



**MEETING AGENDA**  
Veterinary Medical Board  
1747 N. Market Blvd. - Hearing Room  
Sacramento, California

**Thursday, February 19, 2015 – 10:00 a.m. to 4:00 p.m.**

1. Call to Order- Establishment of a Quorum
2. Introductions
3. Review and Approval of October 20, 2014 Meeting Minutes
4. RVT Alternate Route Regulations
  - A. Review Alternate Route Programs
  - B. Discussion and Possible Action on Proposed Alternate Route Program Regulations (California Code of Regulations Title 16, Division 20, sections 2065.1 and 2065.6)
5. Discussion and Possible Action on Proposed RVT Student Exemption Regulation (California Code of Regulations Title 16, Division 20, section 2064)
6. Discussion and Possible Action on University Licensure
7. Discussion and Possible Action on Proposed Amendments to Minimum Standards
8. Premise Permit Limitations Update
9. Comments from Public/Outside Agencies/Associations  
Note: The board may not discuss or take action on any matter raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting. (Government Code Sections 11125 and 11125.7(a)).
10. Agenda Items and Next Meeting Dates
  - A. Review Multidisciplinary Advisory Committee Priorities
  - B. Agenda Items for Next Meeting
  - C. Multidisciplinary Advisory Committee Meetings – 2015 Schedule
11. Adjourn

This agenda can be found on the Veterinary Medical Board website at [www.vmb.ca.gov](http://www.vmb.ca.gov). Times stated are approximate and subject to change. This meeting will conform to the Open Meeting Act. Agenda discussions and report items are subject to action being taken on them during the meeting by the Board at its discretion. The Board provides the public the opportunity at meetings to address each agenda item during the Board's discussion or consideration of the item. Total time allocated for public comment may be limited.

The Board plans to webcast items 1-11 at this meeting on its website at [www.vmb.ca.gov](http://www.vmb.ca.gov). Webcast availability cannot, however, be guaranteed due to limitations on resources or technical difficulties that may arise. If you wish to participate or to have a guaranteed opportunity to observe, please plan to attend at a physical location."

The meeting locations are accessible to the physically disabled. Other disability-related accommodations or modifications can be provided upon request. Please make your request for disability-related accommodations by contacting the Board at (916) 515-5220 or sending a written request to 1747 N. Market St., Suite 230, Sacramento, CA 95834. Provide at least five (5) business days' notice prior to the meeting to help ensure availability of requested accommodations.

**MISSION**

The mission of the Veterinary Medical Board is to protect consumers and animals by regulating licensees, promoting professional standards and diligent enforcement of the practice of veterinary medicine.



**MEETING MINUTES - DRAFT**  
Multidisciplinary Advisory Committee  
Orange, California

**October 20, 2014**

I. Call to Order- Establishment of a Quorum

Multidisciplinary Advisory Committee (MDC) Chair, Dr. William Grant II, called the meeting to order at 11:00 a.m. Veterinary Medical Board (Board) Executive Officer Annemarie Del Mugnaio called roll; eight members of the MDC were present and thus a quorum was established.

II. Introductions

Members Present

William Grant, II, DVM, Chair  
Jeff Pollard, DVM  
Allan Drusys, B Vet Med  
David Johnson, RVT  
Jon Klingborg, DVM  
Diana Woodward Hagle, Public Member  
Jennifer Loreda, RVT, Board Liaison  
Richard Sullivan, DVM, Board Liaison

Staff Present

Annemarie Del Mugnaio, Executive Officer, Veterinary Medical Board  
Rebecca Bon, Legal Counsel  
Ethan Mathes, Administrative Program Manager  
Candace Raney, Enforcement Program Manager  
Bryce Penney, DCA Web Cast

Guests Present

Al Aldrete, DVM, Veterinary Allied Staff Education  
Jeff Backus, California Registered Veterinary Technician Association  
Nancy Ehrlich, California Registered Veterinary Technician Association  
Valarie Fenstermaker, California Veterinary Medical Association  
Alex Henderson, RVT, Veterinary Allied Staff Education  
Tom Kendall, Veterinary Medical Board  
Lawrence Kosmin, DVM, California Veterinary Medical Association  
Kristi Pawlowski, California Veterinary Medical Association  
Trish Penick, California Association of Animal Physical Therapists  
Carol Schumacher, RVT  
Marshall Scott, California Veterinary Medical Association  
Dan Segna, DVM, California Veterinary Medical Association  
Jim Weisenberg, Diversion Evaluation Committee  
Kim Willaims, RVT

Jennifer Loreda, RVT and Dr. Jeff Pollard were sworn in by Executive Officer Annemarie Del Mugnaio.

### III. Approval of April 23, 2014 Meeting Minutes

- Dr. Richard Sullivan motioned and Dr. Jon Klingborg seconded the motion to approve the April 23, 2013 meeting minutes. The motion carried 8-0

### IV. Discuss Ongoing Issues

#### A. RVT Alternate Route Regulations

- i. Review of Alternate Route School Curriculum
- ii. Review of Alternate Route Education and Application
- iii. Proposed Alternate Route Regulations

Ms. Del Mugnaio reviewed the ad hoc alternate route statistics that indicated a wide disparity in various areas of education. The MDC discussed the usefulness of continuing the ad hoc alternate route rather than the Veterinary Medical Board (Board) reviewing and approving alternate route programs. Registered veterinary technician tasks as outlined on the Task List may not always be taught to the same level in order to consider the alternate route as an equivalent to an American Veterinary Medical Association (AVMA) accredited education. Board approval of alternate route programs would establish an equivalency of education with AVMA accredited programs along with elevating the profession.

Nancy Ehrlich and Carol Schumacher noted that the 4,000 hours of education required for alternate route eligibility are considerable and an important part of an applicant's education and felt that more information is needed to make any change to the alternate route.

The MDC wanted to review more information on the number of existing alternate route programs in California, their cost and the level of education being taught in those programs.

- Dr. Richard Sullivan motioned and Dr. Allan Drusys seconded the motion to recommend the elimination of the veterinary technician self-directed (alternate route) eligibility pathway and recommend the Board consider approving programs with defined education and experience. The motion carried 8-0

#### B. RVT Student Exemption Issues

The MDC discussed the applicability of a final year student exemption for students in AVMA schools versus students using the alternate route pathway. Alternate route pathway students may not have a defined "final year" or be in a "Board approved" program and final determination of this issue may depend on Board approval of alternate route programs. The MDC agreed to not delay drafting regulations based on alternate route issues; students in AVMA or California approved programs would benefit immediately from a student exemption.

- David Johnson, RVT motioned and Dr. John Klingborg seconded the motion to define eligible students under the authority of Business and Professions Code Section 4846.1 and draft regulations providing an exemption to perform registered veterinary technician tasks under immediate supervision of a veterinarian or directly supervised by a registered veterinary technician for final year students in an AVMA or California approved program.. The motion carried 8-0

#### C. Review and Consider University License

The MDC discussed temporary licensure for university faculty including providing a pathway to permanent licensure. Other issues considered are the approval of non-AVMA veterinary school graduates, the term of faculty licensure, what standards would apply in order to obtain a license and whether those standards are equivalent to other forms of licensure.

The MDC also expressed concern regarding English language equivalency and whether it would be necessary to require a test of English equivalency and whether supervision would be required for faculty licensees and at what level of supervision.

- Dr. John Klingborg motioned and Dr. Richard Sullivan seconded the motion to approve proposed Business and Professions Code Section 4848.1, Faculty Licensure, as amended. The motion carried 8-0

#### D. Proposed Amendments to New Minimum Standards

The MDC discussed proposed changes to CCR section 2030.3 regarding vaccination clinics and what would constitute a physical examination and whether an examination is necessary for these clinics.

- Dr. Richard Sullivan motioned and Dr. John Klingborg seconded the motion to approve proposed amendments to CCR section 2030.3, Small Animal Vaccination Clinic. The motion carried 8-0

The MDC discussed proposed changes to CCR section 2032.15 regarding veterinarian-client-patient (VCPR) relationships and whether transfer of the VCPR should be at the same premise location.

The MDC discussed proposed changes to CCR section 2032.25 regarding written prescriptions and the veterinarians responsibility for the proscription in their absence.

Dr. Grant appointed Dr. Jon Klingborg and Dr. Richard Sullivan to provide further information for discussion and clarification on proposed changes to CCR sections 2032.15, Veterinarian-Client-Patient Relationship, and 2032.25, Written Prescription in Absence of Originally Prescribing Veterinarian.

#### E. Premise Permit Limitations

Ms. Del Mugnaio summarized that premise permit regulations need clarification encapsulating all types of premises, not just fixed or mobile. Animal and humane shelters are not part of existing regulations as well as specific situations where a “mobile” premise permit is used for a fixed location. Val Fenstermaker offered that the California Veterinary Medical Association (CVMA) is forming a Task Force and could include this issue in their discussions. The MDC agreed the CVMA Task Force would be helpful.

#### F. Laws and Regulations Regarding Compounding Medications

Ms. Del Mugnaio explained that the authority in California allowing veterinarians to compound drugs is incomplete. There are pharmacy laws which apply to pharmacies compounding medications and Federal law provides limited exceptions for veterinarians to compound medication. Ms. Del Mugnaio participated in a teleconference with the Pharmacy Board and the United States Government Accountability Office to discuss the regulation in California regarding veterinary medicine and drug compounding.

Ms. Rebecca Bon opined that statutory authority would need to be granted for veterinarians to compound medications. Ms. Del Mugnaio recommended the MDC request statutory authority up to the limits of Federal law.

- Dr. John Klingborg motioned and Allan Drusys seconded the motion to recommend the Veterinary Medical Board pursue statutory authority for veterinarians to compound medications within the limitations of Federal law. The motion carried 8-0

#### VI. Comments from Public/Outside Agencies/Associations

*There were no comments from public/outside agencies/associations.*

#### VII. Agenda Items and Next Meeting Dates

- A. Agenda Items for Next Meeting- Review of MDC Priorities
- B. Multidisciplinary Advisory Committee Meetings – 2015 Schedule

Ms. Del Mugnaio noted the next MDC meeting will be on January 19, 2015.

#### VIII. Adjourn

The MDC meeting adjourned at 5:10 p.m.





## MEMORANDUM

<b>DATE</b>	February 19, 2015
<b>TO</b>	Veterinary Medical Board
<b>FROM</b>	Annemarie Del Mugnaio, Executive Officer DCA/Veterinary Medical Board
<b>SUBJECT</b>	RVT Alternate Route Regulations

### **Background:**

Registered veterinary technician (RVT) examination eligibility in CCR section 2068.5 is commonly referred to as the “Alternate Route” because it is an examination eligibility pathway (requiring a mix of education and experience) that is an alternative to completing a two-year curriculum at an AVMA accredited RVT program. The pathway was originally designed for individuals who were already working in the profession and for whom it was difficult or impossible to stop working in order to go to a full time two year program.

Education required under the Alternate Route pathway is commonly obtained through organized alternate route “programs” or through a collection of college and continuing education courses (ad hoc qualifying method). Alternate Route education is required in ten specific RVT task areas and six general science areas for a total of 300 hours of education.

### **Issues:**

Based on multiple RVT Task Force discussions, the Multidisciplinary Advisory Committee (MDC), at its April 2014 meeting, discussed the history of the alternate route, the criteria for submitting qualifying education, and education offered in existing alternate route ad hoc “programs”.

