

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 1442
By: Johnson
Water, Agriculture and Rural Affairs
4/25/2025
Committee Report (Substituted)

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.

(Original Author's/Sponsor's Statement of Intent)

C.S.S.B. 1442 amends current law relating to a study by the State Board of Veterinary Medical Examiners on establishing a veterinarian-client-patient relationship by telephone or electronic means.

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. (a) Defines "board."

(b) Requires the State Board of Veterinary Medical Examiners (TBVME) to conduct a study on establishing a veterinarian-client-patient relationship by telephone or electronic means, including by using audiovisual telecommunications technology. Requires TBVME, in conducting the study, to consider certain issues.

(c) Requires TBVME, not later than December 1, 2026, to submit to the governor, the lieutenant governor, the speaker of the house of representatives, and each standing committee of the legislature with primary jurisdiction over the practice of veterinary medicine a report on the results of the study conducted under Subsection (b) of this

section and any recommendations for legislative or other action. Authorizes the report to be submitted electronically.

SECTION 2. Provides that this Act expires December 31, 2026.

SECTION 3. Effective date: September 1, 2025.