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| Tab 1 | CS/SB 220 by RI, Latvala (CO-INTRODUCERS) Grimsley, Garcia; (Similar to H 00199) Veterinary Medicine |
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The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA
APPROPRIATIONS SUBCOMMITTEE ON GENERAL GOVERNMENT
Senator Grimsley, Chair
Senator Bean, Vice Chair

MEETING DATE: Wednesday, March 8, 2017
TIME: 4:00—6:00 p.m.
PLACE: *Toni Jennings Committee Room*, 110 Senate Office Building

MEMBERS: Senator Grimsley, Chair; Senator Bean, Vice Chair; Senators Broxson, Campbell, Garcia, Mayfield, Rodriguez, Rouson, and Torres

| TAB | BILL NO. and INTRODUCER | BILL DESCRIPTION and SENATE COMMITTEE ACTIONS | COMMITTEE ACTION |
|-----|---|--|----------------------------|
| 1 | CS/SB 220 Regulated Industries / Latvala (Similar H 199) | Veterinary Medicine; Defining “complementary or alternative and integrative therapies,” “physical examination,” “veterinary dentistry,” and “veterinary telemedicine”; revising the definitions of “veterinarian/client/patient relationship,” and “veterinary medicine”, etc. RI 02/08/2017 Fav/CS AGG 03/08/2017 Favorable AP | Favorable Yeas 8 Nays 0 |
| 2 | Chair's Proposed Budget Reductions for Fiscal Year 2017-2018 | | Discussed |

Other Related Meeting Documents

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Subcommittee on General Government

BILL: CS/SB 220

INTRODUCER: Regulated Industries Committee and Senator Latvala

SUBJECT: Veterinary Medicine

DATE: March 7, 2017

REVISED: _____

| | ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|----|----------------|----------------|------------|-----------------------------|
| 1. | <u>Kraemer</u> | <u>McSwain</u> | <u>RI</u> | <u>Fav/CS</u> |
| 2. | <u>Davis</u> | <u>Betta</u> | <u>AGG</u> | <u>Recommend: Favorable</u> |
| 3. | _____ | _____ | <u>AP</u> | _____ |

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Technical Changes

I. Summary:

CS/SB 220 revises the laws governing the practice of veterinary medicine in ch. 474, F.S., to include alternative veterinary medicine, veterinary dentistry, and veterinary telemedicine. Alternative veterinary medicine includes therapies outside of conventional medicine, such as veterinary acupuncture, and other therapies that are based on techniques practiced in osteopathy, chiropractic medicine, or physical therapy.

The bill specifies activities included in the practice of veterinary dentistry, which must be performed by a licensed veterinarian or by a person under his or her immediate supervision.

Veterinarians engaged in veterinary telemedicine provide animal patient care, treatment, or service through medical information that is exchanged from one site to another by means of electronic communications. The use of telemedicine for patient care and treatment is allowed if a physical examination is performed by a veterinarian and a valid patient relationship between a patient (an animal) and a veterinarian is established. The term “physical examination,” as defined in the bill, does not apply in the context of investigations pursuant to s. 474.2185, F.S., concerning physical examinations related to lawful investigation of a complaint against a licensed veterinarian (or of an application for licensure).

The bill has no fiscal impact on state government. See Section V.

The bill takes effect July 1, 2017.

II. Present Situation:

Veterinary Medicine, the Practice of Veterinary Medicine, and Exempted Persons

In 1979, the Legislature determined the practice of veterinary medicine is potentially dangerous to public health and safety if conducted by incompetent and unlicensed practitioners and that minimum requirements for the safe practice of veterinary medicine are necessary.¹ The Board of Veterinary Medicine (board) in the Department of Business and Professional Regulation (DBPR) implements the provisions of ch. 474, F.S., on Veterinary Medical Practice.² A veterinarian is a health care practitioner licensed to engage in the practice of veterinary medicine in Florida under ch. 474, F.S.³

Veterinary medicine includes, with respect to animals:⁴

- Surgery;
- Acupuncture;
- Obstetrics;
- Dentistry;
- Physical therapy;
- Radiology;
- Theriogenology (reproductive medicine);⁵ and
- Other branches or specialties of veterinary medicine.

