STATE OF NEW YORK

6745

2023-2024 Regular Sessions

IN ASSEMBLY

May 8, 2023

Introduced by M. of A. L. ROSENTHAL -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to permitting veterinarians to provide telehealth services

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The education law is amended by adding a new section 6705-b to read as follows:

§ 6705-b. Veterinarian telehealth. 1. A veterinarian may provide care via telehealth services if he or she complies with all of the following conditions:

(a) Ensure that the client knows the identity and contact information of the veterinarian providing the telehealth service. Upon request, the veterinarian shall provide his or her licensure information including the name of the state where he or she is licensed and his or her license number.

(b) Ensure that the technology method and equipment used to provide telehealth services complies with all current privacy-protection laws.

(c) Employ sound professional judgment to determine whether using telehealth is an appropriate method for delivering medical advice or treatment to the animal patient.

(d) Have sufficient knowledge of the animal patient to render telehealth services demonstrated by satisfying at least one of the following: (i) have recently examined the animal patient in person or have obtained current knowledge of the animal patient through the use of instrumentation and diagnostic equipment through which images and medical records may be transmitted electronically; or (ii) have conducted medically appropriate and timely visits to the premises where the group of animal patients is kept.

(e) Act within the scope of his or her practice.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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(f) Exercise the same standard of care applicable to a traditional, in-person veterinary care service.

(g) Make himself or herself readily available to the animal patient for follow up veterinary services or ensure there is another suitable provider available for follow up care.

2. Consent for medical advice and treatment under this section shall be obtained before providing a telehealth service. Evidence of consent for medical advice and treatment must be maintained in the animal patient's medical record.

3. A veterinarian providing a telehealth service may prescribe a drug if the veterinarian is a prescriber acting within the scope of his or her practice and in compliance with this article.

4. For purposes of this section, "telehealth" shall mean the use of electronic information and communication technologies by a veterinarian to deliver animal health care services, which shall include the assessment, diagnosis, consultation, treatment, and care management of an animal patient. Telehealth shall not include delivery of health care services by means of facsimile machines, or electronic messaging alone, though use of these technologies is not precluded if used in conjunction with telemedicine, store and forward technology, or remote patient monitoring.

§ 2. This act shall take effect immediately.