

# SUNSET REVIEW REPORT 2025

Presented to the Senate  
Committee on Business,  
Professions and Economic  
Development and the  
Assembly Committee on  
Business and Professions







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# **California Veterinary Medical Board**

## **BACKGROUND INFORMATION AND OVERVIEW OF THE CURRENT REGULATORY PROGRAM**

**As of 11/18/2024**



# SECTION 1

## BACKGROUND AND DESCRIPTION OF THE BOARD AND REGULATED PROFESSION

Provide a short explanation of the history and function of the board.<sup>1</sup> Describe the occupations/professions that are licensed and/or regulated by the board (Practice Acts vs. Title Acts).

Created in 1893, the California Veterinary Medical Board (Board) regulates the largest population of veterinarians, veterinary hospitals, registered veterinary technicians (RVT), and veterinary assistant controlled substance permit (VACSP) holders in the nation. Its mission is to protect all consumers and animals by regulating licensees, promoting professional standards, and enforcing the California Veterinary Medicine Practice Act (Act). Public protection is the Board's highest priority in exercising its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public is paramount.

### 1. Describe the make-up and functions of each of the board's committees (cf., Section 12, Attachment B).

#### **Wellness Evaluation Committee (WEC)**

The Board's WEC was statutorily authorized in 1982 to assist the Board in seeking ways and means to identify and rehabilitate veterinarians and RVTs with impairment due to abuse of dangerous drugs or alcohol affecting competency so that veterinarians and RVTs so afflicted may be treated and returned to the practice of veterinary medicine in a manner that will not endanger the public health and safety (Business and Professions Code (BPC) § 4860). The WEC has statutory duties and responsibilities, including evaluating veterinarians and RVTs who request participation in the program according to guidelines prescribed by the Board and considering the case of each veterinarian or RVT participating in the program to determine whether they may with safety continue or resume the practice of veterinary medicine or the assisting in the practice of veterinary medicine. (BPC § 4868.) The WEC consists of five members comprised of at least one veterinarian, two public members, and one RVT. Each WEC member is required to have experience or knowledge in the evaluation or management of persons who are impaired due to alcohol or drug use (BPC § 4861).

#### **Multidisciplinary Advisory Committee (MDC)**

In 2009, the Legislature established the Board's MDC to assist, advise, and make recommendations for the implementation of rules and regulations necessary to ensure proper administration and enforcement of the Act and to assist the Board in its examination, licensure, and registration programs. The MDC consists of nine members comprised of five licensed veterinarians, three RVTs, and one public member. One veterinarian and one RVT must be Board members (BPC § 4809.8).

#### **Board/MDC Created Committees**

In addition to the two statutorily mandated committees, the Board and the MDC often create subcommittees to focus on specific issues. These two-member committees or subcommittees conduct research, lead discussions, and make recommendations to the MDC and the Board on how to adequately address current issues. The Board currently has three standing committees/subcommittees:

- Executive Committee
- Complaint Audit Subcommittee
- California Department of Food and Agriculture

Since the last review, the Board has also created subcommittees and task forces to address the following topics and issues:

- Equine Practice
- Drug Compounding
- Medical Records
- Inspections
- RVT Education
- Alternate Veterinary Premises
- Access to Veterinary Care Task Force
- Unlicensed Practice
- Outreach
- National Examination

<sup>1</sup>The term "board" in this document refers to a board, bureau, commission, committee, council, department, division, program, or agency, as applicable. Please change the term "board" throughout this document to appropriately refer to the entity being reviewed.



### **Board Members and Bios**

#### **Christina Bradbury, DVM, Professional Member, President**

Dr. Bradbury of Meadow Vista was appointed to the Board in October 2018. She has been an internist in private practice in the greater Sacramento area since 2010. Dr. Bradbury received her board certification in small animal internal medicine from Colorado State University Veterinary Teaching Hospital in 2010, and completed an internship at Texas A&M College of Veterinary Medicine and Biomedical Sciences from 2006 to 2007. She is a member of the Sacramento Valley Veterinary Medical Association, California Veterinary Medical Association, Comparative Gastroenterology Society, American College of Veterinary Internal Medicine and the American Veterinary Medical Association. Dr. Bradbury earned a Doctor of Veterinary Medicine degree from the University of California, Davis and a Master of Science degree in clinical science from the Colorado State University, College of Veterinary Medicine and Biomedical Sciences.

#### **Maria Preciosa S. Solacito, DVM, Professional Member, Vice President**

Dr. Solacito of Palmdale was appointed to the Board in August 2020. She has been practicing as an emergency veterinarian at Greater Good Veterinary Care in Lancaster since November 2023. Dr. Solacito served in government with the County of Los Angeles, Department of Animal Care and Control, as Deputy Director from 2022 to 2023, as Senior Veterinarian from 2013 to 2021, and as Shelter Veterinarian from 2008 to 2012. She is a member of the Southern California Veterinary Medical Association, Southern California Filipino Veterinary Medical Association, Association for Animal Welfare Advancement, California Animal Welfare Association, and the Philippine Veterinary Medical Association. Dr. Solacito earned her Doctor of Veterinary Medicine degree from the University of the Philippines, College of Veterinary Medicine.

#### **Patrick Espinoza, Public Member**

Mr. Espinoza of San Diego was appointed to the Board in June 2024. Mr. Espinoza has served as Chief Deputy District Attorney at the San Diego County District Attorney's Office since 2021 and has served in positions there since 1995, including Division Chief, Team Leader and Deputy District Attorney. Mr. Espinoza is a member of the San Diego County Bar Association, La Raza Lawyers Association and the California District Attorneys Association. He earned a Bachelor of Arts degree in Political Science from Stanford University and a Juris Doctor degree from the University of California, Los Angeles School of Law.

#### **Barrie Grant, DVM, Professional Member**

Dr. Grant of Bonsall was appointed to the Board in February 2023. He has been an Equine Surgeon in private practice since 2008. Dr. Grant was an Equine Surgeon at San Luis Rey Equine Hospital from 1991 to 2008. He was a Faculty Member at Washington State University from 1969 to 1972 and from 1974 to 1991. Dr. Grant earned Doctor of Veterinary Medicine and Master of Science degrees from Washington State University.

#### **Steven Manyak, DVM, Professional Member**

Dr. Manyak of Long Beach was appointed to the Board in July 2024. Dr. Manyak has been President and Lead Veterinarian at Pine Animal Hospital, Inc. since 2012. He was an Associate Veterinarian at Rose City Veterinary Hospital from 2010 to 2011. Dr. Manyak was a Veterinary Assistant with Advanced Critical Care, Los Angeles in 2008. He is Board Chair of The Veterinary Cooperative. Dr. Manyak earned a Doctor of Veterinary Medicine degree from the Western University of Health Sciences and a Bachelor of Science degree in Microbiology from the University of California, Davis.

#### **Kristi Pawlowski, RVT, Professional Member**

Ms. Pawlowski of Mather was appointed to the Board in June 2023. She has been Chief Insight Director for the Insight Veterinary Wellness Center since 2020. Ms. Pawlowski has been Executive Director at the Sacramento Valley Veterinary Medical Association since 1991. She was Owner and Hospital Manager of Banfield Pet Hospital of Lincoln from 2007 to 2016 and of Banfield Pet Hospital of Folsom from 2002 to 2016. Ms. Pawlowski earned a Bachelor of Science degree in Human Resources and Organizational Behavior from California State University, Sacramento in 2019.

#### **Dianne Prado, Public Member**

Ms. Prado of Los Angeles was appointed to the Board in June 2019. She is the founder and Executive Director of the Housing Equality & Advocacy Resource Team (HEART L.A.). Ms. Prado began her career as a staff attorney with the Eviction Defense Network. She then joined the Inner City Law Center in 2012 as a Staff Attorney with the Homelessness Prevention Project. Ms. Prado then joined the Slum Housing Litigation unit and became a Supervising Attorney. She is a graduate of Western State University College of Law and holds her Bachelor of Arts in Criminology, Law, & Society from the University of California, Irvine.



**Veterinary Medical Board (VMB) Member Roster and Attendance Fiscal Years (FYs) 2019/2020–2024/2025**

Location	July 17–18, 2019	September 12, 2019	October 9–11, 2019	November 6, 2019	January 30–31, 2020	April 23, 2020	May 14, 2020	June 4, 2020	July 2, 2020	July 23–24, 2020	August 13, 2020	October 22–23, 2020	January 28–29, 2021	April 22–23, 2021	July 22–23, 2021	October 21–22, 2021	January 19–20, 2022	April 20–21, 2022	July 20–21, 2022	October 19–20, 2022	January 25–26, 2023	April 19–20, 2023	May 24, 2023	July 19–20, 2023	October 18–19, 2023	October 20, 2023	January 17–18, 2024	April 17–19, 2024	July 24–25, 2024	October 16–17, 2024	November 4, 2024	January 15–16, 2025	April 16–17, 2025			
Name of Board Member (Member Type/ Appointed By)	FY 19/20								FY 20/21				FY 21/22				FY 22/23				FY 23/24				FY 24/25											
<b>Cheryl Waterhouse, DVM</b> (Professional Member / Governor) Appointed: 06/07/2012; Re-Appointed: 07/07/2016 Term Expiration: 06/01/2020*	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended
<b>Mark Nunez, DVM</b> (Professional Member / Governor) Appointed: 08/20/2013; Re-Appointed: 02/27/2018 Term Expiration: 06/01/2021*	Attended	Attended	Attended	Not in Attendance/Excused Absence	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended
<b>Kathy Bowler</b> (Public Member / Governor) Appointed: 08/04/2014; Re-Appointed: 10/12/2018 Term Expiration: 06/01/2022*	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended
<b>Jennifer Loredo, RVT</b> (Professional Member / Governor) Appointed: 09/04/2014; Re-Appointed: 10/12/2018 Term Expiration: 06/01/2022*	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended
<b>Jaymie Noland, DVM</b> (Professional Member / Governor) Appointed: 09/22/2015; Re-Appointed: 01/16/2020 Term Expiration: 06/01/2023*	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended
<b>Alana Yanez</b> (Public Member / Senate Rules Committee) Appointed: 07/12/2017 Term Expiration: 06/01/2020*	Not in Attendance/Excused Absence	Not in Attendance/Excused Absence	Not in Attendance/Excused Absence	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended
<b>Christina Bradbury, DVM</b> (Professional Member / Governor) Appointed: 10/12/2018; Re-Appointed: 04/21/2023 Term Expiration: 06/01/2026	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended
<b>Dianne Prado</b> (Public Member / Speaker of the Assembly) Appointed: 06/10/2019; Re-Appointed: 06/01/2022 Term Expiration: 06/01/2026	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended
<b>Maria Preciosa S. Solacito, DVM</b> (Professional Member / Governor) Appointed: 08/24/2020 Term Expiration: 06/01/2024	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended

\*Served up to a 1 year extension (BPC § 4802)

■ Attended    
 ■ Not in Attendance/Excused Absence    
 ■ Canceled    
 ■ Not Applicable







**Multidisciplinary Advisory Committee (MDC) Member Roster and Attendance Fiscal Years (FYs) 2019/2020–2024/2025**

Location	Sacramento	Sacramento	Sacramento	Teleconference	Teleconference	Teleconference	Teleconference	Teleconference	Teleconference	Teleconference	Teleconference	Teleconference	Teleconference	Teleconference	Teleconference	Teleconference	Teleconference	Teleconference	Teleconference	Teleconference				
Dates	July 16, 2019	October 8, 2019	January 29, 2020	April 22, 2020	July 22, 2020	October 21, 2020	January 27, 2021	April 21, 2021	July 21, 2021	October 20, 2021	January 18, 2022	April 19, 2022	July 19, 2022	October 18, 2022	January 24, 2023	April 18, 2023	July 18, 2023	October 17, 2023	January 16, 2024	April 16, 2024	July 23, 2024	October 15, 2024	January 14, 2025	April 15, 2025
Name of Board Member (Member Type/ Appointed By)	FY 19/20	FY 20/21	FY 21/22	FY 22/23	FY 23/24	FY 24/25																		
<b>Jeff Pollard, DVM</b> (Professional Member / Veterinary Medical Board) Appointed: 10/20/2014; Term Expiration: 06/30/2017 Re-Appointed: 07/25/2017; Term Expiration: 06/30/2020**	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended
<b>Kristi Pawlowski, RVT</b> (Professional Member (Board Liaison*) / Governor* / Veterinary Medical Board) Appointed: 06/08/2015; Term Expiration: 06/30/2018 Re-Appointed: 05/23/2018; Term Expiration: 06/30/2021** Appointed: 06/28/2023*; Term Expiration: 06/01/2026*	Not in Attendance/Excused Absence	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended
<b>Stuart Eckmann</b> (Public Member / Veterinary Medical Board) Appointed: 05/23/2018; Term Expiration: 06/30/2021; Resigned: 01/27/2021	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended
<b>Margaret Warner, DVM</b> (Professional Member / Veterinary Medical Board) Appointed: 05/23/2018; Term Expiration: 06/30/2021	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended
<b>Leah Shufelt, RVT</b> (Professional Member / Veterinary Medical Board) Appointed: 05/23/2018; Term Expiration: 06/30/2020 Re-Appointed: 07/23/2020; Term Expiration: 06/30/2023 Re-Appointed: 10/18/2023; Term Expiration: 06/30/2026	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended
<b>Kevin Lazarcheff, DVM</b> (Professional Member / Veterinary Medical Board) Appointed: 05/23/2018; Term Expiration: 06/30/2021 Re-Appointed: 04/22/2021; Term Expiration: 06/30/2024	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended
<b>Jennifer Loreda, RVT</b> (Professional Member (Board Liaison*) / Governor*) Appointed: 10/19/2018*; Term Expiration: 06/30/2022*/**	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended
<b>Richard Sullivan, DVM</b> (Professional Member (Board Liaison*) / Governor* / Veterinary Medical Board) Appointed: 07/08/2014*; Term Expiration: 06/01/2019* Re-Appointed: 04/17/2019; Term Expiration: 06/30/2022 Re-Appointed: 04/20/2022; Term Expiration: 06/30/2025	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended
<b>Cheryl Waterhouse, DVM</b> (Professional Member (Board Liaison*) / Governor* / Veterinary Medical Board) Appointed: 06/07/2016*; Term Expiration: 06/01/2020*/** Appointed: 05/24/2023; Term Expiration: 06/30/2026	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended
<b>Jamie Peyton, DVM</b> (Professional Member / Veterinary Medical Board) Appointed: 07/23/2020; Term Expiration: 06/30/2023; Resigned: 10/10/2022	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended
<b>Christina Bradbury, DVM</b> (Professional Member (Board Liaison*) / Governor*) Appointed: 09/21/2020*; Term Expiration: 06/01/2023*/**; Resigned: 08/25/2023	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended	Attended

\*Period served as the Board's Liaison  
\*\*Served up to a 1 year extension

Legend: ■ Attended ■ Not in Attendance/Excused Absence ■ Canceled ■ Not Applicable



Multidisciplinary Advisory Committee (MDC) Member Roster and Attendance Fiscal Years (FYs) 2019/2020–2024/2025																
Location	Sacramento	Sacramento	Sacramento	Cancelled	Teleconference	Teleconference	Teleconference	Teleconference	Teleconference	Teleconference	Teleconference	Teleconference				
Dates	July 16, 2019	October 8, 2019	January 29, 2020	April 22, 2020	July 22, 2020	October 21, 2020	January 27, 2021	April 21, 2021	July 21, 2021	October 20, 2021	January 18, 2022	April 19, 2022				
Name of Board Member (Member Type/ Appointed By)	FY 19/20			FY 20/21			FY 21/22			FY 22/23			FY 23/24		FY 24/25	
<b>Maria Salazar Sperber, JD</b> (Public Member / Veterinary Medical Board) Appointed: 01/28/2021; Term Expiration: 06/30/2024; Resigned: 07/31/2022																
<b>Dianne Sequoia, DVM</b> (Professional Member / Veterinary Medical Board) Appointed: 04/22/2021; Term Expiration: 06/30/2024																
<b>Marie Ussery, RVT</b> (Professional Member / Veterinary Medical Board) Appointed: 10/21/2021; Term Expiration: 06/30/2024 Re-Appointed: 04/17/2024; Term Expiration: 06/30/2027																
<b>W. Kent Fowler, DVM</b> (Professional Member / Veterinary Medical Board) Appointed: 01/25/2023; Term Expiration: 06/30/2026; Resigned: 04/18/2023																
<b>Kathy Bowler</b> (Public Member / Veterinary Medical Board) Appointed: 04/19/2023; Term Expiration: 06/30/2026																
<b>Barrie Grant, DVM</b> (Professional Member (Board Liaison*) / Governor*) Appointed: 08/25/2023*; Term Expiration: 06/01/2025*																
<b>Jeni Goedken, DVM</b> (Professional Member / Veterinary Medical Board) Appointed: 07/23/2024; Term Expiration: 06/30/2027																
<b>Mark Nunez, DVM</b> (Professional Member / Veterinary Medical Board) Appointed: 07/23/2024; Term Expiration: 06/30/2027																

\*Period served as the Board's Liaison

\*\*Served up to a 1 year extension

■ Attended    
 ■ Not in Attendance/Excused Absence    
 ■ Canceled    
 ■ Not Applicable



**2. In the past four years, was the board unable to hold any meetings due to lack of quorum? If so, please describe. Why? When? How did it impact operations?**

The January 17–18, 2024 Board meeting was canceled due to a lack of quorum of members who were able to participate in the same physical location. At the time, the Board had six members, one of which was scheduled to participate virtually. A few days prior to the meeting, a member tested positive for COVID-19 and could not participate in person. While the member was willing to participate virtually, the new requirement for a quorum of members to be physically present at the same location forced the Board to cancel the meeting. All items scheduled for the January meeting were pushed to April, causing the Board to add an additional day to the meeting.

**3. Describe any major changes to the board since the last Sunset Review, including, but not limited to:**

• **Internal changes (i.e., reorganization, relocation, change in leadership, strategic planning)**

Since the last Sunset Review, the Board's workforce has increased by 40%. After hiring a new Executive Officer and management team in FY 2018/19, the Board began restructuring units to better address operational needs and the increased workload. In FY 2021/22 the Board combined the Inspection and Enforcement Units into one Enforcement Unit where the analysts all now review inspection (minimum standards) cases and enforcement (standard of care) cases. At the beginning of FY 2023/24, the Board hired one Staff Services Manager II to serve as the Board's Deputy Executive Officer.

The Board completed all objectives for its 2020-2024 Strategic plan a year early. As such, the Board met in October of 2023 to develop a new Strategic Plan for 2024-2026. The Board anticipates approving the new plan in April 2024.

• All legislation sponsored by the board and affecting the board since the last Sunset Review.

**Legislative Activity**

The following legislative actions were introduced and/or enacted since the last Sunset Review. For each bill, only the affected sections contained within the Veterinary Medicine Practice Act [commencing with BPC § 4800], general provisions of the BPC, or sections of other codes pertaining to the Board are listed.

**1. Bill Number: AB 2113 (Low, Chapter 186, Statutes of 2020)**

**Subject Matter:** Refugees, Asylees, and Special Immigrant Visa Holders: Professional Licensing: Initial Licensure Process

**Sections Affected:** BPC Section 135.4

**Effective Date:** January 1, 2021

Summary: This law requires boards and bureaus within the Department of Consumer Affairs (DCA) to expedite the initial licensure process for an applicant who supplies satisfactory evidence that they are a refugee, have been granted asylum, or have a special immigrant visa, as specified. This law also allows boards and bureaus to assist these applicants during the initial licensure process. This law further specifies that persons applying for expedited licensure will still be required to meet all applicable statutory and regulatory licensure requirements.

**2. Bill Number: SB 878 (Jones, Chapter 131 Statutes of 2020)**

**Subject Matter:** Department of Consumer Affairs: License Application: Processing Times

**Sections Affected:** BPC Section 139.5

**Effective Date:** January 1, 2021

Summary: Beginning July 1, 2021, this law requires each board and bureau within the DCA that issues licenses, to prominently display on their websites each quarter either the current average time frame for processing initial and renewal license applications, or the combined current average time frame for processing both initial and renewal license applications. This law will also require each board or bureau to quarterly post on their websites either the current average processing time frame for each licensing type administered by the program, or the combined current average time frame for processing all licensing types administered by the program.

**3. Bill Number: SB 1474 (Business, Professions and Economic Development Committee, Chapter 312, Statutes of 2020)**

**Subject Matter:** Business and Professions

**Sections Affected:** Relevant BPC Sections: 125.9, 4800, 4804.5; Civil Code Section 1670.8.5

**Effective Date:** January 1, 2021

Summary: As applicable to the Board, this bill: 1) provides that a Board licensee's failure to comply with an order of abatement or fine and order and abatement pursuant to a citation may result in disciplinary action; (2) prohibits a contract or proposed contract for the provision of a consumer service by a Board licensee from including a provision limiting the consumer's ability to file a complaint with the Board or to participate in the Board's



investigation into the licensee, specifies that a waiver of these provisions is contrary to public policy and is void and unenforceable, and provides that a violation of these provisions by a licensee constitutes unprofessional conduct subject to discipline by the Board; and 3) provides a one-year sunset extension for the Board, which was undergoing the sunset review process prior to COVID-19 and extends the operations of the Board until January 1, 2022;

**4. Bill Number: AB 107 (Salas, Chapter 693, Statutes of 2021)**

**Subject Matter:** Licensure: Veterans and Military Spouses

**Sections Affected:** BPC Sections 115.6, 115.8, 115.9

**Effective Date:** January 1, 2022

Summary: This bill, after July 1, 2023, requires most boards and bureaus within DCA to issue temporary licenses to military spouses meeting specified criteria within 30 days, including passing a background check if one is required for licensure. This bill also requires DCA and boards and bureaus to post license information for military spouses on their websites and requires DCA to submit an annual report on licensure of military members, veterans, and spouses.

**5. Bill Number: AB 1282 (Bloom, Chapter 752, Statutes of 2021)**

**Subject Matter:** Veterinary Medicine: Blood Banks for Animals

**Sections Affected:** Relevant Sections: BPC Sections 4826, 4836.5

**Effective Date:** January 1, 2022

Summary: This bill allows community-based animal blood banks to commercially sell animal blood from community donors. This bill expands the scope of actions constituting veterinary medicine to include the collection of blood from an animal for the purpose of transferring or selling that blood and blood component products, as defined, to a licensed veterinarian for use at a registered premises, except in certain circumstances. It authorizes the Board to establish a community-based animal blood bank registration, to be renewed annually, to cover the costs associated with oversight and inspection of community-based animal blood banks. It establishes specified safety procedures, such as veterinarian supervision and testing of the blood. This bill also requires both closed colony and community-based animal blood banks to submit quarterly reports to the California Department of Food and Agriculture, which would subsequently be required to phase out licensing of closed colony blood banks within 18 months once the reports show that community-based

blood banks are collecting an annual amount equal to the amount sold by closed colony blood banks in four consecutive quarters.

**6. Bill Number: AB 1535 (Committee on Business and Professions, Chapter 631, Statutes of 2021)**

**Subject Matter:** Veterinary Medical Board: Application and Examination: Discipline and Citation

**Sections Affected:** BPC Sections 4800, 4804.5, 4826.3, 4827, 4830, 4836.2, 4836.3, 4841.4, 4841.5, 4842.5, 4846, 4846.4, 4847, 4847.1, 4848, 4848.1, 4848.3, 4849, 4853, 4853.1, 4853.6, 4854.1, 4861, 4862, 4863, 4864, 4866, 4867, 4868, 4869, 4870, 4871, 4872, 4873, 4875.2, 4875.6, 4883, 4900, and 4905

**Effective Date:** January 1, 2022

Summary: This bill extends the Sunset date of the Board from January 1, 2022, to January 1, 2026. Other notable provisions include: (1) removes the state-specific examinations for veterinarians and RVTs; (2) removes temporary and intern veterinarian licenses; (3) removes the requirement for out-of-state licensees to take an in-person California-specific course for reciprocity purposes; (4) decreases fees by 36% for RVTs; (5) prohibits a veterinary premises registration holder who is not a California-licensed veterinarian from interfering with, controlling, or otherwise directing the professional judgment of any California-licensed veterinarian or registered RVT; (6) expands disclosure requirements for veterinary premises registrations; (7) allows the Board to deem applications abandoned after one year of inactivity; (8) renames the Diversion Evaluation Committee to the Wellness Evaluation Committee, and (9) exempts a person providing specified care to animals deposited at animal shelters from licensure requirements and exempts animal shelters from the veterinary premises registration requirement if those shelters are solely administering nonprescription vaccinations, nonprescription medications, and medications pursuant to a written treatment plan.

**7. Bill Number: SB 731 (Durazo, Chapter 814, Statutes of 2022)**

**Subject Matter:** Criminal Records: Relief

**Sections Affected:** Penal Code Sections 851.93, 1203.41, 1203.425, 11105

**Effective Date:** July 1, 2023

Summary: This bill, among other provisions, expands the types of arrest records that are eligible to be automatically sealed to include more types of felonies under specified circumstances. This bill also allows certain felony convictions that resulted in incarcerations



to be automatically sealed as long as the individual has completed their sentence and has not been convicted of a new felony within four years. It also expands the date range for which arrests and convictions are eligible to be automatically sealed.

**8. Bill Number: SB [1237](#) (Newman, Chapter 386, Statutes of 2022)**

**Subject Matter:** Licenses: Military Service

**Sections Affected:** BPC Section 114.3

**Effective Date:** January 1, 2023

Summary: This bill clarifies that military members on active duty with the California National Guard or members of the military on non-temporary assignments stationed outside California are eligible for a waiver of license renewal fees, continuing education requirements, and other license renewal requirements.

**9. Bill Number: SB [1495](#) (Committee on Business, Professions and Economic Development, Chapter 511, Statutes of 2022)**

**Subject Matter:** Professions and Vocations

**Sections Affected:** Relevant Sections: BPC Sections 4846.5, 4883

**Effective Date:** January 1, 2023

Summary: This was the Senate Committee on Business, Professions and Economic Development 2022 omnibus bill. As applicable to the Board, the bill removes gendered language throughout the BPC; deleted an obsolete provision regarding continuing education hours earned by attending courses sponsored or cosponsored by certain entities, as specified, and authorized Board licensees to state, claim, or advertise a veterinary specialty or certification by a National Association of Veterinary Technicians in America-Recognized Veterinary Specialty Organization.

**10. Bill Number: AB [1885](#) (Kalra, Chapter 389, Statutes of 2022)**

**Subject Matter:** Cannabis and Cannabis Products: Animals: Veterinary Medicine

**Sections Affected:** BPC Sections 4883, 4884, 26000, 26001, 26130

**Effective Date:** January 1, 2023

Summary: This bill allows veterinarians to recommend cannabis for use on animal patients; requires the Board to adopt guidelines for veterinarians to use when recommending cannabis and post those guidelines to the Board's website by January 1, 2024; includes cannabis products intended for use on an animal in the definition of cannabis products; and requires any cannabis products intended for use by an animal to conform with any

additional standards or regulations established by the Department of Cannabis Control, which the bill requires be promulgated no later than July 1, 2025.

**11. Bill Number: AB [883](#) (Mathis, Chapter 348, Statutes of 2023)**

**Subject Matter:** Business Licenses: United States Department of Defense SkillBridge Program

**Sections Affected:** BPC Section 115.4

**Effective Date:** January 1, 2024

Summary: This bill would require, on and after July 1, 2024, a board to expedite, and authorize a board to assist, in the initial licensure process for an applicant who supplies satisfactory evidence to the board, that the applicant is an active duty member of a regular component of the Armed Forces of the United States enrolled in the United States Department of Defense SkillBridge program, as specified, and would provide that regulations to administer those provisions be adopted in accordance with the rulemaking provisions of the Administrative Procedure Act (APA) (GC § 11400 et seq.).

**12. Bill Number: AB [1399](#) (Friedman, Chapter 475, Statutes of 2023)**

**Subject Matter:** Veterinary Medicine: Veterinarian-Client-Patient Relationship: Telehealth

**Sections Affected:** BPC Sections 4067, 4825.1, 4826.6, 4829.5, 4853, 4857, 4875.1; Food and Agriculture Code Section 14401

**Effective Date:** January 1, 2024

Summary: Similar to existing regulation, this bill would prohibit the practice of veterinary medicine outside the context of a veterinarian-client-patient relationship (VCPR), as defined, except as specified. However, unlike existing law, this bill would allow the VCPR to be established using synchronous (real-time) video and audio communication instead of a physical, hands-on examination. Once the VCPR is established, this bill would authorize a licensee to practice veterinary telehealth, as defined.

The bill would require a veterinarian who practices veterinary medicine via telehealth, among other things, to employ sound professional judgment, to determine whether using telehealth is an appropriate method for delivering medical advice, or treatment to the animal patient and providing quality of care consistent with prevailing veterinary medical practice, be familiar with available medical resources, be able to provide the client with a list of nearby veterinarians who may be able to see the animal patient in person upon the request of the client, keep, maintain, and make an animal patient record





summary available, provide the client with information about the veterinarian, and secure an alternative means of contacting the client if the electronic means is interrupted, as specified.

The bill would also define the term “client” for purposes of the act and make other conforming changes. This bill would exempt the location where a veterinarian practices telehealth from the requirement that it be registered if specified conditions are met, including, among other things, that the veterinarian does not perform any in-person examination or treatment of animal patients at that location.

**13. Bill Number: SB 143 (Committee on Budget and Fiscal Review, Chapter 196, Statutes of 2023)**

**Subject Matter:** State Government

**Sections Affected:** Various; as applicable to the Board, BPC Section 115.10; Government Code (GC) Section 11133

**Effective Date:** September 13, 2023

Summary: As applicable to the Board, this bill: 1) requires the Board to register a servicemember or a spouse of a servicemember who relocated to this state because of military orders for military service within this state and meets specified requirements, including that the applicant submits to the registering authority an affidavit attesting that the applicant meets all of these requirements and the information submitted to the Board is accurate to the best of the applicant’s knowledge, requires the Board to post specified information on the Board’s internet website for each person registered pursuant to these provisions, provides that a person registered pursuant to these provisions be deemed to be a Board licensee for purposes of the laws administered by the Board relating to standards of practice, discipline, and continuing education, as specified, authorizes the Board to take specified enforcement actions against the person, and prohibits the Board from collecting or requiring a fee for registration pursuant to these provisions; and 2) allows for remote public meetings without noticed locations accessible to the public until December 31, 2023.

**14. Bill Number: SB 259 (Seyarto, Chapter 148, Statutes of 2023)**

**Subject Matter:** Reports Submitted to Legislative Committees

**Sections Affected:** GC Sections 9795, 10248

**Effective Date:** January 1, 2024

Summary: Existing law requires a state agency that is required or requested by law to submit a report to the Members of either house of the Legislature generally to submit the report in a specified manner and to post

the report on the state agency’s internet website. This bill additionally requires a state agency to post on its internet website any report required or requested by law or identified in the Legislative Analyst’s Supplemental Report of the Budget Act, that the state agency submits to a committee of the Legislature or to the Members of either house of the Legislature.

Existing law requires the Legislative Counsel to make various categories of legislative information available to the public in an electronic form. This bill additionally requires the Legislative Counsel to make available to the public, a link to the list of state and local agency reports submitted by state and local agencies to a committee of the Legislature or to the Members of either house of the Legislature generally, as specified.

**15. Bill Number: SB 372 (Menjivar, Chapter 225, Statutes of 2023)**

**Subject Matter:** Department of Consumer Affairs: Licensee and Registrant Records: Name and Gender Changes

**Sections Affected:** BPC Section 27.5

**Effective Date:** January 1, 2024

Summary: This bill requires the Board to update a licensee’s or registrant’s records, including records contained within an online license verification system, to include the licensee’s or registrant’s updated legal name or gender if the Board receives government-issued documentation, as described, from the licensee or registrant demonstrating that the licensee or registrant’s legal name or gender has been changed. The bill requires the Board to replace references to the licensee’s or registrant’s former name or gender with the individual’s current name or gender, as applicable, on the publicly viewable information displayed on the internet about the licensee or registrant.

The bill prohibits the Board from publishing information relating to the licensee’s or registrant’s former name or gender online and, instead, requires the Board to post an online statement directing the public to contact the Board for more information. For specified licensees and registrants, the Board is prohibited from posting enforcement records online, but would be required to post an online statement stating that the individual was previously subject to an enforcement action and directing the public to contact the Board, as prescribed. The bill provides that all records related to a request to update an individual’s license or registration under the bill would be confidential and not subject to public inspection or disclosure.



The bill requires the Board, if requested by a licensee or registrant, to reissue any license created by the Board and conferred upon the licensee or registrant. The bill prohibits the Board from charging a higher fee for reissuing a document with an updated legal name or gender than the fee it charges for reissuing a document with other updated information.

**16. Bill Number: SB 544 (Laird, Chapter 216, Statutes of 2023)**

**Subject Matter:** Bagley-Keene Open Meeting Act: Teleconferencing

**Sections Affected:** GC Sections 11123.2, 11123.5, 11124

**Effective Date:** January 1, 2024

Summary: This bill enacts an additional, alternative set of provisions under which a state body may hold a meeting by teleconference. The bill requires at least one member of the state body to be physically present at each teleconference location, defined for these purposes as a physical location that is accessible to the public and from which members of the public may participate in the meeting. The bill, under specified circumstances, authorizes a member of the state body to participate from a remote location, which would not be required to be accessible to the public and which the bill would prohibit the notice and agenda from disclosing.

The bill authorizes a member's remote participation if the other members who are physically present at the same teleconference location constitute a majority of the state body. The bill also authorizes a member's remote participation if the member has a need related to a disability and notifies the state body, as specified. Under the bill, that member would be counted toward the majority of members required to be physically present at the same teleconference location. The bill requires a member who participates from a remote location to disclose whether any other individuals 18 years of age or older are present in the room at the remote location with the member and the general nature of the member's relationship with those individuals. This bill requires the members of the state body to visibly appear on camera during the open portion of a meeting that is publicly accessible via the internet or other online platform unless the appearance would be technologically impracticable, as specified. The bill requires a member who does not appear on camera due to challenges with internet connectivity to announce the reason for their nonappearance when they turn off their camera.

This bill also requires the state body to provide a means by which the public may remotely hear audio of the meeting, remotely observe the meeting, remotely address the body, or attend the meeting by providing on the posted agenda a teleconference telephone number, an internet website or other online platform, and a physical address for each teleconference location. The bill requires the telephonic or online means provided to the public to access the meeting to be equivalent to the telephonic or online means provided to a member of the state body participating remotely. The bill requires any notice required by the act to specify the applicable teleconference telephone number, internet website or other online platform, and physical address of each teleconference location, as well as any other information indicating how the public can access the meeting remotely and in person. If the state body allows members of the public to observe and address the meeting telephonically or otherwise electronically, the bill requires the state body to implement and advertise, as prescribed, a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, as specified.

The bill imposes requirements consistent with the above-described existing law provisions, including a requirement that the agenda provide an opportunity for members of the public to address the state body directly, as specified. The bill entitles members of the public to exercise their right to directly address the state body during the teleconferenced meeting without being required to submit public comments before the meeting or in writing. This bill provides that it does not affect prescribed existing notice and agenda requirements and requires the state body to post an agenda on its internet website and, on the day of the meeting, at each teleconference location designated in the notice of the meeting. This bill requires the state body, upon discovering that a means of remote participation required by the bill has failed during the meeting and cannot be restored, to end or adjourn the meeting in accordance with prescribed adjournment and notice provisions, including information about reconvening. This bill removes the roll call vote requirement and the requirement for a quorum in attendance at the primary physical meeting location.

