

DEPARTMENT OF CONSUMER AFFAIRS
TITLE 16. PROFESSIONAL AND VOCATIONAL REGULATIONS
DIVISION 20. VETERINARY MEDICAL BOARD

INITIAL STATEMENT OF REASONS

Minimum Standards for Alternate Veterinary Premises

HEARING DATE: No hearing has been scheduled for the proposed action

SUBJECT MATTER OF PROPOSED REGULATIONS: Minimum Standards for Alternate Veterinary Premises

SECTIONS AFFECTED: Amend sections 2030, 2030.05, 2030.1, 2030.2, and 2030.3 of article 4 of division 20 of title 16 of the California Code of Regulations (CCR)¹.

BACKGROUND AND STATEMENT OF THE PROBLEM

The California Veterinary Medical Board (Board) licenses, regulates, and investigates complaints against five different license categories in California, totaling approximately 44,000 licensees. These licensing categories include veterinary premises, veterinarians, university veterinarians, registered veterinary technicians (RVTs), and veterinary assistant controlled substance permit (VACSP or permit) holders. It is the Board's duty to enforce and administer the California Veterinary Medicine Practice Act (Chapter 11 (commencing with section 4800) of Division 2 of the Business and Professions Code (BPC) (Practice Act). The Board is authorized to establish reasonably necessary regulations for the enforcement of the Practice Act (BPC section 4808).

Existing law requires all veterinary premises to be registered with the Board (BPC section 4853) and conform to the minimum standards established by the Board (BPC section 4854). Current regulations specify the requirements for the licensee manager (veterinarian), fixed veterinary premises, small animal fixed premises, small animal mobile clinics, and small animal vaccination clinics. Existing regulations do not specify that animal health care tasks involving vaccine administration and preventative procedures for parasitic control may be performed by an RVT, veterinary assistant, or veterinary assistant controlled substance permit holder supervised by the veterinarian.

Prior law at BPC section 4853 defined a "premises" to include a building, kennel, mobile unit, or vehicle, so it was unclear whether practice operations outside of these enumerated areas needed to be registered with the Board (see Underlying Data Assembly Bill (AB) 1535 Committee Analysis). In 2021, the Legislature passed AB 1535 (Chapter 631, Statutes of 2021), which amended several sections of the Practice Act. One of the sections amended included BPC section 4853, which changed the definition

¹ All CCR references are to title 16 unless otherwise noted

of “premises” to add the words “the location of operation where veterinary medicine, veterinary dentistry, veterinary surgery, and the various branches thereof is being practiced...”

However, section 4853 does not specify the types of “locations of operations” that would need to register with the Board or what minimum standards the Board considers reasonably necessary to protect the public for those locations. Existing Board regulations in Article 4 of Division 20 of the CCR do specify minimum fixed premises operating standards, but do not include all types of mobile veterinary practice, nor consider exemptions from those operating standards. This proposal would establish such standards and exemptions.

The Board proposes to update and revise existing minimum standards for all premises locations and update practice standards for the types of animal health care tasks that may be performed under the supervision of a licensed veterinarian by an RVT, veterinary assistant, or veterinary assistant controlled substance permit holder at a small animal vaccination clinic (to be retitled “Minimum Standards - Animal Vaccination Veterinary Premises”).

The Board’s proposal would:

- Consolidate existing and newly proposed minimum veterinary premises requirements for all locations in one section of the Board’s regulations at CCR, title 16, section 2030 entitled “Minimum Standards – Veterinary Premises” and repeal outdated or unnecessary standards for all locations,
- Provide new categories of exemptions from those minimum standards paragraphs in Section 2030 that do not apply to the specified veterinary premises type and are not relevant or necessary to ensure minimum operating standards are met in specified locations,
- Standardize various existing veterinary naming conventions of clinics, facilities, and hospitals to the consistent use of the terms “veterinary premises” throughout, and would set minimum standards and definitions for the following veterinary premises types: small animal fixed veterinary premises, large animal fixed veterinary premises, mobile veterinary premises, and animal vaccination veterinary premises,
- For Section 2030.3, amend the title from “Small Animal Vaccination Clinic” to “Minimum Standards -- Animal Vaccination Veterinary Premises.” In addition to specifying the minimum standards for this location and veterinarian responsibilities, Section 2030.3 would be revised to describe the services provided at this type of veterinary premise, the personnel who may administer the services, and when such services are authorized to be provided,
- Remove all apparent building standards, including any exemptions to those standards, from these regulations (a separate rulemaking to amend CCR, Title 24, was approved by the California Building Standards Commission on December 17,

2024, which will add the mentioned building standards, and related exemptions, to section 1251 of title 24 of the CCR); these amendments become effective January 1, 2026,

- Make minor, technical or grammatical changes, including removal of gender specific language and replacement of that language with gender neutral language, and
- Increase information to consumers through disclosure and signage requirements that include contact information and the provision of information where after-hours emergency care is available.

ANTICIPATED BENEFITS FROM THIS REGULATORY ACTION

The regulatory proposal supports consumer protection by establishing minimum standards for alternate veterinary premises by updating the standards for locations to follow when providing veterinary services. The maintenance of consistent standards across all premises regulated by the Board helps ensure the health and safety of the public, the animal patients, and the clients served, regardless of location.

