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2021

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 amending s. 474.203, F.S.; providing an exception to
6 who may immunize or treat an animal for certain
7 diseases; amending s. 474.214, F.S.; revising grounds
8 for disciplinary action against a veterinarian;
9 amending s. 828.30, F.S.; authorizing employees,
10 agents, or contractors of animal control authorities
11 to administer rabies vaccinations under certain
12 circumstances; providing that a supervising
13 veterinarian assumes responsibility for any person
14 working at his or her discretion or under his or her
15 supervision; defining the term "indirect supervision";
16 providing requirements; authorizing a veterinarian who
17 indirectly supervises the administration of the rabies
18 vaccination to affix his or her signature stamp on a
19 rabies vaccination certificate; providing an effective
20 date.

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

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24 Section 1. Subsection (12) of section 474.202, Florida
25 Statutes, is amended to read:

26 474.202 Definitions.—As used in this chapter:

27 (12) "Veterinarian/client/patient relationship" means a
 28 relationship where the veterinarian has assumed the
 29 responsibility for making medical judgments regarding the health
 30 of the animal and its need for medical treatment. Such
 31 relationship may be established in person, by telephone, or by
 32 other means consistent with the individual veterinarian's
 33 professional judgment. A physical examination is not required
 34 for the veterinarian to assume responsibility for making medical
 35 judgments or providing treatment.

36 Section 2. Paragraph (a) of subsection (5) of section
 37 474.203, Florida Statutes, is amended to read:

38 474.203 Exemptions.—This chapter does not apply to:

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

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

55 Section 3. Paragraph (y) of subsection (1) of section
56 474.214, Florida Statutes, is amended to read:

57 474.214 Disciplinary proceedings.—

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

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

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

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

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

79 Section 4. Subsections (1) and (3) of section 828.30,
 80 Florida Statutes, are amended to read:

81 828.30 Rabies vaccination of dogs, cats, and ferrets.—

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

87 (b) An employee, agent, or contractor of an animal control
 88 authority acting under the indirect supervision of a
 89 veterinarian may vaccinate impounded animals that will be
 90 transferred, rescued, fostered, adopted, or reclaimed by the
 91 owner. As used in this subsection, the term "indirect
 92 supervision," means that the supervising veterinarian is
 93 available for consultation by telecommunications but is not
 94 required to be on the premises during such consultation. The
 95 supervising veterinarian assumes responsibility for the
 96 veterinary care given to the animal by any person working under
 97 or at his or her direction and supervision.

98 (c) The owner of every dog, cat, and ferret shall have the
 99 animal revaccinated 12 months after the initial vaccination.
 100 Thereafter, the interval between vaccinations shall conform to

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101 the vaccine manufacturer's directions. The cost of vaccination
102 must be borne by the animal's owner. Evidence of circulating
103 rabies virus neutralizing antibodies may ~~shall~~ not be used as a
104 substitute for current vaccination in managing rabies exposure
105 or determining the need for booster vaccinations.

106 (3) Upon vaccination against rabies, the licensed
107 veterinarian shall provide the animal's owner and the animal
108 control authority with a rabies vaccination certificate. Each
109 animal control authority and veterinarian shall use the "Rabies
110 Vaccination Certificate" of the National Association of State
111 Public Health Veterinarians (NASPHV) or an equivalent form
112 approved by the local government that contains all the
113 information required by the NASPHV Rabies Vaccination
114 Certificate. The veterinarian who administers the rabies
115 vaccination, or who supervises an employee, agent, or contractor
116 of an animal control authority administering the rabies
117 vaccination, ~~vaccine~~ to an animal as required under this section
118 may affix his or her signature stamp in lieu of an actual
119 signature.

120 Section 5. This act shall take effect July 1, 2021.