The bill, instead, requires at least one staff member of the state body to be present at the primary physical meeting location. The bill requires the members of the state body to visibly appear on camera during the open portion of a meeting that is publicly accessible via the internet or other online platform unless the appearance would



be technologically impracticable, as specified. The bill requires a member who does not appear on camera due to challenges with internet connectivity to announce the reason for their nonappearance when they turn off their camera. This bill repeals the above-described provisions on January 1, 2026.

This bill exempts from those provisions an internet website or other online platform that may require the submission of information to log into a teleconferenced meeting. The bill permits a person to submit a pseudonym or other anonymous information when using the internet website or other online platform to attend the meeting.

**17. Bill Number: SB 669 (Cortese, Chapter 882, Statutes of 2023)**

**Subject Matter:** Veterinarians: Veterinarian-Client-Patient Relationship

**Sections Affected:** BPC Sections 4826.7, 4840

**Effective Date:** January 1, 2024

Summary: This bill would authorize a veterinarian to allow an RVT to act as an agent of the veterinarian for the purpose of establishing the VCPR to administer preventive or prophylactic vaccines or medications for the control or eradication of apparent or anticipated internal or parasites by satisfying specified criteria.

**18. Bill Number: SB 887 (Committee on Business, Professions and Economic Development, Chapter 510, Statutes of 2023)**

**Subject Matter:** Consumer Affairs

**Sections Affected:** Relevant Sections: 4846, 4861, 4875.3

**Effective Date:** January 1, 2024

Summary: This bill, among other things, includes Board requested legislative amendments to authorize license verification be confirmed through electronic means, revises the Board’s WEC composition to require at least one licensed veterinarian, at least two public members, and at least one RVT, and deletes the provision related to the criteria for a subject matter expert in citation cases.

**19. Bill Number: SB 1451 (Ashby, Chapter 481, Statutes of 2024)**

**Subject Matter:** Professions and Vocations

**Sections Affected:** Relevant Sections: 115.4, 115.5, 135.4

**Effective Date:** January 1, 2025

Summary: This bill, among other things, prohibits a board from charging a fee for the issuance of a temporary license for an applicant who holds an out-of-state license in that profession or vocation and who is married to, or in a domestic partnership or other legal union with, an active duty member of the Armed Forces, as specified.

**20. Bill Number: SB 1478 (Nguyen, Chapter 192, Statutes of 2024)**

**Subject Matter:** Veterinary Medicine: Registered Veterinary Technicians

**Sections Affected:** 4840

**Effective Date:** January 1, 2025

Summary: This bill authorizes the order established by the veterinarian that authorizes an RVT to perform animal health care services, as described, to include, among other things, information pertaining to time periods by which an impounded animal is required to be assessed at intake and monitored while in the custody of an agency, protocols to address the treatment of common medical conditions encountered in impounded animals, and communication requirements between the RVT and the supervising veterinarian.

**21. Bill Number: SB 1526 (Committee on Business, Professions and Economic Development, Chapter 497, Statutes of 2024)**

**Subject Matter:** Consumer Affairs

**Sections Affected:** Relevant Sections: 144, 205, 208, 4800, 4800.1, 4809.6, 4810, 4826.7, 4836.1, 4842.2, 4846, 4848.1, 4857, 4860, 4875, 4886, 4903, 4904, 4905, 4910, 4920.2, 4920.4, 4920.8

**Effective Date:** January 1, 2025

Summary: This bill, among other things, renames the Veterinary Medicine Practice Act, the Board, and the veterinary fund, respectively, the “California Veterinary Medicine Practice Act,” the “California Veterinary Medical Board,” and the “California Veterinary Medical Board Contingent Fund.” The bill also changes instances of “oral” to “verbal” in BPC sections 4826.7, 4857, and 4886.

- **All regulation changes approved by the board since the last sunset review. Include the status of each regulatory change approved by the board.**

**Regulation Activity**

The following regulatory changes were approved by the Board since the Last Sunset Review or are currently in progress:

**1. Subject Matter: Veterinarian-Client-Patient Relationships (VCPRs)**

**Sections Affected:** CCR, Title 16, Sections 2032.15 and 2032.25

**Effective Date:** April 1, 2021

**Summary:** This regulatory change provides clarity to the regulations regarding delegated veterinarian VCPR authority.





## 2. Subject Matter: RVT Job Tasks

**Sections Affected:** CCR, Title 16, Section 2036

**Effective Date:** April 1, 2021

**Summary:** This regulatory change allows RVTs to perform additional animal health care tasks under direct veterinarian supervision (drug compounding from bulk substances) and under indirect veterinarian supervision (apply casts and splints and drug compounding from non-bulk substances).

## 3. Subject Matter: RVT Emergency Animal Care

**Sections Affected:** CCR, Title 16, Section 2069

**Effective Date:** July 1, 2021

**Summary:** This regulatory change clarifies BPC section 4840.5 and the conditions under which an RVT may provide emergency treatment, the emergency treatment that may be provided, and an RVT's authority to administer drugs or controlled substances.

## 4. Subject Matter: Animal Physical Rehabilitation (APR)

**Sections Affected:** CCR, Title 16, Section 2038.5

**Effective Date:** January 1, 2022

**Summary:** This regulatory change addresses the growing practice of APR performed by individuals who are not licensed by the Board, such as licensed physical therapists and unlicensed individuals. Licensed physical therapists are only licensed by the Physical Therapy Board of California to perform physical therapy on humans, not animals, and persons not licensed by the Board to perform veterinary medicine on animals are considered veterinary assistants, who are not licensed or registered with the Board. The regulatory change establishes a clear definition of APR in the Board's regulations, clarifies who may perform APR, and clarifies the circumstances under which a person may perform APR.

## 5. Subject Matter: Disciplinary Guidelines

**Sections Affected:** CCR, Title 16, Section 2006

**Effective Date:** April 1, 2022

**Summary:** The regulatory change made amendments to the Board's Disciplinary Guidelines and CCR, title 16, section 2006 to update the Guidelines to reflect statutory and probationary changes, clarifies the minimum and maximum penalties for a disciplinary decision, and clearly defines the terms of supervision for a respondent on probation. The regulatory change also adopts new supervision requirements and other optional terms for probationers. Further, the regulatory change replaced ambiguous terms in the Disciplinary Guidelines with language pre-defined in the Act.

## 6. Subject Matter: Drug Compounding

**Sections Affected:** CCR, Title 16, Sections 2090 - 2095

**Effective Date:** April 1, 2022

**Summary:** This regulatory change implemented BPC section 4826.5 regarding drug compounding in a veterinary premises and provides guidance and an enforcement mechanism for inspectors to determine whether veterinarians and RVTs are preparing drug compounds in accordance with their scope of practice, experience, and premises. The regulatory change also provides veterinarians with guidance on the proper procedures for storing, handling, and preparing compounded drugs.

## 7. Subject Matter: Civil Penalties for Citations

**Sections Affected:** CCR, Title 16, Section 2043

**Effective Date:** April 1, 2023

**Summary:** This regulatory change removes limiting language from existing regulation and enhances the Board's enforcement mechanisms and consumer protection by incentivizing compliance for less egregious violations.

## 8. Subject Matter: RVT Equivalent Experience and Education

**Sections Affected:** CCR, Title 16, Section 2068.5

**Effective Date:** April 1, 2024

**Summary:** This regulatory change amends the regulation to require a "minimum" number of units or hours of instruction to meet the education requirement, clarifies RVT instructor qualifications and removes the requirement that coursework and experience must be completed within designated timeframes.

## 9. Subject Matter: Uniform Standards for Substance-Abusing Licensees

**Sections Affected:** CCR, Title 16, Sections 2006, 2006.5, 2006.51, 2006.52, 2006.53, 2006.54, 2006.55, and 2006.56

**Effective Date:** April 1, 2024

**Summary:** This regulatory change implements the uniform standards regarding substance-abusing healing arts licensees adopted by the DCA Substance Abuse Coordination Committee pursuant to BPC section 315, et seq. The regulatory change adopts uniform standards for the discipline of substance-abusing licensees when the Board has determined that a licensee is a substance abuser and that define certain terms and establish procedures and requirements for clinical diagnostic evaluations when ordered by the Board, licensees requests to return to practice, and use of private sector vendors for laboratory testing or wellness program services.



### 10. Subject Matter: Drug Compounding

**Sections Affected:** CCR, Title 16, Sections 2036.5, 2090, 2091, 2092, 2093, and 2094

**Status:** Approved by Board; In Process

**Summary:** This proposed regulatory change would provide additional clarification of drug compounding regulation and standardize the term “registered veterinary premises” from the term “animal hospital,” provide a definition for “immediate use” for the administration of a compounded drug to an animal patient, redefine “office stock” to clearly define the requirements for a mobile veterinary premises, expand the duties of an RVT when performing drug compounding, and define the requirements of a master formula document.

### 11. Subject Matter: Minimum Standards for Alternate Veterinary Premises

**Sections Affected:** CCR, Title 16, Sections 2030, 2030.05, 2030.1, 2030.2, and 2030.3

**Status:** Approved by Board; In Process

**Summary:** This regulatory proposal would standardize the requirements for all veterinary premises, including fixed veterinary premises (small and large), mobile premises, and shelters. The proposal also would move all mandatory requirements into one section and create specific requirements applicable to each variation of the type of veterinary premises.

### 12. Subject Matter: Veterinary Facilities

**Sections Affected:** CCR, Title 24, Section 1251

**Status:** Approved by Board; In Process

**Summary:** This regulatory proposal would move existing building standards and related exemptions from the Alternate Veterinary Premises proposal to CCR, title 24, section 1251 and move from that section any practice management standards to title 16.

### 13. Subject Matter: Veterinary Graduate Student Exemption / RVT Examination Eligibility

**Sections Affected:** CCR, Title 16, Section 2027 and 2027.5

**Status:** Pending Staff Development

**Summary:** This regulatory proposal would allow veterinarian graduates who have earned a veterinary medical degree to apply for the Veterinary Technician National Examination (VTNE) and RVT registration. The proposal also would clarify that veterinarian students in their junior and senior years, and not graduates, may perform RVT animal health care tasks.

### 14. Subject Matter: Records

**Sections Affected:** CCR, Title 16, Section 2032.3

**Status:** Pending Board Approval

**Summary:** This regulatory proposal would standardize the record keeping requirements for all veterinary practice types, which includes the requirements for large animal practices. The proposal would also set minimum standards consistent with current practice standards and establish different standards for group and single animal patient records.

### 4. Describe any major studies conducted by the board (cf. Section 12, Attachment C).

There have been no major studies conducted since the last Sunset Review.

### 5. List the status of all national associations to which the board belongs.

The Board is a current member of the American Association of Veterinary State Boards (AAVSB). AAVSB is an association of veterinary medicine regulatory boards whose membership includes licensing bodies in 63 jurisdictions, including all of the United States, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, and 10 Canadian provinces and territories. AAVSB’s mission is to support and advance the regulatory process for veterinary medicine.

In addition, the Board had one representative (Kathy Bowler, MDC Public Member) on the International Council for Veterinary Assessment (ICVA). The ICVA provides national veterinary assessments including the North American Veterinary Licensing Examination (NAVLE). The ICVA collaborates with stakeholders in academia, licensing boards, and practicing veterinarians to ensure their tools can effectively assess the knowledge and skills required for veterinary practice. The AAVSB has four elected representatives on the ICVA Board of Directors. Ms. Bowler served as the 2022-2023 ICVA Board chair, assuming the role at the June 2022 ICVA Board meeting. Ms. Bowler was elected to an initial three-year term on the ICVA Board in September 2015 and reelected to a second term in September 2018 and as chair-elect, she represented ICVA at the 2021 AAVSB annual meeting.

The Board is also a member of the Council on Licensure, Enforcement and Regulation (CLEAR).



CLEAR is an association of individuals, agencies and organizations that comprise the international community of professional and occupational regulation, providing a forum for improving the quality and understanding of regulation to enhance public protection. The Board's membership is part of a DCA organizational membership.

- **Does the board's membership include voting privileges?**

The Board's AAVSB membership includes one voting delegate (and an alternate delegate). The ICVA Board representative also has voting privileges. The Board's CLEAR membership comes with voting privileges represented by a single organization vote.

- **List committees, workshops, working groups, task forces, etc., on which the board participates. How many meetings did board representative(s) attend? When and where?**

**ICVA Board of Directors (BD), September 2015-Present  
Board Representative: Kathy Bowler**

Since the last Sunset Review, Ms. Bowler participated in 16 BD meetings. Ten meetings were virtual, and the other meetings were held in-person in Atlanta, GA, Mackinac Island, MI, Savannah, GA, Asheville, GA, Palm Springs, CA, and Banff, Canada.

**ICVA Executive Committee (EC), April 2020 – 2024**

Since the last Sunset Review, Ms. Bowler participated in 14 virtual EC meetings.

**ICVA NAVLE Pool Review Committee (NPRC),  
2015-Present**

**Board Representative: Kathy Bowler**

Since the last Sunset Review, Ms. Bowler participated in two two-day NPRC meetings in Atlanta, GA and Savannah, GA.

**ICVA Governance Working Group (GWG),  
2016 – Present**

**Board Representative: Kathy Bowler**

Since the last Sunset Review, Ms. Bowler participated in six virtual GWG meetings.

**ICVA Talent Management Committee (TMC),  
2018 – Present**

**Board Representative: Kathy Bowler**

Since the last Sunset Review, Ms. Bowler participated in 2 virtual TMC meetings.

**ICVA NAVLE Standard Setting (SC) Committee, 2022**

Since the last Sunset Review, Ms. Bowler participated in 2 virtual SC meetings.

**AAVSB, Regulatory Policy Task Force (RPTF),  
2018 - Present**

**Representative: Richard Sullivan, DVM**

The RPTF finalizes policy statements and recommends changes to bylaws or any previous policy statements or issues in the Model Practice Act. The RPTF's overall responsibility is to review, revise, and develop model language that serves as a tool for the AAVSB Member Boards to utilize when considering updates to jurisdiction statute and rules and regulations.

Since the last Sunset Review, Dr. Sullivan has participated in roughly 60 RPTF meetings. The RPTF holds monthly meetings, 10 virtually and two in-person in Kansas City, MO.

**AAVSB, Executive Director Advisory Committee  
(EDAC), November 2018 - Present Board**

**Representative: Jessica Siefertman, Executive Officer**

The EDAC serves as a think tank for existing and proposed programs and services that the AAVSB could improve or develop to assist all member boards to be more efficient and effective. The EDAC provides input for AAVSB programming that would be of benefit to member board executive directors and staff. In addition, the EDAC supplies veterinary board operational perspective to assist AAVSB staff and leadership.

Since the last Sunset Review, Ms. Siefertman has participated in roughly 35 EDAC-related meetings. The EDAC meets monthly and EDAC members hold quarterly meetings with various regions. Except for the Annual Conferences, the EDAC meetings are all virtual.

**AAVSB, Member and Program Services Think Tank  
(MPSTT)**

**Board Representative: Kathy Bowler, 2019-2022**

**Board Representative: Mark Nunez, DVM, 2020-2022**

Since the last Sunset Review, representatives participated in roughly 10 MPSTT meetings. Except for the Annual Conferences, MPSTT meetings were all virtual.

**AAVSB, Executive Director Roundtable (EDR),  
2020 – Present**

**Board Representative: Jessica Siefertman,  
Executive Officer**

Since the last Sunset Review, Ms. Siefertman has participated in roughly 20 quarterly EDR virtual meetings.



**AAVSB, Board of Directors (BOD), 2022 – Present**

**Board Representative: Mark Nunez, DVM**

The BOD is a body of elected Directors which govern the AAVSB and provide the strategic plan for the future of the AAVSB. The BOD holds three in-person and nine virtual meetings each year.

**AAVSB, Conference Committee (CC), 2022 – Present**

**Board Representative: Jessica Sieferman, Executive Officer**

With the assistance of Association staff, the Conference Committee makes site recommendations within the budget established by the Board of Directors, provides input regarding topics, speakers, and the overall program, assists with communications to potential registrants, serves as host of the meeting and special events, develops the conference evaluation and reports findings to the Board of Directors.

Since the last Sunset Review, Ms. Sieferman has participated in roughly 36 monthly CC meetings. Except for the Annual Conferences, all meetings are virtual.

**AAVSB, Veterinary Technician National Examination (VTNE) Committee, Dec. 2023 -Present**

**Board Representative: Kristi Pawlowski, RVT**

The VTNE Committee is responsible for the development and administration of the VTNE and other related tasks as assigned by the Board of Directors.

Ms. Pawlowski has participated in seven meetings, six were virtual and one was held in Rhode Island, MA.

- **If the board is using a national exam, how is the board involved in its development, scoring, analysis, and administration?**

As previously stated, the Board has representation on the ICVA. The NAVLE, administered by ICVA since 2000, is a requirement for licensure to practice veterinary medicine in all licensing jurisdictions in the U.S. and Canada. The NAVLE consists of 360 clinically relevant multiple-choice questions.

The VTNE is the national examination required for an RVT registration in California. It is owned and administered by AAVSB. While the Board is an active member in AAVSB, it has not been directly involved in its development, scoring, analysis or administration.

The Board utilizes the services of the DCA Office of Professional Examination Services (OPES) to conduct a review of the national examination every seven years. The purpose of the review is to determine whether the examination meets the professional guidelines and technical standards outlined in the Standards for Educational and Psychological Testing (2014) and BPC Section 139. The NAVLE conducts an occupational analysis every seven years. Its last occupational analysis was completed in 2017.

## SECTION 2

### FISCAL AND STAFF

#### Fiscal Issues

**6. Is the board’s fund continuously appropriated? If yes, please cite the statute outlining this continuous appropriation.**

No, the Board’s fund is not continuously appropriated. The Board’s fund appropriation is developed annually and is subject to legislative approval.

**7. Using Table 2. Fund Condition, describe the board’s current reserve level, spending, and if a statutory reserve level exists.**

The Board’s current reserve level is 11.1 months (FY 2023/24). BPC section 4905 mandates the Board operate with not less than three months and not more than ten months in reserve. However, since FY 2014/15, the Board revenue has not kept pace with its authorized expenditures, thereby creating a structural imbalance where the Board’s Contingent Fund (i.e. “savings account”) is declining.

Each year, the Board’s revenues are less than its expenditures creating a budget deficit. In order to make up for the operating budget deficit, the Board subsidizes its structural imbalance via funds from its Contingent Fund.



**Table 2. Fund Condition** (list dollars in thousands)

	FY 20/21	FY 21/22	FY 22/23	FY 23/24	FY 24/25**	FY 25/26**
Beginning Balance <sup>1</sup>	\$2,752	\$5,066	\$6,887	\$8,260	\$9,884	\$9,076
Revenues and Transfers	\$7,606	*\$8,185	\$8,310	\$8,516	\$8,477	\$8,605
<b>Total Resources</b>	\$10,358	\$13,251	\$15,197	\$16,776	\$18,361	\$17,678
Budget Authority	\$6,383	\$7,008	\$7,286	\$7,642	\$8,780	\$9,043
Expenditures <sup>2</sup>	\$5,326	\$6,081	\$7,084	\$6,892	\$9,288	\$9,491
Loans to General Fund	\$0	-\$256	\$0	\$0	\$0	\$0
Accrued Interest, Loans to General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Loans Repaid from General Fund	\$0	\$0	\$157	\$149	\$0	\$0
<b>Fund Balance</b>	\$5,032	\$6,914	\$8,270	\$9,884	\$9,073	\$8,187
<b>Months in Reserve</b>	9.9	11.7	12.1	12.8	11.5	10.1

<sup>1</sup>Actuals include prior year adjustments.

<sup>2</sup>Expenditures include reimbursements and direct draws to the fund.

\*Includes EO transfer to GF (AB 84).

\*\*Estimate

**8. Describe if/when a deficit is projected to occur and if/when fee increase or reduction is anticipated. Describe the fee changes (increases or decreases) anticipated by the board.**

As demonstrated by the table below, the Board projects a structural deficit to occur in FY 2024/25. However, the Board anticipates being able to operate with a structural deficit through FY 2028/29. In FY 2029/30, the Board projects dropping below its three-month statutory minimum, and will need to seek fee increases.

**9. Describe the history of general fund loans. When were the loans made? When have payments been made to the board? Has interest been paid? What is the remaining balance?**

There is no history of general fund loans.

**10. Using Table 3, Expenditures by Program Component, describe the amounts and percentages of expenditures by program component. Provide a breakdown of the expenditures by the board in each program area. Expenditures by each component (except for pro rata) should be broken out by personnel expenditures and other expenditures.**

**Table 3. Expenditures by Program Component** (list dollars in thousands)

	FY 20/21		FY 21/22		FY 22/23		FY 23/24	
	Personnel Services	OE&E	Personnel Services	OE&E	Personnel Services	OE&E	Personnel Services	OE&E
Enforcement	\$1,538	\$1,186	\$2,123	\$1,129	\$2,617	\$1,368	\$2,552	\$1,300
Examination	-	\$44	-	\$27	-	\$19	\$0	\$0
Licensing	\$311	\$32	\$372	\$30	\$459	\$39	\$448	\$15
Administration *	\$608	\$52	\$724	\$48	\$878	\$64	\$863	\$24
DCA Pro Rata	-	\$1,214	-	\$1,169	-	\$1,053	\$0	\$1,147
Diversion (if applicable)	-	21	-	16	-	18	-	27
<b>TOTALS</b>	<b>\$2,457</b>	<b>\$2,528</b>	<b>\$3,219</b>	<b>\$2,403</b>	<b>\$3,954</b>	<b>\$2,543</b>	<b>\$3,863</b>	<b>\$2,486</b>

\* Administration includes costs for executive staff, board, administrative support, and fiscal services.





**11. Describe the amount the board has spent on business modernization, including contributions to the BreEZe program, which should be described separately.**

Over the past four fiscal years, the Board has contributed a total of \$509,595. The actual amount contributed for FY 23/24 will be updated once data is available. A breakdown is provided below:

BreEZe Costs and Funding			
FY 2020/21	FY 2021/22	FY 2022/23	FY 2023-24
Actual	Actual	Actual	Budget
\$121,357	\$115,364	\$97,793	\$103,000

**12. Describe license renewal cycles and the history of fee changes over the last 10 years. Give the fee authority (Business and Professions Code and California Code of Regulations citations) for each fee charged by the board.**

**Table 4. Fee Schedule and Revenue** (list revenue dollars in thousands)

Fee	Current Fee Amount	Statutory Limit	FY 20/21 Revenue	FY 21/22 Revenue	FY 22/23 Revenue	FY 23/24 Revenue*	% of Total Revenue
Application Fee – VET	\$350	\$350	\$282	\$276	\$264	\$290	3.6%
Veterinary Law Examination	\$100	\$100	\$56	\$61	\$62	\$69	0.8%
Initial Veterinary License	\$500	\$500	\$345	\$483	\$390	\$419	5.2%
Veterinarian License Biennial Renewal	\$350	\$500	\$2,917	\$3,122	\$3,146	\$3,111	39.4%
Delinquent Renewal – VET	\$50	\$50	\$13	\$15	\$10	\$9	0.2%
UVL Initial Application	\$350	\$350	\$6	\$7	\$19	\$12	0.1%
UVL Initial License	\$350	\$500	\$13	\$16	\$19	\$18	0.2%
UVL Biennial Renewal	\$350	\$500	\$20	\$26	\$22	\$24	0.3%
Delinquent Renewal – UVL	\$50	\$50	\$0	\$1	\$0	\$0	0.0%
Application Fee – TEC	\$225	\$225	\$268	\$266	\$195	\$193	3.0%
Initial RVT License	\$225	\$225	\$304	\$275	\$199	\$195	3.1%
RVT Biennial Review	\$225	\$225	\$304	\$275	\$887	\$895	13.4%
Delinquent Renewal RVT	\$50	\$50	\$15	\$15	\$12	\$13	0.2%
Initial Premises Registration	\$500	\$500	\$134	\$186	\$227	\$189	2.4%
Premises Registration Renewal	\$525	\$525	\$1,340	\$1,643	\$1,818	\$1,914	21.5%
Delinquent Renewal – Premises	\$50	\$50	\$16	\$15	\$14	\$12	0.2%
VACSP Initial Application	\$100	\$100	\$87	\$145	\$220	\$198	2.1%
VACSP Initial Permit	\$100	\$100	\$87	\$145	\$220	\$198	2.1%
VACSP Biennial Renewal	\$100	\$100	\$103	\$110	\$242	\$188	2.1%
VACSP Delinquent Renewal	\$50	\$50	\$11	\$17	\$30	\$25	0.3%
Total Revenue			\$7,261	\$7,979	\$7,996	\$7,972	\$31,208



**13. Describe Budget Change Proposals (BCPs) submitted by the board in the past four fiscal years.**

The Board submitted BCPs in FYs 2020/21, 2021/22, 2023/24, and 2024/25 to augment its Enforcement Unit by adding additional staff. As described in further detail under response 14 below, these BCPs were intended to address the growing enforcement complaint backlog. The other nine BCPs listed below were submitted by DCA for all programs.

**Table 5. Budget Change Proposals (BCPs)**

BCP ID #	Fiscal Year	Description of Purpose of BCP	Personnel Services				OE&E	
			# Staff Requested (include classification)	# Staff Approved (include classification)	\$ Requested	\$ Approved	\$ Requested	\$ Approved
1111-038-BCP-2020-GB	2020-21	Enforcement Staff Augmentation	6	6	\$700,000	\$700,000	\$198,000	\$198,000
1111-048-BCP-2021-GB	2021-22	Regulations Unit – Funding Extension	0	0	\$0	\$0	\$19,000	\$19,000
1111-047-BCP-2021-GB	2021-22	Information Technology Security	0	0	\$0	\$0	\$23,000	\$23,000
1111-060-BCP-2021-GB	2021-22	Enforcement Staffing Augmentation	3	3	\$331,000	\$331,000	\$99,000	\$99,000
1111-079-BCP-2022-GB	2022-23	BreEZe System Maintenance and Credit Card Funding	0	0	\$0	\$0	\$247,000	\$247,000
1111-129-BCP-2022-GB	2022-23	Chapter 752, Statutes of 2021 (AB 1282)	1	1	\$124,000	\$124,000	\$33,000	\$33,000
1111-023-BCP-2023-GB	2023-24	Office of Administrative Hearings – Budget Augmentation	0	0	\$0	\$0	\$54,000	\$54,000
1111-024-BCP-2023-GB	2023-24	Regulations Unit Permanent Funding	0	0	\$0	\$0	\$22,000	\$22,000
1111-025-BCP-2023-GB	2023-24	Organizational Improvement Office Permanent Funding	0	0	\$0	\$0	\$14,000	\$14,000
1111-032-BCP-2023-GB	2023-24	Veterinary Medical Board – Enforcement Workload	7	7	\$919,000	\$919,000	\$175,000	\$175,000
1111-033-BCP-2023-GB	2023-24	DCA Business Services Office – Cashier Courier Workload	0	0	\$0	\$0	\$3,000	\$3,000
1111-025-BCP-2024-GB	2024-25	BreEZe System Maintenance and Credit Card Funding	0	0	\$0	\$0	\$289,000	\$289,000
1111-029-BCP-2024-GB	2024-25	Veterinary Medicine – Enforcement	5	5	\$674,000	\$674,000	\$133,000	\$133,000



## Staffing Issues

### 14. Describe any board staffing issues/challenges, i.e., vacancy rates, efforts to reclassify positions, staff turnover, recruitment and retention efforts, succession planning.

In FY 2019/20, the Board pursued a BCP and was approved for two additional Staff Services Analysts (SSA) and an Office Technician (OT). These positions were under the premises licensing program. These positions were to be responsible for the increased work associated with inspecting, at a minimum, 20% of veterinary premises and the new workload associated with issuing controlled substance permits to veterinary assistants.

In FY 2020/21, the Board pursued a BCP and was approved for 6 two-year limited-term Associate Governmental Program Analyst (AGPA) enforcement positions. These positions were necessary to address the 1,800 plus complaint backlog. These newly hired analysts were needed for managing the backlog as well as the ever-increasing number of annual complaints received.

In FY 2021/22, the Board pursued a BCP and was approved for a two-year limited-term Staff Services Manager I (SSM I) enforcement manager, probation AGPA classification, and probation technician at the OT classification to the enforcement unit to manage the six newly hired enforcement analysts and address the large number of probationers.

In FY 2022/23, the Board pursued and was approved for a Staff Services Manager II (SSM II) and ongoing of 4 limited-term AGPA positions. The SSM II allowed for the Executive Officer (EO) in managing the day-to-day priorities and acting on behalf of the EO when the EO is unavailable.

In FY 2023/24, the Board established and hired a SSM I Policy Specialist position. This position is able to handle critical legislative, regulatory, and visionary strategic planning tasks.

The previous AGPA Lead Analyst position was converted to a Board/Committee Member Liaison position. This position is the primary contact for board and committee members for all personnel matters. The position also arranges travel and provides outreach. The Board has developed Lead Analysts roles to help support the team and to prepare staff for promotional opportunities.

In FY 2024/25, the SSM II position and the four AGPA positions will become permanent positions with the Board.

In the last 4 fiscal years, the Board has encouraged staff to apply for internal vacancies and has promoted staff internally 29 times. These promotions have been a part of succession planning to encourage longevity and retention at the Board.

### 15. Describe the board’s staff development efforts and total spent annually on staff development (cf., Section 12, Attachment D).

On average, the Board spent \$6,988 annually on staff development. The development includes Office of Administrative Law 3 Day Rulemaking Training Class, where staff are educated on administrative rulemaking and various classes for staff through CalHR.

In FY 2022/23, enforcement analysts participated in National Certified Investigator Training (NCIT) through CLEAR. This training was provided in two parts which included a basic program and a specialized program. All enforcement staff attended both sessions which covered areas including interviewing techniques, investigative analysis, and report development.

In addition to staff development, the Board provides inspector training. The training includes video and ride along training and video training for new inspectors. The Board averaged \$966 annually for the past four fiscal years.

The Board also provides training to its subject matter experts. The training includes roundtable discussions and video training. The Board averaged \$5,950 annually for the past four fiscal years. A breakdown of training expenses is provided in the table below:

Veterinary Medicine Board – Training Expenses by Fiscal Year					
Account Code	FY 2019/20	FY 2020/21	FY 2021/22	FY 2022/23	FY 2023/24
	Actual	Actual	Actual	Actual	YTD
5322400 - Training - Tuition & Registration	\$2,420	\$4,035	\$635	\$20,730	\$2,550





## SECTION 3 LICENSING PROGRAM

### 16. What are the board’s performance targets/ expectations for its licensing<sup>2</sup> program? Is the board meeting those expectations? If not, what is the board doing to improve performance?

The Board has set a target of 30 days for processing applications; currently **processing times** are being met. The Board is continuously working on updating its licensing system BreEZe to continue to improve performance measures. There are approximately 46 open tickets to fix and streamline the application process. An example of one process improvement is “BMO 2163” which will work with the California approved veterinarian colleges in obtaining graduation information through an interface, so Board staff no longer must manually input that data.

Over the past four years, Board staff have worked with the BreEZe team to streamline the licensing process by utilizing BreEZe to its full potential. Board staff have taken many redundant and unnecessary processing steps and streamlined them, so the application process is much easier to understand. Part of this process was taking the two application University license process and combining it into a one application process.

Another system improvement the Board made was adding the automatic email notification system to its applications. After application review, Board staff add “deficiencies” to applications that remain deficient. Once these deficiencies are added, the applicant is automatically emailed a notice and their online account is updated with these alerts. These alerts not only notify the applicant of what is missing in the application documentation but tell the applicant how to fix the deficiency.

### 17. Describe any increase or decrease in the board’s average time to process applications, administer exams and/or issue licenses. Have pending applications grown at a rate that exceeds completed applications? If so, what has been done by the board to address them? What are the performance barriers and what improvement plans are in place? What has the board done and what is the board going to do to address any performance issues, i.e., process efficiencies, regulations, BCP, legislation?

Pending applications have grown at a gradual rate that exceeds completed applications. To address this problem, Board staff email and call applicants letting them know what documentation or information is needed to move their application forward. In addition, licensing unit positions continued to experience turnover, which further delayed processing applications.

Over the past four years, the Board has recommended to the California State Legislature statutory amendments, such as those described below, to remove licensing barriers and streamline the licensing process:

#### **AB 1535 (Committee on Business and Professions, Chapter 631, Statutes of 2021)**

- **Veterinarians**
  - » **Elimination of California State Board Examination (CSBE)**  
As requested by the Board, OPES completed an Occupational Analysis and Linkage Study for the national and state veterinarian examinations and deemed the state examination redundant to the national examination. As such, the Board voted to eliminate the state examination from the veterinarian licensing requirements, and AB 1535 repeals the state examination requirement. Effective January 1, 2022, passing the CSBE was no longer a requirement to obtain a veterinarian license.
  - » **Applicants Licensed Out-of-State**
    - **California Course No longer Required**  
Out-of-state licensees seeking a California license are no longer required to take a course on regionally specific and important diseases and conditions that are common in California.
    - **Passed National Examination Over Five Years Ago**  
Clarifies and streamlines the veterinarian license application requirements for individuals who passed the national licensing examination over five years from the date of submitting the California veterinarian license application, to satisfy one of the following:
      - Retake and pass the national licensing examination.

<sup>2</sup>The term “license” in this document includes a license, certificate, permit or registration.



- Submit proof of having practiced clinical veterinary medicine for a minimum of two years and completed a minimum of 2,500 hours of clinical practice in another state, Canadian province, or United States territory within the three years immediately preceding filing an application for licensure in this state.
- Complete the minimum continuing education requirements of BPC section 4846.5 for the current and preceding year. (BPC § 4846, subd. (a)(5)(A).)
- » **Application Abandoned After One Year**  
To improve processing times and streamline Board staff review and monitoring of pending license applications, applications are deemed abandoned if all license requirements are not completed within one year after the application has been filed with the Board. (BPC § 4847.1, subd. (a).)
- » **Full Two-Year Initial License Regardless of Birth Month**  
Previously, initial licenses were issued with expiration periods based on the licensee’s birth month. The difference in each licensee’s initial license period could span anywhere from 13 to 24 months, even though all licensees pay the same initial license fee. AB 1535 changes the initial license period to a full two years, regardless of the licensee’s birth month. (BPC § 4900, subd. (a).)
- » **Email Address and Address of Record Confirmation**  
Email address must be disclosed to the Board upon renewal and confirm the email and address of record are current and valid. This will ensure applicants/ licensees receive timely Board communication regarding important updates to laws and regulations, announcements, press releases, etc. The Board also emails any inquiries regarding pending complaints, which assists in resolving the allegations quicker. The email address is confidential and not subject to public disclosure. (BPC § 4900, subd. (d).)
- **University Veterinarian**
  - » **Removal of the Regionally Important Diseases & Conditions Course Requirement:**  
Applicants are no longer required to complete a course on regionally specific and important diseases and conditions that are common in California in order to obtain a university license.
- » **Application Abandoned After One Year**  
Applications are deemed abandoned if all license requirements are not completed within one year after the application has been filed with the Board. (BPC § 4847.1, subd. (a).)
- » **Email Address and Address of Record Confirmation**  
Email address must be disclosed to the Board upon renewal, and licensees must confirm the email and address of record are current and valid. This will ensure applicants/ licensees receive timely Board communication regarding important updates to laws and regulations, announcements, press releases, etc. The Board also emails any inquiries regarding pending complaints, which assists in resolving the allegations quicker. The email address is confidential and not subject to public disclosure. (BPC § 4900, subd. (d).)
- » **Temporary/Intern Licensees**  
The Board no longer issues temporary veterinarian licenses for temporary practice and/or internships. Instead, all individuals previously seeking a temporary license will apply for a full veterinarian license.
- **RVTs**
  - » **Expanded Opportunities for Registration for Alternate Route Pathway Applicants**  
Most recently, the Board amended CCR, title 16, section 2068.5 regarding RVT students and alternate route programs; the amendments remove barriers to licensure by making clarifications to instructor qualification requirements and removing the restrictions that individuals complete their clinical practice of 4,416 hours within five years, but not less than two years, to give RVT students greater flexibility to complete the experience requirement, so long as a California-licensed veterinarian verifies the experience.
  - » **Out-of-State RVT Applicants**  
To maintain out-of-state license reciprocity and assure access to veterinary care through expanded registration pathways, the Board recommended placing into statute the regulatory provision that authorized an applicant to satisfy the education requirements by completing the AAVSB education equivalency certification program in statute and clearly identifying the experience-only pathway for RVT applicants licensed in another state. The Board also recommended removing the initial education credits review application requirement to streamline the application process and remove this unnecessary barrier to RVT registration.