The MDC agreed 1) there needs to be educational equivalency between the traditional RVT eligibility pathway (AVMA accredited RVT program graduate) and the alternate route pathway, 2) ad hoc alternate “programs” may be a viable option for Board approval in order to *create a consistent minimum educational standard* for alternate route applicants, and 3) the ad hoc alternate route pathway needs additional exploration and refinement.

The MDC researched RVT alternate route ad hoc applicant education data and concluded that alternate route education may not be equivalent to other educational pathways to eligibility.

While there is a greater emphasis on clinical experience in the alternate route pathway to eligibility, required education may not always represent an equivalency to other eligibility pathways due to the lack of specificity of the educational requirements including the veterinary technician education areas. That is, education in specific RVT task areas is tends to be a smaller portion of the total education hours obtained for those ad hoc alternate route applicants.

The MDC recommended at its October 20, 2014 meeting and the Veterinary Medical Board agreed at its October 21, 2014 meeting, that the MDC should research existing alternate route programs and propose a process for Board review and approval of alternate route programs.

**Action(s) Requested**

Review alternate route program information curriculum and proposed alternate route program approval regulations. Some issues for consideration are:

- Requirement for clinical experience prior to admittance to a program? [CCR section 2065.1(d)]
- Licensed Veterinarian and/or Registered Veterinary Technician as Director? [CCR section 2065.1(g)(3)]
- BPPE approval/CDE approval? [CCR section (k)]
- Allow interactive distance learning? [CCR section 2065.1(l)]
- Limited to programs located in California?

**Attachment(s):**

- Current Alternate Route Programs
- Selected Alternate Route Programs Course Catalogues
- Proposed RVT Alternate Route Program Language
- Title 16, Division 20, Article 6, Registered Veterinary Technicians

RVT Alternate Route Programs - Feb2015

School	Location	Instructors	Cost	Number of Students	Pass Rate	Courses	Hours/Units	Miscellaneous	Jan. 2014 to Jan. 2015
<b>Alan Hancock</b>	Campus	VET	\$970	25	84%	Anatomy & Physiology & Terminology	3	Chemistry not included	7
800 S. College Drive						Office Procedures	2	Biology not included	
Santa Maria, CA 93454						Pharmacology	2		
						Pathology & Microbiology	3	New Alternate School	
Richard Seidenberg, DVM						Nursing & Animal Care	4	First graduating class 2014	
805-922-9666 ext 3480						Surgical Nursing & Dentistry	4		
						Equipment & Radiography	2		
						Total	300 hrs.		
<b>BANFIELD</b>	Campus	RVT	\$300	varied	Unk.	Animal Nursing	70	Chemistry not included	18
8000 NE Tillmook			supplies			Pharmacology	20	Math not included	
PO Box 13998						Lab & X-ray	25	Biology not included	
Portland, OR 97213						Emergency	25	Microbiology not included	
						Anesthesia and Surgical Nursing	50	Anatomy & Physiology not included	
Torry Chamberlayne						Dental	15		
						RVT Exam Prep	7	Course offered to employees after 2 years of employment.	
						Total	212 hrs.		
<b>BAKERSFIELD</b>	Campus	VET & RVT	\$920	25	pass	Intro' Veterinary Technology	4	Math not included	4
1801 Panorama Drive			\$46 a unit			Small Animal Diseases	1.5		
Bakersfield, CA 93305						Large Animal Diseases	1.5	2/4/15 spoke to Mr. Barnes re: website	
						Pharmacology	1.5	Website states:	
Bill Barnes						Surgery, Dental & Anesthesiology	1.5	Students who do not	
661-201-2330						Emergency, Surgery & Nursing	2	choose to become	
						Clinical Pathology	2	licensed RVT's are still	
						Birds, Laboratory & Exotics	2	able to work in the	
						Radiology	1.5	field as Animal Health	
						Total	17.5	Technicians.	
							262.5 hrs.	Statute 4839.5	
<b>Heritage (PVAS)</b>	Campus & Distance	RVT	\$8,570	20	95%	Applied Basic Science	60		40
21 Spectrum Pointe Drive #101						Hospital Procedures	37.5		
Lake Forest, CA 92630						Veterinary Nursing 1	60		
						Animal Handling Lab	60		
Jill Allen, RVT						Laboratory Science	60		
949-597-0533						Animal Behavior & Nutrition	37.5		
						Advanced Veterinary Nursing 2	60		
						Advanced Veterinary Nursing 3	36		
						Total	411 hrs.		

RVT Alternate Route Programs - Feb2015

School	Location	Instructors	Cost	Number of Students	Pass Rate	Courses	Hours/Units	Miscellaneous	Jan. 2014 to Jan. 2015
<b>Modesto</b>	Campus	VET & RVT	\$1,600	100	73%	Intro' Veterinary Technology	3	On 2/3/2015 I spoke to Mark England,	18
435 College Avenue			\$46 unit	8 years		Terminology, Anatomy & Physiology	3	Division Dean at MJC, re:website given out	
Modesto, CA 95350						Pharmacy Procedures	2	incorrect information.	
						Equipment, Instrumentation & Safety	3		
Julie Haynes, Program						Office Procedures	2	2/4/15 Julie called said that website has been	
209-575-6872						Surgical & Dental	3	updated.	
						Assistance, Nursing & Emergency	1		
						Assistance, Nursing & Handling	2		
						Total	300 hrs.		
<b>Platt (LA)</b>	Campus	VET & RVT	\$4,495	10	Unk.	Basic Sciences for Technicians	3.25	School is looking into developing an online option.	11
1000 S. Fremont Avenue						Medical Calculations & Terminology	3.25		
Alhambra, CA 91803						Pharmacology	3.25		
						Surgical Nursing & Anesthesia	6.5		
David Liss, RVT						Small Animal Nursing	3.25		
626-300-5444						Diagnostic Imaging	3.25		
						Critical Care Nursing	3.25		
						Veterinary Technician License Prep	3.25		
						Dentistry	3.25		
						Total Quarter Units	325 hrs.		
<b>Santa Rosa</b>	Campus	VET & RVT	\$3,400	20	85%	Laboratory & Pharmacy	3	Chemistry not included	13
1501 Mendocino Avenue						Small Animal Diseases	3	Biology not included	
Santa Rosa, CA 95401						Small Animal Nursing	3		
						Surgical & Dental	3		
Dan Famini, DVM						Emergency Medicine	2	<b>Only Small Animal Courses?</b>	
707-527-4649						Veterinary Anesthesia	1.5		
						Total	15.5 Units		
<b>Veterinary Allied Staff</b>	Distance	RVT & VET	\$4,500	50 students	98%	Math	18		82
P.O. Box 278						Chemistry	27		
Dixon, CA 95620						Biology	27		
						Anatomy & Physiology	18		
Alberto Aldrete, DVM						Nursing & Anesthesia	18		
Alex Henderson, RVT						Casting, Splinting & Suguring	18		
Chandra Snyder						Lab Theory	12		
888-499-8273						Terminology	2		
						Total	306 hrs.		
<b>San Diego Mesa College</b>	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	27
<b>Adhoc Alternate Route</b>	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	25
<b>TOTAL CANDIDATES</b>									<b>246</b>

**Title 16. Professional and Vocational Regulations  
Division 20. Veterinary Medical Board**

***RVT Alternate Route Programs – Proposed Language  
2/2015***

**2065.1. Minimum Requirements for Practical Experience and Education Equivalent Programs**

Practical Experience and Education Equivalent Programs seeking approval from the board shall meet all of the following minimum requirements:

(a) The education shall consist of a total of 20 semester units, 30 quarter units, or 300 hours of instruction. The education shall be provided by a postsecondary academic institution and shall be accumulated in the fundamentals and principles of all of the following subjects:

(1) Principles of anatomy and physiology.

(2) Biology and chemistry.

(3) Applied mathematics.

(4) Orientation to the vocation of veterinary technology.

(5) Ethics and jurisprudence in veterinary medicine including applicable regulatory requirements.

(6) Anesthetic nursing and monitoring including anesthetic evaluation, induction, and maintenance. It shall also include care and use of anesthetic and monitoring equipment.

(7) Animal husbandry, including restraint, species and breed identification, sex determination and sanitation.

(8) Animal nutrition and feeding.

(9) Client communication.

(10) Dental care of companion and laboratory animals including prophylaxis and extractions.

(11) Diseases and nursing management of companion, food, and laboratory animals including zoonoses.

(12) Emergency and critical care nursing.

(13) Laboratory procedures to include clinical biochemistry, cytology, hematology, immunology, basic microbiology, parasitology, and urine analysis testing.

(14) Imaging to include radiography, basic endoscopy, ultrasound principles, and radiation safety principles.

(15) Medical terminology,

(16) Medical office management including medical record keeping and drug control,

(17) Basic necropsy techniques including specimen collection and handling,

(18) Pharmacology, and

(19) Surgical nursing and assisting including instrumentation, suturing, bandaging and splinting.

(b) The practical experience shall consist of at least 4,416 hours, completed in no less than 24 months, of directed clinical practice under the direct supervision of a California-licensed veterinarian who shall attest to the completion of that experience at the time the application is made to the board for the registered veterinary technician examination. This experience shall have been completed by the applicant within five (5) years prior to the date of the examination for registration as a registered veterinary technician.

(c) The directed clinical practice required in subsection (b) shall have provided the applicant with knowledge, skills, and abilities in the areas of communication with clients, patient examinations, emergency procedures, laboratory procedures, diagnostic imaging, surgical assisting, anesthesia, animal nursing, nutrition, dentistry, animal behavior, and pharmacology. The supervising veterinarian(s) shall complete a check list attesting to proficiency in specific skill areas within the preceding categories.

(d) Programs shall verify that students entering a program have completed 2,208 of the required 4,416 hours of directed clinical practice within the five (5) years immediately preceding entrance into the program.

(e) The library facilities of the program must be adequate for the conducting of the educational program.

(f) The physical plant and equipment used for instruction in the academic teaching shall be adequate for the purposes intended.

(g)(1) The faculty shall include a California licensed veterinarian employed by the program as an advisor, administrator, or instructor. Instructors shall include, but need not be limited to a California registered veterinary technician. If there is any change in the faculty, the board must be immediately notified.

(2) Instructors shall be knowledgeable, current, skillful, and possess at least two years of experience in performing or teaching in the specialized area in which they are teaching. Each instructor shall have or currently be receiving training in current teaching methods. The program shall effectively evaluate the teaching ability of each instructor.

(3) The program shall have a director who meets the requirements of subdivision (f)(2) and who shall hold a current active California license as a veterinarian or registration as an registered veterinary technician. The director shall have a minimum of three years of experience as a veterinarian or registered veterinary technician. This shall include one year of experience in

teaching, administration, or clinical supervision or a combination thereof within the last five years. The director shall have completed or be receiving course work in administration.

(4) In the absence of a director, the program may appoint an interim director. The interim director shall meet the requirements of (g)(3), except that the interim director may have applied for, but not yet have received licensure or registration. The program shall not have an interim director for a period exceeding eighteen months.

(h) The number of students enrolled shall be at a ratio to the number of faculty and size of the facilities which is not detrimental to the quality of education at the institution.

(i) All students admitted shall possess a high school diploma or its equivalent.

(j) Every program shall be in compliance with the laws regulating the practice of veterinary medicine and the regulations adopted pursuant thereto.

(k) The program shall be part of an institution that is approved by the Department of Consumer Affairs, Bureau for Private Postsecondary Education, or its successor agency, or accredited by a regional or national accrediting agency recognized by the United States Department of Education.

(l) The program shall have adequate resources for conducting the program and may include Internet resources.