The Board anticipates consumers will also benefit from increased availability and readability of information from the veterinary premises when the consumer has an emergency for their animals or has stopped by a veterinary premises after hours. Veterinarians and their staff will benefit from clarification of the requirements specific to the veterinary premises type where they provide services. In addition, standardizing all of the premises requirements will allow for consistency among the various veterinary premises types, while allowing exceptions for standards not relevant or necessary to ensure minimum standards of care are met in specified types of locations.

Additionally, the Board anticipates support from the public, veterinarians, and veterinary professionals in relation to vaccination events, as “designated veterinary professionals” would be able to provide vaccinations instead of only veterinarians.

Lastly, this regulatory proposal, along with the separate Title 24 rulemaking referenced above, will ensure that veterinary practice management standards are only found under title 16 of the CCR, while all apparent building standards, and any exemptions to those standards, are only found under title 24 of the CCR, and that no overlap or duplicative language exists between the two areas of the CCR.

SPECIFIC PURPOSE OF, AND RATIONALE FOR, EACH ADOPTION, AMENDMENT, OR REPEAL

Amend § 2030. Minimum Standards — Veterinary Premises.

Amend § 2030 Title

Purpose: The amendment removes the word “Fixed” from the title so that the title would read “Minimum Standards – Veterinary Premises”.

Rationale: The changes are necessary to clarify the minimum standards that apply to all veterinary premises, not just fixed premises. This change is also necessary to reflect the consolidation of minimum standards for all veterinary premises in this section.

Amend § 2030 Subsection (a)

Purpose: This section would add a new subsection (a) that specifies that unless otherwise specified in this article, all veterinary premises shall maintain the “following” minimum standards [as set forth in this section].

Rationale: This introduction is necessary to specify when and under what circumstances these minimum standards apply (in all cases unless “otherwise specified” since the Board has limited exceptions that are reflected in other sections of Article 4) and that the requirements must be “maintained” (kept in an existing state) to meet the Board’s compliance standards. The words “conform to or possess” would be replaced by the word “maintain” to more accurately convey what the premises responsibilities are to help ensure greater understanding and compliance.

Amend § 2030 Subsections (a)(1)–(2)

Purpose: The Board proposes to take the existing introductory paragraph and make that paragraph (1) and renumber existing subsections within this section accordingly. The amendment also removes the word “fixed” and “facility” to the consistent term “veterinary premises,” removes redundant language, and specific lighting requirements for specific locations. Additionally, these amendments remove building standards from the text, as they are contained or mirror existing language under CCR, title 24, Part 2, section 1251.

Rationale: The change standardizes the term “veterinary premises” to not only include facilities, but also the various types of veterinary premises types (e.g., clinics, facilities, hospitals), and to provide grammatically correct commas for the items required to be kept clean and sanitary. The Board proposes to retain existing standards in subsections (a)(1)-(2) for clean and sanitary instruments, apparatus and apparel and standards for animals that are housed or retained for treatment.

Existing Subsection (a): Repeal subsection (a), as this provision is a building standard. CCR, title 24, section 1251.2 contains the same provision regarding indoor lighting. Under a separate rulemaking, the provision will be amended and renumbered under CCR, title 24, Part 2, section 1251.

Existing Subsection (b): Repeal subsection (b), as this provision mirrors existing language under CCR, title 24, section 1251.3, item 1.

Existing Subsection (c): Repeal subsection (c), as this provision mirrors existing language under CCR, title 24, section 1251.3, item 2.

Existing Subsection (d)(1): Repeal subsection (d)(1), as this provision mirrors existing language under CCR, title 24, section 1251.3, item 4.1.

Existing Subsection (d)(2): Repeal subsection (d)(2), as this provision mirrors existing language under CCR, title 24, section 1251.3, item 4.2.

Subsection (a)(2): Under existing regulation (subsection (d)(3)), if there are to be no personnel on the veterinary premises during any time an animal is left at the veterinary premises, prior notice of this fact shall be given to the client. Compliance may be obtained by posting a sign, as specified. This proposal would add that sign shall be posted “at the entrance” of the veterinary premises to avoid confusion over where a conspicuous sign must be posted to satisfy this requirement. Changing “is” to “are” provides a grammatically correct sentence (a correction made under the Board’s delegation of authority to the Executive Officer for technical, nonsubstantive changes).

Adopt § 2030 Subsection (a)(3)

Purpose: The Board proposes to move subsection (a) of CCR section 2030.1 relating to the requirement for proper exercise for animals kept at a veterinary premises for 24 hours or more from the current Small Animal Fixed section to a new subsection (a)(3) of section 2030 to make them applicable to all premises, with the addition of the words “when medically appropriate.” This section would also add criteria for a veterinarian to consider when it is “medically appropriate” for exercise to be provided depending upon the different species, the animal’s physical limitations, varied medical conditions or care needs.

Rationale: This change would recognize the existing standard of care in the community that exercise is not always medically appropriate under the circumstances. Existing requirements do not reflect existing practice considerations at veterinary premises by specifying that exercise must be done only when “medically appropriate” and what conditions the veterinarian considers when making that determination.