» **Full Two-Year Initial Registration Regardless of Birth Month**

Initial registrations were issued with expiration periods based on the registrant’s birth month. The difference in each registrant’s initial registration period could span anywhere from 13 to 24 months, even though all registrants pay the same initial registration fee. AB 1535 changes the initial registration period to a full two years, regardless of the registrant’s birth month. (BPC § 4900, subd. (a).)

» **Email Address and Address of Record Confirmation**

Email address must be disclosed to the Board upon renewal, and registrants must confirm the email and address of record are current and valid. This will ensure applicants/licensees receive timely Board communication regarding important updates to laws and regulations, announcements, press releases, etc. The Board also emails any inquiries regarding pending complaints, which assists in resolving the allegations quicker. The email address is confidential and not subject to public disclosure. (BPC § 4900, subd. (d).)

• **Veterinary Assistant Controlled Substance Permit (VACSP) Holder**

» **Full Two-Year Initial Permit Regardless of Birth Month**

Initial VACSPs were issued with expiration periods based on the permit holder’s birth month. The difference in each permit holder’s initial permit period could span anywhere from 13 to 24 months, even though all permit holders pay the same initial permit fee. AB 1535 changes the initial permit period to a full two years, regardless of the permit holder’s birth month. (BPC § 4900, subd. (a).)

» **Email Address and Address of Record Confirmation**

Email address must be disclosed to the Board upon renewal, and permit holders must confirm the email and address of record are current and valid. This will ensure applicants/licensees receive timely Board communication regarding important updates to laws and regulations, announcements, press releases, etc. The Board also emails any inquiries regarding pending complaints, which assists in resolving the allegations quicker. The email address is confidential and not subject to public disclosure. (BPC § 4900, subd. (d).)

**18. How many licenses or registrations has the board denied over the past four years based on criminal history that is determined to be substantially related to the qualifications, functions, or duties of the profession, pursuant to BPC § 480? Please provide a breakdown of each instance of denial and the acts the board determined were substantially related.**

Over the past four years, the Board has denied 19 (as of 10/18/2024) applications based on criminal history that were determined to be substantially related to the qualification, functions, or duties of the profession, pursuant to BPC section 480.

Substantially Related Convictions (BPC § 480)
2019 Great Bodily Injury, 2011 Driving Under the Influence .08%
2020 Inflict Corporal Injury
2020 Driving Under the Influence
2020 Inflict Corporal Injury
2021 Driving Under the Influence .08%, and Vehicle Hit and Run
2022 Unprofessional Conduct
2012 Sex with a Minor, Oral Copulation
2010 Possess Controlled Narcotic Substance, 2015 Possess Controlled Narcotic Substance
2002 Robbery, False Imprisonment, and Assault with a Deadly Weapon
2007 Driving Under the Influence .08%, 2017 Driving Under the Influence .08%,
2014 Possess/Purchase for sale Narcotic/Controlled Substance, 2015 Possess Controlled Narcotic Substance, 2016 Possess Controlled Narcotic Substance
2016 Welfare Fraud
2018 Fraud and Embezzlement
2018 Robbery
2010 Burglary, 2021 Driving Under the Influence .08%
2018 Assault with a Deadly Weapon
2015 Unlawful Act Related to Excrement / Bodily Fluid by Prisoner in Custody, 2020 Battery
2021 Driving Under the Influence – Causing Great Bodily Injury
2002 Receiving & Distributing Material Involving the Sexual Exploitation of Minors, 2007 Failure to Register as a Sex Offender, 2015 Failure to Update Annual Sexual Offender Registration



Table 6. Licensee Population					
		FY 2020/21	FY 2021/22	FY 2022/23	FY 2023/24
Veterinarian	Active <sup>3</sup>	12,672	13,018	13,412	13,722
	Out of State	-	1,888	2,003	2,070
	Out of Country	-	40	43	47
	Delinquent/Expired	2,486	2,458	2,529	2,686
	Retired Status if applicable	398	445	463	468
	Inactive	243	341	391	359
	Other <sup>4</sup>	2	2	2	2
RVT	Active	7,646	8,018	8,440	8,901
	Out of State	-	412	439	434
	Out of Country	-	3	3	3
	Delinquent/Expired	2,119	2,183	2,281	2,371
	Retired Status if applicable	154	187	203	213
	Inactive	307	317	386	414
	Other	1	2	1	1
VACSP	Active	5,418	6,149	7,104	7,985
	Out of State	-	9	9	14
	Out of Country	-	0	0	0
	Delinquent/Expired	3,200	3,977	5,086	5,130
	Retired Status if applicable	28	30	31	24
	Inactive	-	-	-	-
	Other	1	2	1	1
Veterinary Premises	Active	3,626	3,572	3,886	3,905
	Out of State	-	-	643	654
	Out of Country	-	-	-	-
	Delinquent/Expired	583	716	574	654
	Retired Status if applicable	-	-	-	-
	Inactive	-	-	-	-
	Other	0	0	0	0

Note: "Out of State" and "Out of Country" are two mutually exclusive categories. A licensee should not be counted in both.

<sup>3</sup> Active status is defined as able to practice. This includes licensees that are renewed, current, and active.

<sup>4</sup> Other is defined as a status type that does not allow practice in California, other than retired or inactive.



**Table 7a. Licensing Data by Type– Veterinarian**

		Received	Approved/ Issued	Closed	Pending Applications			Application Process Times		
					Total (Close of FY)	Complete (within Board control)*	Incomplete (outside Board control)*	Complete Apps*	Incomplete Apps*	Total (Close of FY)
FY 21/22	(Exam)	339	385	73	60	-	-	24	91	-
	(License)	1052	803	35	39	-	-	9	60	30
	(Renewal)	7,070	6,461	333	3,944	-	-	-	-	9
FY 22/23	(Exam)	0	5	9	1	-	-	0	-	252
	(License)	857	765	113	237	-	-	9	85	-
	(Renewal)	7,160	6,178	277	3,861	-	-	-	-	2
FY 23/24	(Exam)	N/A	N/A	N/A	N/A	-	-	N/A	N/A	N/A
	(License)	923	813	63	273	-	-	14	188	-
	(Renewal)	8,200	6,554	447	3,980	-	-	-	-	2

\* Optional. List if tracked by the board.

**Table 7a. Licensing Data by Type– University Veterinarian**

		Received	Approved/ Issued	Closed	Pending Applications			Application Process Times		
					Total (Close of FY)	Complete (within Board control)*	Incomplete (outside Board control)*	Complete Apps*	Incomplete Apps*	Total (Close of FY)
FY 21/22	(Exam)	24	27	2	2	-	-	25	94	-
	(License)	41	33	3	5	-	-	4	53	-
	(Renewal)	76	56	0	61	-	-	-	-	1
FY 22/23	(Exam)	N/A	N/A	N/A	N/A	-	-	N/A	N/A	N/A
	(License)	41	33	3	5	-	-	8	18	-
	(Renewal)	72	37	0	90	-	-	-	-	0
FY 23/24	(Exam)	N/A	N/A	N/A	N/A	-	-	N/A	N/A	N/A
	(License)	37	28	1	12	-	-	9	54	-
	(Renewal)	88	53	0	118	-	-	-	-	0

\* Optional. List if tracked by the board.

**Table 7a. Licensing Data by Type– Registered Veterinary Technician**

		Received	Approved/ Issued	Closed	Pending Applications			Application Process Times		
					Total (Close of FY)	Complete (within Board control)*	Incomplete (outside Board control)*	Complete Apps*	Incomplete Apps*	Total (Close of FY)
FY 21/22	(Exam)	N/A	N/A	N/A	N/A	-	-	N/A	N/A	N/A
	(License)	1,050	706	237	334	-	-	42	91	78
	(Renewal)	4,498	3,887	247	3,114	-	-	11	-	11
FY 22/23	(Exam)	N/A	N/A	N/A	N/A	-	-	-	N/A	N/A
	(License)	965	872	274	232	-	-	5	81	-
	(Renewal)	4,744	3,850	256	3,236	-	-	-	-	2
FY 23/24	(Exam)	N/A	N/A	N/A	N/A	-	-	N/A	N/A	N/A
	(License)	918	815	164	159	-	-	6	50	-
	(Renewal)	5,366	3,961	325	3,400	-	-	-	-	2

\* Optional. List if tracked by the board.



**Table 7a. Licensing Data by Type– Veterinary Assistant Controlled Substance Permit**

		Received	Approved/ Issued	Closed	Pending Applications			Application Process Times		
					Total (Close of FY)	Complete (within Board control)*	Incomplete (outside Board control)*	Complete Apps*	Incomplete Apps*	Total (Close of FY)
FY 21/22	(Exam)	N/A	N/A	N/A	N/A	-	-	N/A	N/A	N/A
	(License)	2,105	1,633	316	670	-	-	57	80	-
	(Renewal)	3,037	1,689	3	4,707	-	-	-	-	9
FY 22/23	(Exam)	N/A	N/A	N/A	N/A	-	-	N/A	N/A	N/A
	(License)	2,355	2,135	437	444	-	-	3	69	-
	(Renewal)	3,790	2,358	119	5,481	-	-	-	-	3
FY 23/24	(Exam)	N/A	N/A	N/A	N/A	-	-	N/A	N/A	N/A
	(License)	2,120	1,872	269	392			1	48	-
	(Renewal)	3,676	1,986	921	5,791			-	-	3

\* Optional. List if tracked by the board.

**Table 7a. Licensing Data by Type– Premises**

		Received	Approved/ Issued	Closed	Pending Applications			Application Process Times		
					Total (Close of FY)	Complete (within Board control)*	Incomplete (outside Board control)*	Complete Apps*	Incomplete Apps*	Total (Close of FY)
FY 21/22	(Exam)	N/A	N/A	N/A	N/A	-	-	N/A	N/A	N/A
	(License)	442	399	35	38	-	-	16	73	-
	(Renewal)	3,767	3,451	220	791	-	-	-	-	6
FY 22/23	(Exam)	N/A	N/A	N/A	N/A	-	-	N/A	N/A	N/A
	(License)	502	459	50	32	-	-	2	25	-
	(Renewal)	3,979	3,594	168	903	-	-	-	-	2
FY 23/24	(Exam)	N/A	N/A	N/A	N/A	-	-	N/A	N/A	N/A
	(License)	424	364	38	52			3	41	-
	(Renewal)	4,340	3,763	167	915			-	-	3

\* Optional. List if tracked by the board.

**Table 7b. License Denial**

	FY 21/22	FY 22/23	FY 23/24
License Applications Denied (no hearing requested)	2	8	5
SOIs Filed	0	0	0
Average Days to File SOI (from request for hearing to SOI filed)	N/A	N/A	N/A
SOIs Declined	N/A	N/A	N/A
SOIs Withdrawn	N/A	N/A	N/A
SOIs Dismissed (license granted)	N/A	N/A	N/A
License Issued with Probation / Probationary License Issued	0	1	0
Average Days to Complete (from SOI filing to outcome)	N/A	N/A	N/A





### 19. How does the board verify information provided by the applicant?

- **What process does the board use to check prior criminal history information, prior disciplinary actions, or other unlawful acts of the applicant? Has the board denied any licenses over the last four years based on the applicant's failure to disclose information on the application, including failure to self-disclose criminal history? If so, how many times and for what types of crimes (please be specific)?**

The Board requires all applicants to complete state and federal fingerprinting through Live Scan or hard card prior to licensure. The Board does not require applicants to answer disciplinary action and conviction/felony questions prior to licensure.

From FY 19/20 through FY 23/24, the Board denied 0 licenses based on the applicant's failure to disclose criminal history information.

- **Does the board fingerprint all applicants?**

Yes, every applicant is required to obtain fingerprint clearance prior to licensure.

- **Have all current licensees been fingerprinted? If not, explain.**

Yes, all current licensees have been fingerprinted.

- **Is there a national databank relating to disciplinary actions? Does the board check the national databank prior to issuing a license? Renewing a license?**

The Veterinary Information Verifying Agency (VIVA) is the national database relating to disciplinary actions, and it is maintained by the AAVSB on behalf of California and 56 other licensing jurisdictions in the United States, Canada, and the U.S. Territories. VIVA is somewhat limited, however, as only 50% of states report to VIVA. The Board receives regular reports from the AAVSB and checks the national databank prior to issuing a license.

Due to the lack of other state participation, the Board cannot solely rely on VIVA. In addition to checking VIVA, the Board requires a letter of good standing from all state boards where applicants indicate they are licensed prior to licensure. The Board also requires state and federal Live Scan fingerprinting of veterinarian, RVT, and VACSP applicants. Once applicants have been fingerprinted, the Board receives subsequent arrest reports if the individuals become licensed by the Board.

The Board does not check the database prior to renewing a license; however, if a report is received that indicates that a licensee has been disciplined in another state, the Board takes reciprocal action that could lead to either sanctions against the license or revocation, depending on the type of violations. Additionally, renewal applications include a self-certification that inquires whether the licensee has been found guilty or pled no contest to a criminal conviction since their last license renewal.

- **Does the board require primary source documentation?**

Yes, the Board requires primary source documentation such as transcripts, examination scores, and fingerprint clearances. The Board also considers transcripts and examination scores held by AAVSB's VIVA database to be primary source verified.

### 20. Describe the board's legal requirement and process for out-of-state and out-of-country applicants to obtain licensure.

The Board utilizes the VIVA database, fingerprinting, Program for the Assessment of Veterinary Education Equivalence (PAVE), and Educational Commission for Foreign Veterinary Graduates (ECFVG) to process out-of-state and out-of-country applicants. The PAVE and ECFVG programs assess the educational equivalency of out-of-country degrees in veterinary medicine to those programs that are approved by the American Veterinary Medicine Association (AVMA).

### 21. Describe the board's process, if any, for considering military education, training, and experience for purposes of licensing or credentialing requirements, including college credit equivalency.

At present, the U.S. military requires veterinarians to already have been licensed before they can report for duty in the armed services. The military education, training, and experience are considered if the applicant includes this under the general work experience or education requirements for RVT registration.

- **Does the board identify or track applicants who are veterans? If not, when does the board expect to be compliant with BPC § 114.5?**

Yes.



- **How many applicants offered military education, training or experience towards meeting licensing or credentialing requirements, and how many applicants had such education, training or experience accepted by the board?**

To obtain a California veterinarian license, the applicant must have graduated from an accredited school/college of veterinary medicine. The Board does not evaluate education, training, or experience in lieu of a degree.

RVT applicants are able to submit a combination of education and clinical practice experience in lieu of graduating from an approved college (BPC § 4841.5, subd. (b); CCR, tit. 16, § 2068.5). Currently, the Board does not collect information on where the experience occurred. As such, it is unknown if any of the submitted experience was from the military or private practice.

- **What regulatory changes has the board made to bring it into conformance with BPC § 35?**

The Board has not made any regulatory changes to accept military training or experience.

- **How many licensees has the board waived fees or requirements for pursuant to BPC § 114.3, and what has the impact been on board revenues?**

The Board has waived renewal fees and requirements for 7 licensees in the past four fiscal years:

FY 20/21 - 0  
 FY 21/22 - 0  
 FY 22/23 - 7  
 FY 23/24 - 4

There has been a minimal impact on Board revenue (-\$5,875.00) as a result of BPC section 114.3.

- **How many applications has the board expedited pursuant to BPC § 115.5?**

In the past four fiscal years, the Board expedited 59 applications pursuant to BPC § 115.5:

FY 20/21 - 26  
 FY 21/22 - 11  
 FY 22/23 - 11  
 FY 23/24 - 11

- **22. Does the board send No Longer Interested notifications to DOJ on a regular and ongoing basis? Is this done electronically? Is there a backlog? If so, describe the extent and efforts to address the backlog.**

The Board is currently utilizing the NLI process through the BreEZe database. The NLI process is completed electronically, and there is no backlog.

## Examinations

- **23. Describe the examinations required for licensure. Is a national examination used? Is a California specific examination required? Are examinations offered in a language other than English?**

Currently, veterinarian license applicants must take and pass a national exam and the California Veterinary Law Examination (VLE). RVT registration applicants must take only the national exam. All exams are in English and the North American Veterinary Licensing Examination (NAVLE) and the VTNE are also administered in French.

- **24. What are pass rates for first time vs. retakes in the past 4 fiscal years? Are pass rates collected for examinations offered in a language other than English?**

The Veterinarian California State Board Examination (CSBE) pass rates for first time candidates averaged approximately 80% for the last four fiscal years. The CSBE was administered in English. However, as of January 2022, passage of the CSBE is no longer required for licensure.

The NAVLE pass rates for national first-time candidates averaged approximately 71% for the last four fiscal years. The VTNE pass rates are 68% for national first-time candidates. The retake information is not reported by the test administrator. Pass rates are provided in the language administered.





Table 8a. Examination Data <sup>5</sup>		
California Examination (include multiple language) if any:		
License Type		Veterinarian
Exam Title		CSBE
FY 20/21	Number of Candidates	601
	Overall Pass %	84%
	Overall Fail %	16%
FY 21/22	Number of Candidates	122
	Overall Pass %	76%
	Overall Fail %	24%
FY 21/22	Number of Candidates	N/A
	Overall Pass %	N/A
	Overall Fail %	N/A
FY 23/24	Number of Candidates	N/A
	Overall Pass %	N/A
	Overall Fail %	N/A
Date of Last OA		2019
Name of OA Developer		OPES
Target OA Date		N/A

Table 8(b). National Examination. Include multiple languages, if any.			
License Type		Veterinarian	RVT
Exam Title		NAVLE	VTNE
FY 2020/21	Number of Candidates	6,639	7,331
	Overall Pass %	76%	72.71%
	Overall Fail %	24%	27.29%
FY 2021/22	Number of Candidates	7,019	8,242
	Overall Pass %	71.6%	67.61%
	Overall Fail %	28.4%	32.39%
FY 2022/23	Number of Candidates	8,230	8,733
	Overall Pass %	64%	66.4%
	Overall Fail %	36%	33.95%
FY 2023/24	Number of Candidates	6,110	9,462
	Overall Pass %	73.2%	65.06%
	Overall Fail %	26.8%	34.94%
Date of Last OA		2020	2023
Name of OA Developer		OPES	PSI/AAVSB
Target OA Date		N/A	N/A

**25. Is the board using computer based testing? If so, for which tests? Describe how it works. Where is it available? How often are tests administered?**

The NAVLE and the VTNE are computer-based examinations.

Applicants taking the NAVLE are allowed to take the examination four times within a 12-month period. When NAVLE candidates are approved, they are submitted into the Prometric scheduling system through ICVA's testing coordinator, and individual NAVLE Scheduling and Admission Permits are created for each candidate. The candidate uses the permit to set up their testing appointment with Prometric, and then takes the permit and their current, government-issued photo ID with signature (such as a driver's license or passport) with them to the Prometric Testing Center to check in on the day of their appointment. There is an individualized code on the permit that the candidate then uses to begin their NAVLE at their assigned workstation within the Prometric Testing Center. Prometric staff handle all proctoring duties, and the test file is sent to ICVA's testing coordinator (NBME) after completion of the examination. Scoring is handled at NBME, and score reports are released electronically to candidates and licensing boards approximately four weeks after the completion of each testing window.

The NAVLE is given in two testing windows each year - one window of four weeks from mid-November to mid- December, and one window of two weeks in April. The NAVLE is administered in 20 locations throughout California. NAVLE candidates who wish to be licensed in California but are physically located in another location at the time of the test (for example, a candidate with family in California who is attending school at the University of Edinburgh) may take their test at the Prometric center in their physical location, and their score report will be made available to the California board once the reports are published for that testing window.



The VTNE is administered during three exam windows each year. Applicants are allowed to take the examination five times and must apply to AAVSB Board of Directors for additional attempts. The exam is computer-based and is given at PSI testing centers throughout the U.S. and Canada or can be Live Remote Proctored (LRP).

LRP is an available option through PSI Exams. PSI has a process for online scheduling and equipment testing, so candidates can take the exam safely and securely from home or another secure location.

Requirements for LRP include a system check to verify the computer meets requirements for compatibility and a 360-degree room scan of the testing environment. Once completed, a candidate will log into their MyAAVSB account and select Remote Online Proctored Exam. The AAVSB will email scheduling information for the test.

Once logged in for the test, a picture of the candidate and an unexpired government issued photo ID that matches the application is required.

The VTNE is a 3-hour exam which consists of 170 multiple-choice questions. The score on the VTNE is based on responses to 150 operational questions. The additional 20 pilot questions embedded in the test are used for constructing future examinations and will not count towards the final score.

**26. Are there existing statutes that hinder the efficient and effective processing of applications and/or examinations? If so, please describe.**

The Board has identified statutes that hinder the efficient and effective processing of applications. Listed in more detail in New Issue #15, the RVT and VACSP application/qualification statutes are listed in multiple sections and contain redundant and/or unnecessary requirements. This creates confusion with Board staff, applicants, educational programs, employers, and other invested stakeholders. As such, the Board is proposing amendments to combine sections, remove redundant sections, and align with the structure of the veterinarian requirements.

**27. When did the Board last conduct an occupational analysis that validated the requirement for a California-specific examination? When does the Board plan to revisit this issue? Has the Board identified any reason to update, revise, or eliminate its current California-specific examination?**

The Board last conducted its occupational analysis between August 2019 and July 2020. At a subsequent Board meeting in October 2020, the result of the analysis indicated that there was overlap between the California-specific examinations and the national examinations. For the veterinarian applicants, the California-specific examination, known as the California State Board Examination (CSBE), was determined to overlap the national veterinarian examination known as the North American Veterinary Licensing Examination (NAVLE), except for California laws, rules, and regulations.

In addition to the CSBE, veterinarian applicants were also required to complete a California Veterinary Law Examination (VLE), which covers California laws, rules, and regulations. As a result of the study and Board discussion, the Board supported a legislative proposal (AB 1535) to remove the statutorily required examination (CSBE) as a requirement. On January 1, 2022, AB 1535 became effective, which in part, removed the CSBE requirement.

**School Approvals**

**28. Describe legal requirements regarding school approval. Who approves your schools? What role does BPPE have in approving schools? How does the board work with BPPE in the school approval process?**

BPC section 4846, subdivision (a)(1), establishes that veterinary colleges must be recognized by the Board; all AVMA-accredited veterinary colleges are recognized by the Board. (CCR, tit. 16, § 2022, subs. (a).) All other veterinary colleges must have academic standards equivalent to programs accredited by the AVMA to be recognized by the Board (CCR, tit. 16, § 2022, subs. (b)). The Board does not otherwise approve veterinary colleges, and there are no BPPE approval requirements.

Veterinary technician programs offered by a private postsecondary institution must be approved by BPPE (BPC §§ 4841.5 and 4843). AVMA-accredited schools or degree programs are deemed by the Board to have met the minimum requirements for approved schools (CCR §§ 2064). BPPE reviews veterinary technician programs in accordance with state and federal education requirements; the Board is not involved in that process.

**29. How many schools are approved by the board? How often are approved schools reviewed? Can the board remove its approval of a school?**



As noted above, the Board does not approve veterinary colleges. Further, the Board has not approved a veterinary technician school program since 1995; that program was renewed for varying terms up to 2017. The Board’s veterinary technician school program requirements and approval process needed to be significantly overhauled, and Board staff began working on a rulemaking package to clarify the Board approval process and minimum requirements for Board approval. Following more recent discussions with stakeholders, it was determined that Board approval of veterinary technician programs was unnecessary, redundant, overly burdensome, and costly, and the Board approved a legislative proposal to remove the Board approval requirement in statute. (See Board April 2023 Meeting Materials, [Agenda Item 5.D.](#))

As described in detail in New Issue #6, the Board believes the oversight provided by the Committee on Veterinary Technician Education and Activities (CVTEA), BPPE, and the Accrediting Commission for the Community and Junior Colleges (ACCJC) provide adequate protection for veterinary technician students. As such, the Board seeks a legislative proposal to amend BPC sections 4841.1, 4841.4, 4841.5, and 4842, and repeal sections 4842.1 and 4843 regarding RVT registration requirements and RVT school or degree program approvals.

**30. What are the board’s legal requirements regarding approval of international schools?**

The Board only recognizes the accreditation standards of the AVMA for international veterinary schools, which accredits 24 programs from 10 countries listed below (CCR, tit. 16, § [2066](#)).

International Veterinary Schools		
Country	Number of Schools Offering Veterinarian Approved Programs	Number of Schools Offering RVT Approved Programs
Australia	4	0
Canada	5	1
France	1	0
Ireland	1	0
Mexico	1	0
Netherlands	1	0
New Zealand	1	0
South Korea	1	0
United Kingdom	6	0
West Indies	2	0

While the Board may not approve international schools, both veterinarian and RVT applicants have the opportunity to have their foreign education granted credit through three specific programs. Veterinarian applicants are permitted to have their foreign education granted credit if it is approved through either the Educational Commission for Foreign Veterinary Graduates (ECFVG) or the PAVE for veterinarians (BPC § 4846; CCR, tit. 16, §§ 2010.1, 2023, 2024 and 2025). RVT applicants may have their foreign education granted credit if it is approved through the PAVE for veterinary technicians (BPC § 4841.5(c)). All three programs compare the foreign education standards to the AVMA accredited standards to determine if the foreign school meets or exceeds the requirements of an AVMA accredited program. Upon meeting the requirement of one of these programs, the applicant with foreign education will be determined to have met the education requirement in California.

**Continuing Education/Competency Requirements**

**31. Describe the board’s continuing education/ competency requirements, if any. Describe any changes made by the board since the last review.**

Continuing Education			
Type	Frequency of Renewal	Number of CE Hours Required Each Cycle	Percentage of Licensees Audited
VET	Biannual	36	5%
RVT	Biannual	20	5%

Continuing education (CE) for veterinarian license and RVT registration renewal is statutorily required. Excluding the first license renewal, veterinarians are required to complete 36 hours of CE every two years (BPC § 4846.5; CCR, tit. 16, § [2085.1](#)), and RVTs are required to complete 20 hours of CE every two years (CCR, tit. 16, § [2086.2](#)). Approved CE providers are listed under BPC section [4846.5](#), subdivision b, and CCR, title 16, section [2086.1](#). CE coursework will only be accepted by the Board if it was obtained in subjects related to the practice of veterinary medicine and/or veterinary technology (BPC §§ 4846.5 and 4838; CCR, tit. 16, §§ 2085.6 and 2086.5). CE courses must be consistent with current standards and practices beyond the initial academic studies required for initial licensure or registration.

A veterinarian who renews their license on or after January 1, 2018, must complete a minimum of one credit hour of CE on the judicious use of medically important antimicrobial drugs, as defined, every four years as part of the CE requirement (BPC § [4846.5\(k\)\(1\)](#)).



- **How does the board verify CE or other competency requirements? Has the Board worked with the Department to receive primary source verification of CE completion through the Department's cloud?**

Licensees are required to sign their renewal notice under penalty of perjury stating they have completed the requisite number of CE hours within the last two-year renewal period. Licensees are required to maintain CE completion documentation for no less than four years and, if audited, are required to provide that documentation to the Board upon request.

Currently, the Board is verifying CE for licensees who are moving their license from inactive to active. The licensee submits proof of CE when they apply for an active license from inactive.

The Board utilizes the AAVSB's Registry of Approved Continuing Education (RACE) CE Broker when available. This service allows veterinary professionals the chance to record all CE coursework in a single centralized database. The Board will log in and view CEs taken during the renewal cycle.

The Board has not worked with the Department to receive primary source verification through the Department's cloud.

- **Does the board conduct CE audits of licensees? Describe the board's policy on CE audits.**

Yes. The Board has a CE audit process to audit 5% of its licensee population annually.

- **What are consequences for failing a CE audit?**

Consequences of failing a CE audit may result in an educational letter, a citation or disciplinary action initiated against the licensee depending on severity of the violation.

- **How many CE audits were conducted in the past four fiscal years? How many fails? What is the percentage of CE failure?**

Over the past four fiscal years the Board has conducted 813 audits of veterinarians and RVTs; of those audits, 287 resulted in failures. The overall failure percentage is 35%.

- **What is the board's CE course approval policy?**

The course approval criteria are outlined in regulation (CCR, tit. 16, §§ [2085.3](#), 2085.5, [2085.6](#), 2085.7, 2086.4, [2086.5](#), and 2086.6). Based on the approval criteria, the Board delegates course approval to its national regulatory agency, the AAVSB Registry for Approved Continuing Education (RACE) for all non-statutorily approved providers and courses.

- **Who approves CE providers? Who approves CE courses? If the board approves them, what is the board application review process?**

CE providers are approved under statutory authority (BPC § [4846.5](#), subd. (b)) for veterinarians and through regulatory authority (BPC § [4838](#); CCR, tit. 16, § [2086.1](#)) for RVTs. For most CE courses, the AAVSB, through its RACE program, approves individual courses (CCR, tit. 16, § [2085.5](#)). Other CE providers, such as the AVMA (including regional factions), colleges and universities, governmental agencies (e.g., Centers for Disease Control and Prevention, USDA, CDFA, and Board), approved specialty organizations (i.e., American Board of Veterinary Specialties and National Association of Veterinary Technicians in America), and trade organizations (i.e., Accreditation Council for Continuing Medical Education, American Dental Association, and American Medical Association) are also acceptable, as long as the CE coursework meets the requirements as outlined in BPC section 4846.5 and CCR, title 16, sections 2085.6 and 2086.5.

- **How many applications for CE providers and CE courses were received? How many were approved?**

The Board does not receive applications for CE providers or for specific courses.

- **Does the board audit CE providers? If so, describe the board's policy and process.**

The Board does not audit CE providers.

- **Describe the board's effort, if any, to review its CE policy for purpose of moving toward performance-based assessments of the licensee's continuing competence.**

The Board has not discussed any effort to move toward a performance-based assessment of the licensee's continuing competence.



## SECTION 4

### ENFORCEMENT PROGRAM

**32. What are the board’s performance targets/ expectations for its enforcement program? Is the board meeting those expectations? If not, what is the board doing to improve performance?**

The Board has the following performance targets:

- Cycle time for complaint assignment – 10 days
- Investigation cycle time – 365 days
- Formal discipline cycle time – 540 days
- Cycle time from probation monitor assignment to first contact with probationer – 10 days
- Probation violation response cycle time – 5 days

The Board typically meets its 10-day target for complaint assignments but has gone above it on occasion from intake vacancies. To minimize this increase, management makes all reasonable efforts to fill intake vacancies expeditiously.

The Board is not meeting its investigation and formal discipline cycle time targets due to an aging backlog of complaints in need of investigation and potential disciplinary action. Since these complaints are already several years old and naturally exceed the performance targets, once the investigations are completed, the reflected cycle times exceed the targets. The Board has implemented efficiencies, explored/applied process changes, and shifted resources to better address these targets (and has made progress); however, with the backlog of several thousand of these aging complaints, it will still take several years to come within striking distance of these performance targets.

On average, the Board meets its performance targets for probation monitor first contact, as well as its target to respond to probation violations without issue.

**33. Explain trends in enforcement data and the board’s efforts to address any increase in volume, timeframes, ratio of closure to pending cases, or other challenges. What are the performance barriers? What improvement plans are in place? What has the board done and what is the board going to do to address these issues, i.e., process efficiencies, regulations, BCP, legislation?**

Over the past decade, the Board has seen frequent, sharp increases in complaints received year over year. These increases have affected all areas of enforcement, as they could not be immediately investigated without additional staff. However, despite the lack of appropriate staff, Board management was quick to explore ways to become more efficient using current resources and implemented several efficiencies.

These include, but are not limited to:

- Mapping out all enforcement processes to identify and remove unnecessary steps.
- Shifting duties to reallocate existing staff to enforcement.
- Changing the investigative process to minimize the number of individuals involved in the investigation.
- Proactively communicating with external entities, such as the Office of the Attorney General (OAG), the DCA, Division of Investigation, and contracted experts
- Obtaining all potential evidence and mitigation prior to transmittal of cases to the OAG
- Exploring settlement options early and often

In addition to the above and because each enforcement analyst had a caseload of over 700, in FY 2020/21, the Board submitted and received approval for a Budget Change Proposal (BCP) for six additional limited-term enforcement analysts (which was all the budget could support at the time). Shortly thereafter, the Board added another enforcement manager to its team to manage the new staff obtained through the 2020/21 BCP. Further, in 2021, the Board folded its inspection program into the enforcement program (as the two are directly related) and bolstered the number of staff assigned to investigations. Moreover, the Board further increased staffing levels, adding four limited-term enforcement analysts in the Summer of 2022.

With the additional staff, the Board has been able to keep up with the number of complaints received on an annual basis and slowly cut into the backlog - indicating that current staffing levels are appropriate to keep up with the needs of the Board. However, this accomplishment did not eliminate the backlog of cases that was continually growing while efficiencies were implemented, and resources were obtained. Therefore, the Board will continue to explore additional efficiencies and investigate obtaining temporary help to cut into the backlog of complaints at a faster rate to reach the performance targets for investigations and formal discipline.





