

1

2 Draft – Final Version with Rabies 3

3 Section 1. This act may be cited as the “Veterinary Telemedicine Act.”

4 Section 2. Subsection 8 is amended, subsection (14) is added to section
5 474.202, Florida Statutes, to read:

6 474.202 Definitions. -- As used in this chapter:

7 (8) “Patient” means any animal, herd, collection, or group of animals for
8 which the veterinarian practices veterinary medicine.

9 (14) “Veterinary telemedicine” means the practice of veterinary
10 medicine with an established veterinarian/client/patient relationship in a remote
11 setting in which patient care, treatment and services are provided through the
12 use of telecommunications including telephone and audio-visual technology.

13 Section 3. Section 474.2021, Florida Statutes, is created to read:

14 474.2021 Veterinary telemedicine.

15 (1) A veterinarian may practice telemedicine.

16 (2) A veterinarian practicing veterinary telemedicine may order,
17 prescribe, or make available medicinal drugs or drugs as defined in Chapter
18 465 FS.

19 (3) A veterinarian practicing veterinary telemedicine may order,
20 prescribe, or make available controlled substances in compliance with Chapter
21 893 FS and the Federal Controlled Substance Act.

22 (4) A veterinarian who practices veterinary telemedicine may maintain
23 the veterinarian/client/patient relationship in between medically necessary
24 examinations of the patient or timely medical visits to the premises where the
25 patient is kept for a period as determined by the Board of Veterinary Medicine.

26 (5) A veterinarian with a veterinarian/client/patient relationship may
27 refer a specific patient to a veterinarian who is a board-certified specialist, or is

28 certified in an area of practice recognized by the Board, or is recognized by the
29 referring veterinarian to have specific expertise in a particular area of
30 veterinary medicine. The veterinarian to whom the patient is referred may
31 practice veterinary telemedicine and consult directly with the client under the
32 referring veterinarian's veterinarian/client/patient relationship, provided this
33 veterinarian keeps the referring veterinarian informed of any diagnosis,
34 treatment and patient progress. Additionally, any prescribing of medicinal
35 drugs as defined in Chapter 465 FS or controlled substances as defined in
36 Chapter 893 FS may only be done by the referring veterinarian.

37 (6) A veterinarian must hold a current license to practice veterinary
38 medicine in this state in order to practice veterinary telemedicine. The practice
39 of veterinary medicine is deemed to occur when the veterinarian, the patient or
40 both are located within the state at the time the veterinarian practices veterinary
41 telemedicine.

42 (7) The board has jurisdiction over a veterinarian practicing veterinary
43 telemedicine in this state, regardless of where the veterinarian's physical office
44 is located.

45 Section 4. paragraph (a) of subsection (5) of section 474.203, Florida
46 Statutes, is amended to read:

47 474.203 Exemptions. – This chapter does not apply to:

48 (5) (a) Any person, or the person's regular employee, administering to
49 the ill or injuries of her or his own animals, including, but not limited to,
50 castration, spaying, and dehorning of herd animals, unless title is transferred or
51 employment provided for the purpose of circumventing this law. This
52 exemption does not apply to any person licensed as a veterinarian in another
53 state or foreign jurisdiction and practicing temporarily in this state. However,
54 except as provided in s. 828.30, only a veterinarian may immunize or treat an
55 animal for diseases that are communicable to humans and that are of public
56 health significance.

57 Section 5. Paragraph (y) of subsection (1) of section 474.214, Florida
58 Statutes, is amended to read:

59 474.214 Disciplinary proceedings. -

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

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

67 1. Have sufficient knowledge of the patient animal to initiate at least a
68 general or preliminary diagnosis of the medical condition of the patient animal
69 which means that the veterinarian is personally acquainted with the keeping
70 and caring of the patient animal and has recently performed an in-person
71 examination of the patient ~~seen the animal~~ or has made medically appropriate
72 and timely visits to the premises where the patient animal is kept.

73 2. Be available or provide for follow-up ~~followup~~ care and treatment in
74 case of adverse reactions or failure of the regimen of therapy.

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

77 Section 6. Subsections (1) and (3) of section 828.30, Florida Statutes, are
78 amended to read:

79 828.30 Rabies vaccination of dogs, cats and ferrets. -

80 (1) (a) All dogs, cats and ferrets 4 months of age or older must be
81 vaccinated by a licensed veterinarian or, in the case of impounded animals, a
82 person authorized under paragraph (b), against rabies with a vaccine ~~that is~~
83 licensed by the United States Department of Agriculture for use in those
84 species.

85 (b) An employee, an agent, or a contractor of an animal control authority
86 acting under the indirect supervision of a licensed veterinarian may vaccinate
87 impounded dogs, cats, and ferrets that will be transferred, rescued, fostered,
88 adopted, or reclaimed by the owner. The supervising veterinarian assumes
89 responsibility for any person vaccinating animals at his or her direction or
90 under his or her supervision. As used in this paragraph, the term “indirect
91 supervision” means that the supervising veterinarian is required to be available
92 for consultation through telecommunications but is not required to be
93 physically present during such consultation.

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

101 (3) Upon vaccination against rabies, the licensed veterinarian shall
102 provide the animal’s owner and the animal control authority with a rabies
103 vaccination certificate. Each animal control authority and veterinarian shall use
104 the “Rabies Vaccination Certificate” of the National Association of State
105 Public Health Veterinarians (NASPHV) or an equivalent form approved by the
106 local government which ~~that~~ contains ~~all~~ the information required by the
107 NASPHV Rabies Vaccination Certificate. The veterinarian who administers
108 the rabies vaccination, or who supervises the administration of the rabies
109 vaccination as provided in paragraph (1) (b), vaccine to an animal is authorized
110 required under this section may affix his or her signature stamp in lieu of an
111 actual signature.