

1 A bill to be entitled
2 An act relating to the medical treatment of animals;
3 providing a short title; amending s. 474.202, F.S.;
4 defining the term "veterinary telemedicine"; creating
5 s. 474.2021, F.S.; authorizing veterinarians to
6 practice veterinary telemedicine; providing licensure
7 requirements to practice veterinary telemedicine;
8 providing jurisdiction of the Board of Veterinary
9 Medicine; requiring a veterinarian practicing
10 telemedicine to establish a
11 veterinarian/client/patient relationship, provide the
12 client with specified information, and employ certain
13 professional judgments regarding the use of veterinary
14 telemedicine; authorizing a veterinarian practicing
15 telemedicine to order, prescribe, or make available
16 specified medicinal drugs; prohibiting such
17 veterinarian from ordering, prescribing, or making
18 available controlled substances unless certain
19 conditions are met; authorizing veterinarians to
20 practice veterinary telemedicine for animals on
21 certain animal operations if the veterinarian meets
22 certain conditions; amending s. 474.203, F.S.;
23 conforming provisions to changes made by the act;
24 amending s. 474.214, F.S.; revising grounds for
25 disciplinary action against a veterinarian; amending

26 s. 474.2165, F.S.; revising the definition of the term
 27 "records owner" to conform to changes made by the act;
 28 amending s. 828.30, F.S.; authorizing certain
 29 employees, agents, or contractors to administer rabies
 30 vaccinations under certain circumstances; providing
 31 that a supervising veterinarian assumes responsibility
 32 for any person working under the veterinarian's
 33 supervision or at his or her direction; defining the
 34 term "indirect supervision"; authorizing a
 35 veterinarian who indirectly supervises the
 36 administration of the rabies vaccination to affix his
 37 or her signature stamp in lieu of an actual signature
 38 on the rabies vaccination certificate; providing an
 39 effective date.

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41 Be It Enacted by the Legislature of the State of Florida:

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43 Section 1. This act may be cited as the "Providing Equity
 44 in Telemedicine Services (PETS) Act."

45 Section 2. Subsection (14) is added to section 474.202,
 46 Florida Statutes, to read:

47 474.202 Definitions.—As used in this chapter:

48 (14) "Veterinary telemedicine" means the practice of
 49 veterinary medicine using synchronous, audiovisual, interactive
 50 telecommunications technology.

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51 Section 3. Section 474.2021, Florida Statutes, is created
52 to read:

53 474.2021 Veterinary telemedicine.-

54 (1) A veterinarian may practice veterinary telemedicine.

55 (2) A veterinarian must hold a current license to practice
56 veterinary medicine in this state in order to practice
57 veterinary telemedicine. The practice of veterinary medicine is
58 deemed to occur at the premises where the patient is located at
59 the time the veterinarian practices veterinary telemedicine.

60 (3) The board has jurisdiction over a veterinarian
61 practicing veterinary telemedicine in this state, regardless of
62 where the veterinarian's physical office is located.

63 (4) A veterinarian practicing telemedicine shall do all of
64 the following:

65 (a) Establish the veterinarian/client/patient
66 relationship.

67 (b) Provide the client with a statement containing the
68 veterinarian's identity, license number, and contact information
69 and the contact information for at least one physical veterinary
70 clinic in the vicinity of the pet's location and instructions
71 for how to receive patient follow-up care or assistance if the
72 veterinarian and client are unable to communicate because of a
73 technological or equipment failure or if there is an adverse
74 reaction to treatment. The veterinarian shall obtain from the
75 client a signed and dated statement indicating the client has

76 | received the required information.

77 | (c) Employ sound, professional judgment to determine
78 | whether using veterinary telemedicine is an appropriate method
79 | for delivering medical advice or treatment to the patient and
80 | providing quality of care consistent with prevailing veterinary
81 | medical practice. The practice of veterinary telemedicine in
82 | compliance with this section is not a quality-of-care violation,
83 | and a veterinarian may not be disciplined solely for practicing
84 | veterinary telemedicine.

85 | (5) A veterinarian practicing veterinary telemedicine may
86 | order, prescribe, or make available medicinal drugs or drugs as
87 | defined in chapter 465.

88 | (6) A veterinarian practicing veterinary telemedicine may
89 | not order, prescribe, or make available controlled substances as
90 | defined in chapter 893 unless the veterinarian has performed an
91 | in-person physical examination of the patient or made medically
92 | appropriate and timely visits to the premises where the patient
93 | is kept.

94 | (7) A veterinarian personally acquainted with the caring
95 | and keeping of an animal or group of animals on food-producing
96 | animal operations on land classified as agricultural pursuant to
97 | s. 193.461 who has recently seen the animal or group of animals
98 | or has made medically appropriate and timely visits to the
99 | premises where the animal or group of animals is kept may
100 | practice veterinary telemedicine for animals on such operations

101 in compliance with this section and applicable federal law.

