

Senate Bill 105

By: Senators Anavitarte of the 31st, Watson of the 11th, Goodman of the 8th, Echols of the 49th, Hatchett of the 50th and others

AS PASSED

A BILL TO BE ENTITLED

AN ACT

1 To amend Chapter 50 of Title 43 of the Official Code of Georgia Annotated, relating to
2 veterinarians and veterinary technicians, so as to authorize licensed veterinarians and
3 veterinary technicians to practice veterinary teleadvice; to authorize licensed veterinarians
4 and veterinary technicians to practice veterinary teletriage under certain circumstances; to
5 authorize licensed veterinarians to practice veterinary telemedicine under certain
6 circumstances; to provide for the regulation of the practice of veterinary telemedicine,
7 veterinary teletriage, and veterinary teleadvice by the State Board of Veterinary Medicine;
8 to provide for licensure for graduates of foreign colleges or schools of veterinary medicine
9 who are board certified in a specialty; to provide for an exemption; to revise and provide for
10 definitions; to provide for related matters; to provide for effective dates; to repeal conflicting
11 laws; and for other purposes.

12 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

13 **SECTION 1.**

14 Chapter 50 of Title 43 of the Official Code of Georgia Annotated, relating to veterinarians
15 and veterinary technicians, is amended by revising paragraphs (26) and (29) of and adding
16 new paragraphs to Code Section 43-50-3, relating to definitions, as follows:

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17 "(26) 'Practice veterinary technology' or 'veterinary technology' means:

18 (A) To perform animal patient care or other services that require a technical
19 understanding of veterinary medicine by a licensed veterinary technician on the basis
20 of written or oral instruction of a licensed veterinarian, excluding diagnosing,
21 prognosing, performing surgery, prescribing, or dispensing;

22 (B) To represent, directly or indirectly, publicly or privately, an ability and willingness
23 to engage in any act described in subparagraph (A) of this paragraph; or

24 (C) To use any title, words, abbreviation, or letters, while engaged in the practice of
25 licensed veterinary technology, in a manner or under circumstances that induce the
26 belief that the person using them is qualified to engage in an act included in
27 subparagraph (A) of this paragraph."

28 "(29) 'Veterinarian-client-patient relationship' means that:

29 (A)(i) ~~The~~ A licensed veterinarian has assumed the responsibility for making medical
30 judgments regarding the health of the animal and the need for medical treatment, and
31 the client has given informed consent for services provided by the licensed
32 veterinarian;

33 ~~(B)(ii)~~ There is sufficient knowledge of the animal by the licensed veterinarian to
34 initiate at least a general or preliminary diagnosis of the medical condition of the
35 animal. This means that the licensed veterinarian has recently seen and is personally
36 acquainted with the keeping and care of the animal by ~~the~~ virtue of examination of the
37 animal or by medically appropriate and timely visits to the premises where the animal
38 is kept or by medically appropriate and timely visits by the licensed veterinarian to
39 premises within an operation or production system where the animal or groups of
40 animals are kept;

41 ~~(C)(iii)~~ A ~~The~~ licensed veterinarian is readily available for follow up care or
42 consultation or has arranged for:

43 ~~(i)(I)~~ Veterinary emergency coverage; and

(ii)(II) Continuing care and treatment by another licensed veterinarian, including providing a copy of associated records during normal business hours; and

~~(D)(iv)~~ The licensed veterinarian develops and maintains appropriate medical records; or

(B) All licensed veterinarians employed at the same veterinary facility as any licensed veterinarian for which a veterinarian-client-patient relationship has been established pursuant to subparagraph (A) of this paragraph."

"(35) 'Veterinary teleadvice' means the use of synchronous or asynchronous telecommunications technology to provide general advice to a client that is not specific to a particular animal, diagnosis, or treatment.

(36) 'Veterinary telemedicine' or 'practice of veterinary telemedicine' means the use of synchronous or asynchronous telecommunications technology to facilitate the practice of veterinary medicine.

(37) 'Veterinary teletriage' means the use of synchronous or asynchronous telecommunications technology to assess and manage an animal, including determining whether immediate referral to a licensed veterinarian is necessary, under conditions of reasonable urgency or uncertainty. Such phrase shall not include diagnosis, prognosis, surgery, or the prescribing, administering, or dispensing of any prescription drug or any other medication or treatment specified by the board."

SECTION 2.

Said chapter is further amended by revising Code Section 43-50-21, relating to general powers of board and liberal construction of powers, as follows:

"43-50-21.

