OHIO VETERINARY MEDICAL LICENSING BOARD

- Generally allows a licensed veterinarian to conduct the practice of veterinary medicine via 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.
- Specifies that, with respect to veterinary telehealth services, the practice of veterinary medicine occurs in the state in which the patient is located.
- Generally prohibits a licensed veterinarian whose client is engaged in raising livestock for human food products from using telehealth services for those livestock unless the veterinarian has established a prior veterinary-client relationship in person with respect to those livestock.
- Allows a licensed veterinarian whose client is engaged in raising livestock for human food products to conduct tele-advice services prior to the veterinarian establishing a veterinary-client-relationship in person.
- 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 14 days and, after a subsequent telehealth visit, one refill for up to 14 days.
- Regarding establishing a veterinary-client-patient relationship and demonstrating knowledge of a patient to establish that relationship, adds to that the demonstration may include an examination of the patient in real time via telehealth services.

Veterinary telehealth services

(R.C. 4741.04 and 4741.041)

The act establishes requirements and procedures for a veterinarian licensed to practice in Ohio to conduct veterinary telehealth services with a client and the client's animal. A licensed veterinarian may conduct the practice of veterinary medicine via telehealth services if all 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 after receiving the informed consent.

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 the following:

a. The veterinarian may ultimately recommend an in-person visit with the veterinarian or another licensed veterinarian;

b. The veterinarian is prohibited under federal law from prescribing certain drugs or medications based only on a telehealth visit; and

c. The appointment for a telehealth visit may be terminated at any time.

For purposes of the act, with respect to telehealth services, the practice of veterinary medicine occurs in the state in which the patient is located.

Telehealth for livestock

A licensed veterinarian whose client is engaged in raising livestock for human food products may not use telehealth services for those livestock unless the veterinarian has established a veterinary-client-relationship (see below) in person with respect to the livestock prior to the use of telehealth services. However, a licensed veterinarian whose client is engaged in the raising of livestock for human food products may conduct tele-advice services for those livestock prior to the veterinarian establishing a veterinary-client-patient relationship in person with the client. The act states that these provisions apply to the extent permitted under federal law.

The act defines all of the following terms:

1. "Human food product" means livestock raised for human consumption or livestock whose products are used for human consumption;

2. "Livestock" means porcine animals, bovine animals, caprine animals, ovine animals, and poultry; and

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

Telehealth drug prescriptions

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

1. The veterinarian may issue an initial prescription for up to 14 days. The veterinarian may issue one refill for up to 14 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; and

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.

Veterinary-client-patient relationship

Continuing 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 (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 act adds that the demonstration may include an examination of the patient in real time via telehealth services in accordance with the act.

High-volume dog breeders and pet stores

The act states that nothing in its provisions governing telehealth services can be construed to invalidate or overrule the law governing high-volume dog breeders and pet stores.