Table 9a. Enforcement Statistics			
	FY 21/22	FY 22/23	FY 23/24
<b>COMPLAINT</b>			
Intake			
Received	1,505	1,593	1,670
Closed without Referral for Investigation	77	68	96
Referred to INV	1,448	1,511	1,580
Pending (close of FY)	16	25	20
Conviction / Arrest			
CONV Received	185	214	203
CONV Closed Without Referral for Investigation	3	3	0
CONV Referred to INV	184	207	208
CONV Pending (close of FY)	1	4	0
Source of Complaint <sup>6</sup>			
Public	1,179	1,170	1,311
Licensee/Professional Groups	40	52	19
Governmental Agencies	141	95	10
Internal	117	220	45
Other	4	9	4
Anonymous	209	261	281
Average Time to Refer for Investigation (from receipt of complaint / conviction to referral for investigation)	10 days	10 days	8 days
Average Time to Closure (from receipt of complaint / conviction to closure at intake)	11 days	6 days	8 days
Average Time at Intake (from receipt of complaint / conviction to closure or referral for investigation)	10 days	9 days	9 days

Table 9a. Enforcement Statistics			
	FY 21/22	FY 22/23	FY 23/24
<b>INVESTIGATION</b>			
Desk Investigations			
Opened	1,632	1,718	1,787
Closed	1,297	1,975	2,046
Average days to close (from assignment to investigation closure)	763	700	762
Pending (close of FY)	3,798	3,713	3,546
Non-Sworn Investigation			
Opened	0	0	0
Closed	0	0	0
Average days to close (from assignment to investigation closure)	N/A	N/A	N/A
Pending (close of FY)	0	0	0
Sworn Investigation			
Opened	45	59	40
Closed	14	53	47
Average days to close (from assignment to investigation closure)	193	272	275
Pending (close of FY)	44	103	50
All investigations <sup>7</sup>			
Opened	1,678	1,777	1,827
Closed	1,311	1,975	2,039
Average days for all investigation outcomes (from start investigation to investigation closure or referral for prosecution)	763	703	764

<sup>6</sup> Source of complaint refers to complaints and convictions received. The summation of intake and convictions should match the total of source of complaint.

<sup>7</sup> The summation of desk, non-sworn, and sworn investigations should match the total of all investigations.



Table 9a. Enforcement Statistics			
	FY 21/22	FY 22/23	FY 23/24
Average days for investigation closures (from start investigation to investigation closure)	798	767	786
Average days for investigation when referring for prosecution (from start investigation to referral for prosecution)	971	796	960
Average days from receipt of complaint to investigation closure	796	719	774
Pending (close of FY)	3,818	3,727	3,559
<b>CITATION AND FINE</b>			
Citations Issued	48	26	18
Average Days to Complete (from complaint receipt / inspection conducted to citation issued)	1,293	1,396	1,352
Amount of Fines Assessed	\$188,750	\$121,000	\$82,000
Amount of Fines Reduced, Withdrawn, Dismissed	\$14,500	\$15,000	\$4,000
Amount Collected	\$203,250	\$102,283	\$111,332
<b>CRIMINAL ACTION</b>			
Referred for Criminal Prosecution	6	5	7
<b>ACCUSATION</b>			
Accusations Filed	22	23	34
Accusations Declined	0	1	0
Accusations Withdrawn	2	1	0
Accusations Dismissed	0	0	0

Table 9a. Enforcement Statistics			
	FY 21/22	FY 22/23	FY 23/24
Average Days from Referral to Accusations Filed (from AG referral to Accusation filed)	475	167	150
<b>INTERIM ACTION</b>			
ISO & TRO Issued	1	1	2
PC 23 Orders Issued	0	0	0
Other Suspension/ Restriction Orders Issued	0	0	0
Referred for Diversion	0	0	0
Petition to Compel Examination Ordered	0	1	0
<b>DISCIPLINE</b>			
AG Cases Initiated (cases referred to the AG in that year)	77	92	133
AG Cases Pending Pre-Accusation (close of FY)	63	90	142
AG Cases Pending Post-Accusation (close of FY)	26	36	34
<b>DISCIPLINARY OUTCOMES</b>			
Revocation	2	1	4
Surrender	1	4	6
Suspension only	0	0	0
Probation with Suspension	0	0	0
Probation only	4	10	12
Public Reprimand/ Public Reapproval/ Public Letter of Reprimand	1	0	0
Other	0	0	0



Table 9a. Enforcement Statistics			
	FY 21/22	FY 22/23	FY 23/24
<b>DISCIPLINARY ACTIONS</b>			
Proposed Decision	1	2	2
Default Decision	1	1	3
Stipulations	6	12	22
Average Days to Complete After Accusation (from Accusation filed to imposing formal discipline)	320	313	336
Average Days from Closure of Investigation to Imposing Formal Discipline	520	432	493
Average Days to Impose Discipline (from complaint receipt to imposing formal discipline)	1,316	1,134	1,596
<b>PROBATION</b>			
Probations Completed	21	15	16
Probationers Pending (close of FY)	59	57	53
Probationers Tolled *	11	12	9
Petitions to Revoke Probation/ Accusation and Petition to Revoke Probation Filed	0	4	1
<b>SUBSEQUENT DISCIPLINE<sup>8</sup></b>			
Probations Revoked	0	0	1
Probationers License Surrendered	0	3	1
Additional Probation Only	1	0	2
Suspension Only Added	0	0	0
Other Conditions Added Only	0	0	0
Other Probation Outcome	0	0	1

Table 9a. Enforcement Statistics			
	FY 21/22	FY 22/23	FY 23/24
<b>SUBSTANCE ABUSING LICENSEES **</b>			
Probationers Subject to Drug Testing	25	21	16
Drug Tests Ordered	743	490	291
Positive Drug Tests	199	158	49
<b>PETITIONS</b>			
Petition for Termination or Modification Granted	1	3	0
Petition for Termination or Modification Denied	0	0	0
Petition for Reinstatement Granted	0	1	0
Petition for Reinstatement Denied	0	1	1
<b>DIVERSION **</b>			
New Participants	2	0	0
Successful Completions	0	0	0
Participants (close of FY)	3	2	2
Terminations	0	1	0
Terminations for Public Threat	0	0	0
Drug Tests Ordered	59	122	75
Positive Drug Tests	1	0	0

<sup>8</sup> Do not include these numbers in the Disciplinary Outcomes section above.





Table 10. Enforcement Aging						
	FY 20/21	FY 21/22	FY 22/23	FY 23/24	Cases Closed	Average %
<b>Investigations (Average %)</b>						
Closed Within:						
90 Days	339	274	459	387	1,459	25%
91 - 180 Days	29	65	84	112	290	5%
181 - 1 Year	36	116	171	153	476	8%
1 - 2 Years	62	145	306	309	822	14%
2 - 3 Years	22	167	302	413	904	15%
Over 3 Years	72	530	653	655	1,910	33%
Total Investigation Cases Closed	560	1,297	1,975	2,029	5,861	
<b>Attorney General Cases (Average %)</b>						
Closed Within:						
0 - 1 Year	3	3	5	0	11	6%
1 - 2 Years	6	2	8	11	27	15%
2 - 3 Years	22	1	7	3	33	19%
3 - 4 Years	16	7	11	21	55	31%
Over 4 Years	27	8	11	4	50	29%
Total Attorney General Cases Closed	74	21	42	39	176	

**34. What do overall statistics show as to increases or decreases in disciplinary action since last review?**

Since the last review, cases referred to the OAG have not significantly increased or decreased. The number of Accusations filed has also remained similar to the last reporting period. The total number of disciplinary outcomes has also not changed significantly outside of 44 in FY 2017/18 which appears to have been an outlier. Average number of days from OAG referral to Accusation filed reduced significantly from FY 2021/22 to FY 2022/23.

**35. How are cases prioritized? What is the board’s complaint prioritization policy?**

Board cases are prioritized pursuant to BPC section [4875.1](#).

**36. Are there mandatory reporting requirements? For example, requiring local officials or organizations, or other professionals to report violations, or for civil courts to report to the board actions taken against a licensee. Are there problems with the board receiving the required reports? If so, what could be done to correct the problems?**

Licensees are required to report animal cruelty, animal fighting, and animal injuries that occur at rodeos. Insurers are required to report to the Board any settlement or arbitration award over \$10,000 of a claim or action for damages for death or personal injury caused by the licensee’s negligence, error, or omission in practice, or by their rendering of unauthorized professional services. (BPC § 801, subd. (d).) Court clerks are required to report to the Board crimes or licensee liability for any death or personal injury resulting in a judgment for an amount in excess of \$30,000 caused by the licensee’s negligence, error or omission in practice, or their rendering of unauthorized professional services. (BPC § 803, subd. (a).) The Board has not received information that the required reports are not being submitted.



- **What is the dollar threshold for settlement reports received by the board?**

For insurers, \$10,000 for injury/death caused by negligence, error, or omission in practicing or by rendering unauthorized professional services. (BPC § 801, subd. (d)). For licensees without professional liability insurance, \$3,000 for damages for death or personal injury caused by negligence, error or omission in practice, or by the unauthorized rendering of professional services. (BPC §802, subd. (a)).

- **What is the average dollar amount of settlements reported to the board?**

The average dollar amount of settlements reported to the Board over the past four fiscal years was \$24,122.38.

**37. Describe settlements the board, and Office of the Attorney General on behalf of the board, enter into with licensees.**

- **What is the number of cases, pre-accusation, that the board settled for the past four years, compared to the number that resulted in a hearing?**

The Board has authority to issue probationary licenses to applicants without sending cases to the OAG. These are considered settlements pre-Statement of Issues. The Board does not offer settlements for cases before they are transmitted to the OAG pre-accusation.

- **What is the number of cases, post-accusation, that the board settled for the past four years, compared to the number that resulted in a hearing?**

The Board has settled 76 cases, post accusation, and had hearings on 9 cases for the past four years.

- **What is the overall percentage of cases for the past four years that have been settled rather than resulted in a hearing?**

Approximately 94% percent of cases (86% of accusations filed) have been settled rather than resulted in a hearing. Board staff makes efforts shortly after an accusation is filed to have the assigned deputy attorney general (DAG) offer settlement terms to respondents to avoid costly litigation that would likely end in probation.

**38. Does the board operate with a statute of limitations? If so, please describe and provide citation. If so, how many cases have been lost due to statute of limitations? If not, what is the board’s policy on statute of limitations?**

The Board does not have a statute of limitations. However, licensees are required to maintain written records for three years after the date of the last patient visit; therefore, a complaint submitted for final services provided to a consumer more than three years ago may limit the ability of the Board to take action. Similarly, arresting agencies and courts often purge records of less egregious offenses after three to five years, which makes it difficult to gather information on underlying acts in criminal convictions.

**39. Describe the board’s efforts to address unlicensed activity and the underground economy.**

The Board has authority to cite and fine unlicensed practitioners of veterinary medicine. (BPC § 148; CCR, tit. 16, § 2043.) In addition, the Board has authority to request that the California Public Utilities Commission disconnect the phone service of cited individuals advertising unlicensed services. If the DCA, Division of Investigation is asked to provide investigatory services on a case, they can issue a misdemeanor citation. Further, unlicensed cases may be referred to the district attorney’s office for the filing of criminal charges against the individual.

The Board is considering a legislative proposal to amend BPC section 4875.1 subdivision (a)(1), to change “veterinarian or registered veterinary technician” to “individual” to include those practicing without a license.

In addition, the Board’s 2024-2028 Strategic Plan includes the following Objectives to further combat unlicensed practice:

- Seek statutory changes to enhance unlicensed practice penalties to decrease unlicensed veterinary practice. (Objective 4.2)
- Pursue legislation to narrow licensure exemptions in BPC section 4827 to prevent unintended consequences. (Objective 4.3)
- Develop racetrack/horse show specific materials regarding unlicensed practice to educate consumers. (Objective 5.8)

These objectives were delegated to the MDC, and an Unlicensed Practice Subcommittee was created to focus on these objectives. This Subcommittee is holding multiple stakeholder meetings to learn more about the unlicensed practice occurring in the industry and what can be done to further combat unlawful activity. The Board looks forward to collaborating with the Legislature if/when legislative amendments are recommended.



## Cite and Fine

### 40. Discuss the extent to which the board has used its cite and fine authority. Discuss any changes from last review and describe the last time regulations were updated and any changes that were made. Has the board increased its maximum fines to the \$5,000 statutory limit?

The Board may issue a citation to a licensee or unlicensed person along with a fine to incentivize compliance with the Act. Depending on the violation classification, fines can range from \$250 to \$5,000. Operative on April 1, 2023, the Board made a regulatory change to its cite and fine regulation (CCR, tit. 16, § 2043), removing the verbiage “while engaged in the practice of veterinary medicine,” allowing the Board to issue citations to individuals for violations of the Act that do not occur solely while they are practicing veterinary medicine; this would include failure to complete required continuing education and convictions that do not rise to the level of disciplinary action. Since the Board’s last Sunset Review, the Board did not increase the maximum fines to \$5,000 as the Board’s regulation already authorizes issuance of a citation with a civil penalty not exceeding \$5,000.

### 41. How is cite and fine used? What types of violations are the basis for citation and fine?

Cite and fine is used against unlicensed practitioners of veterinary medicine, as well as licensees and registrants. Citations may be issued with or without a fine. Citations are appropriate when formal discipline is not warranted due to the nature of the violation and/or in consideration of the amount of time elapsed since the violation occurred. These violations include, but are not limited to, negligence and/or incompetence, medical recordkeeping, and minimum standards.

### 42. How many informal office conferences, Disciplinary Review Committees reviews and/or Administrative Procedure Act appeals of a citation or fine in the last 4 fiscal years?

There were 18 informal conferences and two Administrative Procedure Act appeals held over the past four fiscal years.

### 43. What are the five most common violations for which citations are issued?

The most common violations included in citations are: negligence; unprofessional conduct; unlicensed practice; recordkeeping; and minimum standards.

### 44. What is average fine pre- and post- appeal?

Average fine pre-appeal: \$4,469. Average fine post-appeal: \$2,688.

### 45. Describe the board’s use of Franchise Tax Board intercepts to collect outstanding fines.

The Board uses the Franchise Tax Board intercepts program to collect outstanding fines for non-licensees. Three letters are sent to the individual for payment. If no payment is received, the Board sends the individual’s information to the accounting office, with copies of the three letters, to forward to the Franchise Tax Board intercepts program. The Board has sent 13 cases to the Franchise Tax Board for collection over the prior four fiscal years.

## Cost Recovery and Restitution

### 46. Describe the board’s efforts to obtain cost recovery. Discuss any changes from the last review.

The Board seeks cost recovery for its investigation and enforcement expenses whenever possible. When a case is heard before an administrative law judge (ALJ), the amount of cost recovery ordered may be reduced by a substantial amount based on the evidence and resulting reduction in causes for discipline and the respondent’s ability to pay. Stipulated settlements may contain reduced cost recovery amounts in the interest of arriving at an expedited agreement to ensure consumer protection. The total cost recovery amount must be paid six months prior to the end of probation; failure to pay the cost recovery could result in extension of probation. Cost recovery attached to revocation and stipulated surrender cases usually is ordered to be paid upon successful petition for reinstatement of the license.

Shortly after the last Sunset Review, the Board raised concerns related to investigative cost declarations prepared by the DCA Division of Investigations (DOI). In a follow up report to Senator Roth, the Board explained that, in order for investigative and enforcement costs to be considered for cost recovery pursuant to BPC section 125.3, all cost declarations must comply with CCR, title 1, section 1042. In previous Board cases, ALJs had awarded OAG expenditures (up until the hearing), but disallowed cost recovery for investigative costs due to the investigative cost declarations failing to describe the general tasks performed, the time spent on each task, and the hourly rate charged for the service as required by CCR, title 1, section 1042, subsection (b)(2).



Since that time, DOI implemented a new cost declaration template for compliance with CCR, title 1, section 1042.

In addition, the Board has improved its internal cost declarations for subject matter experts, consultants, and inspectors leading to more cost recovery being ordered.

**47. How many and how much is ordered by the board for revocations, surrenders and probationers? How much do you believe is uncollectable? Explain.**

The Board would order all costs incurred during the investigation/prosecution process, as all is collectable. From July 1, 2020 through September 30, 2024, the Board has ordered cost recovery on probation cases 35 times totaling \$820,735. The Board does not believe any of the ordered cost recovery is uncollectable as any outstanding cost recovery owed is included in the amount due to the Board prior to the probationer being fully reinstated. During that same period, the Board ordered cost recovery on revocation and stipulated surrender cases 36 times, totaling \$597,584; however, it should be noted that it is unlikely that cost recovery included in these orders will be satisfied, as most surrendered/revoked licensees do not attempt to reinstate their licenses – which is when the cost recovery is due.

**48. Are there cases for which the board does not seek cost recovery? Why?**

The Board does not seek cost recovery in a statement of issues against an applicant, petitions to revoke probation, or default decisions, as it does not have the authority to do so. Further, as referenced above, although cost recovery may be ordered in surrender and revocation cases, the majority of this cost recovery will not be collected until the Board grants a petition for reinstatement of the license.

The Board also does not seek investigative cost recovery for petitions for reinstatement or to modify or terminate probation; a decision granting a petition for reinstatement or to terminate probation would include a provision for the petitioner to satisfy all cost reimbursement orders in the underlying disciplinary order. Notably, for petitions for reinstatement and to terminate or modify probation, the OAG appears on behalf of the State of California, not the Board’s Executive Officer, and the OAG is not prosecuting the petition. As such, the Board could not seek cost recovery under BPC section 125.3.

**49. Describe the board’s use of Franchise Tax Board intercepts to collect cost recovery.**

The Board has not used the Franchise Tax Board intercepts program to collect cost recovery.

<b>Table 11. Cost Recovery<sup>9</sup> (list dollars in thousands)</b>				
	<b>FY 20/21</b>	<b>FY 21/22</b>	<b>FY 22/23</b>	<b>FY 23/24</b>
Total Enforcement Expenditures	\$2,876	\$3,396	\$4,134	\$4,168
Potential Cases for Recovery *	8	6	11	16
Cases Recovery Ordered	8	6	11	16
Amount of Cost Recovery Ordered	\$99	\$107	\$305	\$223
Amount Collected	\$76	\$69	\$251	\$109

<sup>\*\*</sup>“Potential Cases for Recovery” are those cases in which disciplinary action has been taken based on violation of the license practice act.

**50. Describe the board’s efforts to obtain restitution for individual consumers, any formal or informal board restitution policy, and the types of restitution that the board attempts to collect, i.e., monetary, services, etc. Describe the situation in which the board may seek restitution from the licensee to a harmed consumer.**

The Board has authority to order restitution as a term of probation; however, it was not extensively utilized in the past. Enforcement staff are now trained to review the receipts, invoices, and billing submitted by complainants to determine whether restitution can and should be ordered.

For example, a respondent may be ordered to pay restitution if they provided substandard veterinary services, resulting in additional costs incurred by a client at a subsequent veterinarian to address the substandard care.

<sup>9</sup>Cost recovery may include information from prior fiscal years.



**Table 12. Restitution** (list dollars in thousands)

	FY 20/21	FY 21/22	FY 22/23	FY 23/24
Amount Ordered	\$3.88	\$13.25	\$18.68	\$6.33
Amount Collected	\$3.88	\$13.25	\$18.68	\$6.33

## SECTION 5 PUBLIC INFORMATION POLICIES

**51. How does the board use the internet to keep the public informed of board activities? Does the board post board meeting materials online? When are they posted? How long do they remain on the board’s website? When are draft meeting minutes posted online? When does the board post final meeting minutes? How long do meeting minutes remain available online?**

The Board utilizes the internet to inform the public of Board activities through social media, the Board website, ListServ, and online webcasts. The Board posts meeting materials online [here](#) and notifies the public through social media and ListServ when these documents are available. The meeting agendas are available a minimum of 10 business days prior to the meetings, and the meeting materials are posted prior to the meeting. Draft meeting minutes are posted online with the meeting materials for the following meeting. Final meeting minutes are posted after the Board approves them. Final meeting minutes are posted on the Board’s meetings page indefinitely.

**52. Does the board webcast its meetings? What is the board’s plan to webcast future board and committee meetings? How long to webcast meetings remain available online?**

The Board webcasts its meetings and plans to continue to webcast future Board and committee meetings for the foreseeable future. Webcasted meetings are uploaded to YouTube and will remain available on YouTube as long as YouTube continues to offer this service; direct links are provided on the Board’s meeting webpage [here](#).

**53. Does the board establish an annual meeting calendar, and post it on the board’s web site?**

Yes, typically at the Board’s last meeting for each calendar year (October meeting), the Board reviews the proposed quarterly meeting dates for the following year, which are then posted on the Board’s [website](#), as well as on the Board’s social media accounts.

**54. Is the board’s complaint disclosure policy consistent with DCA’s Recommended Minimum Standards for Consumer Complaint Disclosure? Does the board post accusations and disciplinary actions consistent with BPC § 27 if applicable?**

The Board’s complaint disclosure policy is consistent with DCA’s [Recommended Minimum Standards for Consumer Complaint Disclosure](#) to the extent that disclosure of any complaint information will not impede or impair current or future investigations and will not discourage or deter the filing of consumer complaints. The Board posts accusations and disciplinary actions consistent with DCA’s Website Posting of Accusations and Disciplinary Actions and the provisions of BPC section 27. The Board provides the following information to the public regarding its licensees, registrants, and permit holders:

- licensee’s name;
- address of record;
- license status;
- license type;
- issue date;
- expiration date;
- certification; and,
- disciplinary/enforcement actions.

The Board is consistent with DCA’s Website Posting of Accusations and Disciplinary Actions by attaching all filed accusations, in their entirety, to the respective license profiles in BreEZe; the public can view all enforcement and discipline documents through the Board’s [“Verify a License”](#) link on its website.





**55. What information does the board provide to the public regarding its licensees (i.e., education completed, awards, certificates, certification, specialty areas, disciplinary action, etc.)?**

The Board provides information through the BreEZe database regarding licenses, registrations, and permits issued by the Board, including enforcement action (citations and formal discipline) taken and the current status of the license, registration, or permit, but does not include any awards, certificates, or education information.

**56. What methods are used by the board to provide consumer outreach and education?**

The Board utilizes its website and social media for consumer outreach and education, as well as encouraging public attendance at Board. Additionally, Board staff work with various stakeholders when developing legislation and regulatory proposals.

## SECTION 6 ONLINE PRACTICE ISSUES

**57. Discuss the prevalence of online practice and whether there are issues with unlicensed activity. How does the board regulate online practice? Does the board have any plans to regulate internet business practices or believe there is a need to do so?**

In the last Sunset Review, the Board discussed telemedicine as a form of online veterinary medicine practice which had garnered a national movement to address the provision of veterinary services via telemedicine. Effective January 1, 2024, BPC section 4826.6 was added to the Act, establishing parameters for veterinary telehealth services to be provided to California's consumers. The Board will monitor licensee and consumer concerns with the new statute for recurring issues that may be resolved through regulation.

## SECTION 7 WORKFORCE DEVELOPMENT AND JOB CREATION

**58. What actions has the board taken in terms of workforce development?**

The Board regularly reviews its laws and regulations to identify any potential barriers to licensure. The Board identified an unnecessary and unfair barrier to licensure in the veterinary technician national examination (VTNE) eligibility process. The VTNE administrators, American Association of Veterinary State Boards (AAVSB), had a nearly two-decade old policy that only graduates of a veterinary technician program could sit for the VTNE. With nearly 34% of VTNE candidates (roughly 3,000 students) failing the exam on their first attempt, candidates were waiting months to retake the exam – often resulting in lost job opportunities and many deciding to walk away from the health care profession altogether.

Using data and statistics from various sources, the Board demonstrated students who were allowed to take the VTNE while still in school consistently performed significantly better than those who had graduated. After a year of strong advocacy and active engagement with national stakeholders and state veterinary boards, the AAVSB agreed to amend their policy. Students in all 63 AAVSB jurisdictions can now take the VTNE prior to graduation, resulting in more licenses being issued and individuals entering the health care profession faster than ever before.

During these policy discussions, the Board and multiple other stakeholders requested the ability for candidates to take the VTNE on a continuous basis and, if a candidate fails, be able to take the VTNE again in a shorter period. As a result, the AAVSB increased their total exam windows from three to four annual windows, extended each window by two months, and opened their application to allow candidates to apply at any time. AAVSB also expedited their score reporting process allowing Boards faster access to exam scores as candidates complete their testing. These changes are anticipated to reduce previous score reporting wait times of up to six weeks to less than one week.

**59. Describe any assessment the board has conducted on the impact of licensing delays.**

Board staff continues to work with the DCA, BreEZe unit to streamline the application process when appropriate. Additionally, statutes and regulations are reviewed on an ongoing basis by the Board and its staff to ensure timely processing of applications while using the BreEZe system effectively.

**60. Describe the board's efforts to work with schools to inform potential licensees of the licensing requirements and licensing process.**





Board staff regularly present to veterinary students to inform them of licensing requirements and licensing processes. Through the Board’s two veterinary student liaisons, one from UC Davis School of Veterinary Medicine and one from Western University of Health Sciences Veterinary College, students are kept apprised of Board activities and any changes to licensing requirements and the licensing process. Recently, the Board has been collaborating with the Association of Veterinary Technician Educators (AVTE) to provide more outreach to potential RVTs and educate them on the registration requirements and registration process.

**61. Describe any barriers to licensure and/or employment the board believes exist.**

As discussed in New Issue #7, the Board has identified a potential barrier to RVT registration through reciprocity due to the current regulatory requirement in CCR, title 16, section 2068.6, subsection (b), for out-of-state veterinary technicians applying for a California veterinary technician registration to complete 4,416 directed clinical practice hours under the direct supervision of a licensed veterinarian. The Board believes the current 4,416 clinical practice hour reciprocity requirement should be reduced to 2,500 hours.

Notably, during the Board’s last Sunset Review, the Board requested a similar requirement for out-of-state veterinarians seeking California licensure be reduced from 2,944 to 2,500 clinical practice hours. The Board believed the higher practice hour requirement served as a barrier to licensure, potentially impacting women who may have taken time off from practice to raise children. Similarly, the Board believes the current RVT clinical practice hour requirement for out-of-state veterinary technicians seeking California registration serves as a barrier. Since the Board is also requesting the Legislature restructure RVT registration requirements, the Board seeks to align the clinical practice hour requirement with that of veterinarians in the restructured RVT registration statutes.

In addition, the Board is currently evaluating the educational requirement as another potential barrier to RVT registration. Pursuant to CCR, title 16, section 2068.6, an out-of-state veterinary technician can obtain an RVT registration in California if they are licensed, certified, or registered as a veterinary technician in the United States, Canada or U.S. territory in good standing, passed the VTNE, and has completed 4,416 practice hours. Notably, there is no educational requirement. At least four states license, certify, or register veterinary technicians without requiring education; in those states, applicants can become an RVT solely with clinical experience. As such, many of those veterinary technicians newly registered in another state can immediately qualify for an RVT registration in California.

Further, most states have no residency requirements or a requirement that the clinical experience occurs within their state. So, an individual may obtain their required clinical practice hours in California, apply to one of those four states to obtain a registration (with no intention of ever practicing in that state), and then apply for (and obtain) an RVT registration in California. Yet, RVT applicants who are not licensed or registered in another state have to complete some amount of education to qualify for California registration (BPC § 4841.5; CCR, tit. 16, § 2068.5). The Board is aware that there are current, competent RVTs who were issued veterinary technician registrations before the statutory education requirements were added by SB 42 (Kelley, Chapter 60, Statutes of 1995). In those instances, the applicant had to submit evidence that the applicant had received three years of equivalent practical experience under a licensed veterinarian who attested by affidavit that the applicant had such training.

The Board intends to hold multiple public stakeholder, committee, and Board meetings to fully evaluate this issue. If, after careful consideration, the Board determines that education requirements are a barrier to licensure with no evidence of a consumer protection benefit for RVT applicants not otherwise licensed or registered in another state, the Board will request assistance from the Legislature to remove the barrier.

**62. Provide any workforce development data collected by the board, such as:**

**a. Workforce shortages**

Since 2022, all DCA healing arts boards implemented a voluntary workforce survey for licensees at the time of renewal; the survey collects data related to demographics, race, ethnicity, languages spoken, license specialties, clinic types, etc., which is provided to the Department of Health Care Access and Information (HCAI) for analysis and public reporting. HCAI has developed detailed dashboards that include most license types. This information is regularly reviewed and evaluated.

**b. Successful training programs.**

The Board does not collect data on workforce training programs.



**63. What efforts or initiatives has the board undertaken that would help reduce or eliminate inequities experienced by licensees or applicants from vulnerable communities, including low- and moderate-income communities, communities of color, and other marginalized communities, or that would seek to protect those communities from harm by licensees?**

The Board ensures through its licensing and examination processes and their evaluation that all individuals who are licensed by the Board meet the same level of competency regardless of their demographic.

Since its last Sunset Review, and as noted in this report, the Board has devoted extensive efforts and resources to increase access to veterinary health care services for the benefit of consumers and their animals.

Since 2023, at the opening of each meeting, the Board makes a land acknowledgement to publicly recognize the indigenous peoples who have been dispossessed and displaced from their ancestral homelands and territories, and the culture, history, and continued contributions of the original caretakers of the land on which Board meetings are held. The Board also notes its continued commitment to working with the tribes on issues of mutual concerns.

## SECTION 8 CURRENT ISSUES

**64. Describe how the board is participating in development of online application and payment capability and any other secondary IT issues affecting the board.**

- **Is the board utilizing BreEZe? What Release was the board included in? What is the status of the board's change requests?**

The Board began utilizing BreEZe in January 2016 in DCA's second release. There are currently 47 improvement requests pending.

- **If the board is not utilizing BreEZe, what is the board's plan for future IT needs? What discussions has the board had with DCA about IT needs and options? What is the board's understanding of Release 3 boards? Is the board currently using a bridge or workaround system?**

N/A

## SECTION 9 BOARD ACTION AND RESPONSE TO PRIOR SUNSET ISSUES

Include the following:

- Background information concerning the issue as it pertains to the board.
- Short discussion of recommendations made by the Committees during prior sunset review.
- What action the board took in response to the recommendation or findings made under prior sunset review.
- Any recommendations the board has for dealing with the issue, if appropriate.

**1. (FEE INCREASES) The Board has levied multiple fee increases over the years, reaching their legislative statutory maximums. Should the statutory fee caps be raised again?**

**Committee Staff Recommendation:** The Board should describe its long-term budget sustainability plan and update the Committees on the Board's budget outlook. The Board should continue to work with the Committees on its request to increase the Board's fee schedule caps and determine the best approach to balance the Board's budgetary needs while minimizing increased financial burden placed on veterinary licensees.

**Update:** The Board's fees have been at their statutory caps since 2020. At that time, it was projected that the Board's statutory caps would need to be increased during the last Sunset Review process. However, due to multiple cost savings measures and conservative spending, the Board estimated it would still be within its statutory three-month minimum reserves in FY 2025/26. As such, it did not seek a statutory cap increase during the last review.

Over the past four years, the Board continued to closely monitor its budget and fund condition and recognize cost savings wherever possible resulting in reverting more savings into its fund each year. As of June 2024, the Board estimates still being within its three-month minimum through FY 2028/29 (three years longer than initially anticipated) and will need fee increases effective FY 2029/30.



## 2. (RVT ISSUES) Does the Board have sufficient representation of the RVT profession, and are RVT policy issues appropriately addressed?

**Committee Staff Recommendation:** The Board should report on its work related to the RVT profession and assess whether it can effectively address issues related to RVT examination, continuing education, and approval of RVT schools. The Board should discuss how it is addressing delays regarding RVT-related Board actions or proposed regulatory packages.

**Update:** RVT related policy issues continue to be a priority for the Board and MDC. The RVT profession is an essential part of veterinary care, and the Board is committed to addressing any concerns raised. Over the last four years, the Board effectively addressed the following RVT policy issues:

### Decreased RVT Fees

Through AB 1535 (Committee on Business and Professions, Chapter 631, Statutes of 2021), RVT fees decreased by roughly 56%, from \$350 to \$225. (BPC § 4905, subs. (n), (o), and (p).) This was accomplished without negatively impacting the Board's fund, because veterinary premises fees were increased to cover the revenue loss.

### Increased Title Protections

AB 1535 also brought stronger title protections, as requested by the RVT profession, by requiring RVTs, veterinary assistants, and VACSP holders to wear name tag identifications in any area of veterinary premises accessible to members of the public. (BPC § 4826.3.)

### Created Additional Registration Pathway for International RVT Graduates

Through AB 1535, the Board became the first state to accept the AAVSB's [PAVE for Veterinary Technicians](#) certification. (BPC § 4846.) This new pathway is for RVT applicants who are graduates of international, non-accredited veterinary technology programs. The PAVE for Veterinary Technicians program evaluates the education equivalence of these graduates and issues certifications that meet the education requirement for eligibility to take the Veterinary Technician National Exam (VTNE) and become registered in California.

### Legislative Proposal to Add RVT to Board Composition

Pursuant to BPC section 4800, the Board is comprised of eight members: four veterinarians; one RVT; and three public members. Since the last Sunset Review, the Board evaluated its composition under BPC section 4800 and

voted to recommend legislation to add an RVT member to the Board. As such, the Board requests the Legislature add another RVT member to the Board's composition, bringing the total number of Board members to nine.

### Eliminated Expiration of Education and Experience

Effective April 2024, the Board amended CCR, title 16, section 2068.5 to remove a requirement that RVT applicant coursework and experience be completed within a five-year timeframe to qualify for Board registration. This requirement caused multiple RVT applicants to retake already completed coursework, which led to increased cost burden and significant delays to workforce entry. The Board recognized no such timeframe existed for veterinarian applicants and believed this requirement was an unnecessary and burdensome barrier to registration. Eliminating the timeframe benefited the public by providing greater access to veterinary care by increasing the amount of RVTs in the workforce.

### Advocated for International Policy Change Impacting RVT Students

Throughout 2023, the Board strongly advocated for the AAVSB to change a 2008 policy that only graduates of accredited programs (or candidates who are part of Board-approved alternate pathways) are eligible to sit for the VTNE. The VTNE is provided in three different testing windows. If a candidate fails, they must wait until the next testing window to take the exam again. Nearly 34% of VTNE candidates (roughly 3,000 students) fail the exam on their first attempt and have to wait months before they can take the VTNE again. This often leads to the loss of job opportunities and a delay of these individuals entering the veterinary profession.

In early 2023, it was brought to the Board's attention that AAVSB made exceptions for multiple states to allow students in an accredited program to take the VTNE 3 to 10 months prior to graduation. When the Board requested the same exception, AAVSB denied the request and referred back to their 2008 policy. Multiple discussions with other state boards and AAVSB indicated the policy had been applied differently depending on the jurisdiction. As such, the Board believed the VTNE eligibility policy served as an unnecessary and unfair barrier to licensure.

In June and September 2023, the Board and seven other jurisdictions signed two joint letters requesting AAVSB reconsider its policy. The AAVSB Board of Directors agreed to reconsider the policy and directed their VTNE



Committee to research the issue, obtain feedback from other jurisdictions, and make final recommendations to the Board of Directors. In October 2023, the VTNE Committee recommended to not only keep the existing policy but to also eliminate the ability for candidates participating in Board approved alternate pathways to sit for the VTNE.

In short, if AAVSB accepted the VTNE Committee recommendation, the alternate pathway candidates who have had the ability to take the VTNE for decades would lose their ability to sit for the exam.

California is already facing a significant shortage of veterinary professionals (including RVTs). Delaying candidates to sit for the VTNE and simultaneously removing an existing pathway to licensure would lead to fewer individuals entering the veterinary profession and further exacerbating the access to care issue in California.

Over several months, the Board proactively engaged in discussions with the AAVSB Board of Directors, all other jurisdictions, and outside stakeholders. The Board worked with stakeholders to bring data to the AAVSB Board of Directors demonstrating students who take the exam prior to graduating consistently and significantly outperform those who take the exam after graduation. As a result, the AAVSB Board of Directors ultimately decided to not approve the VTNE Committee recommendations. Instead, they voted to grant the request to allow RVT students to take the VTNE prior to graduation. In addition, the AAVSB Board of Directors decided to take over the exam eligibility review for all jurisdictions that have alternate pathways for RVTs, saving a significant amount of time for all impacted jurisdictions.