The practice of veterinary medicine is the diagnosis of medical conditions of animals, and the prescribing or administering of medicine and treatment to animals for the prevention, cure, or relief of a wound, fracture, bodily injury, or disease, or holding oneself out as performing any of these functions.⁶ Veterinarians who are incompetent or present a danger to the public are subject to discipline and may be prohibited from practicing in the state.⁷

Eight categories of persons are exempt from complying with ch. 474, F.S.:⁸

- Faculty veterinarians when they have assigned teaching duties at accredited⁹ institutions;

¹ See s. 474.201, F.S.

² See ss. 474.204 through 474.2125, F.S., concerning the powers and duties of the board.

³ See s. 474.202(11), F.S.

⁴ See s. 474.202(13), F.S. Section 474.202(1), F.S., defines “animal” as “any mammal other than a human being or any bird, amphibian, fish, or reptile, wild or domestic, living or dead.”

⁵ The Society for Theriogenology, established in 1954, is composed of veterinarians dedicated to standards of excellence in animal reproduction. See <http://www.therio.org/> (last visited Feb. 1, 2017).

⁶ See s. 474.202(9), F.S. Also included is the determination of the health, fitness, or soundness of an animal, and the performance of any manual procedure for the diagnosis or treatment of pregnancy or fertility or infertility of animals.

⁷ See s. 474.213, F.S., on prohibited acts, and s. 474.214, F.S., on disciplinary proceedings.

⁸ See s. 474.203, F.S.

⁹ Sections 474.203(1) and (2), F.S., provide that accreditation of a school or college must be granted by the American Veterinary Medical Association (AVMA) Council on Education, or the AVMA Commission for Foreign Veterinary Graduates. The AVMA Council on Education is recognized by the Council for Higher Education Accreditation (CHEA) as the accrediting body for schools and programs that offer the professional Doctor of Veterinary Medicine degree (or its equivalent) in the United States and Canada, and may also approve foreign veterinary colleges. See <https://www.avma.org/professionaldevelopment/education/accreditation/colleges/pages/coe-pp-overview-of-the-coe.aspx> (last visited Feb. 1, 2017). The AVMA Commission for Foreign Veterinary Graduates assists graduates of foreign, non-accredited schools to meet the requirement of most states that such foreign graduates successfully complete an educational

- Intern/resident veterinarians at accredited institutions who are graduates of an accredited institution, but only until they complete or terminate their training;
- Students in a school or college of veterinary medicine who perform assigned duties by an instructor (no accreditation of the institution is required), or work as preceptors¹⁰ (if the preceptorship is required for graduation from an accredited institution);
- Doctors of veterinary medicine employed by a state agency or the United States Government while actually engaged in the performance of official duties at the installations for which the services were engaged;
- Persons or their employees caring for the persons' own animals, as well as part-time or temporary employees, or independent contractors, who are hired by an owner to help with herd management and animal husbandry tasks (excluding immunization or treatment of diseases that are communicable to humans and significant to public health) for herd/flock animals, with certain limitations; however, the exemption is not available to a person licensed as a veterinarian in another state and temporarily practicing in Florida, or convicted of violating ch. 828, F.S., on animal cruelty, or of any similar offense in another jurisdiction, and employment may not be provided for the purpose of circumventing ch. 474, F.S.;
- Certain entities or persons¹¹ that conduct experiments and scientific research on animals as part of the development of pharmaceuticals, biologicals, serums, or treatment methods of treatment or techniques to diagnose or treatment of human ailments, or in the study and development of methods and techniques applicable to the practice of veterinary medicine;
- Veterinary aides, nurses, laboratory technicians, preceptors, or other employee of a licensed veterinarian, who administer medication or provide help or support under the responsible supervision¹² of a licensed veterinarian; and
- Certain non-Florida veterinarians who are licensed and actively practicing veterinary medicine in another state, are board certified in a specialty recognized by the Florida Board of Veterinary Medicine, and are assisting upon request of a Florida-licensed veterinarian to consult on the treatment of a specific animal or on the treatment on a specific case of the animals of a single owner.

Veterinarian/Client/Patient Relationship

Section 474.202(12), F.S., defines a “veterinarian/client/patient relationship” as one in which a veterinarian has assumed responsibility for making medical judgments about the health of an animal and its need for medical treatment.

equivalency assessment certification program. *See*

<https://www.avma.org/professionaldevelopment/education/foreign/pages/ecfvg-about-us.aspx> (last visited Feb. 1, 2017). In turn, the Council for Higher Education Accreditation, a national advocate for regulation of academic quality through accreditation, is an association of 3,000 degree-granting colleges and universities and recognizes 60 institutional and programmatic accrediting organizations. *See* <http://chea.org/> (last visited Feb. 1, 2017).