In the Board’s opinion, these included the following considerations: (A) what exercise, if any, is appropriate for the particular species, (B) the animal’s physical limitations or ability to be physically active without aggravating the animal’s current medical injury, illness, surgical site, or condition, and (C) the amount or duration of exercise considering the animal’s current medical condition or post-operative care needs. These requirements are therefore necessary to make specific and establish those minimum criteria that a veterinarian must consider when determining whether exercise is “medically appropriate.”

Adopt § 2030 Subsection (a)(4)

Purpose: Subsection (a)(4) address two different scenarios for how a client must receive general information when calling the veterinary premises. The first scenario in subsection (a)(4) specifies that premises shall maintain a telephone number where clients are able to contact the veterinary premises with questions, concerns or emergency needs (the most common types of information sought by consumers). If a live person is not available to answer calls, the telephone line shall include a recorded

message with information about hours of operation, and a name, phone number, and location of a veterinary premises where after-hour emergency care is available.

Rationale: These requirements ensure that clients have a consistent source for information from any veterinary premise regarding any animal care they may need for their animals after receiving veterinary medical services from the premise.

Amend § 2030 Subsection (a)(5)

Purpose: To replace existing requirements for providing public information regarding the veterinary premises when a veterinary premises is closed and requirements for maintaining an answering machine or message service that specifies when the premises would re-open. These requirements would be superseded by the new requirements to maintain, on an on-going basis, a telephone number where specified information is provided either live or through recorded message in subsection (a)(4).

Rationale: It is important that vital contact and referral information be provided to the public on an on-going basis and not just for periods when the premises are closed. The repeal of these requirements would also account for changes in technology as recorded messages may be provided in numerous ways through a dedicated phone line, and answering machines are largely obsolete. To address historical enforcement-related issues with having a readable, visible, conspicuous sign with important contact information a consumer needs for the on-going care of their animals, the existing sign requirement would be updated to include new requirements that the sign be: (A) clearly readable and visible to the public in at least 20-point type, (B) posted outside on or immediately adjacent to the primary entrance, (C) with hours of operation of the veterinary premises, and (D) a name of the veterinary premises where after-hours care is available (existing requirements for telephone number and location would be retained). The renumbering of current subsection (e) to (5) provides a cross-reference to the appropriate subsection for easier comprehension.

Repeal § 2030 Subsection (f)

Purpose: To repeal unnecessary language and reorganize minimum standards for veterinary premises.

Rationale: The existing language is redundant, as all veterinary premises shall meet the requirements under Section 2030 under new subsection (a), unless exemptions are otherwise provided in the article.

Repeal § 2030 Subsection (f)(1)

Purpose: To repeal language that mirrors existing CCR, title 24, section 1251.4.2.

Rationale: Repeal subsection (f)(1), as this provision mirrors existing language under CCR, title 24, section 1251.4.2.

Repeal § 2030 Subsection (f)(2)

Purpose: To repeal language that mirrors existing CCR, title 24, section 1251.4.3.

Rationale: Repeal subsection (f)(2), as this provision mirrors existing language under CCR, title 24, section 1251.4.3.

Amend § 2030 Subsections (a)(6) through (a)(13)

Purpose: The amendment moves current requirements into an easier to read format for consistency. It also removes the word “facility” and utilizes the consistent term “veterinary premises.” This proposal would retain existing standards for disposal of waste material, diagnostic radiological and laboratory services, drugs and biologicals, disposal of deceased animals, equipment for aseptic procedures, current veterinary reference materials, and anesthetic equipment.

However, the Board believes that some standards do not precisely reflect current laws and standards in the community for veterinary practice and that the following changes are necessary to update those standards. In subparagraph (7), “other commercial facilities” is removed and in both subparagraphs (7) and (8) language states “another veterinary premises or outside services” to expand the types of businesses that may provide diagnostic services and not only commercial facilities. In subparagraph (9), “stored” was added to provide consistency and to mirror current standards as set in Section 2030.3(d). In subparagraph (12), repealing “available on the premises” and adding “accessible to veterinary personnel” establishes that reference materials need to be accessible to all veterinary personnel, but not necessarily physically on site.

Rationale: The change standardizes the term “veterinary premises” to not only include facilities, but also the various types of veterinary premises types (e.g., clinics, facilities, hospitals). The amendments to expand beyond “other commercial facilities” to specify “another veterinary premises or outside service” reflects the currently accepted practice of contracting with either another veterinary premises or an outside service to provide radiological services. Removing the reference to “other commercial facilities” avoids confusion regarding which type of commercial facility would be accepted by the Board as meeting this standard.

In both subparagraphs (7) and (8), the inclusion of “another veterinary premises” provides consistency in the use of terms in the Board’s regulatory language for greater comprehension by the regulated community.

In subparagraph (9), “stored” was added to consolidate all drugs and biologicals requirements in one location and ensuring that minimum standards are followed for all veterinary premises for the storage of these items in compliance with state and federal laws.

In subparagraph (12), the change recognizes that compliance may be achieved by simply demonstrating the materials are “accessible” to veterinary personnel (e.g., via

computer or other device) in recognition that these materials are typically electronically accessed and not maintained as a hardcopy on the premises.

Repeal § 2030 Subsection (f)(11)

Purpose: To remove the current requirement that a veterinary premises had to be able to deliver oxygen in case of an emergency because the item is already covered under proposed renumbered paragraph (14), as it is generally understood that this is “appropriate equipment” in an emergency situation.

