

By Senator Ingoglia

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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       specifying the powers of the Board of Veterinary  
7       Medicine related to the practice of telehealth;  
8       specifying the conditions under which a veterinarian  
9       may practice veterinary telehealth; specifying the  
10      drugs a veterinarian practicing telehealth may not  
11      provide under specified circumstances; providing  
12      specific authorizations for cases where a patient is a  
13      food-producing species; amending s. 474.2165, F.S.;  
14      conforming provisions to changes made by the act;  
15      amending s. 828.30, F.S.; authorizing specified people  
16      to vaccinate dogs, cats, and ferrets against rabies if  
17      certain conditions are met; providing that a  
18      supervising veterinarian assumes responsibility for  
19      specified people who provide the vaccinations;  
20      authorizing veterinarians to affix their signature  
21      stamp in lieu of a signature in specified cases;  
22      providing an effective date.

23  
24 Be It Enacted by the Legislature of the State of Florida:

25  
26       Section 1. Section 474.2021, Florida Statutes, is created  
27 to read:

28       474.2021 Veterinary telehealth.—

29       (1) This section may be cited as the "Providing Equity in

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30 Telehealth Services Act.”

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

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

41 (4) A veterinarian practicing veterinary telehealth:

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

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

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

56 (d) Must prescribe all drugs and medications in accordance  
57 with all federal and state laws. A veterinarian practicing  
58 veterinary telehealth may order, prescribe, or make available

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

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

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

71 474.2165 Ownership and control of veterinary medical  
72 patient records; report or copies of records to be furnished.—

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

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

83 828.30 Rabies vaccination of dogs, cats, and ferrets.—

84 (1) (a) All dogs, cats, and ferrets 4 months of age or older  
85 must be vaccinated by a licensed veterinarian against rabies  
86 with a vaccine that is licensed by the United States Department  
87 of Agriculture for use in those species.

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88       (b) The following persons who operate under the indirect  
89 supervision of a veterinarian may vaccinate any dog, cat, or  
90 ferret against rabies if the animal is in the custody of an  
91 animal control authority, sheriff, or shelter and if that animal  
92 will be transferred, rescued, fostered, adopted, or reclaimed by  
93 the owner:

94       1. An employee, an agent, or a contractor of a county or  
95 municipal animal control authority or sheriff; or

96       2. A veterinary technician who is an employee, an agent, or  
97 a contractor of a private, nonprofit animal shelter with a  
98 premises permit as required under s. 474.215(1) and that employs  
99 a full-time staff veterinarian.

100  
101 The supervising veterinarian assumes responsibility for any  
102 person who vaccinates animals against rabies at his or her  
103 direction or supervision. As used in this paragraph, the term  
104 "indirect supervision" means the supervising veterinarian is  
105 available for consultation through telecommunications but is not  
106 required to be physically present during such consultation.

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

115       (3) Upon vaccination against rabies, the licensed  
116 veterinarian shall provide the animal's owner and the animal

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117 control authority with a rabies vaccination certificate. Each  
118 animal control authority and veterinarian shall use the "Rabies  
119 Vaccination Certificate" of the National Association of State  
120 Public Health Veterinarians (NASPHV) or an equivalent form  
121 approved by the local government that contains all the  
122 information required by the NASPHV Rabies Vaccination  
123 Certificate. The veterinarian who administers the rabies  
124 vaccination, or who supervises the administration of the rabies  
125 vaccination as provided in paragraph (1) (b), ~~vaccine~~ to an  
126 animal as authorized ~~required~~ under this section may affix his  
127 or her signature stamp in lieu of an actual signature.

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