Due largely in part to the Board's advocacy, veterinary technician students from all 63 AAVSB jurisdictions now have a better chance of passing the VTNE and entering the workforce earlier than ever before.

#### RVT Education Programs

As discussed in more detail under Section 10, the Board spent a considerable amount of time reviewing its statutes and supporting regulations related to approving RVT educational programs, as well as researching other RVT educational accreditation/approval bodies, to determine whether the Board's role in the approval process should be reduced or eliminated.

The Board held a stakeholder meeting with over 50 participants. These participants included RVT school

administrators, RVTs, CaRVTA, and representatives from BPPE and AAVSB. The Board's Executive Officer and MDC Subcommittee provided an overview of the issue and discussed the Board's consumer protection mission and the student protection mission of the other oversight agencies. The overall consensus from the participants was that RVT school and degree programs should not be Board approved. Rather, the oversight provided by BPPE, CVTEA, and ACCJC appeared to provide adequate protections for students, and requiring the programs to be approved by the Board was a redundant and costly endeavor.

The Board agreed with this assessment and is seeking legislative amendments to BPC sections 4841.1, 4841.4, 4841.5, and 4842, and repeal of sections 4842.1 and 4843 regarding RVT registration requirements and RVT school or degree program approvals.

#### Out-of-State Applicants

Throughout the course of its review of the above issue, the Board identified an issue related to out-of-state RVT applicants. BPC section 4841.5 provides three education pathways for RVTs to obtain registration: through an accredited or approved two-year program; through education or a combination of education and clinical experience; or through AAVSB's education equivalency certification program.

The statute does not authorize any applicant to obtain an RVT registration without completing education. However, CCR, title 16, section 2068.6 provides a pathway for RVTs licensed, certified, or registered in another state to obtain RVT registration in California through clinical experience without education. To maintain out-of-state license reciprocity, the Board requests a legislative amendment placing the regulation in statute and clearly identifying the experience-only pathway for RVT applicants licensed in another state. This proposal is discussed in more detail under Section 10.

#### RVT Subcommittee

The Board's MDC recently created an RVT Subcommittee to serve as the initial subcommittee to research all RVT related issues. This Subcommittee, comprised of two RVT members, will ensure that all RVT-related policy issues remain a top priority.

- 3. (STAFF RETENTION) The Board is experiencing frequent employee turnover. What solutions should the Board consider in order to improve staff hiring and retention?**





**Committee Staff Recommendation:** The Board should continue its focus on filling any existing vacancies, and report on the steps it is taking to improve employee morale and retention. The Board should also discuss how it is ensuring that new hires transition into their roles quickly and effectively. Finally, the Board should update the Committees on projected staff needs in the coming years.

**Update:** Since the last Sunset Review, the employee turnover has significantly reduced. Staff morale has significantly increased, and many staff have accepted promotional opportunities within the Board rather than pursuing promotional opportunities outside the Board. To ensure new hires transition into their roles quickly and effectively, they immediately begin training with existing staff as well as participating in round-table meetings as a group. The Board created lead analyst positions on each team to serve as a resource to new hires and provide growth opportunities for those wishing to grow within the Board and their state career.

The Board was successful in obtaining funding for additional enforcement staff, and retention remains high. Most of the employees who left the Board went for promotional opportunities. As the license population increases, consumer complaints against licensees also increase. Due to the consistent increase in enforcement investigations, the Board anticipates needing additional staff to match the increased workload.

**4. (BREEZE IMPLEMENTATION) Is any action necessary to ensure the Board can address BreEZe implementation issues?**

**Committee Staff Recommendation:** The Board should provide a report on the status of implementing the BreEZe system and note if it expects any additional or increased maintenance costs in the coming years.

**Update:** Since the last Sunset Review, the Board made significant improvements to the BreEZe system. For a detailed description of system enhancements, please refer to the attached report provided to Senator Richard Pan after the Board's Sunset Review Oversight Hearing on March 3, 2021. System enhancements continued throughout 2024 and will continue as process improvements are identified. These enhancements have led to decreased processing times, as discussed in more detail in the licensing tables earlier in this report. Other than the standard maintenance costs previously

discussed in this report, the Board does not anticipate additional or increased maintenance costs in the coming years.

**5. (MISSING RECORDS) The Board is unable to locate applicant files who were denied a license due to prior criminal convictions. Are the Board's recordkeeping protocols adequate?**

**Committee Staff Recommendation:** The Board should attempt to locate any missing files on applicants who were denied a license based on substantially related criminal convictions. The Board should review existing internal record-keeping protocols and ensure that all files are appropriately maintained.

**Update:** Shortly after the Board's Sunset Review Report was submitted to the Committees in December 2019, the Board located five of the previously seven missing physical application files, which had been misfiled. Although the Board was unable to locate two physical application files, the Board had the ability to contact all seven applicants denied within the past four years because the Board had the applicants' contact information in the electronic BreEZe files.

In the past, whenever an applicant had a criminal conviction, staff would maintain any information received regarding a criminal conviction (e.g., applicant's response and supporting documents) in the physical application file. In addition, staff maintained a paper checklist for manager and EO approval, which included the denial rationale. Now, convictions are predominately handled by the Enforcement Unit, and denial rationale is well-documented in BreEZe and the Board's computer network. In addition, with the Board's transition to paperless applications, physical files will eventually be phased out, and the Board will no longer maintain physical files. This transition ensures application files are readily accessible and saves the Board costs of purchasing physical files and paying for storage. The Board is also working with DCA's Records Imaging Unit to digitize all prior licensee files to increase ease of access for staff.

**6. (COVID-RELATED WAIVERS) Was the Board able to obtain the necessary emergency waivers to adequately respond to the COVID-19 pandemic while maintaining its consumer protection mandate?**



**Committee Staff Recommendation:** The Board should report on its experience requesting COVID-19 related waivers and discuss if those measures were adequate in responding to the circumstances of the pandemic while maintaining consumer protection.

**Update:** As reported in the Board’s 2021 response to the Legislature, the Board appreciated the streamlined process DCA created to request COVID-19 related waivers. During that time, the DCA Director had to balance consumer protection with the need to facilitate the continued provision of care to individuals affected by the COVID-19 outbreak, as stated in Governor Newsom’s Executive Order. The Board believes DCA’s measures were adequate in responding to the circumstances of the pandemic while maintaining consumer protection and sincerely appreciates the DCA Director and her Executive Team in assisting California consumers and licensees.

**7. (LICENSING DELAYS) What solutions does the Board have to address the severe delays in its licensing timelines?**

**Committee Staff Recommendation:** The Board should continue to implement strategies to address licensing delays and describe the resource it needs to improve timelines. The Board should continue to monitor licensing performance closely, and report to the Committee with an update during the next Sunset Review.

**Update:** The Board continues to implement licensing process improvements and continues to see timeline improvements. One of the Board’s 2020-2024 Strategic Plan goals was to issue licenses to applicants who had submitted a complete application within four weeks of receipt. As of January 2021, the average number of days to approve an initial veterinarian license application was 18 days. With recent legislative and regulatory amendments, cycle times for all applications improved significantly.

In the last review, the Board reported an outreach campaign launched to encourage all applicants and licensees to process their initial and renewal applications online. Using the BreEZe system significantly reduced processing times and the need for Board resources. At that time, the Board reported the outreach campaign yielded positive results, with 70% of veterinarians and 85% of RVTs renewing online. As of June of 2024,

nearly 100% of all applicants, licensees, registrants, and VACSP holders apply and renew online. Most of those individuals are renewed on the same day the renewal application was submitted to the Board.

**8. (VACSP) Does the Board have recommendations to improve participation in the VACSP program?**

**Committee Staff Recommendation:** The Board should report on the implementation of the VACSP license category and recommend potential actions to improve initial permitting and renewal into this program.

**Update:** Since the last Sunset Review, the Board automated the initial permitting process. If the BreEZe system indicates adequate fees have been paid and the fingerprint results return as cleared, the system will automatically issue the permit. Any processing delays that occur are due to the applicant not providing fingerprints or the applicants’ criminal history requiring further review. The Board does not recommend any additional actions.

**9. (RECIPROCITY) Should the Legislature clarify what foreign experience counts towards waiving the Board’s examination requirements?**

**Committee Staff Recommendation:** The Board should discuss its request to statutorily clarify reciprocity of out-of-state clinical practice experience.

**Update:** In January 2021, the Board approved a legislative proposal repealing the California State Board Exam (CSBE) requirement in BPC section 4848, subdivision (a)(2)(B). The Board’s legislative proposal also included removing the veterinarian license reciprocity pathway created in BPC section 4848, subdivision (b) (1), since the pathway was in lieu of taking the CSBE. To ensure out-of-state veterinarian licensees are competent to practice in California, the Board included three options in the legislative proposal for demonstrating competency. One of those options is to submit proof of practicing clinical veterinary medicine for a minimum of two years and completing a minimum of 2,500 of clinical practice hours in another state, Canadian province, or United States territory within the three years immediately preceding filing an application for licensure in this state. The Board’s legislative proposal was included in AB 1535, which repealed BPC section 4848 and added new BPC section 4846 to adequately address this issue.





**10. (ABANDONED APPLICATIONS) Should the Board be able to abandon or remove licensing applications that are several years old?**

**Committee Staff Recommendation:** The Board should discuss with the Committees its request to have authority to abandon an application and speak to what it believes to be an appropriate amount of time before an application can be abandoned.

**Update:** AB 1535 adequately addressed this issue by adding a one-year time frame for application abandonment. This timeframe was appropriate as it was based on several other abandoned license application time frames and is sufficient to ensure the applicant has time to submit documentation to the Board, while reducing Board staff time and Board costs of monitoring outdated applications and reflecting, in Board application statistics, actual active applications statistics. (BPC § 4847.1, subd. (a).)

**11. (CHANGE OF ADDRESS) Should applicants be required to notify the Board of a change of address?**

**Committee Staff Recommendation:** The Board should report on its request to require applicants to notify the Board of a change of address and discuss its plans to enforce non-compliance of this proposed provision.

**Update:** AB 1535 adequately addressed this by adding BPC section 4847.1, subdivision (c), to require an applicant to notify the Board of any changes in mailing or employment address that occur after filing the application.

**12. (ELIMINATION OF THE STATE EXAMINATION) Should the California State Board Examination be eliminated based on findings that the national North American Veterinary Licensing Examination (NAVLE) is sufficient in determining applicant competency?**

**Committee Staff Recommendation:** The Board should report on its recommendation to eliminate the California State Board Examination and discuss how its proposed statutory changes would impact existing pathways to licensure.

**Update:** AB 1535 repealed the CSBE requirement (former BPC § 4848, subd. (a)(2)(B)). Effective January 1, 2022, passing the CSBE is no longer required to obtain a veterinarian license (see BPC § 4846).

**13. What is the status of the Board's implementation of Assembly Bill 2138 (Chiu/Low) and are any statutory changes needed to enable the Board to better carry out the intent of the Fair Chance Licensing Act?**

**Committee Staff Recommendation:** The Board should provide an update in regards to its implementation of AB 2138 provisions, as well as relay any recommendations it has for statutory changes.

**Update:** The Board worked with DCA to remove the requirement for applicants to disclose criminal convictions on their initial licensing applications, effective July 1, 2020. On the effective date, the Board updated its licensing process to conform to AB 2138. Now, if Board licensing staff receives notifications of criminal convictions that occurred over seven years ago and fall outside of AB 2138 parameters, licensing staff continues processing the application without referring the application to the Enforcement Unit for investigation.

On November 11, 2020, the Board became the first DCA program with effective regulations implementing AB 2138. The Board does not have any recommendations for statutory amendments related to AB 2138 at this time.

In 2023, the Board pursued a legislative proposal to amend BPC section 4836.2 regarding VACSP and felony controlled substance convictions that conflicted with AB 2138. Specifically, BPC section 4836.2, subdivision (c), stated the following:

“(c) The board shall not issue a veterinary assistant controlled substance permit to any applicant with a state or federal felony controlled substance conviction.”

This prohibition conflicted with AB 2138 in that, pursuant to BPC section 480, subdivision (a)(1), the Board cannot deny a license for a criminal conviction older than seven years, unless the applicant was convicted of a serious felony, as defined in Penal Code section 1192.7 or a crime for which registration is required pursuant to Penal Code section 290, subdivision (d)(2) or (3).

BPC section 480, subdivision (c), also prohibits the Board from denying a license for any conviction, or on the basis of the acts underlying the conviction, that has been dismissed pursuant to Penal Code sections 1203.4, 1203.4a, 1203.41, 1203.42, or 1203.425, or a comparable dismissal or expungement.



Thus, the prohibition in BPC section 4836.2, subdivision (c), directly conflicted with BPC section 480 if the conviction occurred over seven years ago, was dismissed, or expunged. The Board's legislative proposal to resolve the issue was included in SB 816 (Roth, Chapter 723, Statutes of 2023) and struck the conflicting language from BPC section 4836.2, subdivision (c). The Board does not have any additional recommendations for AB 2138 related statutory changes.

**14. (ANIMAL SHELTERS) Does the Board have recommendations to address concerns regarding minimum standard of care in animal shelters?**

**Committee Staff Recommendation:** The Board should discuss its draft regulations regarding minimum standards of care in animal shelters. In addition, the Board should outline any additional recommendations it may have regarding concerns of Veterinarian shortages working in shelter settings, and concerns about facility standards for animal shelters.

**Update:** Since the Board's last Sunset Review, the Board held several stakeholder meetings with the animal shelter community to work through the concerns raised in the previously approved rulemaking regarding shelter minimum standards. After a consensus with stakeholders was reached, the Board approved a rulemaking to add CCR, title 16, section 2030.4, which would have exempted animal shelters from specific veterinary premises minimum standards. However, it was later discovered that the proposed shelter exemptions were related to building standards. As such, the Board revised the proposed rulemaking package to instead add shelter exemptions in CCR, title 24, section 1251.2, subsection (c), which would define "animal shelter premises" and exempt that premises type from being required to provide a reception room and office and a separate examination room of sufficient size to accommodate the veterinarian, veterinary assistant, patient, and client. This change was discussed during another stakeholder meeting with the shelter community and no additional concerns were raised. The rulemaking package currently is in process.

**15. (ANIMAL PHYSICAL REHABILITATION) Is further action necessary to clarify the scope, the level of veterinary supervision, and the minimum education and training requirements for providing animal rehabilitation?**

**Committee Staff Recommendation:** The Board should report back on the work of the Animal Rehabilitation Task Force and discuss if it has any further recommendations for consideration by the Legislature.

**Update:** In its 2021 Sunset Review response, the Board reported its animal physical rehabilitation (APR) rulemaking package addressing this issue was in its final stages. That proposal addressed the growing practice of APR performed by individuals who are not licensed by the Board. Licensed physical therapists are only licensed by the Physical Therapy Board of California to perform physical therapy on humans, not animals, and persons not licensed by the Board to perform veterinary medicine on animals are considered veterinary assistants, who are not licensed or registered with the Board. The regulation, which went into effect on January 1, 2022, established a clear definition of APR, clarified who may perform APR, and clarified the circumstances under which a person may perform APR.

The Board does not have any further recommendations for consideration on this issue.

**16. (ANIMAL CANNABIS) Does the Board anticipate new emerging animal cannabis issues that would require legislative action?**

**Committee Staff Recommendation:** The Board should provide an update on its work related to medicinal cannabis use on animals, and report if it anticipates new issues to emerge in the future regarding this issue.

**Update:** On January 1, 2019, AB 2215 (Kalra, Chapter 819, Statutes of 2018) went into effect and amended section 4883 of, and added section 4884 to, the BPC, relating to the ability of a veterinarian to discuss the use of cannabis on an animal for medicinal purposes and required the Board, by January 1, 2020, to adopt guidelines for veterinarians to follow when discussing cannabis within the VCPR. The Board adopted cannabis guidelines in October 2019 and posted them to the Board's website.

On January 1, 2023, AB 1885 (Kalra, Chapter 389, Statutes of 2022) went into effect and, among other things, amended BPC sections 4883 and 4884 and authorized veterinarians to recommend the use of cannabis on an animal for potential therapeutic effect or health supplementation purposes and required the Board, by January 1, 2024, to adopt guidelines for veterinarians to follow when recommending cannabis within the VCPR. In addition, the California Department of Cannabis Control



(DCC) is required to create regulations for animal product standards by July 1, 2025. Until DCC promulgates animal product standards, cannabis products cannot be marketed or sold for use on, or consumption by, animals.

In April 2023, the Board revised and posted its [cannabis guidelines](#) required by AB 1885. The Board may need to further revise its guidelines after the DCC promulgates regulations for animal product standards in 2025. The Board has no additional information to report on new issues regarding the use of cannabis on animal patients.

**17. (ANIMAL INJURIES AT RODEO EVENTS) Are current statutes sufficient to safeguard animal welfare at rodeo events, and ensure accurate reporting of animal injuries?**

**Committee Staff Recommendation:** The Board should report on its findings regarding the role of veterinary medical professionals at rodeo events and provide any recommendations it has to address concerns regarding animal injuries.

**Update:** As indicated in its 2021 Sunset Review response, the Board received concerns at its October 2019 meeting from a Showing Animals Respect and Kindness (SHARK) representative regarding the treatment of animals at California rodeos and the Board's lack of involvement. In response, at its January 30, 2020 meeting, the Board reviewed the current statutory framework regarding rodeos and invited stakeholders to speak to the concerns raised at the October 2019 Board meeting.

Representatives from the Professional Rodeo Cowboys Association (PRCA), Steinbeck Country Equine Clinic (SCEC), and Clovis Rodeo addressed the Board and discussed compliance with Penal Code section 596.7 and BPC section 4830.8 and standards and protocols regarding rodeo events.

The PRCA representative indicated that after watching the video of the Board's October 2019 meeting, he felt that it was important to address the Board regarding attending rodeo veterinarians. As the largest sanctioning body in the world, PRCA sanctions over 40 events in California. The PRCA representative indicated their rules require a veterinarian to be onsite for every event. Additionally, SCEC responded to the allegations of SHARK, alleging the SCEC representative had been a personal target of SHARK, and SHARK's agenda was to politicize the issue and diminish or outlaw the sport of rodeo in the state of California. PRCA explained they require attending veterinarians at their sanctioned rodeo events.

Board members discussed how many of the problems likely occur at smaller and local events, but no stakeholders were able to estimate how many rodeo events occur in California, annually.

A representative from Clovis Rodeo discussed his personal duties as an attending veterinarian at rodeo events and discussed preparedness for potential animal injuries. He also indicated that injury rates are low. Board members discussed potentially requesting more information on the Board's Rodeo Reporting Form, such as whether the animal was injured during the event or not. Stakeholders cautioned against requesting more information on the form, as personal threats have been made against them after providing home addresses on the form.

The Board also heard from a Humane Society of the Sierra Foothills (HSSF) representative, who explained that attending veterinarians at rodeo events have a legal obligation to report to local authorities when there is reasonable cause to believe that animal neglect, abuse, cruelty, or other illegalities have occurred. HSSF believed that, legally, there should be no difference between a veterinarian seeing signs of abuse or cruelty in an examination room or seeing it at a rodeo event. HSSF concluded by stating that the Board has the authority and capacity to help close rodeos' abusive loopholes and clarify veterinarians' legal obligations and offered assistance to accomplish this.

A representative from Action for Animals thanked the Board for its work on behalf of animals and expressed concern with the high number of rodeo events held in California versus the number of animal injuries that are being reported, suggesting that reports are not being made or submitted to the Board. Action for Animals suggested that the Board require that a single injury be reported on each form, rather than allowing multiple injuries on one form. Action for Animals also discussed legislation they were seeking that would require a veterinarian, or an RVT onsite with a veterinarian on call, to be present at all rodeo events. They believed that if rodeos cannot provide an onsite veterinarian, or RVT with an on-call veterinarian, then rodeos should be abolished. A representative from Social Compassion in Legislation indicated its support of the efforts by Action for Animals to make changes in rodeo reporting requirements.



Since that time, the Board has not taken any further action and does not recommend any legislative changes. The Board continues to monitor the issue, and, to the Board's knowledge, there was no legislation regarding rodeos since the last review. The Board will participate in any discussions should legislation be proposed in the future.

**18. (HORSE RACING) Should the Board be involved in monitoring equine welfare in the horse racing industry?**

**Committee Staff Recommendation:** The Board should continue to update the Committees on its collaboration with the CHRB.

**Update:** In its 2021 Sunset Review response, the Board reported that it continued to collaborate with CHRB. When racetracks were forced to close to the public during the pandemic, the Board worked with CHRB to ensure that Board inspectors could still perform random inspections of mobile veterinarians providing services to racehorses. CHRB and the Board continued to work together on investigations, whenever possible. Three cases the CHRB referred to the Board resulted in the Board filing three accusations against veterinarians who provided services to racehorses. Since that time, the Board filed multiple accusations against other licensees for similar violations.

In January 2022, several representatives from the equine community, CVMA, and CHRB raised significant concerns with the Board's enforcement actions. In general, the concerns centered around the enforcement of practice and record keeping standards they believed were not applicable to the equine community and were counter to standard equine practice. In response, the Board created an MDC Equine Practice Subcommittee to work with stakeholders, including CHRB and CVMA, and develop recommendations to address the concerns while still adequately protecting consumers and equine patients.

As a result, the Board included proposed amendments to its alternate veterinary premises and building standards rulemaking packages that better aligned with large animal fixed and mobile premises. Those rulemaking packages were approved by the Board at its April 2024 meeting and are in process. In addition, the Board is revising its record keeping requirements to, among other things, differentiate elements required in an individual animal patient record and a group record. CHRB has been an integral addition to these discussions and the Board appreciates the continued collaboration.

**19. (COLLABORATION WITH THE BOARD OF PHARMACY) Should the Board engage in greater collaboration with the Board of Pharmacy regarding promulgation of regulations that apply to the veterinary profession?**

**Committee Staff Recommendation:** The Board should provide its perspective on any recent issues involving pharmacy regulations promulgated by the BOP, including pharmacy compounding, and speak to whether there are any opportunities for greater communication and collaboration between the two boards.

**Update:** As indicated in its 2021 Sunset Review response, the communication and collaboration between the Board and the Board of Pharmacy has improved. The Board engaged in greater collaboration with the Board of Pharmacy regarding promulgation of regulations that apply to the veterinary profession. For example, in October 2022, the Board kept the Board of Pharmacy apprised of a legislative proposal to authorize VACSP holders to perform drug compounding and the Board's amendments to its drug compounding regulations.

In addition, in January 2023, the Board of Pharmacy notified the Board of proposed language it was considering regarding drug compounding. The Board's Drug Compounding Subcommittee reviewed the language and expressed concerns that the proposed language would unreasonably impact the practice of veterinary medicine. After additional collaboration, the Board of Pharmacy determined to leave the section in question unchanged.

In April 2023, the Board of Pharmacy notified the Board of potential changes to their provisions related to pharmacists compounding for veterinary office dispensing. Based on consideration of comments received from CVMA, the Board of Pharmacy's Enforcement and Compounding Committee determined the changes are appropriate. The Board's Drug Compounding Subcommittee again reviewed the proposed changes and did not raise any concerns.

The two Boards will continue to collaborate on any overlapping drug compounding issues.





**20. (CORPORATE PRACTICE OF MEDICINE) Should existing statutes be updated to ensure appropriate corporate practice of medicine?**

**Committee Staff Recommendation:** The Board should report on its legislative recommendations on addressing corporate practice of medicine and provide additional details on the feedback it has received from industry representatives.

**Update:** AB 1535 included the Board’s legislative proposal to address the corporate practice of veterinary medicine. As of January 1, 2022, veterinary premises registration applications require additional information of the owners, officers, general partners, and agent for service of process for increased transparency, and a veterinary premises registration holder who is not a California-licensed veterinarian is prohibited from interfering with, controlling, or otherwise directing the professional judgment of any California licensed veterinarian or RVT. The Board is authorized to require any information, including, but not limited to, employment contracts between the veterinary premises registration holder and a California-licensed veterinarian or RVT, the Board deems is reasonably necessary for the enforcement of that provision. (BPC §§ 4853, subd. (e), and 4854.1.)

In addition, the Board is able to deny, revoke, or suspend a license or registration or assess a fine for exercising control over, interfering with, or attempting to influence the professional judgment of another California-licensed veterinarian or RVT through coercion, extortion, inducement, collusion, or intimidation through any means, including, but not limited to, compensation, in order to require the other California-licensed veterinarian or RVT to perform veterinary services in a manner inconsistent with current veterinary medical practice in this state. (BPC § 4883, subd. (t).)

At this time, the Board has no additional concerns to report regarding the corporate practice of veterinary medicine.

**21. (DATA COLLECTION ON CORPORATE VETERINARY PRACTICE) Should the Board collect data on corporate ownership of veterinary practices?**

**Committee Staff Recommendation:** The Board should discuss the value and the feasibility of collecting data on corporate ownership of veterinary practices.

**Update:** Given the shortage of data on the corporatization of veterinary medicine, the Board received a request from the International Longshore & Warehouse Union to begin tracking data on corporate ownership of veterinary practice. This data collection request includes requiring veterinarians to note if their veterinary practice is connected to a corporate establishment during their initial license application and at the time of license renewal.

To research potential tiered fee structures based on veterinary premises size, the Board began collecting high level corporation data, if applicable, on all initial and renewal premises registrations; premises registration applicants and renewing registrants are asked to provide this information voluntarily. The information requested includes how many veterinarians, RVTs, VACSP holders, veterinary assistants, and clerical staff each veterinary premises employs. The Board is open to discussing any specific corporation data the Legislature deems necessary to collect for consumer protection.

**22. (INDEPENDENT CONTRACTORS) Does the new test for determining employment status prescribed by the court decision *Dynamex Operations West Inc. v. Superior Court*, have any unresolved implications for licensees working in the veterinary profession?**

**Committee Staff Recommendation:** The Board should inform the committees of any discussions it has had about the Dynamex decision and AB 5, and whether there is potential to impact the current landscape of the veterinary profession, beyond the exemption provided for veterinarians.

**Update:** AB 5 exempted veterinarians from the new ABC test requirements, and the subsequent bill, AB 2257 (Gonzalez, Chapter 38, Statutes of 2020), maintained this exemption. As such, the Borello test would be applied to relief veterinarians and other independent contractors providing specialty veterinarian services. However, the employment status of veterinary staff, such as RVTs and veterinary assistants, will be determined by the new ABC test. Most RVTs and veterinary assistants are classified as employees, and the Board has not been made aware of and, thus, has not discussed any significant negative impacts to veterinary staff as a result of AB 5. Accordingly, there are no unresolved implications for licensees working in the veterinary profession resulting from the new test.



**23. (TELEHEALTH) Should existing law be amended to increase access to veterinary services via telehealth?**

**Committee Staff Recommendation:** The Board should provide the Committees with an update on its discussions around telehealth and telemedicine and advise if there are statutory changes that could facilitate increased access to services while maintaining high standards of veterinary care.

**Update:** In 2021, the Board approved a legislative proposal to help clarify how veterinarians can use telemedicine. After multiple stakeholder meetings, it became apparent to the Board that veterinarians do not take advantage of existing telemedicine methods, because they were confused as to what and how they can use telemedicine. The proposal would have defined “teleconsultation,” “telehealth,” “telemedicine,” and “teletriage” and explained when each method could be used. The Board was unable to find an author for the bill.

In 2023, the Board actively participated in numerous discussions with stakeholders, members of the Legislature, and the sponsors of AB 1399 (Friedman, Chapter 475, Statutes of 2023). AB 1399 included some of the Board’s 2021 legislative proposals and allows veterinarians to establish a VCPR through telemedicine without an in-person examination. The Board believes telemedicine plays a vital role in delivering timely care to animal patients. While the Board has a fundamental concern that this bill may enable animal patients to go their entire lifespan without an in-person examination, the Board sincerely appreciated Assembly Member Friedman’s acceptance of all the Board’s requested amendments for additional consumer protection.

These amendments included adding a 14-day limitation on prescribed antibiotics, which would not be refilled without an in-person examination, and specifying that veterinarians could not prescribe controlled substances or xylazine unless they have examined the animal patient in person. The Board’s most significant concerns with the bill had been addressed while allowing the VCPR to be established via telehealth. As such, the Board supported AB 1399.

As discussed in New Issue #9, the Board believes definitions for “teleconsultation,” “telemedicine,” and “teletriage” should be added to BPC section 4825.1, with corresponding practice provisions added to 4826.6, to better clarify these veterinary services for practitioners and consumers.

**24. (CONTINUING EDUCATION AUDIT) Are there any requirements or resources needed to implement the Board’s continuing education audit program?**

**Committee Staff Recommendation:** The Board should report on its CE audit program and include information on implementation timelines and audit objectives.

**Update:** The Board launched its CE audit program in January 2021. The Board audits roughly 5% of its license population. One of the main goals while launching this program was to make it as simple as possible for licensees to provide the necessary information to the Board. Licensees can upload CE certificates to the Board during their license renewal or email the certificates to the Board upon audit notification.

As indicated previously in this report, the Board has conducted 813 CE audits. Of those, 65% successfully passed.

In 2022, the Board began relying on CE audit information stored in AAVSB’s RACetrack program. RACetrack is a free service that allows veterinary professionals the ability to record CE coursework in a single centralized database. This system easily communicates CE to credentialing agencies while also allowing the Board to retrieve CE information. If the Board selected a licensee for CE audit, and all of the licensee’s CE documentation was in RACetrack, the licensee would simply let the Board know by replying to the CE Audit email from the Board. All RACetrack providers are required to upload attendance records directly to RACetrack, providing primary source verification without requiring licensees to upload any documentation.

Unfortunately, in 2023, the Board became aware of significant concerns related to the credibility of RACetrack and stopped using its CE audit services until the concerns can be resolved.

The Board paused its CE audits in 2023 and is currently revising its audit program. The Board anticipates relaunching its CE audit program in early 2025. At this time, the Board does not believe additional resources are necessary to implement the Board’s CE audit program.

**25. (ENFORCEMENT BACKLOGS) Does the Board have any administrative remedies or solutions, beyond requesting additional resources, to address the growing enforcement backlogs and timelines?**





**Committee Staff Recommendation:** The Board should inform the Committees on its short-term and long-term strategies to address the growing enforcement backlogs and the increase in investigation timelines. The Board should detail how new resources, if granted, will be used to improve enforcement operations. All efforts should be made to fill any existing vacancies in its Enforcement Unit to further reduce backlogs. The Board should continue to monitor enforcement performance closely, and report to the Committee with an update during the next Sunset Review.

**Update:** As reported in the Board’s 2021 Sunset Review response, the Board made significant improvements in the enforcement process. Many of those improvements were outlined in the Board’s subsequent report to Senator Roth, which is attached for reference.

Since that report, the Board merged its Inspection and Enforcement Units and trained all analysts on the enforcement and inspection processes. The Board reallocated staff from the Administrative and Licensing units and also gained additional analyst positions through a BCP. The Board reclassified all enforcement positions to enable quick transition from staff services analysts to associate governmental program analysts. This has led to better recruitment and retention of existing staff.

In FY 2020/21, the Board was only able to close 560 investigations, and its pending caseload was at an all time high. In FY 2023/24, after implementing process improvements and hiring additional analysts, the Board closed 2,029 investigations (a 262% increase). This increase in investigation closures was accomplished despite the Board initiating 10% more investigations.

Average cycle times to close investigations with and without referral for prosecution has increased over the past four years, but this was anticipated as more analysts are able to focus on the oldest pending cases. The analysts also are conducting more thorough investigations and requesting responses from respondents, including any mitigation, prior to deciding whether to transmit cases to the OAG for formal disciplinary action. While these additional steps have added to the investigation cycle times, it has significantly decreased the cycle times associated with the average number of days from closure of the investigation to imposing formal discipline. In FY 2020/21, the average cycle time was 964 days. By FY 2023/24, the average cycle time was 312 days.

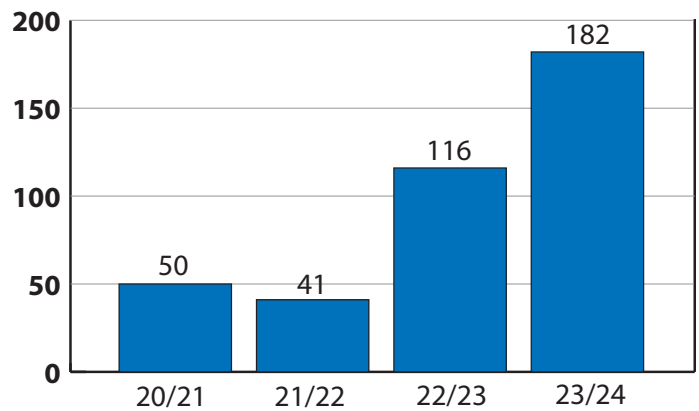
As discussed in New Issue #15, the Board seeks to reduce disciplinary cycle times and Board/respondent costs related to formal disciplinary proceedings by adding new BPC section 4882, mirroring other board/bureau language that authorizes resolution of an administrative action through stipulated settlement without first requiring commencement of proceedings under the APA.

**26. (HOSPITAL INSPECTIONS) How does the Board plan to reach its 20% hospital inspection goal?**

**Committee Staff Recommendation:** The Board should inform the Committees how it plans to meet the legislatively mandated 20% hospital inspection goals.

**Update:** As reported previously in this report, the Board merged its Inspection and Enforcement Units in FY 2021/22 and various process improvements were implemented in FY 2022/23. As demonstrated below, when compared to the initial unit merge, the Board increased its inspections by 182% in FY 2022/23 and 343% in FY 2023/24.

**Inspections Conducted by Fiscal Year**



While these improvements led to increased inspections, it is still nowhere near the 20% inspection mandate required under BPC section 4809.7. Part of the Board’s 2020-2024 Strategic Plan included a goal to evaluate the feasibility of the mandate in BPC section 4809.7 requiring the Board to inspect at least 20% of veterinary premises on an annual basis. As discussed in more detail [here](#), in 2022, the MDC’s Inspections Subcommittee presented the history of the requirement, including the Board’s inability to ever meet the percent mandate due to insufficient funds, and the Subcommittee’s research on the comparison to all other state veterinary boards and DCA entities inspection programs. The Subcommittee concluded the statutory inspection mandate was unrealistic and unattainable.



The Subcommittee noted the numerous process improvements the Board was implementing and discussed the \$600,000 grant the California Department of Technology awarded to the Board and the Board of Barbering and Cosmetology. This grant was for the development of a mobile inspection app, which was predicted to significantly streamline the inspection process for the inspectors and Board staff. The Subcommittee's work was placed on hold until the various process improvements and the mobile inspection app was implemented.

The mobile inspection app is currently in development, and User Acceptance Testing began in July. The app launched in November 2024.

During the Board's Strategic Planning Session in October 2023, the Board discussed the Subcommittee's prior findings and decided to include the following objective in the Board's 2024-2028 Strategic Plan:

*4.4. Pursue legislation to remove the 20% Veterinary Premises Inspection Mandate.*

The Board approved its 2024-2028 Strategic Plan during its April 2024 meeting. As such, the Board seeks the following legislative amendment:

4809.7. The board shall establish a regular inspection program that will provide for random, unannounced and announced inspections of veterinary premises ~~and the board shall inspect at least 20 percent of veterinary premises on an annual basis.~~

To provide assurances to the public, the Legislature, and stakeholders that inspections of veterinary premises will continue to remain a priority and continue to be tracked, the Subcommittee is considering adding an inspection performance measure goal that will be regularly monitored and reported on at every Board meeting. The Subcommittee also will evaluate ways to prioritize random routine inspections (e.g., randomly selected from veterinary premises registered with the Board within the last year or those that have not been inspected within the last five years).