Rationale: Existing and renumbered paragraph (a)(14) (currently (f)(12)) already requires all veterinary premises to have appropriate drugs and equipment needed for emergencies, which a veterinarian would necessarily understand to include equipment to deliver oxygen if appropriate under the circumstances. This existing subsection is being removed as redundant and unnecessary since the Board’s existing regulation for “appropriate” drugs and equipment necessarily covers oxygen. Furthermore, the requirement is not practical for all veterinary premises types (i.e., mobile units from which veterinary services are provided AKA “house calls”).

Amend § 2030 Subsections (b)

Purpose: To replace “which” with “that” and “subdivision” with “paragraph.”

Rationale: The change provides grammatically correct language for easier reading comprehension.

Repeal § 2030 Subsection (g)(1), (4), and (5)

Purpose: To repeal language that qualifies as building standards.

Rationale: Repeal subsections (g)(1), (4), and (5), as they qualify as building standards and will be moved to new CCR, title 24, section 1251.1, item 8 under a separate rulemaking.

Amend § 2030 Subsection (g)(6)

Purpose: To remove language regarding emergency lighting.

Rationale: The Board received feedback from CBSC staff that this requirement for a veterinary premises to have effective emergency lighting with a viable power source could be considered a building standard. The requirement is also partially covered in CCR, title 24, section 1251.2 (to be renumbered as section 1251.1, item 1.). The lighting and power source requirement should be moved to that section.

Repeal § 2030 Subsection (g)(7)

Purpose: To removed language regarding floors, table tops, and countertops of the surgery room.

Rationale: The provision has been determined to be a building standard. The provision would be revised and inserted as new CCR, title 24, section 1251.1, item 4.

Adopt § 2030 Subsection (e)

Purpose: To add new subsection (e).

Rationale: To ensure veterinary practitioners are aware of the building standards that must be complied with, the proposal would add a new subsection (e) to clarify that all fixed veterinary premises also shall comply with the building standards under CCR, title 24, section 1251.

Amend § 2030 Subsection (b)(4)–(e)

Purpose: To renumber the subsections.

Rationale: The renumbering the current subsections provides a cross-reference to the appropriate subsection for easier comprehension.

**Amend § 2030.05.
Minimum Standards — Licensee Manager.**

Amend § 2030.05 Subsections (a)–(d)

Purpose: The amendment removes the term “premises permit” and replaces it with “veterinary premises registration,” adds gender neutral language, includes lowercasing “Code” in reference to the BPC, references building standards (under CCR, title 24, section 1251), replaces the word “facility” to the consistent term “veterinary premises,” and replaces a dash with “subsections” and “through” in reference to the subsections referenced under subsection (d) of Section 2030.05.

Rationale: The change uses the same statutory language of “veterinary premises registration” for consistency, as this term is used in BPC sections 4853, 4853.6, 4853.7, 4854.1, 4900, and 4905. By changing gender language to be neutral, it provides an all-inclusive focus on the individual regardless of their gender in compliance with Assembly Concurrent Resolution No. 260 of 2018 (ACR 260). ACR 260 resolved that “state agencies should ... use gender-neutral pronouns and avoid the use of gendered pronouns when drafting policies, regulations, and other guidance.”

The lowercasing of “code” is necessary for consistency, as the term is lowercased under Section 2002. By changing the dash to include the words “subsections” and “through,” the sentence provides consistency and easier reading to the reader.

To ensure licensee managers are aware of the building standards that must be complied with, the amendment to subsection (b) also clarifies that licensee managers are responsible for ensuring the veterinary premises complies with the building standards under CCR, title 24, section 1251.

Amend § 2030.1.
Minimum Standards — Small Animal Fixed Veterinary Premises.

Amend § 2030.1 Introduction Paragraph and Subsections (a) and (b)

Purpose: To reduce redundant language, provide consistency for the term “veterinary premises,” and changing the term “pets” to “animals”. It also makes it clearer that the fixed premise is a “building” for this type of premise. Proposed changes to text at subsection (b) (which becomes new subsection (a)) proposes to leave text largely unchanged except for changing the term “carcass” to “body.”

Rationale: To ensure there is a clear understanding and notice to affected registrants that a small animal premises is a fixed location and covers all types of household animals, the Board proposes to add the words “building” and “animals” to the definition for this type of premises. In addition, in the Board’s opinion, all existing and proposed minimum standards should apply consistently with current professional practice and the Board’s public health and safety goals. Other proposed changes for this section provide gender language to be neutral that focuses on the individual regardless of their gender in accordance with ACR 260, as described above, changes from “pets” to “animals” as to apply to all animals, including service animals that are not considered “pets,” and changing from “carcass” to “body” to align with modern terminology and for consistency.

Repeal § 2030.1 Subsection (a)

Purpose: See explanation on page 5 under “Adopt § 2030 Subsection (a)(3).”

Rationale: See explanation on page 5 under “Adopt § 2030 Subsection (a)(3).”

Amend § 2030.2.
Minimum Standards — Mobile Veterinary Premises.