¹⁰ A preceptor is a skilled practitioner or faculty member, who directs, teaches, supervises, and evaluates students in a clinical setting to allow practical experience with patients. *See also* <https://www.merriam-webster.com/dictionary/preceptor#medicalDictionary> (last visited Feb. 1, 2017).

¹¹ *See* s. 474.203(6), F.S., which states that the exemption applies to “[s]tate agencies, accredited schools, institutions, foundations, business corporations or associations, physicians licensed to practice medicine and surgery in all its branches, graduate doctors of veterinary medicine, or persons under the direct supervision thereof”

¹² The term “responsible supervision” is defined in s. 474.202(10), F.S., as the “control, direction, and regulation by a licensed doctor of veterinary medicine of the duties involving veterinary services” delegated to unlicensed personnel.

Telemedicine

The use of electronic communications to facilitate patient health care (telemedicine) is not addressed in ch. 474, F.S., and is not authorized for practitioners of veterinary medicine in Florida. However, the Florida Mental Health Act (popularly known as “The Baker Act”),¹³ contains a legislative finding that “the use of telemedicine for patient evaluation, case management, and ongoing care will improve management of patient care and reduce costs of transportation.”¹⁴

III. Effect of Proposed Changes:

The bill amends s. 474.202(16), F.S., to include alternative veterinary medicine and veterinary telemedicine within the practice of veterinary medicine. The bill creates s. 474.202(4), F.S., to specify the practice of veterinary medicine includes “complementary or alternative and integrative therapies” (therapies), that are a diverse group of philosophies and practices that may be preventive, diagnostic, or therapeutic in nature, but are not part of conventional or Western medicine¹⁵ as practiced by most veterinarians.

The veterinary therapies added to the practice of veterinary medicine include:

- Acupuncture, acuthery;¹⁶ and acupressure;
- Homeopathy;¹⁷
- Manual or manipulative therapy, such as therapies based on techniques practiced in osteopathy,¹⁸ chiropractic medicine, or physical medicine and therapy;
- Nutraceutical¹⁹ therapy; and
- Physiotherapy.²⁰

A similar definition for “complementary, alternative and integrative therapies” is in the Standards of Practice adopted in 2005 by the DBPR.²¹

¹³ See s. 394.451, F.S.

¹⁴ See s. 394.453(3), F.S.

¹⁵ The term “Western medicine” has been defined as a system in which healthcare professionals treat symptoms and diseases using drugs, radiation, or surgery; alternative descriptions include conventional medicine, mainstream medicine, and orthodox medicine. See the *Dictionary of Cancer Terms of the National Cancer Institute at the National Institutes of Health*, available at <https://www.cancer.gov/publications/dictionaries/cancer-terms?cdrid=454743> (last visited Feb. 1, 2017).

¹⁶ Acuthery utilizes needles or non-needle techniques with electrical stimulation or pressure. See <http://medical-dictionary.thefreedictionary.com/acuthery> (last visited Feb. 1, 2017).

¹⁷ *Id.* Homeopathy is an alternative approach to medicine based on the belief that natural substances, specially prepared and used in very small amounts, restore health, and that, in order for a remedy to be effective, it must cause in a healthy person the same symptoms being treated in the patient.

¹⁸ Section 459.003(3), F.S., defines the practice of osteopathic medicine by licensed osteopathic physicians for human patients as “the diagnosis, treatment, operation, or prescription for any human disease, pain, injury, deformity, or other physical or mental conditions.” The practice is based in part upon requirements that emphasize the importance of the musculoskeletal structure and manipulative therapy to maintain and restore health. *Id.*

¹⁹ A “nutraceutical” is a food or dietary supplement that is believed to provide health benefits. See the *Dictionary of Cancer Terms of the National Cancer Institute at the National Institutes of Health*, available at <https://www.cancer.gov/publications/dictionaries/cancer-terms?cdrid=454743> (last visited Feb. 1, 2017).

²⁰ Section 486.021(8), F.S., defines “physiotherapy” as identical to and interchangeable with the term “physical therapy.”

²¹ See Fla. Admin. Code R. 61G18-19.002. The rule requires that a licensed veterinarian who offers such treatment must inform the owner of the patient of the treatment and explain (orally or in writing) the associated benefits and risks, along with the veterinarian’s education, experience, and credentials for the proposed treatment option.

