FLORIDA HOUSE OF REPRESENTATIVES BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: CS/HB 729

SPONSOR(S): Melo

COMPANION BILL: SB 652 (Bradley)

TITLE: Veterinary Professional Associates

LINKED BILLS: None RELATED BILLS: None

Committee References

Industries & Professional Activities
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Commerce

SUMMARY

Effect of the Bill:

The bill creates a new category of veterinary professional known as a "veterinary professional associate." The bill defines the qualifications necessary for individuals to use this title. The bill requires the completion of certain veterinary clinical skills training and rotations. The bill allows such individuals to perform certain duties while under the supervision of a veterinarian and practice veterinary medicine on a limited basis. The bill makes supervising veterinarians liable for veterinary professional associates acting under their supervision.

The effective date of the bill is July 1, 2025.

Fiscal or Economic Impact:

The bill may have an indeterminate positive fiscal impact on the private sector.

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ANALYSIS

EFFECT OF THE BILL:

The bill creates a new category of veterinary professional called a "<u>veterinary professional associate</u>," and allows such individuals to work under the supervision of a licensed <u>veterinarian</u> and <u>practice veterinary medicine</u> on a limited basis, as follows:

- Names the act, the "Veterinary Workforce Innovation Act." (Section 1)
- Provides the following legislative findings: (Section 2)
 - o "The practice of educated, trained, and experienced veterinary professional associates will increase consumers' access to high-quality veterinary medical services, at a reasonable cost to consumers, while also increasing the efficiency of the practice of veterinary medicine in this state."
- Defines the following terms: (Section 2)
 - "Approved program" means a master's program in veterinary clinical care, or the equivalent, from a school of <u>veterinary medicine</u> in the United States or in its territories or possessions.
 - "Veterinary professional associate" means a person who has earned a master's degree from an approved program and is authorized to perform veterinary medical services delegated by a supervising veterinarian.
- Allows the title "veterinary professional associate" to be used only by an individual who has successfully completed an approved program and passed a national competency examination. (Section $\underline{2}$)
- Allows, unless otherwise prohibited by federal or state law, a veterinary professional associate to perform
 duties or actions of veterinary medicine, in which he or she possesses the competence, necessary training,
 current knowledge, and experience to perform the assigned duties. (Section 2)
- Allows a veterinary professional associate to perform only the duties assigned to him or her while under the <u>responsible supervision</u> of a licensed veterinarian, except when <u>immediate supervision</u> is required. (Section <u>2</u>)

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- Requires all candidates for the veterinary professional associate designation to complete a minimum of the following:
 - 100 hours of in-person clinical skills training, focusing on fundamental hands-on procedures, patient handling, diagnostic techniques, and treatment protocols under direct supervision. Additionally; and
 - 200 hours of clinical rotations in approved veterinary settings, which must provide practical experience in real-world veterinary care environments, allowing candidates to develop proficiency in case management, client communication, and interdisciplinary collaboration.
 - \circ Compliance with these requirements must be verified through documented assessments conducted by licensed veterinary professionals. (Section $\underline{2}$)
- Prohibits veterinary professional associates from: (Section <u>2</u>)
 - Unless otherwise authorized by state or federal law, prescribing medicinal drugs, prescription drugs, or controlled substances.
 - o Performing surgery that enters the body cavity, except for veterinary sterilizations which must be performed under the immediate supervision of a licensed veterinarian.
- Makes licensed veterinarians who assign duties or actions to a veterinary professional associate liable for any act or omission of the veterinary professional associate acting under the licensed veterinarian's supervision. (Section 2)

The effective date of the bill is July 1, 2025. (Section 3)

FISCAL OR ECONOMIC IMPACT:

PRIVATE SECTOR:

Indeterminate. The bill may have in indeterminate positive economic impact on the private sector. The bill will allow a new class of midlevel practitioners in veterinary medicine. This may lead to additional jobs, and cost savings related to improved veterinary care.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Practice of Veterinary Medicine

