

By Senator Bradley

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1                   A bill to be entitled  
2       An act relating to veterinary practices; creating s.  
3       474.2021, F.S.; providing a short title; authorizing  
4       licensed veterinarians to practice veterinary  
5       telehealth in accordance with specified criteria;  
6       defining the term "telehealth"; specifying the powers  
7       of the Board of Veterinary Medicine related to the  
8       practice of telehealth; specifying the conditions  
9       under which a veterinarian may practice veterinary  
10      telehealth; specifying the drugs a veterinarian  
11      practicing telehealth may not provide under specified  
12      circumstances; providing specific authorizations for  
13      cases where a patient is a food-producing species;  
14      amending s. 474.2165, F.S.; conforming a provision to  
15      changes made by the act; amending s. 828.30, F.S.;  
16      authorizing certain persons to administer rabies  
17      vaccinations to certain animals under indirect  
18      supervision of a veterinarian; providing that a  
19      supervising veterinarian assumes responsibility for  
20      specified people who provide vaccinations; defining  
21      the term "indirect supervision"; amending ss. 474.203,  
22      767.16, and 828.29, F.S.; conforming provisions to  
23      changes made by the act; providing an effective date.

24  
25 Be It Enacted by the Legislature of the State of Florida:

26  
27       Section 1. Section 474.2021, Florida Statutes, is created  
28 to read:

29       474.2021 Veterinary telehealth.-

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

32       (2) A veterinarian who holds a current license to practice  
33 veterinary medicine in this state may practice veterinary  
34 telehealth. For purposes of this section, the term "telehealth"  
35 has the same meaning as in s. 456.47(1).

36       (3) The board has jurisdiction over a veterinarian  
37 practicing veterinary telehealth, regardless of where the  
38 veterinarian's physical office is located. The practice of  
39 veterinary medicine is deemed to occur at the premises where the  
40 patient is located at the time the veterinarian practices  
41 veterinary telehealth.

42       (4) A veterinarian practicing veterinary telehealth:

43       (a) May not engage in the practice of veterinary telehealth  
44 unless it is within the context of a veterinarian/client/patient  
45 relationship;

46       (b) Must practice in a manner consistent with his or her  
47 scope of practice and the prevailing professional standard of  
48 practice for a veterinarian who provides in-person veterinary  
49 services to patients in this state;

50       (c) May use telehealth to perform a patient evaluation. If  
51 a veterinarian practicing telehealth conducts a patient  
52 evaluation sufficient to diagnose and treat the patient, the  
53 veterinarian is not required to research a patient's medical  
54 history or conduct a physical examination of the patient before  
55 using veterinary telehealth to provide a veterinary health care  
56 service to the patient; and

57       (d) Must prescribe all drugs and medications in accordance  
58 with all federal and state laws. A veterinarian practicing

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59 veterinary telehealth may order, prescribe, or make available  
60 medicinal drugs or drugs as defined in s. 465.003. A  
61 veterinarian may not use telehealth to prescribe a controlled  
62 substance listed in Schedule II of s. 893.03.

63 (5) A veterinarian personally acquainted with the caring  
64 and keeping of an animal or group of animals on food-producing  
65 animal operations on land classified as agricultural pursuant to  
66 s. 193.461 who has recently seen the animal or group of animals  
67 or has made medically appropriate and timely visits to the  
68 premises where the animal or group of animals is kept may  
69 practice veterinary telehealth for animals on such operations.

70 Section 2. Subsection (1) of section 474.2165, Florida  
71 Statutes, is amended to read:

72 474.2165 Ownership and control of veterinary medical  
73 patient records; report or copies of records to be furnished.—

74 (1) As used in this section, the term "records owner" means  
75 any veterinarian who generates a medical record after making an  
76 ~~a physical~~ examination of, or administering treatment or  
77 dispensing legend drugs to, any patient; any veterinarian to  
78 whom records are transferred by a previous records owner; or any  
79 veterinarian's employer, provided the employment contract or  
80 agreement between the employer and the veterinarian designates  
81 the employer as the records owner.

82 Section 3. Subsections (1) and (3) of section 828.30,  
83 Florida Statutes, are amended to read:

84 828.30 Rabies vaccination of dogs, cats, and ferrets.—

85 (1) (a) All dogs, cats, and ferrets 4 months of age or older  
86 must be vaccinated by a licensed veterinarian or a person  
87 authorized under paragraph (b) against rabies with a vaccine

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88 that is licensed by the United States Department of Agriculture  
89 for use in those species.

90 (b) Acting under the indirect supervision of a  
91 veterinarian, an employee, an agent, or a contractor of a county  
92 or municipal animal control authority or sheriff may vaccinate  
93 against rabies dogs, cats, and ferrets in the custody of an  
94 animal control authority or a sheriff that will be transferred,  
95 rescued, fostered, adopted, or reclaimed by the owner. The  
96 supervising veterinarian assumes responsibility for any person  
97 vaccinating animals at his or her direction or under his or her  
98 direct or indirect supervision. As used in this paragraph, the  
99 term "indirect supervision" means that the supervising  
100 veterinarian is required to be available for consultation  
101 through telecommunications but is not required to be physically  
102 present during such consultation.

103 (c) The owner of every dog, cat, and ferret shall have the  
104 animal revaccinated 12 months after the initial vaccination.  
105 Thereafter, the interval between vaccinations shall conform to  
106 the vaccine manufacturer's directions. The cost of vaccination  
107 must be borne by the animal's owner. Evidence of circulating  
108 rabies virus neutralizing antibodies may ~~shall~~ not be used as a  
109 substitute for current vaccination in managing rabies exposure  
110 or determining the need for booster vaccinations.