(l) Interactive distance-learning shall be accepted if the course meets all the criteria listed in this section and the candidate achieves a documented passing score on the course final examination.

(m) The program shall provide each prospective student, prior to enrollment, with literature which discloses the program's pass rate for first time candidates and the state average pass rate for first time candidates on the board's registered veterinary technician examination during the two-year period immediately preceding the student's proposed enrollment and a description of the requirements for registration as a registered veterinary technician.

(n) The program shall provide each prospective veterinary technology student prior to enrollment written information regarding transferability of the units they receive in the courses that they take and shall post the information at all times in a conspicuous location at its facility so that there is ample opportunity for the veterinary technology students to read the information.

#### **§ 2065.6. School Approval Process.**

The following procedures shall be applicable to an institution applying to the board for initial approval of its registered veterinary technician curriculum in accordance with sections 2065 and 2065.1 of these rules:

(a) The board shall conduct a qualitative review and assessment of the institution's registered veterinary technician curriculum through a comprehensive review process, performed by an inspection team impaneled by the board for that purpose.

(b) After reviewing the inspection team's evaluation report and recommendations, the board shall take one of the following actions:

(1) Grant provisional approval for a period not to exceed two years. An additional two-year provisional approval may be granted by the board for good cause.

(2) Disapprove the application.

(c) Full approval of an institution offering a registered veterinary technician curriculum in accordance with section 2065 and 2065.1 shall not be granted until the curriculum has been in operation under provisional approval for at least two years and the board has determined that the curriculum is in full compliance with the provisions of section 2065 and 2065.1.

### **§ 2065.7. Inspections.**

(a) Where either provisional or full approval has been granted, the Board shall conduct subsequent inspections every 4 years, notwithstanding other provisions of this section.

(b) The board may conduct an on-site inspection of an institution which offers a registered veterinary technician curriculum in accordance with Section 2065 and 2065.1 where:

(1) It believes the institution has substantially deviated from the standards for approval,

(2) For a period of two years the approved program's yearly average pass rate on the registration examination falls below 10 percentage points of the state average pass rate for first time candidates for the registered veterinary technician examination.

(3) There has been change of program director in charge of the curriculum for training registered veterinary technicians.

### **~~2068.5. Practical Experience and Education As Equivalent Curriculum.~~**

~~In lieu of a two year curriculum in animal health technology, completion of a combination of practical experience and education in compliance with the following criteria is deemed to be "the equivalent thereof as determined by the board" pursuant to Section 4841.5 of the code:~~

~~(a) The education shall consist of a total of 20 semester units, 30 quarter units, or 300 hours of instruction. The education shall be provided by a postsecondary academic institution or a qualified instructor as defined by Section 2068.5(e). The education shall be accumulated in the fundamentals and principles of all of the following subjects:~~

~~(1) Dental prophylaxis and extraction.~~

~~(2) Anesthetic instrumentation, induction and monitoring.~~

~~(3) Surgical nursing and assisting, including instrumentation, suturing techniques, intravascular catheter placement and application of casts and splints.~~

~~(4) Radiography and radiation safety.~~

~~(5) Diseases and nursing of animals, including zoonotic diseases and emergency veterinary care.~~

~~(b) The education shall include instruction in chemistry, mathematics, biology, microbiology, anatomy and physiology, and medical terminology, or these subjects may be obtained as separate courses.~~

~~(c) All educational requirements in subsection (a) shall have been completed by the applicant within five (5) years prior to the date of the examination for registration as a registered veterinary technician.~~

~~(d) Interactive distance learning shall be accepted if the course meets all the criteria listed in this section and the candidate achieves a documented passing score on the course final examination.~~

~~(e) The candidate shall provide the board with a syllabus or an outline for each course. The candidate shall provide documentation of attendance for each course in the form of one of the following:~~

~~(1) a certificate of attendance,~~

~~(2) an official transcript, or~~

~~(3) a letter on official stationery signed by the course instructor documenting that the candidate attended a particular course.~~

~~(f)(1) In order for education to be approved for qualification under Section 2068.5, the instructor must meet at least two of the following minimum requirements:~~

~~(A) A license, registration, or certificate in an area related to the subject matter of the course. The license, registration, or certificate shall be current, valid, and free from restrictions due to disciplinary action by this board or any other health care regulatory agency;~~

~~(B) A master's or higher degree from an educational institution in an area related to the subject matter of the course;~~

~~(C) Training, certification, or experience in teaching the subject matter of the course; or~~

~~(D) At least two years' experience in an area related to the subject matter of the course.~~

~~(2) The instructor shall provide each participant with a course syllabus or detailed outline which includes a description of the material covered.~~

~~(g) The directed clinical practice shall consist of at least 4416 hours, completed in no less than 24 months, of directed clinical practice under the direct supervision of a California-licensed veterinarian who shall attest to the completion of that experience at the time the application is made to the board for the registered veterinary technician examination. This experience shall have been completed by the applicant within five (5) years prior to the date of the examination for registration as a registered veterinary technician.~~

~~(h) The directed clinical practice required in subsection (g) shall have provided the applicant with knowledge, skills, and abilities in the areas of communication with clients, patient examinations, emergency procedures, laboratory procedures, diagnostic imaging, surgical assisting, anesthesia, animal nursing, nutrition, dentistry, animal behavior, and pharmacology. The supervising veterinarian(s) shall complete a check list attesting to proficiency in specific skill areas within the preceding categories.~~

**Title 16. Professional and Vocational Regulations**  
**Division 20. Veterinary Medical Board**  
**Article 6. Registered Veterinary Technicians**

**§ 2065. Minimum Requirements for Approved Schools or Degree Programs.**

Schools or degree programs seeking approval from the board shall meet all of the following minimum requirements:

(a) The curriculum shall consist of:

- (1) a minimum of 600 hours of classroom instruction,
- (2) a minimum of 200 hours of clinical instruction, and
- (3) an externship consisting of at least 200 hours.

(b) The curriculum shall cover applicable safety training in all coursework. Coursework shall include the following:

- (1) Principles of anatomy and physiology,
- (2) Biology and chemistry,
- (3) Applied mathematics,
- (4) Orientation to the vocation of veterinary technology,
- (5) Ethics and jurisprudence in veterinary medicine including applicable regulatory requirements,
- (6) Anesthetic nursing and monitoring including anesthetic evaluation, induction, and maintenance. It shall also include care and use of anesthetic and monitoring equipment,
- (7) Animal husbandry, including restraint, species and breed identification, sex determination and sanitation,
- (8) Animal nutrition and feeding,
- (9) Client communication,
- (10) Dental care of companion and laboratory animals including prophylaxis and extractions,
- (11) Diseases and nursing management of companion, food, and laboratory animals including zoonoses,
- (12) Emergency and critical care nursing,
- (13) Laboratory procedures to include clinical biochemistry, cytology, hematology, immunology, basic microbiology, parasitology, and urine analysis testing,
- (14) Imaging to include radiography, basic endoscopy, ultrasound principles, and radiation safety principles,
- (15) Medical terminology,
- (16) Medical office management including medical record keeping and drug control,
- (17) Basic necropsy techniques including specimen collection and handling,
- (18) Pharmacology, and
- (19) Surgical nursing and assisting including instrumentation, suturing, bandaging and splinting.

(c) Each student shall be supervised during the externship or clinical rotation by a veterinarian or registered veterinary technician who is located at the site of the externship or clinical rotation.

The school or degree program shall have a written agreement with the site that specifies the expectations and responsibility of the parties. A staff member of the school or degree program shall visit the site prior to beginning the externship or clinical rotation relationship and at least once annually following the initial inspection.

(d) The library facilities of the school or degree program must be adequate for the conducting of the educational program.

(e) The physical plant and equipment used for instruction in the academic teaching shall be adequate for the purposes intended.

(f)(1) The faculty shall include a California licensed veterinarian employed by the school or degree program as an advisor, administrator, or instructor. Instructors shall include, but need not be limited to a California registered veterinary technician. If there is any change in the faculty, the board must be immediately notified.

(2) Instructors shall be knowledgeable, current, skillful, and possess at least two years of experience in performing or teaching in the specialized area in which they are teaching. Each instructor shall have or currently be receiving training in current teaching methods. The school or degree program shall effectively evaluate the teaching ability of each instructor.

(3) The school or degree program shall have a director who meets the requirements of subdivision (f)(2) and who shall hold a current active California license as a veterinarian or registration as an RVT. The director shall have a minimum of three years experience as a veterinarian or RVT. This shall include one year of experience in teaching, administration, or clinical supervision or a combination thereof within the last five years. The director shall have completed or be receiving course work in administration.

(4) In the absence of a director, the school or degree program may appoint an interim director. The interim director shall meet the requirements of (f)(3), except that the interim director may have applied for, but not yet have received licensure or registration. The school or degree program shall not have an interim director for a period exceeding eighteen months.

(g) The number of students enrolled shall be at a ratio to the number of faculty and size of the facilities which is not detrimental to the quality of education. When animal patients are used as part of the curriculum the ratio shall be adequate to protect the health and safety of the animal patients and the students, taking into consideration the species of animal being treated.

(h) All students admitted shall possess a high school diploma or its equivalent.

(i) The school or degree program shall be part of an institution that is approved by the Department of Consumer Affairs, Bureau for Private Postsecondary Education, or its successor agency, or accredited by a regional or national accrediting agency recognized by the United States Department of Education.

(j) Every school or degree program shall be in compliance with the laws regulating the practice of veterinary medicine and the regulations adopted pursuant thereto.

(k) Any instruction covered under subsection (a)(3) shall be in a facility that is in compliance with registration requirements of Business and Professions Code section 4853.

(l) The schools or degree programs shall provide each prospective student, prior to enrollment, with literature which discloses the school's or degree program's pass rate for first time candidates and the state average pass rate for first time candidates on the board's registered veterinary technician examination during the two-year period immediately preceding the student's proposed enrollment and a description of the requirements for registration as a registered veterinary technician.

(m) The schools or degree programs shall provide each prospective veterinary technology student prior to enrollment written information regarding transferability of the units they receive in the courses that they take and shall post the information at all times in a conspicuous location at its facility so that there is ample opportunity for the veterinary technology students to read the information.

#### **§ 2065.5. School or Degree Program Approval.**

(a) A school or degree program seeking board approval of its registered veterinary technician curriculum and facilities shall submit an application to the board on a form provided by the board.

(b) When the application for approval or re-approval of a registered veterinary technician curriculum includes an onsite inspection by the board or its designee, the school or degree program shall pay for the board's actual costs associated with conducting the onsite inspection, including, but not limited to, the inspection team's travel, food and lodging expenses.

#### **§ 2065.6. School and Degree Program Approval Process.**

The following procedures shall be applicable to a school or degree program applying to the board for initial approval of its registered veterinary technician curriculum in accordance with section 2065 of these rules:

(a) The board shall conduct a qualitative review and assessment of the school's or degree program's registered veterinary technician curriculum through a comprehensive onsite review process, performed by an inspection team impaneled by the board for that purpose.

(b) After reviewing the inspection team's evaluation report and recommendations, the board shall take one of the following actions:

(1) Grant provisional approval for a period not to exceed two years. An additional two-year provisional approval may be granted by the board for good cause.

(2) Disapprove the application.

(c) For a school or degree program that does not have AVMA accreditation, but offers a registered veterinary technician curriculum in accordance with section 2065, the board shall not

grant full approval until the curriculum has been in operation under provisional approval for at least two years and the board has determined that the curriculum is in full compliance with the provisions of section 2065.

(d) For a school or degree program that has AVMA accreditation, if the board grants approval, it shall be full approval.