**27. (PREMISES REGISTRATION) Does the Board require additional enforcement tools in regard to premises registration and managing licensees?**

**Committee Staff Recommendation:** The Board should report to the Committees about its recommendations to address loopholes and abuses of the premises permits and the managing licensee designation. The

Board should provide details about the prevalence of the problem, and whether the Board needs additional enforcement tools to address the reported abuses.

**Update:** As more thoroughly described in the Joint Committees' 2021 Background Paper, an application for premises registration was required to contain the name of the responsible licensee manager (MGL) who is to act for and on behalf of the licensed premises but was not required to identify the owner of the facility. Although all license applicants are required to submit to a criminal background check, it was unclear who needed to be fingerprinted in connection with veterinary premises registration applications and under what circumstances the Board could deny premises registrations.

In addition, it was unclear if the Board had authority to deny a premises registration or MGL substitution application when a revoked veterinarian was the owner or operator of the premises. A veterinarian, who was named as the premises MGL but whose license was subsequently revoked or suspended, could submit to the Board an application naming a new MGL associated with the premises, while the revoked veterinarian operated the premises without the Board's knowledge. The Board reports instances of abuse, in which MGLs who have been disciplined for various violations were able to continue controlling the veterinary premises and the veterinary practice therein.

Further, the Board had become aware of multiple instances where unlicensed individuals own or operate a veterinary premise without maintaining minimum standards while rotating MGLs in and out. New MGLs would assume responsibility, realize the premises owner would not provide necessary resources to properly maintain the premises, decide to go elsewhere, and the premises owner/operator hires a new MGL. The endless loop led to veterinary services being provided on an ongoing basis without the unlicensed premises owner/operator ever being held responsible for the premises conditions.

AB 1535 resolved those concerns and included the Board's legislative proposal to (1) clarify the premises refers to the location of veterinary medicine practice rather than the real estate (BPC § 4853, subd. (b)); (2) require identification of the veterinary premises owner or operator on the registration application (BPC § 4853, subd. (c)); (3) grant authority to deny, suspend, or revoke registrations on the basis of the premises owner(s)/operator(s) disciplinary history (BPC § 4853.6, subd. (a)



(2)); (4) prohibit MGL substitution if the owner/operator is circumventing the law (e.g., the owner's veterinarian license has been revoked, so an MGL is named as the substitution but the revoked veterinarian is still operating the veterinary premises) (BPC § 4853, subd. (c)(2)); and (5) cancel registrations when an MGL has not been identified (BPC § 4853.6, subd. (b)). As such, the Board has no additional recommendations at this time.

**28. (DIVERSION PROGRAM COSTS) Should Diversion participants pay the administrative costs of the program?**

**Committee Staff Recommendation:** The Board should explain its request to change the payment arrangements for individuals wishing to enroll in the Board's Diversion program. The Board should also detail potential timelines and anticipated costs for these changes, and how it would impact current and future Diversion participants.

**Update:** AB 1535 renamed the Diversion Program to be the Wellness Program and shifted the administrative costs of the Wellness Program from the Board to the program participants. While this increased costs to participants, it mirrored other DCA healing arts programs. Payments are now made directly to the Board's third-party Wellness Program provider through an agreed upon payment plan. Historically, the Wellness Program had 1-2 participants at a time. In its last report, the Board reported no participants in 2020. As of July 2024, there are two participants.

**29. (DIVERSION EVALUATION COMMITTEE) Should the Board have statutory authority to suspend members of its Diversion Evaluation Committee?**

**Committee Staff Recommendation:** The Board should report on its request to obtain statutory authority to dismiss a DEC member. If pursuing this change, the Board should discuss the appropriate level of public disclosure that should occur in the event that substantiated evidence found a DEC member relapsing or abusing drugs and/or alcohol.

**Update:** AB 1535 renamed the Diversion Evaluation Committee (DEC) to be the Wellness Evaluation Committee (WEC) and provided the Board authority to remove a WEC member suspected of relapsing or abusing drugs and/or alcohol. (BPC § 4861, subd. (e).) In the event that the suspicions are substantiated with evidence, the Board would evaluate the case to determine appropriate disciplinary action. Just like any other disciplinary case involving substance abuse, if the

allegations are substantiated and there is a potential threat to consumers and animal patients, the Board may take disciplinary action. All formal Board disciplinary actions are public information. As such, the appropriate level of public disclosure would be made through formal disciplinary action against the WEC member, rather than through a WEC removal process.

**30. (VETERINARY SPECIALISTS) Should the Legislature clarify the term "veterinary specialist" for the purpose of public protection?**

**Committee Staff Recommendation:** The Board should provide a report on its request to add statutory clarity of veterinary specialties and discuss whether additional specialties beyond AVMA-recognized specialty organizations should be considered.

**Update:** AB 1535 adequately clarified who can claim to be a "veterinary specialist." Effective January 1, 2022, only licensees and registrants who are certified by an American Veterinary Medical Association-Recognized Veterinary Specialty Organization may make a statement, claim, or advertisement that the licensee or registrant is a veterinary specialist or board certified. Claiming to be a specialist without being properly certified can subject licensees to disciplinary action. (BPC § 4883, subd. (s).)

SB 1495 further amended BPC section 4883, subdivision (s), to include National Association of Veterinary Technicians in America-Recognized Veterinary Specialty Organizations.

**31. (CITATIONS) Should the Legislature update the Board's process for issuing and contesting citations?**

**Committee Staff Recommendation:** The Board should review with the Committees its proposed legislative language regarding the process of issuing and contesting citations and describe how these changes would improve the Board's enforcement program and consumer protection function.

**Update:** AB 1535 amended BPC section 4875.6 to eliminate unnecessary language already covered in BPC section 125.9 and the APA. AB 1535 also removed an overly burdensome requirement for a subject matter expert to review and investigate every complaint for probable cause, regardless of whether the allegations involved standard of care allegations. (BPC § 4875.2.) As previously reported to the Legislature, there are many other violations unrelated to the standard of care that do not warrant a subject matter expert review (e.g., criminal convictions, inadequate continuing education,



unlicensed advertisements/practice, specific record keeping violations, etc.). Requiring a subject matter expert to review each case can significantly delay case resolution.

Prior to the amendment to BPC section 4875.6, the statute enabled repeat offenders by requiring each investigation to include attempts to discuss and resolve the alleged violation. Regardless of the requirements of this statute, the enforcement process often includes contacting the subject with the allegations and providing an opportunity to respond and come into compliance. If the Board finds minor violations, but timely compliance is obtained, most cases are closed with educational letters to the subject documenting the subject has been informed of the necessary statutes/regulations and the possibility of enforcement/disciplinary action for similar violations in the future.

If the Board closes a case with an educational letter and the subject repeats the same offense in the future, the Board should not be required to attempt to resolve the alleged violation with the subject before issuing a citation.

The Board appreciates the Legislature including the amendment in AB 1535.

**32. (TECHNICAL CLEANUP) Is there a need for technical cleanup?**

**Committee Staff Recommendation:** The Board should work with the Committees to enact any technical changes to the Business and Professions Code needed to add clarity and remove unnecessary language.

**Update:** AB 1535 adequately addressed all technical changes requested during its last Sunset. Additional amendments are discussed in Section 10.

**33. (CONTINUATION OF THE BOARD) Should the licensing and regulation of the practice of veterinary medicine be continued to be regulated by the current Board membership?**

**Committee Staff Recommendation:** The practice of veterinary medicine should continue to be regulated by the Veterinary Medical Board in order to protect the interest of the public. The Board should be reviewed by the Committees once again on a future date to be determined.

**Update:** The Board appreciates being extended another four years.

## SECTION 10

### NEW ISSUES

This is the opportunity for the board to inform the Committees of solutions to issues identified by the board and by the Committees. Provide a short discussion of each of the outstanding issues, and the board’s recommendation for action that could be taken by the board, by DCA or by the Legislature to resolve these issues (i.e., policy direction, budget changes, legislative changes) for each of the following:

- Issues raised under prior Sunset Review that have not been addressed.
- New issues identified by the board in this report.
- New issues not previously discussed in this report.
- New issues raised by the Committees.

**1. Unlicensed Practice Penalties**

**Discussion:** BPC section 4875.2 authorizes the Board’s Executive Officer to issue a citation to unlicensed individuals for unlicensed practice. CCR, title 16, section 2043 classifies unlicensed practice as a class “C” violation and sets the civil penalty range between \$2,000 and \$5,000 for each citation. (CCR, tit. 16, § 2043, subs. (e).) BPC section 125.9, subdivision (b)(3), also caps the amount per citation at \$5,000 per inspection or investigation.

Unlicensed individuals pose a danger to consumers and animal patients, as they do not have the same education and training or otherwise have the competence to practice on animals. While the \$5,000 cap is sufficient to incentivize compliance for some smaller unlicensed practice cases, those unlicensed individuals who are charging consumers significantly more are less incentivized to comply. Those individuals may continue to practice knowing the financial impact of a citation is significantly less than the profit they can gain by continuing to operate.

The Board is aware of other DCA Boards that have specific statutory authority to issue fines higher than what BPC section 125.9 currently allows (e.g., BPC § 655, subd., (h)). This can serve as a much stronger deterrent for unlicensed practice.

**Request:** The Board would like to work with the Legislature over the next year to determine whether the statutory cap for unlicensed practice fines should be increased to deter unlicensed practice of veterinary medicine.





## 2. **Licensure Exemptions**

**Discussion:** BPC section [4827](#), subdivision (a)(1), exempts from the Act bona fide animal owners, owners' bona fide employees, and any person assisting the owner, provided that the practice is performed gratuitously. This exemption was originally intended for ranchers and their employees when treating livestock. However, the broad verbiage of this exemption has created the following unintended consequences:

### Licensees Claiming Exemption

The Board has received complaints against licensed veterinarians alleging veterinarians caused significant harm or death to animal patients. In those cases, licensed veterinarians claim the Board has no jurisdiction, since they were assisting the owner and performed services gratuitously (either by never charging for the specific task or providing a refund after the fact).

### Promotes Unlicensed Practice

The Board frequently receives complaints from consumers and the industry that unlicensed individuals are being hired by animal rescues and owners of animals participating in trade shows, polo events, and unsanctioned rodeos. Some of these unlicensed individuals claim to be licensed in other countries and/or claim to have adequate education, training, and/or experience to perform the veterinary services. There have been many instances of significant animal patient harm or death, but the individuals have claimed they are either the owner (in the case of animal rescues), they are employed by the owner, or they assisted the owner and did not charge for the specific service that was deemed negligent. As such, the Board was forced to close the cases due to lack of jurisdiction.

**Request:** The Board does not believe the Legislature initially intended to create such a significant opening for unlicensed practice. This exemption has led to significant patient harm and death. The Board requests the Legislature work with the Board to narrow this exemption to its intended purpose to protect consumers and animal patients.

## 3. **20% Veterinary Premises Inspections Mandate**

**Discussion:** During the Board's [2003 Sunset Review](#), the Joint Legislative Sunset Review Committee (JLSRC) raised concerns regarding the number of veterinary facilities inspected on an annual basis, which averaged 13% since the previous Sunset Review in 1996. Additionally, there were concerns that once a facility had been inspected, it would not be inspected again until six or more years later.

According to the [Board's Final Response](#) in June 2004 to the issues raised by the JLSRC, "[i]n subsequent oral communications with the Joint Committee, the Board stated that its goal is to have all premises inspected within a five-year period."

In its [2012 Sunset Review](#), the Board reported that due to denial of increases for inspection expenditure authority, the number of inspections had not increased despite efforts to work with existing resources. As a result, the Board's 2013 Sunset Bill, [SB 304](#) (Lieu, Chapter 515, Statutes of 2013), amended BPC section [4809.7](#) to require the Board to "make every effort to inspect at least 20% of veterinary premises on an annual basis." Prior to this amendment, BPC section [4809.7](#) contained no percentage mandate and simply stated, "the Board shall establish a regular inspection program which will provide for random unannounced inspections". This also was included in the Board's 2012-2014 Strategic Plan as one of its enforcement goals since historically, the Inspection Unit had always been a subsection of the Enforcement Unit.

Following the enactment of [SB 304](#) in 2014, the Board again made efforts to build its Inspection Unit, which at that time consisted of a single Enforcement Analyst and five inspectors. By 2015, the Inspections Unit consisted of one Hospital Inspection Coordinator, one Staff Services Analyst (SSA), one Office Technician (OT), and 13 inspectors. That year, the Board nearly tripled the number of inspections conducted from 203 in 2014 to 601, and the decision was made to separate Inspections into its own unit. The following year, the Inspections Unit reached an all-time high of 628 inspections performed. However, the workload volume generated from these inspections was unprecedented and overwhelming for staff, resulting in significant enforcement case backlogs that remain today.

Subsequently, [SB 546](#) (Hill, 2017) was introduced and would have amended BPC section [4809.7](#) to state, in part, "The Board shall inspect at least 20 percent of veterinary premises on an annual basis..." As recorded in the Board's April 19, 2017 [Meeting Minutes](#), the Executive Officer reported that the Board had requested the following provisions be included in SB 546:

The first provision would change existing statutory language surrounding a "suggested" 20 percent inspection of all registered veterinary premises and instead make the 20 percent inspection language mandatory. The change would assist the Board in securing necessary funding from the Department of Finance. The legislative request, taken from the Board's 2015 Strategic Plan, would mandate the



Board to inspect 20 percent of all veterinary premises on an annual basis and mandate that all new veterinary premises be inspected within one year of being issued a premises permit.

It was also reported that the Board had insufficient funds to complete the annual goal of inspecting 20% of premises.

At the Board's October 19, 2017 meeting, it was reported the Senate Appropriations Committee raised concerns regarding the potential fiscal impact to the Board and its Fund if the proposed 20% inspection mandate was enacted. (October 19, 2017 [Meeting Materials](#), Agenda Item 11.B.) As such, the inspection mandate was stricken from the bill before passing out of the Senate Business, Professions and Economic Development Committee. The Executive Officer requested the Board move the inspection mandate forward in the next legislative session because mandatory hospital premises inspections "would ensure consumer protection, require a minimum number of annual inspections performed, and assist in obtaining additional funding for the program." (October 19, 2017 [Meeting Minutes](#), p. 7.)

The inspection mandate provisions reemerged the following year in [SB 1480](#) (Hill, Chapter 571, Statutes of 2018), which became effective January 1, 2019. The language of BPC section [4809.7](#) now states, "The board shall establish a regular inspection program that will provide for random, unannounced inspections and the board shall inspect at least 20 percent of veterinary premises on an annual basis."

After [SB 1480](#) passed, a legislative BCP was approved, giving the Board additional budget allocation for two analysts and one technician. It should be noted that BCPs provide the Board with budget authority from the existing fund, but they do not provide additional funds to the Board. The only way for the Board to receive additional funding is through increased license, registration, and/or permit fees. So, although it was noted in 2017 that the Board had insufficient funds to support the existing program, the program grew without any additional funds.

In addition, due to the significant backlog created by the inspection surge, routine inspections were temporarily paused while the analysts focused on closing complaint-related inspections, the remaining routine inspections, and the probation inspections. As a result, the number of inspections performed significantly decreased.

During the Board's Strategic Planning discussion at its October 23, 2020 meeting, the Board discussed the difficulty in meeting the annual 20% veterinary premises inspection mandate under BPC section [4809.7](#). Historically, the Board has never been able to meet this mandate. The Board-approved Strategic Plan included a goal to evaluate the feasibility of the 20% inspection mandate. In addition, some Board members proposed re-evaluating the inspections checklist and decreasing the number of items being inspected to reduce the amount of time it takes Board inspectors to complete inspections and Board staff to review the reports.

With that suggestion in mind, the Board directed the MDC to evaluate the inspection process and checklist and make recommendations to the full Board. During the April 2021 MDC meeting, the Inspections Subcommittee reported its research regarding inspections programs within DCA and other veterinary state boards nationwide. It was noted that the Board was the only DCA program that had a percentage mandate, and the Board has never been able to meet the 20% mandate. In addition, the Subcommittee opined the 20% mandate is unrealistic. The April 2021 Subcommittee memo can be found [here](#) for reference.

As reported during the [July 2021 MDC meeting](#), the Subcommittee met with the Board's Inspection and Enforcement management to discuss their specific perspectives on the inspection process. The Subcommittee expressed the most eye-opening part was learning about the inefficiencies in the process and the overall structure of the Inspection and Enforcement Units. As a result, the managers recommended, and the Subcommittee agreed, to merge the two units back together as they were prior to 2015.

Regarding the 20% mandate, the Subcommittee again expressed to the MDC concerns that the mandate was too high, especially hearing from other DCA board inspection programs and other state-wide veterinary boards. The MDC was informed that the Board's fund could not support inspecting 20% of all registered veterinary premises prior to it becoming a mandate, and the mandate did not secure additional funds when it was enacted. The only way to increase funds for the inspection program is to increase veterinary premises registration fees. Without increasing fees, the Board will never have enough funds to meet the 20% mandate.

The Subcommittee concluded the statutory inspection mandate was unrealistic and unattainable.





During the Board's Strategic Planning Session in October 2023, the Board discussed the Subcommittee's prior findings and decided to include the following objective in the Board's 2024-2028 Strategic Plan:

*4.4. Pursue legislation to remove the 20% Veterinary Premises Inspection Mandate.*

The Board approved its 2024-2028 Strategic Plan during its April 2024 meeting. The Board will continue to make inspections a priority and track the Board's inspections progress closely.

The California Department of Technology awarded a \$600,000 grant to the Board and the Board of Barbering and Cosmetology to develop a mobile inspection app that will significantly streamline the inspection process for the inspectors and Board staff. The mobile inspection app is currently in development, and User Acceptance Testing began in July. The app launched in November 2024.

**Legislative Request:** Please include the following legislative amendment in the Board's Sunset Bill:

~~**4809.7.** The board shall establish a regular inspection program that will provide for random, unannounced and announced inspections of veterinary premises and the board shall inspect at least 20 percent of veterinary premises on an annual basis.~~

**4. Add RVT to Board Composition**

**Discussion:** BPC section 4800 establishes the Board member composition of eight members, only one of which can be an RVT. This RVT is automatically assigned to the MDC (BPC § 4809.8), makes regular reports at each Board meeting, and participates in numerous meetings with state and national organizations. The workload for one RVT member is extensive, and the Board would like an additional RVT member be appointed to the Board to assist with the workload.

In addition, the Board believes the RVT perspective is invaluable in discussions and decision making and welcomes the input of other RVTs. As such, the Board is seeking a legislative amendment to add one RVT member to the Board's composition.

**Legislative Request:** Amend BPC section 4800 to add one RVT member as follows:

**4800.** (a) There is in the Department of Consumer Affairs a California Veterinary Medical Board in which the administration of this chapter is vested. The board shall consist of the following ~~eight~~nine members:

- (1) Four licensed veterinarians.
- (2) ~~One~~Two registered veterinary technicians.
- (3) Three public members.

[...]

The Board also requests a corresponding amendment to accommodate either RVT Board member to be assigned to the MDC as follows:

**4809.8.** (a) The board shall establish an advisory committee to assist, advise, and make recommendations for the implementation of rules and regulations necessary to ensure proper administration and enforcement of this chapter and to assist the board in its examination, licensure, and registration programs. The committee shall serve only in an advisory capacity to the board and the objectives, duties, and actions of the committee shall not be a substitute for or conflict with any of the powers, duties, and responsibilities of the board. The committee shall be known as the Veterinary Medicine Multidisciplinary Advisory Committee. The multidisciplinary committee shall consist of nine members. The following members of the multidisciplinary committee shall be appointed by the board from lists of nominees solicited by the board: four licensed veterinarians, two registered veterinary technicians, and one public member. The committee shall also include one veterinarian member and one registered veterinary technician member of the board, to be appointed by the board president, ~~and the registered veterinary technician member of the board~~. Members of the multidisciplinary committee shall represent a sufficient cross section of the interests in veterinary medicine in order to address the issues before it, as determined by the board, including veterinarians, registered veterinary technicians, and members of the public.

[...]

**5. Authorization for veterinary assistant controlled substance permit (VACSP) holders to perform drug compounding.**

**Discussion:** Existing law authorizes licensed veterinarians and RVTs to compound drugs for animal use. (BPC § 4826.5.) VACSP holders cannot currently perform drug compounding.

During an April 2022 MDC meeting, veterinarians and RVTs raised concerns that restricting the ability to compound drugs to veterinarians and RVTs negatively impacts access to veterinary care. During public comment, an RVT shared



how the COVID-19 pandemic had negatively impacted an already growing shortage of veterinary care and had significantly increased wait times in emergency veterinary hospitals. She explained how she ran a 24-hour veterinary hospital and how, at any given time, there could be up to eight hour wait times in her area. Prohibiting VACSP holders from performing drug compounding tasks, such as adding medications to an IV fluid, further delays treatment for patients ([minutes](#)).

The Board subsequently agreed with this assessment. The Board believes not allowing VACSP holders (who are trained and directly supervised) to compound drugs for animal use creates an unnecessary and significant delay in accessing necessary compounded drug preparations. To increase access to veterinary care by decreasing wait times for patients to receive treatment, and while maintaining consumer protection by requiring veterinarian supervision of the VACSP holder, the Board recommends amending BPC section 4826.5 to authorize VACSP holders to compound drugs under a licensed veterinarian's supervision.

**Legislative Request:** The Board requests amendments to BPC section 4826.5 (as shown below) to add VACSP holders to the individuals who are authorized to compound drugs for animal use. This will increase access to veterinary care by decreasing wait times for patients to receive treatment, while maintaining consumer protection by requiring veterinarian supervision of the VACSP holder.

Proposed Amendments

**4826.5.** Notwithstanding any other law, a licensed veterinarian or a registered veterinary technician or veterinary assistant controlled substance permit holder under the supervision of a licensed veterinarian may compound drugs for animal use pursuant to Section 530 of Title 21 of the Code of Federal Regulations and in accordance with regulations promulgated by the board. The regulations promulgated by the board shall, at a minimum, address the storage of drugs, the level and type of supervision required for compounding drugs by a registered veterinary technician or veterinary assistant controlled substance permit holder, and the equipment necessary for the safe compounding of drugs. Any violation of the regulations adopted by the board pursuant to this section shall constitute grounds for an enforcement or disciplinary action.

**6. Remove Requirement to Approve All RVT Schools**

**Discussion:** In 1995, the Board approved the very first RVT school program, San Diego – Mesa College. From 1997-2017, oversight included renewing approvals for one to five years, which is inconsistent with the current statute that approvals are only good for two years. (BPC § 4843.) From 2012-2017, letters and certificates were sent to the program renewing the approval, but it does not appear any formal renewal process, including a renewal application or renewal fees, occurred. Board inspections of the RVT education program occurred in 2002, 2006, and 2007. While the program was responsible for covering the costs of the inspections, the Board recovered nominal travel reimbursements in 2002 and 2006.

In 2014, a school administrator wanted to be approved by the Board, but they were told the Board no longer approved schools. The school administrator raised his request and concerns to the Board during a subsequent Board meeting. At that time, a representative from the California Registered Veterinary Technicians Association (CaRVTA) reminded the Board it was required by statute to approve all RVT schools operating in California.

From 2014-2018, the Board worked on a rulemaking package clarifying requirements and adding more requirements to the RVT education programs. The rulemaking package also transitioned from approving alternate route courses to approving alternate route programs. When the rulemaking package was approved in 2018, 20 other rulemaking packages were already pending.

In 2021, the Board's Executive Officer raised concerns that the requirement for Board approval of RVT education programs may serve as a redundant and overly burdensome requirement for the programs with little, if any, consumer protection benefit.

At the Board's request, an MDC Subcommittee was formed and began evaluating the RVT education approval requirement. Subcommittee members watched multiple webcasts and reviewed meeting minutes spanning back to 2014, when the Board initially began discussing the original rulemaking package. From that review, the Subcommittee noted the following:

- While it was known that other oversight bodies (CVTEA and BPPE) accredited/approved the schools, there were no discussions related to whether the Board should approve RVT schools or how approving schools served a consumer protection purpose.



- Concerns related to the cost of implementing a school approval program were briefly raised a few times, but Board members were told incorrectly that identifying costs in a Form 399 for the rulemaking file would result in a successful BCP, and that BCP would provide the Board increased funds to support the program. While a BCP does increase the allocated budget amount, the only way to increase the Board's fund is to increase licensing fees. Increasing fees was not discussed.
- Concerns related to the Board's existing resources and inability to inspect veterinary premises also were raised, and some Board members questioned how the Board would be able to provide additional onsite inspections to all RVT schools. Again, the members were told a BCP would solve this concern.

In March 2023, the Subcommittee held an RVT Education Programs Stakeholder Meeting. The meeting announcement informed individuals that the Board was considering removing the requirement for the Board to approve all RVT education programs. The announcement further advised that the Board was seeking input and participation from all interested stakeholders, including the public, education program administrators, other education program oversight agencies, and professional associations.

Over 50 participants attended the meeting. These participants included RVT school administrators, RVTs, CaRVTA, and representatives from BPPE and AAVSB. The Executive Officer and Subcommittee provided an overview of the issue, discussed the Board's consumer protection mission and the student protection mission of the other oversight agencies, as follows:

#### Committee on Veterinary Technician Education and Activities (CVTEA)

CVTEA accredits the majority of veterinary technology programs within California. All CVTEA-accredited programs in veterinary technology must meet the Standards of Accreditation of the CVTEA to ensure the quality of the educational experience and the assessment of student knowledge and skills. The CVTEA also performs regular site visits and evaluates annual, biennial, interim, and terminal reports submitted by accredited programs.

During the January 2022 MDC meeting, the CVTEA provided an overview of their accrediting process and answered questions from the MDC members. That presentation and subsequent discussion can be viewed [here](#).

#### Bureau of Private Postsecondary Education (BPPE)

All private postsecondary education programs operating in California must be approved by BPPE. BPPE's mission is to protect students and consumers through the oversight of California's private postsecondary educational institutions by conducting qualitative reviews of educational programs and operating standards, proactively combating unlicensed activity, impartially resolving student and consumer complaints, and conducting outreach.

In general, BPPE is responsible for the following:

- Protecting consumers and students against fraud, misrepresentation, or other business practices at private postsecondary institutions that may lead to the loss of students' tuition and related educational funds;
- Establishing and enforcing minimum standards for ethical business practices and the health and safety and fiscal integrity of postsecondary education institutions; and,
- Establishing and enforcing minimum standards for institutional stability for all students in all types of private postsecondary educational and vocational institutions.

During the January 2022 MDC meeting, BPPE provided an overview of their process and oversight. That presentation and subsequent discussion can be viewed [here](#).

#### Accrediting Commission for Community and Junior Colleges (ACCJC)

ACCJC also accredits veterinary technology education programs. Their mission "supports its member institutions to advance educational quality and student learning and achievement. This collaboration fosters institutional excellence and continuous improvement through innovation, self-analysis, peer review, and application of standards." (ACCJC, Mission, <https://accjc.org/about/> (as of July 12, 2024).) Much like AVMA and BPPE, ACCJC also conducts regular reviews of the programs, including onsite visits, to determine if the programs meet ACCJC's eligibility requirements, commission policies and accreditation standards.



The overall consensus from the participants was that the Board should not require RVT school and degree programs to be Board approved. The oversight provided by BPPE, CVTEA, and ACCJC appeared to provide adequate protections for students, and requiring the programs to be approved by the Board was a redundant and costly endeavor.

After reviewing all information provided, the Board voted in April 2023 to seek a legislative proposal to amend BPC sections 4841.1, 4841.4, 4841.5, and 4842, and repeal sections 4842.1 and 4843 regarding RVT registration requirements and RVT school or degree program approvals.

**Legislative Request:** Amend BPC sections 4841.1, 4841.4, 4841.5, and 4842, and repeal sections 4842.1 and 4843 regarding RVT registration requirements and RVT school or degree program approvals.

**7. Out-of-State RVT Applicants**

**Discussion:** BPC section 4841.5 provides three education pathways for RVTs to obtain registration: (1) through an accredited or approved two-year program; (2) through education or a combination of education and clinical experience; or (3) through AAVSB's education equivalency certification program. The statute does not authorize any individual to obtain an RVT registration without completing education. However, CCR, title 16, section 2068.6 provides a pathway for RVTs licensed, certified, or registered in another state to obtain RVT registration in California solely through clinical experience. To maintain out-of-state license reciprocity, the Board recommends placing the regulation in statute and clearly identifying the experience-only pathway for RVT applicants licensed in another state.

Although the regulation requires an out-of-state applicant to complete 4,416 clinical practice hours, the Board believes the reciprocity requirement should be reduced to 2,500 hours. Notably, during the Board's last Sunset Review, the Board requested a similar requirement for out-of-state veterinarians seeking California licensure be reduced from 2,944 to 2,500 clinical practice hours. The Board believed the higher practice hour requirement served as a barrier to licensure, potentially impacting women who may have taken time off from practice to raise children. Similarly, the Board believes the current RVT clinical practice hour requirement for out-of-state veterinary technicians seeking California registration serves as a barrier. Since the Board is also requesting the Legislature restructure RVT registration requirements, the

Board seeks to align the clinical practice hour requirement with that of veterinarians in the restructured RVT registration statutes.

**Legislative Request:** Amend BPC section 4841.5 to establish out-of-state reciprocity requirements for California RVT registration. (Included in the legislative proposal for New Issue #6).

**8. Remove Authority to Approve CE**

**Discussion:** BPC section 4846.5 provides an extensive list of statutorily approved CE providers. Under BPC section 4846.5, subdivision (b)(3), the Board is also provided authority to approve other continuing veterinary medical education providers not otherwise specified. In 2002, multiple regulations became effective that specified the process for approving CE providers. However, the Board is not aware of any CE providers that are not already listed under subdivision (b)(3).

**Legislative Request:** Since the list of authorized CE providers under the current statute is so extensive, the Board seeks a legislative amendment to remove the Board authority to approve CE providers. The Board believes it is unnecessary and fuels a narrative that the Board has too many statutes/regulations that overregulates the profession.

**9. Telemedicine Terms**

**Discussion:** Effective January 1, 2024, AB 1399 (Friedman, Chapter 475, Statutes of 2023) established statutory requirements to practice veterinary medicine via telehealth. Under BPC section 4825.1, subdivision (g), "telehealth" is defined to mean "the mode of delivering veterinary medicine via electronic communication technologies to facilitate the diagnosis, consultation, care management, or treatment of an animal patient, and includes, but is not limited to, synchronous video and audio communication; synchronous, two-way audio communication; and electronic transmission of images, diagnostics, data, and medical information."

Notably, the Medical Practice Act provides that "telehealth" includes "telemedicine" as the term is referenced in the Code of Federal Regulations, title 42, sections 482.12, 482.22, and 485.616. (BPC, § 2290.5, subd. (i)(3).) Those federal regulations apply to conditions of participation for hospitals, critical access hospitals, and medical staff providing human health care services through Medicare and Medicaid, which do not apply to veterinary health care. There is no other definition of "telemedicine" in the BPC, and the regulations supporting the Medical Practice Act do not further clarify this term.





Before AB 1399 was enacted, CCR, title 16, section 2032.1, subsection (f), authorized telemedicine to be practiced within an existing VCPR, with the exception for advice given in an emergency until the animal patient(s) can be seen by or transported to a veterinarian. That subsection, which relied on the telehealth authority established in BPC sections 686 and 2290.5, defined “telemedicine” to mean the mode of delivering animal health care services via communication technologies to facilitate consultation, treatment, and care management of the patient.

To properly accommodate electronic veterinary health services for animal patients, the Board recommends incorporating into BPC section 4825.1 definitions of telemedicine, teletriage, and teleconsultation and specifying in BPC section 4826.6 the authority of veterinary professionals to provide such services. These definitions and authorities were approved by the Board in July 2021 and are intended to be integrated into the new telehealth provisions enacted by AB 1399.

In addition, this legislative recommendation seeks to address stakeholder concerns raised during the Board’s January 2021 meeting, described in further detail in the Board’s [Meeting Minutes](#), regarding the racial and economic inequities resulting in a lack of access to veterinary care facilities and difficulty for consumers to travel with their pets to veterinary premises.

These legislative changes are designed to protect public interests and consumer safety and are intended to address social and economic disadvantages in rural and low-income communities by expanding the use of electronic technology and media to increase access to veterinary health care services for the benefit of consumers and their animals.

**Legislative Request:** After in-depth consideration, the Board believes it is in the best interest of improving veterinary care for consumers, animals, and veterinary professionals to include the legislative proposal in the Board’s Sunset bill to define teletriage, teleconsultation, and telemedicine in BPC section 4825.1, with corresponding practice provisions added to BPC section 4826.6. The Board also seeks to clarify the limitation on ordering, prescribing, or making available drugs via telehealth in accordance with all relevant state and federal regulations by changing the term “regulations” to “laws” in BPC section 4826.6, subdivision (i)(3).

**10. Copies of Animal Patient Records**

**Discussion:** BPC sections 4826.6, subdivision (h)(4), and 4855 only require veterinarians to provide a summary of the animal patient record to animal owners when requested. However, the Board receives complaints from consumers that they are unable to obtain copies of the records upon request. The Board believes consumers should have a right to the complete record of their animals. As such, the Board seeks legislation to require veterinarians provide a copy of the record within five days of receiving a request, with specific exceptions when an animal is in critical condition or direct transfer to another premises is recommended. In addition, to assist consumers who need to provide proof of payment of veterinary services to their pet insurer for reimbursement or when the Board seeks to include restitution in an enforcement action, a statute is necessary to require the veterinary premises to provide a record of client payments made to the veterinary premises related to services and treatment provided.

**Legislative Request:** Amend BPC sections 4826.6 and 4855 to allow consumers to obtain copies of animal patient records, and add new BPC section 4855.1 as follows:

**4826.6.**

[...]

(h) A veterinarian who practices veterinary medicine via telehealth shall do all of the following:

[...]

(4) Be familiar with available medical resources, including emergency resources near the animal patient’s location, be able to provide the client with a list of nearby veterinarians who may be able to see the animal patient in person upon the request of the client, and keep, maintain, and make available a copy or summary of the animal patient record, as specified in Section 4855.

[...]

**4855. (a)** A veterinarian subject to the provisions of this chapter shall, as required by regulation of the board, keep a written record of all animals receiving veterinary services, and provide a summary copy of that record to the owner of animals receiving veterinary services, when client or their authorized agent within five (5) days of receiving the client’s or their authorized agent’s verbal or written requested.



(b) If requested verbally or in writing by the client or their authorized agent because the animal is in critical condition or direct transfer to another veterinary premises for medical care is recommended, the veterinarian or their delegated veterinary personnel, upon release of the animal patient from the veterinarian's care, shall either:

(1) Provide a copy or a summary of the written record to the client or their authorized agent; or

(2) If a written record is not available upon release of the animal patient because the veterinarian is practicing from a mobile unit, communicate information to facilitate continuity of care of the animal patient either to:

(A) The receiving veterinarian or veterinary premises; or

(B) The client or their authorized agent if the receiving veterinary premises is unknown.

(c) The minimum amount of information which that shall be included in written records and summaries shall be established by the board.

