

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:

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

3 § 6705-b. Veterinarian telehealth. 1. A veterinarian may provide care
4 via telehealth services if he or she complies with all of the following
5 conditions:

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

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

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

16 (d) Have sufficient knowledge of the animal patient to render tele-
17 health services demonstrated by satisfying at least one of the follow-
18 ing: (i) have recently examined the animal patient in person or have
19 obtained current knowledge of the animal patient through the use of
20 instrumentation and diagnostic equipment through which images and
21 medical records may be transmitted electronically; or (ii) have
22 conducted medically appropriate and timely visits to the premises where
23 the group of animal patients is kept.

24 (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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1 (f) Exercise the same standard of care applicable to a traditional,
2 in-person veterinary care service.

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

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

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

13 4. For purposes of this section, "telehealth" shall mean the use of
14 electronic information and communication technologies by a veterinarian
15 to deliver animal health care services, which shall include the assess-
16 ment, diagnosis, consultation, treatment, and care management of an
17 animal patient. Telehealth shall not include delivery of health care
18 services by means of facsimile machines, or electronic messaging alone,
19 though use of these technologies is not precluded if used in conjunction
20 with telemedicine, store and forward technology, or remote patient moni-
21 toring.

22 § 2. This act shall take effect immediately.