

VETERINARY MEDICAL BOARD
MANDATORY CONTINUING EDUCATION REGULATIONS

Article 9. Continuing Education

2085. Definitions: Continuing Education

As used in this article:

- (a) “Licensee” means a California licensed veterinarian.
- (b) “Continuing education” means education needed to maintain competence and skills consistent with current standards and practices and that is beyond the initial academic studies needed to be licensed.
- (c) “Statutorily recognized provider” or “recognized provider” means an organization, institution, association, university or other person or entity that is authorized to offer continuing education in veterinary medicine pursuant to subsection (b)(1) of section 4846.5 of the Code.
- (d) “Approved provider” means an organization, institution, association, university or other person or entity that is approved by the Board or the Board recognized national continuing education approval body to offer continuing education courses in veterinary medicine.
- (e) “Qualifying continuing education” or “qualifying course” means an orderly learning experience which meets the criteria specified in this article and is administered by a recognized or an approved provider. It includes a variety of forms of learning experiences, including, but not limited to, lectures, conferences, workshops, video conferencing, distance learning technologies, and self-study courses.
- (f) “Self-study course” means a form of orderly learning that does not offer participatory interaction between the licensee and the instructor during the instructional period. Self-study includes, but is not limited to, correspondence courses, independent study and home study programs, reading journals, viewing of videotapes, or listening to audiotapes.
- (g) “AAVSB” means the American Association of Veterinary State Boards.
- (h) “Approval entity” means the entity responsible for approving a provider of continuing education who is not a recognized provider. The entity shall be either the Board recognized national continuing education approval body or the Board itself.

Note: Authority Cited: Sections 4808 and 4846.5 Business and Professions Code. Reference: Section 4846.5, Business and Professions Code.

2085.1 License Renewal Requirements.

(a) (1) On or after January 1, 2002, a licensee applying for license renewal, or who is reactivating an inactive license shall, certify in writing that during the preceding renewal period the licensee has completed at least thirty-six (36) hours of approved continuing education.

(2) Notwithstanding subdivision (a)(1) of this section, a veterinarian shall not be required to comply with the continuing education requirements when applying for his or her first license renewal. Thereafter, such veterinarians shall be required to meet the continuing education requirement specified herein as a condition for renewal of his or her license.

Note: Authority cited: Sections 4808 and 4846.5, Business and Professions Code.

Reference: Section 4846.5, Business and Professions Code.

2085.2. Continuing Education Waivers.

(a) A licensee may request a waiver from complying with the continuing education requirements. A request for a waiver from the continuing education requirements shall be submitted to the Board on an application provided by the Board (using form VMB/CE/1 dated 10/04, which is incorporated by reference). The application shall include a letter explaining the reason for the waiver request in addition to documents that verify the request for waiver, e.g., military documents, letter from physician, and shall be signed by the licensee under penalty of perjury. The Board will notify the licensee, within seventy-five (75) working days after receipt of the request for waiver and the supporting documentation, whether the waiver was granted.

(b) If the request for waiver is denied, the licensee shall complete the continuing education requirements as set forth in this article and sections 4846.5 of the Code. If the request for waiver is granted, it shall be valid only for the current renewal period.

(c) The Board shall grant the waiver if the licensee can provide documents, satisfactory to the Board, that:

(1) For at least one year during the licensee's current license period the licensee was or will be absent from California due to military service; or

(2) For at least one year during the licensee's current license period the is prevented from practicing veterinary medicine and from completing continuing education courses for the following reasons of health or undue hardship which includes:

(A) A significant physical and/or mental disability of the veterinarian; or

(B) A significant physical and/or mental disability of an individual where the veterinarian has total responsibility for the care of that individual.

(d) Not withstanding subsection (c), upon reviewing the request to waive the continuing education requirements, the Board may deny the waiver if granting the waiver compromises the

health and safety of animals or consumers. Further, the Board shall review the information provided in each request for waiver of the continuing education requirements to determine whether facts exist showing a violation of the Veterinary Medicine Practice Act for purposes of issuing a citation or imposing a civil penalty pursuant to Section 4883.