The bill creates s. 474.202(17), F.S., to include veterinary telemedicine by licensed veterinarians within the practice of veterinary medicine. The bill requires performance of a physical examination and establishment of a valid patient relationship between a patient (an animal) and a veterinarian. Veterinarians engaged in veterinary telemedicine provide patient care, treatment, or service through medical information that is exchanged from one site to another by means of electronic communications.²²

The bill creates s. 474.202(10), F.S., to define “physical examination” as the evaluation of a patient by personal inspection, palpation,²³ and auscultation (listening to sounds using a stethoscope) by a veterinarian. The term “physical examination” does not apply in the context of investigations pursuant to s. 474.2185, F.S., concerning physical examinations related to lawful investigation of a complaint against a licensed veterinarian (or of an application for licensure).

The bill amends the current definition of “veterinarian/client/patient relationship” in s. 274.202(12), F.S., which is a relationship in which a veterinarian has assumed responsibility for making medical judgments about the health of an animal and its need for medical treatment.²⁴ The existing definition is revised by the bill to be a definition of a “veterinarian relationship,” a “client relationship,” or a “patient relationship.”

The bill creates s. 474.202(15), F.S., to specify the following activities included in the practice of veterinary dentistry and performed either by a licensed veterinarian or by a person under his immediate supervision:²⁵

- The examination, evaluation, diagnosis, prevention, and treatment of the oral cavity, jaw and facial (maxillofacial) areas and associated structures; and
- Dental cleaning, which includes:
 - Removal of plaque and calcified dental plaque from gums and teeth;²⁶ and
 - Teeth polishing using power or hand instruments.

The treatment of diseased periodontal tissues (periodontal therapy) is also included in veterinary dentistry; periodontal therapy includes dental cleaning and one or more of the following treatments:

- Root planing (trimming);
- Gum trimming (gingival curettage);

²² Electronic communication” is defined in 18 U.S. Code s. 2510(10) to mean, in pertinent part, any transfer of signals, writing, images, sounds, data, or intelligence of any nature transmitted by a wire, radio, electromagnetic, photo-electronic or photo-optical system, excluding (a) any wire or oral communication; (b) any communication made through a tone-only paging device; (c) any communication from a tracking device; or (d) electronic funds transfer information stored by a financial institution in an electronic communications system used for the storage and transfer of funds;

²³ Palpation is an examination that includes pressing on the body to feel organs and tissues underneath. *See the Dictionary of Cancer Terms of the National Cancer Institute at the National Institutes of Health, available at <https://www.cancer.gov/publications/dictionaries/cancer-terms?cdrid=454743>* (last visited Feb. 1, 2017).

²⁴ See s. 474.202(12), F.S.

²⁵ The term “immediate supervision” is defined in s. 474.202(5), F.S., to mean, “a licensed doctor of veterinary medicine is on the premises whenever veterinary services are being provided.” Section 474.215, F.S., requires a premises permit from the DBPR for any permanent or mobile establishment where a licensed veterinarian practices. *See also* Fla. Admin. Code R. Ch. 61G18-15, for the requirements for issuance of a premises permit by the DBPR.

²⁶ The technical terms in the bill are scaling and supragingival and subgingival plaque and calculus removal.

- Removal or repositioning of soft tissue (periodontal flaps);
- Extractions of teeth;
- Regenerative surgery (for natural renewal of a tissue or part);
- Procedures to remove or re-contour gums (gingivectomy or gingivoplasty); and
- Local administration of antiseptics or antibiotics.

The bill revises two references in s. 474.2165, F.S., to substitute the term “physical examination” for “examination,” to conform to the definition of “physical examination” created in s. 474.202(10), F.S.

The bill amends s. 474.202, F.S., to conform cross-references.

The bill takes effect July 1, 2017.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

By specifying the practice of veterinary medicine includes alternative veterinary medicine, veterinary telemedicine, and veterinary dentistry, as defined in CS/SB 220, and requiring that such activities be performed by licensed veterinarians (and others if properly supervised), the bill may adversely affect persons who have previously engaged in such activities, but are not licensed as veterinarians in Florida.