111 (3) Upon vaccination against rabies, the licensed  
112 veterinarian shall provide the animal's owner and the animal  
113 control authority with a rabies vaccination certificate. Each  
114 animal control authority and veterinarian shall use the "Rabies  
115 Vaccination Certificate" of the National Association of State  
116 Public Health Veterinarians (NASPHV) or an equivalent form

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117 approved by the local government that contains all the  
118 information required by the NASPHV Rabies Vaccination  
119 Certificate. The veterinarian who administers the rabies  
120 vaccination or who supervises the administration of the rabies  
121 vaccination as provided in paragraph (1) (b) ~~vaccine~~ to an animal  
122 as authorized ~~required~~ under this section may affix his or her  
123 signature stamp in lieu of an actual signature.

124 Section 4. Paragraph (a) of subsection (5) of section  
125 474.203, Florida Statutes, is amended to read:

126 474.203 Exemptions.—This chapter does not apply to:

127 (5) (a) Any person, or the person's regular employee,  
128 administering to the ills or injuries of her or his own animals,  
129 including, but not limited to, castration, spaying, and  
130 dehorning of herd animals, unless title is transferred or  
131 employment provided for the purpose of circumventing this law.  
132 This exemption does not apply to any person licensed as a  
133 veterinarian in another state or foreign jurisdiction and  
134 practicing temporarily in this state. However, except as  
135 provided in s. 828.30, only a veterinarian may immunize or treat  
136 an animal for diseases that are communicable to humans and that  
137 are of public health significance.

138

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

143 Section 5. Subsection (2) of section 767.16, Florida  
144 Statutes, is amended to read:

145 767.16 Police canine or service dog; exemption.—

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146 (2) Any dog used as a service dog for blind, hearing  
147 impaired, or disabled persons that bites another animal or a  
148 human is exempt from any quarantine requirement following such  
149 bite if the dog has a current rabies vaccination that was  
150 administered as provided in s. 828.30 ~~by a licensed~~  
151 ~~veterinarian.~~

152 Section 6. Paragraph (b) of subsection (1) and paragraph  
153 (b) of subsection (2) of section 828.29, Florida Statutes, are  
154 amended to read:

155 828.29 Dogs and cats transported or offered for sale;  
156 health requirements; consumer guarantee.—

157 (1)

158 (b) For each dog offered for sale within the state, the  
159 tests, vaccines, and anthelmintics required by this section must  
160 be administered by or under the direction of a veterinarian,  
161 licensed by the state and accredited by the United States  
162 Department of Agriculture, who issues the official certificate  
163 of veterinary inspection. The tests, vaccines, and anthelmintics  
164 must be administered before the dog is offered for sale in the  
165 state, unless the licensed, accredited veterinarian certifies on  
166 the official certificate of veterinary inspection that to  
167 inoculate or deworm the dog is not in the best medical interest  
168 of the dog, in which case the vaccine or anthelmintic may not be  
169 administered to that particular dog. Each dog must receive  
170 vaccines and anthelmintics against the following diseases and  
171 internal parasites:

- 172 1. Canine distemper.
- 173 2. Leptospirosis.
- 174 3. Bordetella (by intranasal inoculation or by an

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175 alternative method of administration if deemed necessary by the  
176 attending veterinarian and noted on the health certificate,  
177 which must be administered in this state once before sale).

178 4. Parainfluenza.

179 5. Hepatitis.

180 6. Canine parvo.

181 7. Rabies, provided the dog is over 3 months of age and the  
182 inoculation is administered as provided in s. 828.30 ~~by a~~  
183 ~~licensed veterinarian.~~

184 8. Roundworms.

185 9. Hookworms.

186

187 If the dog is under 4 months of age, the tests, vaccines, and  
188 anthelmintics required by this section must be administered no  
189 more than 21 days before sale within the state. If the dog is 4  
190 months of age or older, the tests, vaccines, and anthelmintics  
191 required by this section must be administered at or after 3  
192 months of age, but no more than 1 year before sale within the  
193 state.

194 (2)

195 (b) For each cat offered for sale within the state, the  
196 tests, vaccines, and anthelmintics required by this section must  
197 be administered by or under the direction of a veterinarian,  
198 licensed by the state and accredited by the United States  
199 Department of Agriculture, who issues the official certificate  
200 of veterinary inspection. The tests, vaccines, and anthelmintics  
201 must be administered before the cat is offered for sale in the  
202 state, unless the licensed, accredited veterinarian certifies on  
203 the official certificate of veterinary inspection that to

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204 inoculate or deworm the cat is not in the best medical interest  
205 of the cat, in which case the vaccine or anthelmintic may not be  
206 administered to that particular cat. Each cat must receive  
207 vaccines and anthelmintics against the following diseases and  
208 internal parasites:

- 209 1. Panleukopenia.
- 210 2. Feline viral rhinotracheitis.
- 211 3. Calici virus.
- 212 4. Rabies, if the cat is over 3 months of age and the  
213 inoculation is administered as provided in s. 828.30 ~~by a~~  
214 ~~licensed veterinarian.~~
- 215 5. Hookworms.
- 216 6. Roundworms.

217  
218 If the cat is under 4 months of age, the tests, vaccines, and  
219 anthelmintics required by this section must be administered no  
220 more than 21 days before sale within the state. If the cat is 4  
221 months of age or older, the tests, vaccines, and anthelmintics  
222 required by this section must be administered at or after 3  
223 months of age, but no more than 1 year before sale within the  
224 state.

225 Section 7. This act shall take effect July 1, 2024.