(a) The board shall have the power to:

- (1) Examine and determine the qualifications and fitness of applicants for licenses to practice veterinary medicine, veterinary telemedicine, veterinary teletriage, veterinary teleadvice, and veterinary technology in this state;
- (2) Issue, renew, refuse to renew, deny, suspend, or revoke licenses to practice veterinary medicine, veterinary telemedicine, veterinary teletriage, veterinary teleadvice, or veterinary technology in this state or otherwise discipline licensed veterinarians and licensed veterinary technicians; and to issue, renew, deny, suspend, or revoke veterinary faculty licenses, consistent with this chapter and the rules and regulations adopted under this chapter;
- (3) Conduct investigations for the purpose of discovering violations of this chapter or grounds for disciplining persons licensed under this chapter;
- (4) Inspect veterinary premises and equipment, including mobile veterinary clinics, at any time in accordance with protocols established by rule of the board;
- (5) Hold hearings on all matters properly brought before the board; and, in connection therewith, to administer oaths, receive evidence, make the necessary determinations, and enter orders consistent with the findings. The board may designate one or more of its members to serve as its hearing officer;
- (6) Appoint from its own membership one member to act as a representative of the board at any meeting within or outside the state where such representative is deemed desirable;
- (7) Bring proceedings in the courts for the enforcement of this chapter or any regulations made pursuant to this chapter;
- (8) Adopt, amend, or repeal all rules necessary for its government and all regulations necessary to carry this chapter into effect, including without limitation the establishment and print or electronic publication of standards of professional conduct for the practice of veterinary medicine, veterinary telemedicine, veterinary teletriage, veterinary teleadvice, and veterinary technology; and
- (9) Establish and publish annually a schedule of fees for licensing.

(b) The powers enumerated in subsection (a) of this Code section are granted for the purpose of enabling the board to supervise effectively the practice of veterinary medicine, veterinary telemedicine, veterinary teletriage, veterinary teleadvice, and veterinary technology and are to be construed liberally to accomplish these objectives."

SECTION 3.

Said chapter is further amended by revising Code Section 43-50-30, relating to license requirement for practice of veterinary medicine and practice by business employee, as follows:

"43-50-30.

(a) No person may practice veterinary medicine, veterinary telemedicine, or veterinary teletriage in this state who is not a licensed veterinarian or the holder of a valid temporary license issued by the division director pursuant to this article.

(b) No person may practice veterinary teleadvice in this state who is not a licensed veterinarian or veterinary technician or the holder of a valid temporary license issued by the division director pursuant to this article.

(c) A licensed veterinarian may practice veterinary medicine, veterinary telemedicine, veterinary teletriage, or veterinary teleadvice as an employee of a corporation, partnership, or other business organization, provided that the licensed veterinarian is not subject to the direction of anyone not licensed to practice veterinary medicine in Georgia in making veterinary medical decisions or judgments."

SECTION 4.

Said chapter is further amended by revising Code Section 43-50-31, relating to application for license, qualifications, and recordation of license, as follows:

118 "43-50-31.

119 (a) Any person desiring a license to practice veterinary medicine in this state shall make
120 application to the board. The application shall include evidence, satisfactory to the board,
121 that:

122 (1) The applicant has attained the age of 18;

123 (2) The applicant is of good moral character;

124 (3)(A) The applicant:

125 (i) Is is a graduate of an accredited college or a school of veterinary medicine
126 accredited by the American Veterinary Medical Association Council on Education or
127 possesses an ECFVG or PAVE certificate or substantial equivalent; and

128 ~~(4)(ii) Has The applicant has~~ passed a board approved examination; provided,
129 however, that the board may provide by rule or regulation for a waiver of any part of
130 such examination for veterinarians who are licensed as such by another state and who
131 are in good standing therewith; or

132 (B) The applicant:

133 (i) Is a graduate of a foreign college or school of veterinary medicine and has
134 submitted a transcript certifying completion of his or her education in veterinary
135 medicine. In support of such certification of completion, such graduate may submit:

136 (I) An ECFVG certificate or its substantial equivalent;

137 (II) A PAVE certificate or its substantial equivalent; or

138 (III) Any other document as authorized by the board; and

139 (ii) Has completed a residency program or similar training duration program of two
140 or more years and has received board certification from a veterinary medicine
141 specialty organization recognized by the American Veterinary Medical Association,
142 the American Board of Veterinary Specialties, or other American Veterinary Medical
143 Association board approved organization; provided, however, that such applicant
144 upon licensure shall only be authorized to practice veterinary medicine in the area of

his or her certified veterinary medicine specialty; and provided, further, that any other practice of veterinary medicine shall be deemed a violation of subsection (a) of Code Section 43-50-30 and subsection (a) of Code Section 43-50-45; and

~~(5)~~(4) The applicant meets such other qualifications or provides such other information as the board may require by rule.

(b) The application shall be accompanied by a fee in the amount established by the board.

(c) The division director shall record the new licenses and issue such licenses to the new licensees.

(d) If an applicant is found not qualified for licensure, the board shall notify the applicant in writing of such finding and the grounds therefor. Such applicant may request a hearing before the board on the questions of his or her qualifications."

SECTION 5.