The DBPR maintains that licensure as a veterinarian is required for a person to provide the complementary or alternative and integrative therapies described in the bill.²⁷

Prosecution of the unlicensed practice of veterinary medicine by the DBPR is based upon

²⁷ See 2017 Agency Legislative Bill Analysis (AGENCY: Department of Business and Professional Regulation) for SB 220, dated February 2, 2017 (on file with Senate Committee on Regulated Industries) at page 2.

the definition of “veterinary medicine” in s. 474.202(13), F.S.²⁸ The DBPR has prosecuted individuals for unlicensed activity based on the performance of the services described in the bill as “veterinary dentistry” and “veterinary telemedicine,” and the revised definition of veterinary medicine may increase the number of persons deemed to be engaging in the unlicensed practice of veterinary medicine.²⁹

C. Government Sector Impact:

The DBPR indicates CS/SB 220 has no fiscal impact. However, the bill could lead to an increase in the number of cases of unlicensed veterinary practice.³⁰ It is indeterminate how many new cases could result, but, according to the DBPR, it could handle an increase with existing staff.³¹ The DBPR also indicates that rulemaking may be necessary to clarify undefined terms in the bill and to implement veterinary telemedicine regulations, including:

- The means and methods of such implementation; and
- Any requirements for third-party service providers to be licensed by the DBPR.³²

VI. Technical Deficiencies:

None.

VII. Related Issues:

The DBPR Office of the General Counsel provided the following comments:

- The proposed definition of “physical examination” states that it is performed by a veterinarian. By including that phrase in the definition of examination, it could create a situation where an unlicensed person may claim he or she was not actually performing an examination because he or she is not a veterinarian; and therefore, not in violation.
- The change to s. 474.2165(3), F.S., where “physical” is added to examination may create a situation where records of telemedicine would not be provided to the client upon request. It does not affect the requirement to keep medical records of the telemedicine consultation, but it exempts the veterinarian from providing those medical records to the client. This could create confusion for the public and licensees.³³

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 474.202 and 474.2165.

²⁸ *Id.*

²⁹ *Id.* at page 5.

³⁰ *Id.* at pp. 4 and 5.

³¹ *Id.* at page 5.

³² *Id.* at page 5.

³³ *Id.* at page 6 and based on a telephone conversation with DBPR staff on February 28, 2017.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Regulated Industries on February 8, 2017:

The committee substitute revises:

- The definition of “physical examination” in s. 474.202(10), F.S., to substitute the term “veterinarian” for “licensed veterinary practitioner”; and
- The definition of “veterinary telemedicine” in s. 474.202(17), F.S., to substitute:
 - The term “veterinarian” for the term “licensed Florida veterinarian”; and
 - The term “physical examination,” for the term “complete physical examination.”

B. Amendments:

None.

By the Committee on Regulated Industries; and Senator Latvala

580-01749-17

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1 A bill to be entitled
 2 An act relating to veterinary medicine; amending s.
 3 474.202, F.S.; defining "complementary or alternative
 4 and integrative therapies," "physical examination,"
 5 "veterinary dentistry," and "veterinary telemedicine";
 6 revising the definitions of
 7 "veterinarian/client/patient relationship," and
 8 "veterinary medicine"; amending s. 474.2165, F.S.;
 9 conforming terminology; providing an effective date.

10
 11 Be It Enacted by the Legislature of the State of Florida:

12
 13 Section 1. Section 474.202, Florida Statutes, is amended to
 14 read:

15 474.202 Definitions.—As used in this chapter:

16 (1) "Animal" means any mammal other than a human being or
 17 any bird, amphibian, fish, or reptile, wild or domestic, living
 18 or dead.

19 (2) "Board" means the Board of Veterinary Medicine.

20 (3) "Client" means the owner or caretaker of an animal who
 21 arranges for its veterinary care.

22 (4) "Complementary or alternative and integrative
 23 therapies" means a heterogeneous group of preventive,
 24 diagnostic, and therapeutic philosophies and practices that are
 25 not considered part of conventional or Western medicine as
 26 practiced by most veterinarians. These therapies include, but
 27 are not limited to, veterinary acupuncture, acupressure, and
 28 acupressure; veterinary homeopathy; veterinary manual or
 29 manipulative therapy, such as therapies based on techniques
 30 practiced in osteopathy, chiropractic medicine, or physical
 31 medicine and therapy; veterinary nutraceutical therapy; and
 32 veterinary physiotherapy.

