

## Virginia Board of Veterinary Medicine

### Guidance for Telehealth in the Practice of Veterinary Medicine

1. What is telehealth?

Telehealth may be defined as the use of telecommunications and information technologies for delivery of veterinary medicine professional services by linking a patient (to include owner) and a veterinarian for assessment, intervention and treatment.

2. May a practitioner licensed in another state provide services to a patient located in Virginia?

In order to provide veterinary services to a patient in the Commonwealth of Virginia via telehealth, a practitioner must hold a current, active Virginia license and comply with relevant laws and regulations governing practice.

3. Is a veterinarian located in another state consulting with a Virginia licensee via telehealth required to be licensed?

The Code of Virginia states the following:

***§ 54.1-3805. License required.***

*No person shall practice veterinary medicine or as a veterinary technician in this Commonwealth unless such person has been licensed by the Board.*

***§ 54.1-3801. Exceptions.***

*This chapter shall not apply to: ...*

*2. Veterinarians licensed in other states called in actual consultation with veterinarians licensed in the Commonwealth who do not open an office or appoint a place to practice within the Commonwealth; ...*

4. Are there any regulations specific to providing veterinary services via telehealth?

Using telehealth technologies in veterinary practice is considered a method of service delivery. The current, applicable regulations apply to all methods of service delivery, including telehealth. The licensee is responsible for using professional judgment to determine if the type of service can be delivered via telehealth at the same standard of care as in-person service.

5. How does a Virginia licensed veterinarian establish a bona fide veterinarian-client-patient relationship for the purpose of prescribing?

**§ 54.1-3303. Prescriptions to be issued and drugs to be dispensed for medical or therapeutic purposes only.**

- A. *A prescription for a controlled substance may be issued only by a practitioner of . . . veterinary medicine who is authorized to prescribe controlled substances...*
- B. *A prescription shall be issued only to persons or animals with whom the practitioner has a bona fide practitioner-patient relationship or veterinarian-client-patient relationship.*

*For purposes of this section, a **bona fide** veterinarian-client-patient relationship is one in which a veterinarian, another veterinarian within the group in which he practices, or a veterinarian with whom he is consulting has assumed the responsibility for making medical judgments regarding the health of and providing medical treatment to an animal as defined in § [3.2-6500](#), other than an equine as defined in § [3.2-6200](#), a group of agricultural animals as defined in § [3.2-6500](#), or bees as defined in § [3.2-4400](#), and a client who is the owner or other caretaker of the animal, group of agricultural animals, or bees has consented to such treatment and agreed to follow the instructions of the veterinarian. Evidence that a veterinarian has assumed responsibility for making medical judgments regarding the health of and providing medical treatment to an animal, group of agricultural animals, or bees shall include evidence that the veterinarian (A) has sufficient knowledge of the animal, group of agricultural animals, or bees to provide a general or preliminary diagnosis of the medical condition of the animal, group of agricultural animals, or bees; (B) has made an examination of the animal, group of agricultural animals, or bees, either physically or by the use of instrumentation and diagnostic equipment through which images and medical records may be transmitted electronically or has become familiar with the care and keeping of that species of animal or bee on the premises of the client, including other premises within the same operation or production system of the client, through medically appropriate and timely visits to the premises at which the animal, group of agricultural animals, or bees are kept; and (C) is available to provide follow-up care.*

6. In order to provide the same standard of care as in-person service, what are some of the responsibilities of a practitioner when providing veterinary services via telehealth?
- To determine the appropriateness of providing assessment, intervention and treatment services via telehealth for each patient and each situation;
  - To ensure confidentiality and privacy of patients (to include owners) and their transmissions;
  - To maintain appropriate documentation including informed consent for use of telehealth;
  - To be responsible for the performance and activities of any unlicensed assistant or facilitator who may be used at the patient site, in accordance with Virginia [laws and regulations](#);
  - To ensure that equipment used for telehealth is in good working order and is properly maintained at both site locations;
  - To comply with Virginia requirements regarding maintenance of patient records and confidentiality of client information; and

- To ensure that confidential communications obtained and stored electronically cannot be recovered and accessed by unauthorized individuals when the licensee disposes of electronic equipment and data.
7. What factors should be considered when determining if telehealth is appropriate to use? Factors to consider include, but are not limited to:
- The quality of electronic transmissions should be equally appropriate for the provision of telehealth as if those services were provided in person;
  - The practitioner should only utilize technology for which he/she has been trained and is competent;
  - The practitioner should consider the patient's (to include owner's) behavioral, physical and cognitive abilities in determining appropriateness;
  - The practitioner should assess the ability of the owner or facilitator to safely and competently use electronic transmission equipment; and
  - The scope, nature and quality of services provided via telehealth should be comparable to those provided during in-person appointments.
8. May a practitioner licensed in Virginia provide services to a patient and its owner located in another state?

The Virginia Board does not have jurisdiction over practice in another state. A veterinarian seeking to practice via telehealth with a patient and its owner in another jurisdiction should contact the board for the other state to determine its licensure requirements.

9. Can a practitioner charge professional fees for services provided by telehealth?

The Board has no jurisdiction over billing, payment, or reimbursement for veterinary services.