

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

**2043. Civil Penalties for Citation**

~~Where~~ ~~When the executive officer has determined~~ that a violation has occurred, ~~and issues a citation~~ any citations issued pursuant to Section 4875.2 and 125.9 of the Code to a licensee or an unlicensed person, that citation shall include its classification and an assessment of a civil penalty. The classification of the citation shall be ~~they shall be classified determined according to the nature of the violation as follows:~~ and shall indicate the classification on the face thereof as follows:

(c) (a) Class "C A" violations ~~are violations which the executive officer has determined~~ involve a person who, while engaged in the practice of veterinary medicine, has violated a statute or regulation relating to the practice of veterinary medicine and which but that has not caused either death or ~~bodily injury~~ harm to a patient an animal patient and ~~or which does~~ has not presented a substantial probability that death or serious harm to an animal patient ~~would~~ could result ~~therefrom~~. A class "C A" violation is subject to a civil penalty in an amount not less than ~~fifty dollars (\$50)~~ two hundred and fifty dollars (\$250) and not exceeding ~~five hundred dollars (\$500)~~ three thousand dollars (\$3,000) for each citation.

(b) Class "B" violations ~~are violations which the executive officer has determined~~ involve either (1) a person whom, while engaged in the practice of veterinary medicine, has violated a statute or regulation relating to the practice of veterinary medicine and either (1) ~~(a)~~ has caused ~~bodily injury~~ harm to an animal patient which is not significant and substantial in nature or (2) ~~(b)~~ has presented a substantial probability that death or serious harm ~~would~~ to the an animal patient could result ~~therefrom~~ from their actions or (3) ~~(c)~~ has committed a violation which meets the criteria for a class "C A" violation and has two or more prior citations for a class "C A" violation within the ~~24-month~~ 5-year period immediately preceding the act serving as the basis for the citation ~~without regard to whether the actions to enforce the previous citations have become final~~. However, the increase in the civil penalty required by this paragraph shall not be due and payable unless and until the previous actions have been terminated in favor of the board. A class "B" violation is subject to a civil penalty in an amount not less than ~~five hundred one dollars (\$501)~~ one thousand one dollars (\$1,001) and not exceeding ~~one thousand dollars (\$1,000)~~ four thousand dollars (\$4,000) for each citation.

~~(a)~~ (c) Class "A C" violations ~~are violations which the executive officer of the board has determined~~ involve a person who, while engaged in the practice of veterinary medicine: has (1) has caused death or serious ~~and significant~~ bodily injury harm to an animal patient, or (2) ~~has a history of two or more similar violations, or~~ committed involves a violation that has endangered an immediate relationship to the health and safety of another person, or (3) has committed involves multiple violations which show a willful disregard of the law, or (4) ~~has practiced veterinary medicine without a license,~~ has committed a violation which meets the criteria for a class "B" violation within the ~~24-month~~ 5-year period immediately preceding the act serving as the basis for the citation, ~~without regard to whether the actions to enforcement the previous citations have become final~~. However, the increase in the civil penalty required by this paragraph shall not be due and payable unless and until the previous actions have been terminated in favor of the board. A class "A C" violation is subject to a civil penalty in an amount not less than ~~one thousand one dollars (\$1,001)~~ two thousand and one dollars (\$2,001) and not exceeding ~~one thousand five hundred dollars (\$1,500)~~ five thousand dollars (\$5,000) for each citation.

(d) In assessing the amount of a civil penalty, the executive officer shall consider the following criteria:

~~The good or bad faith exhibited by the cited person~~

1. The nature and severity of the violation.
2. Evidence that the violation was willful.
3. History of violations of the same or similar nature.
4. The extent to which the cited person has cooperated with the board's investigations.
5. The extent to which the cited person has mitigated or attempted to mitigate any damage or injury caused by ~~his or her~~ their violation.
6. Such other matters as justice may require.

(e) In all situations involving unlicensed persons practicing veterinary medicine, the citation shall be a class "C" violation and the civil penalty fine shall be no less than two thousand dollars (\$2,000) and no more than five thousand dollars (\$5,000) as defined in subsection (c) above. If an unlicensed individual is determined to have received more than two citations in any five-year period the case may be referred to other legal authorities.