Amend § 2030.2 Introduction Paragraph and Title

Purpose: To provide ease of reference and notice to veterinarians who practice from or within a mobile unit, the Board has proposed combining minimum standards for all types of mobile veterinary premises in this section and deleting the existing references to “small animal mobile clinic.” The title would be revised to state “Minimum Standards – Mobile Veterinary Premises.” Additional changes include creating a proposed definition for this section that is more encompassing than the existing text and includes any mobile unit or vehicle within or from which (aka “house calls” or “farm calls”) veterinary services are provided.

Revisions to this paragraph would also delete references to “small animal”, “common domestic household pets”, “trailers” or “facilities established to function as a veterinary premises” to accomplish the objective of covering all types of “mobile” practice locations (not just small animal household animals) and harmonize terminology used throughout the regulations in this article by adding the term “veterinary premises” in lieu of “small animal mobile clinic”. The reference to the requirement for registration with the Board

would be deleted as unnecessary since BPC section 4853 already requires such registration. To ensure proper administration and enforcement of these standards in this section, the Board proposes to add a requirement that a mobile veterinary premises “shall meet the minimum standards in this section as applicable.”

Rationale: Covering all minimum standards for any type of mobile unit or vehicle in one section provides registrants and staff with a convenient list of all requirements that is specific to their particular mobile unit premises type and is intended to cover all practice settings and scenarios where mobile veterinary services are provided. Existing regulations in this section do not address these various types of premises that currently exist in practice. This proposal would set those standards, by type of mobile unit practice. In the Board’s experience, all minimum standards listed in this section should apply to this premise location (as applicable depending on how the mobile unit operates in practice as explained below) to ensure the health and safety of the public and the animal patients that are served.

Repeal § 2030.2 Subsections (a)(1)–(6), (b)(1)–(5), (c), (d) and (e)

Purpose: To remove the same or similar standards would be covered under the consolidation proposal under CCR section 2030.

Rationale: Removing duplicative language and providing a cross-reference to the minimum standards set in Section 2030 (at newly proposed subsections (c)-(e)) will provide a convenient list of all requirements that is specific to their premises type without having to restate the same veterinary premise requirements each time.

The existing standards referenced in this section would be repealed as redundant to the consolidation proposal, as those standards are proposed to be centralized in Section 2030, unless “otherwise provided” in this section.

In addition, the requirement for hot and cold running water in existing subsection (a)(1) would be relocated to new subsection (c), and the requirement for a 110-volt power source for diagnostic equipment in existing subsection (a)(2) would be struck as unnecessary due to the existence of power inverters for 12 volt, battery operated equipment, and access to outside diagnostic radiological services as specified in CCR section 2030 (a)(12). References to a January 1, 2006 compliance deadline for aseptic surgical procedures in the last sentence of existing subsection (b)(5) are struck, as the requirement is obsolete as that deadline has passed.

Adopt § 2030.2 Subsection (a) and Subparagraphs (1)–(3)

Purpose: The proposal as proposed in Section 2030 would, by implication, exempt mobile premises from the requirements to post a sign as applicable under Section 2030(a)(8), which is applicable to fixed veterinary premises. Instead, the proposal in this section would require mobile veterinary premises to provide notice to consumers in the form of a written contact disclosure. This proposal would require a mobile veterinary premises to provide a written disclosure in at least 18-point type to each client at the time veterinary services are first provided and then require another updated disclosure if

the information changes at the next time services are provided. The written disclosure would mandate the following for the written disclosure content in subsections (a)(1)-(3):

- (1) The telephone number where clients are able to contact the mobile veterinary premises with questions, concerns, or emergency needs.
- (2) The hours of operation of the mobile veterinary premises.
- (3) A name, telephone number, and location of a veterinary premises where after-hours emergency care is available.

Rationale: The new subsection is more inclusive as to what information must be provided to the client as to contact information, hours of operation, and information for after-hour emergency care than is currently required and the minimum necessary to meet the standard of care in the profession and for providing continuity of care for animal patients. It is important that vital contact and referral information listed in proposed subsections (a)(1)-(3) be provided to the public to help ensure the ongoing health and safety of the animal patients. Changes to any of the contact and referral information and notice in the form of a follow-up disclosure needs to be provided at the next visit to help ensure clients have notice of the most current information to help ensure emergent needs of their animals are addressed. In addition, providing the disclosure in 18-point font helps ensure that the information is provided in large enough detail for most consumers to be able to read.

Amend § 2030.2 Subsection (b)

Purpose: Add new paragraphs (1), (5), (7), and (9) to subsection (b).

Rationale: As discussed above, the proposal would repeal existing subsection (d)(1) and (2) of section 2030, and place those provisions in new CCR, title 24, section 1251.1, item 7.A. and B. Fixed veterinary premises are required to comply with the building standards. However, section 2032.2 provides minimum standards for mobile veterinary premises. Since mobile units are not fixed facilities, these types of veterinary premises cannot comply with some of the minimum standards under section 2030, and the building standards do not apply to these types of veterinary premises. As such, the Subcommittee proposes to add new paragraph (1)(A) and (B) to subsection (b) to require mobile veterinary premises to provide compartments and effective separation for animals, as specified, mirroring the provisions being moved from CCR, title 16, section 2030 to CCR, title 24, section 1251.1, item 7.A. and B. The proposal also would exempt mobile veterinary premises from the minimum standards under section 2030, subsection (a)(5) (separate mobile unit client notices provided under section 2030.2, subsection (a)), and (e) (building standards do not apply to nonfixed facilities).

