

By the Committee on Regulated Industries; and Senator Bradley

580-01897-26

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A bill to be entitled
An act relating to veterinary medicine; providing a
short title; amending s. 474.201, F.S.; revising
legislative findings, intent, and purpose; amending s.
474.202, F.S.; defining the term "veterinary
professional associate"; amending s. 474.2021, F.S.;
increasing the amount of time for which prescriptions
based solely on a veterinary telehealth evaluation may
be issued for certain drugs; amending s. 474.203,
F.S.; revising the applicability of certain
exemptions; creating s. 474.2126, F.S.; providing
requirements for veterinary professional associates to
receive certificates of registration from the
Department of Business and Professional Regulation;
requiring the department to make a list of veterinary
professional associate registrants publicly available
on its website; authorizing the department to suspend
the registration of a veterinary professional
associate upon a certain determination by the Board of
Veterinary Medicine; authorizing the department to
rescind the registration of a veterinary professional
associate under certain circumstances; prohibiting a
person from holding himself or herself out as a
veterinary professional associate under certain
circumstances; authorizing a registered veterinary
professional associate to engage in the practice of
veterinary medicine under certain circumstances;
prohibiting a registered veterinary professional
associate from taking certain actions; providing

580-01897-26

2026796c1

exceptions; amending s. 828.30, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

Section 1. This act may be cited as the "Veterinary Workforce Innovation Act."

Section 2. Section 474.201, Florida Statutes, is amended to read:

474.201 Legislative findings, intent, and purpose.—

(1) The Legislature finds that the practice of veterinary medicine is potentially dangerous to the public health and safety if conducted by incompetent and unlicensed practitioners. The legislative purpose in enacting this chapter is to ensure that every veterinarian practicing in this state meet minimum requirements for safe practice. It is the legislative intent that veterinarians who are not normally competent or who otherwise present a danger to the public ~~shall~~ be disciplined or prohibited from practicing in this state.

(2) The Legislature finds that the practice of educated, trained, and experienced veterinary professional associates will increase consumer 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.

Section 3. Present subsection (14) of section 474.202, Florida Statutes, is redesignated as subsection (15), and a new subsection (14) is added to that section, to read:

580-01897-26

2026796c1

474.202 Definitions.—As used in this chapter:

(14) "Veterinary professional associate" means an individual who has graduated with a master's degree or the equivalent in veterinary clinical care from an accredited institution and who meets the requirements to be registered by the department.

Section 4. Subsection (4) of section 474.2021, Florida Statutes, is amended to read:

474.2021 Veterinary telehealth.—

(4) A veterinarian practicing veterinary telehealth:

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

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

(c) May use veterinary telehealth to perform an initial patient evaluation to establish the veterinarian/client/patient relationship if the evaluation is conducted using synchronous, audiovisual communication. The evaluation may not be performed using audio-only communications, text messaging, questionnaires, chatbots, or other similar means. If a veterinarian practicing telehealth conducts a patient evaluation sufficient to diagnose and treat the patient, the veterinarian is not required to research a patient's medical history or conduct a physical

580-01897-26

2026796c1

88 examination of the patient before using veterinary telehealth to
89 provide a veterinary health care service to the patient;

90 (d) If the initial patient evaluation is performed using
91 veterinary telehealth, must provide the client with a statement
92 containing the veterinarian's name, license number, and contact
93 information and the contact information for at least one
94 physical veterinary clinic in the vicinity of the patient's
95 location and instructions for how to receive patient follow-up
96 care or assistance if the veterinarian and client are unable to
97 communicate because of a technological or equipment failure or
98 if there is an adverse reaction to treatment, and inform the
99 client that, if medication is prescribed, the client may obtain
100 a prescription that may be filled at the pharmacy of his or her
101 choice. The veterinarian shall obtain from the client a signed
102 and dated statement indicating the client has received the
103 required information before practicing veterinary telehealth;

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

106 1. A veterinarian practicing veterinary telehealth may
107 order, prescribe, or make available medicinal drugs or drugs
108 specifically approved for use in animals by the United States
109 Food and Drug Administration, the use of which conforms to the
110 approved labeling. Prescriptions based solely on a telehealth
111 evaluation may be issued for up to 6 months ~~1-month~~ for products
112 labeled solely for flea and tick control and up to 30 ~~14~~ days of
113 treatment for other animal drugs. Prescriptions based solely on
114 a telehealth evaluation may not be renewed without an in-person
115 examination.

116 2. A veterinarian practicing veterinary telehealth may not

580-01897-26

2026796c1

117 order, prescribe, or make available medicinal drugs or drugs as
118 defined in s. 465.003 approved by the United States Food and
119 Drug Administration for human use or compounded antibacterial,
120 antifungal, antiviral, or antiparasitic medications, unless the
121 veterinarian has conducted an in-person physical examination of
122 the animal or made medically appropriate and timely visits to
123 the premises where the animal is kept.

124 3. A veterinarian may not use veterinary telehealth to
125 prescribe a controlled substance as defined in chapter 893
126 unless the veterinarian has conducted an in-person physical
127 examination of the animal or made medically appropriate and
128 timely visits within the past year to the premises where the
129 animal is kept.