The Board of Veterinary Medicine (Board) in the Department of Business and Professional Regulation (DBPR) implements the provisions of ch. 474, F.S., relating to veterinary medical practice (practice act). The purpose of the practice act is to ensure that every veterinarian practicing in this state meets minimum requirements for safe practices to protect public health and safety.¹

A "<u>veterinarian</u>" is a health care practitioner licensed by the Board to engage in the practice of veterinary medicine in Florida² and they are subject to disciplinary action from the Board for various violations of the practice act.³

The practice of "<u>veterinary medicine</u>" is the diagnosis of medical conditions of animals, and the prescribing or administering of medicine and treatment to animals for the prevention, cure, or relief of a wound, fracture, bodily injury, or disease, or holding oneself out as performing any of these functions.⁴

Veterinary medicine includes, with respect to animals:5

• Surgery;

¹ S. <u>474.201, F.S.</u>

² S. <u>474.202(11), F.S.</u>

³ Ss. <u>474.213</u> & <u>474.214</u>, F.S.

⁴ See <u>s. 474.202(9)</u>, F.S. Also included is the determination of the health, fitness, or soundness of an animal, and the performance of any manual procedure for the diagnosis or treatment of pregnancy or fertility or infertility of animals. ⁵ See s. <u>474.202(13)</u>, F.S. Section <u>474.202(1)</u>, F.S., defines "animal" as "any mammal other than a human being or any bird, amphibian, fish, or reptile, wild or domestic, living or dead."

- Acupuncture;
- Obstetrics;
- Dentistry;
- Physical therapy;
- Radiology;
- Theriogenology (reproductive medicine); and
- Other branches or specialties of veterinary medicine.

The practice act does not apply to the following categories of persons:

- Veterinary aides, nurses, laboratory technicians, preceptors,⁶ or other employees of a licensed veterinarian, who administer medication or provide help or support under the responsible supervision⁷ of a licensed veterinarian;
- Certain non-Florida licensed veterinarians who are consulting upon request of a Florida-licensed veterinarian on the treatment of a specific animal or on the treatment on a specific case of the animals of a single owner.
- Faculty veterinarians when they have assigned teaching duties at accredited⁸ institutions;
- Certain graduated intern/resident veterinarians of accredited institutions;
- Certain students in a school or college of veterinary medicine who perform assigned duties by an instructor or work as preceptors;
- Certain doctors of veterinary medicine employed by a state agency or the United States Government;
- Persons or their employees caring for the persons' own animals, as well as certain part-time or temporary
 employees, or independent contractors, who are hired by an owner to help with herd management and
 animal husbandry tasks; and
- Certain entities or persons⁹ that conduct experiments and scientific research on animals as part of the development of pharmaceuticals, biologicals, serums, or methods of treatment or techniques to diagnose or treat human ailments, or in the study and development of methods and techniques applicable to the practice of veterinary medicine.¹⁰

Any permanent or mobile establishment where a licensed veterinarian practices must have a premises permit issued by DBPR.¹¹ Each person to whom a veterinary license or premises permit is issued must conspicuously display such document in her or his office, place of business, or place of employment in a permanent or mobile veterinary establishment or clinic.¹²

By virtue of accepting a license to practice veterinary medicine in Florida, a veterinarian consents to:

- Render a handwriting sample to an agent of the department and, further, to have waived any objections to its use as evidence against her or him.
- Waive the confidentiality and authorize the preparation and release of medical reports pertaining to the
 mental or physical condition of the licensee when the department has reason to believe that a violation of
 this chapter has occurred and when the department issues an order, based on the need for additional
 information, to produce such medical reports for the time period relevant to the complaint.¹³

⁶ A preceptor is a skilled practitioner or faculty member who directs, teaches, supervises, and evaluates students in a clinical setting to allow practical experience with patients. *See also* https://www.merriam-webster.com/dictionary/preceptor#medicalDictionary (last visited March 9, 2025).