102 Section 4. Paragraph (a) of subsection (5) of section
103 474.203, Florida Statutes, is amended to read:

104 474.203 Exemptions.—This chapter does not apply to:

105 (5) (a) Any person, or the person's regular employee,
106 administering to the ills or injuries of her or his own animals,
107 including, but not limited to, castration, spaying, and
108 dehorning of herd animals, unless title is transferred or
109 employment provided for the purpose of circumventing this law.

110 This exemption does not apply to any person licensed as a
111 veterinarian in another state or foreign jurisdiction and
112 practicing temporarily in this state. However, except as
113 provided in s. 828.30, only a veterinarian may immunize or treat
114 an animal for diseases that are communicable to humans and that
115 are of public health significance.

116
117 For the purposes of chapters 465 and 893, persons exempt
118 pursuant to subsection (1), subsection (2), or subsection (4)
119 are deemed to be duly licensed practitioners authorized by the
120 laws of this state to prescribe drugs or medicinal supplies.

121 Section 5. Paragraph (y) of subsection (1) of section
122 474.214, Florida Statutes, is amended to read:

123 474.214 Disciplinary proceedings.—

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

126 (y) Using the privilege of ordering, prescribing, or
 127 making available medicinal drugs or drugs as defined in chapter
 128 465, or controlled substances as defined in chapter 893, for use
 129 other than for the specific treatment of animal patients for
 130 which there is a documented veterinarian/client/patient
 131 relationship. ~~Pursuant thereto,~~ The veterinarian shall:

132 1. Have sufficient knowledge of the animal to initiate at
 133 least a general or preliminary diagnosis of the medical
 134 condition of the animal, which means that the veterinarian is
 135 personally acquainted with the keeping and caring of the animal
 136 and has recently performed an examination of the patient either
 137 in person or by the use of veterinary telemedicine in compliance
 138 with s. 474.2021 ~~seen the animal~~ or has made medically
 139 appropriate and timely visits to the premises where the animal
 140 is kept.

141 2. Be available or provide for follow-up ~~followup~~ care and
 142 treatment in case of adverse reactions or failure of the regimen
 143 of therapy.

144 3. Maintain records which document patient visits,
 145 diagnosis, treatment, and other relevant information required
 146 under this chapter.

147 Section 6. Subsection (1) of section 474.2165, Florida
 148 Statutes, is amended to read:

149 474.2165 Ownership and control of veterinary medical
 150 patient records; report or copies of records to be furnished.-

151 (1) As used in this section, the term "records owner"
 152 means any veterinarian who generates a medical record after
 153 making an ~~a physical~~ examination of a patient, either in person
 154 or by the use of veterinary telemedicine in compliance with s.
 155 474.2021, or administering treatment or dispensing legend drugs
 156 to~~r~~ any patient; any veterinarian to whom records are
 157 transferred by a previous records owner; or any veterinarian's
 158 employer, provided the employment contract or agreement between
 159 the employer and the veterinarian designates the employer as the
 160 records owner.

161 Section 7. Subsections (1) and (3) of section 828.30,
 162 Florida Statutes, are amended to read:

163 828.30 Rabies vaccination of dogs, cats, and ferrets.—

164 (1)(a) All dogs, cats, and ferrets 4 months of age or
 165 older must be vaccinated by a licensed veterinarian or, in the
 166 case of impounded animals, a person authorized under paragraph
 167 (b) against rabies with a vaccine that is licensed by the United
 168 States Department of Agriculture for use in those species.

169 (b) An employee, an agent, or a contractor of a county or
 170 municipal animal control authority acting under the indirect
 171 supervision of a veterinarian may vaccinate impounded dogs,
 172 cats, and ferrets that will be transferred, rescued, fostered,
 173 adopted, or reclaimed by the owner. The supervising veterinarian
 174 assumes responsibility for any person vaccinating animals at the
 175 veterinarian's direction or under his or her supervision. As

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176 used in this paragraph, the term "indirect supervision" means
177 that the supervising veterinarian is required to be available
178 for consultation through telecommunications but is not required
179 to be physically present during such consultation.

180 (c) The owner of every dog, cat, and ferret shall have the
181 animal revaccinated 12 months after the initial vaccination.
182 Thereafter, the interval between vaccinations shall conform to
183 the vaccine manufacturer's directions. The cost of vaccination
184 must be borne by the animal's owner. Evidence of circulating
185 rabies virus neutralizing antibodies may ~~shall~~ not be used as a
186 substitute for current vaccination in managing rabies exposure
187 or determining the need for booster vaccinations.

188 (3) Upon vaccination against rabies, the licensed
189 veterinarian shall provide the animal's owner and the animal
190 control authority with a rabies vaccination certificate. Each
191 animal control authority and veterinarian shall use the "Rabies
192 Vaccination Certificate" of the National Association of State
193 Public Health Veterinarians (NASPHV) or an equivalent form
194 approved by the local government which ~~that~~ contains all the
195 information required by the NASPHV Rabies Vaccination
196 Certificate. The veterinarian who administers the rabies
197 vaccination, or who supervises the administration of the rabies
198 vaccination as provided in paragraph (1) (b), vaccine to an
199 animal as authorized ~~required~~ under this section may affix his
200 or her signature stamp in lieu of an actual signature.

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201 Section 8. This act shall take effect July 1, 2023.