(d) The minimum duration of time for which a licensed registered veterinary premises shall retain the written record or a complete copy of the written record shall be determined by the board.

**4855.1.** Within 30 days of receiving a written or verbal request by the client or their authorized agent, the licensee manager of the veterinary premises shall provide a record of client payments made to the veterinary premises related to services and treatment provided. A record of client payments made to the veterinary premises related to services and treatments provided must be maintained for a minimum of three (3) years after the animal's last visit.

**11. Livestock Definition to Include Commercial Equines**

**Discussion:** BPC section 4825.1 specifically excludes equine from the definition of livestock. During the Board's most recent Strategic Planning Session, an equine veterinarian Board Member requested, and the other Board Members agreed, that equines are considered livestock in many parts of California and should be included in the definition.

**Legislative Request:** Amend BPC Section 4825.1, subdivision (e), to revise the definition of "livestock" to include commercial equines.

**12. Release of Animal Patient Records**

**Discussion:** During the Board's October 2023 Strategic Planning Session, a concern was raised regarding a veterinarian's ability to access records for prior animal patients once the veterinarian leaves employment at a veterinary premises. This makes it challenging for veterinarians to respond to complaint allegations during Board investigations.

**Legislative Request:** To remedy this issue, the Board recommends BPC section 4856 be amended as follows:

**4856.** (a) All records required by law to be kept by a veterinarian subject to this chapter, including, but not limited to, records pertaining to diagnosis and treatment of animals and records pertaining to drugs or devices for use on animals, shall be open to inspection by the board, or its authorized representatives, during an inspection as part of a regular inspection program by the board, or during an investigation initiated in response to a complaint that a licensee has violated any law or regulation that constitutes grounds for disciplinary action by the board. A copy of all those records shall be provided to the board immediately upon request.

(b) Equipment and drugs on the premises, or any other place, where veterinary medicine, veterinary dentistry, veterinary surgery, or the various branches thereof is being practiced, or otherwise in the possession of a veterinarian for purposes of that practice, shall be open to inspection by the board, or its authorized representatives, during an inspection as part of a regular inspection program by the board, or during an investigation initiated in response to a complaint that a licensee has violated any law or regulation that constitutes grounds for disciplinary action by the board.

(c) The licensee manager for the registered veterinary premises shall make records available for inspection by any veterinarian who provided veterinary services to the animal patient on behalf of the registered veterinary premises.

**13. Require Fingerprints for Reinstatement Petitions**

**Discussion:** Fingerprints are required for all applicants and license renewals, pursuant to BPC sections 144 and 4836.2, subdivision (c)(1), and CCR, title 16, section 2010.05, subsection (a). Once an individual's license is revoked or surrendered, the Board notifies the Department of Justice through a "No Longer Interested" notification that it no longer has authority to receive criminal information on that individual. If an individual with a revoked or





surrendered license files a petition for reinstatement, the individual is considered an applicant and subject to the fingerprint requirement. However, BPC section 4887 does not specifically require fingerprints be submitted prior to their petition for reinstatement. This can cause delays in the Board receiving necessary criminal history information prior to deciding whether to grant the petition.

**Legislative Request:** Amend BPC section 4887, subdivision (b), to require reinstatement petitioners to submit fingerprints with their petition for reinstatement, so the Board can obtain necessary criminal history records in a timely manner.

#### 14. **Tolling and Probation Terms**

**Discussion:** BPC section 4887 specifies when an individual with a revoked license or registration can petition the board for reinstatement or modification of penalty, including modification or termination of probation. However, during periods of tolling, individuals on probation are not subject to the full terms and conditions of their disciplinary order. While any period of tolling does not apply to the reduction of the probationary term, BPC section 4887 does not take tolling periods into account. As such, probationers who may never have been subject to their full disciplinary order are allowed to petition for modification or termination of probation. These petitions are unsuccessful and a waste of Board time and resources, since the Board is provided with insufficient evidence the petitioner has complied with Board ordered conditions or has been rehabilitated.

**Legislative Request:** Amend BPC section 4887 clarify that the amount of time that probation is tolled shall not count toward the number of years needed to petition for early termination or modification of probation.

#### 15. **Registration and Permit Applications and Disciplinary Action**

**Discussion:** During the Board's last Sunset Review, the Board requested legislative amendments that removed unnecessary barriers to veterinary licensure and condensed requirements into one section. Since then, the Board has identified several sections in the Act related to registration and permit applications and disciplinary action it would like to improve. The Board approved a legislative proposal to amend multiple BPC sections regarding registration and permit applications and disciplinary action at its October 2024 meeting, which are discussed in greater detail in the [October 2024 meeting materials](#).

Specifically, the Board would like to remove unnecessary and/or redundant language, combine sections where appropriate, and better align the RVT application and disciplinary processes with that of the veterinarian license application and disciplinary processes. In addition, the Board would like to add "veterinary assistant controlled substance permits" (VACSPs) to various sections that appeared to have been missed when initially creating the VACSP.

Prior to January 1, 2020, graduates of veterinary colleges were performing animal health care tasks otherwise performed by an RVT without obtaining an RVT registration. In 2018, SB 1480 (Hill, Chapter 571, Statutes of 2018), prohibited graduates of veterinary colleges from performing animal health care tasks without obtaining a registration and provided a two-year transition phase. However, there is not a current pathway for veterinary students to obtain veterinary technician registration. To rectify this, the Board would like to create a pathway for veterinary college graduates and ECFVG or PAVE certificate holders to obtain veterinary technician registration.

In addition, the Board seeks to remove unnecessary barriers to licensure and disciplinary resolution delays through expedited resolution of formal application denial and formal disciplinary proceedings. In an adjudicative proceeding to determine whether an occupational license should be denied, revoked, suspended, limited, or conditioned, a settlement may not be made before issuance of the agency pleading (e.g., Accusation). (GC § 11415.60, subd. (b).) Currently, when the Board's Executive Officer initiates a formal disciplinary proceeding against a licensee, registrant, or permit holder, Board staff transmit the case to the OAG to prepare, file, and serve an Accusation in accordance with the APA. The information transmitted to the OAG includes settlement terms and conditions that are consistent with the Board's Disciplinary Guidelines. Most disciplinary cases result in stipulated settlements mirroring what was initially included in the transmittal memo, but those cases may not be resolved for another year or more after transmitting the case to the OAG.

As part of the DCA Director's Enlighten Enforcement Project and Data Workgroups, it was recognized that some boards and bureaus under the DCA have statutory authority to accept stipulated settlements without requiring formal disciplinary proceedings under the APA. (See BPC, §§ 6582.2 and 10100.4.) Similar to the Board's current probationary registration/permit process, these programs enter into stipulated settlements without



transmitting the case to the OAG to prepare, file, and serve an Accusation or Statement of Issues. The process is completely voluntary to the involved parties (Complainant and Respondent) and are still adopted by the Board. This allows quicker resolution for all parties and leads to quicker consumer protection. This also reduces costs for the Respondent and the Board. To reduce barriers to licensure and significantly reduce disciplinary cycle times and Board/Respondent costs related to formal disciplinary proceedings, Board staff recommend adding to the Act BPC section 4882, mirroring other board/bureau language that authorizes resolution of an administrative action through stipulated settlement without first requiring commencement of proceedings under the APA.

The Board also recommends amending BPC section 4887 to add VACSPs, allowing them to petition for reinstatement or modification or early termination of probation, and add language to accommodate reinstatement petitions following surrender of a license, registration, or permit. (Prop. BPC, § 4887, subd. (a), (b), and (c).) In addition, the Board recommends removing the requirement for a vote of five members of the Board to vote to reinstate a revoked license or registration under subdivision (c), as that provision unnecessarily impedes the ability of the Board to resolve reinstatement petitions, especially if the Board membership drops to five members, which is a quorum of the Board. Further, the language in proposed new subdivision (e) is recommended to address potential delays by petitioners granted reinstatement in completion of specified conditions precedent. For example, if a petitioner was granted reinstatement and only required to complete continuing education or pay cost recovery as conditions precedent to reinstatement, but the petitioner waits for five or more years to complete those conditions, that delay may significantly change the petitioner's

competency to practice. By the time the petitioner completes the conditions precedent, the Board may have otherwise determined the petitioner needed examination prior to reinstatement to ensure public protection. However, under the current statute, the Board's decision granting reinstatement could remain open indefinitely, removing the Board's ability to require additional conditions precedent when there is concern over the lengthy time away from practice. To assure the petitioner is suitable to return to practice, the proposed amendments would establish a one-year deadline for the petitioner to complete the conditions precedent for reinstatement.

**Legislative Request:** Amend BPC sections 4836.2, 4839, 4841.5, 4875, 4875.1, 4875.2, 4883, 4885, 4886, 4901.2, and 4902, repeal BPC sections 4837, 4841.4, 4842, 4845.5, 4876, and 4881, and add BPC section 4882 regarding registration and permit applications and disciplinary actions.

## SECTION 11

### ATTACHMENTS

- A. Board's administrative manual.
- B. Current organizational chart showing relationship of committees to the board and membership of each committee (cf., Section 1, Question 1).
- C. Major studies, if any
- D. Year-end organization charts for last four fiscal years. Each chart should include number of staff by classifications assigned to each major program area (licensing, enforcement, administration, etc.) (cf., Section 3, Question 15).



# ATTACHMENT A

## BOARD'S ADMINISTRATIVE MANUAL



# Veterinary Medical Board

## State of California



## Board and Committee Member

# Administrative Procedure Manual

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**CHAPTER 1****Introduction****Mission**

The mission of the Veterinary Medical Board (Board) is to protect consumers and animals by regulating licensees, promoting professional standards, and diligent enforcement of the California Veterinary Medicine Practice Act (Practice Act).

**Vision**

The vision of the Board is to create an environment in which Californians have access to high-quality veterinary care for all animals.

**Overview**

The Board was created in 1893 as a licensing program. Licensing is used to regulate veterinarians and protect the public in all fifty states, territories, and Canada.

The Board is one of a number of boards, bureaus, commissions, and committees within the Department of Consumer Affairs (DCA), part of the Business, Consumer Services, and Housing Agency under the auspices of the Governor. DCA is responsible for consumer protection and representation through the regulation of licensed professions and the provision of consumer services. While DCA provides administrative oversight and support services, the Board sets its own policies, procedures, and regulations.

The Board is comprised of eight members. Four licensed veterinarians, three public members and one registered veterinary technician (RVT). The Governor appoints four veterinarian members, one RVT and one public member. The Senate Rules Committee and the Speaker of the Assembly each appoint one public member. Board members may serve up to two full four-year terms. In addition to the two full four-year terms, Board members may serve the partial term of the vacant position to which they are appointed and up to a one-year grace period after a term expires. Board members fill non-salaried positions but are paid per diem for each Board meeting, committee meeting and other meetings approved by the President of the Board. Travel expenses are also reimbursed.

This procedure manual is updated as necessary and provided to Board and committee members as a ready reference of important laws, regulations, DCA policies and Board policies. It is designed to help guide the actions of the Board and committee members and ensure effectiveness and efficiency.

**CHAPTER 2****Board Meeting Procedures****Frequency and Location of Meetings**

The Board meets at least four times annually to make policy decisions and review committee recommendations. Special

Business and Professions  
Code (BPC) section 4808

Board Policy - The requirement to meet is in B&P Code. The frequency of the meetings is determined by the Board.

meetings may be called at any time by the Board President or by any four members of the Board, upon notice of such time and in such manner as the Board may provide.

The Board endeavors to hold meetings in different geographic locations throughout the state when possible as a convenience to the public and licensees.

In accordance with BPC section 101.7, boards shall meet at least two times each calendar year and at least once in northern California and once in southern California.

Board Policy

**Board Member Attendance at Board Meetings**

Board members must attend each meeting of the Board. If a member is unable to attend, they are asked to contact the Board President or the Executive Officer and ask to be excused from the meeting for a specific reason. For purposes of petition hearings, Board members are required to be physically present at the Board meeting and are unable to participate solely through telephonic means.

Board Policy

**Board Member Participation**

The Board President may contact members who have missed two consecutive meetings to determine the reason they have been absent and whether or not the member is able to continue serving as an active member of the Board. In some cases, the President may suggest that the member consider resigning.

The Board, by resolution, may request in writing to the appointing authority that a member be replaced. The member shall be notified in writing of such proposed action and be given the opportunity to present to the Board their written or oral arguments against such action prior to the Board adopting the resolution.

Government (Gov.) Code section 11120 et. seq.

**Public Notice/Information at Board Meetings**

Meetings are subject to all provisions of the Bagley-Keene Open Meeting Act. This act governs meetings of the State regulatory boards and meetings of committees of those boards where the committee consists of more than two members. It specifies meeting notice and agenda requirements and prohibits discussing or taking action on matters not included in the agenda. Any general discussion of exams or disciplinary procedures shall be held in public.

The Board may meet in closed session to discuss examinations, deliberate on enforcement cases, review examination issues where a public discussion would compromise the integrity of the examination, a disciplinary case, or a personnel issue. If the agenda contains matters that, on advice of legal counsel, are appropriate for closed

session, the agenda shall cite the particular statutory section and subdivision authorizing the closed session.

#### **Quorum**

BPC section 4807

Five members of the Board constitute a quorum for transaction of business at any meeting of the board. At a meeting duly held at which a quorum of five members is present, a concurrence of three members of the Board present shall be necessary to constitute an act or decision of the Board.

#### **Agenda Items**

Board Policy

Agenda items are generally discussed and agreed upon at a full board meeting. Additional agenda items for a Board meeting from any source, including Board members, must be submitted to the Executive Officer at least 21 days prior to the meeting. The Executive Officer may confer with the Board President prior to adding items to the meeting agenda.

#### **Notice of Meetings**

Gov. Code section 11120 et. seq.

According to the Bagley-Keene Open Meeting Act, meeting notices (including agendas for Board meetings) must be sent to persons on the Board's mailing list and posted on the Board's website at least ten (10) calendar days in advance. The notice must include a staff person's name, work address, and work telephone number to provide further information prior to the meeting.

#### **Record of Board Meetings**

Board Policy

The minutes are a detailed summary of each Board meeting, not a transcript. Board minutes must be approved at the next scheduled meeting of the Board. Once approved, the minutes serve as the official record of the meeting.

#### **Webcast**

Gov. Code section 11124.1 et. seq.

Whenever feasible, the Board shall webcast its meetings. An archive of the meeting shall be available for review on the DCA website. If webcast is not feasible at a particular meeting site, the Board will post minutes of the meeting on its website once the minutes are approved by the Board.

Any audio or video recording of an open and public meeting made for whatever purpose by or at the direction of the Board shall be subject to inspection pursuant to the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1).

#### **Meetings Rules**

Board Policy

The Board will use Robert's Rules of Order to the extent that it does not conflict with State law (e.g., Bagley-Keene Open Meeting Act), as a guide when conducting the meetings.



The Vice President of the Board may serve as meeting parliamentarian.

Board Policy

### **Veterinary Student Liaisons**

The Board President may appoint Veterinary Student Liaisons to the Board to increase communication and collaboration with the veterinary student community and receive feedback from the students on how the Board may improve its initial licensing processes and educate students on statutes and regulations impacting the profession.

A Veterinary Student Liaison can be any student regularly enrolled in the professional Veterinary curriculum at any California school, which is accredited by the American Veterinary Medical Association to confer the degree of Doctor of Veterinary Medicine or an equivalent degree in veterinary medicine and possesses strong demonstrable ethical and moral qualifications. Each California school may have one Veterinary Student Liaison. The Veterinary Student Liaison must be elected by their respective school in the fall, at the beginning of each school year.

The Veterinary Student Liaisons will not serve as voting members or participate in Closed Session portions of the meeting, but they will have the opportunity to participate in Board discussion during public agenda items and provide a student report to the Board during Board meetings. The Veterinary Student Liaisons are not entitled to per diem or travel reimbursements from the Board.

## **CHAPTER 3**

### **Travel & Salary Policies/Procedures**

DCA Memorandum 91-26

#### **Travel Approval**

Board members must have Board President approval for all travel, including out-of-state travel, except for regularly scheduled Board and Committee meetings to which the Board member is assigned.

The Board President and the Executive Officer must use the Board's annual budget and DCA Travel Guidelines when considering travel requests.

Board Policy

#### **Travel Arrangements**

Board members should attempt to make their own travel arrangements, including airfare, lodging, and rental cars. Board members should use the State contract airline, Southwest, whenever possible. Once appointed and all paperwork is completed by DCA, Board Members will be assigned a CalATERS login. Board Administrative Staff will assist in setting up a profile for each member through the Statewide Travel Program "Travel Store".

SAM section 700 et seq.

### **Out-of-State Travel**

All out-of-state travel for all persons representing the State of California must be approved by the Board President and is ultimately controlled and approved by the Governor. Once approved for out-of-state travel, Board members will be reimbursed actual lodging expenses, supported by vouchers, and will be reimbursed for meal and supplemental expenses. Travel prior to approval by the Governor is at the individual Board or Committee member's own risk and reimbursement may be denied.

BPC section 103  
Board Policy

### **Salary Per Diem and Travel Reimbursement**

Board members attending meetings or events to perform a substantial Board-related service are paid salary per diem and reimbursed for travel-related expenses. Attendance at gatherings, events, hearings, conferences or meetings other than official Board or Committee meetings shall be approved in advance by the Board President and the Executive Officer.

Board members are paid such time as is expended from the commencement of a Board or Committee meeting to the conclusion of that meeting. Where it is necessary for a Board member to leave early from a meeting, the Board President shall determine if the member has provided a substantial service during the meeting and, if so, shall authorize payment of salary per diem and reimbursement for travel-related expenses.

Unless it is an unanticipated emergency, Board members must get prior approval from the Board President to leave a meeting early. Because the Board only meets four times a year, Board members are expected to make every effort to stay for the duration of the meeting and make their travel arrangements accordingly.

For Board-specified work, Board members are compensated for actual time spent performing work authorized by the Board President. That work includes authorized attendance at other gatherings, events, meetings, hearings, or conferences. Compensation does not include case review and Board meeting preparation.

Members must submit time sheet summary forms for actual work performed outside a Board meeting in order to be compensated.

## **CHAPTER 4**

### **Other Policies/Procedures**

Board Policy

#### **Board Member Disciplinary Actions**

A member may be censured by the Board if, after a hearing before the Board, the Board determines that the member has acted in an inappropriate manner.

The Board President shall sit as chair of the hearing unless the censure involves the President's own actions, in which case the Board Vice President shall sit as chair. In accordance with the Public Meeting Act, the censure hearing shall be conducted in open session.

#### **Removal of Board Members**

BPC sections 106 and 106.5

The Senate, Assembly, and Governor has the power to remove from office at any time any member of any board appointed by him/her for continued neglect of duties required by law or for incompetence or unprofessional or dishonorable conduct.

The Senate, Assembly, and Governor may also remove from office a board member who directly or indirectly discloses examination questions to an applicant for examination for licensure.

#### **Resignation of Board Members**

Gov. Code section 1750

In the event that it becomes necessary for a Board member to resign, a letter shall be sent to the appropriate appointing authority (Governor, Senate Rules Committee, or Speaker of the Assembly) with the effective date of the resignation. Written notification is required by state law. A copy of this letter shall also be sent to the director of the Department, the Board President, and the Executive Officer.

#### **Officers of the Board**

BPC section 4804

The Board shall elect from its members a President and a Vice President to hold office for one or two years, or until their successors are duly elected and qualified.

#### **Election of Officers**

Board Policy

The Board and Multidisciplinary Advisory Committee (MDC) may elect the officers at their respective fall meetings to serve a term of one year, beginning on January 1. Officers may be re-elected for one consecutive term. All officers may be elected on one motion or ballot as a slate of officers unless objected to by a Board/MDC member. Elections are usually scheduled for the fall Board/MDC meeting with new officers assuming office in at the next regularly scheduled board meeting.

#### **Officer Vacancies**

Board Policy

If the Office of the President becomes vacant, the Vice President assumes the office as the interim President and the Board holds an election for both positions at the next scheduled Board meeting.

#### **Access to Board Files and Records**

Board Policy

No Board member may access a licensee, applicant, or complaint file without the Executive Officer's knowledge and

approval of the conditions of access. Records or copies of records must not be removed from the Board's office.

Board Policy

**Communications with Other Organizations/Individuals**

The Executive Officer, their designee, or the Board President serve as spokesperson to the media on Board actions, policies, or any communications that is deemed sensitive or controversial, to any individual or organization. Any Board member who is contacted by any of the above should terminate the contact and inform the Executive Officer or the Board President.

Gov. Code section 6250 et seq.

Written communications between a Board/MDC member and the public are disclosable records under the California Public Records Act, unless an exemption to disclosure applies.

Board Policy

**Legal Opinions – Requests from Outside Parties**

The Board does not provide legal services for persons or entities outside the Board staff. Requests for legal opinions from outside entities are to be discussed with the Board President and Legal Counsel to determine whether it is an issue over which the Board has jurisdiction and the opinion, if prepared, could be posted on the Board's website and benefit the general public rather than one individual. Persons making such requests would be notified that the Board will not be responding directly to their request but will post the opinion on the Internet when it is final.

DCA Reference Manual

**Board Staff**

Employees of the Board, with the exception of the Executive Officer, are civil service employees. Their employment, pay, benefits, discipline, termination, and conditions of employment are governed by a myriad of civil service laws and regulations and often by collective bargaining labor agreements. Because of this complexity, it is most appropriate that the Board delegate all authority and responsibility for management of the civil service staff to the Executive Officer.

DCA Reference Manual

**Board Administration**

Board members should be concerned primarily with formulating decisions on Board policies rather than decisions concerning the means for carrying out a specific course of action. It is inappropriate for Board members to become involved in the details of program delivery. Strategies for the day-to-day management of programs and staff shall be the responsibility of the Executive Officer under the supervision of the Board President.

**Examination Preparation**

Each person having access to examination content shall sign a security agreement.

BPC section 110	<b>Correspondence</b> Originals of all correspondence received must be maintained in the Board's office files. Copies of such correspondence must be given to the Executive Officer and/or Board members as required.
Board Policy	<b>Training</b> All required training for continuing and new Board members will be accomplished in accordance with state employment law and DCA policies.
Board Policy	<b>Contact with Licensees</b> Board members must not intervene on behalf of a licensee for any reason. They should forward all contacts or inquiries to the Executive Officer.
DCA Reference Manual	<b>Contact with Complainant/Respondent</b> Board members should not directly participate in complaint handling and resolution or investigations. To do so would subject the Board member to disqualification in any future disciplinary action against the licensee. If a Board member is contacted by a complainant/respondent or their attorney, they should refer the individual to the Executive Officer or Board staff.
Board Policy	<b>Gifts from Candidates</b> Gifts of any kind to Board or Committee members or the staff from candidates for licensure with the Board are not permitted.
Gov. Code section 87100; Common Law; BPCsection 450 et seq.; DCA Incompatible Work Activities	<b>Conflict of Interest</b> Conflicts of interest or disqualification issues mainly arise from four general sources: (1) financial conflicts arising under the Political Reform Act of 1974 (Gov. Code § 87100 et seq.); (2) common law conflicts of interest arising from personal interest or bias, or even the potential appearance of a bias or personal interest in a matter even in the absence of a financial conflict of interest; (3) the general provisions of BPC section 450 et seq. that detail the qualifications and restrictions on public members of a board; and (4) conflicts arising under the DCA Incompatible Work Activities policy.  No Board member may make, participate in making or in any way attempt to use their official position to influence a governmental decision in which they know or has reason to know they have a financial or personal interest. Any Board member who has a financial or personal interest shall disqualify themselves from making or attempting to use their official position to influence the decision.  Any Board member who feels they are entering into a situation where there is a potential for a conflict of interest



should immediately consult the Executive Officer or Board President.

## CHAPTER 5

### Board President

The duties of the Board President include, but are not limited to:

BPCsection 4804.5  
Board Policy

#### Supervision of Executive Officer

The Board may appoint a person exempt from civil service who shall be designated as an Executive Officer and who shall exercise the powers and perform the duties delegated by the Board and vested in him or her.

The incoming Board President assumes all delegated duties at the next quarterly meeting, including supervision of the Executive Officer.

The Board President is the immediate supervisor of the Executive Officer. Specific instructions for work on Board policy matters by the Executive Officer from Board members shall be coordinated through the Board President.

It is critical that individual Board members not intervene or become involved in specific the day-to-day board office operations. However, it is also critical that the board hold the Executive Officer accountable for supervising these operations, including workload issues, staff vacation and sick leave balances, labor/personnel disputes, personnel actions, budgets, etc.

Tracking the Executive Officer's performance and accountability throughout the year is accomplished by direct and frequent oral, written, and in person communications between the Executive Officer and the Board President. In addition, the Executive Officer is responsible for keeping the full Board informed throughout the year (when appropriate) as to occurrences and information that come to the office in between meetings.

Gov. Code section 11126(a)(4)  
Board Policy

#### Performance Appraisal of Executive Officer

The Board evaluates its Executive Officer on an annual basis. At the spring Board meeting, the Board President, or their designee, requests that each Board member complete and submit an "Executive Management Appraisal" document as input to the Executive Officer's annual performance appraisal. The completed forms shall be mailed directly back to the Board President or their designee. The input from individual members shall be used to prepare a draft appraisal for review at the first meeting of the fiscal year.

The written summary performance appraisal is presented to the Board and the Executive Officer at its summer Board meeting. Following review and discussion by the full Board,

the appraisal shall be discussed with the Executive Officer. Actions requiring corrective measures shall include specific remedies and reporting timeframes.

Matters relating to the performance of the Executive Officer are discussed by the Board in closed session unless the Executive Officer requests that it be discussed in open session.

## CHAPTER 6

### Executive Officer

#### Appointment

BPC section 4804.5

The Board appoints an Executive Officer who is exempt from civil service and serves at the pleasure of the Board.

#### Role

California Code of Regulations (CCR) section 2003

The Executive Officer implements the policies developed by the Board and carries out the tasks delegated by the Board.

#### Recruitment

Board Policy

The Board may institute an open recruitment plan to obtain a pool of qualified Executive Officer candidates. It may also utilize proven equal employment opportunity and personnel recruitment procedures.

#### Selection

Gov. Code section 11125  
Board Policy

A qualified candidate for Executive Officer must demonstrate the ability to supervise employees, handle conflict resolution and complaint mediation, and conduct public speaking. The Executive Officer must also demonstrate effective written and verbal communication skills and knowledge and expertise in the areas of legislation, regulations, administration, examination, licensing, enforcement, legislation and budgets.

The selection of a new Executive Officer is included as an item of business, which must be included in a written agenda and transacted at a public meeting.

## CHAPTER 7

### Board Committees

#### Standing Committees

Board Policy

The committee meetings are held as needed at the direction of the full Board and are fully within the scope of the Bagley-Keene Open Meeting Act. In light of the Board's limited resources, these meetings are a cost-efficient and legal means of gathering information for discussion by the full Board, which enhances the process of the Board's public meetings and addresses the needs of the profession and consumers in California.

Board Policy	<p><b>Committee Appointments</b></p> <p>The Board President establishes committees, whether ad hoc or special, as they deem necessary. The Board President determines committee composition and member appointments, including, but not limited to, liaison appointments. When necessary, committee members may make recommendations for new members.</p> <p>Ad hoc committees may include the appointment of non-Board members. When appointing non-Board members, all impacted parties should be represented.</p>
Gov. Code section 11122.5(c)(6)	<p><b>Attendance at Public Committee Meetings</b></p> <p>Non-committee Board members may sit in the audience and participate in meeting discussions, unless there is a quorum of Board members in the room. If there is a quorum present of five members, non-committee Board members may sit in the audience, but may not participate in the meeting discussions.</p>
Board Policy Gov. Code section 11122(c)	<p><b>Meeting Rules</b></p> <p>Committee meetings are conducted under Robert's Rules of Order to the extent that it does not conflict with the Bagley-Keene Open Meeting Act.</p> <p>Committees with two members can meet as necessary without a public notice and can hold teleconference meetings with the designated staff person participating in the teleconference as necessary.</p> <p>Committee meetings involving three or more members are subject to the Bagley-Keene Open Meeting Act Requirement and must be noticed as a public meeting.</p>
Board Policy	<p><b>Committee Meeting Agendas/Public Notice (3 members)</b></p> <p>Agendas should focus on the specific tasks assigned by the Board and include:</p> <ul style="list-style-type: none"> <li>• Public comment</li> <li>• Time for committee members to recommend new areas of study to be brought to the Board's attention for possible assignment.</li> <li>• Only those information items dealing with subjects assigned to the respective committee.</li> </ul> <p>If more than two Board members attend a Committee meeting, the agenda shall contain the statement: "Notice of a Board meeting indicates that three or more members of the Board are present. While the law requires the Board to notice this meeting as a Board meeting, it is not the intent to take action as a Board at this meeting."</p>
Board Policy	<p><b>Record of Committee Meetings</b></p> <p>As with the Board meetings, the minutes are a summary, not a transcript, of each committee meeting. Committee minutes</p>

may be approved at the next scheduled Board meeting and serve as the official record of the meeting.

Approved minutes of the open session are available for distribution to the public and shall be posted on the Board's website.

#### **Recruitment**

Board Policy The Board members may assist in recruiting interested persons to serve on committees, e.g., examination item writing, item reviewing, and Angoff workshops.

#### **Staff Participation**

Board Policy The Executive Officer, Deputy Executive Officer, and Staff Service Managers (SSMs) will provide advice, consultation and support to Committees.

#### **Executive Committee**

Board Policy The Executive Committee shall consist of the President and the Vice President. The Executive Committee handles time-sensitive policy issues related to budgets, legislation, and regulatory issues that may surface necessitating immediate Board input. The Executive Committee shall report any action it takes on a particular matter to the full Board at the next Board meeting.

#### **Advisory and Ad Hoc Board Committees**

Board Policy Board committees are advisory in nature, recommend actions to the Board, and are established by the Board as needed. Committee recommendations and reports shall be submitted to the Board for consideration and possible action.

#### **Multidisciplinary Advisory Committee**

BPC section 4809.8 The Veterinary Medicine Multidisciplinary Advisory Committee (MDC) is a statutory committee that was created to assist, advise, and make recommendations for the implementation of rules and regulations necessary to ensure proper administration and enforcement of the Practice Act and to assist the Board in its examination, licensure, and registration programs.

The MDC consists of nine (9) members: four licensed veterinarians, two RVTs, one public member, and two liaisons of the Board, a veterinarian and the RVT. The public member shall not be a licentiate of the Board or of any other board under this division or of any board referred to in Sections 1000 and 3600.

The members of the MDC hold office for a term of three years and shall be staggered. Committee members may serve up to two full three-year terms. In addition to the two full three-year terms, Committee members may serve the partial term of the vacant position to which they are appointed and up to a one-year grace period after a term expires. Committee members

fill non-salaried positions but are paid per diem and travel expenses for each committee meeting and other meetings approved by the President of the Board.

The Committee meets at least two times per year unless otherwise approved by the Board.

Vacancies to non-liaison members of the MDC are filled by appointment by the Board. The veterinarian liaison member is appointed by the Board President and the RVT liaison is appointed by default (as the sole RVT Board member). The Board will remove from office at any time any member of the MDC for continued neglect of any duty, conflict of interest, incompetence, or unprofessional conduct.

The Board shall advertise vacancies on its website and shall work with professional associations and other consumer groups to notify the public of the recruitment process. All new applicants seeking a position on the MDC shall submit a letter of interest, along with a resume, curriculum vitae (CV), or both, to the Board. Upon receipt of a letter of interest, Board staff will perform a prospective committee member compliance evaluation to ensure that potential appointees adhere to California's various statutory and regulatory requirements. Interviews may be conducted by telephonic means at the Board's discretion, provided the telephonic participation is duly noticed on the meeting agenda. Upon a majority vote of the Board, the Board may establish an Elections Committee comprised of the Board President and Vice President, to hold interviews for the purpose of making recommendations to the full Board. The selection of an MDC member shall be made at a Board meeting. MDC members seeking reappointment are required to be interviewed.

All MDC members are required to complete DCA's Board Member Orientation Training within one year of initial appointment and reappointment.

#### **Webcast**

Whenever feasible, the MDC shall webcast its meetings. An archive of the meeting shall be available for review on the DCA website. If webcast is not feasible at a particular meeting site, the MDC will post minutes of the meeting on the Board's its website once the minutes are approved by the Board.

Any audio or video recording of an open and public meeting made for whatever purpose by or at the direction of the Board shall be subject to inspection pursuant to the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1).

#### **Wellness Evaluation Committee**

The Veterinary Medicine Wellness Evaluation Committee (WEC) is a statutory committee that was created to identify

and rehabilitate veterinarians and RVTs with impairment due to abuse of dangerous drugs or alcohol, affecting competency so that veterinarians and RVTs so afflicted may be treated and returned to the practice of veterinary medicine in a manner that will not endanger the public health and safety.

The WEC consists of five (5) members: three licensed veterinarians and two public members. Each person appointed to the WEC shall have experience or knowledge in the evaluation or management of persons who are impaired due to alcohol or drug abuse.

The members of the WEC hold office for a term of four years. There is no limit to the number of terms each Committee member may serve. Committee members may serve the partial term of the vacant position to which they are appointed and up to a one-year grace period after a term expires. Committee members fill non-salaried positions but are paid per diem and travel expenses for each committee meeting and other meetings approved by the President of the Board. In addition, a Board staff manager serves as the Wellness Program Manager to administer the program and serve as a liaison between the Board and the WEC.

The WEC meets three times per year unless otherwise approved by the Board.

Vacancies occurring are filled by appointment by the Board. The Board will remove from office at any time any member of the WEC for continued neglect of any duty, conflict of interest, incompetence, or unprofessional conduct.

The Board shall advertise vacancies on its website and shall work with professional associations and other consumer groups to notify the public of the recruitment process. All new applicants seeking a position on the WEC shall submit a letter of interest, along with a resume, curriculum vitae (CV), or both, to the Board. Upon receipt of a letter of interest, Board staff will perform a prospective committee member compliance evaluation to ensure that potential appointees adhere to California's various statutory and regulatory requirements. Interviews may be conducted by telephonic means at the Board's discretion, provided the telephonic participation is duly noticed on the meeting agenda. Upon a majority vote of the Board, the Board may establish an Elections Committee comprised of the Board President and Vice President, to hold interviews for the purpose of making recommendations to the full Board. The selection of an WEC member shall be made at a Board meeting. WEC members seeking reappointment are not required to be interviewed, unless requested by the Board.



**CHAPTER 8****Association Membership**

## Board Policy

**AAVSB**

The Board maintains membership in the American Association of Veterinary State Boards (AAVSB). The Board also strives to maintain representation on the Executive Board of the AAVSB by supporting members interested in participating as an AAVSB board member and attending the annual AAVSB meeting to represent the interests of California.

## Board Policy

**ICVA**

The Board strives to maintain representation on the International Council for Veterinary Assessment. Membership on this board is critical to California since it provides representation in the development and administration of the North American Veterinary Licensing Examination (NAVLE).

**CHAPTER 9****Enforcement and Information**

## Board Policy

**Subject Matter Expert Criteria**

In order to serve as a subject matter expert (SME) for the Board, a SME shall satisfy all of the following:

- Possess a current, active, and unrestricted Board-issued veterinarian license;
- Have clinical experience in five of the seven years immediately preceding the date of contracting to provide expert services for the Board in the practice type in which the SME is opining;
- Not have past or current enforcement or disciplinary actions taken against their California veterinarian license.