⁷ The term "responsible supervision" is defined in s. <u>474.202(10)</u>, F.S., as the "control, direction, and regulation by a licensed doctor of veterinary medicine of the duties involving veterinary services" delegated to unlicensed personnel.

⁸ Ss. <u>474.203(1)-(2)</u>, F.S., provide that accreditation of a school or college must be granted by the American Veterinary Medical Association (AVMA) Council on Education, or the AVMA Commission for Foreign Veterinary Graduates.

⁹ See <u>s. 474.203(6), F.S.</u>, which states that the exemption applies to "[s]tate agencies, accredited schools, institutions, foundations, business corporations or associations, physicians licensed to practice medicine and surgery in all its branches, graduate doctors of veterinary medicine, or persons under the direct supervision thereof"

¹⁰ See s. 474.203, F.S.

¹¹ S. <u>474.215(1), F.S.</u>

¹² S. 474.216, F.S.

¹³ S. 474.2185, F.S.

According to the most recent figures, there are approximately 13,600 licensed veterinarians in Florida.¹⁴

Immediate Supervision

The practice act defines "immediate supervision" to mean that a "licensed doctor of veterinary medicine is on the premises whenever veterinary services are being provided." ¹⁵

Veterinary tasks requiring immediate supervision, include:16

- Administering anesthesia and tranquilization by a veterinary aide, nurse, laboratory technician, intern, or other employee of a licensed veterinarian.
- Administering certain vaccinations by a veterinary aide, nurse, technician, intern or other employee of a licensed veterinarian which is not specifically prohibited.

Veterinary tasks that may be performed without the licensed veterinarian on the premises, include: 17

- Administering medication and treatment, excluding vaccinations, as directed by the licensed veterinarian; and
- Obtaining samples and the performance of those diagnostic tests, including radiographs, directed by the licensed veterinarian.

Responsible Supervision

Responsible supervision means "the control, direction, and regulation by a licensed doctor of veterinary medicine of the duties involving veterinary services which she or he delegates to unlicensed personnel." ¹⁸

Veterinarian Shortage

The University of Florida's Dean of the College of Veterinary Medicine, Dana Zimmel, has indicated that there is a shortage of veterinarians in Florida. The state's only veterinary medical college, the University of Florida, also reports that due to limited capacity, it must turn away 1,500 qualified candidates a year.¹⁹

According to the American Veterinary Medical Association (AVMA), a midlevel practitioner may not be the best option to address this shortage, but instead recommend that more effort "should be spent on resources, tools, and programs designed to retain veterinarians and credentialed veterinary technicians."²⁰

A study conducted by the National Library of Medicine found a veterinary professional health care provider, similar to the human medical profession's <u>physician assistant</u>, could help address the veterinary shortage, and that such individuals, modeled after physician assistants, could be employed to handle routine veterinary care and thereby allow veterinarians additional time to focus on the more demanding and challenging aspects of veterinary medicine.²¹

A recent study conducted by Michigan State University's Department of Agricultural, Food, and Resource Economics found that the "veterinary medical profession is facing a capacity crisis, struggling to meet the growing demand for services. Introducing a new mid-level provider role, the Veterinary Professional Associate (VPA), could

¹⁴ Department of Business and Professional Regulation, *Veterinary Medicine – Board Information*, https://www2.myfloridalicense.com/veterinary-medicine/board-

information/#:~:text=The%20Board%20of%20Veterinary%20Medicine,Chapter%2061G18%2C%20Florida%20Administrative%20Code. (last visited March 9, 2025).

¹⁵ S. <u>474.202(5)</u>, F.S.

¹⁶ R. <u>61G18-17.005, F.A.C.</u>

¹⁷ *Id*.

¹⁸ S. 474.202(10), F.S.

¹⁹ Dana Zimmel, *Florida needs more veterinarians | Column*, Tampa Bay Times (March 9, 2025),

https://www.tampabay.com/opinion/2022/01/03/florida-needs-more-veterinarians-column/ (last visited March 9, 2025).

