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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

S.B. 268
135th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsors: Sens. Wilkin and S. Huffman

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SUMMARY

- Allows a licensed veterinarian to conduct veterinary telehealth services with a client and the client's animal if:
 - The veterinarian obtains the informed consent from the client, including an acknowledgement that the standards of care prescribed by the law governing veterinarians equally apply to in-person and telehealth visits;
 - The veterinarian provides the client with the veterinarian's name and contact information and secures an alternate means of contacting the client if the telehealth visit is interrupted; and
 - Before conducting an evaluation of a patient via a telehealth visit, the veterinarian advises the client concerning certain information, including that the veterinarian may ultimately recommend an in-person visit.
- Allows a licensed veterinarian to prescribe drugs or medications after establishing a veterinary-client-patient relationship via telehealth services with several provisos, including that the veterinarian may issue an initial prescription for up to 30 days and, after a subsequent telehealth visit, one refill for up to 30 days.
- Regarding establishing a veterinary-client-patient relationship and demonstrating knowledge of a patient to establish a relationship, adds to that the demonstration may include an examination of the patient in real time via telehealth services.

DETAILED ANALYSIS

Veterinary telehealth services

The bill establishes requirements and procedures for veterinarians licensed to practice in Ohio to conduct veterinary telehealth services with clients and the client's animal. A licensed veterinarian may conduct telehealth services if all of the following apply:

1. The veterinarian obtains the informed consent from the client, including an acknowledgement that the standards of care prescribed by the law governing veterinarians equally apply to in-person and telehealth visits. The veterinarian must maintain documentation of the consent for at least three years.
2. The veterinarian provides the client with the veterinarian's name and contact information and secures an alternate means of contacting the client if the telehealth visit is interrupted. Following the telehealth visit, the veterinarian must make available to the client an electronic or written record of the visit. The record must include the veterinarian's license number.
3. Before conducting an evaluation of a patient via a telehealth visit, the veterinarian advises the client of all of the following:
 - a. The veterinarian may ultimately recommend an in-person visit;
 - b. The veterinarian is prohibited under federal law from prescribing certain drugs or medications based only on a telehealth visit;
 - c. The appointment for a telehealth visit may be terminated at any time; and
 - d. The veterinarian may recommend the client to a licensed veterinarian who can see the patient in person.¹

Telehealth drug prescriptions

The bill allows a licensed veterinarian to prescribe drugs or medications after establishing a veterinary-client-patient relationship via telehealth services (see below), except that all of the following apply:

1. The veterinarian may issue an initial prescription for up to 30 days. The veterinarian may issue one refill for up to 30 days if the veterinarian sees the patient for another telehealth visit. For additional refills, the patient must visit the veterinarian in person.
2. The veterinarian must notify the client that certain prescription drugs or medications may be available at a pharmacy and, if requested, the veterinarian will submit a prescription to a pharmacy of the client's choosing;
3. The veterinarian must not order, prescribe, or make available a controlled substance unless the veterinarian has performed an in-person physical examination of the patient.²

Veterinary-client-patient relationship

Current law establishes conditions under which a veterinary-client-patient relationship serves as the basis for interaction between a veterinarian, their client, and the client's animal

¹ R.C. 4741.041(A).

² R.C. 4741.041(B).

(patient). One of those conditions requires the veterinarian to have sufficient knowledge of the patient to initiate at least a general or preliminary diagnosis of the patient's medical condition. To demonstrate that knowledge, the veterinarian must have seen the patient recently and be acquainted personally with the keeping and care of the patient by (1) examining the patient, or (2) making medically appropriate and timely visits to the premises where the patient is kept.

The bill adds that the demonstration may include an examination of the patient in real time via telehealth services in accordance with the bill.³

HISTORY

Action	Date
Introduced	05-14-24

ANSB0268IN-135/ts

³ R.C. 4741.04(B).