

As Introduced

**135th General Assembly
Regular Session
2023-2024**

S. B. No. 268

Senators Wilkin, Huffman, S.

A BILL

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
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 in the 24
veterinarian's office; 25

(2) Examining the patient in real time via telehealth 26
services in accordance with section 4741.041 of the Revised 27
Code; 28

(3) Making medically appropriate and timely visits to the 29
premises where the patient is kept. 30

(C) The veterinarian is readily available for a follow-up 31
evaluation, or has arranged for emergency coverage, in the event 32
the patient suffers adverse reactions to the treatment regimen 33
or the treatment regimen fails. 34

Sec. 4741.041. (A) A licensed veterinarian may conduct 35
telehealth services if all of the following apply: 36

(1) The veterinarian obtains the informed consent from the 37
client, including an acknowledgement that the standards of care 38
prescribed by this chapter equally apply to in-person and 39
telehealth visits. The veterinarian shall maintain documentation 40
of the consent for at least three years after receiving the 41
informed consent. 42

(2) The veterinarian provides the client with the 43
veterinarian's name and contact information and secures an 44
alternate means of contacting the client if the telehealth visit 45
is interrupted. Following the telehealth visit, the veterinarian 46
shall make available to the client an electronic or written 47
record of the visit. The electronic or written record shall 48

include the veterinarian's license number. 49

(3) Before conducting an evaluation of a patient via a 50
telehealth visit, the veterinarian advises the client of all of 51
the following: 52

(a) The veterinarian may ultimately recommend an in-person 53
visit; 54

(b) The veterinarian is prohibited under federal law from 55
prescribing certain drugs or medications based only on a 56
telehealth visit; 57

(c) The appointment for a telehealth visit may be 58
terminated at any time. 59

(d) The veterinarian may recommend the client to a 60
licensed veterinarian who can see the patient in person. 61

(B) A licensed veterinarian may prescribe drugs or 62
medications after establishing a veterinary-client-patient 63
relationship via telehealth services, except that all of the 64
following apply: 65

(1) The veterinarian may issue an initial prescription for 66
not more than thirty days. The veterinarian may issue one refill 67
for not more than thirty days if the veterinarian sees the 68
patient for another telehealth visits. For additional refills, 69
the patient shall visit the veterinarian in person. 70

(2) The veterinarian shall notify the client that certain 71
prescription drugs or medications may be available at a pharmacy 72
and, if requested, the veterinarian will submit a prescription 73
to a pharmacy of the client's choosing; 74

(3) The veterinarian shall not order, prescribe, or make 75
available a controlled substance, as defined in section 3719.01 76

of the Revised Code, unless the veterinarian has performed an 77
in-person physical examination of the patient. 78

Section 2. That existing section 4741.04 of the Revised 79
Code is hereby repealed. 80