

1                   A bill to be entitled  
2           An act relating to medical treatment of animals;  
3           amending s. 474.202, F.S.; defining the term  
4           "veterinary telemedicine"; creating s. 474.2021, F.S.;  
5           authorizing the use of veterinary telemedicine;  
6           requiring a veterinarian to establish a  
7           veterinarian/client/patient relationship to practice  
8           veterinary telemedicine; authorizing a veterinarian  
9           practicing veterinary telemedicine to order,  
10          prescribe, or make available certain drugs or  
11          controlled substances under specified circumstances;  
12          prohibiting a veterinarian practicing veterinary  
13          telemedicine from ordering, prescribing, or making  
14          available specified controlled substances; providing  
15          an exception; providing licensure requirements to  
16          practice veterinary telemedicine; providing  
17          jurisdiction of the Board of Veterinary Medicine;  
18          amending s. 474.203, F.S.; providing an exception to  
19          who may immunize or treat an animal for certain  
20          diseases; amending s. 474.214, F.S.; revising grounds  
21          for disciplinary action against a veterinarian;  
22          amending s. 828.30, F.S.; authorizing certain  
23          employees, agents, or contractors to administer rabies  
24          vaccinations under certain circumstances; defining the  
25          term "indirect supervision"; providing that a

26 supervising veterinarian assumes responsibility for  
 27 any person working under or at his or her direction  
 28 and supervision; authorizing a veterinarian who  
 29 indirectly supervises the administration of the rabies  
 30 vaccination to affix his or her signature stamp in  
 31 lieu of an actual signature on the rabies vaccination  
 32 certificate; providing an effective date.  
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34 Be It Enacted by the Legislature of the State of Florida:

35  
 36 Section 1. Subsection (13) is added to section 474.202,  
 37 Florida Statutes, to read:

38 474.202 Definitions.—As used in this chapter:

39 (13) "Veterinary telemedicine" means the use of  
 40 synchronous telecommunication technology by a veterinarian who  
 41 has access to and has reviewed the patient's relevant medical  
 42 records to provide veterinary services, including, but not  
 43 limited to, consultation, evaluation, diagnosis, and treatment  
 44 of a patient; transfer of medical records; and exchange of  
 45 information with a client.

46 Section 2. Section 474.2021, Florida Statutes, is created  
 47 to read:

48 474.2021 Veterinary telemedicine.—

49 (1) A veterinarian may practice veterinary telemedicine.

50 (2) A veterinarian practicing veterinary telemedicine

51 shall take appropriate steps to establish the  
52 veterinarian/client/patient relationship and provide quality of  
53 care consistent with the prevailing professional standards of  
54 care for a veterinarian.

55 (3) A veterinarian practicing veterinary telemedicine may  
56 order, prescribe, or make available medicinal drugs or drugs as  
57 defined in chapter 465.

58 (4) A veterinarian practicing veterinary telemedicine may  
59 order, prescribe, or make available controlled substances as  
60 defined in chapter 893, except as provided in subsection (5), if  
61 the veterinarian has previously performed an in-person physical  
62 examination of the patient or made medically appropriate and  
63 timely visits to the premises where the animal is kept.

64 (5) A veterinarian practicing veterinary telemedicine may  
65 not use veterinary telemedicine to order, prescribe, or make  
66 available controlled substances listed in Schedule II of s.  
67 893.03 unless the controlled substance is ordered, prescribed,  
68 or made available for the treatment of a terminal patient that  
69 is transferred to the veterinarian practicing veterinary  
70 telemedicine for hospice services by a veterinarian who has  
71 previously performed an in-person physical examination of the  
72 patient or made medically appropriate and timely visits to the  
73 premises where the animal is kept and the veterinarian  
74 practicing veterinary telemedicine has reviewed the patient's  
75 medical records.

76       (6) A veterinarian must hold a current license to practice  
 77 veterinary medicine in this state in order to practice  
 78 veterinary telemedicine. The practice of veterinary medicine is  
 79 deemed to occur at the premises where the patient is located at  
 80 the time the veterinarian practices veterinary telemedicine.

