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LEGISLATIVE ACTION

Senate

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House

The Committee on Regulated Industries (Rouson) recommended the following:

1 **Senate Substitute for Amendment (776064) (with title**
2 **amendment)**

3
4 Delete everything after the enacting clause
5 and insert:

6 Section 1. This act may be cited as the "Providing Equity
7 in Telemedicine Services (PETS) Act."

8 Section 2. Subsection (14) is added to section 474.202,
9 Florida Statutes, to read:

10 474.202 Definitions.—As used in this chapter:



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11 (14) "Veterinary telemedicine" means the use of synchronous
12 telecommunications technology by a veterinarian who has an
13 established veterinarian/client/patient relationship to provide
14 veterinary services, including, but not limited to,
15 consultation, evaluation, diagnosis, and treatment of a patient;
16 transfer of medical records; and exchange of information with a
17 client.

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

20 474.2021 Veterinary telemedicine.-

21 (1) A veterinarian may practice telemedicine.

22 (2) A veterinarian practicing veterinary telemedicine shall
23 take the appropriate steps, as defined by the Board of
24 Veterinary Medicine, to establish the
25 veterinarian/client/patient relationship and provide quality of
26 care consistent with the prevailing professional standards of
27 care for a veterinarian in this state.

28 (3) A veterinarian practicing veterinary telemedicine may
29 order, prescribe, or make available medicinal drugs or drugs as
30 defined in chapter 465.

31 (4) A veterinarian practicing veterinary telemedicine may
32 use veterinary telemedicine to order, prescribe, or make
33 available controlled substances in compliance with chapter 893
34 and the federal Controlled Substances Act.

35 (5) A veterinarian must hold a current license to practice
36 veterinary medicine in this state in order to practice
37 veterinary telemedicine. The practice of veterinary medicine is
38 deemed to occur at both the premises where the patient is
39 located and the premises where the veterinarian is located at



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40 the time the veterinarian practices veterinary telemedicine.

41 (6) The board has jurisdiction over a veterinarian
42 practicing veterinary telemedicine in this state, regardless of
43 where the veterinarian's physical office is located. The
44 practice of veterinary telemedicine in accordance with this
45 section is not a standard of care violation, and a veterinarian
46 may not be disciplined solely for practicing veterinary
47 telemedicine.

48 Section 4. Paragraph (a) of subsection (5) of section
49 474.203, Florida Statutes, is amended to read:

50 474.203 Exemptions.—This chapter does not apply to:

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

62
63 For the purposes of chapters 465 and 893, persons exempt
64 pursuant to subsection (1), subsection (2), or subsection (4)
65 are deemed to be duly licensed practitioners authorized by the
66 laws of this state to prescribe drugs or medicinal supplies.

67 Section 5. Paragraph (y) of subsection (1) of section
68 474.214, Florida Statutes, is amended to read:



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69 474.214 Disciplinary proceedings.—

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

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

78 1. Have sufficient knowledge of the animal or group of
79 animals to initiate at least a general or preliminary diagnosis
80 of the medical condition of the animal or group of animals,
81 which means that the veterinarian is personally acquainted with
82 the keeping and caring of the animal or group of animals and has
83 recently performed an in-person examination of the animal or
84 group of animals ~~seen the animal~~ or has made medically
85 appropriate and timely visits to the premises where the animal
86 or group of animals is kept.

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

90 3. Maintain records which document patient visits,
91 diagnosis, treatment, and other relevant information required
92 under this chapter.

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

95 828.30 Rabies vaccination of dogs, cats, and ferrets.—

96 (1) (a) All dogs, cats, and ferrets 4 months of age or older
97 must be vaccinated by a licensed veterinarian or, in the case of



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98 impounded animals, a person authorized under paragraph (b),
99 against rabies with a vaccine ~~that is~~ licensed by the United
100 States Department of Agriculture for use in those species.

101 (b) An employee, an agent, or a contractor of an animal
102 control authority acting under the indirect supervision of a
103 veterinarian may vaccinate impounded dogs, cats, and ferrets
104 that will be transferred, rescued, fostered, adopted, or
105 reclaimed by the owner. The supervising veterinarian assumes
106 responsibility for any person vaccinating animals at his or her
107 direction or under his or her supervision. As used in this
108 paragraph, the term "indirect supervision" means that the
109 supervising veterinarian is required to be available for
110 consultation through telecommunications but is not required to
111 be physically present during such consultation.

112 (c) The owner of every dog, cat, and ferret shall have the
113 animal revaccinated 12 months after the initial vaccination.
114 Thereafter, the interval between vaccinations shall conform to
115 the vaccine manufacturer's directions. The cost of vaccination
116 must be borne by the animal's owner. Evidence of circulating
117 rabies virus neutralizing antibodies ~~may shall~~ not be used as a
118 substitute for current vaccination in managing rabies exposure
119 or determining the need for booster vaccinations.

120 (3) Upon vaccination against rabies, the licensed
121 veterinarian shall provide the animal's owner and the animal
122 control authority with a rabies vaccination certificate. Each
123 animal control authority and veterinarian shall use the "Rabies
124 Vaccination Certificate" of the National Association of State
125 Public Health Veterinarians (NASPHV) or an equivalent form
126 approved by the local government which ~~that~~ contains ~~all~~ the



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127 information required by the NASPHV Rabies Vaccination
128 Certificate. The veterinarian who administers the rabies
129 vaccination, or who supervises the administration of the rabies
130 vaccination as provided in paragraph (1) (b), vaccine to an
131 animal as authorized ~~required~~ under this section may affix his
132 or her signature stamp in lieu of an actual signature.

133 Section 7. This act shall take effect July 1, 2022.

134
135 ===== T I T L E A M E N D M E N T =====

136 And the title is amended as follows:

137 Delete everything before the enacting clause
138 and insert:

139 A bill to be entitled

140 An act relating to the medical treatment of animals;
141 providing a short title; amending s. 474.202, F.S.;
142 defining the term "veterinary telemedicine"; creating
143 s. 474.2021, F.S.; authorizing the use of veterinary
144 telemedicine; requiring veterinarians to take certain
145 appropriate steps to establish a
146 veterinarian/client/patient relationship and meet
147 certain professional standards to practice veterinary
148 telemedicine; authorizing a veterinarian practicing
149 veterinary telemedicine to order, prescribe, or make
150 available certain drugs and controlled substances;
151 providing licensure requirements to practice
152 veterinary telemedicine; providing jurisdiction of the
153 Florida Board of Veterinary Medicine; providing
154 construction; amending s. 474.203, F.S.; providing an
155 exception to who may immunize or treat an animal for



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156 certain diseases; amending s. 474.214, F.S.; revising
157 grounds for disciplinary action against a
158 veterinarian; amending s. 828.30, F.S.; authorizing
159 certain employees, agents, or contractors to
160 administer rabies vaccinations under certain
161 circumstances; providing that a supervising
162 veterinarian assumes responsibility for any person
163 vaccinating animals at the supervising veterinarian's
164 direction or under his or her supervision; defining
165 the term "indirect supervision"; authorizing a
166 veterinarian who indirectly supervises the
167 administration of the rabies vaccination to affix his
168 or her signature stamp on a rabies vaccination
169 certificate; providing an effective date.