

VETERINARY MEDICAL BOARD NEW DRUG CONSULTATION REQUIREMENTS

Pursuant to Senate Bill [1480](#) (Hill, Chapter 571, Statutes of 2018), effective January 1, 2019, veterinarians are required to offer to provide drug consultations for dangerous drugs¹ (Business and Professions Code (BPC) Section [4829.5](#)):

BPC Section 4829.5.

- a) Each time a veterinarian initially prescribes, dispenses, or furnishes a dangerous drug, as defined in Section [4022](#), to an animal patient in an outpatient setting, the veterinarian shall offer to provide, in person or through electronic means, to the client responsible for the animal, or his or her agent, a consultation that includes the following information:
 1. The name and description of the dangerous drug.
 2. Route of administration, dosage form, dosage, duration of drug therapy, the duration of the effects of the drug, and the common severe adverse effects associated with the use of a short-acting or long-acting drug.
 3. Any special directions for proper use and storage.
 4. Actions to be taken in the event of a missed dose.
 5. If available, precautions and relevant warnings provided by the drug's manufacturer, including common severe adverse effects of the drug.
- b) If requested, a veterinarian shall provide drug documentation, if available.
- c) A veterinarian may delegate to a registered veterinary technician or veterinary assistant the task of providing the consultation and drug documentation required by this section.
- d) It shall be noted in the medical record of the animal patient if the consultation described in this section is provided or declined by the client or his or her agent.

The Board has received numerous questions regarding the new statutory drug consultation requirement. To provide clarity, the Board provides this discussion and responses to some frequently asked questions.

Prescribed, Dispensed, or Furnished to an Animal Patient

Veterinarians are required to offer a drug consultation to the client when a dangerous drug is initially prescribed, dispensed, or furnished to an animal patient in an outpatient setting.

Since a veterinarian would not provide a prescription or medication for home use directly to the animal patient, it appears the intent is to require offering a consultation when the drug is prescribed, dispensed, or furnished *for use in/on* the animal patient.

In addition, the Veterinary Medicine Practice Act (Act) does not define “prescribe,” “dispense,” or “furnish,” so the Board relies on the following Pharmacy Law² definitions:

- Dispense:** The furnishing of drugs or devices upon a prescription from a veterinarian. (BPC § [4024](#))
- Furnish:** To supply by any means, by sale or otherwise. (BPC § [4026](#))

¹ “Dangerous drug” means any drug requiring a prescription. (BPC § [4022](#))

² The Board is specifically charged with the enforcement of Pharmacy Law as it relates to Board licensees. (BPC § [4170](#) (b))

Administration NOT included

BPC section 4829.5 does NOT include “administers” a dangerous drug to an animal patient. While a previous iteration of this statute contained this requirement³, it was not included in the enacted statute. Pharmacy Law provides the following definition of administer:

Administer: The direct application of a drug or device to the body of a patient or research subject by injection, inhalation, ingestion, or other means. (BPC § [4016](#))

Electronic Means

BPC section 4829.5 authorizes the veterinarian to provide the drug consultation in person or through electronic means. However, “electronic means” is not defined. Thus, this is interpreted broadly to include all forms of electronic means.

Frequently Asked Questions

Q: Am I required to offer a consultation for injectables?

A: If an injectable is administered by the veterinary professional to the animal patient (i.e., directly injected into the animal patient), BPC section 4829.5 does not apply (see “Administration NOT Included” section above). However, if injectables are provided to the client for use in/on an animal patient at home, a drug consultation must be offered.

Q: If I refill a prescription originating from a different veterinary practice, do I need to offer a consultation?

A: BPC section 4829.5 applies “each time a veterinarian *initially* prescribes, dispenses [...]” If you are prescribing, dispensing, or furnishing for use in/on the animal patient for the first time, you are required to offer consultation – regardless of whether the client may have received consultation from a previous veterinarian.

Q: Am I required to offer consultations on medications that were initially prescribed prior to January 1, 2019?

A: SB 1480 was not applied retroactively. However, if you prescribed the dangerous drug prior to January 1, 2019, but are *initially* dispensing the drug after that date, you are required to offer the consultation.

Q: If I provide the client written documentation or a link to a website about the dangerous drug addressing all consultation points required (BPC Section 4829.5 (a) (1-5)), am I compliant with the consultation requirement?

A: The new law requires both a consultation and, if requested by the client, drug documentation, if available, to be provided to the client. (BPC Section 4829.5 (a), (b).)

Thus, drug documentation does not replace a consultation. Rather, documentation is meant to supplement a consultation, should the client request additional documentation after the consultation was provided.

³ SB [546](#) (Hill, 2017), Sec. 4; “administers” was proposed to be stricken from SB 546 as it was overly burdensome on veterinarians who would be required under that bill to track down the client each time the veterinarian administered a drug to the animal patient, which frequently occurs when the client is not present with the animal patient. Accordingly, SB 1480, effective January 1, 2019, did not contain “administers.”