Repeal § 2030.2 Subsection (e)

Purpose: To repeal existing requirements for maintenance and disposal of animal remains to apply when veterinary services are provided within or from a mobile veterinary premise.

Rationale: This proposal would repeal the existing small animal mobile practice that requires a veterinarian to maintain the animal's body for 14 days pending client authorization to dispose of the animal's body, under subsection (e). This requirement is not relevant to mobile practices since the veterinarian is directly in contact with the client due to the nature of the mobile practice, and the client is not leaving the animal with the veterinarian for veterinary services, which is more common with fixed veterinary premises. Mobile practitioners either go directly to the animal owner/client's home or barn and would not take possession of the animal or the animal owner/client is bringing the animal to a van or other mobile facility and not leaving the animal in the veterinarian's possession. If the animal dies, then the client owner would still be in possession of the body and would determine how they want to dispose of the body.

Adopt § 2030.2 New Subsection (c)

Purpose: To add requirements relating to a mobile veterinary premise that provides "house calls" or "farm calls" to clients with equines, and/or food animals and livestock, as defined in BPC section 4825.1 (for consistency in terminology and understanding of those terms for the benefit of the regulated community) at the location where the animals are housed by the client. This proposal would require compliance with all minimum standards in CCR section 2030. Exceptions would be made for the following: paragraph (10) (relating to sanitary methods for disposal of deceased animals) of subsection (a) of CCR section 2030.

Rationale: This proposal would require compliance with all minimum standards in Section 2030 and includes what the Board deems reasonably necessary standards for safe practice at these locations. Exceptions would be made for the following: paragraph (10) (relating to sanitary methods for disposal of deceased animals) of subsection (a) of CCR section 2030. This exception is being made because this standard is not practical or relevant to safe practice for these types of premises.

Alternative written notice to consumers through a written disclosure would be required in accordance with subsection (a) of this section, as described above to address notice and after-hours care concerns. Requirements for temperature and ventilation would be waived for these types of premises since these items are uniquely under the control of the client, and therefore these standards would be impossible to fairly enforce in these settings. Further, the expectation would be that the client would act in the best interests of their animals to ensure adequate temperature and ventilation to facilitate care and recovery.

Amend § 2030.3.
Minimum Standards — Animal Vaccination Veterinary Premises.

Amend § 2030.3 Title and Subsection (a)

Purpose: Section 2030.3 would be retitled from “Small Animal Vaccination Clinic” to “Minimum Standards — Animal Vaccination Veterinary Premises,” and subsection (a) is revised to more accurately describe the services provided at this type of veterinary premise consistent with current standards in the veterinary community, including the personnel who may administer the services and when such services are authorized to be provided.

Rationale: This subsection is being revised to repeal inconsistent terminology and to add new terms to clarify that animal vaccination services may be provided for either large or small animals at any location and that the veterinary medical services provided at these locations are currently limited in scope (vaccine and parasite control administration), and set up as scheduled “events” at a physical location. The words “and/or immunizations against disease” would be repealed as redundant as “vaccinations” are immunizations against disease and the word “perform” would be revised to state “administer” consistent with the services that are being done in this veterinary premise. The Board would also make other grammatical changes to revise “parasitic” to “parasite”. The Board has further revised subsection (a) to delineate those veterinary services permitted in current practice more clearly and specify where these services may be rendered, as follows:

~~The term~~ For purposes of this section, an “small-animal vaccination clinic veterinary premises” shall mean a location a privately or publicly supported vaccination clinic where a veterinarian performs or designated veterinary personnel administers only vaccinations and/or immunizations against disease on multiple animals, and where the veterinarian or designated veterinary personnel may also perform preventative procedures for parasite control at a scheduled vaccination event.

Amend § 2030.3 Subsection (b)

Purpose: To define the term “designated veterinary professional” as used in this section and to explain who the “designated veterinary personnel” are that are authorized by law to perform these vaccination tasks and preventative procedures for parasitic control according to the requirements of this section.

Rationale: The words “designated veterinary personnel” are susceptible to more than one interpretation. By defining the term, it specifies the personnel authorized by law under the Practice Act in BPC section 4836.1 to administer drugs, which includes vaccines as defined in Section 4836.1(a)(3) and Health and Safety Code (HSC) section 11014 (which includes within its definition for a “drug” “substances intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or animals...”).

BPC section 4836.1 authorizes the following individuals to administer “drugs” (as defined by HSC section 11014) under the supervision of a licensed veterinarian: an RVT, veterinary assistant, or veterinary assistant controlled substance permit holder. This proposal would authorize, for ease of reference, the term “designated veterinary personnel” to specify that these individuals are authorized to administer vaccine drugs and preventative procedures for parasite control (as understood by the regulated public) under the supervision of a licensed veterinarian. This will alleviate confusion regarding who can legally perform these services under licensed veterinarian supervision and more accurately capture the types of personnel that should be currently allowed to perform these services that is not covered by the existing standards for this section (which limits administration of vaccines and performance of preventative procedures only to a veterinarian).

