

Be it enacted by the People of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 12-315-104, **amend** (19); and **add** (26), as follows:

12-315-104. Definitions. As used in this article 315, unless the context otherwise requires:

(19) "Veterinarian-client-patient relationship" means that relationship established when:

(a) The veterinarian has assumed the responsibility for making medical judgments regarding the health of an animal and the need for medical treatment, and the owner or other caretaker has agreed to follow the instruction of the veterinarian;

(b) There is sufficient knowledge of an animal by the veterinarian to initiate at least a general or preliminary diagnosis of the medical condition of the animal, which means that the veterinarian has recently seen and is personally acquainted with the keeping and care of the animal by virtue of ~~an examination of the animal or by medically appropriate and timely visits to the premises where the animal is kept;~~ and ONE OF THE FOLLOWING:

(I) AN EXAMINATION OF THE ANIMAL IN PERSON;

(II) AN ELECTRONIC EXAMINATION USING AN AUDIO-VIDEO BASED COMMUNICATION MEDIUM; OR BY

(III) MEDICALLY APPROPRIATE AND TIMELY VISITS TO THE PREMISES WHERE THE ANIMAL IS KEPT; and

(c) The practicing veterinarian is readily available, or has arranged for emergency coverage, for follow-up evaluation in the event of adverse reactions or failure of the treatment regimen.

(26) "VETERINARY TELEHEALTH" MEANS A MODE OF DELIVERY OF VETERINARY HEALTH-CARE SERVICES THROUGH TELECOMMUNICATION SYSTEMS, INCLUDING INFORMATION, ELECTRONIC, AND COMMUNICATION TECHNOLOGIES, TO FACILITATE THE ASSESSMENT, DIAGNOSIS, OR TREATMENT OF A PATIENT WHILE THE PATIENT IS AT ONE SITE AND THE VETERINARIAN IS AT A DIFFERENT SITE, AS SPECIFIED IN SECTION 12-315-127.

SECTION 2. In Colorado Revised Statutes, **add** 12-315-127 as follows:

12-315-127. Veterinary telehealth. (1) A VETERINARIAN HOLDING AN ACTIVE COLORADO LICENSE MAY PRACTICE VETERINARY TELEHEALTH ON A PATIENT LOCATED IN COLORADO.

(2) THE PRACTICE OF VETERINARY TELEHEALTH IS DEEMED TO OCCUR AT THE PREMISES WHERE THE PATIENT IS LOCATED AT THE TIME THE VETERINARIAN PRACTICES TELEHEALTH.

(3) THE BOARD HAS JURISDICTION OVER A VETERINARIAN PRACTICING VETERINARY TELEHEALTH ON A PATIENT IN COLORADO, REGARDLESS OF WHERE THE VETERINARIAN'S PHYSICAL OFFICE IS LOCATED.

(4) BEFORE DELIVERING VETERINARY MEDICINE VIA TELEHEALTH, THE VETERINARIAN SHALL INFORM THE OWNER OR OTHER CARETAKER ABOUT THE USE OF TELEHEALTH AND OBTAIN THEIR CONSENT TO USE TELEHEALTH, INCLUDING ACKNOWLEDGMENT OF BOTH OF THE FOLLOWING:

(a) THE SAME STANDARDS OF CARE APPLY TO VETERINARY MEDICINE SERVICES VIA TELEHEALTH AND IN-PERSON VETERINARY MEDICAL SERVICES.

(b) THE OWNER OR OTHER CARETAKER HAS THE OPTION TO CHOOSE AN IN-PERSON VISIT FROM A VETERINARIAN AT ANY TIME.

(5) A VETERINARIAN PRACTICING TELEHEALTH SHALL:

(a) TAKE APPROPRIATE STEPS TO ESTABLISH THE VETERINARIAN-CLIENT-PATIENT RELATIONSHIP AND CONDUCT ALL APPROPRIATE EVALUATIONS AND HISTORY OF THE PATIENT CONSISTENT WITH THE PREVAILING QUALITY OF VETERINARY MEDICAL CARE FOR THE PARTICULAR PATIENT PRESENTATION;

(b) PROVIDE THE OWNER OR OTHER CARETAKER WITH THE IDENTITY, LICENSE NUMBER, AND CONTACT INFORMATION OF THE VETERINARIAN PROVIDING THE VETERINARY TELEHEALTH SERVICE;

(c) ENSURE THAT THE TECHNOLOGY METHOD AND EQUIPMENT USED TO PROVIDE VETERINARY TELEHEALTH SERVICES COMPLY WITH ALL CURRENT PRIVACY PROTECTION LAWS;

(d) EMPLOY SOUND PROFESSIONAL JUDGMENT TO DETERMINE WHETHER USING VETERINARY TELEHEALTH IS AN APPROPRIATE METHOD FOR DELIVERING MEDICAL TREATMENT TO THE PATIENT; AND

(e) BE ABLE TO REFER THE OWNER OR OTHER CARETAKER TO A VETERINARIAN WHO MAY BE ABLE TO SEE THE PATIENT IN PERSON UPON REQUEST.

(6) THE PRACTICE OF VETERINARY TELEHEALTH IN COMPLIANCE WITH THIS SECTION IS NOT A QUALITY-OF-CARE VIOLATION, AND A VETERINARIAN MAY NOT BE DISCIPLINED SOLELY FOR PRACTICING VETERINARY TELEHEALTH.

(7) (a) EXCEPT AS PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION, A VETERINARIAN PRACTICING VETERINARY TELEHEALTH MAY ORDER, PRESCRIBE, OR MAKE AVAILABLE PRESCRIPTION DRUGS IN ACCORDANCE WITH ALL RELEVANT FEDERAL REGULATIONS AND SO LONG AS THE VETERINARIAN IS NOT IN VIOLATION OF SECTION 12-315-112 (1)(Y).

(b) A VETERINARIAN PRACTICING VETERINARY TELEHEALTH SHALL NOT ORDER, PRESCRIBE, OR MAKE AVAILABLE A PRESCRIPTION DRUG THAT IS A CONTROLLED SUBSTANCE, AS DEFINED IN SECTION 18-18-102 (5), UNLESS THE VETERINARIAN HAS PREVIOUSLY PERFORMED AN IN-PERSON PHYSICAL EXAMINATION OF THE PATIENT OR MADE MEDICALLY APPROPRIATE AND TIMELY VISITS TO THE PREMISES WHERE THE PATIENT IS KEPT.