

As Passed by the Senate

136th General Assembly

Regular Session

2025-2026

Sub. S. B. No. 60

Senators Wilkin, Huffman

Cosponsors: Senators Antonio, Blackshear, Brenner, Chavez, Cirino, Craig, DeMora, Gavarone, Hicks-Hudson, Ingram, Koehler, Landis, Liston, Manning, O'Brien, Patton, Reineke, Reynolds, Roegner, Romanchuk, Smith, Timken, Weinstein, Wilson

To amend section 4741.04 and to enact section	1
4741.041 of the Revised Code to establish	2
requirements and procedures for veterinarian	3
telehealth visits.	4

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 4741.04 be amended and section	5
4741.041 of the Revised Code be enacted to read as follows:	6

Sec. 4741.04. A veterinary-client-patient relationship	7
serves as the basis for interaction between veterinarians, their	8
clients, and their patients. A veterinary-client-patient	9
relationship exists when all of the following conditions have	10
been met:	11

(A) A veterinarian assumes responsibility for making	12
clinical judgments regarding the health of a patient and the	13
need for medical treatment, medical services, or both for the	14
patient, and the client has agreed to follow the veterinarian's	15
instructions regarding the patient.	16

(B) The veterinarian has sufficient knowledge of the	17
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patient to initiate at least a general or preliminary diagnosis 18
of the medical condition of the patient. In order to demonstrate 19
that the veterinarian has sufficient knowledge, the veterinarian 20
shall have seen the patient recently and also shall be 21
acquainted personally with the keeping and care of the patient 22
~~either by examining~~ doing any of the following: 23

(1) Examining the patient ~~or by making in person;~~ 24

(2) Examining the patient in real time via telehealth 25
services in accordance with section 4741.041 of the Revised 26
Code; 27

(3) Making medically appropriate and timely visits to the 28
premises where the patient is kept. 29

(C) The veterinarian is readily available for a follow-up 30
evaluation, or has arranged for emergency coverage, in the event 31
the patient suffers adverse reactions to the treatment regimen 32
or the treatment regimen fails. 33

Sec. 4741.041. (A) As used in this section: 34

(1) "Human food product" means livestock raised for human 35
consumption or livestock whose products are used for human 36
consumption. 37

(2) "Livestock" means porcine animals, bovine animals, 38
caprine animals, ovine animals, and poultry. 39

(3) "Tele-advice" means the provision of any health 40
information, opinion, or guidance by a veterinary professional 41
that is not intended to diagnose, treat, issue certificates of 42
veterinary inspection, or issue prognoses of the physical or 43
behavioral illness or injury of an animal or issue. A 44
veterinarian-client-patient relationship as required under 45

section 4741.04 of the Revised Code is not required to provide 46
tele-advice. 47

(B) A licensed veterinarian may conduct the practice of 48
veterinary medicine via telehealth services if all of the 49
following apply: 50

(1) The veterinarian obtains the informed consent from the 51
client, including an acknowledgement that the standards of care 52
prescribed by this chapter equally apply to in-person and 53
telehealth visits. The veterinarian shall maintain documentation 54
of the consent for at least three years after receiving the 55
informed consent. 56

(2) The veterinarian provides the client with the 57
veterinarian's name and contact information and secures an 58
alternate means of contacting the client if the telehealth visit 59
is interrupted. Following the telehealth visit, the veterinarian 60
shall make available to the client an electronic or written 61
record of the visit. The electronic or written record shall 62
include the veterinarian's license number. 63

(3) Before conducting an evaluation of a patient via a 64
telehealth visit, the veterinarian advises the client of all of 65
the following: 66

(a) The veterinarian may ultimately recommend an in-person 67
visit with the veterinarian or another licensed veterinarian; 68

(b) The veterinarian is prohibited under federal law from 69
prescribing certain drugs or medications based only on a 70
telehealth visit; 71

(c) The appointment for a telehealth visit may be 72
terminated at any time. 73

(C) A licensed veterinarian may prescribe drugs or 74
medications after establishing a veterinary-client-patient 75
relationship via telehealth services, except that all of the 76
following apply: 77

(1) The veterinarian may issue an initial prescription for 78
not more than fourteen days. The veterinarian may issue one 79
refill for not more than fourteen days if the veterinarian sees 80
the patient for another telehealth visit. For additional 81
refills, the patient shall visit the veterinarian in person. 82

(2) The veterinarian shall notify the client that certain 83
prescription drugs or medications may be available at a pharmacy 84
and, if requested, the veterinarian will submit a prescription 85
to a pharmacy of the client's choosing; 86

(3) The veterinarian shall not order, prescribe, or make 87
available a controlled substance, as defined in section 3719.01 88
of the Revised Code, unless the veterinarian has performed an 89
in-person physical examination of the patient. 90

(D) (1) Except as provided in division (D) (2) of this 91
section, a licensed veterinarian whose client is engaged in the 92
raising of livestock for human food products may not use 93
telehealth services for those livestock unless the veterinarian 94
has established a veterinary-client-patient relationship in 95
person with respect to those livestock prior to the use of 96
telehealth services. 97

(2) A licensed veterinarian whose client is engaged in the 98
raising of livestock for human food products may conduct tele- 99
advice services for those livestock prior to the veterinarian 100
establishing a veterinary-client-patient relationship in person 101
with the client. 102

<u>(E) Division (D) of this section applies to the extent</u>	103
<u>permitted under federal law.</u>	104
<u>(F) Nothing in this section shall be construed to</u>	105
<u>invalidate or overrule the provisions of Chapter 956. of the</u>	106
<u>Revised Code.</u>	107
<u>(G) For purposes of this section, the practice of</u>	108
<u>veterinary medicine occurs in the state in which the patient is</u>	109
<u>located.</u>	110
Section 2. That existing section 4741.04 of the Revised	111
Code is hereby repealed.	112