

Amendment No. sa1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Commerce Committee
2 Representative McClure offered the following:

3
4 **Substitute Amendment for Amendment (292837) by**
5 **Representative Buchanan (with title amendment)**

6 Remove everything after the enacting clause and insert:
7 Section 1. Subsection (12) of section 474.202, Florida
8 Statutes, is amended, and subsection (14) is added to that
9 section, to read:

10 474.202 Definitions.—As used in this chapter:

11 (12) "Veterinarian/client/patient relationship" means a
12 relationship where the veterinarian has assumed the
13 responsibility for making medical judgments regarding the health
14 of the animal and its need for medical treatment. Such
15 relationship may be established in person or by making medically
16 appropriate and timely visits to the premises where the animal

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17 is kept or by means of veterinary telemedicine if audio-visual
18 technology is used to establish such relationship.

19 (14) "Veterinary telemedicine" means the practice of
20 veterinary medicine in a remote setting, including through the
21 use of telephone or audio-visual technology or by other means
22 consistent with the veterinarian's professional judgment, as
23 long as the veterinarian/client/patient relationship is
24 established either in person or by making medically appropriate
25 and timely visits to the premises where the animal is kept or by
26 audio-visual technology.

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

29 474.2021 Veterinary telemedicine.—

30 (1) A veterinarian may practice veterinary telemedicine. A
31 physical examination is not required for the veterinarian to
32 assume responsibility for making medical judgments or providing
33 treatment by means of veterinary telemedicine in a manner
34 consistent with the veterinary standard of care.

35 (2) (a) A veterinarian who establishes a
36 veterinarian/client/patient relationship without a physical
37 examination or without making medically appropriate and timely
38 visits to the premises where the animal is kept may only provide
39 the following services through veterinary telemedicine:

40 1. Triage of patients in first aid and emergency cases.

41 2. Consultation and prescription of drugs for the

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42 following areas of care: nutrition, training, dermatological
43 conditions, and anxiety.

44 (b) Notwithstanding paragraph (a), a veterinarian may not
45 prescribe drugs for extralabel use or veterinary feed directive
46 drugs without a veterinarian/client/patient relationship that is
47 established through a physical examination or medically
48 appropriate and timely visits to the premises where the animal
49 is kept and is otherwise consistent with federal law.

50 (3) A veterinarian may not prescribe controlled substances
51 if the veterinarian/client/patient relationship has been
52 established by means of veterinary telemedicine under this
53 section and the veterinarian has not previously performed a
54 physical examination or made medically appropriate and timely
55 visits to the premises where the animal is kept.

56 (4) A veterinarian must hold a current license to practice
57 veterinary medicine in this state in order to practice
58 veterinary telemedicine.

59 (5) The board has jurisdiction over a veterinarian
60 practicing veterinary telemedicine in this state, regardless of
61 where the veterinarian's physical offices are located. The
62 practice of veterinary telemedicine in accordance with this
63 section is not itself a standard of care violation, and a
64 veterinarian may not be disciplined solely for practicing
65 veterinary telemedicine. The same veterinary standard of care
66 applies to services provided through veterinary telemedicine as

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67 applies to veterinary care provided during an in-person visit.

68 Section 3. Paragraph (a) of subsection (5) of section
69 474.203, Florida Statutes, is amended to read:

70 474.203 Exemptions.—This chapter does not apply to:

71 (5) (a) Any person, or the person's regular employee,
72 administering to the ills or injuries of her or his own animals,
73 including, but not limited to, castration, spaying, and
74 dehorning of herd animals, unless title is transferred or
75 employment provided for the purpose of circumventing this law.
76 This exemption does not apply to any person licensed as a
77 veterinarian in another state or foreign jurisdiction and
78 practicing temporarily in this state. However, except as
79 provided in s. 828.30, only a veterinarian may immunize or treat
80 an animal for diseases that are communicable to humans and that
81 are of public health significance.

82

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

87 Section 4. Paragraph (y) of subsection (1) of section
88 474.214, Florida Statutes, is amended to read:

89 474.214 Disciplinary proceedings.—

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

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92 (y) Using the privilege of ordering, prescribing, or
93 making available medicinal drugs or drugs as defined in chapter
94 465, or controlled substances as defined in chapter 893, for use
95 other than for the specific treatment of animal patients for
96 which there is a documented veterinarian/client/patient
97 relationship. ~~Pursuant thereto,~~ The veterinarian shall:

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

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

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

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

113 828.30 Rabies vaccination of dogs, cats, and ferrets.—

114 (1) (a) Except as provided in paragraph (b), all dogs,
115 cats, and ferrets 4 months of age or older must be vaccinated by
116 a licensed veterinarian against rabies with a vaccine that is

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117 licensed by the United States Department of Agriculture for use
118 in those species.

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

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

138 (3) Upon vaccination against rabies, the licensed
139 veterinarian shall provide the animal's owner and the animal
140 control authority with a rabies vaccination certificate. Each
141 animal control authority and veterinarian shall use the "Rabies

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142 Vaccination Certificate" of the National Association of State
143 Public Health Veterinarians (NASPHV) or an equivalent form
144 approved by the local government that contains all the
145 information required by the NASPHV Rabies Vaccination
146 Certificate. The veterinarian who administers the rabies
147 vaccination, or who supervises an employee, an agent, or a
148 contractor of an animal control authority administering the
149 rabies vaccination, ~~vaccine~~ to an animal as required under this
150 section may affix his or her signature stamp in lieu of an
151 actual signature.

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

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155 **T I T L E A M E N D M E N T**

156 Remove everything before the enacting clause and insert:
157 An act relating to the medical treatment of animals;
158 amending s. 474.202, F.S.; revising the definition of
159 the term "veterinarian/client/patient relationship";
160 defining the term "veterinary telemedicine"; creating
161 s. 474.2021, F.S.; authorizing veterinarians to
162 practice veterinary telemedicine; specifying the
163 services a veterinarian may provide without first
164 establishing a veterinarian/client/patient
165 relationship by a physical examination; prohibiting
166 veterinarians from prescribing controlled substances

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167 under certain circumstances; providing exceptions;
168 providing licensure requirements to practice
169 veterinary telemedicine; providing jurisdiction of the
170 Florida Board of Veterinary Medicine; providing
171 construction; amending s. 474.203, F.S.; revising
172 exceptions to who may immunize or treat an animal for
173 certain diseases; amending s. 474.214, F.S.; revising
174 grounds for disciplinary action against a
175 veterinarian; amending s. 828.30, F.S.; authorizing
176 employees, agents, or contractors of animal control
177 authorities to administer rabies vaccinations under
178 certain circumstances; providing that a supervising
179 veterinarian assumes responsibility for any person
180 working at his or her discretion or under his or her
181 supervision; defining the term "indirect supervision";
182 providing requirements; authorizing a veterinarian who
183 indirectly supervises the administration of the rabies
184 vaccination to affix his or her signature stamp on a
185 rabies vaccination certificate; providing an effective
186 date.