

By Senator Hooper

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1 A bill to be entitled
2 An act relating to veterinary medicine; amending s.
3 474.202, F.S.; defining and redefining terms relating
4 to veterinary medical practice; amending s. 474.2165,
5 F.S.; conforming provisions to changes made by the
6 act; reenacting s. 465.0276(5), F.S., relating to
7 dispensing practitioners to incorporate the amendment
8 made to s. 474.202, F.S., in a reference thereto;
9 providing an effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13 Section 1. Present subsections (9) through (12) of section
14 474.202, Florida Statutes, are redesignated as subsections (10)
15 through (13), respectively, subsection (8) and present
16 subsection (12) are amended, and a new subsection (9) is added
17 to that section, to read:

18 474.202 Definitions.—As used in this chapter:

19 (8) "Patient" means any animal, or any herd, collection, or
20 group of animals, for which the veterinarian practices
21 veterinary medicine.

22 (9) "Physical examination" means the evaluation of a
23 patient by personal inspection, palpation, and auscultation.

24 (13)~~(12)~~ "Veterinarian/client/patient relationship" means a
25 relationship in which ~~where~~ the veterinarian has performed a
26 physical examination of the patient or made timely and medically
27 appropriate visits to the premises where the patient is kept and
28 the veterinarian has assumed ~~the~~ responsibility for making
29 medical judgments regarding the health of the patient ~~animal~~ and

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30 its need for medical treatment or the veterinarian has access to
31 the patient's records and has been designated by a veterinarian
32 with whom the patient had a prior relationship to provide
33 reasonable and appropriate medical care.

34 Section 2. Subsections (1) and (3) and paragraph (a) of
35 subsection (4) of section 474.2165, Florida Statutes, are
36 amended to read:

37 474.2165 Ownership and control of veterinary medical
38 patient records; report or copies of records to be furnished.—

39 (1) As used in this section, the term "records owner" means
40 a any veterinarian who generates a medical record after
41 performing ~~making~~ a physical examination of, or administering
42 treatment or dispensing legend drugs to, a any patient; a any
43 veterinarian to whom records are transferred by a previous
44 records owner; or a any veterinarian's employer, provided the
45 employment contract or agreement between the employer and the
46 veterinarian designates the employer as the records owner.

47 (3) Any records owner licensed under this chapter who
48 performs a physical ~~makes an~~ examination of, or administers
49 treatment or dispenses legend drugs to, a any patient shall,
50 upon request of the client or the client's legal representative,
51 timely furnish, ~~in a timely manner~~, without delays for legal
52 review, copies of all reports and records relating to such
53 physical examination or treatment, including X rays. The
54 furnishing of such report or copies may ~~shall~~ not be conditioned
55 upon payment of a fee for services rendered.

56 (4) Except as otherwise provided in this section, such
57 records may not be furnished to, and the medical condition of a
58 patient may not be discussed with, any person other than the

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59 client or the client's legal representative or other
60 veterinarians involved in the care or treatment of the patient,
61 except upon written authorization of the client. However, such
62 records may be furnished without written authorization under the
63 following circumstances:

64 (a) To any person, firm, or corporation that has procured
65 or furnished such physical examination or treatment with the
66 client's consent.

67 Section 3. For the purpose of incorporating the amendment
68 made by this act to section 474.202, Florida Statutes, in a
69 reference thereto, subsection (5) of section 465.0276, Florida
70 Statutes, is reenacted to read:

71 465.0276 Dispensing practitioner.—

72 (5) This chapter and the rules adopted thereunder do not
73 prohibit a veterinarian licensed under chapter 474 from
74 administering a compounded drug to a patient, as defined in s.
75 474.202, or dispensing a compounded drug to the patient's owner
76 or caretaker. This subsection does not affect the regulation of
77 the practice of pharmacy as set forth in this chapter.

78 Section 4. This act shall take effect July 1, 2019.