Note: Authority Cited: Sections 4808 and 4846.5 Business and Professions Code. Reference: Section 4846.5, Business and Professions Code.

2085.3 Continuing Education Credit.

- (a) Licensees will earn one-hour of continuing education credit for each hour of a qualifying course. A qualifying course shall be at least one-hour in length. One credit hour shall consist of not less than 50 minutes of actual instruction. Qualifying courses or presentations that are between 25 and 49 minutes in excess of one hour shall be granted credit in half-hour increments.
- (b) One academic quarter unit is equal to 10 hours of continuing education credit and one academic semester unit is equal to 15 hours of continuing education credit.
- (c) A licensee who teaches a qualifying continuing education course may claim credit for the course only one time during a renewal period.
- (d) A licensee who participates as an expert examiner in an examination preparation workshop for the California state or national licensing examination may claim, on an hour for hour basis, up to a maximum of sixteen (16) hours per renewal period, continuing education credit for such participation.
- (e) A licensee shall not be allowed to use, for purposes of renewal, more than twenty-four (24) hours of continuing education credit for courses in business practice management or stress seminars.
- (f) A licensee who takes a course as a condition of probation resulting from disciplinary action by the Board may not apply the course as credit towards the continuing education requirement.

Note: Authority Cited: Sections 4808 and 4846.5, Business and Professions Code. Reference: Sections 4846.5, Business and Professions Code.

2085.4 Retroactive Approval of Course Providers.

A continuing education course offered by a provider identified in section 4846.5 (b)(1)(A-J) of the Business and Professions Code shall be accepted towards license renewal if the course started on or after January 1, 2000.

A licensee who completes a continuing education course by a provider not identified in section 4846.5 (b)(1)(A-J) of the Business and Professions Code, which was started on or after February 1, 2000, shall receive continuing education credit for that course if the provider and the course were approved by the Board recognized national continuing education approval body (American Association of Veterinary State Boards) on or before February 3, 2002.

This section shall be inoperative and repealed on December 31, 2003.

Note: Authority Cited: Sections 4808 and 4846.5, Business and Professions Code. Reference: Section 4846.5, Business and Professions Code.

2085.5 Approved Providers.

(a) A continuing education provider shall apply to the Board or the Board recognized national continuing education approval body for approval as a provider.

(b) A continuing education provider shall be issued a continuing education provider number and may represent itself as a California approved provider of continuing education courses for veterinarians, upon satisfactory completion of the provider requirements of the Board. Providers applying for approval must meet the following requirements:

(1) (A) Submit an application to the Board (Form # VMB/CE/2 dated 11/1/01) with payment of the appropriate fees; or

(B) Submit an application (AAVSB National Registry of Approved CE (RACE) Provider Application, in effect as of 8/1/01), to the Board recognized national continuing education approval body, with payment of the appropriate fees;

(2) Provide to each course participant a mechanism for evaluating the individual courses;

(3) Submit written documentation as to the procedures and protocols it will use to comply with the provisions of the Board's continuing education regulations found in Article 9, Division 20, Title 16, CCR.

(c) A continuing education provider approval number issued under this section shall expire on the last day of the twenty-fourth month after the approval issue date. To renew an unexpired continuing education provider approval number, the provider shall, on or before the expiration date of the approval number, apply for renewal to the accreditation agency and pay the two-year renewal fee. A continuing education provider approval number that is not renewed by the expiration date may not be renewed, restored, reinstated, or reissued thereafter, but the provider may apply for a new approval.

(d) Approved provider status is non-transferable. Approved providers shall inform the approving agency in writing no later than 30 days after any changes in their courses, organizational structure and/or person(s) responsible for continuing education program, including name and address changes.

Note: Authority Cited: Sections 4808 and 4846.5, Business and Professions Code. Reference: Section 4846.5, Business and Professions Code.