Adopt § 2030.3 Subsections (c) and (c)(1)

Purpose: To require compliance with all minimum standards in Section 2030, with exceptions for those items that are not reasonably necessary considering the type of service being performed at this location, in accordance with what the Board deems reasonably necessary standards for safe practice at these locations. Exceptions would be made for the following: paragraphs (5) (relating to requirements to post a sign outside on or immediately adjacent to the primary entrance), (7) (relating to the rendering of diagnostic radiological services), (8) (regarding available clinical pathology and histopathology diagnostic laboratory services), (10) (relating to sanitary methods for the disposal of deceased animals), (11) (relating to medical equipment used to perform aseptic procedures), and (13) (relating to anesthetic equipment), of subsection (a) of Section 2030.

Rationale: This proposal would require compliance with all minimum standards in Section 2030 in accordance with what the Board deems reasonably necessary standards for safe practice at this type of location. Exceptions are being made because not all of Section 2030’s standards are practical or relevant to safe practice for these types of premises, which are designed to provide easy access for clients to vaccination services and preventative procedures for parasite control and on a rolling basis at scheduled events and not for the full spectrum of veterinary medical services. As a result, the Board believes the foregoing exceptions should be made to the minimum standards set forth in Section 2030.

For the same reasons set forth above, these types of mobile veterinary premises would not need to comply with signage requirements. Alternative written notice to consumers through a written disclosure would be required in accordance with subsection (a) of this section, as described above to address notice and after-hours care concerns. Requirements for diagnostic services, disposal of deceased animals, medical equipment for aseptic procedures, and anesthetic equipment would also not be required since those standards would not be necessary or reasonably occur due to the limited services that are being provided at this type of premise (vaccine administration and preventative procedures for parasite control only). As a result, the specified standards are proposed to be excepted for these types of premises, as they are not reasonably

necessary to accomplish the objective of setting minimum operating standards for these premises.

Amend § 2030.3 Subsection (c)(2)

Purpose: The proposal would add the words “the scheduled vaccination event” consistent with the changes to the introductory provisions of this section, and delete the requirement that the veterinarian must “maintain responsibility for all medical decisions made” and add clarifying changes to more accurately convey the veterinarian’s responsibilities for administration of these limited services and overseeing the recommendations of those they supervise (designated veterinary personnel) at the scheduled event.

Rationale: The change to remove “maintain responsibility for all medical decisions made” is to avoid, in the Board’s experience, licensee confusion about what that “responsibility” covers since the only medical decision made are those involving administration of the vaccine. As a result, the Board proposes to replace that text with references to the veterinarian remaining on site throughout the duration of the “scheduled vaccination event” and responsibility for “administration and preventative” procedures for parasite control that are necessary to ensure that a veterinarian must be always on the premises to oversee the evaluation of the health of the animals, answer any questions that the clients may have, and treat any emergency cases that may arise during the scheduled event. Furthermore, administration of vaccines and preventative procedures for parasite control may be done by designated veterinary personnel in accordance with the Practice Act at BPC sections 4836, 4836.1 and 4840, and not just the veterinarian as currently provided in existing regulation. In the Board’s experience, these tasks may be done with the direct supervision of the veterinarian who would be required to remain “on site throughout the duration of the scheduled vaccination event” and would remain responsible for administration and the completeness of recommendations made to the public by the designated veterinary personnel. Removing reference to “paraprofessional staff” is an inaccurate description for these licensees and the professional work they perform as authorized by the Practice Act so the Board proposes to repeal that reference and replace it with designated veterinary personnel.

Repeal § 2030.3 Subsections (c)–(g), (i)–(l), and Renumbering Remaining Sections

Purpose: This proposal retains existing standards regarding fresh, clean water being available for sanitizing and first aid, and requirements that disposable towels and soap shall be readily available. However, all other minimum standards at subsections (c)–(g), (i)–(j) in this section are proposed to be struck as duplicative and unnecessary; they would be consolidated into the minimum standards “list” applicable to all premises (as appropriate) at CCR section 2030, and as cross-referenced in subsection (c)(1).

The existing standards referenced in this section would be repealed as redundant to the consolidation proposal as those standards are proposed to be centralized in Section 2030, unless “otherwise provided” in this section.

Rationale: In addition, since the requirements for maintaining medical records and establishing a veterinarian-client relationship are already adopted at current Board regulations CCR sections 2032.1 and 2032.3, the Board recommends striking the requirements at subsections (k) and (l) as unnecessary and duplicative of those regulatory requirements; those requirements also apply irrespective of practice location.

Adopt § 2030.3 Subsection (c)(4)

Purpose: This proposal would exempt animal vaccination veterinary premises from the requirement to post a sign in Section 2030(a)(8) that is applicable to fixed premises in subsection (c)(1) of this section. This proposal would repeal existing requirements for providing a legible list with 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. Instead, this proposal would require the animal vaccination veterinary premises to provide a written disclosure in at least 18-point type to each client at the time veterinary services are first provided and then require another updated disclosure if the information changes at the next time services are provided. The new subsection would include contact information, hours of operation, and information where after-hour emergency care is available.

