

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Commerce Committee
 2 Representative Tomkow offered the following:

Amendment

Remove lines 50-109 and insert:

6 (3) A veterinarian practicing veterinary telemedicine may
 7 order, prescribe, or make available medicinal drugs or drugs
 8 defined in chapter 465.

9 (4) A veterinarian practicing veterinary telemedicine may
 10 order, prescribe, or make available controlled substances as
 11 defined in chapter 893, except as provided in subsection (5), if
 12 the veterinarian has previously performed an in-person physical
 13 examination of the patient or made medically appropriate and
 14 timely visits to the premises where the animal is kept.

15 (5) A veterinarian practicing veterinary telemedicine may
 16 not use telemedicine to prescribe controlled substances listed

Amendment No. 1

17 in Schedule II of s. 893.03 unless the controlled substance is
18 prescribed for the treatment of a terminal patient that is
19 transferred to the veterinarian practicing telemedicine for
20 hospice services by a veterinarian who has previously performed
21 an in-person physical examination of the patient or made
22 medically appropriate and timely visits to the premises where
23 the animal is kept and the veterinarian practicing telemedicine
24 has reviewed the patient's medical records.

25 (6) A veterinarian must hold a current license to practice
26 veterinary medicine in this state in order to practice
27 veterinary telemedicine. The practice of veterinary medicine is
28 deemed to occur at the premises where the patient is located at
29 the time the veterinarian practices veterinary telemedicine.

30 (7) The board has jurisdiction over a veterinarian
31 practicing veterinary telemedicine in this state, regardless of
32 where the veterinarian's physical office is located. The
33 practice of veterinary telemedicine in accordance with this
34 section is not a standard of care violation, and a veterinarian
35 may not be disciplined solely for practicing veterinary
36 telemedicine.

37 Section 3. Paragraph (a) of subsection (5) of section
38 474.203, Florida Statutes, is amended to read:

39 474.203 Exemptions.—This chapter does not apply to:

40 (5)(a) Any person, or the person's regular employee,
41 administering to the ills or injuries of her or his own animals,

Amendment No. 1

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

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

56 Section 4. Paragraph (y) of subsection (1) of section
57 474.214, Florida Statutes, is amended to read:

58 474.214 Disciplinary proceedings.—

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

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

Amendment No. 1

67 1. Have sufficient knowledge of the animal to initiate at
68 least a general or preliminary diagnosis of the medical
69 condition of the animal, which means that the veterinarian is
70 personally acquainted with the keeping and caring of the animal
71 and has recently performed an examination of the animal or group
72 of animals either in person, or by the use of veterinary
73 telemedicine in compliance with s. 474.2021, ~~seen the animal~~ or
74 has made medically appropriate and timely visits to the premises
75 where the animal is kept.