(e) For a school or degree program that has provisional or probationary AVMA accreditation, the board shall grant provisional approval on the same terms as all other schools or degree programs until such time as the AVMA grants full accreditation, at which time the board may grant the school or degree program full approval subject to compliance with section 2064.

### **§ 2065.7. Inspections.**

(a) Where either provisional or full approval has been granted, the board shall conduct subsequent inspections every 4 years, notwithstanding other provisions of this section.

(b) The board may conduct an on-site inspection of a school or degree program which offers a registered veterinary technician curriculum in accordance with section 2065 where:

(1) It believes the school or degree program has substantially deviated from the standards for approval,

(2) For a period of two years the approved school's or degree program's yearly average pass rate on the registration examination falls below 10 percentage points of the state average pass rate for first time candidates for the registered veterinary technician examination.

(3) There has been change of director in charge of the curriculum for training registered veterinary technicians.

(c) Schools and degree programs accredited by the American Veterinary Medical Association shall be exempt from the initial inspection. Inspections conducted for re-approval of such schools or degree programs shall be at the discretion of the board.

### **§ 2065.8. Probation.**

(a) The board may place a school or degree program on probation for a prescribed period of time not to exceed 2 years, in the following circumstances:

(1) The board determines that an approved school or degree program is not maintaining the standards for approval required by the board.

(2) For a period of two years the approved school's or degree program's yearly average pass rate for the first time candidates who have taken the registration examination falls below 10 percentage points of the state average pass rate for first time candidates who have taken the registered veterinary technician examination during the same time period.

(3) The use of false or misleading advertising.

(4) Aiding or abetting in any acts that are in violation of any of the provisions of this division or any provision of the Veterinary Medicine Practice Act.

(b) During the period of probation, the school or degree program shall be subject to special monitoring. The conditions for probation may include the submission of periodic reports as prescribed by the board and special visits by authorized representatives of the board to determine progress toward total compliance.

(c) The board may extend the probationary period for good cause.

(d) The school or degree program shall notify in writing all current and prospective students and employees of the probationary status.

### **§ 2065.8.1. Withdrawal of Approval.**

The board may withdraw its approval of any school or degree program in the following circumstances:

(a) The employment of fraud, misrepresentation, or deception in obtaining approval.

(b) If, at the end of a probationary period, the school or degree program has not eliminated the cause or causes for its probation to the satisfaction of the board.

(c) The board determines that the school or degree program has engaged in activities that are a danger to the health and safety of its students, staff, or animals.

### **§ 2065.8.2. Procedures for Probation or Withdrawal of Approval.**

Prior to taking any action to place a school or degree program on probation or withdrawing of the board's approval, the board shall provide the school or degree program due notice and an opportunity to be heard.

### **§ 2065.8.3. Director Notification.**

(a) Every approved school or degree program shall be required to notify the board in writing of the departure of the director or interim director within 15 working days, and shall notify the board in writing of the appointment of any director or interim director within 15 working days.

### **§ 2065.9. Reporting.**

Every school or degree program shall be required to submit to the board within sixty (60) days after the close of the school's or degree program's fiscal year a current course catalog with a letter outlining the following:

- (1) Any courses added/deleted or significantly changed from the previous year's curriculum;
- (2) Any changes in faculty, administration, or governing body; and
- (3) Any major change in the school's or degree program's facility.

**§ 2066. Out of State Schools.**

(a) Candidates who have completed a course of study at a school or a degree program located outside of California and accredited by the AVMA shall be deemed to have completed the equivalent of a two-year curriculum in veterinary technology.

(b) Candidates seeking to apply to the board to take the exam in accordance with section 2010 and who have obtained their minimum educational requirements from a school or degree program located outside of California and not approved by the board shall demonstrate to the board, (1) that the education they have received is equivalent to educational requirements of section 2065(a) and (b), and, (2) that the school or degree program has been approved by a licensing body in the U.S. state, Canadian province or U.S. or Canadian territory. The burden to demonstrate educational equivalency is upon the candidate.

**§ 2066.1. Unapproved In-State Schools.**

No candidate who has completed his or her course of study at a school or degree program located within the state that has not sought and been granted board approval shall be permitted to take either the national or state Veterinary Technician exams unless that candidate also meets the requirements of section 2068.5

**§ 2068.5. Practical Experience and Education As Equivalent Curriculum.**

In lieu of a two year curriculum in animal health technology, completion of a combination of practical experience and education in compliance with the following criteria is deemed to be “the equivalent thereof as determined by the board” pursuant to Section 4841.5 of the code:

(a) The education shall consist of a total of 20 semester units, 30 quarter units, or 300 hours of instruction. The education shall be provided by a postsecondary academic institution or a qualified instructor as defined by Section 2068.5(e). The education shall be accumulated in the fundamentals and principles of all of the following subjects:

- (1) Dental prophylaxis and extraction.
- (2) Anesthetic instrumentation, induction and monitoring.
- (3) Surgical nursing and assisting, including instrumentation, suturing techniques, intravascular catheter placement and application of casts and splints.
- (4) Radiography and radiation safety.
- (5) Diseases and nursing of animals, including zoonotic diseases and emergency veterinary care.

(b) The education shall include instruction in chemistry, mathematics, biology, microbiology, anatomy and physiology, and medical terminology, or these subjects may be obtained as separate courses.

(c) All educational requirements in subsection (a) shall have been completed by the applicant within five (5) years prior to the date of the examination for registration as a registered veterinary technician.

(d) Interactive distance-learning shall be accepted if the course meets all the criteria listed in this section and the candidate achieves a documented passing score on the course final examination.

(e) The candidate shall provide the board with a syllabus or an outline for each course. The candidate shall provide documentation of attendance for each course in the form of one of the following:

- (1) a certificate of attendance,
- (2) an official transcript, or
- (3) a letter on official stationery signed by the course instructor documenting that the candidate attended a particular course.

(f)(1) In order for education to be approved for qualification under Section 2068.5, the instructor must meet at least two of the following minimum requirements:

- (A) A license, registration, or certificate in an area related to the subject matter of the course. The license, registration, or certificate shall be current, valid, and free from restrictions due to disciplinary action by this board or any other health care regulatory agency;
- (B) A master's or higher degree from an educational institution in an area related to the subject matter of the course;
- (C) Training, certification, or experience in teaching the subject matter of the course; or
- (D) At least two years' experience in an area related to the subject matter of the course.

(2) The instructor shall provide each participant with a course syllabus or detailed outline which includes a description of the material covered.

(g) The directed clinical practice shall consist of at least 4416 hours, completed in no less than 24 months, of directed clinical practice under the direct supervision of a California-licensed veterinarian who shall attest to the completion of that experience at the time the application is made to the board for the registered veterinary technician examination. This experience shall have been completed by the applicant within five (5) years prior to the date of the examination for registration as a registered veterinary technician.

(h) The directed clinical practice required in subsection (g) shall have provided the applicant with knowledge, skills, and abilities in the areas of communication with clients, patient examinations, emergency procedures, laboratory procedures, diagnostic imaging, surgical assisting, anesthesia, animal nursing, nutrition, dentistry, animal behavior, and pharmacology. The supervising veterinarian(s) shall complete a check list attesting to proficiency in specific skill areas within the preceding categories.





## MEMORANDUM

<b>DATE</b>	February 19, 2015
<b>TO</b>	Multidisciplinary Advisory Committee
<b>FROM</b>	Annemarie Del Mugnaio, Executive Officer DCA/Veterinary Medical Board
<b>SUBJECT</b>	RVT Student Exemption

### **Background:**

AB 1980 (Hayashi), Chapter 538, effective January 1, 2011, created a provision in law (BPC Section 4841.1) for RVT students in the clinical portion of their final year of study in a board-approved California veterinary technology program to perform the job tasks for registered veterinary technicians as a part of their educational experience including students both on and off campus acting under the supervision of a licensed veterinarian in good standing.

The bill also required the Board to adopt regulations defining the parameters of supervision required for the students who were to perform such tasks. Discussion has encompassed the definition of “final year”, level of supervision and who provides such supervision, and defining education years in AVMA veterinary technology programs versus alternate route programs.

The RVT Task Force discussed and proposed changes to student exemption regulations at their March, June and November 2013 meetings. Amendments to the proposed language were made based on the Task Force discussion at these meetings.

The student exemption issue was tabled at the April 2014 MDC meeting due to the belief at the time that student exemption language would be drafted in concert with the RVT Alternate Route Program Approval language (as alternate route programs and program approval were still being discussed and defined).

The MDC recommended at its October 20, 2014 meeting and the Veterinary Medical Board agreed at its October 21, 2014 meeting, that the MDC should pursue student exemption language and define supervision. The alternate route eligibility pathway would not be included in the exemption as the MDC is working on regulations that would propose Board approval of alternate route programs.

### **Statutory Reference:**

#### **4841.1.**

(a) This article shall not apply to students in the clinical portion of their final year of study in a board-approved California veterinary technology program who perform the job tasks for registered veterinary technicians as part of their educational experience, including students both on and off campus acting under the supervision of a licensed veterinarian in good standing, as defined in paragraph (1) of subdivision (b) of Section 4848.

(b) The board shall adopt regulations defining the parameters of supervision required for the students described in subdivision (a).

**Issues:**

*Final Year of Clinical Portion of Study:* Not all California approved or AVMA accredited veterinary technology programs are strictly two or four year programs. Some veterinary technology programs can be completed in less than two years (Carrington and Pima), some programs are strictly two-year programs (Consumnes and Foothill) and one program is a four-year program (Pomona). However, in accordance with CCR section 2065, all California approved veterinary technology programs require a minimum of 600 hours of classroom instruction, 200 hours of clinical instruction, and 200 hours of externship.

*Level of Supervision:* Existing CCR section 2036 defines RVT tasks and levels of supervision required to perform those tasks. Additionally, CCR sections 2034 and 2035 define “indirect supervision”, “direct supervision” and the duties of a supervising veterinarian.

Pursuant to CCR section 2036(b) RVTs may perform certain specified tasks only under the direct supervision of a licensed veterinarian:

*(b) An R.V.T. may perform the following procedures only under the direct supervision of a licensed veterinarian:*

- (1) Induce anesthesia;*
- (2) Apply casts and splints;*
- (3) Perform dental extractions;*
- (4) Suture cutaneous and subcutaneous tissues, gingiva and oral mucous membranes,*
- (5) Create a relief hole in the skin to facilitate placement of an intravascular catheter*

Pursuant to CCR section 2036(c) RVTs may perform other animal health care tasks under the direct or indirect supervision of a licensed veterinarian:

*(c) An R.V.T. may perform the following procedures under indirect supervision of a licensed veterinarian:*

*(1) Administer controlled substances.*

*(d) Subject to the provisions of subsection(s) (a), (b) and (c) of this section, an R.V.T. may perform animal health care tasks under the direct or indirect supervision of a licensed veterinarian. The degree of supervision by a licensed veterinarian over a R.V.T. shall be consistent with standards of good veterinary medical practices.*

**Action(s) Requested**

Review and discuss what constitutes a “final year” of study in the clinical portion of a Board approved program and determine the appropriate level of supervision. Some other issues for consideration are:

- Should some or all of the classroom instruction and/or clinical instruction be complete in order to perform RVT job tasks under supervision?
- Is “immediate supervision” appropriate and what is the appropriate level of contact for “immediate supervision”?
- The MDC previously discussed allowing an RVT supervisor for final year students, does BPC Section 4841.1, CCR section 2036, or 2036.5 limit the authority for an RVT to supervise a final year student?

