

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

Date: January 15, 1998 Revised: 1/21/98 _____

Subject: Veterinary Medicine

	<u>Analyst</u>	<u>Staff Director</u>	<u>Reference</u>	<u>Action</u>
1.	<u>Masterton</u>	<u>Guthrie</u>	<u>RI</u>	<u>Fav/1 amendment</u>
2.	_____	_____	<u>WM</u>	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

This bill revises several provisions relating to the regulation of veterinarians by the Board of Veterinary Medicine within the Department of Business and Professional Regulation. The bill amends provisions in ch. 474, F.S., relating to: licensure exemptions for veterinarian college faculty, students and interns, and out-of-state veterinarians; licensure applicants; continuing education; licensed veterinary establishments; and limited service permittees.

This bill substantially amends the following sections of the Florida Statutes: 474.203, 474.207, 474.211, 474.214, 474.2125, 474.215, and 474.217.

II. Present Situation:

Chapter 474, F.S., provides for the regulation of veterinarians by the Board of Veterinary Medicine within the Department of Business and Professional Regulation. The chapter sets forth requirements for licensure of individuals and establishments, exemptions from licensure, and grounds and procedures for disciplinary action.

Section 20.43, F.S., provides that the head of the Department of Health is the State Health Officer. Section 381.0315, F.S., provides that the State Health Officer is responsible for declaring public health emergencies and issuing public health advisories. The State Health Officer must consult with any affected state or local agencies prior to issuing health advisories.

Section 570.37, F.S., provides that the director of the Division of Animal Industry within the Department of Agriculture and Consumer Services is the State Veterinarian. The section provides that the director is responsible for protecting the animal and livestock interests of the state.

Chapter 570, F.S., sets forth the jurisdiction of the Division of Animal Industry, including the control of animal diseases and the enforcement of quarantine areas.

III. Effect of Proposed Changes:

The bill amends various provisions in ch. 474, F.S., relating to the regulation of veterinarians.

Section 1 amends s. 474.203, F.S., to revise the exemption for faculty members at Florida veterinarian schools or colleges and to provide an exemption for registered interns or residents training at such schools or colleges. The section specifically provides that persons practicing under these exemptions are deemed duly licensed practitioners and are authorized to prescribe drugs or medicinal supplies. (This language is needed to comply with restrictions in ch. 893, F.S., which allow only licensed practitioners to prescribe controlled substances.) The section is also amended to provide an exemption for board-certified veterinarians licensed in another state who are requested by a Florida licensed veterinarian to assist in the treatment of specific animals.

Section 2 amends s. 474.207, F.S., to clarify that applicants who fail the licensure examination three times or more are not eligible for reexamination until they satisfactorily demonstrate to the board that they have graduated from an accredited veterinary college or have obtained a certificate from the Education Commission for Foreign Veterinary Graduates.

Section 3 amends s. 474.211, F.S., to allow the board to approve continuing education providers, in addition to its current authority to approve programs or courses.

Section 4 amends s. 474.2125, F.S., to clarify that a licensed veterinarian from another state who applies for a temporary license to treat the animals of a specific owner, or as needed in an emergency, does not have to take the Florida law and rules examination to obtain the temporary license.

Section 5 amends s. 474.214, F.S., to increase the maximum fine the board may impose when taking disciplinary action against a licensee from \$1,000 to \$5,000 (consistent with provisions in s. 455.227, F.S.).

Section 6 amends s. 474.215, F.S., to require limited service permittees to register each location where clinics are held and to pay a \$25 fee for each location. County health units conducting temporary rabies vaccination efforts in response to a public health threat are exempt for the preregistration and fee requirements. For the exemption to apply, the State Health Officer, in consultation with the State Veterinarian, must declare that a public health threat exists.

The section is also amended to allow nonveterinarians to obtain permits to operate veterinarian establishments only if certain requirements are met, including criminal background checks of applicants and association with licensed veterinarians. Nonveterinarian permittees are subject to disciplinary action by the board.

Section 7 amends s. 474.217, F.S., to conform to computer-based testing provisions in ch. 455, F.S.

Section 8 provides an effective date of July 1, 1998.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

The bill requires limited service permittees to pay a \$25 fee for the registration of each location. According to the DBPR, the board already has been assessing this fee by rule, although its authority to do so has been questioned.

B. Private Sector Impact:

Nonveterinarian owners of veterinarian establishments will incur the costs of meeting the requirements provided in the bill.

C. Government Sector Impact:

County health units will benefit from not having to meet registration and fee requirements for limited service permittees when conducting temporary rabies vaccination efforts in response to a declared public health threat.

VI. Technical Deficiencies:

None.

VII. Related Issues:

The bill requires the board to adopt rules relating to continuing education and requires the department and the board to take administrative action to implement various provisions. The proposed legislation provides adequate and appropriate standards and guidelines to direct the agency's implementation of the legislation.

VIII. Amendments:

#1 by Regulated Industries Committee:

Allows veterinarians to participate in the impaired practitioner treatment program under the jurisdiction of the Division of Medical Quality Assurance within the Department of Health. (WITH TITLE AMENDMENT)

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