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

136 (f) Shall be familiar with available veterinary resources,
137 including emergency resources, near the patient's location and
138 be able to provide the client with a list of nearby
139 veterinarians who may be able to see the patient in person upon
140 the request of the client;

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

143 (h) May not use veterinary telehealth to issue an
144 international or interstate travel certificate or a certificate
145 of veterinary inspection.

580-01897-26

2026796c1

Section 5. Paragraph (a) of subsection (5) and subsection (7) of section 474.203, Florida Statutes, are amended to read:

474.203 Exemptions.—This chapter does not apply to:

(5)(a) Any person, or the person's regular employee, administering to the ills or injuries of her or his own animals, including, but not limited to, castration, spaying, and dehorning of herd animals, unless title is transferred or employment provided for the purpose of circumventing this law. This exemption does not apply to any person licensed as a veterinarian in another state or foreign jurisdiction and practicing temporarily in this state. However, except as provided in s. 474.2126 or s. 828.30, only a veterinarian may immunize or treat an animal for diseases that are communicable to humans and that are of public health significance.

(7) Any veterinary aide, nurse, laboratory technician, preceptor, person registered pursuant to s. 474.2126, or other employee of a licensed veterinarian who administers medication or who renders auxiliary or supporting assistance under the responsible supervision of a licensed veterinarian, including those tasks identified by rule of the board requiring immediate supervision, provided that a registered veterinary professional associate is subject to s. 474.2126. However, the licensed veterinarian is responsible for all such acts performed under this subsection by persons under her or his supervision.

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

580-01897-26

2026796c1

175 Section 6. Section 474.2126, Florida Statutes, is created
176 to read:

177 474.2126 Veterinary professional associates; registration.-

178 (1) REGISTRATION.-

179 (a) A veterinary professional associate may apply to the
180 department for registration by submitting a form prescribed by
181 the board. The department shall consider for registration each
182 qualified veterinary professional associate whom the department
183 verifies has submitted a completed application and meets the
184 applicable requirements of this subsection.

185 (b) The department shall issue a certificate of
186 registration to each veterinary professional associate applicant
187 whom the department verifies has graduated from the relevant
188 accredited program and received a passing score on the relevant
189 professional national competency examination approved by the
190 board.

191 (c) The department shall make a list of registrants
192 available to the public on the department's website.

193 (d) The department may suspend the registration of any
194 veterinary professional associate whom the board determines has
195 caused serious harm to an animal due to negligence,
196 incompetence, or misconduct related to duties performed under
197 this section and in a manner inconsistent with the supervising
198 veterinarian's specific direction, until such time as the
199 registrant has completed remedial training or education directed
200 by the board.

201 (e) The department may rescind the registration of any
202 veterinary professional associate who is convicted of animal
203 cruelty under s. 828.12 or animal fighting under s. 828.122.

580-01897-26

2026796c1

204 (2) PROHIBITION.—An individual may not hold himself or
205 herself out as a registered veterinary professional associate or
206 in any other way represent himself or herself as a veterinary
207 professional associate unless he or she has a valid certificate
208 of registration from the department.

209 (3) DUTIES AND ACTIONS OF A REGISTERED VETERINARY
210 PROFESSIONAL ASSOCIATE.—

211 (a) Unless otherwise prohibited by federal law, a
212 registered veterinary professional associate may engage in the
213 practice of veterinary medicine as defined in s. 474.202 or
214 veterinary medicine as defined in s. 474.202, to the extent that
215 he or she is competent and has the necessary training, current
216 knowledge, and experience to provide such care, as delegated
217 under the responsible supervision, as defined in s. 474.202, of
218 a licensed veterinarian.

219 (b) A registered veterinary professional associate may not
220 do any of the following:

221 1. Prescribe a controlled substance listed in s. 893.03,
222 except that a registered veterinary professional associate may
223 perform humane euthanasia and prepare, log, and administer
224 controlled substances for the purpose of analgesia, anesthesia,
225 or humane euthanasia, as delegated by a licensed veterinarian
226 and performed under responsible supervision.

227 2. Perform a surgical procedure, except that a veterinary
228 professional associate may perform the following surgical
229 procedures:

230 a. Orchiectomy;

231 b. Veterinary dental surgery; or

232 c. Veterinary suturing or stapling of skin lacerations,

580-01897-26

2026796c1

gingival incisions, or existing surgical incisions.

Section 7. Paragraph (a) of subsection (1) and subsection (3) of section 828.30, Florida Statutes, are amended to read:

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

(1)(a) All dogs, cats, and ferrets 4 months of age or older must be vaccinated by a licensed veterinarian or a person authorized under paragraph (b) or s. 474.2126 against rabies with a vaccine that is licensed by the United States Department of Agriculture for use in those species.

(3) Upon vaccination against rabies, the licensed veterinarian shall provide the animal's owner and the animal control authority with a rabies vaccination certificate. Each animal control authority and veterinarian shall use the "Rabies Vaccination Certificate" of the National Association of State Public Health Veterinarians (NASPHV) or an equivalent form approved by the local government that contains all the information required by the NASPHV Rabies Vaccination Certificate. The veterinarian who administers the rabies vaccination or who supervises the administration of the rabies vaccination as provided in paragraph (1)(b) or s. 474.2126 to an animal as authorized under this section may affix his or her signature stamp in lieu of an actual signature.

Section 8. This act shall take effect January 1, 2027.