**Attachment(s):**

- Proposed RVT Student Exemption Language
- Title 16, Division 20, Article 4. Practice

**Title 16. Professional and Vocational Regulations  
Division 20. Veterinary Medical Board**

***RVT Student Exemption – Proposed Language  
2/2015***

**2036.6. RVT Student Exemption.**

(a) Students in a board-approved California veterinary technology program as defined under section 2065 of these regulations may perform animal health care tasks for R.V.T. job tasks subject to provisions under section 2036 of these regulation and as a part of the clinical portion of their final year of study as defined by section 2065(a)(2) and (3) of these regulations provided they are under immediate supervision of a California licensed veterinarian or registered veterinary technician.

(b) For purposes of this section, the following definitions apply:

(1) “Final Year” means: the student has completed not less than seventy-five (75%) percent of both the required classroom instruction and the clinical instruction as defined by section 2065(a)(1) and (2).

(1) “Final Year” means: the student has completed all of their required classroom instruction and clinical instruction as defined by section 2065(a)(1) and (2).

(2) “Immediate supervision” means: the supervising veterinarian or registered veterinary technician maintains a one to one relationship where the RVT animal health care job tasks are performed by the student, is directly engaged with the student treating the patient, and is in the physical presence of the animal patient and the student treating the patient.

The supervising registered veterinary technician shall remain under direct supervision of the veterinarian as defined by section 2034(e) of these regulations.



**Title 16. Professional and Vocational Regulations**  
**Division 20. Veterinary Medical Board**  
**Article 4. Practice**

**§ 2034. Animal Health Care Tasks Definitions.**

For purposes of the rules and regulations applicable to animal health care tasks for registered veterinary technicians and unregistered assistants, contained in the article, the term:

- (a) “Veterinarian” means a California licensed veterinarian.
- (b) “R.V.T.” means a registered veterinary technician certified by the Board.
- (c) “Unregistered assistant” means any individual who is not an R.V.T. or a licensed veterinarian.
- (d) “Supervisor” means a California licensed veterinarian or if a job task so provides an R.V.T.
- (e) “Direct Supervision” means: (1) the supervisor is physically present at the location where animal health care job tasks are to be performed and is quickly and easily available; and (2) the animal has been examined by a veterinarian at such time as good veterinary medical practice requires consistent with the particular delegated animal health care job task.
- (f) “Indirect Supervision” means: (1) that the supervisor is not physically present at the location where animal health care job tasks are to be performed, but has given either written or oral instructions (“direct orders”) for treatment of the animal patient; and (2) the animal has been examined by a veterinarian at such times as good veterinary medical practice requires, consistent with the particular delegated animal health care task and the animal is not anesthetized as defined in Section 2032.4.
- (g) “Animal Hospital Setting” means all veterinary premises which are required by Section 4853 of the Code to be registered with the Board.
- (h) “Administer” means the direct application of a drug or device to the body of an animal by injection, inhalation, ingestion, or other means.
- (i) “Induce” means the initial administration of a drug with the intended purpose of rendering the animal unconscious.

**§ 2035. Duties of Supervising Veterinarian.**

- (a) The supervising veterinarian shall be responsible for determining the competency of the R.V.T. or unregistered assistant to perform allowable animal health care tasks.
- (b) The supervising veterinarian of a R.V.T. or unregistered assistant shall make all decisions relating to the diagnosis, treatment, management and future disposition of the animal patient.

(c) The supervising veterinarian shall have examined the animal patient prior to the delegation of any animal health care task to either an R.V.T. or unregistered assistant. The examination of the animal patient shall be conducted at such time as good veterinary medical practice requires consistent with the particular delegated animal health care task.

**§ 2036. Animal Health Care Tasks for R.V.T.**

(a) Unless specifically so provided by regulation, a R.V.T. shall not perform the following functions or any other activity which represents the practice of veterinary medicine or requires the knowledge, skill and training of a licensed veterinarian:

- (1) Surgery;
- (2) Diagnosis and prognosis of animal diseases;
- (3) Prescription of drugs, medicines or appliances.

(b) An R.V.T. may perform the following procedures only under the direct supervision of a licensed veterinarian:

- (1) Induce anesthesia;
- (2) Apply casts and splints;
- (3) Perform dental extractions;
- (4) Suture cutaneous and subcutaneous tissues, gingiva and oral mucous membranes,
- (5) Create a relief hole in the skin to facilitate placement of an intravascular catheter

(c) An R.V.T. may perform the following procedures under indirect supervision of a licensed veterinarian:

- (1) Administer controlled substances.

(d) Subject to the provisions of subsection(s) (a), (b) and (c) of this section, an R.V.T. may perform animal health care tasks under the direct or indirect supervision of a licensed veterinarian. The degree of supervision by a licensed veterinarian over a R.V.T. shall be consistent with standards of good veterinary medical practices.

**§ 2036.5. Animal Hospital Health Care Tasks for Unregistered Assistants.**

(a) Unregistered assistants shall be prohibited from performing any of the functions or activities specified in subsections (a) (b) and (c) of Section 2036 of these regulations, except that an unregistered assistant under the direct supervision of a licensed veterinarian or registered technician may administer a controlled substance.

(b) Subject to the provisions of subsection (a) of this section, unregistered assistants in an animal hospital setting may perform auxiliary animal health care tasks under the direct or indirect supervision of a licensed veterinarian or the direct supervision of an R.V.T. The degree of supervision by a licensed veterinarian over an unregistered assistant shall be higher than or equal

to the degree of supervision required when an R.V.T. performs the same task and shall be consistent with standards of good veterinary medical practices.



## University Licensure<sup>2</sup>

Jon Klingborg, DVM  
February 2015

The concept of University Licensure was put forward as a means of oversight of University employees because they are working on animals owned by California citizens.

I've given this issue serious consideration over the last year and have reviewed AVMA, AAVSB, CA VMB and Medical statutes and regulations, and had a number of discussions with the leadership in both universities.

My findings are:

- 1) Faculty and Residents/Interns represent individuals with different focus, training and certification of competence and would require different evaluation systems for the proposed licensure
  - a. Interns are typically new graduates in their first job and seeking a broad range of experiences
  - b. Residents have had a minimum of one year of clinical or equivalent experience before applying for a residency in their chosen field of specialization.
  - c. Faculty recruited for clinical positions have undergone intensive specialty testing that significantly exceeds the evaluation associated with licensure. In addition, faculty have focused their attention into narrow areas of practice thereby becoming specialists relative to the species and conditions they serve.
  
- 2) Faculty are not employed to clinical duties from a similar pool as practitioners, and function in a different system than that found in private practice.
  - a. Faculty positions in AVMA accredited institutions are very competitive; represent international searches and months of evaluation and interviews.
  - b. Faculty interviews, assessments and certifications go far beyond the licensing exam in evaluating their competence.
  - c. The collaborative nature of a teaching hospital, with continuous rounds, interaction with other specialists and review of cases is fundamentally different than a practice setting.
  
- 3) Residents/Interns work under a range of scrutiny depending on their program
  - a. Those in AVMA approved Schools and Colleges are under continuous and intense scrutiny including having a certified and trained technical staff, multiple specialists reviewing cases from daily teaching rounds of all

patients in addition to regular grand round cases with many specialists participating. Pharmacists, multiple specialists, residents, interns and senior students are all involved and inquiring about the cases being treated.

- b. In private practice interns function most similar to newly graduated associates with a wide range of oversight and no process of approval, standardization or evaluation in place.
- c. Residents in private practice settings have the specialty boards overseeing their experience that is directed by a specialist who is accountable to the board and candidates go through an evaluation significantly more rigorous than those required for licensure, and reflecting on the candidate and the program.

4) Model practice act language from AAVSB and AVMA both allow for licensure exemptions for faculty and government employment for veterinarians: AAVSB for grads of approved programs; and AVMA for grads of any programs.

- a. They are exempt only when doing their duties in that specific employment
- b. This recognizes a difference between general practice and university or government employment

5) AAVSB Model language exempts faculty or government veterinarians from the requirement be licensed when performing his or her official duties.

- a. It does require them to be from an “approved” college or school, but doesn’t define that “approved” means.
  - i. There are close to 30 “approved” programs in Mexico, and close to 100 in Brazil, however most would not be considered as equivalent to US approved programs

6) Human medicine recognizes the need to exempt from licensure physicians from international schools and those who are licensed in other states who would otherwise not be eligible to practice in California (Section 2113), and faculty who are academically eminent, hired at the associated or full professor levels and are outstanding in their field.

- a. In both these cases the licensing authority has recognized the unique difficulty in recruiting faculty to fill specific needs in California medical programs.
- b. Similar issues are documented at UCD (aquatic medicine + HPAI).

**Conclusion:** After studying this issue for over a year, I believe we need to develop a University License that allows the Universities the latitude to hire the right people and the VMB the ability to perform its job of protecting the public.

One question has been whether or not it is reasonable to expect University Licensees to pass the NAVLE as well as the Veterinary Law Exam and the “Regionally Specific Diseases” curriculum. Insisting on the NAVLE will present a major obstacle to University Licensees—most specifically, it will eliminate from likely contention those eminently qualified people who have graduated from unaccredited programs. The cost and study time for the NAVLE would seriously impact the academic experience of the Resident and the contributions of the Faculty. It would also represent a significant hurdle in the recruitment process for our Universities.

Below is language for University Licensure. It stipulates:

- Faculty and Residents to take the VLE and the Regionally Specific Diseases curriculum.
- Limits Licensees scope of practice to only that necessary for “the performance of duties in connection with the College of Veterinary Medicine.”
- Two year renewal, unless an extension is requested for a three year Resident.
- A grandfather clause for currently employed veterinarians by the Schools of Veterinary Medicine.

Respectfully Submitted,

☞Jon Klingborg, DVM



## Proposed Language for University Licensure

(e) The board shall issue a temporary license valid for two years to an applicant to practice veterinary medicine if the applicant satisfies all of the following requirements:

(1) The applicant is either:

- (A) A veterinarian employed by the University of California while engaged in the performance of duties in connection with ~~the College of Agriculture, the Agricultural Experiment Station,~~ the School of Veterinary Medicine, ~~or the agricultural extension work of the university~~ or employed by the Western University of Health Sciences while engaged in the performance of duties in connection with the College of Veterinary Medicine ~~or the agricultural extension work of the university~~ or
- (B) A veterinarian completing an internship or residency program at the School of Veterinary Medicine at the University of California, Davis or College of Veterinary Medicine at the Western University of Health Sciences.

(2) The applicant passes an examination concerning the statutes and regulations of the Veterinary Medicine Practice Act, administered by the board, pursuant to subparagraph (C) of paragraph (2) of subdivision (a).

(3) The applicant would not be denied issuance of a license under any other provision of this chapter.

(4) The applicant agrees to complete the approved educational curriculum described in paragraph (5) of subdivision (b) on regionally specific and important diseases and conditions during the period of temporary licensure.

(5) The board, in its discretion, may extend the expiration date of a temporary license issued pursuant to subdivision (c) or (d) for not more than one year for reasons of health, military service, ~~or~~ undue hardship~~;~~, or as defined in (e) to complete a three-year residency program, or renew every two years a temporary license for a member of the School of Veterinary Medicine faculty. An application for an extension or renewal shall be submitted on a form provided by the board.

(6) Veterinarians employed by the University of California while engaged in the performance of duties in connection with the School of Veterinary Medicine, or employed by the Western University of Health Sciences will be exempt from this temporary license requirement within \_\_\_\_ of section (e) taking effect.

