By the Committee on Regulated Industries; and Senator Rodriguez

A bill to be entitled
An act relating to the medical treatment of animals; amending s. 474.202, F.S.; revising the definition of the term "veterinarian/client/patient relationship"; defining the term "veterinary telemedicine"; creating s. 474.2021, F.S.; authorizing veterinarians to practice veterinary telemedicine; prohibiting veterinarians from prescribing controlled substances; providing exceptions; providing licensure requirements to practice veterinary telemedicine; providing jurisdiction of the Florida Board of Veterinary Medicine; providing construction; amending s. 474.203, F.S.; revising exceptions to who may immunize or treat an animal for certain diseases; amending s. 474.214, F.S.; revising grounds for disciplinary action against a veterinarian; amending s. 828.30, F.S.; authorizing employees, agents, or contractors of animal control authorities to administer rabies vaccinations under certain circumstances; providing that a supervising veterinarian assumes responsibility for any person working at his or her discretion or under his or her supervision; defining the term "indirect supervision"; providing requirements; authorizing a veterinarian who indirectly supervises the administration of the rabies vaccination to affix his or her signature stamp on a rabies vaccination certificate; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:
Section 1. Subsection (12) of section 474.202, Florida Statutes, is amended, and subsection (14) is added to that section, to read:

474.202 Definitions.—As used in this chapter:

(12) “Veterinarian/client/patient relationship” means a relationship where the veterinarian has assumed the responsibility for making medical judgments regarding the health of the animal and its need for medical treatment. Such relationship may be established in person or by means of veterinary telemedicine if audio-visual technology is used to establish such relationship. A physical examination is not required for the veterinarian to assume responsibility for making medical judgments or providing treatment.

(14) “Veterinary telemedicine” means the practice of veterinary medicine in a remote setting, including through the use of telephone or audio-visual technology or by other means consistent with the veterinarian’s professional judgment, as long as the veterinarian/client/patient relationship is established either in person or by audio-visual technology.

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

474.2021 Veterinary telemedicine.—

(1) A veterinarian may practice veterinary telemedicine.

(2) A veterinarian may not prescribe controlled substances if the veterinarian/client/patient relationship has been established remotely under this section and the veterinarian has not previously performed a physical examination, unless the controlled substance is prescribed for the following:
(a) Inpatient treatment at an animal clinic or hospital; or
(b) The treatment of a patient receiving hospice services.
(3) A veterinarian must hold a current license to practice
veterinary medicine in this state in order to practice
veterinary telemedicine.
(4) The board has jurisdiction over a veterinarian
practicing veterinary telemedicine in this state, regardless of
where the veterinarian’s physical offices are located. The
practice of veterinary telemedicine in accordance with this
section is not a standard of care violation, and a veterinarian
may not be disciplined solely for practicing veterinary
telemedicine.

Section 3. Paragraph (a) of subsection (5) of section
474.203, Florida Statutes, is amended to read:
474.203 Exemptions.—This chapter does not apply to:
(5)(a) Any person, or the person’s regular employee,
administering to the ills or injuries of her or his own animals,
including, but not limited to, castration, spaying, and
dehorning of herd animals, unless title is transferred or
employment provided for the purpose of circumventing this law.
This exemption does not apply to any person licensed as a
veterinarian in another state or foreign jurisdiction and
practicing temporarily in this state. However, except as
provided in s. 828.30, only a veterinarian may immunize or treat
an animal for diseases that are communicable to humans and that
are of public health significance.

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

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

474.214 Disciplinary proceedings.—

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

(y) Using the privilege of ordering, prescribing, or making available medicinal drugs or drugs as defined in chapter 465, or controlled substances as defined in chapter 893, for use other than for the specific treatment of animal patients for which there is a documented veterinarian/client/patient relationship.

Pursuant thereto, The veterinarian shall:

1. Have sufficient knowledge of the animal to initiate at least a general or preliminary diagnosis of the medical condition of the animal, which means that the veterinarian is personally acquainted with the keeping and caring of the animal and has recently seen the animal or has made medically appropriate and timely visits to the premises where the animal is kept.

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

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

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

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

(b) An employee, an agent, or a contractor of an animal control authority acting under the indirect supervision of a veterinarian may vaccinate impounded animals that will be transferred, rescued, fostered, adopted, or reclaimed by the owner. As used in this subsection, the term “indirect supervision,” means that the supervising veterinarian is available for consultation by telecommunications but is not required to be on the premises during such consultation. The supervising veterinarian assumes responsibility for the veterinary care given to the animal by any person working under or at his or her direction and supervision.

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

(3) Upon vaccination against rabies, the licensed veterinarian shall provide the animal’s owner and the animal control authority with a rabies vaccination certificate. Each animal control authority and veterinarian shall use the “Rabies Vaccination Certificate” of the National Association of State
Public Health Veterinarians (NASPHV) or an equivalent form approved by the local government that contains all the information required by the NASPHV Rabies Vaccination Certificate. The veterinarian who administers the rabies vaccination, or who supervises an employee, an agent, or a contractor of an animal control authority administering the rabies vaccination, may affix his or her signature stamp in lieu of an actual signature.

Section 6. This act shall take effect July 1, 2021.