2085.6 Courses Relevant to Veterinary Medicine.

All qualifying continuing education courses shall be relevant to veterinary medicine. A course shall be deemed to be relevant to veterinary medicine if it meets the following standards:

- (a) The content of the course shall reflect the educational needs of the veterinarian, build upon the standards for practice and courses as found in the curricula of Board approved schools of veterinary medicine, contain information that is relevant to the practice of veterinary medicine, have written education goals, and shall:
 - (1) Be related to the scientific knowledge and/or technical skills required for the practice of veterinary medicine; or
 - (2) Be related to direct and/or indirect patient/client care.
- (b) Continuing education courses whose content is primarily intended to promote the use of a commercial product or a commercial service shall not be deemed to be relevant to veterinary medicine.

Note: Authority Cited: Section 4808 and 4846.5, Business and Professions Code. Reference: Section 4846.5, Business and Professions Code.

2085.7 Course Instructor Qualifications.

An approved provider shall ensure that an instructor teaching a course has at least two of the following minimum qualifications:

- (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.

Note: Authority Cited: Sections 4808 and 4846.5, Business and Professions Code. Reference: Section 4846.5, Business and Professions Code.

2085.8 Records of Course Completion.

(a) Upon completion of a qualifying continuing education course, the provider shall issue a record of course completion to a licensee (e.g., verification of attendance, certificates, gradeslips, transcripts) containing the following information:

- (1) Name of licensee;

- (2) Course title;
 - (3) Provider name and address;
 - (4) Provider number issued by the approval entity, if applicable;
 - (5) Date of course;
 - (6) Number of continuing education hours granted for the course; and
 - (7) Signature of course instructor, or provider, or provider designee.
- (b) (1) For providers that hold continuing education events, with multiple and concurrent courses, the record of course completion must contain the information specified in subsections (a)(1), (a)(3), (a)(4), (a)(5), and (a)(7).

(2) The record of course completion shall also specify the maximum number of hours that an individual attendee can earn, accompanied by a log of the actual courses attended by the licensee. The log of courses attended shall be completed by either the provider or the licensee.

Note: Authority Cited: Section 4808 and 4846.5, Business and Professions Code. Reference: Section 4846.5 , Business and Professions Code.

2085.9 Licensee and Provider Course Records.

(a) A licensee shall maintain records of course completion for a qualifying continuing education course for a period of four (4) years from the date the course was completed and shall provide these records to the Board upon audit or request.

(b) A provider shall maintain records related to qualifying continuing education courses administered by it for a period of four (4) years from the date the course was completed. Records shall include:

- (1) Syllabi or course outlines for all courses;
- (2) The time and location of all courses;
- (3) Course instructors' vitae or resumes;
- (4) Registration rosters with the names and addresses of licensees who attend the courses;
- (5) A sample of the record of course completion form provided to participants for verifying attendance;
- (6) A sample of the evaluation form completed by participants.

(c) All providers of qualifying continuing education courses shall designate a person who is in overall charge of the continuing education programs.

Note: Authority Cited: Sections 4808 and 4846.5, Business and Professions Code. Reference: Section 4846.5, Business and Professions Code.

2085.10 Statutorily Recognized Providers.

(a) Statutorily recognized providers are deemed to be recognized by the Board, where the courses meet the requirements of Article 9, Division 20, Title 16, CCR.

Note: Authority Cited: Sections 4808 and 4846.5, Business and Professions Code. Reference: Section 4846.5, Business and Professions Code.

2085.11 Board Recognized National Continuing Education Approval Body.

(a) The Board recognized national continuing education approval body shall perform the following:

- (1) Comply with the provisions of Chapter 11 of Division 2 of the Business and Professions Code and Title 16, Division 20 of the California Code of Regulations.
- (2) Maintain a list of the names and addresses of the persons who are in overall charge of the provider's continuing education courses and records.
- (3) Notify the Board, quarterly, of the name and address of each provider approved by it and each course of such provider. Provide without charge to any licensee who makes a request, a current list of providers and courses approved by it.
- (4) Respond to complaints from the Board or any licensee concerning activities of any of its approved providers or their course(s).
- (5) Take such action as is necessary to assure that the continuing education course material offered by its providers meets the continuing education requirements set forth in this article.
- (6) Establish a procedure for reconsideration of its decision that a provider or a provider's course does not meet the criteria set forth in this article.
- (7) Submit to the Board for its approval the fees to be charged for the approving continuing education providers and continuing education courses in connection with this article. Such fees shall not exceed costs for complying with the provisions of this article.