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## **Faculty Licensure**

### **Jon Klingborg, DVM**

#### **What is the need for this type of Licensure? (VMB Perspective)**

*“In states that have veterinary schools, there are either exemptions or some form of university licensure that accommodates the schools need for hiring of veterinarians from all over the world who sometimes come into a state for a limited period of time and do not remain and who do not practice outside the confines of the university.*

*The problem arises when the university veterinary hospital is providing services to the general public and the consumer does not have recourse through the licensing board when there is a problem. In its Strategic Plan, the Board discussed the possibility of changing the law to require a license for veterinarians providing services to the public at the veterinary clinic. The discussion revolved around a “university” license that would not require the standard exams or equivalency programs, but would be issued and could be disciplined if necessary.”*

Annemarie Del Mugnaio, EO  
April 8, 2014

#### **What is the need for the type of Faculty Licensure? (University perspective)**

Some form of Faculty Licensure would allow a Resident/Intern to write prescriptions and sign health certificates— activities which they cannot currently perform. So, this would streamline health care delivery in these institutions.

#### **Will Statutory change be necessary for this new form of Faculty Licensure?**

Yes. There will need to be Statue written for:

- 1) a new type of License, and
- 2) to remove exceptions in 4830 that would undermine the need for this Faculty License.

#### **Does this new License set a different scale in terms of penalties or standards of behavior?**

“No.” Once a license is earned, the Licensees are treated equally by the system, regardless of the route by which they achieved the license.

#### **How does this Faculty Licensure help the VMB limit, control, or oversee the expansion of a University into the public sector?**

It doesn't. That was never the intention of this License— (see EO Annemarie Del Mugnaio's charge to the MDC above.)

If it is the wish of the committee to limit the University Faculty from providing services to the general public, we believe that is going to be a complicated uphill battle, with pushback from the providers and the California consumers who benefit from those services, and it is beyond the scope of this proposal.

#### **How do we tell the difference between when a University-employed veterinarian is “teaching” vs simply “providing veterinary services to the public?”**

This gets tricky. One cannot say that the University License is only in effect when a student is present—In the case of food animal medicine, there are cohorts of students that will rotate through various on-farm programs throughout the year. However, there are not *always*

students present when Faculty (including Residents/Interns) are providing these services, yet the animals still need to be examined on a regular basis (e.g. Dairy Cows are often checked every two weeks, but there may not be a student in the rotation every two weeks.)

In other words, it is not reasonable to expect a legitimate University program to shut its doors to the public simply because there isn't a student inside the building.

**Do we have to disclose that they didn't have to take a test to get a license? Will we need a category called "Non-Test Veterinarian"?**

No. We do not delineate between Licensee's based on the route by which they achieved their license (e.g. Reciprocity.)

**Is a new subdivision in the Temporary License category the best answer?**

Maybe, however Temporary Licenses are issued for one year. So, the language will require some modification.

Will this language work for people in the ECFVG or PAVE programs? You tell me . . .

Also, the intent of this language is to allow oversight of Faculty, not just Residents or Interns. Renewing on an annual basis may place an unnecessary burden on individuals who maintain constant employment with a University or are in a 2-4 year education program.

**Becoming a Permanent California Licensee:**

The ability of the temporary license holder to convert to a permanent license is covered in Section (e) which is current language addressing the transition from a temporary one-year reciprocity license. The process would be the same. Once they complete the California Curriculum course at any time during the temporary license period, they can apply for a permanent license. If they fail to complete the requirement or fail to apply for a permanent license prior to expiration of the temporary license, including any extension, the temporary license would expire and they would no longer be licensed in California. Veterinarians who are in California only for their residency wouldn't need to convert to a permanent license if they didn't want to.

**NAVLE & Temporary License:**

There was discussion about requiring the temporary licensee to complete the NAVLE during the temporary license period. Reciprocity candidates with or without a temporary license are required to have passed the NAVLE (those applying for a temporary license must have passed the NAVLE before the temporary license is issued) If the NAVLE requirement is added, I think it would need to be completed during the two year temporary license period – rather than prior to issuance of the temporary license - to address the university's concern about being able to employ these people immediately. Additionally if it is added, we'd probably want to allow for current faculty to be grandfather in relative to this requirement.

**Will a consumer be satisfied with a Limited License?**

Good question. Rephrased: If a consumer lodges a complaint, and the VMB pursues the complaint through the typical process for any Licensee, will the consumer be satisfied with the result of that investigative process? The answer is undoubtedly going to vary from case to case.

However, the Temporary License has worked well for Medical Doctors and consumers, so there's no reason to think the Veterinary experience would be any different.



## MEMORANDUM

<b>DATE</b>	February 5, 2015
<b>TO</b>	Multidisciplinary Advisory Committee
<b>FROM</b>	Annemarie Del Mugnaio, Executive Officer DCA/Veterinary Medical Board
<b>SUBJECT</b>	<b>Update on Minimum Standards</b>

### **Background:**

The minimum standards of practice regulations took effect January 1, 2014.

The Board delegated the issue of clarifying the recent changes to the minimum standards to the MDC. At its October 20, 2014 meeting, the MDC noted several changes that would further clarify the intent of the revised minimum standards, and be consistent with other provisions in the Veterinary Medicine Practice Act.

### **The Following Sections Were Addressed:**

#### **CCR Section 2030.3 - Small Animal Vaccination Clinic**

- Subdivision (b) defines the requirements when a veterinarian is only administering vaccinations or performing preventative procedures for parasite control. (l) Specifically states that a VCPR must be established including a *complete physical exam* and medical records.
  - Proposed changes further clarify what may be provided at a small animal vaccination clinic and strikes subdivision (l).

#### **CCR Section 2032.1 – Veterinarian-Client-Patient Relationship**

- Adds subdivision (e) to address the issue of establishing a VCPR by means of telemedicine.

#### **CCR Section 2032.25 - Written Prescriptions in Absence of Originally Prescribing Veterinarian.**

- Section (b) is somewhat unclear. It is difficult to determine the exact circumstances that allow a veterinarian to refill a prescription without establishing a VCPR.
  - Proposed changes clarify that the section is pertinent when:
  - (1) a client is traveling and must refill a prescription and cannot make contact with the original prescribing veterinarian. OR
  - (2) When the original prescribing veterinarian is unavailable and the veterinarian providing the refill of a prescription works at the same facility and has access to the patient's medical records.

**Attachments:**

- California Code of Regulations Sections 2030-2037 – Amended Minimum Standards

**Action Requested:**

Review the amended language and provide a recommendation to the VMB regarding clarifying regulations.

**Business and Professions Code Section 4853- Registration of Place of Practice  
California Code of Regulations Sections 2030-2037 – Minimum Standards**

**2030. Minimum Standards - Fixed Veterinary Premises.**

**2030.05. Minimum Standards - Licensee Manager.**

**2030.1. Minimum Standards - Small Animal Fixed Premises.**

**2030.2. Small Animal Mobile Clinic.**

**2030.3. Small Animal Vaccination Clinic.**

**2032.05. Humane Treatment.**

**2032. Minimum Standards of Practice.**

**2032.1. Veterinarian-Client-Patient Relationship.**

**2032.15. Veterinarian-Client-Patient Relationship in Absence of Client Communication**

**2032.2. Written Prescriptions.**

**2032.25. Written Prescriptions in Absence of Originally Prescribing Veterinarian.**

**2032.3. Record Keeping; Records; Contents; Transfer.**

**2032.35. Altering Medical Records**

**2032.4 Anesthesia.**

**2037. Dental Operation, Defined**

**2030. Minimum Standards - Fixed Veterinary Premises.**

All fixed premises where veterinary medicine and its various branches are being practiced, and all instruments, apparatus and apparel used in connection with those practices, shall be kept clean and sanitary at all times and shall conform to or possess the following minimum standards:

- (a) Indoor lighting for halls, wards, reception areas, examining and surgical rooms shall be adequate for their intended purpose.
- (b) A reception room and office, or a combination of the two.
- (c) An examination room separate from other areas of the facility and of sufficient size to accommodate the doctor, assistant, patient and client.
- (d) If animals are housed or retained for treatment, the following shall be provided:
  - (1) Compartments for animals which are maintained in a comfortable and sanitary manner.
  - (2) Effective separation of known or suspected contagious animals.
  - (3) If there are to be no personnel on the premises during any time an animal is left at the veterinary facility, prior notice of this fact shall be given to the client. For purposes of this paragraph, prior notice may be accomplished by posting a sign in a place and manner conspicuous to the clients at the entrance of the premises, stating that there may be times when there are no personnel on the premises.
- (e) When a veterinary premises is closed, a sign shall be posted and visible outside the primary entrance with a telephone number and location where emergency care is available. An answering machine or service shall be used to notify the public when the veterinary premises will be re-opened and where after hours emergency care is available. If no after hours emergency care is available, full disclosure shall be provided to the public prior to rendering services.
- (f) The veterinary premises shall meet the following standards:
  - (1) Fire precautions shall meet the requirements of local and state fire prevention codes.
  - (2) The facility, its temperature, and ventilation shall be maintained so as to assure the comfort of all patients.
  - (3) The disposal of waste material shall comply with all applicable state, federal, and local laws and regulations.
  - (4) The veterinary premises shall have the capacity to render diagnostic radiological services, either on the premises or through other commercial facilities. Radiological procedures shall be conducted in accordance with Health and Safety Code standards.

(5) Clinical pathology and histopathology diagnostic laboratory services shall be available within the veterinary premises or through outside services.

(6) All drugs and biologicals shall be maintained, administered, dispensed and prescribed in compliance with state and federal laws.

(7) Sanitary methods for the disposal of deceased animals shall be provided and maintained.

(8) Veterinary medical equipment used to perform aseptic procedures shall be sterilized and maintained in a sterile condition.

(9) Current veterinary reference materials shall be readily available on the premises.

(10) Anesthetic equipment in accordance with the procedures performed shall be maintained in proper working condition and available at all times.

(11) The veterinary premises shall have equipment to deliver oxygen in emergency situations.

(12) Appropriate drugs and equipment shall be readily available to treat an animal emergency.

(g) A veterinary premises which provides aseptic surgical services shall comply with the following:

(1) A room, separate and distinct from all other rooms shall be reserved for aseptic surgical procedures which require aseptic preparation. A veterinarian may perform emergency aseptic surgical procedures in another room when the room designated for aseptic surgery is occupied or temporarily unavailable.

(A) A veterinary premises which is currently registered with the board, but does not have a separate room reserved for aseptic surgical procedures, shall obtain compliance with this subdivision on or before January 1, 2014.

(B) The board may exempt a veterinary premises which is currently registered with the board, but does not have a separate aseptic surgery room, where it determines that it would be a hardship for the veterinary premises to comply with the provisions of this subdivision.

In determining whether a hardship exists, the board shall give due consideration to the following factors:

1. Zoning limitations.
2. Whether the premises constitutes a historical building.
3. Whether compliance with this requirement would compel the veterinary practice to relocate to a new location.

(2) Storage in the surgery room shall be limited to items and equipment normally related to aseptic surgery and surgical procedures. Equipment not normally related to surgery and surgical procedure includes, but is not limited to, equipment used for dental prophylaxis, autoclaves and non-surgical radiographic equipment.

(3) Open shelving is prohibited in the surgical room.

(4) The surgery room shall not contain a functional sink with an open drain.

(5) The doors into the surgery room must be able to be fully closed, fill the entire door space, be made of non-porous material and not provide access from outside the hospital. In cases where the size of the animal prevents entry to the hospital via a regularly-sized door, doors for outside access are permitted as long as such doors are able to be fully closed, fill the entire door space and be made of non-porous material.

