

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, acutherapy, 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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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) "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.