

CHAMBER ACTION

1 The Agriculture Committee recommends the following:

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3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to animal service providers; amending s.
7 474.203, F.S.; providing that certain temporary employees
8 and independent contractors are exempt from ch. 474, F.S.,
9 relating to veterinary medical practice; expanding the
10 scope of exempt activities of an animal owner or the
11 animal owner's regular or temporary employee or
12 independent contractor; providing that certain independent
13 contractors administering certain nonmedical health care
14 services to animals are exempt, subject to certain
15 requirements; providing training and education
16 requirements for certain independent contractors;
17 providing an effective date.

18
19 Be It Enacted by the Legislature of the State of Florida:

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21 Section 1. Subsection (5) of section 474.203, Florida
22 Statutes, is amended, and subsection (9) is added to that
23 section, to read:

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24 474.203 Exemptions.--This chapter shall not apply to:
 25 (5) Any person, ~~or~~ the person's regular or temporary
 26 employee, or the person's independent contractor administering
 27 to the ills, ~~or~~ injuries, wellness, or normally accepted animal
 28 husbandry practices of her or his own animals, including, but
 29 not limited to, castration, spaying, farriery, nonmechanical
 30 hand floating of teeth, debeaking, parasite control, and
 31 dehorning of herd, livestock, or flock animals, unless title has
 32 been transferred or employment provided for the purpose of
 33 circumventing this law. This exemption shall not apply to out-
 34 of-state veterinarians practicing temporarily in the state.
 35 However, only a veterinarian may immunize or treat an animal for
 36 diseases which are communicable to humans and which are of
 37 public health significance.

38 (9) (a) An independent contractor who, under the
 39 supervision of a person who is administering to the wellness,
 40 ills, or injuries of her or his own livestock, herd, or flock
 41 animals, provides health care services to the animals. For
 42 purposes of this subsection, the health care services described
 43 in this paragraph are nonmedical, which means nonprescription
 44 and nonsurgical, and consist of acupressure, aromatherapy,
 45 animal communication, farriery, flower essence therapy,
 46 homeopathy, light therapy, magnet therapy, massage and other
 47 touch therapies, hydrotherapy, nutritional counseling, and
 48 manual equine teeth floating.

49 (b) An independent contractor who provides nonmedical
 50 health care services described in this subsection for livestock,
 51 herd, or flock animals and is not a veterinarian shall:

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- 52 1. Obtain an occupational license.
- 53 2. Advise each owner of an animal that will be treated of
 54 her or his knowledge or experience with the services that will
 55 be provided.
- 56 3. Provide her or his credentials upon the request of each
 57 owner of an animal that will be treated.
- 58 4. Not engage in animal cruelty.
- 59 5. Not advertise in any way that implies that she or he is
 60 a veterinarian.
- 61 6. Not diagnose or prognosticate.
- 62 (c) Beginning July 1, 2008, an independent contractor who
 63 offers any service described in this paragraph must be able to
 64 demonstrate, upon request of the animal owner or an agency of
 65 the state, that she or he has completed the minimum required
 66 hours of training or education in the field of such service,
 67 which training may include seminars, online education, classes,
 68 courses, schools, internships or apprenticeships, case studies,
 69 individual tutoring, or distributor or company training. An
 70 internship or apprenticeship may comprise up to 25 percent of
 71 the required minimum training or education hours. The minimum
 72 required hours for each field of service are as follows:
- 73 1. Animal acupressure: 120 hours.
- 74 2. Aromatherapy: 50 hours, including 5 hours related to
 75 animals.
- 76 3. Flower essence therapy: 50 hours, including 5 hours
 77 related to animals.
- 78 4. Homeopathy: 120 hours, including 20 hours related to
 79 animals.

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- 80 5. Light therapy: 20 hours.
- 81 6. Magnet therapy: 20 hours.
- 82 7. Animal massage or other animal touch therapies: 75
- 83 hours.
- 84 8. Hydrotherapy: 15 hours.
- 85 9. Animal nutritional counseling: 100 hours.

87 For the purposes of chapters 465 and 893, persons exempt

88 pursuant to subsection (1), subsection (2), or subsection (4)

89 are deemed to be duly licensed practitioners authorized by the

90 laws of this state to prescribe drugs or medicinal supplies.

91 Section 2. This act shall take effect July 1, 2006.