(6) The surgery room shall be well-lighted, shall have equipment for viewing radiographs and shall have effective emergency lighting with a viable power source.

(7) The floors, table tops, and counter tops of the surgery room shall be of a non-porous material suitable for regular disinfecting, and cleaning, and shall be cleaned and disinfected regularly.

(8) Surgical instruments and equipment shall be:

(A) Adequate for the type of surgical procedures performed.

(B) Sterilized as required by the surgical procedure performed and instruments used.

(9) In any sterile procedure, a separate sterile pack shall be used for each animal.

(10) All instruments, packs and equipment that have been sterilized shall have an indicator that reacts to and verifies sterilization.

(11) The following attire shall be required for aseptic surgery:

(A) Each member of the surgical team shall put on an appropriate sanitary cap and sanitary mask which covers his or her hair and mouth, nose and any facial hair, except for eyebrows or eyelashes. All members of the surgical team who will be handling the instruments or touching the surgical site shall wear sterilized surgical gowns with long sleeves and sterilized gloves.

(B) Ancillary personnel in the surgery room shall wear clean clothing, footwear, sanitary cap and mask.

(h) When performing clean surgery, the instruments used to perform such surgery shall have been sterilized and the surgeon(s) and ancillary personnel shall wear clean clothing and footwear when appropriate.

For purposes of this section, "clean surgery" shall mean the performance of a surgical operation for the treatment of a condition and under circumstances which, consistent with the standards of good veterinary medicine, do not warrant the use of aseptic surgical procedures.

### **2030.05. Minimum Standards - Licensee Manager.**

(a) A Licensee Manager is the California licensed veterinarian named as the Licensee Manager on a facility's premises permit.

(b) The Licensee Manager is responsible for ensuring that the premises for which he/she is manager complies with the requirements in sections 4853, 4854, 4855 and 4856 of the Business and Professions Code, Division 2, Chapter 11, Article 3. The Licensee Manager is responsible for ensuring that the physical and operational components of a premises meet the minimum standards of practice as set forth in sections 2030 through 2032.5 of the California Code of Regulations, Title 16, Division 20, Article 4.

(c) The Licensee Manager is responsible for ensuring that no unlicensed activity is occurring within the premises or in any location where any function of veterinary medicine, veterinary surgery or veterinary dentistry is being conducted off the premises under the auspices of this premises license.

(d) The Licensee Manager shall maintain whatever physical presence is reasonable within the facility to ensure that the requirements in (a) - (c) are met.

(e) Each licensed veterinarian shall be responsible for their individual violations of the Veterinary Medicine Practice Act or any regulation adopted thereunder.

### **2030.1. Minimum Standards - Small Animal Fixed Premises.**

For purposes of these rules and regulations, a "small animal fixed premises" shall mean a fixed veterinary premises which concentrates in providing veterinary services to common domestic household pets.

In addition to the requirements in section 2030, small animal fixed premises shall provide:

(a) Where animals are kept on the veterinary premises for 24 hours or more, the animals shall be provided with an opportunity for proper exercise. Compliance with this section may be achieved by the use of exercise runs or by providing the animal with the opportunity for outdoor walks. Where a premises has exercise runs, they shall be clean and sanitary and provide for effective separation of animals and their waste products.

(b) When the client has not given the veterinarian authorization to dispose of his or her deceased animal, the veterinarian shall be required to retain the carcass in a freezer for at least 14 days prior to disposal.

### **2030.2. Small Animal Mobile Clinic.**

For purposes of these regulations, a "small animal mobile clinic" shall mean a trailer or mobile facility established to function as a veterinary premises which concentrates in providing veterinary services to common domestic household pets and is required by section 4853 of the code to be registered with the board.

- (a) A small animal mobile clinic shall have:
  - (1) Hot and cold water.
  - (2) A 110-volt power source for diagnostic equipment.
  - (3) A collection tank for disposal of waste material.
  - (4) Lighting adequate for the procedures to be performed in the mobile clinic.
  - (5) Floors, table tops, and counter tops shall be of a non-porous material suitable for regular disinfecting, and cleaning, and shall be cleaned and disinfected regularly.
  - (6) Compartments to transport or hold animals, if applicable.
- (b) A small animal mobile clinic shall also have:
  - (1) indoor lighting for halls, wards, reception areas, examining and surgical rooms, which shall be adequate for its intended purpose.
  - (2) an examination room separate from other areas of the facility, which shall be of sufficient size to accommodate the doctor, assistant, patient and client.
  - (3) fire precautions that meet the requirements of local and state fire prevention codes,
  - (4) temperature and ventilation controls adequate to assure the comfort of all patients.
  - (5) a small animal mobile clinic which provides aseptic surgical services shall also have a room separate and distinct from other rooms, which shall be reserved for aseptic surgical procedures. Storage in the surgery room shall be limited to items and equipment normally related to surgery and surgical procedures. A veterinarian may perform emergency aseptic surgical procedures in another room when the room designated for aseptic surgery is occupied or temporarily unavailable. A small animal mobile clinic which provides aseptic surgical services and that is currently registered with the board, but does not have a separate room reserved for aseptic surgical procedures, shall provide the board with the vehicle identification number of the mobile clinic and obtain compliance with this subdivision on or before January 1, 2006.
    - (A) A small animal mobile clinic that provides aseptic surgery shall also have an examination area separate from the surgery room that is large enough to conduct an examination.
- (c) A small animal mobile clinic shall have the ability and equipment to provide immediate emergency care at a level commensurate with the specific veterinary medical services it is providing.
- (d) A small animal mobile clinic shall provide either after hours emergency services to its patients or, if no after hours emergency care is available, full disclosure to the public prior to rendering services.
- (e) When the client has not given the veterinarian authorization to dispose of his or her deceased animal, the veterinarian shall be required to retain the carcass in a freezer for at least 14 days prior to disposal.

### **2030.3. Small Animal Vaccination Clinic.**

- (a) The term "small animal vaccination clinic" shall refer to a location ~~mean a privately or publicly supported vaccination clinic~~ where a veterinarian performs only vaccinations and/or immunizations against disease on multiple animals, and where the veterinarian may also perform preventative procedures for intestinal parasitic control.
- (b) A veterinarian must remain on site throughout the duration of a vaccination clinic and must maintain responsibility for all medical decisions made. The veterinarian is responsible for proper immunization and parasitic procedures and the completeness of recommendations made to the public by the paraprofessional staff that the veterinarian supervises or employs. The veterinarian is responsible for consultation and referral of clients when disease is detected or suspected.
- (c) The disposal of waste material shall comply with all applicable state, federal, and local laws and regulations.
- (d) All drugs and biologicals shall be stored, maintained, administered, dispensed and prescribed according to the manufacturer's recommendations and in compliance with state and federal laws.
- (e) Lighting shall be adequate for the procedures to be performed in the vaccination clinic.

- (f) Floors, table tops, and counter tops shall be of a non-porous material suitable for regular disinfecting, and cleaning, and shall be cleaned and disinfected regularly.
- (g) Equipment shall be of the type and quality to provide for the delivery of vaccines and parasiticides in the best interest of the patient and with safety to the public.
- (h) Fresh, clean water shall be available for sanitizing and first aid. Disposable towels and soap shall be readily available.
- (i) A vaccination clinic shall have the ability and equipment to provide immediate emergency care at a level commensurate with the specific veterinary medical services it is providing.
- (j) The vaccination clinic shall provide a legible list of the name, address, and hours of operation of all facilities that provide or advertise emergency services and, when applicable, the location of other clinics provided by the same entity on that day, that are located within a 30-minute or 30-mile radius.
- (k) The vaccination clinic shall maintain all vaccination records for a minimum of three (3) years from the date of the vaccination.
- ~~(l) If any diagnostic tests are performed or dangerous drugs are provided, administered, prescribed or dispensed, then a valid veterinary-client-patient relationship must be established, including a complete physical exam and Medical Records as set forth in section 2032.3.~~
- (m) The veterinarian shall be identifiable to the public, including, but not limited to the posting of a copy of the veterinarian's license, as set forth in section 4850 of the Business and Professions Code.

## **2032. Minimum Standards of Practice.**

The delivery of veterinary care shall be provided in a competent and humane manner. All aspects of veterinary medicine shall be performed in a manner consistent with current veterinary medical practice in this state.

### **2032.05. Humane Treatment.**

When treating a patient, a veterinarian shall use appropriate and humane care to minimize pain and distress before, during and after performing any procedure(s).

### **2032.1. Veterinarian-Client-Patient Relationship.**

- (a) It is unprofessional conduct for a veterinarian to administer, prescribe, dispense or furnish a drug, medicine, appliance, or treatment of whatever nature for the prevention, cure, or relief of a wound, fracture or bodily injury or disease of an animal without having first established a veterinarian-client-patient relationship with the animal patient or patients and the client, except where the patient is a wild animal or the owner is unknown.
- (b) A veterinarian-client-patient relationship shall be established by the following:
  - (1) The client has authorized the veterinarian to assume responsibility for making medical judgments regarding the health of the animal, including the need for medical treatment,
  - (2) The veterinarian has sufficient knowledge of the animal(s) to initiate at least a general or preliminary diagnosis of the medical condition of the animal(s). This means that the veterinarian is personally acquainted with the care of the animal(s) by virtue of an examination of the animal or by medically appropriate and timely visits to the premises where the animals are kept, and
  - (3) The veterinarian has assumed responsibility for making medical judgments regarding the health of the animal and has communicated with the client a course of treatment appropriate to the circumstance.
- (c) A drug shall not be prescribed for a duration inconsistent with the medical condition of the animal(s) or type of drug prescribed. The veterinarian shall not prescribe a drug for a duration longer than one year from the date the veterinarian examined the animal(s) and prescribed the drug.

(d) As used herein, "drug" shall mean any controlled substance, as defined by Section 4021 of Business and Professions code, and any dangerous drug, as defined by Section 4022 of Business and Professions code.

(e) No person may practice veterinary medicine in the State except within the context of a veterinarian-client-patient relationship. A veterinarian-client-patient relationship cannot be established solely by telephonic or electronic means.

### **2032.15. Veterinarian-Client-Patient Relationship in Absence of Client Communication**

(a) A veterinary-client-patient relationship may continue to exist, in the absence of client communication, when:

(1) A veterinary-client-patient relationship was established with an original veterinarian, and another designated veterinarian serves at the same location where the medical records are kept in the absence of the original veterinarian, and;

(2) The designated veterinarian has assumed responsibility for making medical judgments regarding the health of the animal(s), and;

(3) The designated veterinarian has sufficient knowledge of the animal(s) to initiate at least a general or preliminary diagnosis of the medical condition of the animal(s). This means that the veterinarian is personally acquainted with the care of the animal(s) by virtue of an examination of the animal(s) or by medically appropriate and timely visits to the premises where the animal(s) is kept, or has consulted with the veterinarian who established the veterinary-client-patient relationship, and;

(4) The designated veterinarian has continued the medical, treatment, diagnostic and/or therapeutic plan that was set forth and documented in the medical record by the original veterinarian.

(b) If the medical, treatment, diagnostic and/or therapeutic plan differs from that which was communicated to the client by the original veterinarian, then the designated veterinarian must attempt to communicate the necessary changes with the client in a timely manner.

### **2032.2. Written Prescriptions.**

(a) A written order, by a veterinarian, for dangerous drugs, as defined by Section 4022 of Business and Professions Code, shall include the following information:

(1) The name, signature, address and telephone number of the prescribing veterinarian.

