

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Regulated Industries Committee

BILL: SB 1428

INTRODUCER: Senator Latvala

SUBJECT: Veterinary Practice

DATE: March 23, 2011 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Oxamendi	Imhof	RI	Pre-meeting
2.			BC	
3.				
4.				
5.				
6.				

I. Summary:

The bill defines the term “limited service veterinary vaccination clinic” to mean veterinary practice in which a veterinarian performs vaccinations or immunizations on multiple animals at a temporary location. The bill requires the board to establish by rule minimum standards for limited-service veterinary vaccination clinics. The rules must be consistent with the type of limited veterinary vaccination service provided.

This bill substantially amends sections 474.202 and 474.215, Florida Statutes.

II. Present Situation:

The Board of Veterinary Medicine (board) within the Department of Business and Professional Regulation (department) is the agency charged with the regulation of the practice of veterinary medicine under ch. 474, F.S.

Section 474.202(6), F.S., defines the term “limited-service veterinary medical practice” to mean:

offering or providing veterinary services at a location that has a primary purpose other than that of providing veterinary medical services at a permanent or mobile establishment permitted by the Board of Veterinary Medicine; provides veterinary medical services for privately owned animals that do not reside at that location; operates for a limited time; and provides limited types of veterinary medical services.

Section 474.202(9), F.S., defines the term “practice of veterinary medicine” to mean:

diagnosing the medical condition of animals and prescribing, dispensing, or administering drugs, medicine, appliances, applications, or treatment of whatever nature for the prevention, cure, or relief of a wound, fracture, bodily injury, or disease thereof; performing any manual procedure for the diagnosis of or treatment for pregnancy or fertility or infertility of animals; or representing oneself by the use of titles or words, or undertaking, offering, or holding oneself out, as performing any of these functions. The term includes the determination of the health, fitness, or soundness of an animal.

Section 474.215(7), F.S., requires the board to establish by rule minimum standards for limited-service veterinary medical practices. The rules cannot restrict limited service veterinary medical practices and must be consistent with the type of limited veterinary medical service provided. The board has defined by rule minimum standards to include vaccinations, immunizations and preventative procedures for parasitic control¹ on multiple animals at a temporary location and for a limited time.² The rule defines the term “limited time” as no more than once every two weeks and no more than four hours in any one day for any single location where a clinic is held.³

According to the department, anyone, such as a retailer, may obtain a permit for limited service veterinary medical permit, but a licensed veterinarian must perform the services. These limited service clinics are inspected on a random basis. There has been an issue with these clinics not notifying the department before the clinic is conducted.

Mobile veterinarian clinics are licensed, must have a premises permit for the mobile unit, and must be inspected prior to providing veterinarian services. A “mobile veterinary establishment” and “mobile clinic” is:

a mobile unit which contains the same treatment facilities as are required of a permanent veterinary establishment or which has entered into a written agreement with another veterinary establishment to provide any required facilities not available in the mobile unit. The terms do not refer to the use of a car, truck, or other motor vehicle by a veterinarian making a house call.⁴

III. Effect of Proposed Changes:

The bill creates s. 474.202(7), F.S., to define the term “limited service veterinary vaccination clinic.” The bill defines the term to mean veterinary practice in which a veterinarian performs vaccinations or immunizations on multiple animals at a temporary location.

The bill amends s. 474.215(7), F.S., to require the board to establish by rule minimum standards for limited-service veterinary vaccination clinics. It deletes the provision that requires the board

¹ According to the department, preventive services for parasitic control may require a prescription and testing to determine the health status of an animal.

² Rule 61G18-15.007, F.A.C.

³ Rule 61G18-15.007(1), F.A.C.

⁴ Section 474.202(7), F.S.

to establish by rules minimum standards for limited-service veterinary medical practices. The rules must be consistent with the type of limited veterinary vaccination service provided.

Rule 61G18-15.007, F.A.C., permits “limited-service veterinary medical practices” to perform preventive procedures for parasitic control. The bill would delete the board’s authority for this rule, and would not permit “limited service veterinary vaccination clinics” to perform preventive procedures for parasitic control.

The department indicated that this bill would not affect mobile veterinary clinics or veterinarians who make house calls.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

- B. **Amendments:**

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
