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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/23/2024	.	
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The Committee on Fiscal Policy (Bradley) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (14) is added to section 474.202,
Florida Statutes, to read:

474.202 Definitions.—As used in this chapter:

(14) "Veterinary telehealth" means the use of synchronous
or asynchronous telecommunications technology by a telehealth
provider to provide health care services, including, but not



11 limited to, assessment, diagnosis, consultation, treatment, and
12 monitoring of a patient; transfer of medical data; patient and
13 professional health-related education; public health services;
14 and health administration.

15 Section 2. Section 474.2021, Florida Statutes, is created
16 to read:

17 474.2021 Veterinary telehealth.-

18 (1) This section may be cited as the "Providing Equity in
19 Telehealth Services Act."

20 (2) A veterinarian who holds a current license to practice
21 veterinary medicine in this state may practice veterinary
22 telehealth.

23 (3) The board has jurisdiction over a veterinarian
24 practicing veterinary telehealth, regardless of where the
25 veterinarian's physical office is located. The practice of
26 veterinary medicine is deemed to occur when the veterinarian,
27 the patient, or both are located within this state at the time
28 the veterinarian practices veterinary telehealth.

29 (4) A veterinarian practicing veterinary telehealth:

30 (a) May not engage in the practice of veterinary telehealth
31 unless it is within the context of a veterinarian/client/patient
32 relationship;

33 (b) Shall practice in a manner consistent with his or her
34 scope of practice and the prevailing professional standard of
35 practice for a veterinarian who provides in-person veterinary
36 services to patients in this state and shall employ sound,
37 professional judgment to determine whether using veterinary
38 telehealth is an appropriate method for delivering medical
39 advice or treatment to the patient;



40 (c) May use veterinary telehealth to perform an initial
41 patient evaluation to establish the veterinarian/client/patient
42 relationship if the evaluation is conducted using synchronous,
43 audiovisual communication. The evaluation may not be performed
44 using audio only communications, text messaging, questionnaires,
45 chatbots, or other similar means. If a veterinarian practicing
46 telehealth conducts a patient evaluation sufficient to diagnose
47 and treat the patient, the veterinarian is not required to
48 research a patient's medical history or conduct a physical
49 examination of the patient before using veterinary telehealth to
50 provide a veterinary health care service to the patient;

51 (d) If the initial patient evaluation is performed using
52 veterinary telehealth, must provide the client with a statement
53 containing the veterinarian's name, license number, and contact
54 information and the contact information for at least one
55 physical veterinary clinic in the vicinity of the patient's
56 location and instructions for how to receive patient follow-up
57 care or assistance if the veterinarian and client are unable to
58 communicate because of a technological or equipment failure or
59 if there is an adverse reaction to treatment. The veterinarian
60 shall obtain from the client a signed and dated statement
61 indicating the client has received the required information
62 before practicing veterinary telehealth;

63 (e) Shall prescribe all drugs and medications in accordance
64 with all federal and state laws and the following requirements:

65 1. A veterinarian practicing veterinary telehealth may
66 order, prescribe, or make available medicinal drugs or drugs
67 specifically approved for use in animals by the United States
68 Food and Drug Administration, the use of which conforms to the



69 approved labeling. Prescriptions based solely on a telehealth
70 evaluation may be issued for up to 1 month for products labeled
71 solely for flea and tick control and up to 14 days of treatment
72 for other animal drugs. Prescriptions based solely on a
73 telehealth evaluation may not be renewed without an in-person
74 examination.

75 2. A veterinarian practicing veterinary telehealth may not
76 order, prescribe, or make available medicinal drugs or drugs as
77 defined in s. 465.003 approved by the United States Food and
78 Drug Administration for human use or compounded antibacterial,
79 antifungal, antiviral, or antiparasitic medications, unless the
80 veterinarian has conducted an in-person physical examination of
81 the animal or made medically appropriate and timely visits to
82 the premises where the animal is kept.

83 3. A veterinarian may not use veterinary telehealth to
84 prescribe a controlled substance as defined in chapter 893
85 unless the veterinarian has conducted an in-person physical
86 examination of the animal or made medically appropriate and
87 timely visits within the past year to the premises where the
88 animal is kept.

89 4. A veterinarian practicing veterinary telehealth may not
90 prescribe a drug or other medication for use on a horse engaged
91 in racing or training at a facility under the jurisdiction of
92 the Florida Gaming Control Commission or on a horse that is a
93 covered horse as defined in the federal Horseracing Integrity
94 and Safety Act, 15 U.S.C. ss. 3051 et seq.;

95 (f) Shall be familiar with available veterinary resources,
96 including emergency resources, near the patient's location and
97 be able to provide the client with a list of nearby



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98 veterinarians who may be able to see the patient in person upon
99 the request of the client;

100 (g) Shall keep, maintain, and make available a summary of
101 the patient record as provided in s. 474.2165; and

102 (h) May not use veterinary telehealth to issue an
103 international or interstate travel certificate or a certificate
104 of veterinary inspection.

105 (5) A veterinarian personally acquainted with the caring
106 and keeping of an animal or group of animals on food-producing
107 animal operations on land classified as agricultural pursuant to
108 s. 193.461 who has recently seen the animal or group of animals
109 or has made medically appropriate and timely visits to the
110 premises where the animal or group of animals is kept may
111 practice veterinary telehealth for animals on such operations.

112 Section 3. Subsection (1) of section 474.2165, Florida
113 Statutes, is amended to read:

114 474.2165 Ownership and control of veterinary medical
115 patient records; report or copies of records to be furnished.-

116 (1) As used in this section, the term "records owner" means
117 any veterinarian who generates a medical record after making an
118 ~~a physical~~ examination of, or administering treatment or
119 dispensing legend drugs to, any patient; any veterinarian to
120 whom records are transferred by a previous records owner; or any
121 veterinarian's employer, provided the employment contract or
122 agreement between the employer and the veterinarian designates
123 the employer as the records owner.

124 Section 4. This act shall take effect July 1, 2024.

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126 ===== T I T L E A M E N D M E N T =====



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127 And the title is amended as follows:

128 Delete everything before the enacting clause
129 and insert:

130 A bill to be entitled

131 An act relating to veterinary practices; amending s.
132 474.202, F.S.; defining the term "veterinary
133 telehealth"; creating s. 474.2021, F.S.; providing a
134 short title; authorizing licensed veterinarians to
135 practice veterinary telehealth in accordance with
136 specified criteria; specifying the powers of the Board
137 of Veterinary Medicine related to the practice of
138 telehealth; providing that the practice of veterinary
139 medicine is deemed to occur under specified
140 circumstances; specifying the conditions under which a
141 veterinarian may practice veterinary telehealth;
142 specifying the drugs that a veterinarian practicing
143 telehealth may not provide unless specified conditions
144 are met; providing specific authorizations for cases
145 in which the patient is a food-producing species;
146 amending s. 474.2165, F.S.; conforming a provision to
147 changes made by the act; providing an effective date.