81       (7) The board has jurisdiction over a veterinarian  
 82 practicing veterinary telemedicine in this state, regardless of  
 83 where the veterinarian's physical office is located. The  
 84 practice of veterinary telemedicine in accordance with this  
 85 section is not a standard of care violation, and a veterinarian  
 86 may not be disciplined solely for practicing veterinary  
 87 telemedicine.

88       Section 3. Paragraph (a) of subsection (5) of section  
 89 474.203, Florida Statutes, is amended to read:

90       474.203 Exemptions.—This chapter does not apply to:

91       (5)(a) Any person, or the person's regular employee,  
 92 administering to the ills or injuries of her or his own animals,  
 93 including, but not limited to, castration, spaying, and  
 94 dehorning of herd animals, unless title is transferred or  
 95 employment provided for the purpose of circumventing this law.  
 96 This exemption does not apply to any person licensed as a  
 97 veterinarian in another state or foreign jurisdiction and  
 98 practicing temporarily in this state. However, except as  
 99 provided in s. 828.30, only a veterinarian may immunize or treat  
 100 an animal for diseases that are communicable to humans and that

101 are of public health significance.

102

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

107 Section 4. Paragraph (y) of subsection (1) of section  
 108 474.214, Florida Statutes, is amended to read:

109 474.214 Disciplinary proceedings.—

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

112 (y) Using the privilege of ordering, prescribing, or  
 113 making available medicinal drugs or drugs as defined in chapter  
 114 465, or controlled substances as defined in chapter 893, for use  
 115 other than for the specific treatment of animal patients for  
 116 which there is a documented veterinarian/client/patient  
 117 relationship. ~~Pursuant thereto,~~ The veterinarian shall:

118 1. Have sufficient knowledge of the animal or group of  
 119 animals to initiate at least a general or preliminary diagnosis  
 120 of the medical condition of the animal or group of animals,  
 121 which means that the veterinarian is personally acquainted with  
 122 the keeping and caring of the animal or group of animals and has  
 123 recently performed a physical examination of the animal or group  
 124 of animals either in person or by the use of veterinary  
 125 telemedicine in compliance with s. 474.2021 ~~seen the animal~~ or

126 has made medically appropriate and timely visits to the premises  
 127 where the animal or group of animals are ~~is~~ kept.

128 2. Be available or provide for followup care and treatment  
 129 in case of adverse reactions or failure of the regimen of  
 130 therapy.

131 3. Maintain records which document patient visits,  
 132 diagnosis, treatment, and other relevant information required  
 133 under this chapter.

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

136 828.30 Rabies vaccination of dogs, cats, and ferrets.—

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

142 (b) An employee, agent, or contractor of an animal control  
 143 authority acting under the indirect supervision of a  
 144 veterinarian may vaccinate impounded animals that will be  
 145 transferred, rescued, fostered, adopted, or reclaimed by the  
 146 owner. As used in this paragraph, the term "indirect  
 147 supervision" means the supervising veterinarian must be  
 148 available for consultation through telecommunications but is not  
 149 required to be on the premises during such consultation. The  
 150 supervising veterinarian assumes responsibility for the

151 veterinary care provided to the animal by any person working  
152 under or at his or her direction and supervision.

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

161 (3) Upon vaccination against rabies, the licensed  
162 veterinarian shall provide the animal's owner and the animal  
163 control authority with a rabies vaccination certificate. Each  
164 animal control authority and veterinarian shall use the "Rabies  
165 Vaccination Certificate" of the National Association of State  
166 Public Health Veterinarians (NASPHV) or an equivalent form  
167 approved by the local government that contains all the  
168 information required by the NASPHV Rabies Vaccination  
169 Certificate. The veterinarian who administers the rabies  
170 vaccination, or who indirectly supervises an employee, agent, or  
171 contractor of an animal control authority who administers the  
172 rabies vaccination, ~~vaccine~~ to an animal as required under this  
173 section may affix his or her signature stamp in lieu of an  
174 actual signature on the rabies vaccination certificate.

175 Section 6. This act shall take effect July 1, 2022.