

**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

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

33  
34        Be It Enacted by the Legislature of the State of Florida:

35  
36        Section 1. This act may be cited as the "Veterinary  
37 Workforce Innovation Act."

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

40        474.201 Legislative findings, intent, and purpose.—

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

50        (2) The Legislature finds that the practice of educated,  
51 trained, and experienced veterinary professional associates will  
52 increase consumer access to high-quality veterinary medical  
53 services at a reasonable cost to consumers, while also  
54 increasing the efficiency of the practice of veterinary medicine  
55 in this state.

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

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59       474.202 Definitions.—As used in this chapter:

60       (14) “Veterinary professional associate” means an  
61       individual who has graduated with a master’s degree or the  
62       equivalent in veterinary clinical care from an accredited  
63       institution and who meets the requirements to be registered by  
64       the department.

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

67       474.2021 Veterinary telehealth.—

68       (4) A veterinarian practicing veterinary telehealth:

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

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

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

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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

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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.

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

148       474.203 Exemptions.—This chapter does not apply to:

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

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

170  
171 For the purposes of chapters 465 and 893, persons exempt  
172 pursuant to subsection (1), subsection (2), or subsection (4)  
173 are deemed to be duly licensed practitioners authorized by the  
174 laws of this state to prescribe drugs or medicinal supplies.

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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.

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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,

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233 gingival incisions, or existing surgical incisions.

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

236       828.30 Rabies vaccination of dogs, cats, and ferrets.—

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

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

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