²⁰ American Veterinary Medical Association, AVMA News, *Idea of midlevel practitioner rejected in favor of better support,* engagement of credentialed veterinary technicians (Jan. 10, 2023), https://www.avma.org/news/idea-midlevel-practitioner-rejected-favor-better-support-engagement-credentialed-veterinary (last visited March 9, 2025).

²¹ Lori Kogan, Sherry Stewart, *Veterinary professional associates: does the profession's foresight include a mid-tier professional similar to physician assistants?*, National Library of Medicine (2009), https://pubmed.ncbi.nlm.nih.gov/19625672/ (last visited March 9, 2025).

bridge the gap between veterinarians and technicians, potentially helping to alleviate this issue." The study also found that "with this as a foundation, structured educational and credentialing programs can be developed around the broad base of competencies and knowledge necessary for consistent, predictable success as a VPA. Further, the study found that "regulatory environments and potential restraints notwithstanding, perhaps one of the biggest hurdles to the successful implementation of a midlevel provider in veterinary medicine will be the inherent hesitation or reluctance of veterinarians to delegate clinical responsibilities." ²²

Human Physician Assistants

According to the Mayo Clinic, physician assistants are "licensed medical professionals who hold an advanced degree and are able to provide direct patient care. They work with patients of all ages in virtually all specialty and primary care areas, diagnosing and treating common illnesses and working with minor procedures. With an increasing shortage of health care providers, physician assistants are a critical part of today's team-based approach to health care. They increase access to quality health care for many populations and communities. The specific duties of a physician assistant are determined by their supervising physician and state law, but they provide many of the same services as a primary care physician. They practice in every state and in a wide variety of clinical settings and specialties."²³

In Florida, physician assistants are licensed medical professionals that are authorized to perform services delegated by a supervising physician.²⁴ PAs are regulated by the Florida Council on Physician Assistants (Council) in conjunction with either the Board of Medicine for PAs licensed under ch. 458, F.S., or the Board of Osteopathic Medicine for PAs licensed under ch. 459, F.S. During fiscal year 2023-2024, there were 11,890 actively licensed PAs in the state, and 1,339 initial PA licenses were issued by the Florida Department of Health.²⁵

RECENT LEGISLATION:

YEAR	BILL#	HOUSE SPONSOR(S)	SENATE SPONSOR	OTHER INFORMATION
2024	<u>HB 849</u>	Killebrew, Buchanan	Bradley	Became law on July 1, 2024.

OTHER RESOURCES:

Department of Business and Professional Regulation: Veterinary Medicine Board Information

The USDA Veterinary Medicine Loan Repayment Program Veterinary Services Shortage Situations Map

²² James W. Lloyd, Donna L. Harris, David M. Smith, *The Veterinary Professional Associate Financial Model: General Practice*, (July 2024), https://ideas.repec.org/p/ags/midasp/347403.html (last visited March 9, 2025).

²³ Mayo Clinic College of Medicine and Science, *Physician Assistant*, https://college.mayo.edu/academics/explore-health-care-careers/careers-a-z/physician-assistant/ (last visited March 9, 2025).

²⁴ Ss. 458.347(2)(e) and 459.022(2)(e).

²⁵ Florida Department of Health, Division of Medical Quality Assurance, Annual Report and Long-Range Plan, Fiscal Year 2023-2024, https://www.floridahealth.gov/licensing-and-regulation/reports-and-publications/2024.10.28.FY23-24AR-FINAL.pdf (last visited March 9, 2025).

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY			
Industries & Professional Activities	15 Y, 0 N, As CS	3/12/2025	Anstead	Thompson			
Subcommittee	10 1) 0 11,110 00	5, 1 2, 2 0 2 5	mstead	mompoon			
THE CHANGES ADOPTED BY THE The amendment specified education requirements, and clarified surgical							
COMMITTEE:	procedure requirement	S.					
Commerce Committee							

THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.

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