

1                   A bill to be entitled  
2           An act relating to medical treatment of animals;  
3           amending s. 474.202, F.S.; providing a definition;  
4           creating s. 474.2021, F.S.; authorizing the use of  
5           veterinary telemedicine; requiring a veterinarian to  
6           establish a veterinarian/client/patient relationship  
7           to practice veterinary telemedicine; authorizing a  
8           veterinarian to prescribe controlled substances under  
9           specified circumstances; providing licensure  
10          requirements to practice veterinary telemedicine;  
11          providing jurisdiction of the Board of Veterinary  
12          Medicine; amending s. 474.203, F.S.; providing an  
13          exception to who may immunize or treat an animal for  
14          certain diseases; amending s. 474.214, F.S.; revising  
15          grounds for disciplinary action against a  
16          veterinarian; amending s. 828.30, F.S.; authorizing  
17          certain employees, agents, or contractors to  
18          administer rabies vaccinations under certain  
19          circumstances; defining the term "indirect  
20          supervision"; providing that a supervising  
21          veterinarian assumes responsibility for any person  
22          working under or at his or her direction and  
23          supervision; authorizing a veterinarian who indirectly  
24          supervises the administration of the rabies  
25          vaccination to affix his or her signature stamp in

26 lieu of an actual signature on the rabies vaccination  
 27 certificate; providing an effective date.  
 28

29 Be It Enacted by the Legislature of the State of Florida:  
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31 Section 1. Subsection (13) is added to section 474.202,  
 32 Florida Statutes, to read:

33 474.202 Definitions.—As used in this chapter:

34 (13) "Veterinary telemedicine" means the use of  
 35 synchronous telecommunication technology by a veterinarian who  
 36 has access to and has reviewed the patient's relevant medical  
 37 records to provide veterinary services, including, but not  
 38 limited to, consultation, evaluation, diagnosis, and treatment  
 39 of a patient; transfer of medical records; and exchange of  
 40 information with a client.

41 Section 2. Section 474.2021, Florida Statutes, is created  
 42 to read:

43 474.2021 Veterinary telemedicine.—

44 (1) A veterinarian may practice veterinary telemedicine.

45 (2) A veterinarian practicing veterinary telemedicine  
 46 shall take appropriate steps to establish the  
 47 veterinarian/client/patient relationship and provide quality of  
 48 care consistent with the prevailing professional standards of  
 49 care for a veterinarian.

50 (3) A veterinarian may prescribe controlled substances

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51 only if the veterinarian:

52 (a) Has previously performed an in-person physical  
53 examination of the patient or made medically appropriate and  
54 timely visits to the premises where the animal is kept; or

55 (b) For a terminal patient that is transferred to the  
56 veterinarian for hospice care by a veterinarian who has  
57 previously performed an in-person physical examination of the  
58 patient or made medically appropriate and timely visits to the  
59 premises where the animal is kept, has reviewed the patient's  
60 medical records.

61 (4) A veterinarian must hold a current license to practice  
62 veterinary medicine in this state in order to practice  
63 veterinary telemedicine. The practice of veterinary medicine is  
64 deemed to occur at the premises where the patient is located at  
65 the time the veterinarian practices veterinary telemedicine.

66 (5) The board has jurisdiction over a veterinarian  
67 practicing veterinary telemedicine in this state, regardless of  
68 where the veterinarian's physical office is located. The  
69 practice of veterinary telemedicine in accordance with this  
70 section is not a standard of care violation, and a veterinarian  
71 may not be disciplined solely for practicing veterinary  
72 telemedicine.

73 Section 3. Paragraph (a) of subsection (5) of section  
74 474.203, Florida Statutes, is amended to read:

75 474.203 Exemptions.—This chapter does not apply to:

76 (5)(a) Any person, or the person's regular employee,  
 77 administering to the ills or injuries of her or his own animals,  
 78 including, but not limited to, castration, spaying, and  
 79 dehorning of herd animals, unless title is transferred or  
 80 employment provided for the purpose of circumventing this law.  
 81 This exemption does not apply to any person licensed as a  
 82 veterinarian in another state or foreign jurisdiction and  
 83 practicing temporarily in this state. However, except as  
 84 provided in s. 828.30, only a veterinarian may immunize or treat  
 85 an animal for diseases that are communicable to humans and that  
 86 are of public health significance.

