.

8. Allows a veterinarian to establish a VCPR by obtaining current knowledge of the animal by conducting a real-time electronic examination through an audio-video based communication medium.
9. Makes technical and conforming changes.
10. Becomes effective on the general effective date.

#### Amendments Adopted by Committee

1. Adds that, to establish a VCPR through electronic means, a veterinarian must:
  - a) provide the client with the veterinarian's name and contact information and secure an alternate means of contacting the client if the electronic means are interrupted; and
  - b) advise the client that:
    - i. the veterinarian may ultimately recommend an in-person visit;
    - ii. some drugs or medications must be prescribed at an in-person visit; and
    - iii. the appointment through electronic means may be terminated at any time; and
2. Requires, in order to establish a VCPR through electronic means, a veterinarian to be able to recommend, rather than refer, the client to a local veterinarian who can see the animal in person.
3. Increases, from one to three, the number of years a veterinarian must maintain the consent documentation needed to establish a VCPR through electronic means.
4. Requires, after establishing a VCPR through electronic means, a veterinarian to notify the client that some prescription drugs or medications may be available at a pharmacy and, if requested, to submit a prescription to a pharmacy that the client chooses.

#### Amendments Adopted by Committee of the Whole

1. Allows a veterinarian to establish a VCPR by obtaining current knowledge of the animal using an audio-video based communication medium, rather than through electronic means, including an audio-only telephone or video-based communication medium.
2. Specifies that a veterinarian must obtain informed consent, rather than consent, from the client to establish a VCPR through an audio-video based communication medium.
3. Requires the electronic or written record provided to the client following the telemedicine visit to include the veterinarian's license number.

#### Amendments Adopted by the House of Representatives

1. Specifies that a veterinarian may establish a VCPR through an audio-video based communication medium, except for an animal that is used in commercial food production and regulated under agriculture laws.
2. Requires the veterinarian to notify the client that the veterinarian is prohibited by federal law from prescribing some drugs or medications based only on an electronic examination, rather than notifying the client that some drugs or medications must be prescribed at an in-person visit.

3. Decreases, from 30 days to 14 days, the maximum number of days that a prescription based only on an electronic examination may be initially issued or renewed.
4. Specifies that a prescription based only on an electronic examination may be renewed one time.
5. Requires an additional electronic examination for renewal of a prescription based only on an electronic examination.
6. Specifies that the veterinarian obtains current knowledge of an animal by conducting a real-time electronic examination.
7. Requires a veterinarian to prescribe all drugs and medications in accordance with all federal and state laws.

Senate Action

COM            2/1/23     DPA    5-2-0  
3<sup>rd</sup> Read       2/21/23                    24-5-1

House Action

LARA           3/27/23     DPA    9-0-0-0  
3<sup>rd</sup> Read       4/25/23                    57-1-1-0-1

Prepared by Senate Research

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JT/FB/sr