Said chapter is further amended in Code Section 43-50-44, relating to exemptions from article, by adding a new subparagraph to paragraph (2) to read as follows:

"(2)(A) A person who is a regular student in a veterinary school or school of veterinary technology performing duties or actions assigned by his or her instructors or working under the supervision of a licensed veterinarian;

(B) A member of the faculty, a resident, an intern, or a graduate student of an accredited college or school of veterinary medicine or school of veterinary technology performing his or her regular clinical or nonclinical functions or a person lecturing or giving instructions or demonstrations at an accredited college or school of veterinary medicine or school of veterinary technology in connection with a continuing education course or seminar;

(B.1) A person licensed pursuant to subparagraph (a)(2)(B) of Code Section 43-50-31 from lecturing or giving instructions or demonstrations in an area within such person's certified veterinary medicine specialty at an accredited college or school of veterinary

medicine or school of veterinary technology and in connection with a continuing education course or seminar; or

(C) A graduate of a foreign college or school of veterinary medicine who is in the process of obtaining the ECFVG or PAVE certificate or substantial equivalent performing duties or actions under the direct supervision of a licensed veterinarian;"

SECTION 6.

Said chapter is further amended by adding a new article to read as follows:

"ARTICLE 7

43-50-120.

(a) A licensed veterinarian may practice veterinary telemedicine in this state if:

(1) Such individual is in good standing and primarily practices veterinary medicine in this state through in-person visits with clients and animal patients;

(2) Such individual has notified the board of his or her intent to practice veterinary telemedicine and satisfied any additional requirements set forth by the board;

(3) Such individual has an existing veterinarian-client-patient relationship with any client and animal patient;

(4) The animal patient resides within this state at the time the individual practices veterinary telemedicine;

(5) Such individual practices veterinary telemedicine in a manner consistent with his or her scope of practice, all federal and state laws, and prevailing professional standards of practice for a veterinarian who provides in-person veterinary services in this state and employs sound, professional judgment to determine whether using veterinary telemedicine is an appropriate method for delivering medical advice or treatment to the animal patient;

195 (6) Such individual takes appropriate precautions to preserve the confidentiality of any
196 client or animal patient's records; and

197 (7) Such individual informs the client, in writing, of his or her full name, location,
198 license number, licensure status, and limitations involved in accessing veterinary
199 telemedicine and obtains a signed and dated statement from the client indicating receipt
200 of such required information.

201 (b) Any prescription, administration, or dispensing of prescription drugs pursuant to this
202 Code section shall be in accordance with all federal and state laws.

203 (c) Nothing in this article shall be construed to authorize any licensed veterinarian to
204 prescribe, administer, or otherwise dispense any prescription drug or any other medication
205 or treatment specified by the board, unless such licensed veterinarian or another licensed
206 veterinarian employed at the same veterinary facility has recently seen and is personally
207 acquainted with the keeping and care of the animal by virtue of a physical examination of
208 the animal at the veterinary facility or during a medically appropriate and timely visit to
209 the premises where the animal is located.

210 43-50-121.

211 (a) Notwithstanding anything to the contrary in this chapter, a licensed veterinarian or a
212 veterinary technician supervised by a licensed veterinarian may practice veterinary
213 teletriage, regardless of whether a veterinarian-client-patient relationship exists, if the
214 following conditions are met:

215 (1) No licensed veterinarian or veterinary technician is available within a 50 mile radius
216 of the animal's location to perform a physical examination at a veterinary facility or the
217 premises where the animal is located within 24 hours of the client's request for services;

218 (2) The licensed veterinarian or veterinary technician requests that, as soon as reasonably
219 practical, the client present the animal patient for a physical examination at the veterinary
220 facility or at the premises where such animal is located; and

(3) The licensed veterinarian or veterinary technician informs the client, in writing, of the veterinarian or supervising veterinarian's full name, location, license number, licensure status, and limitations involved in accessing veterinary teletriage, and obtains a signed and dated statement from the client indicating receipt of such required information.

(b) Notwithstanding anything to the contrary in this chapter, a licensed veterinarian may practice veterinary telemedicine, regardless of whether a veterinarian-client-patient relationship exists, if the licensed veterinarian satisfies the conditions set forth in paragraphs (1) and (2) of subsection (a) of this Code section and paragraphs (1) and (2) and paragraphs (4) through (7) of subsection (a) of Code Section 43-50-120.

(c) Nothing in this Code section shall be construed to require or impose a duty upon any licensed veterinarian or veterinary technician to identify or refer any client to a licensed veterinarian located within the radius imposed under paragraph (1) of subsection (a) of this Code section before practicing veterinary teletriage or veterinary telemedicine.

43-50-122.

Nothing in this chapter shall be construed to prohibit a licensed veterinarian or a veterinary technician supervised by a licensed veterinarian from providing veterinary teleadvice, regardless of whether a veterinary-client-patient relationship exists."

SECTION 7.

Sections 4 and 5 of this Act shall become effective upon the approval of this Act by the Governor or upon its becoming law without such approval. All other sections of this Act shall become effective on July 1, 2025.

SECTION 8.

All laws and parts of laws in conflict with this Act are repealed.