Rationale: Existing requirements will be repealed to ensure uniformity in information and services are provided to clients for mobile and limited veterinary services (see similar changes for CCR section 2032.2). For the same reasons discussed above, since there is an exemption from the posted sign requirement, consumers should have an alternate form of notice in the form of a written contact information disclosure. It is important that pertinent contact and referral information be provided to the public to help ensure the ongoing health and safety of the animal patients, which includes (A) a telephone number where clients are able to contact the animal vaccination veterinary premises with questions, concerns, or emergency needs, (B) the hours of operation of the animal vaccination veterinary premises, and (C) a name telephone number and location of veterinary premises where after hours emergency care is available. In addition, providing the disclosure in 18-point font helps ensure that the information is provided in large enough detail for most consumers to be able to read.

Amend § 2030.3 Subsection (c)(5)

Purpose: To lowercase “Code” in reference to the BPC.

Rationale: The lowercasing of “code” is necessary for consistency, as the term is lowercased under Section 2002.

UNDERLYING DATA

- AB 1535 Assembly Committee on Business and Professions Analysis dated September 10, 2021
- October 2017 MDC Meeting Agenda, Relevant Materials, and Minutes

- February 20, 2018 MDC Meeting Agenda, Relevant Materials, and Minutes
- August 29–30, 2018 Board Meeting Agenda, Relevant Materials, and Minutes
- November 14–16, 2018 Board Meeting Agenda, Relevant Materials, and Minutes
- April 19, 2022 MDC Meeting Agenda, Relevant Materials, and Minutes
- April 18, 2023 MDC Meeting Agenda, Relevant Materials, and Minutes
- April 19–20, 2023 Board Meeting Agenda, Relevant Materials, and Minutes
- October 18-19, 2023 Board Meeting Agenda, Relevant Materials, and Minutes
- April 16, 2024 MDC Meeting Agenda, Relevant Materials, and Minutes
- April 17-19, 2024 Board Meeting Agenda, Relevant Materials, and Minutes

BUSINESS IMPACT ESTIMATES

The Board has made the initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The initial determination is based on the following facts:

The proposal consolidates and updates existing minimum standards applicable to all veterinary premises consistent with current veterinary practice. Businesses and licensees are anticipated to comply with the regulations within normal business operations at no additional costs.

The Board does anticipate that there may be an increase in the hiring of “designated veterinary personnel” when vaccination events are provided to the public since the services may be provided by additional personnel besides the veterinarian(s) but does not have estimates of the number or quantity of personnel that may be hired at this time.

ECONOMIC IMPACT ASSESSMENT / ANALYSIS

The Board has determined that this regulatory proposal will have the following effects:

- It will not eliminate jobs within the State of California because it does not impose requirements of a sufficient magnitude to eliminate businesses or eliminate licensees. The proposal may create jobs within the State of California for “designated veterinary personnel” when vaccination events are provided to the public since the services may be provided to additional personnel besides the veterinarian(s) (existing regulation limits such services to veterinarians only). However, there is no anticipation for the elimination of veterinarian jobs within the State of California as the impact is on the requirements for operating veterinary premises in compliance with the law, non-substantive changes to the managing

licensee (veterinarian's) responsibilities while overseeing the veterinary premises, and a veterinarian is still required to be on-site when a vaccination event occurs.

- The proposal is not anticipated to create new businesses or eliminate existing businesses within the State of California because the proposed regulation will update the minimum standards for veterinary premises consistent with current veterinary practice, and therefore these changes are not of a magnitude that would be expected to affect existing and small businesses.
- It will not affect the expansion of businesses currently doing business within the State of California because it does not impose additional hiring requirements for owners or a managing licensee (veterinarian) over a veterinary premises.

This regulatory proposal has the following benefits:

- This regulatory proposal benefits the health, safety, and welfare of California residents and increases access to veterinary care for vaccination events, by allowing "designated veterinary personnel" under the supervision of a veterinarian to provide vital vaccinations to consumer's animals to reduce the probability of the spread of diseases in the community. The proposal will allow more veterinary professionals to provide vaccination services by expanding the animal health care tasks these professionals may provide during a vaccination event. Veterinarians and their staff will benefit from clarification of the requirements specific to the veterinary premises type where they provide services.

The proposed regulation also supports consumer protection by establishing minimum standards for alternate veterinary premises by updating the standards for locations to follow when providing veterinary services. The maintenance of consistent standards across all premises regulated by the Board helps ensure the health and safety of the public, the animal patients, and the clients served, regardless of location. The Board anticipates consumers will also benefit from increased availability and readability of information from the veterinary premises when the consumer has an emergency for their animals or has stopped by a veterinary premises after hours.

- It does not affect worker safety because it does not involve worker safety.
- It does not affect the state's environment because it does not involve the environment.

SPECIFIC TECHNOLOGIES OR EQUIPMENT

This regulatory proposal does not mandate the use of specific technologies or equipment.

CONSIDERATION OF ALTERNATIVES

No reasonable alternative to the regulatory proposal would be either more effective in carrying out the purpose for which the action is proposed or would be as effective or less burdensome to affected private persons and equally effective in achieving the purposes of the regulation in a manner that ensures full compliance with the law being implemented or made specific.

No such alternatives have been proposed; however, the Board welcomes comments from the public.

Description of reasonable alternatives to the regulation that would lessen any adverse impact on small business:

No such alternatives have been proposed; however, the Board welcomes comments from the public.