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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33 ~~(5)~~(4) "Department" means the Department of Business and
 34 Professional Regulation.
 35 ~~(6)~~(5) "Immediate supervision" or words of similar purport
 36 mean a licensed doctor of veterinary medicine is on the premises
 37 whenever veterinary services are being provided.
 38 ~~(7)~~(6) "Limited-service veterinary medical practice" means
 39 offering or providing veterinary services at any location that
 40 has a primary purpose other than that of providing veterinary
 41 medical service at a permanent or mobile establishment permitted
 42 by the board; provides veterinary medical services for privately
 43 owned animals that do not reside at that location; operates for
 44 a limited time; and provides limited types of veterinary medical
 45 services.
 46 ~~(8)~~(7) "Mobile veterinary establishment" and "mobile
 47 clinic" mean a mobile unit which contains the same treatment
 48 facilities as are required of a permanent veterinary
 49 establishment or which has entered into a written agreement with
 50 another veterinary establishment to provide any required
 51 facilities not available in the mobile unit. The terms do not
 52 refer to the use of a car, truck, or other motor vehicle by a
 53 veterinarian making a house call.
 54 ~~(9)~~(8) "Patient" means any animal for which the
 55 veterinarian practices veterinary medicine.
 56 ~~(10)~~(9) "Physical examination" means the evaluation of a
 57 patient by the personal inspection, palpation, and auscultation
 58 by a veterinarian. This definition does not apply to s.
 59 474.2185.
 60 ~~(11)~~(9) "Practice of veterinary medicine" means diagnosing
 61 the medical condition of animals and prescribing, dispensing, or

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62 administering drugs, medicine, appliances, applications, or
 63 treatment of whatever nature for the prevention, cure, or relief
 64 of a wound, fracture, bodily injury, or disease thereof;
 65 performing any manual procedure for the diagnosis of or
 66 treatment for pregnancy or fertility or infertility of animals;
 67 or representing oneself by the use of titles or words, or
 68 undertaking, offering, or holding oneself out, as performing any
 69 of these functions. The term includes the determination of the
 70 health, fitness, or soundness of an animal.

71 (12)~~(10)~~ "Responsible supervision" or words of similar
 72 purport mean the control, direction, and regulation by a
 73 licensed doctor of veterinary medicine of the duties involving
 74 veterinary services which she or he delegates to unlicensed
 75 personnel.

76 (13)~~(11)~~ "Veterinarian" means a health care practitioner
 77 who is licensed to engage in the practice of veterinary medicine
 78 in Florida under the authority of this chapter.

79 (14)~~(12)~~ "Veterinarian relationship," "client
 80 relationship," or "patient ~~veterinarian/client/patient~~
 81 relationship" means a relationship where the veterinarian has
 82 assumed the responsibility for making medical judgments
 83 regarding the health of the animal and its need for medical
 84 treatment.

85 (15) "Veterinary dentistry" means a discipline within the
 86 scope of veterinary practice that involves the professional
 87 examination, evaluation, diagnosis, prevention, and nonsurgical
 88 and surgical treatment of conditions, diseases, and disorders of
 89 the oral cavity and maxillofacial area and their adjacent and
 90 associated structures. A veterinary dental cleaning refers to

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91 scaling, supragingival and subgingival plaque and calculus
 92 removal, and polishing of the teeth with power or hand
 93 instruments by a licensed veterinarian or under his or her
 94 immediate supervision. Periodontal therapy, which is also
 95 included within veterinary dentistry, refers to the treatment of
 96 diseased periodontal tissues which includes professional dental
 97 cleaning as defined in this subsection and one or more of the
 98 following treatments: root planing, gingival curettage,
 99 periodontal flaps, extractions, regenerative surgery,
 100 gingivectomy or gingivoplasty, and local administration of
 101 antiseptics or antibiotics.

102 (16)~~(13)~~ "Veterinary medicine" includes, with respect to
 103 animals, surgery, acupuncture, obstetrics, veterinary dentistry,
 104 physical therapy, radiology, theriogenology, complementary or
 105 alternative veterinary medicine, veterinary telemedicine, and
 106 other branches or specialties of veterinary medicine.

107 (17) "Veterinary telemedicine" means the practice of
 108 veterinary medicine by a veterinarian following a physical
 109 examination and the establishment of a valid patient
 110 relationship where patient care, treatment, or service is
 111 provided through the use of medical information exchanged from
 112 one site to another via electronic communications.