(b) The Board recognized national continuing education approval body shall be the American Association of Veterinary State Boards ("AAVSB").

Note: Authority Cited: Section 4808 and 4846.5, Business and Professions Code. Reference: Section 4846.5, Business and Professions Code.

2085.12. Providers Application to Approval Entity; Processing Times.

(a) A continuing education provider who is not a statutorily recognized provider may apply to either the Board recognized national continuing education approval body or the Board itself for approval as a provider.

(b) (1) Where a provider has applied to the Board for approval, the provider shall submit its application on an application provided by the Board (see form # VMB/CE/2 dated 11/1/01) and accompany it by the fee specified in section 2070 of these regulations.

(2) Where a provider has applied to the Board recognized national continuing education approval body, the provider shall submit its application on an application provided by the national approval body and accompanied by the fee set by the national approval body. The application shall include information necessary to evaluate the providers compliance with these regulations.

(c) (1) An approval entity shall issue a continuing education provider number to a continuing education provider who has been approved.

(2) A continuing education provider number shall be valid for two years, unless withdrawn, and authorize the provider to represent itself as a California approved provider. To renew a continuing education provider approval number, the provider shall, on or before the expiration date of the approval number, apply for renewal to the approval entity and pay the two-year renewal fee.

(d) Approved provider status is non-transferable. An approved provider shall inform the approval entity issuing its approval in writing within 30 days of any changes to its address, organizational structure, or change of the person who is in overall charge of the provider's continuing education organization.

(1) The maximum review times for review of a continuing education provider application, from the time of receipt of an application until the approval entity informs the applicant, in writing, that the application is complete and accepted for filing or that the application is deficient and what specific information is required thereon is 25 days.

(2) The maximum processing times for the provider approval organization to make a decision on the continuing education provider application from the time of receipt of a complete application is 35 days.

Note: Authority Cited: Sections 4808 and 4846.5, Business and Professions Code; and section 15376, Government Code. Reference: Section 4846.5, Business and Professions Code; and section 15376, Government Code.

2085.13 Withdrawal of Approval.

(a) The Board may withdraw its recognition of a statutorily recognized provider or approval of an approved provider or the approval entity for good cause after giving the party in question ("respondent") written notice setting forth its reasons for withdrawal and after affording the

respondent a reasonable opportunity to be heard by the Board or its designee of the specific charges for withdrawal of the Board's recognition or approval. Good cause includes, but is not limited to, the following:

(1) Failure to comply substantially with any provisions of chapter 11 of Division 2 of the Business and Professions Code or Title 16, Division 20 of the California Code of Regulations; or

(2) Any material misrepresentation of fact by the respondent in any information required to be submitted to the Board or the Board recognized national continuing education provider approval body.

(b) A proceeding to withdraw Board recognition or approval from a respondent shall be initiated by serving a written statement of the charges upon the respondent. The statement of charges sets forth the acts and omissions with which the respondent is charged and sets forth a date on which such a withdrawal will take effect if not contested. If the respondent desires to contest the withdrawal of its approval, it shall, within 30 days after receipt of the written statement of charges, notify the Board's executive officer in writing of its request for a hearing on the charges. The Board or its designee shall hold a hearing within 60 days after receipt of the request for hearing. If the Board elects to allow a designee to conduct the hearing, the designee shall prepare a written proposed decision in the matter and submit it to the Board for its approval or modifications. Following a hearing, the Board shall issue a decision within 100 days following the close of the record in the hearing or receipt of a proposed decision if the matter is heard by the Board's designee.

(c) If the respondent fails to notify the Board's executive officer in writing and in a timely manner that it desires to contest the written statement of charges, the decision to withdraw approval shall become effective.

Note: Authority Cited: Sections 4808 and 4846.5, Business and Professional Code. Reference: Section 4846.5, Business and Professions Code.