

**By** the Committees on Agriculture; and Regulated Industries; and  
Senator Rodriguez

575-02983-21

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1                                   A bill to be entitled  
2           An act relating to the medical treatment of animals;  
3           amending s. 474.202, F.S.; revising the definition of  
4           the term "veterinarian/client/patient relationship";  
5           defining the term "veterinary telemedicine"; creating  
6           s. 474.2021, F.S.; authorizing veterinarians to  
7           practice veterinary telemedicine; specifying the  
8           services a veterinarian may provide without first  
9           establishing a veterinarian/client/patient  
10          relationship by a physical examination; prohibiting  
11          veterinarians from prescribing controlled substances  
12          under certain circumstances; providing exceptions;  
13          providing licensure requirements to practice  
14          veterinary telemedicine; providing jurisdiction of the  
15          Florida Board of Veterinary Medicine; providing  
16          construction; amending s. 474.203, F.S.; revising  
17          exceptions to who may immunize or treat an animal for  
18          certain diseases; amending s. 474.214, F.S.; revising  
19          grounds for disciplinary action against a  
20          veterinarian; amending s. 828.30, F.S.; authorizing  
21          employees, agents, or contractors of animal control  
22          authorities to administer rabies vaccinations under  
23          certain circumstances; providing that a supervising  
24          veterinarian assumes responsibility for any person  
25          working at his or her discretion or under his or her  
26          supervision; defining the term "indirect supervision";  
27          providing requirements; authorizing a veterinarian who  
28          indirectly supervises the administration of the rabies  
29          vaccination to affix his or her signature stamp on a

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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.

(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. A physical examination is not required for the veterinarian to assume responsibility for making medical judgments or providing treatment by means of veterinary telemedicine in a manner

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59 consistent with the veterinary standard of care.

60 (2) (a) A veterinarian who establishes a  
61 veterinarian/client/patient relationship without a physical  
62 examination may only provide the following services through  
63 veterinary telemedicine:

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

65 2. Consultation and prescription of drugs for the following  
66 areas of care: nutrition, training, dermatological conditions,  
67 and anxiety.

68 (b) Notwithstanding paragraph (a), a veterinarian may not  
69 prescribe drugs for extralabel use or veterinary feed directive  
70 drugs without a veterinarian/client/patient relationship that is  
71 established through a physical examination and is otherwise  
72 consistent with federal law.

73 (3) A veterinarian may not prescribe controlled substances  
74 if the veterinarian/client/patient relationship has been  
75 established by means of veterinary telemedicine under this  
76 section and the veterinarian has not previously performed a  
77 physical examination.

78 (4) A veterinarian must hold a current license to practice  
79 veterinary medicine in this state in order to practice  
80 veterinary telemedicine.

81 (5) The board has jurisdiction over a veterinarian  
82 practicing veterinary telemedicine in this state, regardless of  
83 where the veterinarian's physical offices are located. The  
84 practice of veterinary telemedicine in accordance with this  
85 section is not itself a standard of care violation, and a  
86 veterinarian may not be disciplined solely for practicing  
87 veterinary telemedicine. The same veterinary standard of care

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88 applies to services provided through veterinary telemedicine as  
89 applies to veterinary care provided during an in-person visit.

90 Section 3. Paragraph (a) of subsection (5) of section  
91 474.203, Florida Statutes, is amended to read:

92 474.203 Exemptions.—This chapter does not apply to:

93 (5) (a) Any person, or the person's regular employee,  
94 administering to the ills or injuries of her or his own animals,  
95 including, but not limited to, castration, spaying, and  
96 dehorning of herd animals, unless title is transferred or  
97 employment provided for the purpose of circumventing this law.  
98 This exemption does not apply to any person licensed as a  
99 veterinarian in another state or foreign jurisdiction and  
100 practicing temporarily in this state. However, except as  
101 provided in s. 828.30, only a veterinarian may immunize or treat  
102 an animal for diseases that are communicable to humans and that  
103 are of public health significance.

104

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

109 Section 4. Paragraph (y) of subsection (1) of section  
110 474.214, Florida Statutes, is amended to read:

111 474.214 Disciplinary proceedings.—

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

114 (y) Using the privilege of ordering, prescribing, or making  
115 available medicinal drugs or drugs as defined in chapter 465, or  
116 controlled substances as defined in chapter 893, for use other

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117 than for the specific treatment of animal patients for which  
118 there is a documented veterinarian/client/patient relationship.  
119 ~~Pursuant thereto,~~ The veterinarian shall:

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

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

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

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

135 828.30 Rabies vaccination of dogs, cats, and ferrets.—

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

141 (b) An employee, an agent, or a contractor of an animal  
142 control authority acting under the indirect supervision of a  
143 veterinarian may vaccinate impounded animals that will be  
144 transferred, rescued, fostered, adopted, or reclaimed by the  
145 owner. As used in this subsection, the term "indirect

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146 supervision," means that the supervising veterinarian is  
147 available for consultation by telecommunications but is not  
148 required to be on the premises during such consultation. The  
149 supervising veterinarian assumes responsibility for the  
150 veterinary care given to the animal by any person working under  
151 or at his or her direction and supervision.

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

160 (3) Upon vaccination against rabies, the licensed  
161 veterinarian shall provide the animal's owner and the animal  
162 control authority with a rabies vaccination certificate. Each  
163 animal control authority and veterinarian shall use the "Rabies  
164 Vaccination Certificate" of the National Association of State  
165 Public Health Veterinarians (NASPHV) or an equivalent form  
166 approved by the local government that contains all the  
167 information required by the NASPHV Rabies Vaccination  
168 Certificate. The veterinarian who administers the rabies  
169 vaccination, or who supervises an employee, an agent, or a  
170 contractor of an animal control authority administering the  
171 rabies vaccination, ~~vaccine~~ to an animal as required under this  
172 section may affix his or her signature stamp in lieu of an  
173 actual signature.

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