(f) Every citation that is issued pursuant to this article shall be considered a public document. Citations that have been resolved, by payment of the civil penalty or compliance with the order of abatement, shall be purged five (5) years from the date of resolution, unless the licensee is subject to formal discipline within five (5) years immediately preceding the citation order, at which time, the citation may become part of the permanent enforcement record. A citation that has been withdrawn or dismissed shall be purged immediately upon withdrawal or dismissal.

(g) An order of abatement issued pursuant to section 4875.2 of the Code shall fix a reasonable time for abatement of the violation. An order of abatement may require any or all of the following:

1. The individual to whom the citation was issued, to demonstrate how future compliance with the laws and regulations governing veterinary medicine will be accomplished. The demonstration may include, but is not limited to, submission of a corrective action plan.
2. The individual to whom the citation was issued, to take a course approved by the Board related to the violation for which the citation was issued. Any courses required by the order of abatement shall be in addition to those required as continuing education for license renewal.

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

**2043. Civil Penalties for Citation**

When the executive officer determines that a violation has occurred, and issues a citation to a licensee or an unlicensed person, that citation shall include its classification and an assessment of a civil penalty. The classification of the citation shall be determined as follows:

(a) Class "A" violations involve a person who, while engaged in the practice of veterinary medicine, has violated a statute or regulation relating to the practice of veterinary medicine but that has not caused either death or harm to an animal patient and has not presented a substantial probability that death or serious harm to an animal patient could result. A class "A" violation is subject to a civil penalty in an amount not less than two hundred and fifty dollars (\$250) and not exceeding three thousand dollars (\$3,000) for each citation.

(b) Class "B" violations involve a person who, while engaged in the practice of veterinary medicine, has violated a statute or regulation relating to the practice of veterinary medicine and either (1) has caused harm to an animal patient or (2) has presented a substantial probability that death or serious harm to an animal patient could result or (3) has committed a violation which meets the criteria for a class "A" violation and has two or more prior citations for a class "A" violation within a 5-year period immediately preceding the act serving as the basis for the citation. However, the increase in the civil penalty required by this paragraph shall not be due and payable unless and until the previous actions have been terminated in favor of the board. A class "B" violation is subject to a civil penalty in an amount not less than one thousand dollars (\$1,000) and not exceeding four thousand dollars (\$4,000) for each citation.

(c) Class "C" violations involve a person who, while engaged in the practice of veterinary medicine (1) has caused death or serious harm to an animal patient, or (2) has committed a violation that has endangered the health and safety of another person, or (3) has committed multiple violations which show a willful disregard of the law, or (4) has committed a violation which meets the criteria for a class "B" violation within the 5-year period immediately preceding the act serving as the basis for the citation. However, the increase in the civil penalty required by this paragraph shall not be due and payable unless and until the previous actions have been terminated in favor of the board. A class "A C" violation is subject to a civil penalty in an amount not less than two thousand dollars (\$2,000) and not exceeding five thousand dollars (\$5,000) for each citation.

(d) In assessing the amount of a civil penalty, the executive officer shall consider the following criteria:

1. The nature and severity of the violation.
2. Evidence that the violation was willful.
3. History of violations of the same or similar nature.
4. The extent to which the cited person has cooperated with the board's investigations.
5. The extent to which the cited person has mitigated or attempted to mitigate any damage or injury caused by their violation.
6. Such other matters as justice may require.

(e) In all situations involving unlicensed persons practicing veterinary medicine, the citation shall be a class "C" violation and the civil penalty shall be no less than two thousand dollars (\$2,000) and no more than five thousand dollars (\$5,000) as defined in subsection (c) above.

(f) Every citation that is issued pursuant to this article shall be considered a public document. Citations that have been resolved, by payment of the civil penalty or compliance with the order

of abatement, shall be purged five (5) years from the date of resolution, unless the licensee is subject to formal discipline within five (5) years immediately preceding the citation order, at which time, the citation may become part of the permanent enforcement record. A citation that has been withdrawn or dismissed shall be purged immediately upon withdrawal or dismissal.

(g) An order of abatement issued pursuant to section 4875.2 of the Code shall fix a reasonable time for abatement of the violation. An order of abatement may require any or all of the following:

1. The individual to whom the citation was issued, to demonstrate how future compliance with the laws and regulations governing veterinary medicine will be accomplished. The demonstration may include, but is not limited to, submission of a corrective action plan.
2. The individual to whom the citation was issued, to take a course approved by the Board related to the violation for which the citation was issued. Any courses required by the order of abatement shall be in addition to those required as continuing education for license renewal.