113 Section 2. Subsection (3) and paragraph (a) of subsection
 114 (4) of section 474.2165, Florida Statutes, are amended to read:
 115 474.2165 Ownership and control of veterinary medical
 116 patient records; report or copies of records to be furnished.—

117 (3) Any records owner licensed under this chapter who makes
 118 a physical ~~an~~ examination of, or administers treatment or
 119 dispenses legend drugs to, any patient shall, upon request of

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120 the client or the client's legal representative, furnish, in a
121 timely manner, without delays for legal review, copies of all
122 reports and records relating to such examination or treatment,
123 including X rays. The furnishing of such report or copies shall
124 not be conditioned upon payment of a fee for services rendered.

125 (4) Except as otherwise provided in this section, such
126 records may not be furnished to, and the medical condition of a
127 patient may not be discussed with, any person other than the
128 client or the client's legal representative or other
129 veterinarians involved in the care or treatment of the patient,
130 except upon written authorization of the client. However, such
131 records may be furnished without written authorization under the
132 following circumstances:

133 (a) To any person, firm, or corporation that has procured
134 or furnished a physical ~~such~~ examination or treatment with the
135 client's consent.

136 Section 3. This act shall take effect July 1, 2017.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/6/17
Meeting Date

220
Bill Number (if applicable)

Topic Veterinary medicine

Amendment Barcode (if applicable)

Name Corinne Nixon

Job Title Lobbyist

Address 119 S. Monroe St.
Street

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Tallahassee FL 32301
City State Zip

Email corinnemixon@gmail.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida Veterinary Medical Association

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

Chair's Appropriations Subcommittee on General Government Budget Reduction Recommendations

Total Reductions: \$20.9 million (\$9 million GR; \$11.9 million TF)

| Agency | GR | TF |
|--|----------------------|-----------------------|
| Department of Business and Professional Regulation | (\$331,487) | - |
| Department of Financial Services | (\$1,724,220) | (\$439,568) |
| Department of Management Services | (\$740,810) | (\$5,039,395) |
| Agency for State Technology | (\$3,604,257) | (\$2,172,880) |
| Public Service Commission | (\$215,889) | (\$204,238) |
| Department of Revenue | (\$2,395,721) | (\$4,023,436) |
| Total | (\$9,012,384) | (\$11,879,517) |

1. Department of Business and Professional Regulation
 - a. Reduction of the Business Information Portal - \$200,000 (current year completion)
 - b. Reduce microfilm conversion project - \$130,806 (current year completion)

2. Department of Financial Services
 - a. Fund shifts from General Revenue to maximize trust fund - \$1,724,220
 - b. Operational efficiencies and excess budget authority - \$439,568

3. Department of Management Services
 - a. Reduction in excess budget authority for administrative hearings and National Guard pensions and benefits - \$740,810
 - b. Operational efficiencies, contract renegotiations, and debt service - \$5,137,384

4. Agency for State Technology
 - a. Operational efficiencies from consolidation of the Northwood data center into the Southwood data center and vacant positions - \$2,172,880
 - b. Fund shift from General Revenue to maximize utilization of trust funds - \$3,604,257

5. Public Service Commission
 - a. Reduction in excess authority and vacant positions - \$420,127

6. Department of Revenue
 - a. Reduction issues from operational efficiencies - \$1,289,447
 - b. Reduce Child Support State Disbursement Unit due to contract renegotiation - \$5,129,710

CourtSmart Tag Report

Room: EL 110

Case No.:

Type:

Caption: Senate Appropriations Subcommittee on General Government

Judge:

Started: 3/8/2017 4:01:12 PM

Ends: 3/8/2017 4:04:54 PM **Length:** 00:03:43

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|-------------------|---|
| 4:01:12 PM | Sen. Grimsley (Chair) |
| 4:01:56 PM | S 220 |
| 4:02:01 PM | Sen. Rouson (Chair) |
| 4:02:33 PM | Sen. Grimsley |
| 4:02:52 PM | Sen. Rouson |
| 4:03:16 PM | Corinne Mixon, Lobbyist, Florida Veterinary Medical Association (waives in support) |
| 4:03:33 PM | Sen. Grimsley |
| 4:03:39 PM | Sen. Rouson |
| 4:04:00 PM | S 220 (cont.) |
| 4:04:07 PM | Sen. Grimsley (Chair) |
| 4:04:14 PM | TAB 2 - Chair's Proposed Budget Reductions for Fiscal Year 2017 - 2018 |