87  
 88 For the purposes of chapters 465 and 893, persons exempt  
 89 pursuant to subsection (1), subsection (2), or subsection (4)  
 90 are deemed to be duly licensed practitioners authorized by the  
 91 laws of this state to prescribe drugs or medicinal supplies.

92 Section 4. Paragraph (y) of subsection (1) of section  
 93 474.214, Florida Statutes, is amended to read:

94 474.214 Disciplinary proceedings.—

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

97 (y) Using the privilege of ordering, prescribing, or  
 98 making available medicinal drugs or drugs as defined in chapter  
 99 465, or controlled substances as defined in chapter 893, for use  
 100 other than for the specific treatment of animal patients for

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101 | which there is a documented veterinarian/client/patient  
102 | relationship. ~~Pursuant thereto,~~ The veterinarian shall:

103 |       1. Have sufficient knowledge of the animal to initiate at  
104 | least a general or preliminary diagnosis of the medical  
105 | condition of the animal, which means that the veterinarian is  
106 | personally acquainted with the keeping and caring of the animal  
107 | and has recently performed an examination of the animal or group  
108 | of animals either physically in person or by the use of  
109 | instrumentation and diagnostic equipment through which images  
110 | and medical records may be transmitted electronically ~~seen the~~  
111 | ~~animal~~ or has made medically appropriate and timely visits to  
112 | the premises where the animal is kept.

113 |       2. Be available or provide for followup care and treatment  
114 | in case of adverse reactions or failure of the regimen of  
115 | therapy.

116 |       3. Maintain records which document patient visits,  
117 | diagnosis, treatment, and other relevant information required  
118 | under this chapter.

119 |       Section 5. Subsections (1) and (3) of section 828.30,  
120 | Florida Statutes, are amended to read:

121 |       828.30 Rabies vaccination of dogs, cats, and ferrets.—

122 |       (1) (a) Except as provided in paragraph (b), all dogs,  
123 | cats, and ferrets 4 months of age or older must be vaccinated by  
124 | a licensed veterinarian against rabies with a vaccine that is  
125 | licensed by the United States Department of Agriculture for use

126 | in those species.

127 |       (b) An employee, agent, or contractor of an animal control  
 128 | authority acting under the indirect supervision of a  
 129 | veterinarian may vaccinate impounded animals that will be  
 130 | transferred, rescued, fostered, adopted, or reclaimed by the  
 131 | owner. As used in this paragraph, the term "indirect  
 132 | supervision" means the supervising veterinarian must be  
 133 | available for consultation through telecommunications but is not  
 134 | required to be on the premises during such consultation. The  
 135 | supervising veterinarian assumes responsibility for the  
 136 | veterinary care provided to the animal by any person working  
 137 | under or at his or her direction and supervision.

138 |       (c) The owner of every dog, cat, and ferret shall have the  
 139 | animal revaccinated 12 months after the initial vaccination.  
 140 | Thereafter, the interval between vaccinations shall conform to  
 141 | the vaccine manufacturer's directions. The cost of vaccination  
 142 | must be borne by the animal's owner. Evidence of circulating  
 143 | rabies virus neutralizing antibodies may ~~shall~~ not be used as a  
 144 | substitute for current vaccination in managing rabies exposure  
 145 | or determining the need for booster vaccinations.

146 |       (3) Upon vaccination against rabies, the licensed  
 147 | veterinarian shall provide the animal's owner and the animal  
 148 | control authority with a rabies vaccination certificate. Each  
 149 | animal control authority and veterinarian shall use the "Rabies  
 150 | Vaccination Certificate" of the National Association of State

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151 Public Health Veterinarians (NASPHV) or an equivalent form  
152 approved by the local government that contains all the  
153 information required by the NASPHV Rabies Vaccination  
154 Certificate. The veterinarian who administers the rabies  
155 vaccination, or who indirectly supervises an employee, agent, or  
156 contractor of an animal control authority who administers the  
157 rabies vaccination, ~~vaccine~~ to an animal as required under this  
158 section may affix his or her signature stamp in lieu of an  
159 actual signature on the rabies vaccination certificate.

160 Section 6. This act shall take effect July 1, 2022.