Gov. Code section 87100;  
Common Law;  
BPC section 450 et seq.;  
DCA Incompatible Work Activities

SMEs shall comply with all conflict of interest and confidentiality requirements discussed herein and, in the event of any perceived or actual conflict of interest, shall recuse themselves from the case review.

SMEs shall not misrepresent their credentials, qualifications, experience, or background.

Board Policy  
CCR section 2043(f)

**Complaint Disclosure**

Complaints are not subject to disclosure. In a citation and fine action, the Board shall provide the public, upon request, with a copy of a final Citation and Fine document. Citations are public information for five (5) years from the date of resolution and are then purged, unless the citation is part of a formal disciplinary matter within five (5) years immediately following the citation order at which part the citation may become part of the permanent enforcement record.

The Board will post citations on the website.

Board Policy	<p><b>Disciplinary Actions</b></p> <p>The Board provides information regarding formal discipline/accusations only after the case has been transferred to the Office of the Attorney General. Board staff makes the following disclosure statement: “An investigation has been conducted and the case has been forwarded to the Attorney General’s Office for consideration of possible action. At this time, there has been no determination of wrong-doing.”</p> <p>An “accusation” is the first public document in any case. The accusation is prepared and filed by the Deputy Attorney General (DAG). Once the accusation is filed, it is a public document and is posted on the Board’s website. If the accusation results in a final order/decision, once the decision is final, it is also available to the public upon written request.</p> <p>All final decisions by the Board following formal disciplinary proceedings of alleged violations of the Practice Act shall be published on the Board’s website and in its newsletter after the effective date of the decision. Final decisions shall be reported to the AAVSB within 30 days of the effective date.</p>
BPC section 27	<p><b>Public Posting</b></p> <p>The Board shall disclose the status of every license, registration, and permit, the address of record for all licensees, registrants, and permit holders, and information on enforcement actions on its website through DCA’s License Search portal.</p>
Board Policy	<p><b>Holding or Rejecting a Stipulated Settlement or Proposed Decision</b></p> <p>As a general rule, most stipulated settlements and proposed decisions are well reasoned, consistent with the board’s disciplinary guidelines, and may be adopted consistent with sound public policy. If they are not, consider rejecting (or “nonadopting”) such decisions. If it is difficult to make that determination, however, stipulated settlements and proposed decisions should be held for closed session discussion.</p> <p><u>Consider rejecting a Stipulated Settlement or an ALJ’s Proposed Decision in these circumstances:</u></p> <ol style="list-style-type: none"> <li>1. The stipulated settlement or Proposed Decision does not provide sufficient public protection given the nature of the violations. For example, important terms of probation are missing, the probationary period is too short, probation is not appropriate, or other significant unexplained deviations from your board’s disciplinary guidelines.</li> <li>2. The ALJ made an error in the Proposed Decision in applying the relevant standard of practice for the issues in controversy at the hearing.</li> <li>3. The ALJ made an error in interpreting law and/or regulations in the Proposed Decision.</li> </ol>

Consider holding a case for closed session discussion when:

1. You are unsure whether the stipulated settlement or proposed decision protects the public and would like to discuss the merits with other board members.
2. You are unsure about the ALJ's reasoning and description. (Proposed Decision)
3. If you believe a discussion of the practice issues with licensee members may make it easier for you to make a decision.
4. If you are unsure whether the ALJ's decision is consistent with the law. (Proposed Decision)
5. After discussion with the assigned board attorney, you still have questions about the case.

Typically, a vote to hold any Proposed Decision for closed session discussion requires a hold vote by two (2) or more Board members.

**Petition for Reconsideration**

Gov. Code section 11521  
Board Policy

Eligibility to Petition for Reconsideration is limited to Proposed Decisions. A Petition for Reconsideration is the first step available to a party in contesting a final order. The Board may order Reconsideration of all or part of the case on its own motion or on Petition of any party.

The process, generally, is as follows:

- Petition for Reconsideration is submitted to the Board by Respondent.
  - If additional time is needed to evaluate the Petition filed prior to the expiration of the applicable periods provided under Government Code section 11521(a), the Executive Officer will issue a 10-day Stay of Decision.
- The Board reviews the Petition to determine if it will issue an Order Granting Reconsideration or Order Denying Reconsideration.

Denial of a Petition for Reconsideration

- If the Board takes no action on the Petition, votes to DENY the Petition, or if there are insufficient votes to reach a quorum in favor of the petition, the Decision and Order will remain as issued and will become effective as originally ordered.

Grant of a Petition for Reconsideration

- If the Board votes to GRANT the Petition for Reconsideration, the Decision and Order will NOT become effective.
  - When granting the Petition, the Board determines whether to receive oral or written argument or

- additional evidence. The Board may reconsider the case or remand it to an ALJ.
- The Order Granting Reconsideration will be sent to the parties, stay the effective date of the Decision indefinitely, and advise the parties whether written or oral argument or additional evidence may be submitted by the parties.
  - Board staff will order transcripts from the hearing.
  - Upon receipt of the transcripts, the Board President will issue an Order Fixing Time for Submission of Written/Oral Argument.
    - Only the Board President has the authority to extend the deadline for submission of Written/Oral Argument.
  - Upon close of the Fixed Time for Submission of Written/Oral Argument and receipt of hearing transcripts, the Petition is sent to the Board for review.
    - Written/Oral Argument (Board may choose to accept either or both)
    - Argument/New Evidence (Board may choose to accept either or both)
  - The matter will be discussed in closed session at the next regularly scheduled Board meeting during which the Board can decide to:
    - uphold the original decision
      - Order prepared by DCA Legal Counsel
    - reduce the penalty
      - Order prepared by DCA Legal Counsel
    - remand the matter back to the ALJ for taking and evaluation of further evidence
    - Other options according to Government Code Section 11517

BPC section 4887  
Gov. Code section 11522

#### **Petition for Modification of Penalty or Reinstatement**

In petitioning for Modification of Penalty or Reinstatement under BPC section 4887 and Government Code section 11522, the petitioner has the burden of demonstrating that they are fit to safely engage in the practice of veterinary medicine within the scope of current law and accepted standards of practice.

A Petition for Modification of Penalty or Reinstatement may be filed one year or more from the effective date of the disciplinary decision. However, in accordance with BPC section 4887, the Board may deny without a hearing or argument any petition filed within a period of two years from the effective date of the prior decision following a hearing.

The process for filing of a Petition for Modification of Penalty or Reinstatement is as follows:

- Petitioner files the Petition accompanied by all supporting documentation.

- The matter is referred to the Division of Investigation for investigation (Petition for Reinstatement).
- The Petition and investigation report are referred to the Office of the Attorney General for assignment to a Deputy Attorney General.
- The matter is set for hearing before the Board in open session at the next regularly scheduled Board meeting.
- The hearing takes place in open session before the Board and an Administrative Law Judge.
- The Board considers and decides the matter in closed session.
- The Decision and Order is prepared by the Administrative Law Judge.
- The Decision and Order is forwarded to DCA Legal Counsel for review.
- DCA Legal Counsel forwards the Decision and Order to the Board for review and confirmation that the document accurately represents the Board's Decision.
- The Decision and Order is served on Respondent via regular and certified mail.

When the Board considers reinstating the license or registration or modifying a penalty, it may impose terms and conditions as it determines necessary, in accordance with the Disciplinary Guidelines. To reinstate a revoked license or registration or to otherwise reduce a penalty or modify probation shall require a vote of five (5) of the Board members.

#### **Ex Parte Communications**

Gov. Code section 11430.10 et seq.

The Administrative Procedure Act prohibits ex parte communications, which are communications between a Board member and a party to a pending enforcement action without the participation of other parties to the action. Included in this prohibition are communications of Board members with Board enforcement staff while a proceeding is pending, unless the matter is being discussed for purposes of deciding on a stipulated settlement and the parties to the action have agreed the Board may discuss the stipulated settlement with Board staff.

Occasionally, a license applicant who is being formally denied licensure, or a licensee against whom disciplinary action is being taken, will attempt to directly contact Board members. If the communication is written, the Board member should read only far enough to determine the nature of the communication. Once the Board member realizes it is from a person against whom an action is pending, they should reseal any hardcopy documents and send or forward electronic communications to the Executive Officer for handling.

If a Board member receives a telephone call from an applicant or licensee against whom an action is pending, the

Board member should immediately tell the person they cannot speak to them about the matter. If the person insists on discussing the case, the person should be told that the Board member would be required to recuse themselves from any participation in the matter. Therefore, continued discussion is of no benefit to the applicant or licensee.

## CHAPTER 10

### Continuing Education (CE)

#### Board Policy

#### CE Course Evaluation/Waiver Requests

Board and/or committee members may assist staff in evaluating the information provided for CE courses and for a waiver request for purposes of possible denial of license or disciplinary action.

Board members who assist staff in reviewing CE information may need to recuse from voting on any case they reviewed that results in discipline. The information in waiver requests is confidential and care must be taken to return all documentation to the Board office.

## CHAPTER 11

### Abbreviations and Acronyms

#### Agencies

VMB  
MDC  
WEC  
DCA  
OAH  
OAL  
OPES

Veterinary Medical Board  
Veterinary Medicine Multidisciplinary Advisory Committee  
Wellness Evaluation Committee  
Department of Consumer Affairs  
Office of Administrative Hearings  
Office of Administrative Law  
DCA Office of Professional Examination Resources

#### Codes

BPC  
CAC  
CCR  
Gov. Code

Business and Professions Code  
California Administrative Code  
California Code of Regulations  
Government Code

#### Organizations

AAVSB  
AVMA  
CVMA  
CPIL  
ICVA  
RACE  
VIVA

American Association of Veterinary State Boards  
American Veterinary Medical Association  
California Veterinary Medical Association  
Center for Public Interest Law  
International Council for Veterinary Assessment  
Registry of Accredited Continuing Education  
Veterinary Information Verifying Agency

## CHAPTER 12

### Conclusion

The Board and Committee Member Administrative Procedure Manual serves as a reference for important laws, regulations, DCA policies and Board policies. Its function is to guide the actions of the Board members and ensure Board



effectiveness, efficiency, and consistency. Although reviewed by legal counsel, it is not a legal opinion.

## CHAPTER 13

### References

Many of the procedures in this manual are specific to the Board. Others are generic for all boards and bureaus within DCA consistent with State law. References for additional information are:

- Board Member Orientation and Reference Manual, DCA
- DCA Incompatible Work Activities Policy
- Veterinary Medicine Practice Act, BPC sections 4800-4917, and CCR, title 16, sections 2000–2095Gov. Code sections 1750, 11120 et seq., 11340 et seq., and 11146 et seq.





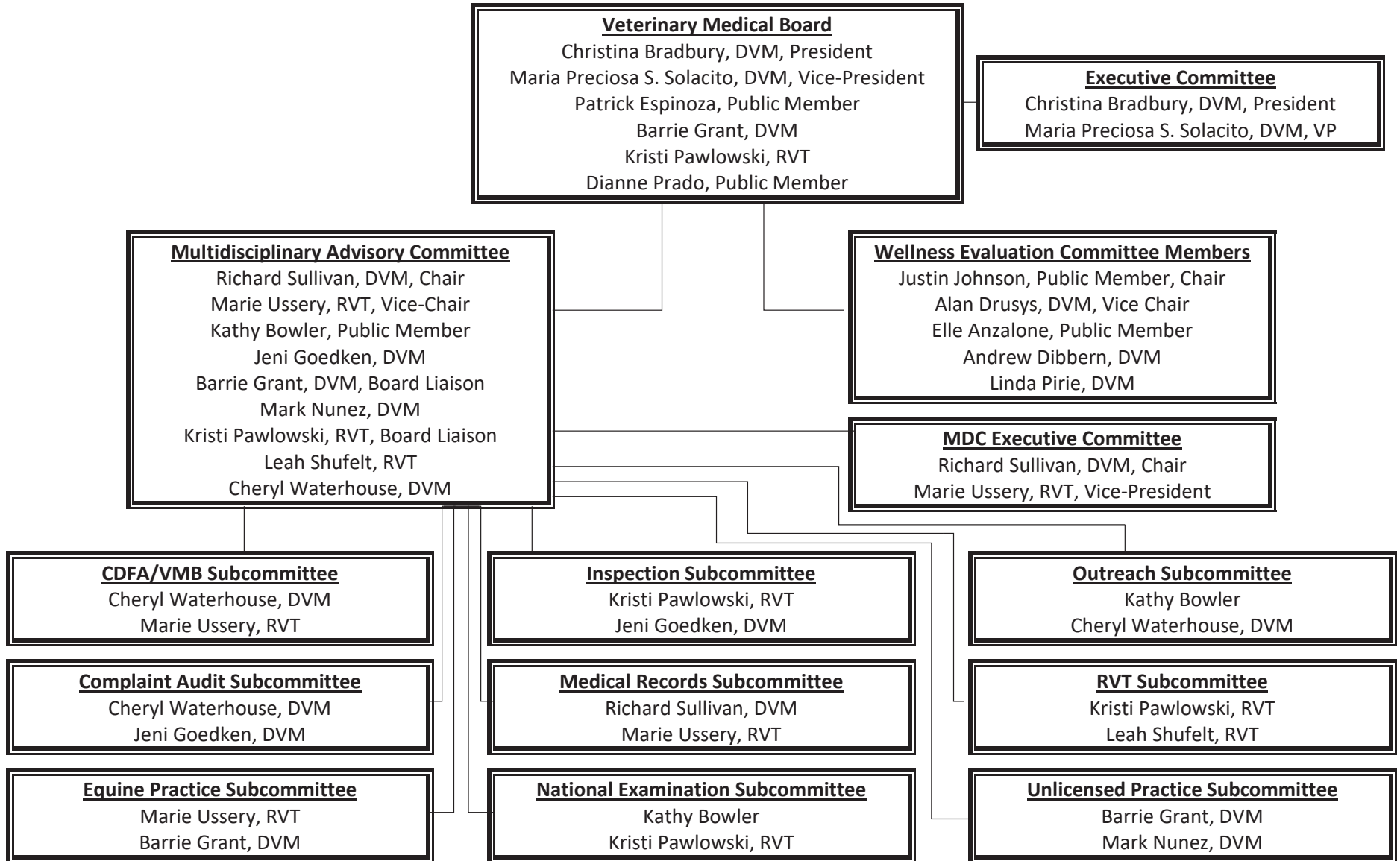
# ATTACHMENT B

## CURRENT ORGANIZATIONAL CHART



### Veterinary Medical Board and Committees

July 1, 2024



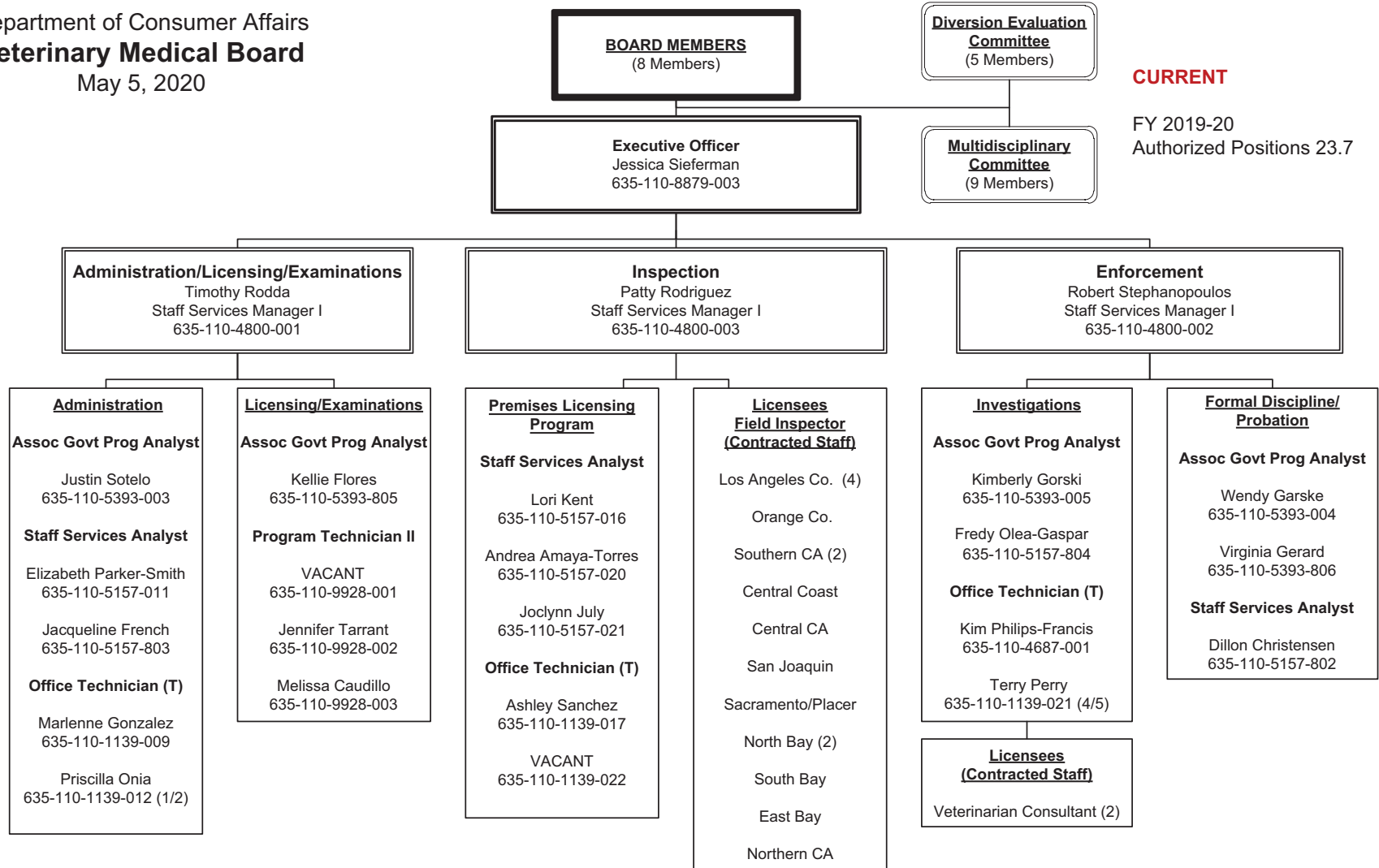


# ATTACHMENT C

## YEAR-END ORGANIZATION CHARTS FOR LAST FOUR FISCAL YEARS



Department of Consumer Affairs  
**Veterinary Medical Board**  
 May 5, 2020



**CURRENT**

FY 2019-20  
 Authorized Positions 23.7

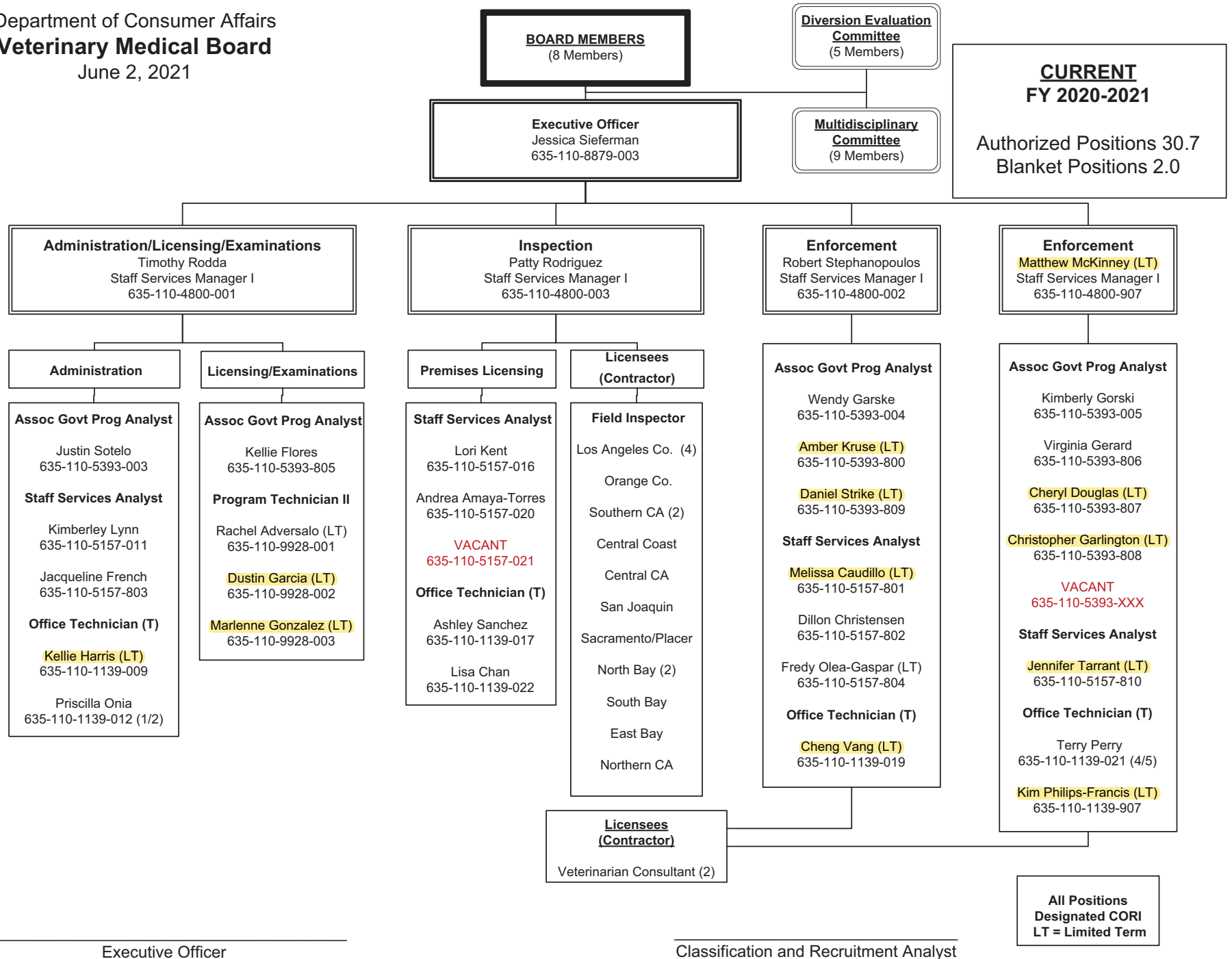
All Positions  
 Designated CORI

Executive Officer

Classification and Recruitment Analyst



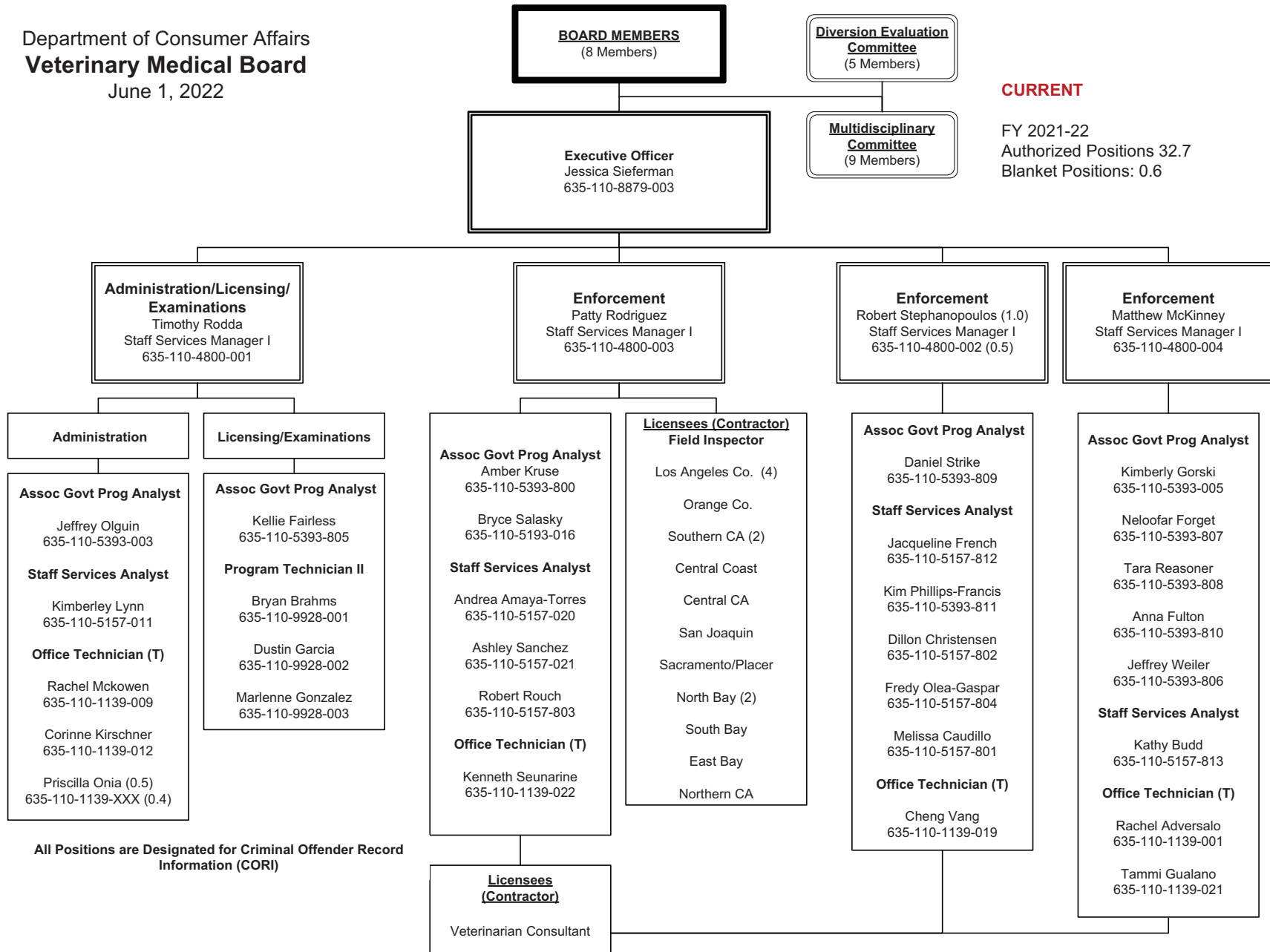
Department of Consumer Affairs  
**Veterinary Medical Board**  
 June 2, 2021



Executive Officer

Classification and Recruitment Analyst

Department of Consumer Affairs  
**Veterinary Medical Board**  
 June 1, 2022



**CURRENT**

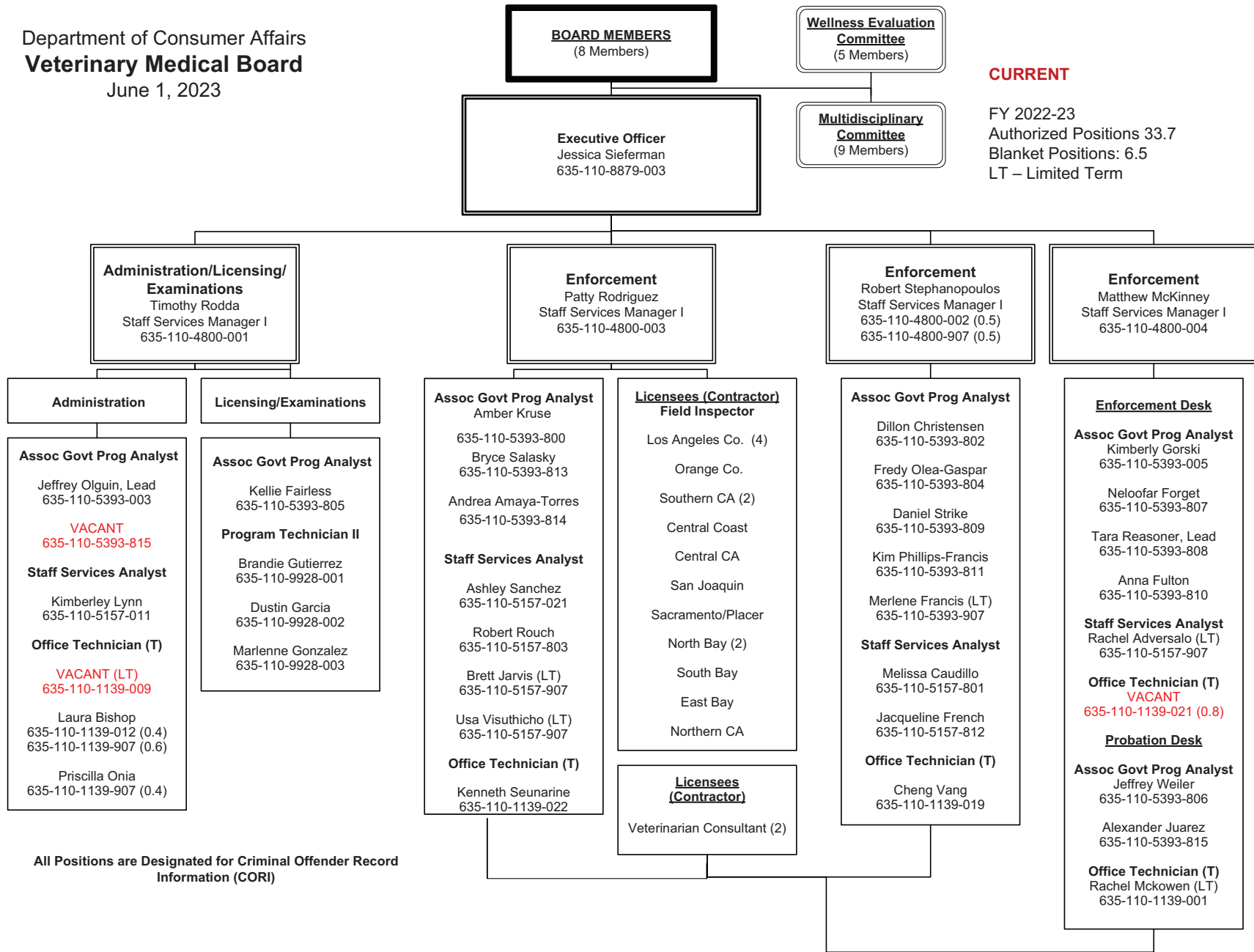
FY 2021-22  
 Authorized Positions 32.7  
 Blanket Positions: 0.6

All Positions are Designated for Criminal Offender Record Information (CORI)

Executive Officer

Classification and Recruitment Analyst

Department of Consumer Affairs  
**Veterinary Medical Board**  
 June 1, 2023



**CURRENT**

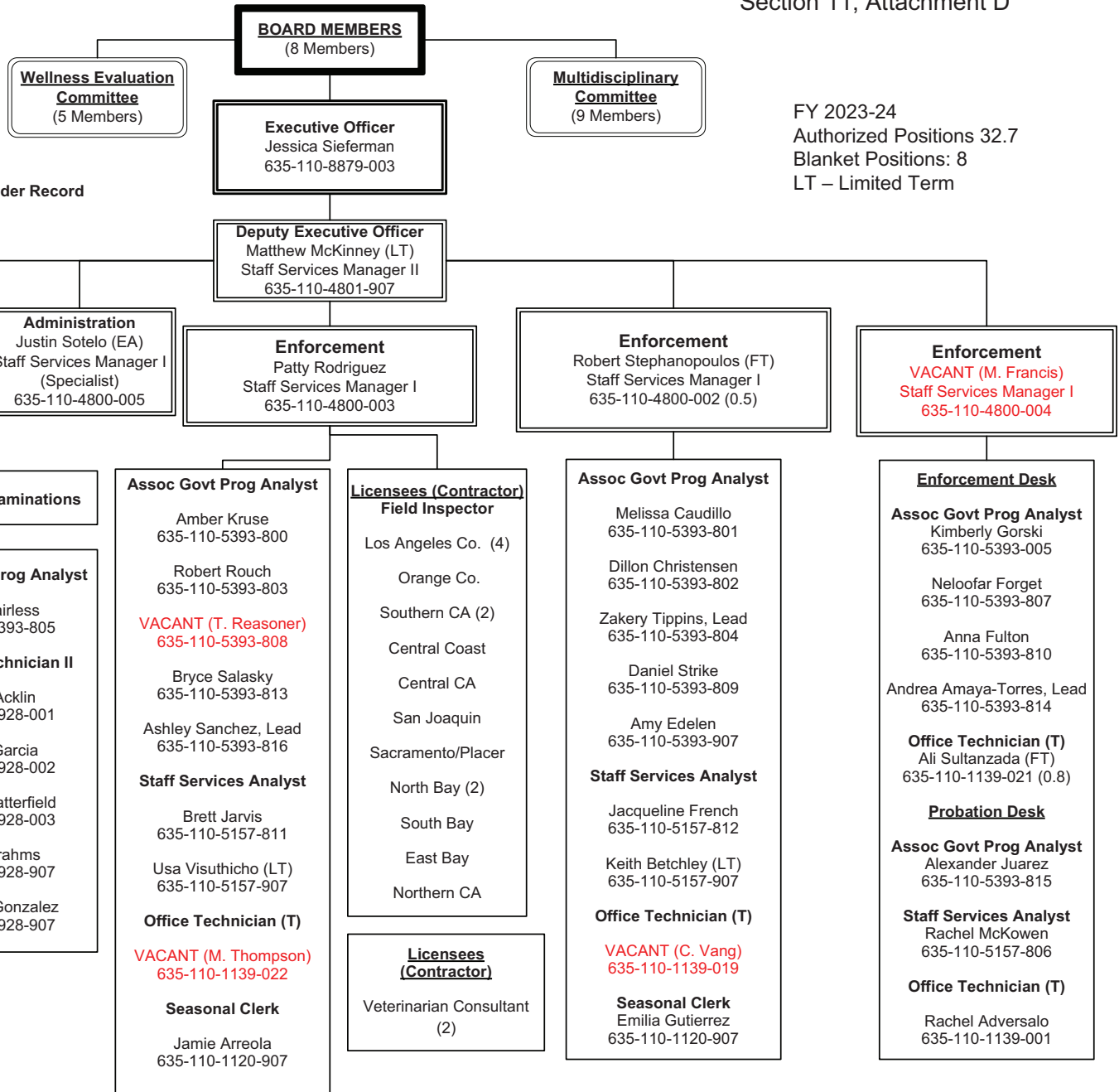
FY 2022-23  
 Authorized Positions 33.7  
 Blanket Positions: 6.5  
 LT – Limited Term

All Positions are Designated for Criminal Offender Record Information (CORI)

Executive Officer

Classification and Recruitment Analyst

Department of Consumer Affairs  
**Veterinary Medical Board**  
 June 14, 2024



FY 2023-24  
 Authorized Positions 32.7  
 Blanket Positions: 8  
 LT – Limited Term

All Positions are Designated for Criminal Offender Record Information (CORI)

Executive Officer

Classification and Recruitment Analyst



Veterinary Medical Board

VETERINARY MEDICAL BOARD  
**SUNSET REVIEW REPORT 2024**

PRESENTED TO THE SENATE COMMITTEE ON BUSINESS, PROFESSIONS AND ECONOMIC  
DEVELOPMENT AND THE ASSEMBLY COMMITTEE ON BUSINESS AND PROFESSIONS



**GAVIN NEWSOM**  
GOVERNOR

**TOMIQUIA MOSS**  
SECRETARY, BUSINESS, CONSUMER  
SERVICES AND HOUSING AGENCY

**KIMBERLY KIRCHMEYER**  
DIRECTOR, CALIFORNIA DEPARTMENT  
OF CONSUMER AFFAIRS

**JESSICA SIEFERMAN**  
EXECUTIVE OFFICER, VETERINARY MEDICAL BOARD