

BILL ANALYSIS

Senate Research Center
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S.B. 1442
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Telemedicine has become a standard practice in human healthcare, expanding access to medical services for patients in remote or underserved areas. Virtual doctor-patient relationships are legal in all 50 states, allowing patients to receive care without an initial in-person visit. Following similar lines, veterinary telehealth has become a method to treat animals across many states as well. However, Texas law has prohibited the establishment of a veterinarian-client-patient relationship (VCPR) through electronic means, effectively banning veterinary telemedicine without an initial physical examination.

In *Hines v. Pardue*, 117 F.4th 769 (5th Cir. 2024), the United States Court of Appeals for the Fifth Circuit ruled that Texas' ban on electronic VCPRs was unconstitutional as applied, holding that the state's requirement for an in-person exam violated veterinarians' First Amendment rights. The court found that Texas imposed stricter telemedicine requirements for veterinarians treating animals than for physicians treating human patients. Writing for the court, Judge Don Willett observed: "Exam-free telehealth, turns out, is fine for your Uncle Bernard, but not for your Saint Bernard."

S.B. 1442 would update Texas law to align with the Hines decision and modern veterinary practice by allowing veterinarians to establish a VCPR through telemedicine. By modernizing Texas law in accordance with the Hines ruling, S.B. 1442 removes unconstitutional restrictions on veterinary telemedicine, expands access to care for animal owners across Texas, and ensures that veterinarians can lawfully use technology to provide safe and effective treatment.

As proposed, S.B. 1442 amends current law relating to the establishment of a veterinarian-client-patient relationship.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 801.351(c), Occupations Code, to authorize, rather than prohibit, a veterinarian-client-patient relationship to be established by telephone or electronic means, rather than solely by telephone or electronic means.

SECTION 2. Effective date: September 1, 2025.