

Telehealth Sub-Committee
Jon Klingborg, DVM and Richard Sullivan, DVM

1) Telehealth:

a) Addition to 2032.1 Veterinarian-Client-Patient-Relationship

2032.1. Veterinarian-Client-Patient Relationship.

(a) It is unprofessional conduct for a veterinarian to administer, prescribe, dispense or furnish a drug, medicine, appliance, or treatment of whatever nature for the prevention, cure, or relief of a wound, fracture or bodily injury or disease of an animal without having first established a veterinarian-client-patient relationship with the animal patient or patients and the client, except where the patient is a wild animal or the owner is unknown. □

(b) A veterinarian-client-patient relationship shall be established by the following occur: □

(1) The client has authorized the veterinarian to assume responsibility for making medical judgments regarding the health of the animal, including the need for medical treatment, □

(2) The veterinarian has sufficient knowledge of the animal(s) to initiate at least a general or preliminary diagnosis of the medical condition of the animal(s). This means that the veterinarian is personally acquainted with the care of the animal(s) by virtue of an examination of the animal or by medically appropriate and timely visits to the premises where the animals are kept, and □

(3) The veterinarian has assumed responsibility for making medical judgments regarding the health of the animal and has communicated with the client a course of treatment appropriate to the circumstance. □

(c) A drug shall not be prescribed for a duration inconsistent with the medical condition of the animal(s) or type of drug prescribed. The veterinarian shall not prescribe a drug for a duration longer than one year from the date the veterinarian examined the animal(s) and prescribed the drug. □

(d) As used herein, “drug” shall mean any controlled substance, as defined by Section 4021 of Business and Professions code, and any dangerous drug, as defined by Section 4022 of Business and Professions code.

(e) No person may practice veterinary medicine in the State except within the context of a veterinarian-client-patient relationship. A veterinarian-client-patient relationship cannot be established solely by telephonic or other electronic means.

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1) Telehealth:

b) 2032.15. Veterinarian-Client-Patient Relationship in Absence of Client Communication.

A veterinary-client-patient relationship may continue to exist, in the absence of client communication, when

(1) A veterinary-client-patient relationship was established with an original veterinarian, and another designated veterinarian **in the same practice** serves in the absence of the original veterinarian, and;

(2) The designated veterinarian has assumed responsibility for making medical judgments regarding the health of the animal(s), and;

(3) The designated veterinarian has sufficient knowledge of the animal(s) to initiate at least a general or preliminary diagnosis of the medical condition of the animal(s). This means that the veterinarian is personally acquainted with the care of the animal(s) by virtue of an examination of the animal(s) or by medically appropriate and timely visits to the premises where the animal(s) is kept, or has consulted with the veterinarian who established the veterinary-client-patient relationship, and;

(4) The designated veterinarian has continued the medical, treatment, diagnostic and/or therapeutic plan that was set forth and documented in the medical record by the original veterinarian. (b) If the medical, treatment, diagnostic and/or therapeutic plan differs from that which was communicated to the client by the original veterinarian, then the designated veterinarian must attempt to communicate the necessary changes with the client in a timely manner.

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1) Telehealth:

c) Defining Veterinary Telehealth (all new language)

(1) For the purposes of this section, “Veterinary Telehealth” means the practice of animal health care delivery, diagnosis, consultation, treatment, transfer of medical data, and education using interactive audio, video, or data communications. Neither a telephone conversation nor an electronic mail message between a veterinarian and an animal owner constitutes “Veterinary Telehealth” for purposes of this section.

(2) For purposes of this section, “interactive” means an audio, video, or data communication involving a real time (synchronous) or near real time (asynchronous) two-way transfer of medical data and information.

(3) Prior to the delivery of animal health care via “Veterinary Telehealth”, the veterinarian who has ultimate authority over the care or primary diagnosis of the patient must have established a Veterinarian-Client-Patient Relationship as defined in 2032.1.

(a) The failure of a veterinarian to comply with this section shall constitute unprofessional conduct.

(b) This section shall not be construed to alter the scope of practice of any veterinarian or authorize the delivery of animal health care services in a setting, or in a manner, not otherwise authorized by law.