(2) The veterinarian's license number and his or her federal registry number if a controlled substance is prescribed.

(3) The name and address of the client.

(4) The species and name, number or other identifying information for the animal.

(5) The name, strength, and quantity of the drug(s).

(6) Directions for use, including, if applicable, withdrawal time.

(7) Date of issue.

(8) The number of refills.

(b) All drugs dispensed shall be labeled with the following information:

(1) Name, address and telephone number of the facility.

(2) Client's name.

(3) The species and name, number, or other identifying information for the animal.

(4) Date dispensed.

(5) Directions for use, including, if applicable, withdrawal time.

(6) The manufacturer's trade name of the drug or the generic names, strength (if more than one dosage form exists), and quantity of drug, and the expiration date when established by the manufacturer.

(7) Name of prescribing veterinarian.

(c) Pursuant to section 4170(a)(6) and (7) of the Business and Professions Code, veterinarians must notify clients that they have a choice to obtain either the medication or a written prescription and that they shall not be charged for the written prescription.

### **2032.25. Written Prescriptions in Absence of Originally Prescribing Veterinarian.**

(a) Prescribing, dispensing, or furnishing dangerous drugs as defined in Section 4022 of the Business and Professions Code ~~without an appropriate prior examination and a medical indication, absent establishing a veterinary-client-patient-relationship (VCPR) as defined in 2031.1~~ constitutes unprofessional conduct.

(b) No licensee shall be found to have committed unprofessional conduct within the meaning of this section if, at the time the drugs were prescribed, dispensed, or furnished, any of the following applies:

(1) The licensee was a veterinarian serving in the absence of the treating veterinarian and the drugs were prescribed, dispensed, or furnished on an emergency basis for a traveling patient only as necessary to maintain the health of animal patient until they can return of to the originally treating veterinarian, but in any case no longer than 72 hours. Prior to providing a prescription refill pursuant to this section, the veterinarian shall make every reasonable effort to contact the original prescribing veterinarian. The veterinarian shall document the basis for proceeding under this section.

(2) The original prescribing veterinarian is unavailable to authorize the refill, and the veterinarian authorizing the refill is working in the same practice as the original prescribing veterinarian, and: The veterinarian transmitted the order for the drugs to another veterinarian or registered veterinary technician and both of the following conditions exist:

(A) ~~The licensee had consulted with the veterinarian or registered veterinary technician who had reviewed the patient's records.~~

(B) ~~The licensee was designated as the veterinarian to serve in the absence of the animal patient's veterinarian.~~

(3) (A) ~~The licensee was a veterinarian serving in the absence of the treating veterinarian,~~ veterinarian authorizing the refill was in possession of and had reviewed the animal patient's records, and ordered the renewal of a medically indicated prescription for an amount not exceeding the original prescription in strength or amount or for more than one refill and enters the prescription refill in the patient's medical record.

(B) In the veterinarian's professional judgment, failure to refill the prescription may interrupt the patient's ongoing care and have an adverse effect on the patient's well-being.

### **2032.3. Record Keeping; Records; Contents; Transfer.**

(a) Every veterinarian performing any act requiring a license pursuant to the provisions of Chapter 11, Division 2, of the code, upon any animal or group of animals shall prepare a legible, written or computer generated record concerning the animal or animals which shall contain the following information:

- (1) Name or initials of the person responsible for entries.
- (2) Name, address and phone number of the client.
- (3) Name or identity of the animal, herd or flock.
- (4) Except for herds or flocks, age, sex, breed, species, and color of the animal.
- (5) Dates (beginning and ending) of custody of the animal, if applicable.
- (6) A history or pertinent information as it pertains to each animal, herd, or flock's medical status.
- (7) Data, including that obtained by instrumentation, from the physical examination.
- (8) Treatment and intended treatment plan, including medications, dosages, route of administration, and frequency of use.

- (9) Records for surgical procedures shall include a description of the procedure, the name of the surgeon, the type of sedative/anesthetic agents used, their route of administration, and their strength if available in more than one strength.
  - (10) Diagnosis or assessment prior to performing a treatment or procedure.
  - (11) If relevant, a prognosis of the animal's condition.
  - (12) All medications and treatments prescribed and dispensed, including strength, dosage, route of administration, quantity, and frequency of use.
  - (13) Daily progress, if relevant, and disposition of the case.
- (b) Records shall be maintained for a minimum of three (3) years after the animal's last visit. A summary of an animal's medical records shall be made available to the client within five (5) days or sooner, depending if the animal is in critical condition, upon his or her request. The summary shall include:
- (1) Name and address of client and animal.
  - (2) Age, sex, breed, species, and color of the animal.
  - (3) A history or pertinent information as it pertains to each animal's medical status.
  - (4) Data, including that obtained by instrumentation, from the physical examination.
  - (5) Treatment and intended treatment plan, including medications, their dosage and frequency of use.
  - (6) All medications and treatments prescribed and dispensed, including strength, dosage, route of administration, quantity, and frequency of use.
  - (7) Daily progress, if relevant, and disposition of the case.
- (c)(1) Radiographs and digital images are the property of the veterinary facility that originally ordered them to be prepared. Radiographs or digital images shall be released to another veterinarian upon the request of another veterinarian who has the authorization of the client. Radiographs shall be returned to the veterinary facility which originally ordered them to be prepared within a reasonable time upon request. Radiographs originating at an emergency hospital shall become the property of the next attending veterinary facility upon receipt of said radiograph(s). Transfer of radiographs shall be documented in the medical record.
- (2) Radiograph and digital images, except for intraoral radiographs, shall have a permanent identification legibly exposed in the radiograph or attached to the digital file, which shall include the following:
    - (A) The hospital or clinic name and/or the veterinarian's name,
    - (B) Client identification,
    - (C) Patient identification, and
    - (D) The date the radiograph was taken.
  - (3) Non-digital intraoral radiographs shall be inserted into sleeve containers and include information in subdivision (c)(2)(A) - (D). Digital images shall have identification criteria listed in subdivision (c)(2)(A) - (D) attached to the digital file.
- (d) Laboratory data is the property of the veterinary facility which originally ordered it to be prepared, and a copy shall be released upon the request of the client.
- (e) The client shall be provided with a legible copy of the medical record when the patient is released following emergency clinic service. The minimum information included in the medical record shall consist of the following:
- (1) Physical examination findings
  - (2) Dosages and time of administration of medications
  - (3) Copies of diagnostic data or procedures
  - (4) All radiographs and digital images, for which the facility shall obtain a signed release when transferred
  - (5) Surgical summary
  - (6) Tentative diagnosis and prognosis, if known
  - (7) Any follow-up instructions.

### **2032.35. Altering Medical Records**

Altering or modifying the medical record of any animal, with fraudulent intent, or creating any false medical record, with fraudulent intent, constitutes unprofessional conduct in accordance

with Business and Professions Code section 4883(g).

#### **2032.4. Anesthesia.**

(a) General anesthesia is a condition caused by the administration of a drug or combination of drugs sufficient to produce a state of unconsciousness or dissociation and blocked response to a given pain or alarming stimulus.

(b) When administering general anesthesia, a veterinarian shall comply with the following standards:

(1) Within twelve (12) hours prior to the administration of a general anesthetic, the animal patient shall be given a physical examination by a licensed veterinarian appropriate for the procedure. The results of the physical examination shall be documented in the animal patient's medical records.

(2) An animal under general anesthesia shall be observed for a length of time appropriate for its safe recovery.

(3) Provide respiratory monitoring including, but not limited to, observation of the animal's chest movements, observation of the rebreathing bag, or respirometer.

(4) Provide cardiac monitoring including, but not limited to, the use of a stethoscope, pulseoximeter or electrocardiographic monitor.

(5) When administering general anesthesia in a hospital setting, a veterinarian shall have resuscitation or rebreathing bags of appropriate volumes for the animal patient and an assortment of endotracheal tubes readily available.

(6) Records for procedures involving general anesthesia shall include a description of the procedure, the name of the surgeon, the type of sedative and/or anesthetic agents used, their route of administration, and their strength if available in more than one strength.

#### **2032.5. Emergency Hospitals.**

(a) Any veterinary premises that displays any sign, card, or device that indicates to the public that it is an emergency veterinary clinic or hospital shall comply with the following:

(1) Maintain a licensed veterinarian on the premises at all times during the posted hours of operation.

(2) Its advertisements shall clearly state:

(A) A licensed veterinarian is on the premises during the posted emergency hours.

(B) The hours the facility will provide emergency services.

(C) The address and telephone number of the premises.

(b) The phrase "veterinarian on call" shall mean that a veterinarian is not present at the hospital, but is able to respond within a reasonable time to requests for emergency veterinary services and has been designated by a daytime veterinary facility to do so after regular office hours. A veterinary premises which uses a veterinarian on call service shall not be considered to be or advertised as an emergency clinic or hospital.

#### **2037. Dental Operation, Defined**

(a) The term "dental operation" as used in Business and Professions Code section 4826 means:

(1) The application or use of any instrument, device, or scaler to any portion of the animal's tooth, gum or any related tissue for the prevention, cure or relief of any wound, fracture, injury or disease of an animal's tooth, gum or related tissue; and

(2) Preventive dental procedures including, but not limited to, the removal of calculus, soft deposits, plaque, stains or the smoothing, filing, scaling or polishing of tooth surfaces.

(b) Nothing in this regulation shall prohibit any person from utilizing cotton swabs, gauze, dental floss, dentifrice, or toothbrushes on an animal's teeth.



# Veterinary Medical Board Action Plan Excerpts 2012 - 2014

## Multidisciplinary Committee Proposed Assignments

*October 2014*

### EXISTING PRIORITIES

- **(Strategic Plan Action Item 4.6) - Examine the feasibility of implementing an approval process for alternate route programs for obtaining Registered Veterinary Technician licensure.**
  - Develop regulations establishing criteria and an approval process for alternate route programs
- **(Strategic Plan Action Item 4.7) - Examine the current system of licensure exemptions for UC Davis and Western University and determine if legislative options are available to affect change.**
  - Develop proposed statutory language for a university license/temporary license.
- **(Strategic Plan Action Item 4.5) - Pursue regulations to define Registered Veterinary Technician student exemptions (in accordance with BPC Section 4841.1).**
- **Review minimum standards regulation implementation and interpretation issues including veterinary premises, small animal vaccination clinics, veterinary-client-patient relationships, and written prescriptions in absence of original prescribing veterinarian**
- **Review Business and Professions Code Section 4830(5) regarding veterinary student exemption, duties and supervision at a California veterinary university**

### FUTURE MDC ISSUES

- **Review standard of care for animal dentistry**
- **(Strategic Plan Action Item 2.3) - Review 1st year licensure as a temporary license, working under the supervision of a currently licensed Veterinarian.**
  - Review feasibility of 1st year licensure with Multidisciplinary Committee.
- **(Strategic Plan Action Item 3.5) - Review the feasibility of requiring written estimates for fees and implementation of Euthanasia forms in conjunction with the Multidisciplinary Committee.**
- **(Strategic Plan Action Item 5.5) - Add English language proficiency as a requirement for licensure.**
  - Discuss expanding current regulations to include non-English colleges with MDC.
- **(Strategic Plan Action Item 5.7) - Revisit the provisions for temporary licenses during disaster situations for out-of-state practitioners.**
- **(Strategic Plan Action Item 5.12) - Discuss responsibility for electronic record keeping and confidentiality requirements for electronic records.**
- **(Strategic Plan Action Item 5.13) - Pursue "extended duty" for Registered Veterinary Technicians.**

