

## Veterinary Medical Board

### Proposed Language

**(1) Amend Section 2034 of Article 4 of Division 20 of Title 16 of the California Code of Regulations to read as follows:**

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

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

- (a) “Veterinarian” means a California licensed veterinarian.
- (b) “R.V.T.” means a California registered veterinary technician~~certified by the Board~~.
- (c) “~~Veterinary Unregistered~~ assistant” means any individual who is not a 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 practices 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 ~~b~~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~~d~~ of rendering the animal unconscious.
- (j) “Veterinary Assistant Controlled Substances Permit” or the abbreviation “VACSP” means a Veterinary Assistant Controlled Substances Permit issued by the board.
- (k) “Permit holder” means a person who must be at least 18 years of age and is a holder of a VACSP issued pursuant to section 4836.2 of the code.

**NOTE**

Authority cited: Section 4808, 4826 and 4836, Business and Professions Code. Reference: Sections 4836 and 4853, Business and Professions Code.

**(2) Amend Section 2035 of Article 4 of Division 20 of Title 16 of the California Code of Regulations to read as follows:**

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

(a) The supervising veterinarian shall be responsible for determining the competency of the R.V.T., permit holder or veterinaryunregistered assistant to perform allowable animal health care tasks.

(b) The supervising veterinarian of a R.V.T., permit holder or veterinaryunregistered 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., permit holder or veterinaryunregistered 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.

NOTE

Authority cited: Sections 4808 and 4836, Business and Professions Code. Reference: Sections 4836, 4840 and 4840.9, Business and Professions Code.

**(3) Amend Section 2036.5 of Article 4 of Division 20 of Title 16 of the California Code of Regulations to read as follows:**

**§2036.5. Animal Hospital Health Care Tasks for Permit Holders and VeterinaryUnregistered Assistants.**

(a) Permit holders and veterinaryUnregistered 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 a permit holder ~~n unregistered assistant~~ under the direct or indirect supervision of a licensed veterinarian or ~~registered technician~~ may administer a controlled substance.

(b) Subject to the provisions of subsection (a) of this section, permit holders and veterinaryunregistered 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 permit holder or veterinaryunregistered 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.

NOTE

Authority cited: Sections 4808 and 4836, Business and Professions Code. Reference: Sections 4836 and 4840, Business and Professions Code.

**(4) Adopt Section 2071.1 of Article 7 of Division 20 of Title 16 of the California Code of Regulations to read as follows:**

**§ 2071.1. Application, Permit, and Renewal Fees for Veterinary Assistant Controlled Substance Permits.**

Pursuant to the provisions of Section 4836.2 of the code, the following fees are fixed by the board:

(a) The application fee for the veterinary assistant controlled substance permit shall be \$50.00.

(b) The initial VACSP fee for VACSPs issued for one year or more from the date the initial VACSP is granted shall be \$50.00.

(c) The biennial renewal fee shall be \$50.00.

NOTE

Authority cited: Sections 4836, 4836.2 and 4836.3, Business and Professions Code. Reference: Sections 4836, 4836.2 and 4836.3, Business and Professions code.

**(5) Adopt new Article 11, commencing with Section 2087 and ending with Section 2087.3, of Division 20 of Title 16 of the California Code of Regulations to read as follows:**

**Article 11. Veterinary Assistant Controlled Substances Permits**

**§2087. Application.**

(a) An application for a VACSP shall be submitted on an application form provided by the board (Veterinary Assistant Controlled Substances Permit Application, Form No. 4606-1, rev. 6/2015), hereby incorporated by reference, accompanied by such evidence, statements, or documents as therein required. The board shall review the application and notify the applicant of the final approval status.

Once a VACSP has been issued, the permit holder will be authorized to obtain or administer controlled substances only under the direct or indirect supervision of a licensed veterinarian.

NOTE: Authority cited: Sections 4836 and 4836.2, Business and Professions Code. Reference: Sections 4836 and 4836.2, Business and Professions Code.

**§2087.1. Notification of Licensee Manager.**

(a) Once a permit holder is authorized to obtain or administer controlled substances in an animal hospital setting, the licensee manager shall submit on an application provided by the board (Veterinary Assistant Controlled Substances Permit Holder / Licensee Manager Agreement, Form No. 4606-2, rev. 6/2015.), hereby incorporated by reference.

(b) The licensee manager shall submit a signed acknowledgment that he or she has read and agrees to comply with the provisions of the laws and regulations relating to the supervision of the permit holder, as defined in section 2035, on a form provided by the board (Licensee Manager Acknowledgement, Form No. 4606-3, rev.6/2015), hereby incorporated by reference. The permit holder shall not obtain or administer controlled substances until such time the Permit Holder / Licensee Manager Agreement form has been submitted and approved by the board.

(c) A licensee manager who fails to comply with the laws and regulations relating to the supervision of permit holders shall be subject to disciplinary action by the board.

NOTE

Authority cited: Section 4836.1, Business and Professions Code. Reference: Section 4836.1, Business and Professions Code.

**§2087.2. Change of Licensee Manager**

(a) The licensee manager shall notify the board, in writing, within ten (10) days of the termination of a supervisory relationship with a permit holder.

(b) Once the supervisory relationship between the licensee manager and the permit holder has been terminated, the permit holder shall not be authorized to obtain or administer a controlled substance for which a VACSP is required until a new licensee manager has submitted and approved by the board, in writing, forms required by the board, as defined in section 2087.1.

**NOTE**

Authority: Section 4836.1, Business and Professions Code. Reference: Section 4836.1, Business and Professions Code.

**§2087.3.Display of VACSP.**

(a) Every California permit holder shall wear a name tag in at least 18 point type. The name tag shall include the name that the permit holder has filed with the board and the term “VACSP Number,” followed by the VACSP number issued to the permit holder by the board.

(b) Permit holders need not wear a name tag if their VACSP is prominently displayed in an area of the animal hospital setting that is easily accessible to all members of the public at all times the premise is open. VACSPs shall not be altered in any manner nor shall any information contained on the VACSP be obscured or obliterated.

(c) No person may utilize the term “veterinary assistant controlled substances permit,” or any other words, letters, or symbols, including, but not limited to, the abbreviation “VACSP,” with the intent to represent that the person is authorized to act as a permit holder, unless that person is a permit holder and meets the requirements of this article.

**NOTE**

Authority cited: Sections 680 and 4836, Business and Professions Code. Reference: Sections 680 and 4836, Business and Professions Code.