



It is essential for veterinarians to know what is required by law for a valid veterinarian-client-patient relationship and what options a producer located in a more remote area may have for obtaining the appropriate drug the veterinarian has deemed necessary to treat, control or prevent disease in a timely manner. Livestock – being prey animals – tend to be stoic when displaying clinical signs of disease. Even the most astute diagnostician knows that by the time an animal shows visible signs of illness, the injury from disease pathology has already occurred. As technology may improve the veterinarian's ability to detect and diagnose bacterial infections in animals, the necessity to have the appropriate drug available in order to treat, control, or, in limited circumstances, prevent disease in an animal will always be a priority ([Food and Agriculture Code \(FAC\) § 14402](#)).

Effective January 1, 2018, a prescription from a California-licensed veterinarian (within a valid veterinarian-client-patient relationship [VCPR]) is required for the use of all medically important antibiotics in California livestock ([FAC § 14400-14408](#)). Federal law, through [Guidance for Industry #263](#), similarly brought the rest of the nation's medically important antibiotic drugs under veterinary control in June 2023.

Veterinarian-Client-Patient Relationship (VCPR):

- It is the veterinarian's obligation to establish a VCPR before practicing veterinary medicine, unless the patient is a wild animal or the owner is unknown ([16 California Code of Regulations \(CCR\) § 2032.1](#)).
- The criteria that must be met in order to establish a valid VCPR in California include ([16 CCR § 2032.1](#)):
 - The client has authorized the veterinarian to assume responsibility for making medical judgments regarding the health of the animal, including the need for medical treatment;
 - The veterinarian has sufficient knowledge of the animal(s) to initiate at least a general or preliminary diagnosis of the medical condition of the animal(s). This means that the veterinarian is personally acquainted with the care of the animal(s) by virtue of either ([11 Business and Professions Code \(BPC\) § 4826.6](#)):
 - examining the animal patient in person,
 - examining the animal patient by use of synchronous audio-video communication, or
 - by making medically appropriate and timely visits to the premises where the animals are kept; and
 - The veterinarian has assumed responsibility for making medical judgments regarding the health of the animal and has communicated with the client a course of treatment appropriate to the circumstance.
- **Effective January 1, 2024, telehealth**, via synchronous audio-video communication, is permissible for establishing a new VCPR in California.** In an emergency situation, a veterinarian is permitted to use telehealth** without establishing a VCPR in order to provide advice until the patient can be seen by or transported to a veterinarian ([11 BPC § 4826.6 \(i\)\(2\)](#)).

Veterinary Prescriptions

- If a veterinarian decides that a medically important antibiotic is necessary to treat, control, or, in some cases, prevent a disease before dispensing the drug, the veterinarian must offer the client a written prescription that the client may choose to have filled by any licensed facility ([9 BPC § 4170 \(a\)\(6\)](#)).
- Veterinarians must notify the client in writing that they have a choice to obtain either the medication or a written prescription and that they shall not be charged for the written prescription ([16 CCR § 2032.2\(c\)](#)). This may be posted in their place of business.
- A drug cannot be prescribed for a period of time longer than one year from the date the veterinarian examined the animal(s) without examining the animal again ([16 CCR § 2032.1\(c\)](#)). This does not mean that a veterinarian is obligated to provide a medication for an entire year. The amount of medication that the veterinarian dispenses or prescribes is based on their professional judgement in relation to the medical condition of the animal or group of animals for which the VCPR is established.
 - A veterinarian who established the required veterinarian-client-patient relationship using synchronous audio-video communication shall not prescribe a drug to the animal patient for use for a period longer than six months from the date upon which the veterinarian examined the animal patient or prescribed the drug. The veterinarian shall not issue another prescription to the animal patient for the same drug unless they have conducted another examination of the animal patient, either in person or using telehealth** ([11 BPC § 4826.6 \(i\)\(4\)](#)).
 - **Antibiotic prescriptions issued through the establishment of a veterinarian-client-patient relationship using synchronous audio-video communication cannot be authorized for a period longer than 14 days of treatment.** Note, VFDs are not permitted to be issued through telehealth**. No additional antibiotic drug prescription, including refills, can be issued unless the veterinarian has conducted an in-person examination of the animal patient ([11 BPC § 4826.6 \(i\)\(2\)](#)).

***Throughout this document, the term telehealth or telemedicine is used as it may be more familiar to readers. In order to be compliant with California code, synchronous audio-video communication is required for establishing a telehealth VCPR.*



Current Options for Filling Prescriptions

- **Veterinary Food Animal Drug Retailer (VFADRs)**, licensed by the California Board of Pharmacy, can fill prescriptions for pick-up or delivery. You can look up licensed VFADRs at http://www.pharmacy.ca.gov/about/verify_lic and select “Veterinary Food-Animal Drug Retailer” under “Facility License”. To get a complete list, do not enter any sorting criteria before clicking on “Search.” Use the license information to look up the retailer’s contact information, and ask the retailer how they will accept prescriptions, as well as options for obtaining antibiotics.
- **Licensed Pharmacies**: Ask your local pharmacy if they carry veterinary livestock drugs or search for another pharmacy at http://www.pharmacy.ca.gov/about/verify_lic and select “Pharmacies” under “Facility License”.
- **Licensed Online Pharmacies**: Several veterinary internet pharmacies are registered with the California Board of Pharmacy to fill prescriptions in the state. Encourage your clients to purchase from legitimate sources to ensure the quality is backed by the FDA and payment details are secured from fraudulent websites. Find a verified pharmacy at <https://www.safe.pharmacy/buying-safely/#USvets>.
- **Veterinarians**: Veterinarians may dispense medically important antibiotics for their patients within a valid VCPR, but they cannot fill prescriptions from veterinarians outside of their practice (**9 BPC § 4170**), except under limited circumstances (**16 CCR § 2032.25**).
 - *Please note: per 21 CFR 530.3(i), the FDA does not recognize telehealth** as a valid method for establishing a VCPR for prescription of Veterinary Feed Directive (VFD) drugs and Extra Label Drug Use (ELDU), but does allow an existing VCPR to be maintained electronically.*
 - *Therefore, VFD drugs, medically important antibiotics delivered via feed, and ELDU must follow the federal version of the VCPR and may only be prescribed when a VCPR has been established by examination of animal patients in-person, pursuant to federal law.*

Please note: the "Livestock: Use of Antimicrobial Drugs" law does not change where medicated feed can be purchased. The Veterinary Feed Directive (VFD) is an existing federal requirement that went into effect January 1, 2017.

If finding options to provide timely access to treatment is challenging in your area, please contact us at CDFA_AUS@CDFA.CA.GOV to address potential solutions in these areas.

CONTACT AUS

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